



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 11, 2010**

OPEN STUDY SESSION: 7:00 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular December 14, 2009, City Council Meeting Minutes.
5. SPECIAL PRESENTATION

REGULAR AGENDA

6. Communications from the Audience.
7. Communications from the City Council.
8. Communications from the City Manager.
9. **RESOLUTION R-10-01**, authorizing an Intergovernmental agreement between the City of Gladstone and the Mid-America

Regional Council (MARC) Solid Waste Management District for the Regional Household Hazardous Waste Collection Program.

10. **APPROVAL OF A SEVEN DAY PACKAGE LIQUOR LICENSE**, Walgreen Company dba Walgreens #1244.
Managing Officer: Lorene Samson.
11. **APPROVAL OF THE NOVEMBER 2009, FINANCIAL REPORT.**
12. Other Business.
13. Questions from the News Media.
14. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 11, 2010**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Pro Tem Les Smith
Councilman Mark Revenaugh
Councilmember Carol Suter
Councilman Barry McCullough

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor David Ramsay
City Clerk Cathy Swenson

ABSENT: Mayor Carol Rudi

Item 2. on the Agenda. ROLL CALL

Mayor Pro Tem Les Smith opened the Regular January 11, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that Mayor Carol Rudi was absent as she was vacationing in Hawaii.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Pro Tem Les Smith led the Pledge of Allegiance, in which all joined.

**Item 4. on the Agenda. APPROVAL OF THE REGULAR DECEMBER 14,
2009, CITY COUNCIL MEETING MINUTES.**

Councilmember Carol Suter moved to approve the Regular December 14, 2009, City Council Meeting Minutes as presented. Councilman Mark Revenaugh seconded. The vote: All "aye" - Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, and Mayor Pro Tem Les Smith. (4-0)

Item 5. on the Agenda. **SPECIAL PRESENTATION**

Mayor Pro Tem Smith invited Public Works Director Chuck Williams to join him at the Council dais. Mayor Pro Tem Smith read and presented a Proclamation to Director Williams, recognizing his retirement following five years of service to the City of Gladstone.

Mayor Pro Tem Smith said he was joking with Mr. Williams this morning that he has been accused of being the President of the Chuck Williams' fan club, and other times he wondered what the heck he was thinking! Mayor Pro Tem Smith said in the final analysis, Director Williams was hired to do a job; he did that job, and the greatest compliment he can give him is to say that he left the Department better than he found it.

Public Works Director Chuck Williams expressed his appreciation and said he appreciated the trust that City Manager Kirk Davis placed with him five years and eight days ago. Mr. Davis stepped out a little bit, and took a chance, and he appreciates it. Director Williams said the people of Gladstone are wonderful people, and that is coming from a native Kansan, and he cannot say enough about the Public Works staff. Director Williams said he is very pleased with the dedication the Public Works staff has shown. With the snowstorms recently, they have really stepped up, and they have been stepping up for several years. During the 2008 tornado, they stepped up, and when there was a major waterline break on Memorial Day this year, they stepped up. Director Williams said the Public Works staff is stepping up during our current winter season, and he could not be more proud of the job they have done in serving the citizens of Gladstone.

REGULAR AGENDA

Item 6. on the Agenda. **COMMUNICATIONS FROM THE AUDIENCE.**

Larry Newport, 2002 NE 69 Terrace, offered the Public Works Department his thanks for giving up their time on Christmas Day, and said our city is lucky to have such a good staff.

Item 7. on the Agenda. **COMMUNICATIONS FROM THE CITY COUNCIL.**

Councilman Barry McCullough stated he believes Director Williams and the Public Works crew has done an amazing job with all the work they have had to do with snow removal in the last couple of weeks, and he thanked them for a good job.

Councilmember Carol Suter agreed with Councilman McCullough, and said that not everyone who serves our citizens has done as well as our Public Works Department, and asked if the City has had communication with trash haulers, in particular Platte Valley, whose trash has been out since last Tuesday. They have apparently not picked up the trash, and lots of people in her neighborhood use them, and she has noticed this in other neighborhoods around town. The trash has been snowed on; it is frozen solid; and it has been plowed in, as the plows have gone down the street. Councilmember Suter said she

did not know if people had been notified by the trash hauler as to what happened to their pick-up schedule, but her trash has been picked up twice since the time her neighbors' trash has been sitting on the curb.

City Manager Kirk Davis replied he does use Platte Valley Sanitation as his trash service, and they have not sent any letters, and they have picked up the trash in his neighborhood the last two Wednesdays, and kept to their schedule. City Manager Davis said staff would contact Platte Valley Sanitation to inquire into this matter.

Councilmember Suter said Wednesdays are also her neighborhood's scheduled trash pick up day for Platte Valley Sanitation, and nothing has been picked up, and it has become problematic.

Councilman Mark Revenaugh said there is a recording on Platte Valley Sanitation's answering machine; he called them because he left his trash out on Friday, and it was not picked up. They canceled the Friday pick-up, as did several of the trash haulers, because it was so cold, they did not feel it was right having their folks in the cold weather. Councilman Revenaugh said the communication was not good, but the recording said they would pick up trash on Wednesday, and that they are running a week behind, but they would get to everyone, and the trash would be cleaned up by the end of this week, and they would be back on track.

Councilman Revenaugh said our City's Public Works Department did a tremendous job in removing the snow. He said last year at a Northland Regional Chamber meeting that there are two types of Northlanders – those who live in Gladstone, and those who wished they lived in Gladstone. That could not have been more true than when we had this most recent snow storm, because the folks in Kansas City did not get their side streets plowed at all. Councilman Revenaugh said there was no special preference shown to the Council members, as he can attest, because he had to wait for the snow plows to come down his street so he could get out, but once he did get out on Christmas Day, one could see the pavement on North Oak Trafficway, heading north to I-52 Highway, and as soon as he hit Kansas City's line, it was white, and it was white all the way to I-52 Highway, and then the road was treated by MoDot until one got back into Kansas City, by the Liberty triangle, and there again, it looked like it had never been plowed.

Councilman Revenaugh said The Star ran an article about the suburbs doing a better job than Kansas City in snow removal, and it was really obvious that the people who live around Gladstone certainly wished they lived in Gladstone instead of Kansas City when we had the latest snow event. Councilman Revenaugh offered "good job" to Director Williams, and asked him to pass that along to the Public Works staff. This is a safety and welfare issue for our citizens, and if our City does not get the roads plowed, people do not get to work. It was hard enough to get around the way it was, but certainly, when you were in Gladstone, you knew it, because you could get from Point A to Point B.

Mayor Pro Tem Les Smith stated he wished to make this unanimous, and said he gets a feel for what is going on in the City by what he hears in the grocery store, and he got four

compliments and only one complaint. Our City did a really good job. Mayor Pro Tem Smith said he did have someone ask him why is it that Gladstone is so much better, and he believes it is because you have to make a commitment – you have to budget money and when you run out of money, you have to find more money, and it is just a matter of commitment by the City. In Director Williams' five years here, he has had a couple of really tough ones, where we have not probably had enough of anything to go around, and we still managed to do a good job in snow removal. Mayor Pro Tem Smith said the entire Public Works Department – top to bottom or bottom to top – are committed to it, they are very proud of it, and they know it is one of the things that makes us a distinctive community, and he looks forward to that for the rest of the winter, because we are probably not finished with the snow.

Item 8. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis reported that City Hall would be closed Monday, January 18, for the Martin Luther King Holiday. City Manager Davis offered his congratulations to Director Williams, and said he came in and has done a really good job. He has opened our eyes to some operational issues in the Public Works Department, and he reorganized the Department and made it more efficient, and the professionalism of the Department has improved under his watch.

City Manager Davis offered kudos to Director Williams, and announced that Assistant Public Works Director Tim Nebergall would be the interim Director of Public Works. The City would be going through some processes to analyze how Director Williams' position will be filled. City Manager Davis said in the mean time, Mr. Nebergall will be a very steady and positive influence on that operation, and he looks forward to working with him now and for many years in the future, and he hopes Mr. Nebergall looks forward to the challenges as well, and he thinks he will do a good job and he looks forward to a seamless transition.

Mayor Pro Tem Smith said Director Williams has left our City with some great blocks to build upon, and he hopes we continue to build that way.

Item 9. on the Agenda. **RESOLUTION R-10-01**, authorizing an Intergovernmental Agreement between the City of Gladstone and the Mid-America Regional Council (MARC) Solid Waste Management District for the Regional Household Hazardous Waste Collection Program.

Councilman Mark Revenaugh moved to adopt **RESOLUTION R-10-01**, authorizing an Intergovernmental Agreement between the City of Gladstone and the Mid-America Regional Council (MARC) Solid Waste Management District for the Regional Household Hazardous Waste Collection Program. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, and Mayor Pro Tem Les Smith. (4-0)

Item 10. on the Agenda. **APPROVAL OF A SEVEN DAY PACKAGE LIQUOR LICENSE**, Walgreen Company dba Walgreens #1244. Managing Officer: Lorene Samson.

Councilmember Carol Suter moved to approve a **SEVEN DAY PACKAGE LIQUOR LICENSE** for Walgreen Company dba Walgreens #1244. Managing Officer: Lorene Samson. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, and Mayor Pro Tem Les Smith. (4-0)

Item 11. on the Agenda. **APPROVAL OF THE NOVEMBER 2009, FINANCIAL REPORT.**

Councilman Mark Revenaugh moved to approve the **NOVEMBER 2009, FINANCIAL REPORT**. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, and Mayor Pro Tem Les Smith. (4-0)

Item 12. on the Agenda. **OTHER BUSINESS.**

Mayor Pro Tem Smith said he hoped everyone has had the opportunity to look at the first bulletin from the Missouri Municipal League, and some of the incredible pre-filed legislation that has come in from around the State from the House and the Senate. Mayor Pro Tem Smith said he wished we could take our Legislative packet and write across the front of it something that says, "Leave us alone", and let us run our government the way the citizens of our communities elected their Councils to do, and operate in a manner that is in the citizens' best interest, because they are continually wanting to meddle in things that work for us, and meddle in our funding possibilities and our revenue streams, and he believes he read one Bill that would abolish one tax in favor of another, and then initiate a petition that would allow the citizens to request the ballot issue to be abolished, and the Cities would have no tax revenues. Mayor Pro Tem Smith said he hopes our City will be soon bringing forward a Legislative packet, and getting it to Jefferson City, because it continues to get worse every year.


Item 13. on the Agenda. **QUESTIONS FROM THE NEWS MEDIA.**

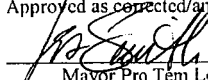
There were no questions from the News Media.

Item 14. on the Agenda. **ADJOURNMENT.**

There being no further business to come before the January 11, 2010. Regular City Council meeting, Mayor Pro Tem Les Smith adjourned the Regular meeting.

Respectfully submitted:


Cathy Stevenson, City Clerk

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

Mayor Pro Tem Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 25, 2010**

The City Council will meet in Closed Executive Session on Monday, January 25, 2010, starting at **6:00 PM** in the City Manager's office, Gladstone City Hall, 7010 North Holmes.

The Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 6:30 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular January 11, 2010, City Council Meeting Minutes.
5. **PRESENTATION OF MAYOR'S CHRISTMAS TREE LIGHTING CHECKS** to the Northland Christmas Store and Gladstone Neighbors Helping Neighbors.

6. PRESENTATION OF BOARDS AND COMMISSIONS APPRECIATION PLAQUE:

Winnie Estep, Neighborhood Commission
(November 2007 –December 2009)

7. PROCLAMATION recognizing the Boy Scouts of America's 100th anniversary on February 8 and proclaiming February 7-13, 2010 as "Scouting Anniversary Week."

8. CONSENT AGENDA

BUILDING PERMIT: for the installation of new Clearwire 4G panel and backhaul dish antennas installed on the existing catwalk of the Linden Water Tower at 480 NE 71 Street. Applicant: Selective Site Consultants (SSC) on behalf of Clearwire Wireless Broadband. Owner: City of Gladstone. BP-09-00786.

BUILDING PERMIT: for the installation of new Clearwire 4G panel and backhaul dish antennas installed on the HALO atop the Antioch Water Tower at 6803 NE Antioch Road. Applicant: Selective Site Consultants (SSC) on behalf of Clearwire Wireless Broadband. Owner: City of Gladstone. BP-09-00787.

RESOLUTION R-10-02, authorizing acceptance of work under the contract with Miles Excavating, Inc. for the NW 61st Terrace Street Reconstruction—Main to Wyandotte; and authorizing final payment in the total amount of \$18,952.83. Project TP0614.

APPROVAL OF THE DECEMBER 2009 FINANCIAL REPORT.

REGULAR AGENDA

9. Communications from the Audience.

10. Communications from the City Council.

11. **Communications from the City Manager.**

12. **RESOLUTION R-10-03**, authorizing execution of a contract with Reddi Services, Inc. in a total amount not to exceed \$60,845.00 for the 2010 Sanitary Sewer Cleaning and Televising Project SP1093.

13. Other Business.

14. Questions from the News Media.

15. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 25, 2010**

ADJOURNMENT TO CLOSED EXECUTIVE SESSION

6:00 PM

Mayor Carol Rudi opened the City Council Meeting to adjourn to a Closed Executive Session on January 25, 2010, at 6:00 PM. Councilman Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilman Mark Revenaugh seconded.

Roll Call Vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0).

Mayor Carol Rudi recessed the Closed Executive Session at 6:35 PM.

REGULAR CITY COUNCIL MEETING

7:30 PM

PRESENT: Mayor Carol Rudi
Mayor Pro Tem Les Smith
Councilman Mark Revenaugh
Councilmember Carol Suter
Councilman Barry McCullough

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor David Ramsay
Deputy City Clerk Diane Whitaker

ABSENT: City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL.

Mayor Carol Rudi opened the Regular January 25, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers and noted that all were in attendance.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Carol Rudi led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. APPROVAL OF THE REGULAR JANUARY 11, 2010, CITY COUNCIL MEETING MINUTES.

Councilman Mark Revnaugh moved to approve the Regular January 11, 2010, City Council Meeting Minutes as presented. Councilman Barry McCullough seconded. The vote: All "aye" - Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revnaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0-1)

Item 5. on the Agenda. PRESENTATION OF MAYOR'S CHRISTMAS TREE LIGHTING CHECKS to the Northland Christmas Store and Gladstone Neighbors Helping Neighbors.

Mayor Rudi proudly stated that more than \$15,000 was raised this year for the Mayor's Christmas Tree. A large part of that money came from the 5K Scarecrow Walk which is dedicated to the Northland Christmas Store and that is the reason for the difference in the amount of the checks.

Mayor Rudi invited Ikey Harris, Chairman of the Northland Christmas Store, to step forward and presented her with a check in the amount of \$11,370.60, and thanked her for all the good work she does. Ms. Harris expressed her thanks to Mayor Rudi and City Council members.

Mayor Rudi invited Art Hammen, Executive Director of Gladstone Neighbors Helping Neighbors, to step forward and presented him with a check in the amount of \$4,095.60, and thanked him for all the good work he does. Mr. Hammen, said on behalf of Neighbors Helping Neighbors, the Board of Directors, and especially on behalf of the citizens of Gladstone who will benefit from this, he would like to thank Mayor Rudi and the City Council for all their support of Neighbors Helping Neighbors, which was followed by applause.

Item 6. on the Agenda. PRESENTATION OF BOARDS AND COMMISSION APPRECIATION PLAQUE:

Mayor Rudi stated that Winnie Estep is leaving the Neighborhood Commission of which Art Hammen chaired. She served in the Bolling Heights neighborhood from November 2007 through December 2009.

Mayor Rudi invited Ms. Estep to come forward, then read and presented a plaque of appreciation to her for her years of service.

Ms. Estep thanked Mayor Rudi and Council, and stated that it was an honor and a great opportunity to serve on this committee.

Item 7. on the Agenda. PROCLAMATION recognizing the Boy Scouts of America's 100th anniversary on February 8 and proclaiming February 7-13, 2010 as "Scouting Anniversary Week."

Mayor Rudi invited Thunderbird District Director Ross Pfannenstiel to step forward. Mayor Rudi read and presented a proclamation to the Heart of America Council Boy Scouts of America in honor of their 100th anniversary on February 8.

Mr. Pfannenstiel thanked the Mayor and Council for the proclamation and said that it would be presented at the February 8 celebration at the Ewing M. Kauffman Foundation. Mr. Pfannenstiel stated that they appreciated the support of the City.

Item 8. on the Agenda **CONSENT AGENDA**

Following the Deputy Clerk's reading, Councilmember Carol Suter moved to accept the Consent Agenda as presented. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0)

Councilman Carol Suter moved to approve a **BUILDING PERMIT** for the installation of new Clearwire 4G panel and backhaul dish antennas installed on the existing catwalk of the Linden Water Tower at 480 NE 71 Street. Applicant: Selective Site Consultants (SSC) on behalf of Clearwire Wireless Broadband. Owner: City of Gladstone. BP-09-00786. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0)

Councilman Carol Suter moved to approve a **BUILDING PERMIT** for the installation of new Clearwire 4G panel and backhaul dish antennas installed on the HALO atop the Antioch Water Tower at 6803 NE Antioch Road. Applicant: Selective Site Consultants (SSC) on behalf of Clearwire Wireless Broadband. Owner: City of Gladstone. BP-09-00787. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0)

Councilman Carol Suter moved to adopt **RESOLUTION R-10-02**, authorizing acceptance of work under the contract with Miles Excavating, Inc. for the NW 61st Terrace Street Reconstruction—Main to Wyandotte; and authorizing final payment in the total amount of \$18,952.83. Project TP0614. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0)

Councilman Carol Suter moved to approve the **DECEMBER 2009 FINANCIAL REPORT**. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0)

REGULAR AGENDA

Item 9. on the Agenda. **Communications from the Audience.**
There was no communication from the audience.

Item 10. on the Agenda. **Communications from the City Council.**
Councilman Barry McCullough had no comments at this time.

Councilmember Carol Suter had no comments at this time.

Councilman Mark Revenaugh had no comments at this time.

Mayor Pro Tem Les Smith had no comments at this time.

Mayor Carol Rudi thanked the Public Works Department for their hard work during the winter storms in recent weeks. She has heard many favorable comments and they keep coming in. Mayor Rudi stated jokingly to Mayor Pro Tem Smith that yes, she was here during the worst of the storm (since she then went to Hawaii).

Mayor Rudi then asked Parks and Recreation Director Sheila Lillis to bring forward the anniversary quilt that was handmade in 1976. The Arts Commission has discussed various locations for the heirloom quilt and are suggesting the Council Chambers. Mayor Rudi is asking for assistance in determining the location within the Council Chambers.

Item 11. on the Agenda. **Communications from the City Manager.**

City Manager Kirk Davis had no comments at this time.

Item 12. on the Agenda. **RESOLUTION R-10-03**, authorizing execution of a contract with Reddi Services, Inc. in a total amount not to exceed \$60,845.00 for the 2010 Sanitary Sewer Cleaning and Televising Project SP1093.

Mayor Pro Tem Les Smith moved to adopt **RESOLUTION R-10-03**, authorizing execution of a contract with Reddi Services, Inc. in a total amount not to exceed \$60,845.00 for the 2010 Sanitary Sewer Cleaning and Televising Project SP1093. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0)

Item 13. on the Agenda. **Other Business.**

Mayor Carol Rudi wanted to remind everyone about the First Tuesday Art Show coming up on February 2 featuring the NKC Schools art teachers.

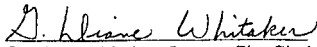
Item 14. on the Agenda. **Questions from the News Media.**

There were no questions from the News Media.

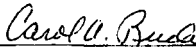
Item 15. on the Agenda. **ADJOURNMENT.**

There being no further business to come before the January 25, 2010, Regular City Council meeting, Mayor Carol Rudi adjourned the Regular meeting.

Respectfully submitted:


G. Diane Whitaker, Deputy City Clerk

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



Mayor Carol A. Rudi



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, FEBRUARY 8, 2010**

The City Council will meet in Closed Executive Session on Monday, February 8, 2010, starting at **6:00 PM** in the City Manager's office, Gladstone City Hall, 7010 North Holmes.

The Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 6:15 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular January 25, 2010 City Council Meeting Minutes.
5. **CONSENT AGENDA**

RESOLUTION 10-04, accepting temporary construction easements from certain property owners in conjunction with the Mill Creel Sewer Improvement Project (SP1090).

RESOLUTION 10-05, authorizing the Agreement for Confinement of Prisoners with Clay County, Missouri.

REGULAR AGENDA

6. **Communications from the Audience.**

7. **Communications from the City Council.**

8. **Communications from the City Manager.**

9. **RESOLUTION R-10-06**, authorizing the City Manager to enter into an agreement between Gladstone and Builders Development Corporation (BDC) for professional housing and development services for the neighborhood Stabilization Program Grant Category #3.

10. **FIRST READING BILL 10-01**, establishing an ordinance prohibiting the violation of domestic orders of protection within the City of Gladstone, Missouri and setting forth penalties for such violations.

11. **RESOLUTION 10-07**, a resolution amending the 2010 annual general fund, combined water and sewerage system fund, transportation sales tax fund, and community center and park fund for the City of Gladstone, Missouri, and authorizing expenditures of funds.

12. **Other Business.**

13. **Questions from the News Media.**

14. **Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, FEBRUARY 8, 2010**

ADJOURNMENT TO CLOSED EXECUTIVE SESSION

Mayor Carol Rudi opened the City Council Meeting to adjourn to a Closed Executive Session on February 8, 2010, at 6:00 PM. Councilmember Carol Suter made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilman Mark Revenaugh seconded.

Roll Call Vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, and Mayor Carol Rudi. (4-0).

Note: Mayor Pro Tem Les Smith was present at the Closed Executive Session.

Mayor Carol Rudi recessed the Closed Executive Session at 6:20 PM.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Carol Rudi
Mayor Pro Tem Les Smith
Councilman Mark Revenaugh
Councilmember Carol Suter
Councilman Barry McCullough

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor David Ramsay
Deputy City Clerk Diane Whitaker

ABSENT: City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL

Mayor Carol Rudi opened the Regular February 8, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all were in attendance.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Carol Rudi led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. APPROVAL OF THE REGULAR JANUARY 25, CITY COUNCIL MEETING MINUTES.

Councilman Mark Revenaugh moved to approve the Regular January 25, 2010. City Council Meeting Minutes as presented. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0)

Item 5. on the Agenda. CONSENT AGENDA

Following the Deputy Clerk's reading, Councilmember Carol Suter moved to accept the Consent Agenda as presented. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-04**, accepting temporary construction easements from certain property owners in conjunction with the Mill Creel Sewer Improvement Project (SP1090). Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION 10-05**, authorizing the Agreement for Confinement of Prisoners with Clay County, Missouri. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0)

REGULAR AGENDA

Item 6. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

There was no communication from the audience.

Item 7. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Councilman Barry McCullough expressed his thanks to the Public Works for their street work and said he is impressed.

Councilmember Carol Suter had no comments at this time.

Councilman Mark Revenaugh had no comments at this time.

Mayor Pro Tem Les Smith stated that he thought perhaps staff was working on the "dancing Statue of Liberty" at 68th and North Oak. Mayor Pro Tem Smith asked staff to research the sign ordinance restrictions about this and off-premise signs and "moving" signs. He asked for a recommendation on this issue.

Mayor Carol Rudi congratulated the Arts Commission for the excellent art show reception this past week. The variety of artwork was impressive with a very good crowd attending.

Item 8. on the Agenda. **Communications from the City Manager.**

Assistant City Manager Scott Wingerson stated that City Manager Davis was absent because he was caught in a blizzard coming home from Minnesota. Mr. Wingerson reported that City offices would be closed on Monday, February 15 for the Presidents' Day Holiday.

Item 9. on the Agenda. **RESOLUTION R-10-06**, authorizing the City Manager to enter into an agreement between Gladstone and Builders Development Corporation (BDC) for professional housing and development services for the Neighborhood Stabilization Program Grant Category #3.

Mayor Pro Tem Les Smith moved to adopt **RESOLUTION R-10-06**, authorizing the City Manager to enter into an agreement between Gladstone and Builders Development Corporation (BDC) for professional housing and development services for the Neighborhood Stabilization Program Grant Category #3. Councilman Mark Revenaugh seconded. The vote: All "aye" - Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0)

Item 10. on the Agenda. **FIRST READING BILL 10-01**, establishing an ordinance prohibiting the violation of domestic orders of protection within the City of Gladstone, Missouri and setting forth penalties for such violations.

Councilman Barry McCullough moved to place Bill 10-01 on its First Reading. Councilmember Carol Suter seconded. The Vote All "aye" - Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the First Reading of Bill 10-01, Waive the Rule and place the Bill on its Second and Final Reading. The Vote All "aye" - Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the Second and Final Reading of Bill 10-01 and to enact the Bill as **Ordinance 4.131**. Councilmember Carol Suter seconded.

Discussion: Councilman Mark Revenaugh asked about the connection to enforce the law that is already on the books and is this relating to traffic laws. Why do we need an ordinance to enforce the law or is there not a law on the books.

Counselor David Ramsay stated that orders of protection are not in the law. Violations within Gladstone go to Circuit Court, and is appropriate with violent nature, but many are simply being people making phone calls, close proximity to another person, drive-by the house kinds of things, where our local court could move these things along more quickly. It would also move from the situation escalating into a more violent situation. County prosecutors have a heavy load and sometimes take several weeks to complete this process. Public Safety would like to be able to file in the lesser court to move forward more quickly.

Councilman Revenaugh stated this would allow our law enforcement to do this, which they previously did not have the authority to do.

Counselor Ramsay acknowledged yes, that is correct.

Roll call vote: "All aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0).

Mayor Carol Rudi stated that Bill 10-01 is enacted at **Ordinance 4.131.**

Item 11. on the Agenda. **RESOLUTION 10-07**, a resolution amending the 2010 annual general fund, combined water and sewerage system fund, transportation sales tax fund, and community center and park fund for the City of Gladstone, Missouri, and authorizing expenditures of funds.

(Please Note: Due to time constraints, Council and staff agreed to discuss Open Study Session #4 on the Mid-Year Budget under Item 11. on the Regular Agenda.)

Finance Director Debra Daily stated that she would summarize the Study Session; staff has been going through the review and not trying to reset budgets because there are accounting measures and special circumstances. They are holding the line and will focus primarily on Exhibit 1 and 3. Ms. Daily covered the highlights of the Mid-year Budget Study Session which is included in its entirety below.



**OFFICE OF THE CITY MANAGER
MEMORANDUM KLD #10-14**

DATE: FEBRUARY 4, 2010

TO: CAROL RUDI, MAYOR,
LES SMITH, MAYOR PRO-TEM
MARK REVENAUGH, COUNCILMAN
CAROL SUTER, COUNCILMEMBER
BARRY MCCULLOUGH, COUNCILMAN

FROM: KIRK L. DAVIS, CITY MANAGER
DEBRA DAILY, DIRECTOR OF FINANCE *DD*

RE: STUDY SESSION ITEM #4
2010 MID-YEAR BUDGET REVIEW

The mid-year budget review for Fiscal Year 2010 (FY10) is complete and hereby submitted to the City Council for review, modification if necessary, and approval. Completing a mid-year budget review provides an opportunity to review budget projections, economic trends, make GAAP accounting adjustments, and adjust budgeted funding levels based upon unique circumstances that may arise during the first six months of a fiscal year. This memorandum and attached documentation will provide information concerning the General Fund, Community Center and Parks Tax Fund, Combined Water and Sewerage System Fund (CWSS), Capital Equipment Replacement Fund (CERF), as well as the Capital Improvements Program Funds. Budgets adjustments are required for the General Fund, CCPT, CERF, and CWSS and are detailed in this memo.

Executive Summary

The FY10 budgets originally projected in all funds were set conservatively due to the recessionary economy. Few adjustments were required at midyear to maintain balanced budgets. Original expenditure levels budgeted in the General Fund at re-appropriations and during the original FY10 budget process have been maintained despite the high costs of snow removal so far this winter. Nonetheless, a budget amendment will still be required in order to maintain statutory budget authority under GAAP accounting principles. Details are provided in the General Fund portion of this memo. Budget amendments will also be required for CWSS, CCPT, and CERF. Capital Improvement Program budgets will not require a budget adjustment. Complete details on all required budget adjustments are provided in the following memo.

Costs will continue to increase from current levels for personnel, operations (electricity, fuel, general supplies, technology, postage), required capital purchases, and finally overall program costs that make Gladstone "distinctive" and a great place to live. Fortunately, the City has done an excellent job of pre-recession planning by establishing new revenue sources and controlling operational expenses. Although a balanced mid-year budget is presented, we must continue to encourage and seek additional program efficiencies, revenue enhancement, new investment in our community, be financially creative, and focus on redevelopment.

GENERAL FUND

Revenues

The General Fund revenue structure consists primarily of property tax, sales tax, gross receipts tax, intergovernmental revenues, and charges for services (77% of total revenues). Overall, the total original revenue projection of \$16,691,216 will remain unchanged except for the required accounting treatment of the AJ Farm Loan previously approved by Council. The loan proceeds (\$350,000) must be added as revenue in FY10. Correspondingly, there will be an offsetting expenditure recorded as a transfer to the AJ Farm LLC.

Within each different revenue category - there were revenue shortfalls and corresponding increases that offset the shortfalls. See Exhibit 1 below. The breakdown of changes within each revenue category will be provided in the following narrative. Also reference Appendix A for a complete summary of the General Fund.

Exhibit 1

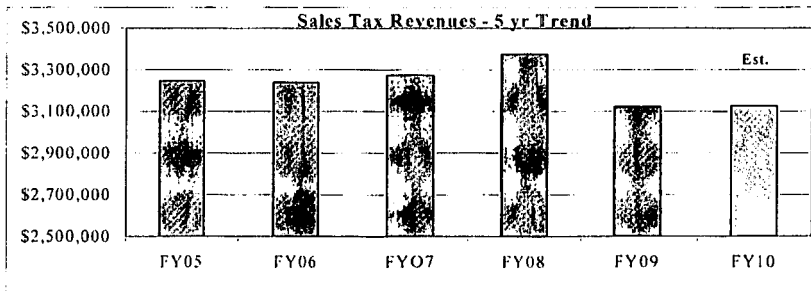
Revenues				
	Reappro Budget	Expected	Incr (Decr)	
Property Tax	\$ 3,342,128	\$ 3,286,537	(55,591)	-1.7%
Sales/Use Tax	3,135,300	3,126,000	(9,300)	-0.3%
Gross Receipts Tax	3,165,700	3,173,000	7,300	0.2%
Licenses & Permits	386,650	375,577	(11,073)	-2.9%
Intergovernmental	1,148,046	1,141,622	(6,424)	-0.6%
Charges for Services	2,591,061	2,476,826	(114,235)	-4.4%
Fine & Forfeitures	948,100	997,100	49,000	5.2%
Misc. Revenue & Transfers	758,023	1,248,346	490,323	64.7%
Equity Adjustments	1,216,208	1,216,208	-	0.0%
Adjusted Revenue	16,691,216	17,041,216	350,000	2.1%

Property tax revenues have decreased from original budget projections by 1.7%, or \$55,591 due to decreased delinquent tax collections. A portion of the decrease can be attributed to a delinquent tax collection project in FY09. This resulted in accelerated delinquent tax collections of \$ 29,000 that was originally budgeted to be received in FY10.

Valuations and general tax collections are generally on target with projections. However, the last reassessment in FY09 did not capture the full effect of foreclosures and reduced real property values. Therefore the FY11 reassessment year may see additional real estate valuation decreases due to foreclosures that would negatively impact property tax collections. There will also be a decline in personal and business property valuation because purchases have been delayed and accelerated depreciation will combine to decrease related valuations as well.

Sales tax collections since FY01 have shown a steady decline. In FY07 a slight increase occurred and continued into FY08. See Exhibit 2. Actual sales tax collections in FY08 amounted to \$3,411,799 or \$178,098 above projections indicating a good retail sales base. However, economic pressures in FY09 & FY10 have once again shifted the trend downward. Sales tax revenue receipts started the year well behind projections but began to stabilize in October of 2009. FY10 sales tax collections are projected to be \$3,126,000. This is \$9,300 or .3% below original estimates of \$3,135,300. Reflected in current sales tax collections is a one-time sales tax receipt from the State amounting to \$47,357. This was a result of a tax audit on motor vehicle sales conducted by Finance. Excluding this one time receipt, sales tax revenues are down 2% from projections but are stabilizing.

Exhibit 2



Gross receipts taxes from the electric and gas utilities are highly affected by seasonal weather patterns and recent numerous rate adjustments. Electric, natural gas, wireless, and telecommunications franchise fees are projected to remain on target for the remainder of FY10. Cigarette taxes are projected to decrease \$12,000 while cable TV is anticipated to increase by \$20,000 based on current receipts to date. Overall, gross receipts taxes are expected to increase by \$7,300 over original estimates.

The revenue category of License and Permits decreased substantially in FY09 due to the housing market downturn and sub-prime correction. FY10 revenues were projected conservatively as well. Overall, projections are generally on target from a current budget perspective with the exception of

Public Safety Inspection programs projected to generate \$11,675. The start up of these inspection programs were anticipated in the FY10 budget but these programs have been delayed. As a result, total licenses and permits are expected to decrease \$11, 073 over original budget of \$386,650.

Intergovernmental revenue is projected to be mostly on target with a small decrease of \$6,424 in total revenue to \$1,141,622. This decrease is due to a reduction in motor vehicle sales tax. The three largest revenues in this category are gasoline tax, motor vehicle sales tax, and vehicle registration fees. Gasoline tax is distributed based on the City's population percentage in relation to the State. Gasoline prices also affect consumption. Motor vehicle sales tax and vehicle registration fees are influenced by the low financing interest offers, and rebates incentives. All types of revenues in this category are particularly sensitive to the current recessionary trends and continue below pre-recession levels as anticipated and budgeted.

Charge for Services include administrative services, ambulance billing, animal control fees, brush disposal, and Parks and Recreation programs. These charges are projected to decrease \$114,235. The majority of this decrease, or \$50,000, is from ambulance billing services. The reduced patient count at Woodbine has resulted in decreased ambulance runs and services to and from this facility. Other recreation program decreases (\$26,450) and decreases in security services (\$50,000) make up the balance of the projected revenue decrease. However, these have corresponding expenditure decreases.

Fines and Forfeitures are estimated to increase a total of \$49,000 over original projections to a total of \$997,100. This increase is mainly due to increased traffic safety enforcement.

Expenditures

Presenting a balanced budget has been an ongoing challenge since FY01 and all Departments have successfully increased services without added cost increases. The original FY10 budget was set conservatively with few opportunities for any program or salary increases. Annual merit increases for employees were not funded. Instead each employee received a one time lump sum payment of \$500 which was a big factor in maintaining budgetary cost controls. The result was a balanced budget during a severe economic downturn

As previously stated, the purpose of a mid-year budget is to provides an opportunity to review budget projections, economic trends, make GAAP adjustments, and adjust budgeted funding levels based upon unique circumstances that may arise during the first six months of a fiscal year. The unusually high snow removal costs to date in FY10 is the unexpected item this year. Salt inventories and related maintenance items therefore require funding at mid-year. Consequently, working with Departments, the Budget Team cut expenses in other areas to maintain the original approved operating budget levels. Many smaller actual cost increases went unfunded and absorbed into each Departments original budget. Details are provided and summarized in Exhibit 3. Also please reference Appendix A.

Total mid-year expected expenditures are \$17,040,591 which is \$350,000 more than originally budgeted. As explained in the revenue section above, the budget increase of \$350,000 is the required pass through accounting treatment of the expenditure side of AJ Farm Loan previously approved by Council. Changes in expected expenditures are categorized by Department and explained in greater detail following Exhibit 3.

Exhibit 3

<u>Expenditures by Dept</u>		REAPPR BUDG	M.Y. BUDG	INCREASE/ (DECREASE)
		<u>2010</u>	<u>2010</u>	
General Administration	\$	1,118,751	\$ 1,156,751	\$ 38,000
Finance		1,404,843	1,404,843	-
Public Safety		7,136,236	7,079,921	(56,315)
Public Works		2,075,059	2,156,644	81,585
Community Development		807,200	826,428	19,228
Parks & Recreation		1,882,466	1,863,236	(19,230)
Debt Service/Transfers		1,383,454	1,383,454	-
Non-Departmental		<u>882,582</u>	<u>1,169,314</u>	<u>286,732</u>
TOTAL EXPENDITURES	\$	16,690,591	\$ 17,040,591	\$ 350,000

Mid-year budget adjustments are requested for General Administration, Public Safety, Public Works, Community Development, Parks and Recreation. Overall total expenditures for these Departments did not change except in Non-Departmental where the \$350,000 AJ Farm Loan is fully expensed.

General Administration increased by \$38,000 for the Community Health Program. This increase has a corresponding revenue increase funded by safety loss control dollars from Midwest Public Risk.

Public Safety decreases of \$56,315 primarily come from the \$50,000 reduction over the original budget for providing off duty security services to Walmart.

Public Works budget increased by \$81,585 primarily for costs relating to snow removal and the expense (\$70,000) of replenishing salt inventories.

Community Development increases totaling \$19,228 are needed to cover costs for a dangerous building demolition (\$13,244) and increase weed mowing due to the wet summer and the larger number of related code infractions (\$ 6,344).

Parks and Recreation primarily decreased expenditures by \$19,228 by delaying the replacement of a generator for city Hall (\$10,000) and reducing the contractual costs for programs by \$8,000. This item had a corresponding revenue decrease.

Non-Departmental expenditures actually decreased by \$63,268 since the expected budget for employer paid benefits came in slightly under projections. Non-Departmental is also where the \$350,000 AJ Farm Loan expenditure was recorded. To clarify, \$350,000 less the budget decrease of \$63,268 equals \$286,732 as shown in Exhibit 3.

In summary, the Budget Team has worked with Departments to manage costs and present a balanced budget that reflects serious consideration of required cost increases, revenue adjustments, while still maintaining the original budget level. The FY10 Mid-Year Budget shows a net income of \$625 and exceeds the 20% required fund balance by \$15,702.

COMMUNITY CENTER AND PARK TAX FUND

Revenues and Expenses

The Community Center and Park Tax Fund (CCPT) was created as a Special Revenue Fund. Community Center activities, Natatorium activities and Municipal Pool activities are accounted for within this fund. This fund structure allows expenditures and revenues to be tracked to accommodate the City partnership with the North Kansas City School District. Budgeted revenues and expenditures have been adjusted as detailed in Appendix B.

Total revenues for this fund are projected to be \$3,090,364 or \$25,230 over original budget. However, due to the receipt of estimated insurance claim proceeds for of the damage to the gym floor (\$85,000) there is an actual projected decrease in revenue of \$59,770. Sales taxes are down by \$12,125 and reductions in charges for services and programs result in the balance of the estimated revenue reduction.

Total expenditures are expected to be \$3,076,108 which represents an increase of \$11,412. Once again, the full expense of the gym floor replacement or \$85,000 is included in this total. Therefore, expenditures actually decreased by \$73,588 in direct response to reduced operational costs related to decreases in revenue from charges for services and programs.

Net income for FY10 is projected to be \$14,256. FY10 beginning balance was \$1,468,048 and FY10 projected ending balance for the CCPT Fund is estimated to be \$1,388,304.

CAPITAL IMPROVEMENT PROGRAM

The City Council, Capital Improvements Program Committee, and Staff all have a significant role in planning the improvements to be constructed with Capital Improvement Sales Tax (CIST) and Transportation Sales Tax (TST) funds. The Capital Improvement Sales Tax Fund and the Transportation Sales Tax Fund are responsible for capital projects pertaining to buildings, stormwater, parks, streets, curbs, gutters, and debt service payments.

To ensure that there is sufficient budget authority to complete all projects each year, budgets are reviewed at Mid-Year. Any project budgeted in a previous year but not completed by year end, or any new projects added will require a budget increase and a corresponding revenue or equity adjustment be added to the budget to fund the additional expense which is consistent with accepted accounting practices. These budget adjustments ensure statutory budget authority and compliance each year.

In the CIST Fund the original expenditure budget was set at \$2,359,735. Projected FY10 Mid Year Budget is \$2,192,151. No budget adjustment is necessary. See Appendix C.

In the TST Fund the current expenditure budget amounts to \$4,984,000. Projected FY10 Mid Year Budget is \$4,658,517. No budget adjustment is necessary. See Appendix D.

CAPITAL EQUIPMENT REPLACEMENT FUND

The Capital Equipment Replacement Fund (CERF) was established in FY2001 to fund the purchase of capital items. Since inception, any excess of revenues over expenses in General Fund, after meeting the required 20% fund balance, has been placed in this fund. Recent legal settlements from the wireless companies have been also added to this fund. Each year capital equipment purchases and debt service on capital items have been either funded directly or leveraged from interest earnings on the fund balance in this fund. Currently, CERF has an expected fund balance of \$3.3 mil. Please reference Appendix E.

The current land loan funded through First Bank of Missouri has been used to purchase land for the economic development purposes. City Management suggests paying off the land loan and interest estimated at \$1,300,000 from CERF. Currently, interest earning rates range from .025% to .95% as of January of this year. However, interest paid on this land loan is currently 4%. Interest rates on the debt side will continue to increase at a much faster pace than the investment side. Consequently, the Budget Team recommends an increase of \$1.3 mil in the CERF FY10 Budget to pay off the Land Loan and related economic development expenses.

COMBINED WATERWORKS AND SEWERAGE SYSTEM FUND

Revenues and Expenses

FY09 and FY10 have proven to be a real challenge for the financial operations of Combined Waterworks and Sewerage (CWSS) Fund. FY10 operating revenues are projected to decrease by \$200,236 compared to projected budget. This decrease is based on current water sales thru December in CWSS. Water usage continued to decrease dramatically especially during the summer to levels substantially below established water usage trends even after adjusting for historically low water usage in FY09. The economy also continues to impact water usage. Available reserves of \$56,813 and expense cuts totaling \$127,078 were utilized to balance the budget. Based on GAAP accounting principles, the CWSS Fund must also record the Mill Creek Project loan proceeds of \$1mil as well as the offsetting capital expense (\$1 mil) for this project. Please reference Appendix F for a summary of revenue and expense adjustments for all divisions in CWSS.

Total adjusted expense budget for FY10 is \$7,850,470. Expenses were adjusted to reflect the decrease of \$127,078 before including the Mill Creek Project expense. This is the actual expense decrease required to balance the budget. This decrease is a result of expense cuts across all divisions. Personnel costs were reviewed and adjustments were made in overtime and wages for positions that remained open for any period of time during the hiring process (\$25,000). The largest cut amounting to \$50,000 was from a reduction in water line replacements leaving \$225,000 for FY10 projects. In addition, all line expense line items were reviewed for possible savings and adjustment to any expense item that would not directly impact required services. This review resulted in cuts totaling \$52,078. Costs for chemicals continue to increase so decreased water production has not resulted in any substantial savings for chemicals. With these cuts, a balance budget was achieved.

The CWSS Fund is projected to end the year with net income of \$13,575 and projected retained earnings of \$1,290,725 which meets the 20% fund balance requirement.

SUMMARY

Each fund was analyzed by Departments and Budget Team to develop the recommended budget adjustments. Through continued monthly reviews, all Funds are expected to balance for the remainder of this fiscal year.

The City Council Agenda contains a Resolution, which will amend the General Fund, Combined Waterworks and Sewerage System Fund, Community Center and Park Tax Fund, and the Capital Equipment Replacement Fund budgets to reflect the recommendations presented in this memorandum. Finance Director Daily has prepared a variety of appendix summary pages reflecting the results of the Mid-Year Budget Review. Please see the attached information. If you have any questions please feel free to contact Finance Director Daily or myself at your convenience.

APPENDIX A

GENERAL FUND
STATEMENT OF REVENUES & EXPENDITURES

	ACTUAL	REAPPRO BDGT	MIDYEAR	Variance
	2009	2010	2010	
<u>Revenue Sources</u>				
Property Tax	\$ 3,525,961	3,342,128	3,286,537	(55,591)
Sales/Use Tax	3,121,082	3,135,300	3,126,000	(9,300)
Gross Receipts Tax	3,449,783	3,165,700	3,173,000	7,300
Licenses & Permits	484,876	386,650	375,577	(11,073)
Intergovernmental	1,257,246	1,148,046	1,141,622	(6,424)
Charges for Services	2,535,949	2,591,061	2,476,826	(114,235)
Fine & Forfeitures	1,006,633	948,100	997,100	49,000
Misc. Revenue & Transfers	<u>1,325,094</u>	<u>758,023</u>	<u>1,248,346</u>	<u>490,323</u>
Operating Revenues	16,706,624	15,475,008	15,825,008	350,000
Equity Transfer	-	1,216,208	1,216,208	-
TOTAL REVENUE	\$ 16,706,624	\$ 16,691,216	\$ 17,041,216	\$ 350,000
<u>Expenditures</u>				
General Administration	\$ 978,583	\$ 1,118,751	\$ 1,156,751	38,000
Finance	1,277,105	1,404,843	1,404,843	-
Public Safety	6,765,843	7,136,236	7,079,921	(56,315)
Public Works	2,013,405	2,075,059	2,156,644	81,585
Community Development	728,969	807,200	826,428	19,228
Parks & Recreation	1,828,529	1,882,466	1,863,236	(19,230)
Debt Service/Transfers	205,938	1,383,454	1,383,454	-
Non-Departmental	<u>1,895,962</u>	<u>882,582</u>	<u>1,169,314</u>	<u>286,732</u>
TOTAL EXPENDITURES	\$ 15,694,334	\$ 16,690,591	\$ 17,040,591	\$ 350,000

GENERAL FUND - ANALYSIS OF FUNDS AVAILABLE

	2009	FY10 Reappro	FY10 MidYear
	<u>ACTUAL</u>	<u>BUDGETED</u>	<u>BUDGET</u>
Beg Funds Available	\$ 3,184,273	\$ 4,196,563	\$ 4,196,563
Revenues	16,706,624	16,691,216	17,041,216
Equity Adj	-	(1,216,208)	(1,216,208)
Net Funds Available	19,890,897	19,671,571	20,021,571
Expenditures	<u>(15,694,334)</u>	<u>(16,690,591)</u>	<u>(17,040,591)</u>
Net Income (Loss)	1,012,290	625	625
Ending Funds Available	<u>\$ 4,196,563</u>	<u>\$ 2,980,980</u>	<u>\$ 2,980,980</u>
20% Fund Balance Req		2,965,279	# 3,408,118
Over (Under) Fund Bal Req		\$ 15,702	\$ 15,702

APPENDIX B

COMMUNITY CENTER PARKS SALES TAX FUND
STATEMENT OF REVENUES & EXPENDITURES

	ACTUAL	REAPPRO BDOGT	MIDYEAR BDOGT	
	2009	2010	2010	Variance
<u>Revenue source:</u>				
<u>Community Center/Natorium</u>				
Sales Tax	\$ 727,075	\$ 731,500	\$ 719,375	(12,125)
Charges for Services	925,825	1,106,584	1,055,212	(51,372)
Rents & Royalties - Facility Rental	108,199	119,000	113,000	(6,000)
Other Misc Income	34,847	30,263	133,990	103,727
NKC Operating User Fee	125,000	125,000	125,000	-
Total Comm Ctr/Natorium	\$ 1,920,946	\$ 2,112,347	\$ 2,146,577	\$ 34,230
<u>Outdoor Pool</u>				
Charges for Services	\$ 159,461	\$ 209,487	\$ 195,487	\$ (14,000)
Other Misc Income	6,338	6,800	6,800	-
Total Outdoor Pool	\$ 165,799	\$ 216,287	\$ 202,287	\$ (14,000)
Total Operating Revenues	\$ 2,086,745	\$ 2,328,634	\$ 2,348,864	\$ 20,230
NKC Capital User Fee	\$ 525,000	\$ 525,000	\$ 525,000	-
Misc Revenue	32,685	17,500	22,500	5,000
Infrastructure Transfers	200,000	100,000	100,000	-
Equity Transfer	-	94,000	94,000	-
Total Non-Operating Revenues	\$ 757,685	\$ 736,500	\$ 741,500	\$ 5,000
TOTAL REVENUES	\$ 2,844,430	\$ 3,065,134	\$ 3,090,364	\$ 25,230

APPENDIX C

CAPITAL IMPROVEMENT SALES TAX FUND

	ORIGINAL BUDGET	MIDYEAR BUDGET
Fund Balance, July 1, 2009 (Estimated)	\$ 943,633	\$ 1,086,019
Budgeted Revenue, FY 2010	1,615,000	1,695,964
Total Funds Available	2,558,633	2,781,983
Budgeted Expenditures, FY 2010	2,359,735	2,192,151
PROJECTED FUND BALANCE, June 30, 2010	\$ 198,898	\$ 589,832
 REVENUE		
Sales/Use Tax	\$ 1,395,000	\$ 1,395,000
Interest Income	15,000	23,000
Amph Comm Loan Pmt	5,000	5,000
Federal Stimulus - North Oak	200,000	272,964
TOTAL REVENUE	\$ 1,615,000	\$ 1,695,964
 EXPENDITURES		
Debt Service	\$ 1,265,735	\$ 1,265,735
Engineering Division Transfer	85,000	85,000
7409 N Highland stormwater		20,000
Misc. Storm Projects	50,000	50,000
Arts Council	14,000	14,000
N Oak Enhancement - 69/71 St	340,000	515,000
Central Park Amenities	100,000	3,226
Resurface tennis courts	60,000	60,000
Bolling Heights-construction	100,000	100,000
Bolling Heights-design	25,000	25,000
77th & Lydia-design	25,000	25,000
Replace playground - Happy rock East	70,000	
76th & Lydia-Construction	200,000	
Animal Control - Design	25,000	25,000
Pleasant Valley Road Survey		4,190
TOTAL EXPENDITURES	\$ 2,359,735	\$ 2,192,151

APPENDIX D

TRANSPORTATION SALES TAX FUND

	Original Budget	Midyear Budget
Fund Balance, July 1, 2009 (Estimated)	\$ 2,003,853	\$ 1,797,171
Budgeted Revenue, FY 2009	3,087,250	3,031,847
Total Funds Available	5,091,103	4,829,018
Budgeted Expenditures, FY 2009	4,984,000	4,658,517
PROJECTED FUND BALANCE, June 30, 2009	\$ 107,103	\$ 170,501
REVENUE		
Sales/Use Tax	\$ 1,395,000	1,395,000
Property Tax - Local Transit	50,000	50,000
Property Tax - Sidewalks	50,000	50,000
Special Road District	-	-
Grants	1,567,250	1,494,347
Interest Income	25,000	42,500
TOTAL REVENUE	\$ 3,087,250	\$ 3,031,847
EXPENDITURES		
Debt Service	\$ 240,000	240,000
Engineering Division Transfer	85,000	85,000
ATA Payment	65,000	21,934
Local Transit	75,000	50,000
Gravel Approach Fund	25,000	25,000
Street Maintenance	400,000	335,277
Intermediate Maintenance Program	200,000	200,000
New Curb, Gutter, Sidewalk Program	300,000	225,000
ADA/Curbcut Sidewalks	100,000	100,000
Arterial Sidewalk Program	140,000	140,000
N Oak Turn Lane @ 76th St	675,000	675,000
M-1 Trail - Sta2 to Shoal Creek		
CMAQ	850,000	630,000
Shoal Creek/Antioch Ped. Bridge]	500,000]	783,740
Shoal Creek/Ant Ped Bridge Conn.	751,000	
North Broadway/Old Pike	378,000	387,566
N Central @ 70th	100,000	100,000
Curb & Gutter 67th St. (Oak to Grand)	100,000	100,000
Bicycle/Pedestrian Bridge @ M-1		250,000
2010 Overlay (2009 Phase 2)		310,000
TOTAL EXPENDITURES	\$ 4,984,000	\$ 4,658,517

APPENDIX E

Equipment Replacement Fund

Estimated Statement of Revenue & Expenditures
and Projected Fund Balance
for Fiscal Year 2010

	Current	Expected	Projected
Fund Balance, July 1, 2009 Estimated	\$ 2,018,352	\$ 2,052,909	\$ 2,052,909
Budgeted Revenue, FY10	<u>234,000</u>	<u>1,465,303</u>	<u>1,465,303</u>
Total Funds Available	2,252,352	3,518,212	3,518,212
Budgeted Expenditures, FY10	<u>209,000</u>	<u>209,000</u>	<u>1,509,000</u>
Projected Fund Balance, June 30, 2010	\$ 2,043,352	\$ 3,309,212	\$ 2,009,212

Original Bdgt	Expected	Midyear Bdgt
<u>2010</u>	<u>2010</u>	<u>2010</u>

Revenue

Interest Earnings	\$ 50,000	\$ 50,000	\$ 50,000
Taxes/Transfer	184,000	934,000	934,000
Other / AT&T Settlement	<u>-</u>	<u>481,303</u>	<u>481,303</u>
Total Revenue	\$ 234,000	\$ 1,465,303	\$ 1,465,303

Expenditures

Land Loan	-	-	1,300,000
Transfer Out - General Fund	<u>209,000</u>	<u>209,000</u>	<u>209,000</u>
Total Expenditures	\$ 209,000	\$ 209,000	\$ 1,509,000

APPENDIX F

COMBINED WATERWORKS & SEWER SYSTEM FUND
STATEMENT OF REVENUES & EXPENDITURES

	ACTUAL	REAPPRO BDGT	MIDYEAR BDGT	
	2009	2010	2010	Variance
<u>Revenue source:</u>				
Water	\$ 2,910,191	3,119,905	2,908,611	(211,294)
Sanitation	3,195,498	3,563,563	3,531,586	(31,977)
Interest	44,506	30,000	37,000	7,000
Other income	<u>274,714</u>	<u>294,000</u>	<u>330,035</u>	36,035
Operating revenue	6,424,909	7,007,468	6,807,232	\$ (200,236)
Use of Reserves	156,215	5,000	56,813	51,813
Loan Proceeds	194,731	-	1,000,000	1,000,000
Equity Transfer	-	-	-	-
TOTAL REVENUE	\$ 6,775,855	\$ 7,012,468	\$ 7,864,045	\$ 851,577
<u>Expenditures:</u>				
Water Production	\$ 898,285	\$ 939,351	\$ 913,101	\$ (26,250)
Water Operations & Maintenance	555,168	645,298	651,948	6,650
Sewer Collection	272,069	359,929	365,304	5,375
Non-Departmental	3,490,861	3,798,936	3,799,536	600
Bond Requirements	773,838	828,781	828,781	-
Capital Outlay/Projects	<u>785,634</u>	<u>405,253</u>	<u>1,291,800</u>	<u>886,547</u>
TOTAL EXPENDITURES	<u>\$ 6,775,855</u>	<u>\$ 6,977,548</u>	<u>\$ 7,850,470</u>	<u>\$ 872,922</u>

CWSS - ANALYSIS OF FUNDS AVAILABLE

	2009	2010 REAPPROP	2010 MID YEAR
	<u>ACTUAL</u>	<u>BUDGET</u>	<u>BUDGET</u>
Beginning Unreserved Retained Earnings	\$ 1,277,150	\$ 1,268,880	\$ 1,277,150
Equity Adjustment	-	-	-
Revenue	6,775,855	7,012,468	7,864,045
Expenses	<u>(6,775,855)</u>	<u>(6,977,548)</u>	<u>(7,850,470)</u>
Net Income (Loss)	(0)	34,920	13,575
Projected Ending Unreserved Retained Earnings	\$ <u>1,277,150</u>	\$ <u>1,303,800</u>	\$ <u>1,290,725</u>
20% Retained Earnings Requirement		1,232,674	1,290,605
Over (Under) 20% Retained Earnings Requirement		\$ <u>36,206</u>	\$ <u>120</u>

RESOLUTION NO. R-10-07

A RESOLUTION AMENDING THE 2010 GENERAL FUND, COMBINED WATER AND SEWERAGE SYSTEM FUND, CAPITAL EQUIPMENT REPLACEMENT FUND, AND COMMUNITY CENTER AND PARK TAX FUND FOR THE CITY OF GLADSTONE, MISSOURI, AND AUTHORIZING EXPENDITURES OF FUNDS.

WHEREAS, The Council of the City of Gladstone, Missouri has determined the need for additional appropriations and revenue in the above referenced funds.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:

THAT, the General Fund, Combined Water and Sewerage System Fund, Capital Equipment Replacement Fund, and Community Center and Park Fund be amended as set forth below:

REAPPROPRIATED			
	BUDGET RESOLUTION NO. R-09-86	REVISING BUDGET RESOLUTION NO. R-10-09	INCREASE (DECREASE)
<u>General Fund</u>			
Revenue	\$ 16,691,216	\$ 17,041,216	\$ 350,000
Expenditures	16,690,591	17,040,591	350,000
	FY10 BUDGET RESOLUTION NO. R-09-44	REVISING BUDGET RESOLUTION NO. R-10-09	INCREASE (DECREASE)
<u>Community Center and Park Fund</u>			
Revenue	\$ 3,065,134	\$ 3,090,364	\$ 25,230
Expenses	3,064,696	3,076,108	11,412
<u>CERF</u>			
Revenue	\$ 234,000	\$ 1,465,303	\$ 1,231,303
Expenses	209,000	1,509,000	1,300,000
<u>CWSS Fund</u>			
Revenue	\$ 7,012,468	\$ 7,864,045	\$ 851,577
Expenses	6,977,548	7,850,470	872,922

THAT, the City Manager of the City of Gladstone, Missouri be and he is hereby authorized to expend the amounts as shown in the Revised Budgets.

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 8th DAY OF FEBRUARY, 2010

ATTEST:

Carol A Rudi, Mayor

G. Diane Whitaker, Deputy City Clerk

Finance Director Debra Daily asked if there were any questions at this time and if not, she wanted to bring up the sales tax holiday and the green sales tax issues. We had discussed moving forward with both of these sales tax issues at the same time instead of at the timeframe they are actually due. We have compiled a comprehensive analysis of other municipalities who opted out. The August "Back to School" sales tax holiday, we normally have participated in this. Initially we had three years of data and now have compiled six years of data comparison since the bill went into effect. We have comprehensive information with other municipalities who have opted out. Gladstone shows an average \$3,361 reduction and for all funds, an annual reduction of \$6,800. Over time, in the General Fund it amounts to \$18,000 reduction in the last six years and the cumulative for all funds is \$38,600. The action taken to participate is to take no action to participate. June 22 is the deadline, although the plan is for Council to make that decision at the February 22 Council meeting if Council desires as a housekeeping measure.

Director Daily stated that the green sales tax holiday "Show Me Green" was initiated in 2008 for appliances from April 19-25 for Energy Star appliances. From 2009 forward in April 19-25, during a seven day period, all sales tax are exempt on new Energy Star appliances. In this instance, municipalities Opt In, which is the opposite of the August "Back To School" sales tax and that deadline is March 4. We do not have the ability to pull out sales tax figures by exact product, but we do have a formula to consider and that we used last year. The amount of savings would be 4.25 % for state exemption and 2.25% savings for the City portion. For every \$10,000 spent in Gladstone, the net tax effect would be \$225. At \$100,000 the net tax effect would be \$2,250. A comparison with other municipalities has also been made on this sales tax issue for those who Opted In during FY2009. Director Daily asked if there were any questions on these issues.

Mayor Carol Rudi stated she did not find this material about these two items and it is a big surprise to her.

Assistant City Manager Scott Wingerson stated that Debra is preparing Council for these discussions in two weeks about Opting In and Opting Out so you can start thinking about the issues coming up at the February 22 Council meeting. Even though it was said information was provided, we mean that complete information will be provided for full discussion in two weeks and Council action.

Director Daily stated that this is a brief work session portion of it.

Mayor Carol Rudi asked, maybe more for the Council, when looking at the numbers on tax delinquencies, in a Council Study Session a while ago, we discussed options for resolving some of them, but decided to go on as we have. The numbers are not looking good, even if they are average for the metro area, it does not look good.

Councilman Mark Revenaugh asked if we could give someone additional fire-power to collect those taxes.

Director Daily stated that the only way to do that is to certify all delinquent taxes to the County which then give you authority, but we may have decided there was more thought needed for that. Once certified to County, that is only personal property. On real estate, you always have the opportunity to take to the Courthouse steps type sale scenario. By granting authority to collect taking to the County, it must be certified and then becomes a public document at that point.

Councilman Revenaugh asked that we were unwilling to do that the last time around.

Director Daily said that is what she remembered. This is a bit of information relative to the real estate taxes. We just sent out delinquency notices and will have revenues coming in during February. Current real estate delinquencies are \$150,000 at 5.8% and are predicting 4%. Personal property delinquencies is \$66,000 which has not been paid. Business is at \$25,000 running at 18-19% and that is just for 2009.

Councilman Revenaugh asked how these numbers line up historically.

Ms. Daily stated that based on previous years, 2008 the economy was starting to alarm her and most are good at paying, but from the personal property tax side there is not a lot of teeth in it and people know that and just don't pay. We can have our collection policies as outlined previously. The economy is definitely having an impact on this, but Gladstone is doing a good job.

Mayor Pro Tem Les Smith asked what Woodbine's plan is and how would that affect the assessed valuation. Debra stated that they lost their accreditation; they still have patients there and not sure how they can sustain business. She has not heard of what they actually will do, perhaps someone from staff has knowledge.

Assistant City Manager Scott Wingerson commented that there have been conversations with interested parties to purchase Woodbine. We are not sure if the current owner is in a position to sell, but there is someone willing to bring it back up to a full service home. Mr. Wingerson said he was not sure if that answered his question.

Mayor Pro Tem Les Smith said yes, providing services, then the next question is part of the questions would be for Director Mike Hasty regarding emergency transfer in ambulance and services provided. Do we have limitations on the type of services we provide for them.

Director of Public Safety Mike Hasty stated yes, we operate an emergency transport; MAST and MAR out of Independence handle other transport situations. Our transport runs must meet certain conditions and guidelines.

Mayor Pro Tem Smith stated he had a technical question and will go back a ways. He asked if CERF funds could pay for capital expenses such as at the Water Plant for example.

Director Daily said that it is set up to fund general fund types of things. She does not know if it could be. It is the excess of debt between revenues and expenses at the end of the year and tied to the general fund for operating purposes.

Mayor Pro Tem Smith asked Director Hasty what was the cost of the radios projected in the Public Safety analysis we received recently.

Public Safety Director Mike Hasty replied that it was just under \$1.7 million.

Mayor Carol Rudi commented that if you look at the cigarette tax and water usage, the revenues are lower, yet we are encouraging sustainability. At the same time it is hurting us.

Debra stated that there is a double-edged sword with this and utilities are having the same issues. It is a re-alignment.

Mayor Rudi How do we fund what we are doing and encourage sustainability and other balanced practices.

Mayor Pro Tem Les Smith moved to adopt **RESOLUTION R-10-07**, amending the 2010 annual general fund, combined water and sewerage system fund, transportation sales tax fund, and community center and park fund for the City of Gladstone, Missouri, and authorizing expenditures of funds. Councilmember Carol Suter seconded. The vote: "Aye" Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, and Mayor Carol Rudi. "Nay" – Mayor Pro Tem Les Smith (4-1).

Item 12. on the Agenda. **Other Business.**

There was no other business to come before Council.

Item 13. on the Agenda. **Questions from the News Media.**

There were no questions from the News Media.

Item 14. on the Agenda. **ADJOURNMENT.**

There being no further business to come before the February 8, 2010, Regular City Council meeting, Mayor Carol Rudi adjourned the Regular meeting.

Respectfully submitted:

G. Diane Whitaker
G. Diane Whitaker, Deputy City Clerk

Approved as submitted: ☒

Approved as corrected/amended: _____

Carol A. Rudi _____
Mayor Carol A. Rudi



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, FEBRUARY 22, 2010**

OPEN STUDY SESSION: 6:45 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular February 8, 2010 City Council Meeting Minutes.
5. **PROCLAMATION** recognizing the diverse cultural life of our metropolitan community and the traditional Chinese culture portrayed in the 2010 World Tour of Shen Yun Performing Arts at the Music Hall in Kansas City, Missouri on March 13-14, 2010. Recipient: Barbara Gay.

PROCLAMATION recognizing the accomplishments of ten Northland students in the F.I.R.S.T Program and winners in the FIRST LEGO League competition, a programmed robotic exercise in a series of challenges within an allotted time.

6. CONSENT AGENDA.

RESOLUTION R-10-07, authorizing the City Manager to execute an agreement with Hi-Gene's Janitorial Services for services at City Hall, Public Works building, and Water Treatment Plant for an initial one-year period with three optional one-year extensions in the amount of \$40,176.00 per year.

RESOLUTION R-10-08, authorizing the City Manager to execute an agreement with Hi-Gene's Janitorial Services for services at the Community Center for an initial one-year period with three optional one-year extensions in the amount of \$67,845.00 per year.

RESOLUTION R-10-09, authorizing the City Manager to purchase one (1) 2010 Dodge Charger police car from Landmark Dodge for a total purchase amount of \$21,413.45.

RESOLUTION R-10-10, authorizing execution of a contract with HoltHouse Construction LLC in the total amount not to exceed \$154,107.00 for the Shady Lane at Antioch Road Water Main Replacement Project (WP1095).

RESOLUTION R-10-11, authorizing Change Order No. 6 in the amount of \$153,149.00 to the contract with Miller Paving and Construction LLC for the 2009 Curb and Sidewalk Program. Phase 1, Project TP0904.

RESOLUTION R-10-12, authorizing execution of a contract with Heartland Contractors, Inc. in the total amount not to exceed \$480,216.54 for the North Oak Enhancement—69th Street to 71st Street. Project CP1035.

APPROVAL OF THE JANUARY, 2010 FINANCIAL REPORT.

REGULAR AGENDA

- 7. Communications from the Audience.**
- 8. Communications from the City Council.**
- 9. Communications from the City Manager.**
- 10. RESOLUTION R-10-13**, in support of the 2040 Adaptive Scenario developed by the Mid-America Regional Council (MARC).
- 11. PUBLIC HEARING:** on a Site Plan Revision to Santerra at Shady Lane, First Plat. Applicant/Owner: Reveda of Gladstone, Inc. File #1343.

AUDIENCE NOTE: This Public Hearing will be opened and immediately continued to the March 8, 2010 City Council meeting.

- 12. FIRST READING BILL 10-02**, amending Schedule V of the Model Traffic Code (Gladstone Municipal Code Section 4.100.020), to modify the current "No Parking" zone for traffic on Northwest 61st Terrace from North Wyandotte to North Main.
- 13. FIRST READING BILL 10-03**, allowing the "Show Me Green Sales Tax Holiday" to apply to the local sales taxes of the City of Gladstone between April 19 and April 25, 2010.
- 14. FIRST READING BILL 10-04**, approving an Ordinance to Opt Out of the State imposed Sales Tax Holiday between August 6th and 8th, 2010.
- 15. Other Business.**
- 16. Questions from the News Media.**
- 17. Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, FEBRUARY 22, 2010**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Carol Rudi
Mayor Pro Tem Les Smith
Councilman Mark Revenaugh
Councilman Barry McCullough

City Manager Kirk Davis
City Counselor David Ramsay
City Clerk Cathy Swenson

ABSENT: Councilmember Carol Suter
Assistant City Manager Scott Wingerson

Item 2. on the Agenda. ROLL CALL

Mayor Carol Rudi opened the Regular February 22, 2010. City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that Councilmember Carol Suter was not able to attend the meeting as she was out of the country.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Carol Rudi led the Pledge of Allegiance, in which all joined.

**Item 4. on the Agenda. APPROVAL OF THE REGULAR FEBRUARY 8, 2010,
CITY COUNCIL MEETING MINUTES.**

Councilman Mark Revenaugh moved to approve the Regular February 8, 2010, City Council Meeting Minutes as presented. Councilman Barry McCullough seconded. The vote: All "aye" - Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0)

Item 5. on the Agenda. **PROCLAMATION** recognizing the diverse cultural life of our Metropolitan community and the traditional Chinese culture portrayed in the 2010 World Tour of Shen Yun Performing Arts at the Music Hall in Kansas City, Missouri on March 13-14, 2010. Recipient: Barbara Gay.

Mayor Rudi read and presented the Proclamation to Barbara Gay, who thanked the Mayor and Council members. Ms. Gay handed out flyers for the Shen Yun performances, which will be held March 13-14, 2010, in the Kansas City Music Hall. Ms. Gay invited everyone to attend.

PROCLAMATION recognizing the accomplishments of ten Northland students in the F.I.R.S.T. (For Inspiration and Recognition of Science and Technology) Program and winners in the F.I.R.S.T. LEGO League competition, a programmed robotic exercise in a series of challenges within an allotted time.

Mayor Rudi read and presented the Proclamation to the ten-member Northland team, Up NeXT, comprised of Cooper Lehr, Andrew Marshall, Peter Marshall, Aspen Speiser, Cale Speiser, Daniel Andrews, Keenan Conkling, Ian Canon, Zane Canon, and Cullan Fritts, who are girls and boys, ages 9 to 14. Mayor Rudi presented the framed Proclamation to the team, and presented 10 letter sized Proclamations to each team member. Team members thanked Mayor Rudi and Council members.

Mayor Rudi noted that there were Boy Scouts in the audience, and she invited them to introduce themselves as follows:

Tommy Gussinger stated he was in 7th grade at St. Andrews School, and is in Troop 180. Henry Gates stated he attends Antioch Middle School, and is in Troop 314.

Both Scouts are working to earn their Citizenship in the Community merit badge.

Mayor Rudi thanked the Scouts for being in attendance at the meeting, and suggested if they need any information to contact the City or City Council members. Mayor Rudi noted there were a large number of young people in the audience, and the City is always looking for young people to have input with City projects.

Item 6. on the Agenda. **CONSENT AGENDA**

Councilman Barry McCullough moved to approve the Consent Agenda as presented. Councilman Mark Revenaugh seconded. The Vote All "aye" - Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

Councilman Barry McCullough moved to adopt **RESOLUTION R-10-07**, authorizing the City Manager to execute an agreement with Hi-Gene's Janitorial Services for services at City Hall, Public Works building, and Water Treatment Plant for an initial one-year period with three optional one-year extensions in the amount of \$40,176.00 per year. Councilman

Mark Revenaugh seconded. The Vote All "aye" - Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

Councilman Barry McCullough moved to adopt **RESOLUTION R-10-08**, authorizing the City Manager to execute an agreement with Hi-Gene's Janitorial Services for services at the Community Center for an initial one-year period with three optional one-year extensions in the amount of \$67,845.00 per year. Councilman Mark Revenaugh seconded. The Vote All "aye" - Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

Councilman Barry McCullough moved to adopt **RESOLUTION R-10-09**, authorizing the City Manager to purchase one (1) 2010 Dodge Charger police car from Landmark Dodge for a total purchase amount of \$21,413.45. Councilman Mark Revenaugh seconded. The Vote All "aye" - Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

Councilman Barry McCullough moved to adopt **RESOLUTION R-10-10**, authorizing execution of a contract with HoltHouse Construction LLC in the total amount not to exceed \$154,107.00 for the Shady Lane at Antioch Road Water Main Replacement Project (WP1095). Councilman Mark Revenaugh seconded. The Vote All "aye" - Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

Councilman Barry McCullough moved to adopt **RESOLUTION R-10-11**, authorizing Change Order No. 6 in the amount of \$153,149.00 to the contract with Miller Paving and Construction LLC for the 2009 Curb and Sidewalk Program. Phase 1, Project TP0904. Councilman Mark Revenaugh seconded. The Vote All "aye" - Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

Councilman Barry McCullough moved to adopt **RESOLUTION R-10-12**, authorizing execution of a contract with Heartland Contractors, Inc. in the total amount not to exceed \$480,216.54 for the North Oak Enhancement—69th Street to 71st Street. Project CP1035. Councilman Mark Revenaugh seconded. The Vote All "aye" - Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

Councilman Barry McCullough moved to approve the **JANUARY 2010 FINANCIAL REPORT**. Councilman Mark Revenaugh seconded. The Vote All "aye" - Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

REGULAR AGENDA

Item 7. on the Agenda. **COMMUNICATIONS FROM THE AUDIENCE.**

There was no communication from the audience.

Item 8. on the Agenda. **COMMUNICATIONS FROM THE CITY COUNCIL.**

Councilman Barry McCullough invited everyone to attend the City's Home Show this weekend. It will be held at the Gladstone Community Center. The event will be held Saturday, February 27, from 9:00 AM to 7:00 PM. The emphasis is on "green" homes and things we can do to make our homes more "green". Councilman McCullough congratulated Public Information Officer Richard King and everyone who worked to produce another nice "Coming Home to Gladstone" magazine.

Councilman Mark Revenaugh congratulated the Public Works Department for once again handling a lot of snow, and making it look like it was everyday life for folks in Gladstone. There were a lot of residents who would not have been able to get out of their homes and move around if it were not for the efficiency of our City's snow plowing crew. Councilman Revenaugh asked Acting Public Works Director Tim Nebergall to pass this message along to the crewmembers, along with kudos from Council.

Councilman Revenaugh said our country has been in sore need of young people to go into the math, sciences, and technology areas, so he finds it extremely gratifying that there are so many young people present competing on the level that they are, and doing such an excellent job. Councilman Revenaugh offered congratulations to the Up NeXT team members.

Mayor Pro Tem Les Smith stated he wished to echo Councilman Revenaugh's congratulations to the young folks. There are often reports about young people in not such flattering terms, and these young people here tonight should hold their heads high, and march out in their pink shirts, and feel good about themselves.

Mayor Pro Tem Smith welcomed back City Clerk Cathy Swenson, who has been gone for a while, and said she has been missed.

Mayor Pro Tem Smith said we rightfully focus a lot of attention on Public Works for snow removal, but we also have to "take our hats off" to the folks in the Parks and Recreation Department, who have their own set of responsibilities, and also to the Public Safety Department, who have to be out in this weather every day.

Mayor Pro Tem Smith said at this time, he would like to make a motion to recommend Board and Commission Appointments by the City Council as follows:

<u>Board/Commission</u>	<u>Name</u>	<u>Term Expiration Date</u>
<i>Board of Zoning Adjustment</i>		
New Appointment	Shawn Hartman (1 st . Alternate)	December 2013
<i>Neighborhood Commission</i>		
New Appointment (Iinden)	Charles Dobbs	December 2011
New Appointment (Claymont)	Jean Moore	December 2012
<i>University of Missouri Extension Council</i>		
New Appointment	George Campbell	February 2011

Councilman Mark Revenaugh seconded the motion. The Vote All "aye" - Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

Mayor Carol Rudi noted that Shawn Hartman and Charles Dobbs were in the audience, and asked them to please stand. Mayor Rudi pointed out to the young people in the audience that these two gentlemen have agreed to take on some duties for the City, and will be assisting the City in a number of areas, and this is something that City Council members will be looking forward to the youth in the audience also doing as they get a bit older. Mayor Rudi encouraged anyone interested in assisting the City, to call City Hall and volunteer.

Mayor Rudi thanked Mr. Hartman and Mr. Dobbs for agreeing to serve the City.

Mayor Rudi asked Acting Public Works Director Nebergall to let his department know that when she was at the Kansas City Home Show on Sunday, that people told her that Gladstone was in the news. News reporters were looking for a place to find lots of snow, but what they saw in Gladstone was City trucks clearing the streets. The reporters were on the border between Kansas City and Gladstone, so they saw the difference, and were impressed. Mayor Rudi thanked Mr. Nebergall.

Mayor Rudi said all four Council members present spent two days in Jefferson City this past week, talking to the State legislators. There are a lot of things going on in Jefferson City, and folks may go on the State's website to see the Bills the State legislators are proposing, because it can make a big difference in everyone's lives, and they need to hear from citizens.

Mayor Rudi said she spent Saturday morning in the office of Dr. Marx, who is a dentist in town, and this was his 22nd annual Have a Heart Day. He provided dental care for approximately 130 families. These children would not otherwise have received dental care. This year he was able to involve another dentist in the program, so he was able to

increase their numbers. Mayor Rudi encouraged everyone to tell other dentists about this event, and encourage dentists to contact Dr. Marx so they may be a part of this program next year. Dr. Marx would like to expand this service. Mayor Rudi said she thinks it would be great to expand this program metro wide and eventually it should be a national program, because they donate everything, from the services, to the time of the technicians, to the dentists themselves, and toothbrushes, toothpaste, and all the information they give to the children. Mayor Rudi talked to one gentleman who had just lost his job, and his daughter was five years old, and had never been to the dentist, so it was her first visit to the dentist, so he was really happy to have this opportunity. Some other people who were there had to have an interpreter, because they did not speak English. People from all the Northland school districts were invited to participate in this program, on a "first come, first serve" basis. Mayor Rudi encouraged everyone who knows Dr. Marx to thank him, and to pass this information on his or her own dentist.

Mayor Rudi invited Parks and Recreation Director Sheila Lillis to share the "Tax Talks" date and times.

Parks and Recreation Director Sheila Lillis reported that H&R Block would be offering a complimentary tax seminar at the Community Center on Wednesday, February 24. There will be four different topics within a two-hour period. Starting at 10:00 AM, Tax Law Changes for 2009-2010; at 10:30 AM, Tax Issues for the Retired Taxpayer; at 11:00 AM, Job Loss/Search; and at 11:30 AM, Energy Efficiency.

Mayor Rudi said if anyone has tax questions, this will be a great opportunity on February 24, at the Gladstone Community Center.

Item 9. on the Agenda. COMMUNICATIONS FROM THE CITY MANAGER.

City Manager Kirk Davis had no comments at this time.

Item 10. on the Agenda. RESOLUTION R-10-13, in support of the 2040 Adaptive Scenario developed by the Mid-America Regional Council (MARC).

Mayor Pro Tem Les Smith moved to adopt **RESOLUTION R-10-13**, in support of the 2040 Adaptive Scenario developed by the Mid-America Regional Council (MARC). Councilman Mark Revenaugh seconded. The Vote All "aye" - Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

Item 11. on the Agenda. PUBLIC HEARING: on a Site Plan Revision to Santerra at Shady Lane, First Plat. Applicant/Owner: Reveda of Gladstone, Inc. File #1343.

Mayor Rudi opened the Public Hearing and continued the Public Hearing to the March 8, 2010, City Council meeting.

Item 12. on the Agenda. **FIRST READING BILL 10-02**, amending Schedule V of the Model Traffic Code (Gladstone Municipal Code Section 4.100.020), to modify the current "No Parking" zone for traffic on Northwest 61st Terrace from North Wyandotte to North Main.

Councilman Barry McCullough moved to place Bill 10-02 on its First Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the First Reading of Bill 10-02, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the Second and Final Reading of Bill 10-02 and to enact the Bill as **Ordinance 4.132**. Mayor Pro Tem Les Smith seconded.

Roll call vote: All "aye" – Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

Item 13. on the Agenda. **FIRST READING BILL 10-03**, allowing the "Show Me Green Sales Tax Holiday" to apply to the local sales taxes of the City of Gladstone between April 19 and April 25, 2010.

Councilman Mark Revenaugh moved to place Bill 10-03 on its First Reading. Councilman Barry McCullough seconded.

Mayor Rudi pointed out that Council would be considering two Bills for sales tax holidays this evening. On this Bill, in order to allow the sales tax to be exempted on these dates, Council would vote "yes".

The vote: All "aye" -- Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the First Reading of Bill 10-03, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the Second and Final Reading of Bill 10-03 and to enact the Bill as **Ordinance 4.133**. Councilman Barry McCullough seconded.

Roll call vote: All "aye" – Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

Item 14, on the Agenda. FIRST READING BILL 10-04, approving an Ordinance to Opt Out of the State imposed Sales Tax Holiday between August 6th and 8th, 2010.

Mayor Pro Tem Les Smith moved to place Bill 10-04 on its First Reading. Councilman Mark Revenaugh seconded.

Mayor Pro Tem Smith stated, as a point of clarification, this Bill would approve our City opting "out", and therefore, if Council chooses to stay "in", they would vote "no" on this reading at some point or at the Ordinance level.

The vote: All "aye" – Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0). The Clerk read the Bill.

Mayor Pro Tem Les Smith moved to accept the First Reading of Bill 10-04. Waive the Rule and place the Bill on its Second and Final Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0). The Clerk read the Bill.

Mayor Pro Tem Les Smith moved to accept the Second and Final Reading of Bill 10-04 and to enact the Bill as Ordinance 4.134, with a recommendation to vote "no". Councilman Mark Revenaugh seconded.

Roll call vote: All "nay" – Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (0-4).

Mayor Pro Tem Smith, said, for the edification of the audience, that Council members did a good thing here, although, Council members voted "no". State Statutes allow for opting "in" or "out" of an Ordinance that will allow a sales tax holiday in August, which is generally known as the "back to school" sales tax holiday that allows folks to buy school supplies without paying sales tax in the City of Gladstone on those dates. The State law requires the cities to act upon that from time to time. The Council just opted "in" to the sales tax holiday, so Council members encourage everyone to do their shopping for school supplies in Gladstone between August 6 and August 8.

Mayor Rudi agreed with Mayor Pro Tem Smith in encouraging folks to shop in Gladstone. Mayor Rudi said the previous Bill was for the "Show Me Green Sales Tax Holiday". The State's website lists a number of appliances that will receive additional rebates.

Mayor Pro Tem Smith pointed out that the State and City sales tax combined can be about seven percent, and if one is buying a \$300 water heater that is energy efficient, that can add up to some real money, so Council members encourage everyone to take advantage of this opportunity in Gladstone.

Item 15. on the Agenda. **OTHER BUSINESS.**

There was no other business to discuss.

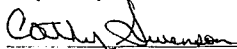
Item 16. on the Agenda. **QUESTIONS FROM THE NEWS MEDIA.**

There were no questions from the News Media.

Item 17. on the Agenda. **ADJOURNMENT.**

There being no further business to come before the February 22, 2010, Regular City Council meeting, Mayor Carol Rudi adjourned the Regular meeting.

Respectfully submitted:



Cathy Swenson, City Clerk

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



Mayor Carol A. Rudi



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MARCH 8, 2010**

The City Council will meet in Closed Executive Session on Monday, March 8, 2010, starting at 6:45 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes.

The Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 7:00 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular February 22, 2010, City Council Meeting Minutes.
5. **PROCLAMATION:** designating March 9, 2010, as "Tony Marrali Recognition Day" in Gladstone, Missouri, in tribute to Fire Division Chief Tony Marrali, on the occasion of his retirement, following thirty years of service to Gladstone.

6. CONSENT AGENDA

RESOLUTION R-10-14, declaring certain City property as surplus and authorizing the sale of such property to the highest bidder via an online auction.

RESOLUTION R-10-15, authorizing execution of a contract with SAK Construction, LLC, in the total amount not to exceed \$211,988.20 for the 2010 Sanitary Sewer Rehabilitation Project.

RESOLUTION R-10-16, authorizing execution of a contract with McConnell and Associates Corporation, in the total amount not to exceed \$78,739.00 for the Tennis Court Overlay and Resurfacing Project.

Approval of a Temporary Liquor by the Drink License to St. Charles Borromeo Church for a School Fundraiser to be held on April 24, 2010 from 7:30 PM to 11:30 PM. Managing Officer: Lori Creek.

REGULAR AGENDA

7. **Communications from the Audience.**
8. **Communications from the City Council.**
9. **Communications from the City Manager.**
10. **CONTINUED PUBLIC HEARING:** for consideration of a Site Plan Revision for Santerra at Shady Lane, First Plat. Applicant/Owner: Reveda of Gladstone, Inc. File #1343.
11. **FIRST READING BILL 10-05**, approving a Site Plan revision for property north of and adjacent to Shady Lane; east of and adjacent to Gladstone Plaza. Applicant/Owner: Reveda of Gladstone, Inc. File #1343.

12. **FIRST READING BILL 10-06**, withdrawing the Designations of Blight previously applied to the Gladstone Plaza Shopping Center by repealing Ordinance numbers 3.865 and 3.866, and portions of Ordinance number 3.972.
13. Other Business.
14. Questions from the News Media.
15. Adjournment.



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MARCH 22, 2010**

The City Council will meet in Closed Executive Session on Monday, March 22, 2010, starting at 6:00 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes.

The Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 6:15 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular March 8, 2010, City Council Meeting Minutes.
5. **PROCLAMATION:** designating April 1, 2010, as "ARBOR DAY" in Gladstone, Missouri, and urging residents to support efforts that focus on environmental betterment and the planting of trees.

6. **PROCLAMATION:** designating April 5-11, 2010, as "**PUBLIC HEALTH WEEK**" in Gladstone, Missouri, and commending the Health Department's service to our community.
7. **PROCLAMATION:** designating April 2010, as "**NATIONAL DONATE LIFE MONTH**" in Gladstone, Missouri, and commending donors and donation advocates in our community.

REGULAR AGENDA

8. **Communications from the Audience.**
9. **Communications from the City Council.**
10. **Communications from the City Manager.**
11. **FIRST READING BILL 10-05**, approving a Site Plan revision for property north of and adjacent to Shady Lane; east of and adjacent to Gladstone Plaza. Applicant/Owner: Reveda of Gladstone, Inc. File #1343.
12. **FIRST READING BILL 10-07**, authorizing the City Manager to execute an agreement with the Missouri Highway and Transportation Commission for federal funds relating to the Highway 9 and Briarcliff Parkway Round-A-Bout Project.
13. **FIRST READING BILL 10-8**, authorizing the City Manager to execute an agreement with the Missouri Highway and Transportation Commission for federal funds relating to the Highway 9 and Briarcliff Parkway (south of Route 9) Round-A-Bout Project.
14. **FIRST READING BILL 10-9**, authorizing the City Manager to execute Permanent Easements to the Missouri Highway and Transportation Commission relating to the Highway 9 and Briarcliff Parkway Round-A-Bout Projects.

15. **FIRST READING BILL 10-10**, imposing a City Sales Tax at a rate of one-fourth of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the City of Gladstone, Missouri, to provide funding solely for the purpose of improving public safety within the City of Gladstone, Missouri, subject to the approval by the voters of the City at a special election to be held on Tuesday, June 8, 2010; calling an election for such purpose; designating the form of the ballot; and directing the City Clerk to provide notice of said election.
16. **FIRST READING BILL 10-11**, repealing Title V, Chapter 110 of the Code of Ordinances of the City of Gladstone, and enacting in lieu thereof, new provisions regulating the sale and distribution of alcoholic beverages within the City.
17. **APPROVAL OF A CLASS "D" LIQUOR LICENSE** (for the sale of malt liquor, beer, and light wine by the drink and in the original package) for Big Baby's Pizzeria, 6519 North Oak Trafficway. Managing Officer: Daniel Drowns.
18. **APPROVAL OF THE FEBRUARY 2010, FINANCIAL REPORT.**
19. Other Business.
20. Questions from the News Media.
21. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MARCH 8, 2010**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:45 PM**

Mayor Carol Rudi opened the City Council Meeting to adjourn to a Closed Executive Session on March 8, 2010, at 6:45 PM. Mayor Pro Tem Les Smith made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilman Barry McCullough seconded.

Roll Call Vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0).

Mayor Carol Rudi closed the Closed Executive Session at 7:00 PM.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Carol Rudi
Mayor Pro Tem Les Smith
Councilman Mark Revenaugh
Councilman Barry McCullough
Councilmember Carol Suter

Assistant City Manager Scott Wingerson
City Counselor David Ramsay
City Clerk Cathy Swenson

ABSENT: City Manager Kirk Davis

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

Mayor Carol Rudi opened the Regular March 8, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Members of Boy Scout Troop 247 presented the Colors and led the Pledge of Allegiance, in which all joined.

Mayor Rudi invited the Scouts and the Scout leaders to introduce themselves as follows:

Kody Copple, a 6th grade student at New Mark Middle School; Paul Brown, a 5th grade student at Faith Academy; Zack Ring, a 6th grade student at Plaza Middle School; Adrian Wallace, a 5th grade student at Faith Academy; Scout leader Gregory Copple, of Cameron, Missouri; Scout leader Laurinda Brown, of Gladstone, Missouri; and Scout leader Denise Wallace. Ms. Brown remarked that she has been with Troop 247 since her now 19-year-old son was a Tiger Cub, so she is now starting all over again!

Mayor Rudi thanked the Scouts and Scout leaders and said this Troop is sponsored by Gashland Presbyterian Church.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR FEBRUARY 22, 2010, CITY COUNCIL MEETING MINUTES.**

Councilman Mark Revenaugh moved to approve the Regular February 22, 2010, City Council Meeting Minutes as presented. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter. Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0)

Item 5. on the Agenda. **PROCLAMATION:** designating March 9, 2010, as "Tony Marrali Recognition Day" in Gladstone, Missouri, in tribute to Fire Division Chief Tony Marrali, on the occasion of his retirement, following thirty years of service to Gladstone.

Mayor Rudi read and presented the Proclamation to retiring Fire Division Chief Tony Marrali. The presentation was followed with a standing ovation from the audience. Chief Marrali thanked the Mayor and City Council for the honor.

Mayor Pro Tem Les Smith congratulated Mr. Marrali on his retirement, and said he has known him for most of the 30 years he has worked for the City. Mayor Pro Tem Smith said our City is very fortunate to have people like Mr. Marrali in our community. He is a consummate professional.

Item 6. on the Agenda.

CONSENT AGENDA

Councilman Barry McCullough moved to approve the Consent Agenda as presented. Councilmember Carol Suter seconded. The Vote: All "aye" - Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

Note: Councilman Mark Revenaugh was out of the room during this vote.

Councilman Barry McCullough moved to adopt **RESOLUTION R-10-14**, declaring certain City property as surplus and authorizing the sale of such property to the highest bidder via an online auction. Councilmember Carol Suter seconded. The Vote: All "aye" - Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

Councilman Barry McCullough moved to adopt **RESOLUTION R-10-15**, authorizing execution of a contract with SAK Construction, LLC, in the total amount not to exceed \$211,988.20 for the 2010 Sanitary Sewer Rehabilitation Project. Councilmember Carol Suter seconded. The Vote: All "aye" - Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

Councilman Barry McCullough moved to adopt **RESOLUTION R-10-16**, authorizing execution of a contract with McConnell and Associates Corporation, in the total amount not to exceed \$78,739.00 for the Tennis Court Overlay and Resurfacing Project. Councilmember Carol Suter seconded. The Vote: All "aye" - Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

Councilman Barry McCullough moved to approve a **Temporary Liquor by the Drink License** to St. Charles Borromeo Church for a School Fundraiser to be held on April 24, 2010 from 7:30 PM to 11:30 PM. Managing Officer: Lori Creek. Councilmember Carol Suter seconded. The Vote: All "aye" - Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

REGULAR AGENDA

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

There were no communications from the audience.

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

Councilman Barry McCullough reported that the team Up NeXT, a group of young people who were at the last City Council meeting, who do a technology oriented competition, placed First in competitions in Kansas City and in Jefferson City, and have been invited to an international competition in Taiwan. There is a lot of excitement for those young folks, as well as a lot of opportunities.

Councilmember Carol Suter stated that people are now out walking, which has made her appreciate even more the new sidewalks along M-1 Highway. Councilmember Suter said the sidewalks were left with lots of mud and debris on them, and are covered with stones and other things that make them unattractive and not so desirable for walking on, and asked if this is a City issue; if not, her question is if it is possible to organize some type of community event with young people like the Scouts, or maybe even business owners along M-1 Highway - perhaps, a "Clean Sweep" day. Clean sidewalks would encourage everyone to get out and walk.

Assistant City Manager Scott Wingerson replied that a community event is a good idea, and staff could look at that. There is a ribbon cutting planned for later in the spring to announce some other events having to do with community wellness. More information will be coming forward shortly on that. Short of that, the City wants to encourage people to use the sidewalks, and staff will investigate as to whether cleaning the sidewalks is the Missouri Department of Transportation's responsibility, or the responsibility of the City, or probably the contractor's responsibility, and make that request to get this moved forward.

Mayor Pro Tem Les Smith said the nice new bus stop on M-1 Highway was blocked in from the very first snowfall. Some attention needs to be given to that next year, as well.

Mayor Pro Tem Smith commended Public Information Officer Richard King, Building Official Alan Napoli, and Community Center employees for the Home Show that was put on by our City. It was a good first year. Mayor Pro Tem Smith said this was a Council goal that was met, and Council members would like to commend the staff for that.

Mayor Pro Tem Smith said he would like to brag on the folks at Gladstone Bowl, where the annual Bowl for Life event was held this past Saturday to benefit St. Jude's Children's Hospital. This is done every year in conjunction with KFKF Radio Station. Since Gladstone Bowl began this annual event, they have raised nearly \$75,000 for St. Jude's. Mayor Pro Tem Smith jokingly said that perhaps some of his nosey staff will read the Minutes, and see that they were commended for their hard work with this event.

Councilman Mark Revenaugh had no comments at this time.

Mayor Carol Rudi had no comments at this time.

Item 9. on the Agenda. **Communications from the City Manager.**

Assistant City Manager Scott Wingerson had no comments at this time.

Item 10. on the Agenda. **CONTINUED PUBLIC HEARING:** for consideration of a Site Plan Revision for Santerra at Shady Lane, First Plat. Applicant/Owner: Reveda of Gladstone, Inc. File #1343.

Mayor Rudi stated that a report would be heard from City staff, before the Public Hearing is opened.

Assistant City Manager Scott Wingerson began by saying he was debating as to whether or not to break the "cardinal rule" of public speaking, and that is to apologize up front, but he felt that was necessary. This is a complicated issue, and there are not necessarily right or wrong answers, so he would try to provide the information to the City Council, but also communicate to the public at the same time. Mr. Wingerson said the issue at this meeting is a Site Plan revision for Santerra. City Planner Chris Helmer will present the information when the Mayor opens the Public Hearing. As part of the normal process, the Site Plan Revision went to Public Hearing with the Planning Commission a few weeks ago. During that Public Hearing process, numerous issues were raised by the residents of Santerra, as well as by some of the adjoining property owners. Mr. Wingerson said his purpose at this time was to explain some of those issues, how they relate to the Public Hearing process, and in some cases, how they don't. In some cases, staff has been successful in moving towards a solution, and in other cases they have not, so the goal is to explain those things to everyone involved. Mr. Wingerson said what we are doing tonight is outside of the Public Hearing, and the reason we do that is to preserve the actual Public Hearing record, so on the Site Plan Revision, itself, the main issue is one of density; however, he was going to blur that line in his presentation and refer back and forth.

Mr. Wingerson said there were three primary documents to which to draw the Council members' attention. Mr. Wingerson said the first document was a memorandum from him, dated March 4, 2010, in reference to Santerra; the second document was the draft Ordinance, Bill Number 10-05; and the third was a document called "Response to Staff's Questions". Although it is called "Response to Staff's Questions", it could just as easily say "Response to Resident Questions", because that is where they were generated - at the Public Hearing with the Planning Commission.

Mr. Wingerson stated a couple of people in the intervening weeks have asked him about the status of Gladstone Plaza, and how nice it would be to see Gladstone Plaza renovated, so the residents of Santerra and the general vicinity could take advantage of goods and services that could be available there in the future. Mr. Wingerson said the Council is certainly aware of this, but for the public's benefit, the owner of Gladstone Plaza has committed to reinvest over \$1 million dollars in the next year to 18 months to rehab Gladstone Plaza. What that will likely do is allow the shopping center to be re-tenanted, and again be an important part of our community. Mr. Wingerson said he hoped this information would be helpful on some level to the public.

Mr. Wingerson stated that in the document titled, "Response to Staff's Questions", there are five issues addressed, and the first section addresses **"Retaining Walls and Construction Fencing"**. The issue raised at the Public Hearing with the Planning Commission was that some of the retaining walls are bowing out or in danger of failing or in ill repair of some sort. Related to that question was the treatment of a retaining wall from the adjoining neighborhood into the Santerra property. The developer has agreed that in areas where there is active construction, the walls would be inspected by appropriate professionals. The owner has also agreed in those areas where construction fencing or some type of fencing is required and not yet present, that there would be temporary fencing installed. Staff has taken that commitment from the developer and reflected it in Condition Number 4. of the draft Bill as follows: *All retaining walls adjacent to active construction sites shall be inspected as required and repaired prior to the issuance of adjoining certificates of occupancy. In the event any retaining wall is determined to require emergency repair or stabilization, an inspection and resulting repairs shall be immediately made.* Mr. Wingerson said this is how staff tried to deal with that concern.

Mr. Wingerson said the second issue is a little bit more complicated, and is simply titled, **"Driveway Water Flow"**. It is important to note that there was an awful lot of discussion prior to the development of Santerra about stormwater, and the impact of this development within the property, but also the impact of this development downstream, which is the Village of Oakview. Prior to the

development of Santerra, there was structural flooding and street flooding in the Village of Oakview. Mr. Wingerson said since the construction of the stormwater system in Santerra, he believes that the Village of Oakview would say that those problems are largely resolved downstream. Mr. Wingerson reported that there was a representative from the Village present at this meeting who may choose to speak to Council during the Public Hearing. The goal in the design of the drainage system for Santerra was to eliminate any downstream impact and improve those conditions if possible, and we were successful there. The goal was also to make sure that the water flowed to a central detention area, which is adjacent to Shady Lane to provide relief to the larger property, given the density of the development itself. One of the components of the stormwater plan is grading the lots and forming the driveways as to drain to the central location. That causes concern for the residents that live in those properties, and staff understands that. This is a conscious design condition to achieve the stormwater control guidelines.

Mr. Wingerson said it was his understanding that there has not been any structural flooding of any home in Santerra, so he thinks it was successful; although there are nuisances and maintenance concerns associated with that strategy. Overall, what staff primarily heard is a condition of brown water in certain areas. There are French drains installed around the exterior of the homes themselves, designed to keep the groundwater from going to the foundation drain of the unit itself, and shed that water before it actually gets to the structure. It is the groundwater that residents may talk about, and it is the water that flows two or three days after it actually rains, so what they are recognizing is that the groundwater is leaching into the French drains, and the French drains are then draining over a period of time after the actual rain event. In terms of response from the City's perspective, Mr. Wingerson referred to Condition Number 6. in the draft Ordinance which says, *In conjunction with future building permits issued, a berm shall be constructed north of buildings 14, 15, 16 and 17. The purpose of this berm is to redirect stormwater to an existing area inlet and reduce surface flow through driveways and reduce long term leaching of groundwater. Such berm shall be approved by the City and construction completed prior to issuance of any certificate of occupancy.* Mr. Wingerson said this basically covers four buildings and the groundwater should be largely reduced due to redirecting the initial stormwater.

Mr. Wingerson continued discussion regarding the document titled, "Response to Staff's Questions", with the third section: **"Status of Homes Association"**. At the Planning Commission meeting, there was a suggestion from some of the residents that the homes association be granted back to the residents who currently live in Santerra. The Developer is very clear in his response. In general terms, the homes association covenant or deed restriction is a contract between

the individual homeowner and the development company. It is for the protection of the developer during the development process. In most cases the developer is the manager or the majority owner of the homes association for a much shorter period of time than the current economy has allowed for this to move forward. In other words, the developer has no desire to maintain the homes association, but has to in order to protect the company's investment in the infrastructure and the common areas of Santerra. As the managing majority owner of the homes association, a developer has a responsibility to the development company, as well as the residents, to provide the maintenance and upkeep in a way that complies with the contract that has been made between the development company and several homeowners. This basically means that the City has little or no jurisdiction in the discussion of the homes association and the relationship between the homeowners and the development company.

Mr. Wingerson pointed out that the fourth section is, "**Construction Traffic on Shady Lane**", and said the Village of Oakview expressed a concern about this issue. The developer has indicated that he will encourage subcontractors to enter the community from the north. That would be the Gladstone side of Santerra. If Council should approve this request, staff will encourage construction trucks to enter Santerra from the north, and that will be placed on Building Permits and information that is given to the builder.

Mr. Wingerson continued discussion with the final issue, which is the "**Community Pool**", and stated that outside of the common area clubhouse, is a small parcel of land that on the approved plan, is a community swimming pool. The developer is pretty clear, and states, "historically depressed market conditions have made the construction of a community pool economically unfeasible; therefore, no pool is projected to be constructed in the future".

Mr. Wingerson pointed out Condition Number 5, in the proposed draft Ordinance has to do with privacy fencing. A majority of the existing condition is being carried over, and the condition suggests that Code will be complied with as required with the privacy fencing and construction fencing. There are two issues that are not referenced in the Council's packet, and one has to do with sediment control. There was concern that there are tubes in front of curb inlets that cause ponding in front of the curb inlets, which is designed to let the sediment sink out. There are a couple of places where the residents believe that was not necessary. For the short term, they will continue to monitor them, and if they are no longer required by the City, DNR (Department of Natural Resources), or EPA (Environmental Protection Agency), which is the chain of command here, then staff will suggest to the developer that those be removed, but for now they need to stay. There was concern about sinking driveways, and staff has looked at them, and certain panels are sinking and some have been replaced. The driveways are

part of the homes association, and part of the contract between the residents of Santerra and the development company.

Mr. Wingerson said he has tried to highlight the concerns for everyone's benefit, and said he would be happy to answer any questions, and when the Public Hearing is opened, Mr. Helmer will present the actual request.

Mayor Pro Tem Les Smith asked how the neighborhood pool was promised to the neighborhood and how was it part of the initial application?

Mr. Wingerson replied that the neighborhood pool is part of the Site Plan. It was presented as an amenity to the community, when it was originally presented to the Planning Commission and City Council. As in most residential developments that include a pool, the pool is usually constructed when there is a critical mass, and enough members of the homes association to pay for the maintenance and upkeep. This development has not reached that tipping point as of yet; therefore there is not enough money in the association's dues to maintain and care for a pool, and meet all the other obligations of the homes association.

Mayor Pro Tem Smith said when Mr. Wingerson read, "no pool will be constructed in the future", does that mean forever?

Mr. Wingerson replied that is what the developer is indicating.

There being no further questions, Mayor Rudi opened the Public Hearing.

Staff Report

Planning Specialist Chris Helmer began by saying the Planning Commission considered this application on January 19, 2010, and did unanimously approve the request by the applicant to move forward to the City Council. Within the Ordinance, of the first three Conditions, the first two have been carried over from discussions that were approved in 2003, by the Planning Commission and City Council. The third Condition was added for the Planning Commission Public Hearing on January 19, 2010. The remaining Conditions, Numbers 4., 5., and 6., that Mr. Wingerson elaborated on, are Conditions that were a result of discussions with area residents, City staff, as well as the Planning Commission members. The Staff Report included in the packet outlines the decision that was made by the Planning Commission. There was also included in the packet the Site Plan that was approved in 2003, by the Planning Commission and City Council.

Mr. Helmer stated that the request this evening, outside of the many complicated issues that Mr. Wingerson discussed, is rather simple with many other additional

concerns that have occurred from the area residents. The applicant is asking for a Site Plan approval of a change to what was approved in 2003. That being a change in the Site Development layout from attached single-family units to that of detached single-family units. The overall layout of the building design is pretty much the same outside of the fact that the units will no longer be as close together. Mr. Wingerson also referenced the issue of density. The overall density for this development project is a slight reduction. In 2003, the overall number of units that were approved was 124 units, and with the overall change, there are 122 units proposed. The requested action this evening by the applicant and developer is a Site Plan revision from the 2003, approved plan - from attached single-family units to detached single-family units.

There were no questions from City Council members at this time.

Comments from the Applicant

The applicant was not present at this meeting.

Comments from those in Favor of the application.

There was no one to speak in favor of the application.

Comments from those in Opposition to the application.

William Fischer, 700 NE 65 Terrace, began by saying that he lives in what is commonly known as Santerra. His wife, Christine, and he have lived in Gladstone since 1970, and at their present address since May 2008. Mr. Fischer read and presented a written statement to the City Council, which he said represents his views, but not necessarily those of other residents of Santerra. **Please see the attached copy of Mr. Fischer's letter.**

Donna Hunt, 6495 North Circle Drive, said she lives in the Santerra development, and has lived there for three years. Ms. Hunt said they are essentially stranded on some of the issues that Mr. Wingerson spoke about, which are the problems with the homeowners' association. Ms. Hunt said she does not believe the residents are stranded on the pool issue. Ms. Hunt said she believes that there needs to be full and careful consideration of this man's past performance and responsiveness, before he is allowed carte blanche in changing the plan. The current homeowners association is pretty much 100 percent at their mercy, and the residents have already had two increases in the dues. In other developments, the homeowners' costs are going down, with the cost of gas going down over the past three years. They are using products that are inappropriate, and the residents have crumbling driveways from inappropriate products being

used to melt snow. Ms. Hunt said she had photos of problem sites in the development for the Council. Ms. Hunt said the residents cannot talk to the head of their homeowners association, so the people providing maintenance are not responsible to the residents, and she knows that is not something the City can do anything about. Ms. Hunt said this speaks to their plight, as this man is 100 percent unresponsive. Ms. Hunt said her drain pipe was destroyed and she asked for that to be repaired, and when she asked again in February, they said they would be there, and now rains are coming and there is no way to remove the water from around the house.

Ms. Hunt pointed out in one of the pictures an area of land where he should have planted, between Gladstone and the street, and the photo shows where, literally, the hill pours down into the street. Ms. Hunt said he is changing the Site Plan, but the property is for sale. How do the residents have any good faith that he is really going to do new construction? Ms. Hunt said the homes that he is moving towards, she assumes are similar to the ones in Woodridge, and he is selling his models there. Why would anyone buy a home that they cannot see? Ms. Hunt said the residents bought their homes, because they could go to Lee's Summit and the Courchevel development, and look at the homes there. Ms. Hunt said he is 100 percent unresponsive to any resident - he will not answer the phone, mail, or anything, and everything seems to say that he is going out of the development business. He presented a plan for the pool, advertised for the pool, and she has a contract with him that says there will be a pool, and now he says no pool. Ms. Hunt said he is a liar. He does not keep his word. Ms. Hunt said she does not understand why other home association dues are going down, because of the economy, and their dues are going up. Ms. Hunt said she cannot prove it, but she thinks he is somehow tied with the company to which the residents pay their homeowners' dues. She cannot prove it, but why will he not at least allow open bidding? Why should the residents be managed by a company that is 45 miles away that does not know how much snow there was here, and whether we need snow removal or not? Ms. Hunt said she does not understand why this is not a more open process, and why everything he does is secretive. There is no transparency. Ms. Hunt encouraged the Council to make his past performance part of the decision making process, when it comes to what he will do in the future.

Nancy Walsh, 706 NE 65th Terrace, said she lives near where Mr. Eisner wants to build. Ms. Walsh said she sent him a certified letter and it came back. She is the one that has a sinking driveway. Ms. Walsh said she was in there one day - a pipe broke under the driveway. They dug it up and repaired it, not correctly, and it has been sinking. It goes up when there is ice, and she is not happy with him, and he does not respond. He will not fix anything and will not respond to anyone.

Ms. Walsh gave the certified letter that was returned to her by the Post Office to Mr. Wingerson.

Alfred Whitman, 697 NE 65 Terrace, said he would like to ask why Richard Eisner has not come to either one of these meetings. Mr. Whitman said they moved into their home in December 2006, and they were told if there were any problems with their house at the end of the year, those problems would be fixed. Right away they discovered there was a problem with their driveway. The nickname around Santerra is that it is called Lake Santerra. Mr. Whitman said his wife has thought about putting fish in their driveway. Mr. Whitman said his biggest complaint is that his neighbor cannot walk out of her house to get her mail. She is at 701 NE 65 Terrace. Mr. Whitman said to get her mail during the winter, he and his wife have to take it out of the mailbox, put it into a plastic bag, put a rock in it and toss it up to her in the garage. Her driveway is a good five feet up in the air. Down below, at the bottom, is lake Santerra, and when it rains or snows, water will stick there. Her driveway is usually ice, and most of the time she cannot get her storm door open on her front patio. Even if she could get out, she would have to walk out her patio, walk down a sidewalk that is still at an angle into her driveway. She has no safe way. Mr. Whitman said this is an accident waiting to happen.

Mr. Whitman stated Ron Barnds of Barnds Brothers gave him his word not once, not twice, but three times that he would fix it. Back then there was a person that was hired who would coordinate with the homeowners and Richard. She is no longer there. She said it was not Ron Barnds' fault - it was Richard's. Mr. Whitman said they have sent Richard certified mail, and it was returned. They sent pictures, and even wrote a letter to Richard with the pictures, and took them over to Kansas City, Kansas, in his development in Woodridge. That is the type of person who is asking to build 40 or more homes. He does absolutely nothing for the homeowners. Most of the homeowners there are Senior Citizens, and they cannot get up on a roof. The homeowners were told that all they had to do was pay the maintenance, and they would do the maintenance. Mr. Whitman said yes, they do the maintenance - they come out and cut the grass and charge the homes association \$6,000 each time or \$5,000. At one time there was 23 homes sold in the homes association, which is really Richard, because he and his wife and another lady are on the Board. They are the ones who are supposed to oversee Barnds Brothers. Mr. Whitman said there are four homes in Santerra that have rock, thanks to his son, and his grandson's ball team's manager. They put rock around four homes. That means there is no mulch and no need for mulch, yet, they get very high priced, and very cheap mulch that has a ton of bugs in it. His neighbor has no ground to cut, except the front, by the street, because of the rock. She purchased the rock and they put it down.

Mr. Whitman said Courchevel was the other homes association. It took them four or five years for Richard to turn over the homes association to them. Mr. Whitman said there are 124 homes there. In theirs it was 95 percent or 90 percent...somewhere along the line, his wife and he agreed and signed a contract in 2003, and he almost would swear it was 90 percent or 95....he and his wife went through at least six to eight changes to the contracts to the time they finally signed the original one, and somewhere along the line that got to be 100 percent. Mr. Whitman said they have no say as to what Barnds Brothers charges. When he turned the homes association over to Courchevel, they put in a bid, and took the lowest bid, and hired another company. The first year they saved over \$40,000 just by getting rid of Barnds Brothers. He built a clubhouse and pool before they started building all the other homes, so he could sell them at Courchevel. Barnds Brothers charged them over \$8,200 to do maintenance on the pool for one year. The new company charged them \$2,200; there was a leak that Barnds Brothers had to fix, but a lady told him that they saved over \$5,000.

Mr. Whitman said he was at the other meeting, and he agreed that they need the other 40 homes built, because they will never get their homes association. If it took four years or three and one half years to sell 36 homes, and he is going to build another 40-44, he does not have to turn over the homes association then. It is actually 84 homes to be built and sold. Mr. Whitman said in the other meeting it was said that he would build two and sell two. Mr. Whitman said he did not believe Mr. Eisner would be alive in 20 some years, because it will take over that to build two and sell two. Right now you have a lot of Senior Citizens who cannot get stuff fixed. His driveway is crumbling, and he has had a leak in his house with the big snow. He did not file a claim, because their maintenance pays for an insurance policy through Barnds Brothers. That insurance policy sounds great - \$300,000 - it has a \$5,000 deductible. Mr. Whitman said the guys came out and took pictures of his house. There was just some leakage inside on the walls, so it did not really affect them.

Mr. Whitman said he knew there were five other homes in the addition that had water damage, and in his case he figured out that the water damage was because of shoddy....he put the two gutters together, and did not put the little thing that clamps them down, and did not seal it. The first chance he gets, he will get a ladder and get inside the gutter, and a friend is going to help in taking off the gutters. Mr. Whitman said he knows he is not supposed to do that, but it is the only way they can fix it, because the snow comes down, melts, and then once it goes...because of that gutter, it leaks through his gutter, and the overhang was not properly put in, and the gutter was not properly done on the inside, so the water leaks, and the wind blows it and it goes right back into his house. Mr. Whitman said the lady called him a liar, but he would like to call him a lot more than that. Mr. Whitman said they had to take their letter and pictures to his housing addition

in Kansas, and when he drove up, and got out of the car, three of them surrounded him. That was the only way he would respond, and he said he never received it. If someone doesn't pick up certified mail, it goes back. Mr. Whitman said it is all phony, and this guy cares nothing about the people who buy houses from him. He has the residents over a barrel until they can get the homes association and get rid of Barnds Brothers.

Mr. Whitman said if someone would ask each homeowner of the 36 homes, they would find out they are very dissatisfied with Barnds Brothers. Mr. Whitman said he had a guy cut the grass, and he came along the edge of the driveway, and he made a dent in the corner, because it was mud. He ran the lawnmower in - tried to push it out, and then pulled it back. Mr. Whitman said he found him by following the trail of mud that was out his driveway and down the sidewalk, and he was two houses down. Mr. Whitman said he asked him to come back and look at it, and he came back, and Mr. Whitman asked him if he had done that, and he said yes. Mr. Whitman asked if he was going to fix it, and he said no. Mr. Whitman said he and his wife fixed it. They ended up putting in three rocks, so people cannot cut up their driveway, and get into the mud, and they put in a couple of rose bushes, and a little rock around it, and fixed the problem. Mr. Whitman said there are a lot of worse things with other homeowners than what his wife and he.....this is not what they paid for.

Mr. Whitman said in 2003, they signed out in Courchevel, not here in Gladstone. They thought that is what they were getting. Mr. Whitman said they thought they were getting a reputable....he checked with the Better Business Bureau, and at that time they told him they did not have any complaints. The complaints were in Kansas. They had an addition before Courchevel that took him to court, and finally they could not get anywhere, and they had to drop it. The lady told him that basically they were bankrupting their association. Courchevel filed a lawsuit against Richard, but they could not find him. Mr. Whitman said he does not know the results of that, but assumes it is still in progress, because he built a wall against this hill. He owned the hill. The mud came underneath the wall, and was damaging two houses. His lawyer told them that Richard would fix it. A couple of weeks went by and the lady said they called the lawyer, who said Richard got another lawyer and was no longer his client. He got the information and found out the other lawyer. They set up a meeting. The other lawyer said, "Go ahead and take us to court; we have more money than you do".

Assistant City Manager Wingerson apologized for interrupting Mr. Whitman, and said he might venture to say that Council members have had a lot of illustrative examples of the developer's performance as part of the homes association. Mr. Wingerson said in deference to all of the residents that were present, it might be in

the Council's best interest to allow everyone to speak, and then allow the Council to ask follow up questions of the residents if they so desire.

Mr. Whitman said he was just telling the Council that if they do this, believe him, as a home owner, he would want the 40 houses built, and he would want them sold, so they can get a strong homes owners association. In this case, it will not do any good, because he would have to build another 84 houses. Mr. Whitman asked if Council members are asking that another 40 more families come in and buy the homes and be under the same mess that they are in? Mr. Whitman said he knows that Gladstone will make a lot of money off taxes and stuff, and he can understand why the City Council wants it built. Somebody talked about the fence; take a look at St. Charles. St. Charles had to write him two or three letters, because they had whole sections of the fence out. Another homeowner and he helped fix part of it, before somebody got in, and finally put the sections back and fixed the fence.

There being no further comments, Mayor Rudi closed the Public Hearing.

Item 11. on the Agenda. **FIRST READING BILL 10-05**, approving a Site Plan revision for property north of and adjacent to Shady Lane; east of and adjacent to Gladstone Plaza. Applicant/Owner: Reveda of Gladstone, Inc. File #1343.

Councilmember Carol Suter moved to place Bill 10-05 on its First Reading. Mayor Pro Tem Les Smith seconded.

Mayor Pro Tem Les Smith stated that the days that he does not like this job is because of days like this. We have people here who are helpless and they feel helpless, and they don't know where to go and what to do, and they don't know whom to turn to. That said, the City Council has certain things that they can address, and there are certain things they cannot address. Additionally, as Mr. Whitman said, the best thing that can happen for these folks is for the project to be built out. The worse thing that can happen is for it to be built out the way the first part was built out.

Mayor Pro Tem Smith said he would like to seek clarification from Mr. Wingerson regarding the pool. Does the City have any recourse to encourage the pool to be built, whether it would be this owner or a subsequent owner, because it was approved as part of the Site Plan.

Mr. Wingerson replied that he would have to check. It was part of the Site Plan, so it is a component of the Site Plan, itself. The City Council could, at this meeting, reapply the construction of the pool at some point prior to the

completion of the development, and retain that portion of the Site Plan on to the new Site Plan. Basically, carry the swimming pool as a required part of the Site Plan.

Mayor Pro Tem Smith said he would like to keep that thought. Mayor Pro Tem Smith said he is trying to work through certain ways that Council can tie promises of the first part with Council's authority in the second part, and that might be one of them. Mayor Pro Tem Smith said generally, when we have a development that is going to require covenants, conditions, restrictions, and a homeowners' association, the City retains the authority to sign off on those parts of the development, and if we did that, how can Council transfer or attain that same authority with this next Site Plan?

Mr. Wingerson replied when as part of a Plat or Site Plan we require the review and approval of the private restrictive covenants, we are simply confirming that there is nothing in the covenants that would be in direct opposition to existing Ordinances. So, those matters that are private, such as when the developer takes control, or who is responsible for ice control, or landscaping or roof repair, or any of those things, how that is taken care of is not part of the staff's review in looking at the private restrictions. Many subdivision restrictions have things like, the front yard set-back shall be "X". If "X" is less than is approved by the City Council or less than what is required by the City Code, then that is the thing that is highlighted, and sent back to the development lawyer, to say he does not have approval for that. What the City does not want is provisions that are in conflict on the private side and City Ordinances. Mr. Wingerson said if the Council desires to review any new restrictive covenants that become part of this Site Plan, that is a condition that the Council can make; however, please recognize that we still will not be reviewing the private contract part of that, but rather comparing the covenants to City Code.

Mayor Pro Tem Smith stated he understood that, but they can be somewhat tied, even informally. Kansas City is very efficient and effective at doing that. The developer may retain, for example, 150 votes per lot, so they can never be outvoted, as long as they own one lot in the subdivision. A lot of times what the developer will allow is the existing homeowners to actively manage the association, and in essence, what they have is veto power. If the developer has veto power, and the association can get something done for \$5,000, instead of \$20,000, why would the developer veto that? That would at least let these folks feel like they have some control over what is going on in their own neighborhood.

Mayor Pro Tem Smith pointed out Condition Number 3., in the proposed Bill, which reads, "Upon development of units 51-58, the developer shall install a temporary cul-de-sac at the end of NE 66th Street". Mayor Pro Tem Smith said he

would suggest that should be lots 47-58; the reason for that being is that once there is construction in that area, there is a place to turn around, rather than a stub in which people have to back out of. Mayor Pro Tem Smith said based on the history of this developer, he would suggest that instead of the Condition reading, "upon development of the units", that it read, "prior to the development, or prior to permits being issued for the development of units 47-58", so there is not a promise to build a temporary cul-de-sac -- there is a temporary cul-de-sac. Mayor Pro Tem Smith said these would be his suggestions at this time.

Councilman Mark Revenaugh said he would like to go on record as saying that he finds it outrageous that a group of Gladstone Senior Citizens can be treated this way by a developer that has come into our community. Councilman Revenaugh said he finds it extremely distasteful. City Council members are "between a rock and a hard place", if he understands Council's position correctly, because he is thinking why in the world would Council want to allow for the developer to have a Site Plan revision that will allow him to build more units, so that he can mistreat Gladstone residents. That part of it makes no sense. The other side of it is that if the City does not allow him to try to build out the community, then what would happen to the folks who have already bought into the property. Councilman Revenaugh said he was not sure that whomever the lender is that he is working with would be any better about addressing the residents' problems. Councilman Revenaugh said he does not see a lot of "gray" area here, between what the City can do as far as the developer. The Council can stop his application for a Site Plan revision, but if Council does that, is that better than the developer not building anything else, and washing his hands of the deal and walking away. Councilman Revenaugh asked Mr. Wingerson for his input on this.

Mr. Wingerson replied he did not have any specific input other than he believes that Councilman Revenaugh summarized the issue very clearly. The question is how can the City be most beneficial in protecting the residents. Staff agrees this is a sad thing, and he hopes no one thinks Staff endorses Mr. Eisner's practices with the residents, because that is not the case. Mr. Wingerson said he might suggest that Council consider continuing their vote on the first reading of the Bill for two weeks, and allow him to communicate in writing to the developer the things that Councilman Revenaugh and Mayor Pro Tem Smith have said about this application and possible conditions, and see if there is any likelihood that the developer would agree to them. Mr. Wingerson stated that if the developer does not agree to them, he would suggest that this application be withdrawn by the developer, and if the developer is agreeable to the conditions, he would suggest that the developer or he would be allowed to communicate that to the City Council in two weeks. Mr. Wingerson suggested that would be an option for the City Council in addition to the option moving forward this evening one way or the other.

Councilmember Carol Suter said this might be a situation similar to another in the City, where we are dealing with unresponsive landowners who refused to do improvements or even to maintain property to Code. The reality was that they want to sell the property, and by them negotiating with the City and arriving at a resolution of some of those disagreements, now actually enables them to make the improvements in order to sell. This landowner apparently has this property listed for sale. Perhaps, having the Site Plan revised may be an element that would help sell the property, and it would seem that the best thing that can happen here is that some other developer buys the property and finishes it. Councilmember Suter said that while we have been through this as a Council in negotiating with parties who we find distasteful around these same kinds of issues, one must keep looking at that end result; that is sometimes you have to do the short term thing in order to enhance the saleability of property, which is probably the best thing that can happen here. Clearly, the project needs to be finished, but as we all know, this is the worst economy ever faced for this; so, we are probably looking at a developer who is on his last legs, and could possibly be looking at forfeiture on the property, and that doesn't put anyone in a better position than they are in now. Councilmember Suter said while it is uncomfortable for all of us and unpleasant to deal with people that we sometimes think are bad actors, sometimes, cooperation is the only thing you can do to try and get a better result at the end. Councilmember Suter said she really appreciates the suggestion from Mr. Wingerson that he be given the opportunity to work with the developer and get some more information that might help make it easier for the Council to arrive at a decision.

Mayor Pro Tem Smith said the newly proposed Site Plan in today's market, with today's trends, is probably a better Site Plan than the one currently approved. It tends to be the way that a project of this type is being designed now. Councilmember Suter has a good point. Mayor Pro Tem Smith suggested that if the developer is in this bad of shape, he is not going to be the final developer on this property, so it might behoove Council members to get some guarantee from the current developer that he is going to do right by the citizens of this community, which we expect of every developer and business person, and if not, it still might be in the community's best interest to approve a new Site Plan as it is a more modern design. If that helps him move the property to a viable developer, then so be it. Mayor Pro Tem Smith said he is confident these folks would like to "wash their hands" of this developer one way or another, and he cannot see that the new design has any negative impact on them. It seems to be a good design, with a couple of tweaks. Mayor Pro Tem Smith said he believes he likes the suggestions that are out there now, so, let's get it on the table and leave it there, and see what Mr. Wingerson comes back with for the Council to consider.

Councilman McCullough stated he agreed with everything that has been said, and he thinks it would be extremely important for Mr. Eisner to be here for the next meeting, and get the benefit of this information in person.

Mayor Rudi stated information is definitely lacking all the way around. Mayor Rudi said her concern is that although it is only two units, when discussion has been held concerning the plan for Gladstone Plaza or the downtown area, we are talking about a higher density, not a lower density, and at this point that is her concern. Mayor Rudi asked Mr. Wingerson to share that concern with the developer, as well.

The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0).

Mayor Pro Tem Smith asked if the neighborhood would be advised of anything else that may come before the Council in a public meeting.

Mr. Wingerson replied yes, absolutely. Mr. Wingerson stated for clarification, he would like to summarize City Council's direction to be certain he understood: staff will talk to Reveda about Condition Number 3, indicating that prior to permits being issued for units 47-58 language, and involves the temporary cul-de-sac; staff will talk to the developer about the pool remaining part of the new plan and a carry over from the first plan; and staff will talk to the developer about a covenant to review by staff in those areas where the City has jurisdiction, as well as have a very pointed discussion about the future management of the association itself. Mr. Wingerson said staff plans to come back in two weeks to finish this matter. If that were to change, notices will be hand delivered to the residents in Santerra and adjoining residents, as has been done in the past on continuations, if this is acceptable to the Council.

Mayor Rudi said this issue would be continued to the Regular City Council meeting to be held on March 22, 2010.

Item 12. on the Agenda. **FIRST READING BILL 10-06**, withdrawing the Designations of Blight previously applied to the Gladstone Plaza Shopping Center by repealing Ordinance numbers 3.865 and 3.866, and portions of Ordinance number 3.972.

Councilman Mark Revenaugh moved to place Bill 10-06 on its First Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the First Reading of Bill 10-06, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the Second and Final Reading of Bill 10-06 and to enact the Bill as **Ordinance 4.134**. Councilman Barry McCullough seconded.

Roll call vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0).

Item 13. on the Agenda. **Other Business.**

There was no other business to discuss.

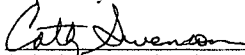
Item 14. on the Agenda. Questions from the News Media.


There was no News Media present.

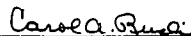
Item 15. on the Agenda. Adjournment.

There being no further business to come before the March 8, 2010, Regular City Council meeting, Mayor Carol Rudi adjourned the Regular meeting, saying that the Council would return to the Open Study Session for continued discussion.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: 
Approved as corrected/amended:


Mayor Carol A. Rudi

MARCH 8, 2010

I AM WILLIAM FISCHER AND LIVE AT 700 NE 65 TERRACE IN GLADSTONE IN WHAT IS COMMONLY KNOWN AS SANTERRA. MY WIFE CHRISTINE AND I HAVE LIVED IN GLADSTONE SINCE 1970 AND AT OUR PRESENT ADDRESS SINCE MAY 2008. THIS STATEMENT REPRESENTS OUR VIEWS BUT NOT NECESSARILY THOSE OF OTHER RESIDENTS OF SANTERRA.

WE LIKE GLADSTONE AND ESPECIALLY THE SERVICES IT FURNISHES SUCH AS THE SENIORS PROGRAM.

BEFORE PURCHASING OUR CONDO IN SANTERRA WE RELIED ON SALES LITERATURE AND HAVING NO NEGATIVE INFORMATION REGARDING THE DEVELOPER DID NOT PERFORM ADDITIONAL DUE DILIGENCE WORK.

WHEN WE MOVED IN WE FOUND INSTANCES OF CONSTRUCTION DEFICIENCIES AND SHODDY WORKMANSHIP WHICH WE WILL NOT ENUMERATE HERE BUT WE DO WANT TO GIVE YOU AN EXAMPLE OF NONRESPONSIVENESS ON THE PART OF REVADA, THE DEVELOPER OF SANTERRA.

IN FEBRUARY 2009 UNDER THE ONE YEAR CORRECTION CLAUSE IN THE LITERATURE PROVIDED BY THE DEVELOPER WE ASKED REVADA BY LETTER TO REPAIR A WATER HAMMER PROBLEM IN THE GUEST BATHROOM. BECAUSE REVADA DID NOT RESPOND WE FOLLOWED UP BY LETTER IN JUNE AND AGAIN IN AUGUST.

AFTER IT RECEIVED OUR AUGUST LETTER REVADA SENT WORKMEN TO OUR CONDO WHO OPENED A WALL IN THE BATHROOM CLOSET FOR ACCESS TO THE PLUMBING TO TRY TO LOCATE AND FIX THE PROBLEM. WHEN THEY WERE NOT SUCCESSFUL THEY LEFT OUR CONDO LEAVING THE WALL OPEN. WE EXPECTED THEM TO RETURN BUT THEY DID NOT NOR HAS REVADA RESPONDED TO FURTHER INQUIRY ASKING WHY. CONSEQUENTLY WE HAVE LIVED WITH A HOLE IN THE GUEST BATHROOM WALL SINCE LAST AUGUST AND CONTINUE TO EXPERIENCE AN AGGRAVATING WATER HAMMER IN THAT ROOM.

WE FURNISHED COPIES OF OUR REVADA CORRESPONDENCE TO THE COMMUNITY DEVELOPMENT DEPARTMENT HERE IN GLADSTONE AND ASKED FOR ITS ASSISTANCE AND ADVICE LAST MONTH BUT THE DEPARTMENT HAS NOT YET RESPONDED.

WE ASK THAT YOU GIVE FULL AND CAREFUL CONSIDERATION TO THE SANTERRA SITE PLAN REVISION REQUEST AND MAKE CERTAIN THAT ANY APPROVAL ACTION DOES NOT INCLUDE A FINDING THAT YOU APPROVE OF PAST PERFORMANCE BY THE DEVELOPER.

THANK YOU FOR THE OPPORTUNITY TO MAKE THIS STATEMENT. .

WILLIAM E FISCHER



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MARCH 22, 2010**

The City Council will meet in Closed Executive Session on Monday, March 22, 2010, starting at 6:00 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes.

The Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 6:15 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular March 8, 2010, City Council Meeting Minutes.
5. **PROCLAMATION:** designating April 1, 2010, as "ARBOR DAY" in Gladstone, Missouri, and urging residents to support efforts that focus on environmental betterment and the planting of trees.

6. **PROCLAMATION:** designating April 5-11, 2010, as "**PUBLIC HEALTH WEEK**" in Gladstone, Missouri, and commending the Health Department's service to our community.
7. **PROCLAMATION:** designating April 2010, as "**NATIONAL DONATE LIFE MONTH**" in Gladstone, Missouri, and commending donors and donation advocates in our community.

REGULAR AGENDA

8. **Communications from the Audience.**
9. **Communications from the City Council.**
10. **Communications from the City Manager.**
11. **FIRST READING BILL 10-05**, approving a Site Plan revision for property north of and adjacent to Shady Lane; east of and adjacent to Gladstone Plaza. Applicant/Owner: Reveda of Gladstone, Inc. File #1343.
12. **FIRST READING BILL 10-07**, authorizing the City Manager to execute an agreement with the Missouri Highway and Transportation Commission for federal funds relating to the Highway 9 and Briarcliff Parkway Round-A-Bout Project.
13. **FIRST READING BILL 10-8**, authorizing the City Manager to execute an agreement with the Missouri Highway and Transportation Commission for federal funds relating to the Highway 9 and Briarcliff Parkway (south of Route 9) Round-A-Bout Project.
14. **FIRST READING BILL 10-9**, authorizing the City Manager to execute Permanent Easements to the Missouri Highway and Transportation Commission relating to the Highway 9 and Briarcliff Parkway Round-A-Bout Projects.

15. **FIRST READING BILL 10-10**, imposing a City Sales Tax at a rate of one-fourth of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the City of Gladstone, Missouri, to provide funding solely for the purpose of improving public safety within the City of Gladstone, Missouri, subject to the approval by the voters of the City at a special election to be held on Tuesday, June 8, 2010; calling an election for such purpose; designating the form of the ballot; and directing the City Clerk to provide notice of said election.
16. **FIRST READING BILL 10-11**, repealing Title V, Chapter 110 of the Code of Ordinances of the City of Gladstone, and enacting in lieu thereof, new provisions regulating the sale and distribution of alcoholic beverages within the City.
17. **APPROVAL OF A CLASS "D" LIQUOR LICENSE** (for the sale of malt liquor, beer, and light wine by the drink and in the original package) for Big Baby's Pizzeria, 6519 North Oak Trafficway. Managing Officer: Daniel Drowns.
18. **APPROVAL OF THE FEBRUARY 2010, FINANCIAL REPORT.**
19. Other Business:
20. Questions from the News Media.
21. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MARCH 22, 2010**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:00 PM**

Mayor Carol Rudi opened the City Council Meeting to adjourn to a Closed Executive Session on March 22, 2010, at 6:00 PM. Councilman Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilman Mark Revenaugh seconded.

Roll Call Vote: All "aye" – Councilman Barry McCullough, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (4-0).

Councilmember Carol Suter was absent from the vote, but was present at the Closed Executive Session.

Mayor Carol Rudi closed the Closed Executive Session at 6:15 PM.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Carol Rudi
Mayor Pro Tem Les Smith
Councilman Mark Revenaugh
Councilmember Carol Suter
Councilman Barry McCullough

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor David Ramsay
City Clerk Cathy Swenson

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

Mayor Carol Rudi opened the Regular March 22, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Carol Rudi led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR MARCH 8, 2010, CITY COUNCIL MEETING MINUTES.**

Councilman Barry McCullough moved to approve the Regular March 8, 2010, City Council Meeting Minutes as presented. Councilmember Carol Suter seconded. The vote: All "aye" - Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0)

Item 5. on the Agenda. **PROCLAMATION:** designating April 1, 2010, as "ARBOR DAY" in Gladstone, Missouri, and urging residents to support efforts that focus on environmental betterment and the planting of trees.

Mayor Rudi read and presented the Proclamation to Parks and Recreation Director Sheila Lillis. Director Lillis thanked the Mayor and Council, and invited everyone to attend the Arbor Day celebration to be held on April 1, at 10:00 AM, at Meadowbrook Park. Director Lillis reported that this would also be the eighth year the City has received the Tree City USA Award.

Item 6. on the Agenda. **PROCLAMATION:** designating April 5-11, 2010, as "PUBLIC HEALTH WEEK" in Gladstone, Missouri, and commending the Health Department's service to our community.

Mayor Rudi read and presented the Proclamation to Gary E. Zaborac, Director of Public Health for the Clay County Health Center. Mr. Zaborac thanked the Mayor, Council and residents of Gladstone and said he also wished to express his thanks for the community's support throughout the year and for being able to partner with the City of Gladstone. Events were held at the Community Center preparing for a pandemic event in our area. Mr. Zaborac said the message he would like to share is that public health is about the community, and the community is you, and the Clay County Health Center appreciates the community's support.

Item 7. on the Agenda. **PROCLAMATION:** designating April 2010, as "NATIONAL DONATE LIFE MONTH" in Gladstone, Missouri, and commending donors and donation advocates in our community.

Mayor Rudi read the Proclamation, and explained there was no one to receive this Proclamation this evening, but it would be delivered to the Midwest Transplant Network. Mayor Rudi said the reason this is on the agenda this evening, is because she met the community education representative from this organization about one year ago, and there have been some changes in the requirements on individuals' driver's licenses. If anyone wishes to be a donor, and has signed their license in the past year, they are probably fine, but if anyone signed it before then, they probably need to check in to updating their license, because of recent changes.

REGULAR AGENDA

Item 8. on the Agenda. **Communications from the Audience.**

There were no comments from the audience.

Item 9. on the Agenda. **Communications from the City Council.**

Councilman Barry McCullough had no comments at this time.

Councilmember Carol Suter had no comments at this time.

Councilman Mark Revenaugh said he was dropping off some dry cleaning at Sheila's Dry Cleaning, when Sheila made a point to mention how much she enjoyed our latest issue of Coming Home to Gladstone, and asked that he pass that on to staff. She appreciates receiving the magazine and enjoys it very much.

Councilman Revenaugh said he hoped we are done with the snowfall for now, and he said he wished to congratulate Acting Public Works Director Tim Nebergall for making sure our city had enough salt to keep our roads safe for our residents, and encouraged him to keep up the good work for later this year, when winter storms hit again.

Mayor Pro Tem Les Smith had no comments at this time.

Mayor Carol Rudi reported that an election would be held in Gladstone on April 6. One seat is open on the City Council, and we have one candidate. Mayor Pro Tem Smith has filed for that seat. Folks need to be sure to go to the polls to vote.

Mayor Pro Tem Smith jokingly said he still needs one vote, and he has been working on his mother!

Mayor Rudi said the election of School Board members would also be on the ballot. Mayor Rudi encouraged everyone to vote on April 6, and then that same evening will be held the next Art Exhibit Opening, in the Community Center, and there will be a reception from 6:00 PM to 8:00 PM. The featured artist is Mark Anderson, who is the Director of Art for the North Kansas City School District. Mayor Rudi invited everyone to attend and said this is a fun event and an opportunity to meet the artist.

Mayor Rudi showed the audience an old map of our area, which is now Gladstone, and said she spoke to the Linden Neighborhood Association last week, and they donated the map to the City. Cheryl Anderson Taylor found the map in an attic, and this will now be part of the City's archives. The map does not show the railroad lines, which will help in dating it. The map will be on display in City Hall. Mayor Rudi said she was hoping for a copy of the map, and it is very special that they donated the original to the City.

Item 10. on the Agenda. Communications from the City Manager.

City Manager Kirk Davis said the repairs to the gym floor in the Community Center would be completed on April 2.

Item 11. on the Agenda. FIRST READING BILL 10-05, approving a Site Plan revision for property north of and adjacent to Shady Lane; east of and adjacent to Gladstone Plaza. Applicant/Owner: Reveda of Gladstone, Inc. File #1343.

Mayor Rudi explained to the audience that the Public Hearing was closed at the last meeting, so Council would not be hearing from anyone in the audience this evening, but Council members have taken to heart everything that the residents have said. Mayor Rudi asked Assistant City Manager Scott Wingerson to provide an update.

Assistant City Manager Scott Wingerson began by saying this has been a very difficult request, and as the Council knows there has been a Public Hearing with the Planning Commission and a Public Hearing with the City Council, and we are here again this evening. Between each of those meetings and public discussions, there has been additional communication with the developer. Most recently, from the City Council's Public Hearing, the City Council asked staff to address three primary items. The first is the suggestion that a temporary cul-de-sac be built on

the northwest end of Santerra, which is adjacent to Gladstone Plaza. The Council asked that the trigger for when that condition applies be changed to prior to any permits being issued, and the trigger became earlier in the draft Bill in terms of which buildings trigger the condition. Now, upon construction of any one of the buildings from Number 47 through Number 58, prior to that permit being issued, a temporary cul-de-sac will be in place.

Mr. Wingerson said the Council, the Planning Commission and the public spent a great deal of time talking about the second item, which is how the covenants and restrictions in Santerra work, or in this case, are sometimes not working. A condition has been inserted into the Bill being considered this evening that has been included in several other development projects over the years, which says that the developer will submit for the City's review the applicable restrictions and covenants prior to the issuance of any additional building permits. Mr. Wingerson said this is a good thing, because staff will be able to review those and understand what is in those restrictions and covenants that will ultimately be a contract between the property owner and the development or the homes association. Mr. Wingerson said he would have to caution the Council, as he did in the hearing, that many of the matters that are contained within a set of restrictive covenants are not the jurisdiction of the City. When staff does their review, and if comment is made, it will be on things such as area, setback, height, how the units are generally organized, and those types of things that are applicable to any Site Plan that the Council might approve, or to any City Code in general. That is where the City's jurisdiction ceases, and that is to the extent that staff can comment.

Mr. Wingerson stated there was a lot of discussion with the Planning Commission months ago about the swimming pool, and the residents' desire for the swimming pool to be mandated to be constructed. Mr. Wingerson said after having looked at it a hundred times, he realized that the swimming pool is located in the Village of Oakview, so the ultimate decision on the swimming pool and the Site Plan of the swimming pool lies in the jurisdiction of the Board of Directors of Oakview. The Council was clear in their desire to see how this could go, so staff has drafted a condition into the Bill that encourages the developer to construct a swimming pool prior to completion of the development. That is a message to the developer, and reflects the current sentiment of the Council moving forward to the Village of Oakview should they see a request to eliminate the swimming pool.

Mr. Wingerson said these are the three main items that the Council asked staff to look into, and staff has tried to be responsive and to draft conditions that relate to each of those three items. Mr. Wingerson said in going back through the Planning Commission and City Council meeting minutes, there are so many concerns from the residents that are all through the minutes, and staff understands those

concerns, and those concerns, based on staff's investigation, are valid concerns. What makes this request so incredibly difficult is that staff wants to help, but this is not the mechanism that allows staff to help. It is not the City's jurisdiction, as part of a Site Plan review, to look at many of the things that the residents are asking of the City. Mr. Wingerson said staff is asking that the Site Plan revision be approved by the City Council this evening, with staff's commitment to continue to work with the residents in every way possible to increase communication between the developer and the residents, and to make sure the building codes and nuisance codes are followed to the highest degree imaginable. Staff is committed to help, but this process is not the way to be able to do that.

Mayor Pro Tem Smith stated that Councilmember Suter shared some very interesting statistics a few weeks ago about who the buyers for this type of project might be in this type of density. Mayor Pro Tem Smith asked what would be more attractive moving forward, is it the units the way they are constructed now, with the common wall, or is it the type of unit that is a cluster of four units with shared drives - which is it with the way things are trending?

Mr. Wingerson replied it is difficult to articulate a trend in the current economy; however, the detached units that are clustered in this manner are generally attractive to "younger" older people - people possibly in their late 50's. Where the four combined units are more attractive to an older population. By exploding the four units into four separate units, it is believed the developer is trying to attract a larger cross section of buyers in order to get the development moving again, after it has stagnated.

Mayor Pro Tem Smith said he had no interest in helping the developer; his interest is in helping the citizens, and one of the ways to do that is to protect their investment. Mayor Pro Tem Smith asked if this the way to best protect the investments of the residents?

Mr. Wingerson replied that he could not speak for the developer, but generally, a detached unit will hold its value longer than an attached unit. This has been tested over a long period of time.

Councilmember Suter asked in the conversations with the developer if he made the status of the property more clear? Is it currently on the market for sale? If this is approved, will it continue to be for sale - all of the property, not just individual units?

Mr. Wingerson replied that he could not fully answer the question. The property is for sale today, but he does not have any information about the status based on the Council's action this evening.

Councilman Revenaugh asked for clarification if the property value seems to be currently higher with a detached unit than an attached unit.

Mr. Wingerson replied that the current value is based on the market. Over the long term, a detached unit will hold more of its value than an attached unit.

Councilman Revenaugh said if the developer is allowed to deviate from the plan by going from a greater density to a lesser density, it would seem that given the leeway to build lesser density homes going forward would affect the property values of the existing structures in the neighborhood. Might they be less desirable, if the demand going forward is for lesser density, and these are greater density that have currently been built and bought?

Mr. Wingerson replied the current values of the units are suffering because of the state of the property as it is today. Moving forward, the only direction these units can go, assuming normal everyday wear and tear, is up, but because the development is stagnated, and it is surrounded by predominately vacant developable, yet undeveloped property, the first thing to allow the existing units to increase in value is to get the development moving forward. That is the number one thing to protect the property values of the existing residents in Santerra. Moving forward, past that point, the attached four plex units will continue to be really attractive to a smaller based population. Mr. Wingerson said he did not know if there would be a big impact on value one way or another, other than the pool of available buyers is smaller for the attached units than for the detached single-family units.

Mayor Pro Tem Smith asked for clarification if the density reduction was two units?

Mr. Wingerson replied that was correct.

Councilmember Suter said her hope is that in resolving the disputes with Gladstone Plaza and seeing some improvements coming to that property, will also enhance the potential for Santerra.

Councilmember Carol Suter moved to place Bill 10-05 on its First Reading. Mayor Pro Tem Les Smith seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of Bill 10-05. Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro

Tem Les Smith seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of Bill 10-05 and to enact the Bill as **Ordinance 4.135**. Mayor Pro Tem Les Smith seconded.

Mayor Pro Tem Smith said he appreciated that Mr. Wingerson put into perspective what the Council can and cannot do. Unfortunately, the Council cannot do everything they would like to do; there are parameters the Council has to operate within. Mayor Pro Tem Smith said as he mentioned earlier, and he believes the rest of the Council said at the last meeting, the number one priority of this Council is to assist these people who feel helpless living in our City, and that is a bad spot in which to be. Mayor Pro Tem Smith said he felt confident that City staff has done everything that they legally can do, and have "twisted arms" and tried to influence the process as much as possible, and he does not have an interest in helping the developer, but he does have an interest in helping the residents.

Mayor Pro Tem Smith said the problem is that he does not know that defeating the Site Plan revision helps the residents as much as it would for it to be approved. It gives the City some additional leverage, if for no other reason, if the developer continues to build, the City can continue working with him. Mayor Pro Tem Smith said at the point of trying to pull Building Permits, he hopes that staff will research the ability to require some type of Performance Bond on the aspects of the Building Permits; it might be a stretch, but it is something we should try. There is no reason why a resident of this community, who bought property in this development in good faith should have to suffer what they are suffering, and for in some cases not very big improvements. It might be a \$300 bill or a \$500 bill, and there is no reason why this man should not come back and take care of the residents.

Mayor Pro Tem Smith said his greatest concern is for the residents, and he has wrestled with this issue since the Council last met, and he firmly believes that the best way to help the residents is to approve this, and try to get something going in this area. Mayor Pro Tem Smith said the residents may not believe him now, but he firmly believes that, and he has been here a long time, and had done some developing himself. Mayor Pro Tem Smith said he wanted the residents to believe him that he would vote in favor of this issue as the method that he believes is the best way to get something moving to help the residents – that is where he is coming from.

Mayor Rudi stated as much as she would like to vote "no", because it aggravates her no end that the developer is behaving like this, she will also be voting "yes", because she feels it is the only way to move the project forward in order to get the control of the homes association into the hands of the residents. That is what needs to be done; whether the developer does finally build enough units and sells enough spaces to make that happen, or because he sells the entire property to someone else who can or does do that, and becomes more responsive to the residents. Mayor Rudi said she did not see any other solution, as a City, than to move forward on this.

Mayor Pro Tem Smith said he wanted to challenge staff to "cross every T" and "dot every I" with everything that moves forward with this project, not that they have not already done that, but perhaps "double cross every T" and "double dot every I", but let's try to get the residents some relief, and at least not have anyone else suffer the same consequences that they have, and he feels confident we can do that.

Roll call vote: "Aye" – Councilmember Carol Suter, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. "Nay" – Councilman Barry McCullough and Councilman Mark Revenaugh. (3-2)

Mayor Rudi stated that Bill 10-05 had been enacted as **Ordinance 4.135**.

Item 12. on the Agenda. **FIRST READING BILL 10-07**, authorizing the City Manager to execute an agreement with the Missouri Highway and Transportation Commission for federal funds relating to the Highway 9 and Briarcliff Parkway Round-A-Bout Project.

Mayor Pro Tem Les Smith moved to place Bill 10-07 on its First Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Mayor Pro Tem Les Smith moved to accept the First Reading of Bill 10-07, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Mayor Pro Tem Les Smith moved to accept the Second and Final Reading of Bill 10-07 and to enact the Bill as **Ordinance 4.136**. Councilman Mark Revenaugh seconded.

Roll call vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0).

Item 13, on the Agenda. **FIRST READING BILL 10-08**, authorizing the City Manager to execute an agreement with the Missouri Highway and Transportation Commission for federal funds relating to the Highway 9 and Briarcliff Parkway (south of Route 9) Round-A-Bout Project.

Councilman Barry McCullough moved to place Bill 10-08 on its First Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the First Reading of Bill 10-08, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the Second and Final Reading of Bill 10-08 and to enact the Bill as **Ordinance 4.137**. Councilmember Carol Suter seconded.

Roll call vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0).

Item 14, on the Agenda. **FIRST READING BILL 10-09**, authorizing the City Manager to execute Permanent Easements to the Missouri Highway and Transportation Commission relating to the Highway 9 and Briarcliff Parkway Round-A-Bout Projects.

Councilman Mark Revenaugh moved to place Bill 10-09 on its First Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the First Reading of Bill 10-09, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Barry McCullough. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the Second and Final Reading of Bill 10-09 and to enact the Bill as **Ordinance 4.138**. Councilman Barry McCullough seconded.

Roll call vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0).

Item 15. on the Agenda. **FIRST READING BILL 10-10**, imposing a City Sales Tax at a rate of one-fourth of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the City of Gladstone, Missouri, to provide funding solely for the purpose of improving public safety within the City of Gladstone, Missouri, subject to the approval by the voters of the City at a special election to be held on Tuesday, June 8, 2010; calling an election for such purpose; designating the form of the ballot; and directing the City Clerk to provide notice of said election.

Mayor Pro Tem Les Smith moved to place Bill 10-10 on its First Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Mayor Pro Tem Les Smith moved to accept the First Reading of Bill 10-10, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Mayor Pro Tem Les Smith moved to accept the Second and Final Reading of Bill 10-10 and to enact the Bill as **Ordinance 4.139**. Councilman Mark Revenaugh seconded.

Roll call vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0).

Item 16. on the Agenda. **FIRST READING BILL 10-11**, repealing Title V, Chapter 110 of the Code of Ordinances of the City of Gladstone, and enacting in lieu thereof, new provisions regulating the sale and distribution of alcoholic beverages within the City.

Councilmember Carol Suter moved to place Bill 10-11 on its First Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of Bill 10-11, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of Bill 10-11 and to enact the Bill as **Ordinance 4.140**. Councilman Barry McCullough seconded.

Roll call vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0).

Item 17. on the Agenda. **APPROVAL OF A CLASS "D" LIQUOR LICENSE** (for the sale of malt liquor, beer, and light wine by the drink and in the original package) for Big Baby's Pizzeria, 6519 North Oak Trafficway. Managing Officer: Daniel Drowns.

Mayor Pro Tem Les Smith moved to approve a **CLASS "D" LIQUOR LICENSE** (for the sale of malt liquor, beer, and light wine by the drink and in the original package) for Big Baby's Pizzeria, 6519 North Oak Trafficway. Managing Officer: Daniel Drowns. Councilmember Carol Suter seconded.

Mayor Rudi asked City Counselor David Ramsay if the previously approved Liquor Ordinance would apply to this application.

City Counselor Ramsay replied yes, but what was approved would not affect this license application.

The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0).

Item 18. on the Agenda. **APPROVAL OF THE FEBRUARY 2010,
FINANCIAL REPORT.**

Councilman Mark Revenaugh moved to approve the February 2010 Financial Report. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0).

Item 19. on the Agenda. **Other Business.**

There was no other business to discuss.

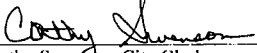
Item 20. on the Agenda. **Questions from the News Media.**


There was no News Media present.

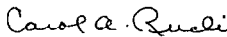
Item 21. on the Agenda. **Adjournment.**

There being no further business to come before the March 22, 2010, Regular City Council meeting, Mayor Carol Rudi adjourned the Regular meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: 
Approved as corrected/amended:


Mayor Carol A. Rudi



PUBLIC NOTICE

GLADSTONE CITY COUNCIL

CLOSED EXECUTIVE SESSION

MONDAY, APRIL 5, 2010

TIME: 5:00 PM

**LOCATION: City Manager's Office
Gladstone City Hall**

7010 North Holmes; Gladstone, MO 64118

The Gladstone City Council will meet in Closed Executive Session on Monday, April 5, at 5:00 PM in the City Manager's Office, Gladstone City Hall, 7010 North Holmes; Gladstone, MO 64118

The Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021 (1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021 (2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

City Clerk Cathy Swenson
7010 N Holmes
423-4096

Posted April 2, 2010 at 3:00 PM



**MINUTES
CITY COUNCIL MEETING
ADJOURNMENT TO A CLOSED EXECUTIVE SESSION
GLADSTONE, MISSOURI**

MONDAY, APRIL 5, 2010

PRESENT:

Mayor Carol Rudi
Mayor Pro Tem Les Smith
Councilmember Carol Suter
Councilman Barry McCullough

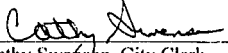
Mayor Carol Rudi opened the City Council Meeting to adjourn to a Closed Executive Session on April 5, 2010, at 5:00 PM in the Gladstone City Council Chambers.


Councilman Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to the Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilmember Carol Suter seconded.

Roll Call Vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Les Smith, Mayor Carol Rudi. (4-0).

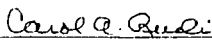
Mayor Carol Rudi adjourned the Closed Executive Session.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: 

Approved as corrected/amended: _____


Mayor Carol A. Rudi



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, APRIL 12, 2010**

REGULAR MEETING: 7:30 PM

A G E N D A

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of Regular March 22, 2010, City Council Meeting Minutes.
5. Approval of the April 5, 2010, City Council Meeting Minutes convening a Closed Executive Session.
6. **PROCLAMATION:** Recognizing April 11-17, 2010, as **MULTIPLE SCLEROSIS AWARENESS WEEK** in Gladstone, Missouri.
7. **MAYOR'S STATE OF THE CITY ADDRESS.**
8. **FIRST READING BILL 10-12**, declaring the results of the Tuesday, April 6, 2010, Gladstone General Election as certified by the Clay County Board of Election Commissioners that City Council Candidate Les Smith has been elected to a Three Year Term on the Gladstone City Council.
9. CITY COUNCIL OATH OF OFFICE: LES SMITH.
10. ELECTION OF MAYOR AND OATH OF OFFICE.
11. ELECTION OF MAYOR PRO-TEM.
12. REMARKS FROM THE CITY COUNCIL.

CONSENT AGENDA

Approval of a Class "A-R" Liquor by the Drink License to First Latin Culinary Center Restaurant, LLC., 6924 North Oak Trafficway. Managing Officer: Teresa Faller.

Approval of a Class "A" Liquor by the Drink License to Lost Bar Family dba The Lost Bar, 7632 North Oak Trafficway. Managing Officer: Natalie Bonuchi.

APPROVAL OF BEER LICENSE for the Gladstone Summertime Bluesfest in Oak Grove Park, 76th & North Troost, (2-day license), June 11-12, 2010, Managing Officer: Amy Harlin; and the Gladfest Celebration in the Gladstone Central Park area, near 69th & N Holmes, (3-day license) October 1-3, 2010, Managing Officer: Amy Harlin.

RESOLUTION R-10-17, authorizing Change Order No. 1 in the amount of \$100,004.90 to the contract with SAK Construction, LLC for the 2010 Sanitary Sewer Rehabilitation (Cured in Place Pipe) Project.

RESOLUTION R-10-18, authorizing execution of a contract with Musselman and Hall, LLC, in the total amount not to exceed \$142,103.86 for the 2010 Intermediate Maintenance Program Project.

RESOLUTION R-10-19, authorizing execution of a contract with O'Donnell-Way Construction Company, Incorporated in the total amount not to exceed \$351,147.80 for the 2010 Mill and Overlay Program – Phase 1 Project.

RESOLUTION R-10-20, accepting a Quit-Claim Deed from a property owner in conjunction with the M-1 Bicycle Pedestrian Trail Project.

REGULAR AGENDA.

13. Communications from the Audience.
14. Communications from the City Council.
15. Communications from the City Manager.

16. **APPROVAL OF PARK FESTIVAL USE PERMITS** for the 14th Annual Gladstone Summertime Bluesfest in Oak Grove Park, 76th & North Troost, Friday and Saturday, June 11-12, 2010, including approval of designated smoking areas; and the 31st Annual Gladfest Celebration on Friday, Saturday and Sunday, October 1-3, 2010, in the Gladstone Central Park area, near 69th & N. Holmes, under the sponsorship of the Gladstone Area Chamber of Commerce and the City of Gladstone.
17. **RESOLUTION R-10-21**, expressing the intention of the City Council for use of revenues generated by the new Law Enforcement Sales Tax to improve public safety within the City of Gladstone.
18. Other Business.
19. Questions from the News Media.
20. Adjournment.

Following the Adjournment
of the Regular City Council Meeting,
you are cordially invited to a Reception
in the North and South Conference Rooms
honoring Past and Present City Council Members



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, APRIL 12, 2010**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Carol Rudi
Mayor Pro Tem Les Smith
Councilman Mark Revenaugh
Councilmember Carol Suter
Councilman Barry McCullough

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor David Ramsay
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL

Mayor Carol Rudi opened the Regular April 12, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Carol Rudi led the Pledge of Allegiance, in which all joined.

**Item 4. on the Agenda. APPROVAL OF THE REGULAR MARCH 22, 2010,
CITY COUNCIL MEETING MINUTES.**

Councilman Mark Revenaugh moved to approve the Regular March 22, 2010, City Council Meeting Minutes as presented. Councilman Barry McCullough seconded. The vote: All "aye" - Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0)

Item 5. on the Agenda. Approval of the April 5, 2010, City Council Meeting Minutes convening a Closed Executive Session.

Councilman Barry McCullough moved to approve the April 5, 2010, City Council Meeting Minutes convening a Closed Executive Session. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0)

Item 6. on the Agenda. **PROCLAMATION:** Recognizing April 11-17, 2010, as **MULTIPLE SCLEROSIS AWARENESS WEEK** in Gladstone, Missouri.

Mayor Rudi read and presented the Proclamation to Peggy Burr, who thanked the Mayor and City Council. Ms. Burr said she was honored to accept this Proclamation, and she would be sure the MS Society receives it. Ms. Burr said she would be participating in the Liberty Multiple Sclerosis Awareness Walk, and this is a cause about which she is very passionate. Not only has she been diagnosed with Multiple Sclerosis, but she also walks for her sister, Kelly, and her sister Lauren, who passed away, December 2007. Ms. Burr said her sister was only 42 years old when she passed away, and was diagnosed when she was 20 years old. Ms. Burr said it is so important to look for things that will help with Multiple Sclerosis and to find a cure, and she believes doctors are getting closer to a cure. Ms. Burr said she is also passionate about fund raising, and she encouraged everyone to form a team of their own to walk for this cause, or to find someone who is walking and donate money to them. Ms. Burr encouraged everyone to go to the Multiple Sclerosis website, and type in Mid America and it will go to the walking site, and by typing in her name or anyone who is walking, a contact may be made to make contributions. Ms. Burr said the Multiple Sclerosis Society does fantastic work.

Item 7. on the Agenda. **MAYOR'S STATE OF THE CITY ADDRESS.**

Mayor Rudi pointed out that there would be a Power Point presentation accompanying her report. Mayor Rudi said in her State of the City Address, she wished to talk about all the good things, and not talk about the economy, how our City's sales tax levels are at the level of 1997, or all the things the City is waiting to happen in Gladstone Plaza and the downtown center. Mayor Rudi said she wanted to talk about all the good things that have been done, even though we have all the negative things in the background.

Mayor Rudi reported that the Future Leaders Academy is offered in January each year, and in this, the Council looks for people who will become the leaders of our future. In these classes, they learn everything that anyone could ever want to learn about our City and the government, and the way our City is run. The classes are broken into sessions, and each of the City departments does a presentation. The people who attend the program graduate, and move on to become part of our Boards and Commissions, and eventually may become members of the City Council like Councilmember Suter and Councilman McCullough.

This is a great program. Mayor Rudi invited anyone interested in joining the class, to please contact Public Information Officer Richard King.

Mayor Rudi stated that the City has had a Neighborhood Revitalization Program for a number of years. City staff helped to form associations in various neighborhoods for the neighbors to get to know each other, and learn how to resolve their own problems. They do not need to come to the City for every little issue that occurs. It is an ongoing program. They help one another. It creates a new sense of ownership for the people in the neighborhoods, and it strengthens pride in their community. It also helps to preserve our City for the future. As part of the First Tier Suburbs, our City needs to maintain its housing stock, and this is a really good way to do that, because everyone is helping each other take care of what they have.

Mayor Rudi reported that the City had its first Home Show this year. It was a "green" home show – providing sustainable options for homeowners and small businesses. It offered people a chance to look for new products and ask questions, and meet various contractors. This Home Show was a great success and very well attended. The City plans to have a bigger and better one next year.

Mayor Rudi pointed out that the Coming Home to Gladstone magazine has been an amazing success, and people praise it everywhere she goes. If one wishes to look something up, the magazine is available on the City's website, and old issues are also available on-line. This magazine, which comes out twice a year, provides information on issues within our City, and all about the things that are going on around our area. It has had some fantastic historical pieces in it as well.

Mayor Rudi stated that the City has worked at promoting Gladstone through various marketing experiences and opportunities. The City will be ready when the economy turns around, because our City is already out there. We have great publications giving us all kinds of promotion. Mayor Rudi said her favorite part of some of the marketing is where it says, "Gladstone is willing and able, and the Council is ready". This is really important to a lot of developers. We should see people "jumping on this" the minute they have the opportunity to move forward in this economy.

Mayor Rudi continued by saying that Time Warner Cable has been running some ads for the City. This is part of the City's marketing campaign. It allows the City to promote the quality of our life, our lower property tax base, special events, and position our City in a positive light throughout the region. Two of the commercials were shown in the Power Point presentation. Mayor Rudi said many people have told her they have seen these commercials, and really liked them, but she had never seen one. The commercials are varied each month, so there will be a different theme. It is not the same commercial throughout the year. The other opportunity they gave us was if they had an open spot, they would run our commercial for free and no additional charge.

Mayor Rudi reported that Gladstone's Farmers' Market opens May 1, at 70th and North Locust. Mayor Rudi said she heard that there will be a large number of Hostas for sale at the May 1 Farmers' Market. This will be a great opportunity to purchase fresh plants. The Farmers' Market will be open on Saturdays, from 7:00 AM to Noon, and Wednesdays, from 3:00 PM to 7:00 PM. Gladstone's Farmers' Market will have fresh fruits and vegetables, and only local produce. It will not be shipped in from all over the country. The City is encouraging a "shop local" campaign, because we are trying to encourage healthy attitudes and actions within the City. There are a number of things our residents can do to become involved, and one of the program is "Strive to Thrive". Mayor Rudi encouraged everyone to sign up for this program, and informed everyone that the information is on the City's website.

Mayor Rudi said the City has done a lot of work on sidewalks and trails, and folks have probably noticed the bulldozers along M-1 Highway. The City has constructed a \$20 million dollar project on old Antioch Road – Happy Rock Park to 72nd Street; Happy Rock Park to M-1, that goes through the park; M-1 to 65th Street south. The City is working now on the trail portion on M-1. All of these projects are in progress, and the completion is expected to be mid-year. A tentative ribbon cutting is planned for June 5, but there will have to be a lot less rain in order for them to make that date.

Mayor Rudi pointed out on the Power Point presentation Gladstone's first bus shelter, which is located at 72nd Street and M-1 Highway. Mayor Rudi said the City is very happy to have this shelter, because people have been asking for one for a long time. It goes along with the sidewalk that runs along the west side of M-1 Highway. This was the first stimulus money to be spent in the State of Missouri.

Mayor Rudi continued by saying that folks cannot go anywhere for free anymore, but Gladstone still has two free shows at the Gladstone Theatre in the Park, and this year the programs will be "Annie Get Your Gun" and "South Pacific". Auditions are going on currently, and anyone interested should contact the Parks and Recreation Department.

Mayor Rudi reported that the First Tuesday Art Exhibits are held the first Tuesday of every other month, where a new artist is featured who displays their work at the Community Center. There is some artwork in the Community Center that never changes – that artwork is owned by the City. On the other side of the lobby, is artwork that changes every two months. The City has a committee who puts together judges and they make the decision as to which artists hangs their art in the Community Center for that short period of time, and some of that art is for sale. The Community Center and the Parks and Recreation Department receive a percentage of that sale. Mayor Rudi encouraged everyone to spend their money in Gladstone. The exhibits open on the first Tuesday, and there is a small reception where folks may meet the artist and learn more about their art. It is very personal and intimate and a very enjoyable, and it runs from 6:00 PM to 8:00 PM, during the

openings. Mayor Rudi pointed out on the Power Point slide that the art shown was done by Holly Shank, who is a Gladstone artist. Mayor Rudi said in the first year, the exact number of artists applied for whom there was room. This year selections had to be made and people had to be turned down. It is getting more well known and it is better every year.

Mayor Rudi said there is something new coming to Kansas City - the National Civic League is bringing the Center for Civic Excellence to Kansas City. This program provides innovation, capacity building, and research strategies designed to create solutions to problems that will aid communities across the nation. The City staff has been engaged in this development process, and this organization will office at Mid America Regional Council. This comes in conjunction with the All America Cities competition, which will be here in Kansas City in June. In 2008, Gladstone was selected as an All America City, and our City has people sitting on the Host Committee to maintain our representation there, and make sure that Gladstone is participating regionally with all the other people on the Committee, and we have strong leadership throughout this area.

Mayor Rudi said her favorite project is the Atkins Johnson Farm. This two-story log cabin was built around 1826, and our City staff discovered this, and brought it to the City Council. It was not known that underneath the white frame board was a log cabin. This house has been lived in continuously until the City bought it about five years ago. It is an amazing structure that has an amazing history, and represents a small portion of the farm activity in Clay County. The City is restoring this home, and work is being done on the exterior restoration now. Over this past weekend the logs could be seen, as they were exposed, but today the siding was going to be replaced. This will be restored to about the 1910 time period, and will focus on that particular era and work with schools and school children, so they know what the farm life was like in Clay County during that time.

Mayor Rudi concluded by expressing her thanks for a great year. Mayor Rudi said this is thanks to the City staff, who work harder than anybody she has ever met. They do more with less money. They are dedicated and they really love this City. Mayor Rudi encouraged everyone to thank City staff, whenever they see them. It is not just the snow that gets plowed off the street, and the potholes that are filled, it is the people who collect the money for the water bills, and taxes, and the people who sit in the back and add it all up, and say, "we need more". Mayor Rudi said all of these people work so hard for all of you, so anytime, you run into them, please say, "thank you". Mayor Rudi said she tells them, "thank you", because she has had a great year. Mayor Rudi's report was followed by applause from the audience.

Mayor Rudi introduced the past Mayors in attendance as follows: C. Milton Wallace; Dick Davis; Anita Newsom; Wayne Beer; Art Hammen; Mrs. Mary Cross, who was present on behalf of her husband Bill, who, Mayor Rudi said we miss; and Mrs. Carn Smith, who was present on behalf of her husband, Everett Smith and her son, Les Smith - she has done

double duty. Mayor Rudi also introduced former Councilwoman Shirley Smith. Mayor Rudi thanked all the past Mayors for attending this meeting, and also thanked all the Boards and Commission members and Chamber representatives present.

Item 8. on the Agenda. **FIRST READING BILL 10-12**, declaring the results of the Tuesday, April 6, 2010, Gladstone General Election as certified by the Clay County Board of Election Commissioners that City Council Candidate Les Smith has been elected to a Three Year Term on the Gladstone City Council.

Councilmember Carol Suter moved to place Bill 10-12 on its First Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of Bill 10-12, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of Bill 10-12 and to enact the Bill as **Ordinance 4.141**. Councilman Barry McCullough seconded. Roll call vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0).

Item 9. on the Agenda. **CITY COUNCIL OATH OF OFFICE: LES SMITH.**

City Clerk Cathy Swenson administered the oath of office to Les Smith for a three-year term on the Gladstone City Council. The audience applauded the newly elected City Council member.

Item 10. on the Agenda. **ELECTION OF MAYOR AND OATH OF OFFICE.**

Mayor Carol Rudi presided and opened nominations for the office of Mayor of the City of Gladstone. Councilman Mark Revenaugh nominated **Les Smith** as Mayor of the City of Gladstone, Missouri. Councilman Barry McCullough seconded the motion.

The vote: All "aye" – Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Les Smith, and Mayor Carol Rudi. (5-0).

This election was followed by applause from the audience.

The City Clerk administered the Oath of Office for the position of Mayor of the City of Gladstone, Missouri to Mayor Pro Tem Les Smith. The audience applauded the newly elected Mayor.

Item 11. on the Agenda. **ELECTION OF MAYOR PRO-TEM.**

Mayor Les Smith thanked the City Council for bestowing this honor upon him, and said the Council has been lost the last couple of months, because there has not been a campaign; none-the-less, that has been a welcome break. Mayor Smith said he would like to do something he forgot to do in 1984, and that is to introduce some folks. Mayor Smith introduced his mother, Carmelina; his wife, Laura; his stepson, Sam; and Laura's father, Tom Hedges. Mayor Smith thanked them all for being in attendance.

Mayor Smith said our City has some "real wood to chop", and Mayor Rudi in her State of the City Address, highlighted some things that are ongoing. There were a lot of accomplishments last year in a tough economy. Mayor Smith said he read that local governments have laid off more than 1.5 million people since 2009. Fortunately, our City has been able to keep things going and sustain what we have been trying to do, and we have not had any lay-offs, so we have been able to maintain what we do in the City. The delivery of basic services in our City is the important job of the City Council and staff. Mayor Smith stated, that being said, the City Council would be calling on a lot of folks, because we need their help. In being able to provide the basic services, which the Council believes is public safety, the City needs a bit more revenue. The City has placed a sales tax initiative on the ballot for June, and everyone's help is asked in supporting it. It is incumbent upon the City to keep its citizens safe, and that is exactly what the City Council intends to do. Mayor Smith said he is not asking for any money, but folks will be called upon for help, because it is imperative that our City passes this initiative, and able to keep our City safe.

Mayor Smith offered, "good job" to Councilman Carol Rudi, and said she represented our City well, and he expressed his appreciation, which was followed by applause from the audience.

Mayor Les Smith presided and opened nominations for the office of Mayor Pro Tem of the City of Gladstone. Councilmember Carol Suter nominated **Barry McCullough** as Mayor Pro Tem of the City of Gladstone, Missouri. Councilman Mark Revenaugh seconded the motion.

The vote: All "aye" - Councilman Barry McCullough, Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi and Mayor Les Smith. (5-0).

Mayor Smith congratulated Mayor Pro Tem Barry McCullough.

Item 12. on the Agenda.

REMARKS FROM THE CITY COUNCIL.

This item on the Agenda, will be addressed later in the meeting.

CONSENT AGENDA

Mayor Pro Tem Barry McCullough moved to adopt the Consent Agenda as presented. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Mayor Pro Tem Barry McCullough moved to **Approve a Class "A-R" Liquor by the Drink License** to First Latin Culinary Center Restaurant, LLC., 6924 North Oak Trafficway. Managing Officer: Teresa Faller. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Mayor Pro Tem Barry McCullough moved to **Approve a Class "A" Liquor by the Drink License** to Lost Bar Family dba The Lost Bar, 7632 North Oak Trafficway. Managing Officer: Natalic Bonuchi. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Mayor Pro Tem Barry McCullough moved to approve a **BEER LICENSE** for the Gladstone Summertime Bluesfest in Oak Grove Park, 76th & North Troost, (2-day license), June 11-12, 2010, Managing Officer: Amy Harlin; and the Gladfest Celebration in the Gladstone Central Park area, near 69th & N Holmes, (3-day license) October 1-3, 2010, Managing Officer: Amy Harlin. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Mayor Pro Tem Barry McCullough moved to adopt **RESOLUTION R-10-17**, authorizing Change Order No. 1 in the amount of \$100,004.90 to the contract with SAK Construction, LLC for the 2010 Sanitary Sewer Rehabilitation (Cured in Place Pipe) Project. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Mayor Pro Tem Barry McCullough moved to adopt **RESOLUTION R-10-18**, authorizing execution of a contract with Musselman and Hall, LLC, in the total amount not to exceed \$142,103.86 for the 2010 Intermediate Maintenance Program Project. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark

Revenaugh. Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Mayor Pro Tem Barry McCullough moved to adopt **RESOLUTION R-10-19**, authorizing execution of a contract with O'Donnell-Way Construction Company, Incorporated in the total amount not to exceed \$351,147.80 for the 2010 Mill and Overlay Program – Phase 1 Project. Councilman Carol Rudi seconded. The vote: All “aye” – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Mayor Pro Tem Barry McCullough moved to adopt **RESOLUTION R-10-20**, accepting a Quit-Claim Deed from a property owner in conjunction with the M-1 Bicycle Pedestrian Trail Project. Councilman Carol Rudi seconded. The vote: All “aye” – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

REGULAR AGENDA.

Item 13. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

Donald Harper, 1606 NE 68th Terrace, stated that he has been a resident for many years. Mr. Harper said sometimes he likes to take the opportunity to thank the City Council, but instead, tonight, he would like to thank the families of the City Council. Mr. Harper said he knows what the families give up for the City Council members to spend a lot of their time on the activities of Gladstone, looking out for us, and keeping us from having to do lay-offs, and keeping our taxes down wherever possible. Mr. Harper said to the City staff that he is often at meetings at City Hall at 7:00 PM to 9:00 PM, and he sees City staff still roaming the halls, still here. The people of Gladstone appreciate it. The Department Heads do a great job. Mr. Harper thanked the families of the City Council for making them look good. Mr. Harper said the City Council is also appreciated.

Item 14. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Councilmember Carol Suter said she was glad it is finally spring. It is really nice to see people out on the sidewalks, and using the new pedestrian crossings, and the bus shelter. It is a delight to see people using these things. Councilmember Suter asked if with the Walmart project, would Walmart have pedestrian access into their site other than walking with the cars in the driveways.

Assistant City Manager Scott Wingerson replied that he would check to confirm, but he believed from the Prospect side – yes, and he would check on the 72nd Street access.

Councilmember Suter stated she wished to express her enthusiasm for the upcoming City Council year. Our City has a big agenda ahead of us in the upcoming year that is going to take a lot of community support in a number of ways, and it is all a part of really exciting development going on in Gladstone. There are exciting ways that our City is moving forward that most communities in America are not able to do. Councilmember Suter said she watches the news and sees all of our major cities that are in such huge crisis, with having to disband basic services and shut down their governments. We are so blessed to be in a community that has been so well managed for so many years, and everyone in the room is responsible for this. It did not just start a year ago or five years ago. We are in the great position to be able to make new investments in infrastructure, and major developments that need to happen in the City in the coming five years. There will be a lot of opportunities for conversation about it and the need for support of the residents this coming year. Councilmember Suter said it makes her excited and really pleased to be in her position, as she is very honored to serve as a Councilmember for the citizens of Gladstone. It is a lot of work, but it is also a lot of fun, and there are a lot of fun things coming up in the next few years.

Councilman Mark Revenaugh said he wished to tell former Mayor Carol Rudi that she did a great job this past year. He knows how much work it is to carry on as Mayor, and not only does the Mayor have all the regular Council meetings, but also an unusually large number of meetings that the rest of the Council does not necessarily have to attend, because everyone wants the Mayor at just about everything. Councilman Revenaugh said that former Mayor Rudi did a great job representing the City this past year, and we all should be appreciative of that and he certainly is. Councilman Revenaugh congratulated Mayor Pro Tem Barry McCullough on getting his feet wet, and jokingly said, frankly, Mayor Smith is crazy for wanting to go for a third or fourth term! The point is Mayor Smith has signed up for another three years, and it is an incredible amount of work to do that, plus to carry on the mantle of Mayor is something that not many citizens can fully appreciate; certainly, the past Mayors know what he is talking about. Councilman Revenaugh said he is honored to serve with his fellow City Council members, and he knows they have a lot of work to do, and he is looking forward to getting it done this year.

Councilman Carol Rudi congratulated Mayor Pro Tem McCullough and Mayor Smith, and said she feels the Council will be well led this next year, and we have an excellent speaker as Mayor, who does a really good job for us at Gladfest and everywhere else that he goes. Councilman Rudi said she has handed over a number of meetings to Mayor Smith, beginning tomorrow morning at 7:30 AM, he will have his first meeting that only the Mayor may attend. Councilman Rudi said she has enjoyed the last couple of weeks knowing Mayor Smith would probably be the Mayor and sending him all the notices about how many meetings he would be attending and putting them on his calendar. Councilman Rudi said she is looking forward to some time off; although, she has jumped into some things already, so no matter what you do, you think you will get some time off, and you just stay busy anyway. Councilman Rudi said she has enjoyed this past year and getting to

know the Mayors throughout the City and the entire metropolitan area. Mayor Smith knows many of them already and he will enjoy that interaction just as well. Councilman Rudi wished best of luck to Mayor Pro Tem McCullough and Mayor Smith. Councilman Rudi reminded everyone of the Walk 'N Wag event on Saturday, at 10:00 AM, at Happy Rock Park, and if anyone would like to participate to please contact Parks and Recreation Director Sheila Lillis.

Mayor Pro Tem Barry McCullough said he would like to thank former Mayor Rudi for all the time and commitment she had, as well as all the tutelage that she provided to him. Mayor Pro Tem McCullough congratulated Mayor Smith on another term, and successful re-election, and said he looked forward to the upcoming year, and it is a pleasure to work alongside his fellow City Council members, and working alongside such a fine staff.

Mayor Les Smith said that Mayor Pro Tem McCullough tends to sell himself short. In looking at the former Mayors, we have all had that first year or two, and then we step into leadership roles, and wonder if we can do it and what we are doing, but Mayor Pro Tem McCullough has represented himself very well and has been a great addition to this Council. Mayor Smith said that is one of the strengths of this Council – they disagree from time to time, but they try to keep it in the back room and disagree respectfully. One of the things this Council has going for them is the professional recognition of each one.

Mayor Smith said our City is fortunate on a local level that we do not have to deal in partisan politics, because as they say there is no Democratic or Republican way to fill a pothole. The City Council wants to keep trying to fill the potholes, and the citizens can be rest assured that they have a good Council who will work on their behalf. Mayor Smith said that each and every City Council member does the right thing for the right reason, and he has always contended that is the way to measure a good representative and they are good representatives. Mayor Smith reminded everyone that they are invited to a reception in the conference rooms, and the Council would be honored if the former Mayors and Council members would remain in the Council Chambers for a group photo for everyone to remember as the years go by.

Item 15. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis reported that Beautification Week would be April 30, May 1 and May 2. The Brush Drop Off event is May 7, 8, and 9. City Manager Davis encouraged the Council to visit Happy Rock Park to see the new pedestrian bridge. City Manager Davis extended to former Mayor Rudi, on behalf of staff, congratulations, well done, and we all enjoyed working with you. City Manager Davis said to Mayor Smith that staff looks forward to working with him again, and there are a lot of challenges this particular year, but his leadership has always been unequaled, and he believes that he is up to the task again this year, so as a staff, we look forward to working with him.

Item 16. on the Agenda. **APPROVAL OF PARK FESTIVAL USE PERMITS** for the 14th Annual Gladstone Summertime Bluesfest in Oak Grove Park, 76th & North Troost, Friday and Saturday, June 11-12, 2010, including approval of designated smoking areas; and the 31st Annual Gladfest Celebration on Friday, Saturday and Sunday, October 1-3, 2010, in the Gladstone Central Park area, near 69th & N. Holmes, under the sponsorship of the Gladstone Area Chamber of Commerce and the City of Gladstone.

Councilman Carol Rudi moved to approve the **PARK FESTIVAL USE PERMITS** for the 14th Annual Gladstone Summertime Bluesfest in Oak Grove Park, 76th & North Troost, Friday and Saturday, June 11-12, 2010, including approval of designated smoking areas; and the 31st Annual Gladfest Celebration on Friday, Saturday and Sunday, October 1-3, 2010, in the Gladstone Central Park area, near 69th & N. Holmes, under the sponsorship of the Gladstone Area Chamber of Commerce and the City of Gladstone. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 17. on the Agenda. **RESOLUTION R-10-21**, expressing the intention of the City Council for use of revenues generated by the new Law Enforcement Sales Tax to improve public safety within the City of Gladstone.

Mayor Pro Tem Barry McCullough moved to adopt **RESOLUTION R-10-21**, expressing the intention of the City Council for use of revenues generated by the new Law Enforcement Sales Tax to improve public safety within the City of Gladstone. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 18. on the Agenda. **Other Business.**

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

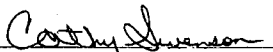
Item 19. on the Agenda. **Questions from the News Media.**

There were no News Media present.

Item 20. on the Agenda. **Adjournment.**

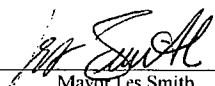
Mayor Smith again invited everyone to the reception following the City Council meeting. There being no further business to come before the April 12, 2010, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the regular meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: ☒

Approved as corrected/amended: ☐


Mayor Les Smith



PUBLIC NOTICE

GLADSTONE CITY COUNCIL

CLOSED EXECUTIVE SESSION

MONDAY, APRIL 19, 2010

TIME: 3:30 PM

**LOCATION: City Manager's Office
Gladstone City Hall**

7010 North Holmes; Gladstone, MO 64118

The Gladstone City Council will meet in Closed Executive Session on Monday, April 19, at 3:30 PM in the City Manager's Office, Gladstone City Hall, 7010 North Holmes; Gladstone, MO 64118

The Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021 (1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021 (2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

City Clerk Cathy Swenson
7010 N Holmes
423-4096

Posted April 16, 2010 at 11:00 AM



**MINUTES
CITY COUNCIL MEETING
ADJOURNMENT TO A CLOSED EXECUTIVE SESSION
GLADSTONE, MISSOURI**

MONDAY, APRIL 19, 2010

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilmember Carol Suter

Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on April 19, 2010, at 3:30 PM in the Gladstone City Council Chambers.

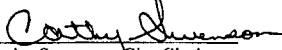
Councilmember Carol Suter made a motion to adjourn to Closed Executive Session pursuant to the Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Mayor Pro Tem Barry McCullough seconded.


Roll Call Vote: All "aye" - Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, Mayor Les Smith. (4-0).

Note: Councilman Mark Revenaugh was present at the Closed Executive Session.

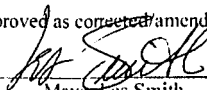
Mayor Les Smith adjourned the Closed Executive Session at 4:30 PM.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: 

Approved as corrected/amended: _____


Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, APRIL 26, 2010**

OPEN STUDY SESSION: 6:30 PM

REGULAR MEETING: 7:30 PM

AGENDA

- 1. Meeting Called to Order.**
- 2. Roll Call.**
- 3. Pledge of Allegiance.**
- 4. Approval of the Regular April 12, 2010, City Council Meeting Minutes.**
- 5. Approval of the April 19, 2010, City Council Meeting Minutes convening a Closed Executive Session.**
- 6. NATIONAL VFW PUBLIC SAFETY OFFICERS OF THE YEAR AWARD TO:** Division Chief Kenneth Potter, (Firefighter); Sergeant David Smith, (Police Officer); and Fire Inspector Charles Duddy, (Emergency Medical Technician). To be presented by a Missouri State Officer on behalf of the National Commander of the Veterans of Foreign Wars (VFW).
- 7. SPECIAL PRESENTATION TO** retiring Board member **Bill Stone.**

8. RECOGNITION OF LEADERSHIP ACADEMY GRADUATES.

9. PROCLAMATION: recognizing May 2010, as **OLDER AMERICANS MONTH.**

10. PROCLAMATION: recognizing Building Safety Week in the City of Gladstone, Missouri.

CONSENT AGENDA

RESOLUTION R-10-22, recognizing the area from Northeast 64th Street to 6508 North Jackson ("The Atkins-Johnson Farm") and "Old" Antioch Road to North Jackson as the Atkins-Johnson Farm and Big Shoal Cemetery Historic Heritage area.

RESOLUTION R-10-23, approving purchases of two tracts of land from the Johnson Family for right of way for the future relocation of Pleasant Valley Road, and 18 acres of farmland to be added to the Atkins-Johnson Historical Farm site.

BUILDING PERMIT: for the remodeling of the columns located along the front of Gladstone Plaza located at 6559-6599 North Oak Trafficway. Applicant: A. L. Huber, Inc. Owner: Clay County Realty Company.

BUILDING PERMIT: for the remodeling and repair of the existing pole sign at Gladstone Plaza located at 6591 North Oak Trafficway. Applicant/Owner: Clay County Realty Company.

BUILDING PERMIT: for the landscaping around the existing pole sign at Gladstone Plaza located at 6591 North Oak Trafficway. Applicant/Owner: Clay County Realty Company.

APPROVAL OF THE MARCH 2010 FINANCIAL REPORT.

REGULAR AGENDA

11. Communications from the Audience.

- 12. Communications from the City Council.**
- 13. Communications from the City Manager.**
- 14. FIRST READING BILL 10-13**, repealing Ordinance No. 4.104, and enacting a new Ordinance levying Sewer Service Charges and Commodity Rate Charges in the City of Gladstone, Missouri.
- 15. FIRST READING BILL 10-14**, authorizing the City Manager to execute a Supplemental Agreement with the Missouri Department of Transportation for federal funds relating to the North Oak Enhancement Project.
- 16. FIRST READING BILL 10-15**, authorizing the City Manager to execute a Cooperative Agreement with Kansas City, Missouri, for transportation-related improvements to Northeast 76th Street.
- 17. FIRST READING BILL 10-16**, authorizing the City Manager to execute a Cooperative Agreement with the Village of Oakview for repairs to a portion of Shady Lane and a portion of Lindberg Drive.
- 18. Other Business.**
- 19. Questions from the News Media.**
- 20. Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, APRIL 26, 2010**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilman Mark Revenaugh
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor David Ramsay
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the Regular April 26, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers. and noted that all Council members were present.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Joseph Liles, Quarter Master for VFW Post 10906, led the Pledge of Allegiance, in which all joined.

**Item 4. on the Agenda. APPROVAL OF THE REGULAR APRIL 12, 2010,
CITY COUNCIL MEETING MINUTES.**

Councilmember Carol Suter moved to approve the Regular April 12, 2010, City Council Meeting Minutes as presented. Councilman Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0)

Item 5. on the Agenda. **Approval of the April 19, 2010, City Council Meeting Minutes** convening a Closed Executive Session.

Councilmember Carol Suter moved to approve the April 19, 2010, City Council Meeting Minutes convening a Closed Executive session. Councilman Barry McCullough seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0)

Item 6. on the Agenda. **NATIONAL VFW PUBLIC SAFETY OFFICERS OF THE YEAR AWARD TO:** Division Chief Kenneth Potter, (Firefighter); Sergeant David Smith, (Police Officer); and Fire Inspector Charles Duddy, (Emergency Medical Technician). To be presented by a Missouri State Officer on behalf of the National Commander of the Veterans of Foreign Wars (VFW).

Bob Wonnell, State Senior Vice Commander of the VFW, said it was a prestigious honor for him to present these awards, as he has a great deal of respect for the recipients and the veterans, who were in the audience. Mr. Wonnell said they have done a lot to keep us free and to guarantee our freedom and benefits as citizens of this Country. Mr. Wonnell said this was the first time he had seen three awards go to one City, which is very remarkable, and they are outstanding individuals, and he was proud to present the awards to them.

Mr. Wonnell read and presented the National VFW Public Safety Officers of the Year Award to Division Chief Kenneth Potter; Sergeant David Smith; and Fire Inspector Charles Duddy, which was followed by applause from the audience. Mr. Wonnell said these three men are true professionals and it is amazing what they do out on the streets. It takes a high degree of professionalism and dedication to be able to do the job that they do. The City and citizens should be very proud of the officers they have. The audience applauded the honorees.

Mayor Smith said he and the rest of the City Council believe that these individuals are very special, and our City has an entire department of consummate professionals, of whom the City Council is very proud. Mayor Smith invited Mr. Liles to introduce the members of VFW Post 10906, who were with him this evening.

Mr. Liles introduced the members of VFW Post 10906 as follows: Commander Jim Goodall; Comrade Poland and son; Comrade Larry Lewis, Senior Vice Commander Ron Bates; Past Commander Jack DeGraw; and Norm Trig. Mr. Liles invited the honorees to join the Post members in the lobby for a group picture. Mr. Liles thanked the Mayor and City Council.

Mayor Smith thanked Mr. Liles and said he and the members of Post 10906 are very special.

Item 7. on the Agenda. **SPECIAL PRESENTATION TO** retiring Board member Bill Stone.

Mayor Smith read and presented a plaque from the Mayor and City Council to Bill Stone, who recently retired from the Environmental Management Advisory Committee.

Mr. Smith thanked the Mayor and City Council, which was followed with applause from the audience.

Item 8. on the Agenda. **RECOGNITION OF LEADERSHIP ACADEMY GRADUATES.**

Mayor Smith invited Public Information Officer Richard King to discuss the Future Leadership Academy.

Mr. King said the Future Leaders Academy provides residents and Chamber members of the City of Gladstone to get an in-depth look at municipal government; how the government in Gladstone works and functions; and how the various departments function. It is an in-depth look and overview that gives the participants some knowledge and the opportunity to develop skills that are not open and readily available to everyone. The group of people present at this meeting had completed the program. They are the fourth graduating group. From the previous group, the City has been fortunate to have folks that have moved on to leadership capacity, including elected officials who are now serving as Mayor Pro Tem and Councilmember. It is now time for these folks to begin their time as the future leaders of the community, which is what they will become. Mr. King thanked the group for their participation.

Mayor Smith and members of the City Council presented Certificates of Appreciation to the following Leadership Academy graduates: Sharon Euler; Debera Howell; Joanne Kurt-Hilditch; Bryce Strong; Daniel Green; Robert Rich; Anita McCullough; Jim Olshefski; Barbara Smith; Joe Robertson; Scott Melton; and Freddie Nichols. Shawn Hartman was not able to attend this meeting, but was also a member of this Academy.

Mayor Smith congratulated the Academy graduates, and said he hoped they learned a lot about the City. There are so many things to know that most folks don't realize. Mayor Smith thanked the graduates for their time and participation, which was followed with applause from the audience.

Item 9. on the Agenda. **PROCLAMATION:** recognizing May 2010, as **OLDER AMERICANS MONTH.**

Following the Clerk's reading, Mayor Smith presented the Proclamation to Wayne Beer, Treasurer, Clay County Senior Services and Donald Harper, Board Chairman, Clay County

Senior Services. Mr. Beer and Mr. Harper thanked the Mayor and the City Council. Mr. Harper said that Gladstone has a great respect and consideration for Senior Citizens. Our City has a larger percentage of Senior Citizens than most of the rest of the County. Gladstone takes very good care of the Senior Citizens, and the Senior Citizens give back a lot to the City. Mr. Harper said the Clay County Senior Services has a lot to offer, and he invited everyone to utilize those services.

Item 10. on the Agenda. **PROCLAMATION:** recognizing **Building Safety Month** in the City of Gladstone, Missouri.

Following the Clerk's reading, Mayor Smith presented the Proclamation to Building Official Alan Napoli, and said that Building Official Alan Napoli provides a valuable service to our community.

CONSENT AGENDA

Following the Clerk's reading, Councilman Carol Rudi moved to adopt the Consent Agenda as presented. Councilman Mark Revenaugh seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-22**, recognizing the area from Northeast 64th Street to 6508 North Jackson ("The Atkins-Johnson Farm") and "Old" Antioch Road to North Jackson as the Atkins-Johnson Farm and Big Shoal Cemetery Historic Heritage area. Councilman Mark Revenaugh seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-23**, approving purchases of two tracts of land from the Johnson Family for right of way for the future relocation of Pleasant Valley Road, and 18 acres of farmland to be added to the Atkins-Johnson Historical Farm site. Councilman Mark Revenaugh seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to approve a **BUILDING PERMIT** for the remodeling of the columns located along the front of Gladstone Plaza located at 6559-6599 North Oak Trafficway. Applicant: A. L. Huber, Inc. Owner: Clay County Realty Company. Councilman Mark Revenaugh seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to approve a **BUILDING PERMIT**: for the remodeling and repair of the existing pole sign at Gladstone Plaza located at 6591 North Oak Trafficway. Applicant/Owner: Clay County Realty Company. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to approve a **BUILDING PERMIT**: for the landscaping around the existing pole sign at Gladstone Plaza located at 6591 North Oak Trafficway. Applicant/Owner: Clay County Realty Company. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to approve the **MARCH 2010 FINANCIAL REPORT**. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

REGULAR AGENDA.

Item 11. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

There were no comments from the audience.

Item 12. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Councilmember Carol Suter began by saying this evening was a wonderful evening for expressing appreciation, and that was what she was feeling – appreciation to those people in the Future Leaders Academy for the time that they have committed to learning more about the community. This is a wonderful way to serve the community. Councilmember Suter said she has done a lot of work with non-profit organizations, and civic engagement is an interesting and fulfilling way to give back to the community. Councilmember Suter said she was also appreciative to the Johnson family. The acquisition of the Johnson Family Farm is one of the most unique opportunities for the City of Gladstone in its entire history. It affords the most creative and exciting concepts, ideas and possibilities for the future, and it would not be possible without people who are interested in supporting their community and giving back.

Councilman Mark Revenaugh stated that too often our Public Safety folks are the unsung heroes, so anytime someone gets to stand up and give them some recognition, he feels is all too infrequent. Councilman Revenaugh congratulated Chief Potter, Sergeant Smith and Inspector Duddy for their recognition, and said it is a great reflection on the Public Safety for our City. Councilman Revenaugh congratulated the Leadership

Academy. This was an idea that came out of the Gladstone on the Move group. He was a member of the small group that came up with this idea. Councilman Revenaugh congratulated the City staff on structuring such a successful Leadership Academy where citizens who actually go through it are its biggest proponents, and make it sound like it is something that everyone should want to do, and certainly, by the folks he talked to in this group, the City staff pulled off another great citizens academy. Councilman Revenaugh offered "great job" to the City staff.

Councilman Carol Rudi congratulated the members of the Future Leaders Academy and thanked them for their time commitment, and said she hopes they found it rewarding. Councilman Rudi encouraged them to stay involved, and jokingly added because at this point, they probably know more about what is going on in this City than anyone sitting at the dais! Councilman Rudi said she thought it was great to have a full room of people participating in the Pledge of Allegiance this evening. It was very heartwarming to hear that. Councilman Rudi thanked everyone for being at this meeting.

Councilman Rudi reported that May 1 is the grand opening of the first ever City Market. It opens Saturday, May 1, at 7:00 AM, and will be open until Noon. The City Market will also be open on Wednesday evenings from 3:00 PM to 7:00 PM, and every Saturday morning from 7:00 AM to Noon. Councilman Rudi extended an invitation for volunteers for the City Market, and said the City Market is volunteer-driven, and staffed by volunteers, and encouraged anyone interested, to please talk to Freddie Nichols.

Councilman Rudi reported that on May 15, there will be an Atkins Johnson Farm event, sponsored by the Friends of the Farm, and that will be held at Happy Rock West, and runs from 10:00 AM to 4:00 PM. There will be a lot of activities, a great place to bring children, a lot of activities for the children, and opportunities to learn about the farm. This is another volunteer opportunity, and Freddie Nichols is the contact for volunteers. Councilman Rudi invited everyone to the Hansel and Gretel opera on May 15, at 6:00 PM, at the Gladstone Amphitheatre in Oak Grove Park.

Mayor Pro Tem Barry McCullough thanked the Future Leaders Academy graduates for participating in this program. It is a pleasure to have this program, and he looks forward to working with all the graduates in the future, as they take on larger roles in the City. Mayor Pro Tem McCullough reported that Bolling Heights had a sign dedication this past weekend that Building Official Alan Napoli and he both attended. It is a sense of what Gladstone is doing in working with the residents and the local neighborhoods to foster the value that Gladstone has. It was great to get together with a group of folks, who really truly recognize that and are working together to improve their individual neighborhood. Mayor Pro Tem McCullough said that he and his wife, Anita, would not be at the Farmers Market on Saturday, because they are going to attend the CERT (Community Emergency Response Team) training that the City is conducting, and they look forward to participating in the training and learning more about the emergency preparedness for the City.

Mayor Les Smith invited everyone to the ribbon cutting at the Farmers Market on Saturday, May 1, at 9:00 AM. Mayor Smith said although, this has been a light-hearted meeting, the Council does have some serious business to address. However, it is exciting to be able to celebrate the successes that we have in the community, and this community has always been about people. Everyone in attendance at this meeting is an extension of that. Mayor Smith said he would like to say "ditto" to what the other Council members said.

Item 13. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis reported that Beautification Week would be April 30, May 1 and May 2, at Happy Rock Park. This event provides a good opportunity for folks to get rid items they no longer need.

Item 14. on the Agenda. **FIRST READING BILL 10-13**, repealing Ordinance No. 4.104, and enacting a new Ordinance levying Sewer Service Charges and Commodity Rate Charges in the City of Gladstone, Missouri.

Councilman Mark Revenaugh moved to place Bill 10-13 on its First Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the First Reading of Bill 10-13, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the Second and Final Reading of Bill 10-13 and to enact the Bill as **Ordinance 4.142**. Councilmember Carol Suter seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 15. on the Agenda. **FIRST READING BILL 10-14**, authorizing the City Manager to execute a Supplemental Agreement with the Missouri Department of Transportation for federal funds relating to the North Oak Enhancement Project.

Mayor Pro Tem Barry McCullough moved to place Bill 10-14 on its First Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol

Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of Bill 10-14, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the Second and Final Reading of Bill 10-14 and to enact the Bill as **Ordinance 4.143**. Councilman Mark Revenaugh seconded.

Mayor Smith asked City Manager Davis to explain this bill for the benefit of the audience.

City Manager Davis said this Bill would allow the City to use some stimulus money for a project that will extend from 68th Street to 71st Street and North Oak. It is a combination of traffic control and beautification, and it will be a nice addition for North Oak Trafficway.

Mayor Smith inquired into the approximate total cost of the project.

City Manager Davis replied the total cost would be just under \$500,000 and the federal portion would be about \$300,000.

Roll call vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 16. on the Agenda. **FIRST READING BILL 10-15**, authorizing the City Manager to execute a Cooperative Agreement with Kansas City, Missouri, for transportation-related improvements to Northeast 76th Street.

Councilmember Carol Suter moved to place Bill 10-15 on its First Reading. Councilman Carol Rudi seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of Bill 10-15, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Carol Rudi seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of Bill 10-15 and to enact the Bill as **Ordinance 4.144**. Councilman Carol Rudi seconded.

Mayor Smith asked City Manager Davis to explain this bill for the benefit of the audience.

City Manager Davis said this Bill addresses the City of Kansas City's obligation to assist in raising 76th Street out of the floodplain south of the bridge they built on North Agnes. This is a precursor, hopefully, to a bond issue that may be considered later in the year. City Manager Davis referred to Agenda Item 14, saying this is a case where sewerage is treated by Kansas City, and this particular Ordinance is simply a pass through of their bill to the City of Gladstone for the treatment of sewerage.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 17. on the Agenda. **FIRST READING BILL 10-16**, authorizing the City Manager to execute a Cooperative Agreement with the Village of Oakview for repairs to a portion of Shady Lane and a portion of Lindberg Drive.

Councilman Carol Rudi moved to place Bill 10-16 on its First Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the First Reading of Bill 10-16. Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the Second and Final Reading of Bill 10-16 and to enact the Bill as **Ordinance 4.145**. Mayor Pro Tem Barry McCullough seconded.

Mayor Smith asked City Manager Davis to explain this bill for the benefit of the audience.

City Manager stated that oftentimes the Villages between North Oak Trafficway and Northeast Antioch Road ask our City to assist them with some of the maintenance on their infrastructure. In this case, Oakview has asked to tag along on our road maintenance contract, allowing some improvements to Shady Lane and Lindberg, which are in their community. This Ordinance ties down the financial obligation as well as spells out the services that will be provided.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 18. on the Agenda. **Other Business.**

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

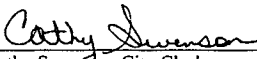
Item 19. on the Agenda. **Questions from the News Media.**

There were no News Media present.

Item 20. on the Agenda. **Adjournment.**

There being no further business to come before the April 26, 2010, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the regular meeting.

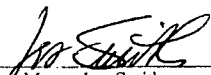
Respectfully submitted:



Cathy Swenson, City Clerk

Approved as submitted: ☒ _____

Approved as corrected/amended: _____



Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MAY 10, 2010**

OPEN STUDY SESSION: 5:30 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular April 26, 2010, City Council Meeting Minutes.
5. **PROCLAMATION:** recognizing the week of May 16 - 22, 2010, as **EMERGENCY MEDICAL SERVICES WEEK** in Gladstone, Missouri.
6. **PROCLAMATION:** recognizing the week of May 9-15, 2010, as **POLICE WEEK**, and May 15, 2010 as **PEACE OFFICERS MEMORIAL DAY** in Gladstone, Missouri.
7. **PROCLAMATION:** recognizing the week of May 16 - 22, 2010, as **NATIONAL PUBLIC WORKS WEEK** in Gladstone, Missouri.

CONSENT AGENDA

RESOLUTION R-10-24, adopting the Regional Multi-Hazard Mitigation Plan.

RESOLUTION R-10-25, authorizing the City Manager to accept a Bill of Sale from Northlander Properties LLC and R.L. Snow Construction Incorporated, conveying to the City a water main built in conjunction with construction of Tower Plaza at 6400 North Prospect Avenue Trafficway.

REGULAR AGENDA

8. **Communications from the Audience.**
9. **Communications from the City Council.**
10. **Communications from the City Manager.**
11. **PUBLIC HEARING:** for consideration of a Special Use Permit subject to certain conditions to Mike Pursell for operation of Gladstone Gardens, LLC on property located at 5616 North Antioch Road. Applicant: Mike Pursell, Gladstone Gardens, LLC. Owner: Byers Enterprises, LLC. File #1346.
- 11a. **FIRST READING BILL 10-17**, granting a Special Use Permit subject to certain conditions to Mike Pursell for operation of Gladstone Gardens, LLC on property located at 5616 North Antioch Road. Applicant: Mike Pursell, Gladstone Gardens, LLC. Owner: Byers Enterprises, LLC. File #1346.
12. **FIRST READING BILL 10-18**, amending certain provisions of Ordinance No. 4.140, and enacting in lieu thereof, new provisions regulating the sale and distribution of alcoholic beverages within the City.

13. **FIRST READING BILL 10-19**, authorizing the City Manager to execute a Cooperative Agreement with the Village of the Oaks for asphalt surface patching and asphalt resurfacing on Wilson Road from Englewood Road to Barnes Avenue.
14. Other Business.
15. Questions from the News Media.
16. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MAY 10, 2010**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilman Mark Revenaugh
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor David Ramsay
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the Regular May 10, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

**Item 4. on the Agenda. APPROVAL OF THE REGULAR APRIL 26, 2010,
CITY COUNCIL MEETING MINUTES.**

Councilmember Carol Suter moved to approve the Regular April 26, 2010, City Council Meeting Minutes as presented. Councilman Barry McCullough seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 5. on the Agenda. **PROCLAMATION:** recognizing the week of May 16 - 22, 2010, as **EMERGENCY MEDICAL SERVICES WEEK** in Gladstone, Missouri.

Following the Clerk's reading, Mayor Smith presented the Proclamation to Public Safety Fire Division Chief Kenneth Potter, who was joined by other members of his Division.

Chief Potter thanked the Mayor and the City Council on behalf of the "B" shift members, many of whom were with him at this meeting.

Item 6. on the Agenda. **PROCLAMATION:** recognizing the week of May 9 -15, 2010, as **POLICE WEEK**, and May 15, 2010 as **PEACE OFFICERS MEMORIAL DAY** in Gladstone, Missouri.

Following the Clerk's reading, Mayor Smith presented the Proclamation to Public Safety Captain Bob Baer, who thanked the Mayor and the City Council.

Item 7. on the Agenda. **PROCLAMATION:** recognizing the week of May 16 - 22, 2010, as **NATIONAL PUBLIC WORKS WEEK** in Gladstone, Missouri.

Following the Clerk's reading, Mayor Smith presented the Proclamation to Acting Public Works Director Tim Nebergall, who thanked the Mayor and the City Council.

Mayor Smith said our City is truly blessed to have such fine public servants, and we are never short in giving praise, because they are never short in earning it and deserving it, and the City Council is proud and appreciative of all of them.

CONSENT AGENDA

Following the Clerk's reading, Councilmember Carol Suter moved to adopt the Consent Agenda as presented. Councilman Carol Rudi seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-24**, adopting the Regional Multi-Hazard Mitigation Plan. Councilman Carol Rudi seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-25**, authorizing the City Manager to accept a Bill of Sale from Northlander Properties LLC and R.L. Snow Construction Incorporated, conveying to the City a water main built in conjunction with construction of Tower Plaza at 6400 North Prospect Avenue Trafficway. Councilman Carol Rudi seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman

Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

REGULAR AGENDA.

Item 8. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

There were no comments from the audience.

Item 9. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Councilmember Carol Suter commended City staff on the update of the City's website, and for the exciting new development of the newsletter that is provided to the citizens. Councilmember Suter said her neighbors asked her about it, because they have heard of it through word of mouth, and they are very excited and appreciative of this new service. Councilmember Suter said she believes this is very futuristic of our City, and believes our City is really leading the pack in taking responsibility as a City in keeping citizens informed in this era of the demise of print media. It was ironic this morning to see in the Kansas City Star an article smashing our City for not having enough information about a sales tax issue, which is on our website, and that criticism is premature, because people do not pay attention to what is coming up until it gets closer to the time, since the election is not until June. Councilmember Suter said she feels for the citizens who have volunteered their time and energy. The City has such a wonderful group of citizens who have organized a campaign and are doing a great job in putting together materials to explain the issue. The City will be sending a mailing to all of the residents. Councilmember Suter said this was unfair criticism and ironic, given that our City is doing a wonderful job in communication, and certainly a leap above most of the cities in this area. Councilmember Suter offered kudos to City staff and to the City Council for their vision in making communication an important priority.

Councilman Mark Revenaugh had no comments at this time.

Councilman Carol Rudi informed everyone that the Gladstone Farmers Market is open Wednesdays, 3:00 PM to 7:00 PM, and Saturdays, 7:00 AM to 12:00 Noon, at 70th and North Locust, by the clock tower. On May 15, the Atkins Johnson Farm is hosting an event at Happy Rock West from 10:00 AM to 6:00 PM. There is no charge for this event and lots of fun things to do. The Hansel and Gretel opera, sponsored by UMKC, will be held on May 15, at 6:00 PM at the Gladstone Amphitheatre.

Mayor Pro Tem Barry McCullough thanked the City staff for taking the time and energy and resources in putting together a very good community emergency response team training program that Fire Inspector Charles Duddy led. Mayor Pro Tem McCullough said that he and Everett Jones, who was present at the City Council meeting, were among those

who participated in this training, and obtained quite a bit of benefit for our City's citizens, and it is expected that several people will become GEMA (Gladstone Emergency Management Agency) members as a result of the training.

Mayor Les Smith had no comments at this time.

Item 10. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis stated he wished to pass along kudos to the Public Works Department, particularly the Water and Sewer Divisions. The City had a major water main issue on 9 Highway about one week ago, and they spent at least two nights all night working a series of breaks that occurred. They also worked with Kansas City, and did their best to maintain service without interruption from the citizens' standpoint; it was pretty seamless. Acting Public Works Director Tim Nebergall and his staff worked very hard to make it seamless and to make sure that our City did not have any problems with water production and water capacity. City Manager Davis gave special thanks to those crews, who were literally out for 48 hours, off and on, taking care of water main breaks down in some holes that were dug off of 9 Highway. City Manager Davis said he appreciated Acting Director Nebergall's efforts in communication and for staying on top of the issue, and making sure there was no interruption in service.

City Manager Davis announced that Mr. Nebergall will now be the permanent Public Works Director; a tentative agreement has been agreed upon, and he is looking forward to working with him. He did a great job in the interim. He did a nice job with the budget, and a good job with the water line breaks, and passed all the tests in the interim, and he is deserving and will do a great job for the City. City Manager Davis congratulated Director Nebergall, which was followed by applause.

Item 11. on the Agenda. **PUBLIC HEARING:** for consideration of a Special Use Permit subject to certain conditions to Mike Pursell for operation of Gladstone Gardens, LLC on property located at 5616 North Antioch Road. Applicant: Mike Pursell, Gladstone Gardens, LLC. Owner: Byers Enterprises, LLC. File #1346.

Mayor Smith explained the process for the Public Hearing in that first there would be comments from City Staff, then comments from the applicant if he so desires, and then comments from the public in favor of the application and then comments from those opposed to the application.

Mayor Smith opened the Public Hearing.

Staff Presentation

Planning Specialist Chris Helmer began by saying that this Public Hearing application is simply for a transfer of an existing Special Use Permit application that was formerly for Cripple Creek Rock Company. On May 3, the Planning Commission held a Public Hearing on this matter, and did unanimously vote in favor of the Special Use Permit request.

Mr. Helmer said he wished to point out a few areas where there is additional language and clarification in the Bill that Council would consider this evening. Under Section 1, Conditions Number 1, and 5, there is some additional language that included Byers Enterprises, LLC, as well as David Brinton, along with the language for Gladstone Gardens. There was some discussion at the Planning Commission level addressing existing signage. Staff has drafted language in Condition Number 3 that states that existing signage may not be modified except to change sign copy. Condition Number 12 is an entirely new Condition that states that all installed landscaping and fencing shall be maintained throughout the permit term and shall not be removed upon expiration of the permit. These are all additions that resulted from the discussion by the Planning Commission, and that staff has added for the City Council's consideration.

Mr. Helmer said in addition to the previous Conditions that have been set forth, staff is suggesting that the City Council consider a five year duration for this Special Use Permit; largely that centers on the fact that staff is proposing that the Special Use Permit application be carried over to the applicant in this particular case.

Councilman Carol Rudi asked Mr. Helmer why a five-year rather than a one year time period is proposed, since generally, that is what happens with a Special Use Permit. Councilman Rudi said her second question was regarding the use of the word "transfer". She does not want to get in the habit of transferring Special Use Permits, because they should be issued as new permits, which is how she views this application, that it is a new Special Use Permit, but when "transfer" is used, it does not lay out in quite the same way in her mind. Councilman Rudi asked if this is a transfer or a new Special Use Permit.

Mr. Helmer said Councilman Rudi was correct, and he should have been wiser in his choice of words. This application is for issuance of a new Special Use Permit. Like any of the City's Special Use Permit applications, upon change of property owner or nature of the business operation, it does need to come back before the City Council for approval. This would be for the issuance of a new Special Use Permit application. Mr. Helmer said to further address the concern of the time duration of this Special Use Permit, typically, City staff does come to the City Council and recommend a one-year duration; however, when this was presented to staff, the applicant was unaware of the process that needed to occur. The request was essentially to consider looking at the exact business operation and duration of time of the Special Use Permit application from the previous business operator, and that is why staff carried that over for the City Council to consider.

Councilman Rudi stated she wished to be certain the applicant was aware of Condition Number 11 – “Upon expiration of this Special Use Permit, Applicant shall restore storage areas as near as practicable to their original condition, free and clear of all storage bins, materials and equipment”. Councilman Rudi said she would like to insert the word “pre-improvement” before the words “original condition”, so that the applicant understands that the City is not saying that just because they came in at this time, and all of this space is set up the way it is, that does not mean that when this was originally issued, that the City did not expect the area to go back to a more open field and landscaped location. Councilman Rudi said when the Bill is considered, she would be making a motion to amend that particular item, and asked if there was any reason not to do that.

Mr. Helmer replied that he would be more than happy to make that change, and the applicant agrees to that language.

Councilmember Suter asked if this business is very similar in nature to the business that was there, with the big open containers of product.

Mr. Helmer replied yes.

Applicant Presentation

Pete Hall, 5621 North Clinton Place, said he was representing the principle owner of the property, David Brinton. He is the principle of Byers Enterprises. Mr. Hall said he wished to convey Mike Pursell's apology that he could not attend this meeting. He is a little under the weather and was unable to be here this evening. He was at the Planning Commission meeting, but could not be here this evening. Mr. Hall asked that the City Council consider the timing. One of the reasons that the applicant tried to expedite this is because there is a very short window of time. Some of our citizens are going to Platte County, and our City needs to hold them here. These folks have indicated they will provide generally the same services that Cripple Creek did. That speaks well of them, and this is a wonderful use for this interestingly shaped piece of property along Antioch Road. The Conditions are no problem, including the ones that have been discussed this evening. Mr. Hall asked the City Council to consider that this month, beginning ten days ago, is the beginning of the season, so they would like to expedite getting the new business open, so the owners will not lose any more business than necessary this season, and to provide more services next year.

There was no one to speak in FAVOR or in OPPOSITION to this application.

Mayor Smith closed the Public Hearing.

Item 11a, on the Agenda. **FIRST READING BILL 10-17, granting a Special Use Permit subject to certain conditions to Mike Pursell for operation of Gladstone Gardens.**

LLC on property located at 5616 North Antioch Road. Applicant: Mike Pursell, Gladstone Gardens, LLC. Owner: Byers Enterprises, LLC. File #1346.

Councilman Carol Rudi moved to place Bill 10-17 on its First Reading, with the amendment to insert the word "pre-improvement" before "original condition" in Condition Number 11. Councilman Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the First Reading of Bill 10-17 as amended, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the Second and Final Reading of amended Bill 10-17 and to enact the Bill as **Ordinance 4.146**. Councilman Barry McCullough seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Mayor Smith asked Mr. Hall to pass on the City Council's best wishes to his client.

Item 12. on the Agenda. **FIRST READING BILL 10-18**, amending certain provisions of Ordinance No. 4.140, and enacting in lieu thereof, new provisions regulating the sale and distribution of alcoholic beverages within the City.

Councilman Mark Revenaugh moved to place Bill 10-18 on its First Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the First Reading of Bill 10-18, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the Second and Final Reading of Bill 10-18 and to enact the Bill as **Ordinance 4.147**. Councilmember Carol Suter seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 13. on the Agenda. **FIRST READING BILL 10-19**, authorizing the City Manager to execute a Cooperative Agreement with the Village of the Oaks for asphalt surface patching and asphalt resurfacing on Wilson Road from Englewood Road to Barnes Avenue.

Councilman Carol Rudi moved to place Bill 10-19 on its First Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the First Reading of Bill 10-19, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the Second and Final Reading of Bill 10-19 and to enact the Bill as **Ordinance 4.148**. Councilman Barry McCullough seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 14. on the Agenda. **Other Business.**

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

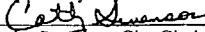
Item 15. on the Agenda. **Questions from the News Media.**

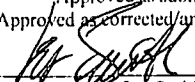
There were no News Media present.

Item 16. on the Agenda. **Adjournment.**

There being no further business to come before the May 10, 2010, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the regular meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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

Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MAY 24, 2010**

The City Council will meet in Closed Executive Session on Monday, May 24, 2010, starting at 6:45 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes.

The Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 7:15 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular May 10, 2010, City Council Meeting Minutes.
5. CONSENT AGENDA

RESOLUTION R-10-26, authorizing execution of a contract with William White and Sons Construction Company, Incorporated, in

the total amount not to exceed \$271,431.75 for the 2010 Curb, Gutter and Sidewalk Program Phase Two.

BUILDING PERMIT: for the construction and landscaping of sixteen islands and additional landscaping within the parking area of Gladstone Plaza, located at 6559 through 6599 North Oak Trafficway. Applicant: Updike Paving Corporation. Owner: Clay County Realty Company.

BUILDING PERMIT: for an Electrical Permit to install 13 new light poles in the parking lot of Gladstone Plaza, located at 6559 through 6599 North Oak Trafficway. Applicant: Johnson Electric. Owner: Clay County Realty Company.

BUILDING PERMIT: to expand Paris II Educational Center, located at 6840 North Oak Trafficway, by constructing new offices and modifying the entrance. Applicant: CRW Construction. Owner: Garold Tingler.

BUILDING PERMIT: for exterior building renovation for Kentucky Fried Chicken, located at 5813 North Antioch Road. Applicant/Owner: HANS Management.

APPROVAL OF THE FINANCIAL REPORT FOR APRIL 2010.

REGULAR AGENDA

6. **Communications from the Audience.**
7. **Communications from the City Council.**
8. **Communications from the City Manager.**
9. **FIRST READING BILL 10-20**, approving the Final Plat of Lots 12 and 13, Tracy Estates in the County of Clay, City of Gladstone, Missouri, and directing the appropriate officials to affix their signatures to said Plat for recording.
Applicant/Owner: James J. and Shirley A. Dake.

10. **FIRST READING BILL 10-21**, calling a Special Election on a General Obligation Bond question in the City of Gladstone, Missouri.
11. **FIRST READING BILL 10-22**, calling a Special Election on a Revenue Bond question in the City of Gladstone, Missouri.
12. **RESOLUTION NO. R-10-27**, expressing the intention of the City Council for use of No Tax/Rate Increase Bond proceeds generated by the August 3, 2010, election within the City of Gladstone.
13. **PUBLIC HEARING:** on the proposed 2010-2011 Annual Operating Budget for the City of Gladstone, Missouri.
14. Other Business.
15. Questions from the News Media.
16. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MAY 24, 2010**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:45 PM**

Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on May 24, 2010, at 6:45 PM. Councilman Carol Rudi made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Mayor Pro Tem Barry McCullough seconded.

Roll Call Vote: All "aye" – Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (4-0).

Councilmember Carol Suter was absent from the vote, but was present at the Closed Executive Session.

Mayor Les Smith closed the Closed Executive Session at 7:15 PM.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilman Mark Revenaugh
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor David Ramsay
City Clerk Cathy Swenson

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

Mayor Les Smith opened the Regular May 24, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR MAY 10, 2010, CITY COUNCIL MEETING MINUTES.**

Councilman Carol Rudi moved to approve the Regular May 10, 2010, City Council Meeting Minutes as presented. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 5. on the Agenda.

CONSENT AGENDA

Following the Clerk's reading, Councilmember Carol Suter moved to adopt the Consent Agenda as presented. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-26**, authorizing execution of a contract with William White and Sons Construction Company, Incorporated, in the total amount not to exceed \$271,431.75 for the 2010 Curb, Gutter and Sidewalk Program Phase Two. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve a **BUILDING PERMIT**: for the construction and landscaping of sixteen islands and additional landscaping within the parking area of Gladstone Plaza, located at 6559 through 6599 North Oak Trafficway. Applicant: Updike Paving Corporation. Owner: Clay County Realty Company. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve a **BUILDING PERMIT**: for an Electrical Permit to install 13 new light poles in the parking lot of Gladstone Plaza, located at 6559 through 6599 North Oak Trafficway. Applicant: Johnson Electric. Owner: Clay County Realty Company. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve a **BUILDING PERMIT**: to expand Paris II Educational Center, located at 6840 North Oak Trafficway, by constructing new offices and modifying the entrance. Applicant: CRW Construction. Owner: Garold Tingler. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve a **BUILDING PERMIT**: for exterior building renovation for Kentucky Fried Chicken, located at 5813 North Antioch Road. Applicant/Owner: HANS Management. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve **THE FINANCIAL REPORT FOR APRIL 2010**. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

REGULAR AGENDA.

Item 6. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

There were no comments from the audience.

Item 7. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Councilmember Carol Suter thanked the City Staff for their efforts in dealing with a nonconforming retail renovation before it was completed; they were effectively able to negotiate something that works for the City. Councilmember Suter said she has had several people ask her if it would be possible to have a community bulletin board on the City's website – something similar to a Gladstone Craigslist, but for things that Craigslist does not actually do. Councilmember Suter said she had a need this week, and thought she could use it if it were there, and said she wanted it on the record that the community was interested in such a service, and maybe this is something at which Staff could take a look. Shawn Hartman, a Board of Zoning Adjustment member, had a good example in that it cost him \$300 to remove a tree, and he found out that there was a neighbor one block over

who wanted to have it, and it would have saved him \$300, but he did not find that out until after the tree was removed.

Councilman Mark Revenaugh had no comments at this time.

Councilman Carol Rudi stated she wished to direct everyone to the City's website, because there are a lot of activities going on in the City. The next art reception is June 1st, from 6:00 PM to 8:00 PM, at the Community Center. June Tunes will be held on Tuesdays, so there are a lot of things for folks to take a look at on the website, and hopefully, will be able to attend.

Mayor Pro Tem Barry McCullough had no comments at this time.

Mayor Les Smith noted that there were people in the audience who have been working hard on the City's Public Safety Sales Tax campaign. Mayor Smith said not to espouse one way or another, but to acknowledge hard work as it is done, and know the community appreciates that.

Item 8. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis reported that City Hall would be closed on Memorial Day. City Manager Davis also reported that the pool opens on Saturday, and there is a ribbon cutting for the new pedestrian bridge at Happy Rock Park at 10:00 AM on June 5.

Item 9. on the Agenda. **FIRST READING BILL 10-20**, approving the Final Plat of Lots 12 and 13, Tracy Estates in the County of Clay, City of Gladstone, Missouri, and directing the appropriate officials to affix their signatures to said Plat for recording. Applicant/Owner: James J. and Shirley A. Dake.

Councilman Mark Revenaugh moved to place Bill 10-20 on its First Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the First Reading of Bill 10-20, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the Second and Final Reading of Bill 10-20 and to enact the Bill as **Ordinance 4.149**. Mayor Pro Tem Barry McCullough seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 10. on the Agenda. **FIRST READING BILL 10-21**, calling a Special Election on a General Obligation Bond question in the City of Gladstone, Missouri.

Councilmember Carol Suter moved to place Bill 10-21 on its First Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of Bill 10-21, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of Bill 10-21 and to enact the Bill as **Ordinance 4.150**. Councilman Carol Rudi seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 11. on the Agenda. **FIRST READING BILL 10-22**, calling a Special Election on a Revenue Bond question in the City of Gladstone, Missouri.

Mayor Pro Tem Barry McCullough moved to place Bill 10-22 on its First Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of Bill 10-22. Waive the Rule and place the Bill on its Second and Final Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the Second and Final Reading of Bill 10-22 and to enact the Bill as **Ordinance 4.151**. Councilman Mark Revenaugh seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 12. on the Agenda. **RESOLUTION NO. R-10-27**, expressing the intention of the City Council for use of No Tax/Rate Increase Bond proceeds generated by the August 3, 2010, election within the City of Gladstone.

Councilman Carol Rudi moved to adopt **RESOLUTION NO. R-10-27**, expressing the intention of the City Council for use of No Tax/Rate Increase Bond proceeds generated by the August 3, 2010, election within the City of Gladstone. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 13. on the Agenda. **PUBLIC HEARING:** on the proposed 2010-2011 Annual Operating Budget for the City of Gladstone, Missouri.

Mayor Smith said first a report would be heard from City Manager Kirk Davis, and then comments would be invited from the audience in favor of the proposed City budget, followed by comments from anyone opposed to the proposed City budget.

Mayor Smith opened the Public Hearing.

City Manager Kirk Davis began by saying a lot of time has been spent on the budget – at least two Open Study sessions and countless other hours reviewing and analyzing. Mr. Davis said that submitted herewith is the Fiscal Year 2011 (FY11) budget and program of services for the City of Gladstone. The annual budget for FY11 as proposed represents the strategic, administrative and financial plan of the City of Gladstone. This budget is the product of a comprehensive team effort from every level of the municipal organization. The following overview of the FY11 budget illustrates the conservative approach utilized by the City Council and by the City staff to develop a proposed budget, which benefits all of our citizens. This budget continues to emphasize the goals established by the City Council over the last couple of years, and it continues to emphasize redevelopment initiatives, as well as the momentum established by Gladstone on the Move.

City Manager Davis said he would begin with the **General Fund**, where total budgeted revenues are projected to be \$15,950,967; this projection represents a revenue decrease of \$1,090,249, or 6.4 percent from FY10 expected revenues. However, after deducting a one time equity transfer and the Atkins Johnson Farm loan proceeds, actual operating revenues for FY11 are projected to increase \$125,959 over FY10. This increase is due to new wireless gross receipts from T-Mobile. Property tax revenue is projected to be \$3,320,400, and increase of \$33,863, or 1.03 percent. General Fund Sales Tax Revenue is projected to remain at FY10 levels, or \$3,126,000. Gross Receipts Tax Revenue amounts to \$3,469,000 or 21.7 percent of the total revenue budget, and is projected to increase 9.33 percent in FY11.

City Manager Davis stated that the expenditures total \$15,903,877. The General Fund FY11 projected expenditures represent a \$1,136,714 decrease, or 6.67 percent, compared to FY10 expected expenditures. The largest expenditure in the General Fund is labor at 72 percent. FY11 personnel related expenses increased approximately \$202,000 over FY10 budget. This increase is due to a net benefit cost increase of \$130,900, and a one-time discretionary payment to executive range employees of approximately \$500 each, and to all other regular full-time employees, a one time discretionary payment of approximately \$650 each.

City Manager Davis reported that the supplemental package is fairly small this year. The City would be purchasing two motorcycles at a net cost of \$400, one patrol car with all necessary lighting and equipment at a cost of \$27,500, and one 4X4 truck with a dump bed with a snowplow for \$62,000, for a total of \$89,900. In Finance there is \$28,000 budgeted for some technology improvements; Public Safety requests total \$27,900 for the car, and also \$3,990 for a grant match for microfilm digitizing. Public Works requests include the \$62,000 for the truck, and also one seasonal maintenance worker at the cost of \$4,911. Parks and Recreation will receive \$16,099, which includes \$5,149 for a baseball program; a North Kansas City user fee increase of about \$1,300; some field maintenance equipment for laser grading in the amount of approximately \$5,000; and a HVAC maintenance agreement for about \$4,000.

City Manager Davis stated this budget focuses on **Goals**. Pursuing the funding options for roads was discussed this evening. Pursuing funding options for Water/Sewer improvements were discussed this evening, and these are moving forward. In regards to addressing the Public Safety staffing and communications needs, as the Council knows, there will be an important election on June 8 for the Public Safety Department, and everyone on the Council is aware of the details relative to the Public Safety needs and the proposed sales tax. Review the feasibility of redevelopment, Gladstone Plaza, and the redevelopment of the Village Center - these are moving forward. Some Building Permits for Gladstone Plaza were approved this evening. Some good progress and a lot of work are being seen at the Center. Relative to the downtown project, the form-based code issue is moving forward. Economic Development Administrator Melinda Mehaffy is currently meeting with some potential developers at a Las Vegas convention, who, hopefully, are interested in our downtown project. Implement practices in support of Mayor's Climate Protection Agreement - in the Council's packet on pages 11 and 12, there are listed several initiatives that are going on relative to this goal. Our budget finances those projects and those objectives. Develop a comprehensive housing plan - there are three pages of objectives in the Council's packet, and they are funded in this budget. City Manager Davis said he appreciates the progress that is being made, and he looks forward to some of these things working. As soon as the economy turns around, we should see the benefit of a lot of these efforts. Develop a community health program - there are several initiatives connected with this - the trails, Strive to Thrive, and all the

things being worked on in-house are part of that community health program. The Farmers Market and other initiatives are mobilized by this policy foundation.

City Manager Davis stated that if there were no questions, he would move to the **Combined Waterworks and Sewerage System Fund**. The proposed budget for FY11 will provide for all operating costs and debt service requirements. Total revenues are estimated at \$7,961,885, and total expenses are estimated at \$7,956,295, resulting in a net income of \$5,590. The proposed budget reflects a 0.9 percent or \$10,239 decrease in personnel services in the water fund. The decrease includes funding for a one time estimated payment of \$650 per employee, which is consistent with the General Fund FY11 budget. The supplemental requests include three items for the Water Production Division – a chlorine analyzer for \$7,500; an increase in lime sludge disposal for \$12,000, and maintenance on a pump station for \$1,800. A dump truck for \$78,000 and trench box for \$7,500 were funded for the Water Operations Division, and SCADA software and computers for \$14,000 were funded from Non-Departmental. The total Capital and Supplemental that was funded amounted to \$125,800.

City Manager Davis next discussed the **Capital Improvement Program**. The City's 2011-2015 Capital Improvement Program was developed around two primary goals: 1) to provide maintenance of existing infrastructure and facilities; and 2) to plan effectively for future needs given current resources and City Council Goals. In the case of CIP, if revenues are not growing, you are not spending as much on the infrastructure as needed. In the General Fund, reprioritization is required. In the Capital Fund, you just do not spend as much. This five-year plan reflects the sales tax income we are receiving in the Transportation and Capital Improvement Sales Tax Funds. These are all highlighted on pages 49-52 of the City Council's packet.

Community Center and City Parks Fund – City Manager Davis began by saying the proposed Community Center and City Parks Fund FY11 budget will provide for all operating costs, and debt service requirements. Total revenues are estimated at \$3,031,906. Total expenditures are estimated at \$3,031,779. The fund balance is projected to be \$1,269,431 at the end of FY11. Revenue and expenditure projections are in line with estimates used to determine the feasibility of funding the operations of the new Community Center, as well as paying debt service on the 2006 bond issue. Supplemental requests in this budget are listed on page 71, and the total requests amounted to \$193,000. Two items were recommended for funding: a Rental Coordinator position was upgraded for a total of \$6,000. Touch pads for the timing system in the indoor pool were funded in the amount of \$3,500.

City Manager Davis concluded by saying that with this budget, the City can realize rewards from past efforts and enhance the vision of the City's future that the City Council accepts and endorses. Through the City Council's leadership, a goal-oriented strategic budgeting process, and citizen and employee involvement, the City's long-range goals and

objectives can be accomplished. The budget reflects an emphasis on planning, financial trend analysis, and the utilization of Council policies and realization of City Council goals. The City Management Team, along with City staff, would like to formally thank the City Council for reviewing all the documentation submitted to justify the adoption of the FY11 budget. The proposed FY11 budget reflects a great deal of work by many people within the City organization. City Manager Davis expressed his special thanks to Finance Director Debra Daily, the Finance Department, Assistant City Manager Scott Wingerson, Director of Public Safety Mike Hasty, and Financial Analyst Beth Saluzzi for all the work that they put into the document, and all the countless hours they put into this.

City Manager Davis asked if he might answer any questions from the City Council.

Mayor Smith asked if the General Fund in any way subsidizes the Community Center operation at this point.

City Manager Davis replied no.

There was no one to speak in Favor or in Opposition to the proposed budget.

Mayor Smith closed the Public Hearing.

Item 14. on the Agenda. Other Business.

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

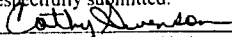
Item 15. on the Agenda. Questions from the News Media.

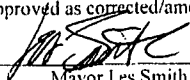
There were no News Media present.

Item 16. on the Agenda. Adjournment.

There being no further business to come before the May 24, 2010, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the regular meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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

Mayor Les Smith



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JUNE 14, 2010**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilman Mark Revenaugh
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor David Ramsay
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the Regular June 14, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. APPROVAL OF THE REGULAR MAY 24, 2010, CITY COUNCIL MEETING MINUTES.

Councilmember Carol Suter moved to approve the Regular May 24, 2010, City Council Meeting Minutes as presented. Mayor Pro Tem Barry McCullough seconded. The vote:

All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 5. on the Agenda. **PROCLAMATION:** Recognizing **MATT AND KAREN HOOPS**, recipients of national **POP WARNER** volunteer awards.

Mayor Smith began by saying that Parks and Facilities Supervisor Matt Hoops filled in for Parks and Recreation Director Sheila Lillis at a recent City Council meeting, where he said in his 26 years of employment with the City, he had never stood up to receive a Proclamation; tonight, he and his wife, Karen are receiving their very own Proclamation!

Mayor Smith read and presented the Proclamation to Matt and Karen Hoops, who thanked the Mayor and the City Council.

Mr. Hoops introduced his son, Cameron; his son Bobby and his wife Megan; his sister-in-law and brother-in-law, Joyce and Jim Black; and his mother-in-law, Louise Maddox, who has been a Gladstone resident for over 50 years.

Mayor Smith said we look to our sports figures and others and sometimes call them heroes – they are not heroes, they can be idols. It is people like Matt and Karen in this community who are the unsung heroes. Mayor Smith congratulated them on their awards and said it was "awesome"!

Mr. Hoops said they were very pleased and surprised.

Mrs. Hoops said they were also very humbled.

Mayor Smith said Mr. Hoops does a great job for the City, and behind every good man is a(good woman)!

These comments were followed by applause from the audience.

Item 6. on the Agenda. **CONSENT AGENDA**

Mayor Smith asked that **Resolution R-10-30** be removed from the Consent Agenda for discussion under the Regular Agenda as Item 6a.

Following the Clerk's reading, Councilman Carol Rudi moved to adopt the Consent Agenda as amended. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-28**, authorizing acceptance of work under contract with Miller Paving and Construction, LLC, for the 2009 Curb and Sidewalk Program Phase One; and authorizing final payment in the amount of \$500.00. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-29**, authorizing acceptance of work under contract with McConnell and Associates Corporation, for the Tennis Court Overlay and Resurfacing Project, and authorizing final payment in the amount of \$7,873.90. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-31**, accepting Temporary Construction Easements from certain property owners in conjunction with the Northeast 76th Street Reconstruction Project. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-32**, accepting a Temporary Construction and Permanent Easements from certain property owners in conjunction with the Bolling Heights Drainage Project. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to approve the **ANNUAL LIQUOR LICENSE RENEWAL for Bubbles Wines & Spirits, 7407 North Oak Trafficway, Seven-Day Package Liquor License**. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

REGULAR AGENDA.

Item 6a. on the Agenda. **RESOLUTION R-10-30**, authorizing the City Manager to purchase three (3) Ultraviolet Disinfection Treatment Systems, Project CB1057, from Commercial Aquatic Services, Incorporated, Olathe, Kansas, for a total purchase amount of \$41,337.00.

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-30**, authorizing the City Manager to purchase three (3) Ultraviolet Disinfection Treatment Systems, Project CB1057, from Commercial Aquatic Services, Incorporated, Olathe, Kansas, for a total purchase amount of \$41,337.00. Councilmember Carol Suter seconded.

Mayor Smith stated that he requested that this item be considered under the Regular Agenda to allow City Manager Kirk Davis the opportunity to explain what this Resolution is and what it means to the patrons of the Community Center.

City Manager Davis said it is the introduction of new technology. The staff at the Community Center works hard to provide the highest possible level of water quality and cleanliness throughout the entire facility. This is another extension of that effort. This technology is roughly three to four years old. This is being introduced to improve the water quality that is there and to use the technology to make the best environment possible for the students who are using the competitive facility, as well as the patrons in the recreational pool.

The vote: All "aye" -- Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 7. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

Virginia Bergmann, 1305 NE 56 Terrace, began by saying she had two items, one of which she has already discussed with Public Safety Director Hasty, who is in the process of purchasing a police training video for when police respond to 911 calls when a person is experiencing an epileptic seizure. Ms. Bergmann said the City of Gladstone brought suit against her, and she believes it was due to ignorance, because epilepsy is a disorder that not everyone knows everything about, but she has had it since the age of four. Ms. Bergmann provided pamphlets to the City Council about seizure recognition and management.

Ms. Bergmann said regarding her second item, next door to her, at 1307 NE 56 Terrace, you will find six mature maple trees clustered together. Ms. Bergmann pointed out that she had distributed to the City Council a typed sheet from her relaying the information about this concern. Ms. Bergmann said she does better writing on paper than speaking.

Note: Ms. Bergmann addressed her concerns as detailed in the distributed sheet, a copy of which is attached.

Ms. Bergmann thanked the Public Works Department for cleaning the culverts in her area. In the past, she and her husband have bagged 20, 30 or 40 grocery bags of leaves each year.

Ms. Bergmann said Director Hasty assured her that he would look into the matter of when the City filed suit against her. Ms. Bergmann said when she was in the Clay County women's jail, in January 2008, some of the other inmates shared with her that there have been people with other disabilities, that have been imprisoned because an officer could not understand them.

Ms. Bergmann concluded by saying if she had more to say, she would put her thoughts on paper, and would be more than happy to share them with the City Council. Ms. Bergmann said she would like for the Mayor, City Council members, the Police Department, and the municipal system – the judges, to dig deeper before finding someone guilty, as the result of a disability. The Epilepsy Foundation's local phone number is 444-2800, and they can give information. Information is also available on their website at www.efa.org. Ms. Bergmann said she would like to see the City better educated. Ms. Bergmann thanked the Mayor and Council for their time.

Item 8. on the Agenda.

COMMUNICATIONS FROM THE CITY COUNCIL.

Councilmember Carol Suter had no comments at this time.

Councilman Mark Revenaugh said he visited the Bluesfest, which was co-hosted by the City and the Gladstone Area Chamber of Commerce, and had some observations from spending Friday evening and a large part of Saturday evening at the event. One of the things he noticed was old friends, who had not seen each other for a while, greeting each other. There was a young lady who said it was her first time since she has lived in Gladstone, that she attended the Bluesfest, but when she lived in Liberty, when she was growing up, her father used to bring her to the Bluesfest. When she saw the sign that said that Bluesfest was being held, she said she wanted to go, because it brought back nice memories of the times her father used to take her.

Councilman Revenaugh said he saw some guys he had not seen since Boy Scouts, and what he saw was a whole community of volunteers, none of them being paid, spending unbelievable amounts of time volunteering for the community. There were people who were buying refreshments, where he was serving, who were donating money over and above, the fairly high cost of those refreshments. There was another lady who was thanking the City for fixing her sidewalk around Englewood Road and North Manor. Gladstone stepped up and fixed it, and she said it has never looked better, and dirt was even filled in around the manhole cover. The lady was very pleased, and said these were her tax dollars at work. Councilman Revenaugh said he saw a lot of people enjoying the evening, both Friday and Saturday, and enjoying being in Gladstone and listening to the music.

Councilman Revenaugh congratulated the City and the Parks and Recreation staff, and the Chamber of Commerce for pulling off another successful event in Gladstone.

Councilman Carol Rudi said she would like to congratulate the Bluesfest Committee and said it was a great event. Councilman Rudi said she worked hard Saturday night; it was hot and they served a lot of food, and it was fun.

Mayor Pro Tem Barry McCullough stated he agreed with Councilmen Revenaugh and Rudi, in that it was a great Bluesfest. It was a good time, and fun to see all the activity and everyone getting together.

Mayor Les Smith said he wished to extend appreciation to Parks and Recreation Director Sheila Lillis and her staff and to Public Works Director Tim Nebergall and his staff for the work that was done with Bluesfest. Mayor Smith said it would be interesting to see what the numbers look like, because in his estimation, the crowds were not quite what they have been in the last couple of years. Mayor Smith said he hopes that is an incorrect observation on his part, but he believes it is a great community event, and Councilman Revenaugh is correct it is a blast to go to Bluesfest and see folks you have not seen in a year. It is a good time, our City does a good job, and it is a very positive for the City and good use of the amphitheatre.

Mayor Smith thanked the City residents for their support last Tuesday in the Public Safety Sales Tax Election. A 78 percent "yes" vote for a tax increase in this economy speaks volumes to the Public Safety Department. Mayor Smith said it is a testament to the men and women of the department and the service that they provide to our community that we were able to reach 78 percent support for their proposal. The residents know if we say it is needed, it is needed. We told them how we would spend it, and they know we will spend it accordingly, but above all else, it is a testament to the department. Mayor Smith asked Public Safety Director Mike Hasty to please pass that on to his department. Mayor Smith said we had a great committee of citizen volunteers. Pete Hall was Treasurer of the campaign, and David Velasquez and Jeanie Moore were Co-Chairs of the campaign committee. They did a fabulous job of motivating 30 or 40 residents who served on the committee. Mayor Smith said not to take anything from anyone, but Jean Moore has now led two of the most significant efforts in our City in the last five years, and she is to be highly commended. Anyone who runs across Jean Moore needs to thank her on behalf of our entire community for what she put into this campaign. She spent five weeks straight working on the Public Safety Sales Tax Campaign, and from early AM to late PM. Mayor Smith said he also wished to pass along kudos to folks in the Public Safety Department who worked for this effort. They did not wait for someone else to pass the tax and hand them anything, especially Public Safety Director Mike Hasty and Captain Bob Baer, as well as Corporal Jeff Bolin, Captain Jeff Self, Captain Stan Dobbins and Sergeant Mitzi Boydston and others. Director Hasty and Captain Baer poured their heart and soul into this effort, and they are to be commended for going way above and beyond, and showing the leadership that needed to come out of their department for the City to be successful. Mayor Smith asked Director Hasty to please pass this on to Captain Baer and everyone in the department.

Item 9. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis reminded everyone that "June Tunes" would be held on Tuesday nights in June, in Oak Grove Park, at 7:00 PM. This Friday is the Movie in the Park at the amphitheatre in Oak Grove Park. The Farmers Market will be held each Wednesday, and everyone is encouraged to take advantage of that. Gladstone Night at the Royals will be held on Saturday afternoon on June 26. If anyone needs tickets, they should see Director Lillis. City Manager Davis reminded everyone that the Council and staff would be busy this week with the All America City event that is in Kansas City. We are part of the host committee, and will be spending a lot of time making sure this is a successful event.

Item 10. on the Agenda. **FIRST READING BILL 10-23**, declaring the results of the Special Election held in the City of Gladstone, Missouri, on Tuesday, June 8, 2010, at which election the following proposition was submitted to the qualified voters of said city as Question 1, to wit: "Shall the City of Gladstone, Missouri, impose a citywide sales tax at the rate of one-fourth of one percent for the purpose of improving the public safety of the city?"

Mayor Pro Tem Barry McCullough moved to place **Bill 10-23** on its First Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of **Bill 10-23**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the Second and Final Reading of **Bill 10-23** and to enact the Bill as **Ordinance 4.152**. Councilman Mark Revenaugh seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 11. on the Agenda. **FIRST READING BILL 10-24**, an annual Ordinance establishing a procedure for certain Gladstone Municipal Officials to disclose potential conflicts of interest and comply with the personal financial disclosure requirements pursuant to the State of Missouri "Ethics Law".

Councilmember Carol Suter moved to place **Bill 10-24** on its First Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman

Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of **Bill 10-24**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of **Bill 10-24** and to enact the Bill as **Ordinance 4.153**. Councilman Carol Rudi seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 12. on the Agenda. **FIRST READING BILL 10-25**, de-annexing approximately 7.54 acres generally located on the west side of Missouri Route 1 (North Indiana Avenue) and to the east of North Agnes Avenue, immediately south of the city limit with Kansas City, Missouri, that is being annexed by the City of Kansas City, Missouri, and authorizing and directing the City Clerk to do those things necessary to document such action.

Councilman Mark Revenaugh moved to place **Bill 10-25** on its First Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the First Reading of **Bill 10-25**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the Second and Final Reading of **Bill 10-25** and to enact the Bill as **Ordinance 4.154**. Mayor Pro Tem Barry McCullough seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 13. on the Agenda. **RESOLUTION R-10-33**, adopting the 2011 Annual Operating Budget for the City of Gladstone, Missouri, and authorizing the expenditure of funds for Municipal Services.

CITY COUNCIL MEETING
JUNE 14, 2010

TO: Mayor & Council Members

Because the City of Gladstone has a gutter ordinance for residents to make sure their gutters are cleaned out due to the seedlings of the tree(s) falling into the gutters (i.e., maple tree seedlings), I would like to see the city pass an ordinance involving maintenance of trees.

We use a standard lawn mower (not a riding lawnmower). When using a standard mower, a person can get hit in the face by their neighbors' trees if they are close to where residential properties are separated from each other at the property line (i.e., 1305 & 1307 NE 56th Terrace) and the limbs continually bend downward. (We all know every time it rains, everything from trees to plants will grow.)

My husband and I started pruning our side of the mature trees which are very close to the property line of 1307. The trees are all on 1307's property. I'm talking about the limbs which extend over to our side. Mr. Darren Rodmond said we could cut the limbs off which extend over onto our side. The trees are planted from a northerly to southerly direction on the west side of the property).

I made a trip to City Hall last Friday with a bunch of maple seedlings which had fallen onto our property and had begun to sprout around our front porch area (1305) from the trees located on the property of 1307. (As an example, because 1307's trees are high and clustered together, it makes more yardwork for the neighbors in the surrounding houses along the street.) As I handed the maple seedlings to the person who was helping me, I drew her a small map of our property (as well as of 1304 and 1307). Because of the extra work I have to do because of 1307's negligence, I oftentimes can't get my own yard work done, meaning I have to set aside work to do in the house.

I mentioned to her that I thought 1307 had four (maybe five (not remembering the exact number)) mature maple trees with branches hanging down in the front yard. As I mentioned above, a person can get hit in the face if the tree limbs are not pruned or thinned out. If the unpruned branches keep bending down, they will eventually hit a person in the face using a riding lawn mower. If tree limbs are not thinned out, they will be competing with each other for space.

I explained to the person helping me at the city hall, that the previous owner of 1307 had these same clustered maple trees pruned. (However, when I returned home from my trip to City Hall, I counted at least five mature maple trees in the front yard and one in the backyard.) During our visit I drew her a map, and four city employee agreed that trees so clustered together need to be maintained. She bundled up the sprouted seedlings and taped them on a piece of paper with packaging tape.

During the weekend, my husband, Bruce Bergmann, called the Grass Pad located in Olathe (913-764-4100) and spoke with Howard in the nursery. (We'd tried calling the Northland location but their phone was busy.) He told us that as trees grow and their limbs continue to spread, the trees and limbs are competing for space. He also stated that when trees are clustered close together (i.e., 1307), some of them need to be chopped down for allowance to expand during their growth.

I'm sure if the trees were better maintained (pruning, thinning out of limbs), people wouldn't have to, as an example, rake up more and more the leaves in the autumn season when they fall. If you had a

maintenance ordinance there would probably be less leaves to rake, mulch or be hauled away.

I am unfamiliar with the ordinances regarding your trees, and I don't have access to the Internet.

On another matter, yesterday while walking down the Gladstone side of NE Englewood Road to purchase a Sunday newspaper (heading toward Scandia Village Apartments), I had to avoid some heavy vines growing along a fenceline as I approached Englewood Baptist Church. It was very soon after I crossed N. Highland that I had to avoid the vines growing along the fence. They hadn't been pruned.

I've walked this way many times; however, I've seen no change when it comes to people pruning their fences. (Please drive by this area when you can do so; it will benefit you.) I know you want to have a beautiful city. So do I.

I would appreciate your consideration regarding these matters.

Should you want to speak with me, my telephone number is (816) 413-6120. I am a homemaker; however, since my husband works two jobs (one full- and one part-time job), I help him do the yardwork on our property when I can; therefore I might not be able to answer the telephone. Since I don't have e-mail, your only other course would be the United States Postal Service.

(I apologize if I'm restating some things above, such as the drawing of a map for the employee. Please bear with me because I haven't worked outside the home for quite a while.)

Don't you want to have a beautiful city?

Bergman

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-33**, adopting the 2011 Annual Operating Budget for the City of Gladstone, Missouri, and authorizing the expenditure of funds for Municipal Services. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 14. on the Agenda. **Other Business.**

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


Item 15. on the Agenda. **Questions from the News Media.**

There were no News Media present.

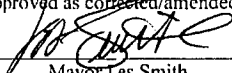
Item 16. on the Agenda. **Adjournment.**

There being no further business to come before the June 14, 2010, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the regular meeting.

Respectfully submitted:



Cathy Swenson, City Clerk

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


Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JUNE 28, 2010**

OPEN STUDY SESSION: 6:15 PM
(to be held at the Atkins-Johnson Farm,
6508 N. Jackson)

REGULAR MEETING: 7:30 PM
(at City Hall)

AGENDA

- 1. Meeting Called to Order.**
- 2. Roll Call.**
- 3. Pledge of Allegiance.**
- 4. Approval of the Regular June 14, 2010, City Council Meeting Minutes.**
- 5. SPECIAL PRESENTATION BY PUBLIC SAFETY TO: Morgan Martinez.**
- 6. CONSENT AGENDA**

RESOLUTION R-10-34, authorizing the Mayor, City Council members, City Manager, Director of Parks and Recreation, and Chairman of the Parks and Recreation Advisory Board to execute all necessary applications and other documents to proceed with the a Grant-in-Aid under the Missouri Department of Natural Resources Land and Water Conservation Fund for City of

Gladstone Park Improvements and authorizing the necessary fiscal commitments.

RESOLUTION R-10-35, authorizing acceptance of a proposal from Independent Salt Company for the purchase of snow removal salt.

RESOLUTION R-10-36, authorizing acceptance of work under contract with Holthouse Construction, LLC, for the Shady Lane at Antioch Road Water Main Replacement Project; and authorizing final payment in the amount of \$19,210.02

Resolution R-10-37, authorizing change order No. 2 in the amount of \$374,986.20 to the contract with O'Donnell-Way Construction Company, Incorporated, for the 2010 Mill and Overlay Program.

RESOLUTION R-10-38, authorizing execution of a contract with the Missouri EMS Agent Corporation [MOEMSAC], to serve as agent for collection of ambulance fees from MOHEALTHNET.

RESOLUTION R-10-39, adopting changes to the structure and to allow enhancements of the benefits of the City of Gladstone's Flexible Benefits Plan.

RESOLUTION R-10-40, authorizing execution of a contract with Amino Brothers Company, Incorporated, in the total amount not to exceed \$111,336.94 for the Bolling Heights Stormwater Drainage Improvement Project.

APPROVAL OF A NEW CLASS "A-R" WITH SUNDAY SALES LIQUOR BY THE DRINK LICENSE FOR: The Hide Out Blues Club LLC dba The Hide Out Bar & Grill, 6948 North Oak Trafficway. Owner: Michael Vogt. Liquor Managing Officer: Francis J. Gabel.

APPROVAL OF A NEW CLASS "A" LIQUOR BY THE DRINK LICENSE FOR: End Zone II, LLC, 6420 North Prospect Avenue. Owner: Billy and Donna Armstrong. Liquor Managing Officer: Donna Armstrong.

APPROVAL OF ANNUAL LIQUOR LICENSE RENEWALS:

- TNT Two, Inc., dba Tanner's Bar & Grill, 6024 North Antioch Road; Class AR&B Liquor by the Drink License.
- Price Chopper, 6475 North Prospect, Seven-Day Package Liquor and Wine Tasting License.
- Aldi #62, 7604 North Oak Trafficway; Seven-Day Package Liquor License.
- The Lost Bar Family dba The Lost Bar, 7632 North Oak Trafficway; Class A Liquor by the Drink License.
- Mark & Michelle's Bar & Grill, 7102 North Oak Trafficway, Class A Liquor by the Drink License.
- Kwik Shoppe, 7603 North Oak Trafficway; Six-Day Package Liquor License.
- RNB, LLC, dba Red Night Club, 316 NE 72nd Street; Class A Liquor by the Drink License.

APPROVAL OF THE MAY FINANCIAL REPORT.**REGULAR AGENDA**

7. **Communications from the Audience.**
8. **Communications from the City Council.**
9. **Communications from the City Manager.**
10. **RESOLUTION R-10-41**, authorizing execution of a contract with Tusa Consulting Services II, LLC, for assistance with the development of the Public Safety Inter-operational Radio System in an amount not to exceed \$31,000. payable from revenues generated by the new Public Safety sales tax.
11. **RESOLUTION 10-42**, authorizing the City Manager of the City of Gladstone to execute an agreement with Motorola, Inc. for the new Public Safety Radio Communications System.

12. Other Business.
13. Questions from the News Media.
14. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JUNE 28, 2010**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilman Mark Revenaugh
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor David Ramsay
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the Regular June 28, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Les Smith introduced Boy Scout Oscar King, from Troop 495, who led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. APPROVAL OF THE REGULAR JUNE 14, 2010, CITY COUNCIL MEETING MINUTES.

Councilman Carol Rudi moved to approve the Regular June 14, 2010, City Council Meeting Minutes as presented. Councilmember Carol Suter seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 5. on the Agenda.
Morgan Martinez.

SPECIAL PRESENTATION BY PUBLIC SAFETY TO:

Mayor Smith invited Public Safety Director Mike Hasty to step forward to make the presentation.

Director Hasty invited Morgan Martinez and her family to join him, as well as Fire Captain Brent Friday. Director Hasty explained to the audience that Public Safety offers a Community CPR (cardiopulmonary resuscitation) Heart Saver Program at Fire Station II. Captain Friday is in charge of that program, which is sponsored once a month. Director Hasty said a joyous event occurred in May, in that almost all of the Martinez family participated in the event, and became CPR certified, but at nine years old, Morgan Martinez is the youngest participant to ever go through the program, and receive the CPR certification. Director Hasty said in recognition of that, he wished to present to her a certificate of recognition from the Department of Public Safety, and his congratulations. Director Hasty thanked Ms. Martinez for being such a fine member of the community, and said she is a role model for us all, which was followed by applause from the audience.

Captain Friday thanked the Martinez family for participating in the program, and said they all did a very fine job.

Item 6. on the Agenda.

CONSENT AGENDA

Following the Clerk's reading, Councilmember Carol Suter moved to adopt the Consent Agenda as presented. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-34**, authorizing the Mayor, City Council members, City Manager, Director of Parks and Recreation, and Chairman of the Parks and Recreation Advisory Board to execute all necessary applications and other documents to proceed with the a Grant-in-Aid under the Missouri Department of Natural Resources Land and Water Conservation Fund for City of Gladstone Park Improvements and authorizing the necessary fiscal commitments. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-35**, authorizing acceptance of a proposal from Independent Salt Company for the purchase of snow removal salt. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" –

Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-36**, authorizing acceptance of work under contract with Holthouse Construction, LLC, for the Shady Lane at Antioch Road Water Main Replacement Project; and authorizing final payment in the amount of \$19,210.02. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **Resolution R-10-37**, authorizing change order No. 2 in the amount of \$374,986.20 to the contract with O'Donnell-Way Construction Company, Incorporated, for the 2010 Mill and Overlay Program. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-38**, authorizing execution of a contract with the Missouri EMS Agent Corporation [MOEMSAC], to serve as agent for collection of ambulance fees from MOHEALTHNET. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-39**, adopting changes to the structure and to allow enhancements of the benefits of the City of Gladstone's Flexible Benefits Plan. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-40**, authorizing execution of a contract with Amino Brothers Company, Incorporated, in the total amount not to exceed \$111,336.94 for the Bolling Heights Stormwater Drainage Improvement Project. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve a **NEW CLASS "A-R" WITH SUNDAY SALES LIQUOR BY THE DRINK LICENSE** for: The Hide Out Blues Club LLC dba The Hide Out Bar & Grill, 6948 North Oak Trafficway. Owner: Michael Vogt. Liquor Managing Officer: Francis J. Gabel. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **A NEW CLASS "A" LIQUOR BY THE DRINK LICENSE FOR: End Zone II, LLC**, 6420 North Prospect Avenue. Owner: Billy and Donna Armstrong. Liquor Managing Officer: Donna Armstrong. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve the following **ANNUAL LIQUOR LICENSE RENEWALS**:

- TNT Two, Inc., dba Tanner's Bar & Grill, 6024 North Antioch Road; Class AR&B Liquor by the Drink License.
- Price Chopper, 6475 North Prospect, Seven-Day Package Liquor and Wine Tasting License.
- Aldi #62, 7604 North Oak Trafficway; Seven-Day Package Liquor License.
- The Lost Bar Family dba The Lost Bar, 7632 North Oak Trafficway; Class A Liquor by the Drink License.
- Mark & Michelle's Bar & Grill, 7102 North Oak Trafficway, Class A Liquor by the Drink License.
- Kwik Shoppe, 7603 North Oak Trafficway; Six-Day Package Liquor License.
- RNB, LLC, dba Red Night Club, 316 NE 72nd Street; Class A Liquor by the Drink License.

Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve the **MAY FINANCIAL REPORT**. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

REGULAR AGENDA.

Item 7. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

There were no comments from the audience.

Item 8. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Councilmember Carol Suter thanked the City staff for arranging the Open Study Session at the Atkins Johnson Farm. It was fun to see all the progress made there, and to be

apprised again of all the opportunities that lie ahead; hopefully, we will have some success with fundraisers, so it can be made a reality.

Councilman Mark Revenaugh had no comments at this time.

Councilman Carol Rudi invited everyone to the July 4th celebration, which will be held in Oak Grove Park. Councilman Rudi suggested that City Manager Kirk Davis might inform everyone about other upcoming activities.

City Manager Kirk Davis reported that the last June Tunes event will be tomorrow night, at 7:00 PM, at Oak Grove Park; the Cherry Bombs will be performing. *Annie Get Your Gun* will be performed at Theatre in the Park on July 9, 10, and 11. City Manager Davis asked if he might continue with Communications from the City Manager, which is listed later on the Agenda.

Mayor Smith agreed that would be fine with the City Council.

Item 9. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Davis reported that the Corporate Challenge was held last week, and the Parks and Recreation Department did a great job. There were huge crowds, and it was packed. There was good cooperation between the Public Safety and Parks and Recreation Departments. There were a lot of volunteers who helped with parking and so forth. During the 5:00 PM and 6:00 PM time frame, it was pretty busy, but it was great to see, and there was an article in the newspaper on Saturday. City Manager Davis offered Kudos to all involved.

City Manager Davis continued by saying our City has an election in early August, for bond issues, which are no tax increase and no rate increase bond issues for road improvements and water/sewer improvements. The City Council will be involved with a lot of those activities over the next four weeks. City Manager Davis encouraged anyone in the audience to become involved with the endeavor, and to please contact the City Council or City staff. The City is looking forward to a successful bond issue and some needed improvements, both \$5 million dollars worth for water and sewer, and \$2 million dollars in roads.

City Manager Davis reported that City Hall would be closed for the July 4th holiday on Monday, July 5th.

Mayor Smith suggested continuing with **COMMUNICATIONS FROM THE CITY COUNCIL** at this time.

Mayor Pro Tem Barry McCullough had no comments at this time.

Mayor Les Smith stated that the City is turning around very quickly with another election, but it takes time to put things together and to do our due diligence on these issues, and that is the timing of it. This election will be no tax increase and no rate increase issues to make improvements in the City. Mayor Smith said he was looking at some folks in the audience to see if they would be available to help with this endeavor, so their phones might be ringing tomorrow, but the City Council appreciates their support with the last election. The City did well on the last election, with a 78 percent approval rate.

Item 10. on the Agenda. **RESOLUTION R-10-41**, authorizing execution of a contract with Tusa Consulting Services II, L.L.C., for assistance with the development of the Public Safety Inter-operational Radio System in an amount not to exceed \$31,000. Payable from revenues generated by the new Public Safety sales tax.

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-41**, authorizing execution of a contract with Tusa Consulting Services II, L.L.C. for assistance with the development of the Public Safety Inter-operational Radio System in an amount not to exceed \$31,000. Payable from revenues generated by the new Public Safety sales tax. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 11. on the Agenda. **RESOLUTION 10-42**, authorizing the City Manager of the City of Gladstone to execute an agreement with Motorola, Inc. for the new Public Safety Radio Communications System.

Mayor Pro Tem Barry McCullough moved to adopt **RESOLUTION 10-42**, authorizing the City Manager of the City of Gladstone to execute an agreement with Motorola, Inc. for the new Public Safety Radio Communications System. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Item 12. on the Agenda. **Other Business.**

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

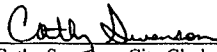
Item 13. on the Agenda. **Questions from the News Media.**

There were no News Media present.

Item 14. on the Agenda. **Adjournment.**

There being no further business to come before the June 28, 2010, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the regular meeting.

Respectfully submitted:



Cathy Swenson, City Clerk

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



Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, July 12, 2010**

OPEN STUDY SESSION: 6:30 PM

REGULAR MEETING: 7:30 PM

AGENDA

- 1. Meeting Called to Order.**
- 2. Roll Call.**
- 3. Pledge of Allegiance.**
- 4. Approval of the Regular June 28, 2010, City Council Meeting Minutes.**
- 5. PROCLAMATION:** designating the month of July 2010, as **ICE CREAM MONTH** and July 18, 2010 as **ICE CREAM DAY**.
- 6. PROCLAMATION:** recognizing the month of July 2010, as **"NATIONAL PARKS AND RECREATION MONTH"**.
- 7. PROCLAMATION:** recognizing the 50th Anniversary of **MENSA**.

8. CONSENT AGENDA

APPROVAL OF LIQUOR LICENSE RENEWALS:

- Tortilla Flats, 5716 North Antioch Road; Class AR Liquor by the Drink License.
- Wasahi, 328 NE 72nd Street; Class AR&B Liquor by the Drink License.
- Smokehouse BBQ, 104 NE 72nd Street; Class AR&B Liquor by the Drink License.
- Senor Tequila, 6502 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Buck's Home of the Big Game, 5708 North Oak Trafficway, Class AR&B Liquor by the Drink License.
- Big Stones, Inc., dba Stone Canyon Pizza Company, 6433 North Prospect; Class AR&B Liquor by the Drink License.
- Margarita's North, dba Margarita's, 7013 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Applebee's Neighborhood Grill & Bar, 6069 Northeast Antioch Road; Class AR&B Liquor by the Drink License.
- Hy-Vee Food & Drugstore, 7117 North Prospect Avenue; Class AR&B Liquor by the Drink License, and **also approval of a new Managing Officer – Steve Bindseil.**
- Hy-Vee Gas, 7121 North Prospect Avenue; Seven-Day Package Liquor License.
- ABC Management, LLC dba Big Baby's Pizzeria, 6579 North Oak Trafficway; Class D Liquor by the Drink License.
- Quick Trip #181, 2590 NE 72nd Street; Seven-Day Package Liquor License.
- Quick Trip #237, 6309 NE Antioch Road; Seven-Day Package Liquor License.
- GasMart USA, 7303 North Oak Trafficway; Seven-Day Package Liquor License.
- Archa, LLC, 7020 North Oak Trafficway; Seven-Day Package Liquor License.
- Wal-Mart #1120, 7207 North M-1 Highway; Seven-Day Package Liquor License.

- CVS Pharmacy #8554, 6129 North Antioch Road; Seven-Day Package Liquor License.
- CVS Pharmacy #5698, 7107 North Oak Trafficway; Seven-Day Package Liquor License.
- Walgreens #1244, 6320 North Oak Trafficway; Seven-Day Package Liquor License.
- Trex Mart #7, 5810 North Antioch Road; Seven-Day Package Liquor License.

Approval of a Temporary Liquor by the Drink License to St. Charles Borromeo Church for a *Ladies Night and Bazaar* to be held on November 12, 2010, from 5:00 PM to 10:00 PM. Managing Officer: Lori Creek.

REGULAR AGENDA

9. **Communications from the Audience.**
10. **Communications from the City Council.**
11. **Communications from the City Manager.**
12. **APPROVAL OF A LIQUOR LICENSE RENEWAL** for Gladstone Bowl, Inc., 300 NW 72nd Street, Class AA&B Liquor by the Drink License.
13. **FIRST READING BILL 10-26**, amending certain provisions of Ordinance Nos. 4.140, and 4.147, enacting in lieu thereof, new provisions regulating the sale and distribution of alcoholic beverages within the City, and restating the City's Liquor Ordinance, as amended.
14. **APPROVAL OF AMENDMENTS TO THE CLASSIFICATIONS FOR THE FOLLOWING LIQUOR LICENSES:**
 - The Lost Bar Family dba The Lost Bar, 7632 North Oak Trafficway; Class A-E Liquor by the Drink License.

- Mark & Michelle's Bar & Grill, 7102 North Oak Trafficway, Class A-E Liquor by the Drink License.
- RNB, LLC, dba Red Night Club, 316 Northeast 72nd Street; Class A-E Liquor by the Drink License.
- End Zone II, LLC, 6420 North Prospect Avenue; Class A-E Liquor by the Drink License.

15. Other Business.

16. Questions from the News Media.

17. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JULY 12, 2010**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Councilman Carol Rudi
Councilman Mark Revenaugh
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor David Ramsay
City Clerk Cathy Swenson

ABSENT: Mayor Pro Tem Barry McCullough

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the Regular July 12, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present, except for Mayor Pro Tem Barry McCullough, who was out of town.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. APPROVAL OF THE REGULAR JUNE 28, 2010, CITY COUNCIL MEETING MINUTES.

Councilmember Carol Suter moved to approve the Regular June 28, 2010, City Council Meeting Minutes as presented. Councilman Carol Rudi seconded. The vote: All "aye" -

Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, and Mayor Les Smith. (4-0).

Item 5. on the Agenda. **PROCLAMATION:** designating the month of July 2010, as **ICE CREAM MONTH** and July 18, 2010 as **ICE CREAM DAY**.

Mayor Smith invited Mike West, owner of Baskin Robbins, 7711 North Oak Trafficway, and Bridgett Koan, owner of Maggie Moo's, 72nd and North Oak Trafficway, to join him at the front of the room, where Mayor Smith read and presented a copy of the Proclamation to each of them.

Ms. Koan thanked the Mayor and the Council, and said she has owned her store for over three years, and it has been a pleasure, and she is happy to be a part of Gladstone.

Mr. West thanked the Mayor, the Council and the community, of which he has been a part for 50 some years. Mr. West said he has invested a lot in the community, and has received a lot in return, and he appreciates having a business in the area, and seeing everyone at his business.

Mayor Smith said the City appreciates both Ms. Koan and Mr. West, and thanked them for attending this meeting.

Item 6. on the Agenda. **PROCLAMATION:** recognizing the month of July 2010, as **"NATIONAL PARKS AND RECREATION MONTH"**.

Mayor Smith read and presented the Proclamation to Parks and Recreation Advisory Board members John Houlihan and Freddie Nichols, and Parks and Recreation Director Sheila Lillis.

Mr. Houlihan thanked the Mayor and the City Council for their support of Gladstone Parks and Recreation, and Director Lillis for her untiring efforts to make Gladstone a better place to live.

Ms. Nichols agreed and said she believes our City has the best Parks per capita in the entire area and she touts them all the time.

Director Lillis said she wished to recognize the Parks and Recreation Department's dedicated staff, and the dedication of the Parks and Recreation Advisory Board. The citizen participants certainly enjoy the services. Director Lillis thanked the Mayor and the City Council.

Item 7. on the Agenda.

PROCLAMATION: recognizing the 50th Anniversary of MENSA.

Mayor Smith asked City Clerk Cathy Swenson to please read the Proclamation. There was no one present at the meeting to accept the Proclamation.

Item 8. on the Agenda.

CONSENT AGENDA

Following the Clerk's reading, Councilman Carol Rudi moved to approve the Consent Agenda as presented. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, and Mayor Les Smith. (4-0).

Councilman Carol Rudi moved to approve the following **LIQUOR LICENSE RENEWALS:**

- Tortilla Flats, 5716 North Antioch Road; Class AR Liquor by the Drink License.
- Wasahi, 328 NE 72nd Street; Class AR&B Liquor by the Drink License.
- Smokehouse BBQ, 104 NE 72nd Street; Class AR&B Liquor by the Drink License.
- Senor Tequila, 6502 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Buck's Home of the Big Game, 5708 North Oak Trafficway, Class AR&B Liquor by the Drink License.
- Big Stones, Inc., dba Stone Canyon Pizza Company, 6433 North Prospect; Class AR&B Liquor by the Drink License.
- Margarita's North, dba Margarita's, 7013 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Applebee's Neighborhood Grill & Bar, 6069 Northeast Antioch Road; Class AR&B Liquor by the Drink License.
- Hy-Vee Food & Drugstore, 7117 North Prospect Avenue; Class AR&B Liquor by the Drink License, and also approval of a new Managing Officer – Steve Bindseil.
- Hy-Vee Gas, 7121 North Prospect Avenue; Seven-Day Package Liquor License.
- ABC Management, I.L.C dba Big Baby's Pizzeria, 6579 North Oak Trafficway; Class D Liquor by the Drink License.
- Quick Trip #181, 2590 NE 72nd Street; Seven-Day Package Liquor License.
- Quick Trip #237, 6309 NE Antioch Road; Seven-Day Package Liquor License.
- Gasmart USA, 7303 North Oak Trafficway; Seven-Day Package Liquor License.
- Archu, L.L.C. 7020 North Oak Trafficway; Seven-Day Package Liquor License.
- Wal-Mart #1120, 7207 North M-1 Highway; Seven-Day Package Liquor License.
- CVS Pharmacy #8554, 6129 North Antioch Road; Seven-Day Package Liquor License.

- CVS Pharmacy #5698, 7107 North Oak Trafficway; Seven-Day Package Liquor License.
- Walgreens #1244, 6320 North Oak Trafficway; Seven-Day Package Liquor License.
- Trex Mart #7, 5810 North Antioch Road; Seven-Day Package Liquor License.

Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, and Mayor Les Smith. (4-0).

Councilman Carol Rudi moved to approve a **Temporary Liquor by the Drink** License to St. Charles Borromeo Church for a *Ladies Night and Bazaar* to be held on November 12, 2010, from 5:00 PM to 10:00 PM. Managing Officer: Lori Creek. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, and Mayor Les Smith. (4-0).

REGULAR AGENDA.

Item 9. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

There were no comments from the audience.

Item 10. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Councilmember Carol Suter began by saying there have been a lot of great activities this summer, and recently there were great fireworks, great Theatre in the Park, and all kinds of things going on, but sometimes the most impressive or profound examples of the quality of our City and its cultures are the little things. Councilmember Suter said she wished to share one tiny experience she had last week that reminded her of that. As she was taking her early morning walk in Happy Rock Park, it was grass cutting day, and as she walked several times around the park, she had occasion to watch the mowers and people walking their dogs. Every time people walking with their dogs got near the mowers, the staff running the mowers turned off their blades, and waited until the dogs got past, and then turned their blades on again, and continued mowing. Councilmember Suter said she saw this happen three times as she walked, and she thought Kudos to City Manager Kirk Davis and to Director Sheila Lillis. It is one thing to articulate a commitment to excellence as part of the City philosophy. It is another thing to get that commitment to every avenue and every level of staff, so that the guys mowing the grass were so aware of the needs of those people and their dogs, and did not want to agitate or scare them. This is absolutely impressive. Councilmember Suter said she wished to extend her thanks to City Manager Davis and Director Lillis for that kind of leadership that they bring to the City that has so endowed this community with such customer service. It is no wonder people are so excited and pass sales tax levies so overwhelmingly, because that is a level of excellence that is rarely seen in America today.

Councilman Mark Revenaugh had no comments at this time.

Councilman Carol Rudi stated she thoroughly enjoyed Theatre in the Park. She went Sunday night, and parking was really easy that night, and she understands the fireworks were spectacular on Saturday; although, she could not get there for those, and she was sorry she had to miss them on the fourth of July. Councilman Rudi asked Director Lillis or City Manager Davis to report on other great upcoming events in the City.

Director Lillis thanked Councilmember Suter for her kind remarks, and said she would share her remarks with staff by e-mail before she left that evening. Director Lillis said she believes a lot of people do not realize the commitment of the Parks crew. They arrive in the morning and everything is taken care of, and people may not understand what it does on the other side of the customer service coin, meaning that everything is ready for those people who use the parks.

Director Lillis reported that *Planet 51*, the Movie in the Park, would be presented on July 23, at 9:00 PM. The Northland Neighborhoods Night out Against Crime will be held on July 31, and on that same night, there will be a Rock, Roll and Radio Disney Program at Happy Rock Park at 10:00 AM.

Mayor Les Smith said that Councilmember Suter is exactly right, that is the kind of human decency that would be nice if there were a bit more of. Another event that was recently held was the Kids Triathlon that was held on Saturday. This is an event that we almost lost, but Steve Bindseil from Hy-Vee stepped forward and provided some sponsors and it grew to where we have the sponsorship to be able to afford to do this again. More than anything else, it began here with the Parks and Recreation Department. The Parks and Recreation Department – Sheila and her folks, and especially Justin Merkey and his staff at the Community Center, absolutely would not let this go. They pulled it off; there were 185 participants. Mayor Smith said he was honored to hand out the awards to the winners. There was a family who drove all the way from Branson to participate in the event, because of the way it was organized and because of what they had heard about it. There was another family who cut their summer vacation short to get back and participate in this with their kids, because of what they had heard about it, and how well it was organized. Mayor Smith said we can talk about economic development all day long, but the fact of the matter is the Parks and Recreation Department brings more people to this community than any other department. They do it with class, honor, and dignity. The people at the event were gushing on and on. When you take care of people's kids, and provide a good event, you've got the adults hook, line and sinker. Mayor Smith said it was absolutely a phenomenal event, and he asked Director Lillis to pass that on to her staff.

Mayor Smith welcomed Pam Smitka, the new Administrative Assistant in the General Administration Department. Mayor Smith addressed City Manager Davis, Assistant City Manager Scott Wingerson, Public Works Director Tim Nebergall, Building Official Alan

Napoli and others by saying that the presentation that was made this evening to the Planning Commission and the Capital Improvements Program Committee and other Boards, and the one that will be held tomorrow evening, is greatly appreciated. We engage our citizens, and we start that by engaging our Boards and Commissions, and by giving them the knowledge and background of what we are doing and why we are doing it, speaks volumes as to our commitment to them. Mayor Smith said this was very well presented this evening, and he extended his appreciation. (Note: The informational presentation was regarding the August 3, 2010, Gladstone Special Election ballot issues).

Item 11. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis reported that the Health Fair would be held Wednesday, July 14, beginning at 9:30 AM for the public, at the Community Center, and he encouraged everyone to take advantage of this opportunity. City Manager Davis encouraged everyone to also take advantage of the Farmers Market every Wednesday evening and Saturday morning. The crowds are continuing to grow and Public Information Officer Richard King swears by the corn and tomatoes that are there now. City Manager Davis introduced Pam Smitka, and said that Pam is the Administrative Assistant in the General Administration Department, and works very closely with him and will also work closely with the City Council. She replaces Diane Whitaker, who has retired, and we welcome Pam. City Manager Davis said he believes she will be a great addition to the team, and he has found her very enjoyable to work with, and again said, "welcome, Pam".

Mayor Smith commented that the City Council appreciates all the good news, because their last official act of business was to stand in front of 2,500 people, and tell them that the fireworks display was canceled on July 4th.

Item 12. on the Agenda. **APPROVAL OF A LIQUOR LICENSE RENEWAL** for Gladstone Bowl, Inc., 300 NW 72nd Street, for a Class AA&B Liquor by the Drink License.

Councilman Carol Rudi moved to approve a **LIQUOR LICENSE RENEWAL** for Gladstone Bowl, Inc., 300 NW 72nd Street, for a Class AA&B Liquor by the Drink License. Councilmember Carol Suter seconded.

Mayor Smith said he would be abstaining from the vote on this issue, as he is the proprietor of Gladstone Bowl.

Councilman Mark Revenaugh asked Public Safety Director Mike Hasty if there were any incidents on file at this location before the City Council approves this liquor license. Councilman Revenaugh said he knew there were problems with an establishment on 72nd Street, and he wanted to be sure it wasn't this one.

Public Safety Director Hasty said he believed there was one minor incident that was taken care of in relatively short order, but there have been no problems at Gladstone Bowl, and he does not expect any problems in this next licensing period.

City Councilman Revenaugh jokingly asked if that incident involved the owner.

Director Hasty, replied no, it did not involve the owner.

Mayor Smith jokingly said one in 53 years, and look what you get! This was followed by laughter from the audience.

The vote: "Aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, and Councilman Carol Rudi. "Abstain" – Mayor Les Smith. (3-1-0).

Item 13. on the Agenda. **FIRST READING BILL 10-26**, amending certain provisions of Ordinance Nos. 4.140, and 4.147, enacting in lieu thereof, new provisions regulating the sale and distribution of alcoholic beverages within the City, and restating the City's Liquor Ordinance, as amended.

Councilman Mark Revenaugh moved to place **Bill 10-26** on its First Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, and Mayor Les Smith. (4-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the First Reading of **Bill 10-26**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, and Mayor Les Smith. (4-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the Second and Final Reading of **Bill 10-26** and to enact the Bill as **Ordinance 4.155**. Councilman Carol Rudi seconded.

Mayor Smith asked Counselor David Ramsay to explain what the City Council has been asked to approve this evening.

City Counselor Ramsay began by saying that the original Ordinance was challenged in two respects recently; one with a lawsuit from a business called RED, which suggested that some of the provisions were vague, and another was by a Managing Officer who took issue with the requirements of essentially having an on-site Managing Officer. Because of these two challenges, there was an opportunity to carefully review the Ordinance and some clarifications have been made, and there has been added another category and definition for Entertainment Place being essentially more of an adult forum where persons under 21 years of age were not allowed to patronize, work or entertain at those locations. City Clerk

Cathy Swenson suggested to include a fraternal/charitable/religious/service or veterans organization category, of which we have one right now, which is the Elks Club, just to clarify that is a separate category and that we have different rules for that. The persons under 21 years of age provision was not completely stated in the prior Ordinance, which was a clerical error, so under this Ordinance, if approved, there is a Class AA License for an Amusement Place; a Class AE License for an Entertainment Place; a Class AF License for the fraternal/charitable organizations, and a Class AR License for a Restaurant/Bar. The Class B License has also been clarified, which is a Sunday only Liquor by the Drink License, and is actually appended to an A License for those establishments who want to also be open on Sunday. That was clarified to make clear which of the Class A subclasses were under that provision. In Section 5.110.215, under Managing Officer qualifications, at the suggestion of Mayor Smith, a provision was added where when a business utilizes an attorney agent or other person as their Managing Officer who is not directly employed at the licensed premises, then they also have to designate a Deputy Managing Officer so that Public Safety and other City departments have a direct on-site contact if necessary. The 50 percent rule was also modified to add these other categories and to make it read more clearly, so there is no question as to which categories of license that 50 percent rule applies.

Councilmember Carol Suter said she appreciated the extra work put into this revision. It is clearly a better Ordinance than the one with which we started.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, and Mayor Les Smith. (4-0)

Item 14. on the Agenda. APPROVAL OF AMENDMENTS TO THE CLASSIFICATIONS FOR THE FOLLOWING LIQUOR LICENSES:

Councilmember Carol Suter moved to approve the AMENDMENTS TO THE CLASSIFICATIONS FOR THE FOLLOWING LIQUOR LICENSES:

- The Lost Bar Family dba The Lost Bar, 7632 North Oak Trafficway; Class A-E Liquor by the Drink License.
- Mark & Michelle's Bar & Grill, 7102 North Oak Trafficway, Class A-E Liquor by the Drink License.
- RNB, LLC, dba Red Night Club, 316 Northeast 72nd Street; Class A-E Liquor by the Drink License.
- End Zone II, LLC, 6420 North Prospect Avenue; Class A-E Liquor by the Drink License.

Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, and Mayor Les Smith. (4-0).

Item 15. on the Agenda. **Other Business.**

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

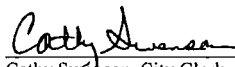
Item 16. on the Agenda. **Questions from the News Media.**

There were no News Media present.

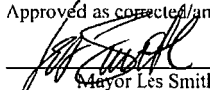
Item 17. on the Agenda. **Adjournment.**

There being no further business to come before the July 12, 2010, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the regular meeting.

Respectfully submitted:



Cathy Swenson, City Clerk

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


Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, July 26, 2010**

The City Council will meet in Closed Executive Session on Monday, July 26, 2010, starting at 6:45 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 7:15 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular July 12, 2010, City Council Meeting Minutes.
5. **PROCLAMATION:** expressing appreciation to the **Hawley Family** and the **Arabia Steamboat Museum** for their valuable assistance in regard to the Atkins-Johnson Farm.

6. CONSENT AGENDA

ANNUAL LIQUOR LICENSE RENEWALS:

- Euromarket, 6936 North Oak Trafficway; Six-Day Package Liquor License.
- The Office Bar & Grill, 6825 North Oak Trafficway; Class A-E Liquor by the Drink License.

APPROVAL OF A NEW SEVEN-DAY PACKAGE LIQUOR LICENSE for Frantori, LLC, dba Vic's Quick Stop, 7020 North Oak Trafficway, Gladstone, MO 64118.

APPROVAL OF LIMITED ONE-DAY LIQUOR BY THE DRINK LICENSE to Oakhill Day School, 7019 North Cherry, for the annual auction event on March 5, 2011. Hours: 6:00 PM - 11:30 PM. Managing Officer: Frances A. Pasbach.

APPROVAL OF AN AMENDMENT TO THE LIQUOR LICENSE CLASSIFICATION for Mark & Michelle's Bar & Grill, 7102 North Oak Trafficway, Class AR Liquor by the Drink License.

APPROVAL OF THE JUNE FINANCIAL REPORT.

REGULAR AGENDA

7. Communications from the Audience.
8. Communications from the City Council.
9. Communications from the City Manager.
10. **RESOLUTION 10-43**, authorizing execution of agreements between the City of Gladstone, Missouri, and the Kansas City Area Transportation Authority to provide public transportation for the period July 1, 2010 through June 30, 2011, and for transit

shelter cleaning and maintenance at 72nd and North Prospect Streets.

11. **FIRST READING BILL 10-27**, repealing Ordinance No. 3.972 that established the Gladstone Plaza Redevelopment Area and Tax Increment Financing Plan, made a determination of blight within the redevelopment area, and designated Gale Communities, Inc., as the developer for the redevelopment project.
12. **FIRST READING BILL 10-28**, correcting Ordinance No. 4.154 for the de-annexation of approximately 7.54 acres generally located on the west side of Missouri route 1 (North Indiana Avenue) and to the east of North Agnes Avenue, immediately south of the city limit with Kansas City, Missouri, that is being annexed by the City of Kansas City, Missouri; and authorizing and directing the City Clerk to do those things necessary to document such action.
13. Other Business.
14. Questions from the News Media.
15. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JULY 26, 2010**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:45 PM**

Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on July 26, 2010, at 6:45 PM. Mayor Pro Tem Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilman Carol Rudi seconded.

Roll Call Vote: All "aye" – Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (4-0).

Councilmember Carol Suter was absent from the vote, but was present at the Closed Executive Session.

Mayor Les Smith closed the Closed Executive Session at 7:15 PM.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilman Mark Revenaugh
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor David Ramsay
City Clerk Cathy Swenson

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

Mayor Les Smith opened the Regular July 26, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR JULY 12, 2010, CITY COUNCIL MEETING MINUTES.**

Councilman Mark Revenaugh moved to approve the Regular July 12, 2010, City Council Meeting Minutes as presented. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 5. on the Agenda. **PROCLAMATION:** expressing appreciation to the **Hawley Family** and the **Arabia Steamboat Museum** for their valuable assistance in regard to the Atkins-Johnson Farm.

Mayor Smith invited the Hawley Family, including David and his wife, Laurie, to join him at the Council dais, where he read and presented the Proclamation to the family.

David Hawley thanked the Mayor and the City Council, and said this was wonderful. Mr. Hawley said there was a place at the museum to post this recognition and it will be there for all to see. Mr. Hawley said he was looking at the pictures posted in the lobby of City Hall, and he feels Gladstone has a wonderful project with the Atkins-Johnson Farm, and in looking at the earlier pictures and the current pictures of the Farm, it is remarkable what has been done in such a short time.

Mayor Smith stated that there were a lot of people in the audience who have had a lot of passion for the Atkins-Johnson Farm project, and along with that passion, they have all worked very hard, and are to be commended.

Mayor Smith invited members of the Friends of the Atkins Johnson Farm to join him and the City Council, City Manager Kirk Davis and members of the Hawley family at the dais for a group photo.

Mayor Smith introduced Boy Scouts who were in the audience as follows: Stephen Carney, of Troop 301, sponsored by the First Christian Church in North Kansas City, who is working on his Communications Merit Badge; and Jackson Kellogg, of Troop 260, who is also working on his Communications Merit Badge. Mayor Smith welcomed both Scouts, and thanked them for attending the City Council meeting.

Item 6. on the Agenda.

CONSENT AGENDA

Following the Clerk's reading, Councilmember Carol Suter moved to approve the Consent Agenda as presented. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve the following **LIQUOR LICENSE RENEWALS**:

- Euromarket, 6936 North Oak Trafficway; Six-Day Package Liquor License.
- The Office Bar & Grill, 6825 North Oak Trafficway; Class A-E Liquor by the Drink License.

Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve a **NEW SEVEN-DAY PACKAGE LIQUOR LICENSE** for Frantori, LLC, dba Vic's Quick Stop, 7020 North Oak Trafficway, Gladstone, MO 64118. Managing Officer: Victor N. Spitaleri. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve a **LIMITED ONE-DAY LIQUOR BY THE DRINK LICENSE** to Oakhill Day School, 7019 North Cherry, for the annual auction event on March 5, 2011. Hours: 6:00 PM - 11:30 PM. Managing Officer: Frances A. Pasbach. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve an **AMENDMENT TO THE LIQUOR LICENSE CLASSIFICATION** for Mark & Michelle's Bar & Grill, 7102 North Oak Trafficway, Class AR Liquor by the Drink License. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve the **JUNE FINANCIAL REPORT**. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

REGULAR AGENDA.

Item 7. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

Anne Alexander, 3121 NE 59th Terrace, Apartment #3, began by saying when she sold her townhouse two and one half years ago, she moved to Kendallwood Apartments, and she loves it -- she does not have to worry about maintenance. Ms. Alexander said she moved into an area with dogs barking at night, and she tolerated it until last August, when she had her left knee replaced. It was hard to get to sleep. Every time she would get to sleep, the dogs would bark. Ms. Alexander said she made a complaint and came to court, and did not have the information she needed, so the case was dismissed. Ms. Alexander said she talked to Public Safety, who could not have been more helpful, and they came out three or four times, but the dog had quit barking by the time they arrived. One officer even parked across the street for a while to see if the dog would bark.

The people, who own the dog, deny that it is their dog. Ms. Alexander said that Officer Matt Bratner came out and talked to the lady, and while he was looking at the dog and hearing the dog bark, the lady said it was not her dog. Ms. Alexander said she made a complaint once again, and they were fined \$125. Ms. Alexander said once again the dog was barking, and she made a third complaint, and apparently, barking dogs are a problem throughout Gladstone, and people have complained and have never been able to get it solved. Ms. Alexander said she was mad and is stubborn, and knows the system, so with the third complaint, the dog did not bark after 10:00 PM, but when they came to court, it was their dog, and that is on the record. Ms. Alexander said they had Greg Dorsey, an attorney with them, who had bark collars, so the case was dismissed, which is fine. Ms. Alexander said if the dog barks one night -- OK. Ms. Alexander said if the dog barks twice, she will be back here again, and she has a right to some quiet time at night.

Ms. Alexander said the Prairie Village Police have a new Ordinance several months old, where if dogs bark continually day or night, the officers can go onto the property, pick up the animal, put it in their holding place, at \$20 per day. The owner will be fined and have to pay that cost, and as the Prairie Village officer said, there would not be many, once that was put into place. Ms. Alexander said if this had been people making this kind of racket at night, we could solve it -- why is it so difficult to stop an animal?

Wayne Beer, 7413 North Wabash, said he was present to publicly thank the City Council for the honor that was bestowed at him a week and a half ago with the Civic Leadership Award through the West Gate Division of the Missouri Municipal League. Mr. Beer offered his thanks, and said when one does service, one doesn't normally expect any kind of accolades or public thanks, and when something like that does happen, it is more than just simply appreciated. Mr. Beer said this honor was so very much appreciated.

Mayor Smith stated that Mr. Beer was very much deserving of this award beyond his service on the Council and as Mayor. Mr. Beer has been a stand-up member of the community for many years, and this was an easy selection. Mayor Smith offered congratulations to Mr. Beer.

Item 8. on the Agenda. **COMMUNICATIONS FROM THE CITY COUNCIL.**

Councilmember Carol Suter said she was delighted to live in a city where one can borrow an animal trap to get ground hogs, because you cannot do that in most municipalities, but in Gladstone one can. Councilmember Suter said they caught both of the ground hogs and relocated them, so they were treated humanely. Councilmember Suter said she was impressed both times as they came and went from the Animal Shelter as to how busy the place was. There were many people in and out, and every time she was there, people were adopting animals. Councilmember Suter said she was also impressed by the wonderful attitude of the staff who work there, who are working in not very pleasant surroundings. Councilmember Suter said she is anticipating that the City will be successful with the bond issues that are on the ballot in a week, so that the City can move on to some issues around the City, and that facility may be one of them. Councilmember Suter stated it has been talked about before and it is going to get on the list to begin to be dealt with, but she was so impressed that staff carries on as if they are in great surroundings, and they are so friendly and happy that it makes it a pleasure to be there, even though, it is an environment that needs some fixing up.

Councilman Mark Revenaugh had no comments at this time.

Councilman Carol Rudi reported that the Night Out Against Crime event would be held on July 31st at Oak Grove Park, beginning at 6:00 PM. The following weekend, 6, 7 and 8 of August there will be the second and final presentation of Theatre in the Park, which will be *South Pacific*. This will begin at 8:30 PM.

Mayor Pro Tem Barry McCullough had no comments at this time.

Mayor Les Smith began by saying our City has an election coming up on August 3, and many of the people in the room are helping with it. It is two no tax increase/no rate increase bond issues to allow the City to leverage its assets at very affordable rates, and get construction at very affordable costs, and do some important work in the City. Mayor Smith said it is amazing to him how the taxes may be raised with a simple majority vote, but in order to issue debt, the City will need a 57 percent "yes" vote, so he would personally like to ask on behalf of the City Council that everyone present please find a few votes to get out and vote on Tuesday, August 3.

Mayor Smith said he had a very humbling experience on Saturday; he believes that many in the room knew that Staff Sergeant Shaun Mittler, who is the grandson of five-term Mayor Lee Bussinger, was killed in Afghanistan. He served two tours of duty in Iraq, and was on his first tour of duty in Afghanistan, when he was killed by enemy fire. The funeral was Saturday. Mayor Smith said for those of us who aspire to be Mayor of this

community, he does not think we would ever intend to sign up for that. Mayor Smith said he was honored to represent the City at the funeral, and during the service, and he thanked Councilman Rudi and Mayor Pro Tem McCullough for also attending. That was really a humbling experience, and three things really struck him. As one is sitting on the stage, with a flag draped coffin in front of you, and beyond that the grieving family members and friends, you realize it is the worse seat in the house, because you have to see the grieving and the sorrow on the faces of all of those people. It was very gut wrenching and the family was extremely upset.

The second thing is that Afghanistan is a long ways away, and the funeral in Liberty, and then being interred in Gladstone brought Afghanistan home to Gladstone, Missouri. We see it on television, hear the sound bytes, and see the pictures, but this brought it home to Gladstone, Missouri, and we owe this family a huge debt of gratitude. A third thing is that on the way to the funeral, he heard on the radio that five more soldiers had been killed in Afghanistan the day before. Mayor Smith said sitting there was a Brigadier General, representing the Governor, a State Senator and a State Representative, and as he sat there, he realized what those families are about to go through. It is not just that you see it on television, where the casket is unloaded from the airplane, if you would have seen the pictures of that family on Friday, and seen these people on Saturday, you would know that five more families were about to go through what was going on Saturday. That brings it home and brings it home in a hurry.

Mayor Smith suggested that if anyone has the occasion to visit with Joyce Turner, who is Lee Bussinger's daughter, and Shaun's mother, please do so. Gladstone was very well represented. The family was ecstatic with the support they received from our law enforcement officers, who escorted them from the airport to the cemetery on Friday. Mayor Smith said he received a call during the escort from one of the family members, who was in tears about how nice it was to have Gladstone police escorting the home town boy back to Gladstone, and how all the people were standing along the route waving their flags once they were in our City. Public Safety did the same thing on Saturday, and provided an escort from the cemetery to the church in Liberty, and then back to the cemetery. The procession came down 152 Highway to M-1 Highway, and when it got to 72nd Street and M-1 Highway, heading south, there was the hook and ladder fire truck extended as far and as high as it could be, with an enormous American flag hanging over M-1 Highway. When the procession got to the fire station there were the personnel, with the equipment with their lights on, all standing in salute. It was nearly a two-mile procession. They stood there during that whole time. Afterwards, the family was so grateful for the service that the City provided to them. Mayor Smith said he would be drafting a letter to send to Public Safety, but for now, he would ask that this message be sent on to the Public Safety personnel, and how it meant the world to the family.

Mr. Beer said he was fortunate to be a part of the Patriot Guard riders for the escort from the airport to the church, and from the standpoint of a participant, seeing the police presence, and especially Gladstone's police presence, was very gratifying to him as a Gladstone citizen. Mr. Beer said the number of folks who lined the streets in Gladstone, were waving flags and paying tribute, and all the traffic that stopped voluntarily from both

directions, was especially gratifying as a Gladstone resident. It brings everything back home.

Mayor Smith inquired into how many bikes were apart of the Patriot Guard.

Mr. Beer said he never really counted them all, but there were at least 150. Mr. Beer said he was about one-half mile back from the lead, and the bikes trailing him went back at least one mile, and it was one of the most amazing things in which he has ever participated.

Mayor Smith said he and his wife were supposed to be out of town this weekend, which was his Christmas present from last year. Mayor Smith said when they learned the services would be Saturday, and they were asked to represent Gladstone, they talked for a minute and said to each other that the family would understand that they were supposed to be out of town, and then simultaneously, they looked at each other and said, "Really, are you kidding me"? This young man, who came from a family who gave so much to our community, gave his life so that they could do things like go out of town for a Christmas present. Mayor Smith said they were almost ashamed of themselves for even thinking about it. It was a very humbling experience, and they would not want to experience it again, but it was something to experience, and it truly put a face on the conflict.

Councilman Rudi offered, "Well said".

Item 9. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis had no comments at this time.

Item 10. on the Agenda. **RESOLUTION 10-43**, authorizing execution of agreements between the City of Gladstone, Missouri, and the Kansas City Area Transportation Authority to provide public transportation for the period July 1, 2010 through June 30, 2011, and for transit shelter cleaning and maintenance at 72nd and North Prospect Streets.

Councilman Carol Rudi moved to adopt **RESOLUTION 10-43**, authorizing execution of agreements between the City of Gladstone, Missouri, and the Kansas City Area Transportation Authority to provide public transportation for the period July 1, 2010 through June 30, 2011, and for transit shelter cleaning and maintenance at 72nd and North Prospect Streets. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 11. on the Agenda. **FIRST READING BILL 10-27**, repealing Ordinance No. 3.972 that established the Gladstone Plaza Redevelopment Area and Tax Increment Financing Plan, made a determination of blight within the redevelopment area, and designated Gale Communities, Inc., as the developer for the redevelopment project.

Councilmember Carol Suter moved to place **Bill 10-27** on its First Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter,

Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of **Bill 10-27**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" -- Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of **Bill 10-27** and to enact the Bill as **Ordinance 4.156**. Councilman Mark Revenaugh seconded.

Mayor Smith asked City Manager Davis to give a brief explanation about this action.

City Manager Davis began by saying in terms of history, the Council may recall that the City was interested in having Gladstone Plaza redeveloped. Several years ago, the City declared it blighted with the intent to issue some bonds to help refinance the redevelopment. Over the course of time, that never appealed to the owner, and it ended up in litigation, and this is one of the terms of the settlement that requires them to invest roughly \$1.5 million in the property.

Mayor Smith inquired into the status of the improvements.

Assistant City Manager Scott Wingerson replied that the status is that the property owner is making all of the required improvements and are about 75 percent completed. One of the major improvements will be the demolition of the old Bob's IGA area, which should begin in August, and should be completed in about 60 days.

Roll call vote: All "aye" -- Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 12. on the Agenda. **FIRST READING BILL 10-28**, correcting Ordinance No. 4.154 for the de-annexation of approximately 7.54 acres generally located on the west side of Missouri Route 1 (North Indiana Avenue) and to the east of North Agnes Avenue, immediately south of the city limit with Kansas City, Missouri, that is being annexed by the City of Kansas City, Missouri; and authorizing and directing the City Clerk to do those things necessary to document such action.

Mayor Pro Tem Barry McCullough moved to place **Bill 10-28** on its First Reading. Councilman Carol Rudi seconded. The vote: All "aye" -- Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of **Bill 10-28**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Carol Rudi seconded. The vote: All "aye" -- Councilmember Carol Suter, Councilman Mark

Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the Second and Final Reading of Bill 10-28 and to enact the Bill as **Ordinance 4.157**. Councilman Carol Rudi seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 13. on the Agenda. **Other Business.**

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

Item 14. on the Agenda. **Questions from the News Media.**


There were no News Media present.

Item 15. on the Agenda. **Adjournment.**

There being no further business to come before the July 26, 2010, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the regular meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: X
Approved as corrected/amended:

Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, August 9, 2010**

The City Council will meet in Closed Executive Session on Monday, August 9, 2010, starting at 6:15 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 7:00 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular July 26, 2010, City Council Meeting Minutes.
5. **PROCLAMATION:** recognizing August 14, 2010, as "SOCIAL SECURITY – GO GREEN, GO ONLINE, GOING STRONG AT 75" DAY.

REGULAR AGENDA

- 6. Communications from the Audience.**
- 7. Communications from the City Council.**
- 8. Communications from the City Manager.**
- 9. APPROVAL OF AN ANNUAL LIQUOR LICENSE RENEWAL:**
Northland Elks, 7010 North Cherry, Class AF&B Liquor by the Drink License.
- 10. CONSIDERATION OF A BUILDING PERMIT:** for upgrading six existing antennas on the monopole tower at the Gladstone Water Treatment Plant, 913 N 44 Terrace. Applicant: Verizon Representative/Communication Services and Consulting. Owner: City of Gladstone.
- 11. MOTION TO ISSUE SUBPOENAS TO:** AT&T Mobility, Sprint and Verizon for the production of information requested by the City of Gladstone Finance Department in support of the City's audit of these companies; and to authorize the Mayor to execute the subpoenas.
- 12. FIRST READING BILL 10-29,** declaring the results of the Special Election held in the City of Gladstone, Missouri, on Tuesday, August 3, 2010, on the question of authorizing the city to issue \$2,000,000 of its General Obligation Bonds.
- 13. FIRST READING BILL 10-30,** declaring the results of the Special Election held in the City of Gladstone, Missouri, on Tuesday, August 3, 2010, on the question of authorizing the city to issue \$5,000,000 of its Combined Waterworks and Sewerage System Revenue Bonds.

14. **FIRST READING BILL 10-31**, amending Title I, Article 2, of the Code of Ordinances for the City of Gladstone by adding a new section on notice requirements for public meetings.
15. Other Business.
16. Questions from the News Media.
17. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, AUGUST 9, 2010**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:15 PM**

Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on August 9, 2010, at 6:15 PM. Councilman Carol Rudi made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Mayor Pro Tem Barry McCullough seconded.

Roll Call Vote: All "aye" – Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (4-0).

Councilmember Carol Suter was absent from the vote, but was present at the Closed Executive Session.

Mayor Les Smith recessed the Closed Executive Session to be reconvened after the Regular City Council meeting.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilman Mark Revenaugh
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor David Ramsay
City Clerk Cathy Swenson

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

Mayor Les Smith opened the Regular August 9, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR JULY 26, 2010, CITY COUNCIL MEETING MINUTES.**

Councilman Mark Revenaugh moved to approve the Regular July 26, 2010, City Council Meeting Minutes as presented. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 5. on the Agenda. **PROCLAMATION: recognizing August 14, 2010, as "SOCIAL SECURITY – GO GREEN, GO ONLINE, GOING STRONG AT 75" DAY.**

Mayor Les Smith read and presented the Proclamation to Linda Clayton-Powell, District Manager for the Gladstone Social Security Office.

Ms. Clayton-Powell thanked the Mayor and City Council members, and encouraged everyone to go on-line to the Social Security website to file for Social Security benefits. Ms. Clayton-Powell also asked that everyone help their parents, friends or neighbors to go on-line to get newsletters and information; it is so easy and there is a lot of good information on the website. Ms. Clayton-Powell introduced Jennifer Byer, a supervisor at the Gladstone Social Security office, and asked her to show the audience the website address which was printed on her shirt. The website is: www.socialsecurity.gov

REGULAR AGENDA.

Item 6. on the Agenda. **COMMUNICATIONS FROM THE AUDIENCE.**

There were no communications from the audience.

Item 7. on the Agenda. **COMMUNICATIONS FROM THE CITY COUNCIL.**

Councilmember Carol Suter expressed appreciation to the citizens of Gladstone for their support on the Bond issues on the election last week, and Kudos to staff for doing such a great job. Councilmember Suter expressed Kudos to City Council, and said as she sees it, when a City can get an 88 percent approval rate on something, it is validation that we are

doing what we say we are going to do, and we are listening and actually do hear what our citizens want, and we actively pursue strategies to get for them what they want.

Councilman Mark Revenaugh stated he wished to echo Councilmember Suter's sentiments as far as the Bond issues go. Everyone worked hard; especially the Mayor. It was a victory for all of our residents. Councilman Revenaugh said he thought it was great that we are celebrating Social Security going "green", and jokingly said he hopes there is plenty of it when he applies!

Councilman Carol Rudi offered congratulations to everyone on the successful Bond election, and said that everyone did a great job, and she appreciated all the hard work. Councilman Rudi said she was at Theatre in the Park for two nights this weekend, and they had some amazing talent for what she believes is a difficult musical – *South Pacific*. Councilman Rudi offered job well done and congratulations.

Mayor Pro Tem Barry McCullough congratulated the City and staff on passing the Bond issues with such success, which is incredible, and he would never have imagined an 88 percent approval rate! Mayor Pro Tem McCullough said he attended the Theatre in the Park production, and it was very well done, and he congratulated Parks and Recreation Director Sheila Lillis, her staff, and the Theatre in the Park crew. Mayor Pro Tem McCullough said he had the pleasure of being with the Mayor yesterday to see six Eagle Scouts with Troop 354 through their Court of Honor. It was quite a process, and to imagine they are getting six Eagle Scouts in such a short time frame, from a relatively small troop reflects on the resources that we have in the community. Mayor Pro Tem McCullough said he received good comments from neighbors who are getting new sidewalks. They are quite pleased that some of the old and broken sidewalks are going to have new life in them.

Mayor Les Smith offered "ditto" on all the Theatre in the Park comments, and asked Director Lillis to pass those remarks on to the appropriate folks. Mayor Smith said there were a lot of people within City Hall who provided information, and that is the trademark of what our City does, which is to inform our residents, and they are interested to learn. Mayor Smith said everyone in the room had a hand in that – City Manager Kirk Davis, Assistant City Manager Scott Wingerson, and right on down. Mayor Smith said it was neat to see the departments working together, as they did with the Public Safety Sales Tax election. Parks and Recreation Director Sheila Lillis, Finance Director Debra Daily, Public Safety Director Mike Hasty and Public Safety Captain Bob Baer put up signs on their own time. Public Information Officer Richard King, Public Works Director Tim Nebergall and Building Official Alan Napoli made presentations to groups. It was a phenomenal effort. Mayor Smith offered congratulations to all involved. Mayor Smith said that with the Public Safety Sales Tax, the Bond issues and the sustainability efforts, and so forth, our City's table is set for a couple of years. Now the charge is to get things done as we said we would. Mayor Smith offered "good job" to everyone.

Item 8. on the Agenda.

COMMUNICATIONS FROM THE CITY MANAGER.

City Manager Kirk Davis stated that we are getting close to back to school week, and he encouraged everyone to be careful, and to welcome our students back to their schools safely. City Manager Davis encouraged everyone to utilize the Farmers Market as much as possible. City Manager Davis thanked everyone who worked on the Bonds campaign and election. City Manager Davis said it was gratifying to get those numbers, which he believes are record numbers for this City, and he looks forward to the work we have to do over the next couple of years to fulfill all of the promises and obligations, and he believes we are capable of doing that.

Item 9. on the Agenda.

APPROVAL OF AN ANNUAL LIQUOR LICENSE

RENEWAL: Northland Elks, 7010 North Cherry, Class AF&B Liquor by the Drink License.

Councilman Carol Rudi moved to approve an **ANNUAL LIQUOR LICENSE RENEWAL** for the Northland Elks, 7010 North Cherry, for a Class AF&B Liquor by the Drink License. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 10. on the Agenda.

CONSIDERATION OF A BUILDING PERMIT:

for upgrading six existing antennas on the monopole tower at the Gladstone Water Treatment Plant, 913 N 44 Terrace. Applicant: Verizon Representative/Communication Services and Consulting. Owner: City of Gladstone.

Councilman Carol Rudi moved to approve a **BUILDING PERMIT:** for upgrading six existing antennas on the monopole tower at the Gladstone Water Treatment Plant, 913 N 44 Terrace. Applicant: Verizon Representative/Communication Services and Consulting. Owner: City of Gladstone. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 11. on the Agenda.

MOTION TO ISSUE SUBPOENAS TO: AT&T Mobility,

Sprint and Verizon for the production of information requested by the City of Gladstone Finance Department in support of the City's audit of these companies; and to authorize the Mayor to execute the subpoenas.

Councilmember Carol Suter moved to approve the issuance of **Subpoenas To AT&T Mobility, Sprint and Verizon** for the production of information requested by the City of Gladstone Finance Department in support of the City's audit of these companies; and to authorize the Mayor to execute the subpoenas. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 12. on the Agenda. **FIRST READING BILL 10-29**, declaring the results of the Special Election held in the City of Gladstone, Missouri, on Tuesday, August 3, 2010, on the question of authorizing the city to issue \$2,000,000 of its General Obligation Bonds.

Councilman Carol Rudi moved to place **Bill 10-29** on its First Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the First Reading of **Bill 10-29**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the Second and Final Reading of **Bill 10-29** and to enact the Bill as **Ordinance 4.158**. Councilmember Carol Suter seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 13. on the Agenda. **FIRST READING BILL 10-30**, declaring the results of the Special Election held in the City of Gladstone, Missouri, on Tuesday, August 3, 2010, on the question of authorizing the city to issue \$5,000,000 of its Combined Waterworks and Sewerage System Revenue Bonds.

Mayor Pro Tem Barry McCullough moved to place **Bill 10-30** on its First Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of **Bill 10-30**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the Second and Final Reading of **Bill 10-30** and to enact the Bill as **Ordinance 4.159**. Councilman Mark Revenaugh seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 14. on the Agenda. **FIRST READING BILL 10-31**, amending Title 1, Article 2, of the Code of Ordinances for the City of Gladstone by adding a new section on notice requirements for public meetings.

Councilman Mark Revenaugh moved to place **Bill 10-31** on its First Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the First Reading of **Bill 10-31**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the Second and Final Reading of **Bill 10-31** and to enact the Bill as **Ordinance 4.160**. Mayor Pro Tem Barry McCullough seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 15. on the Agenda. **Other Business.**

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

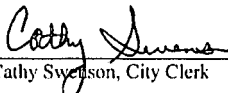
Item 16. on the Agenda. **Questions from the News Media.**

There were no News Media present.

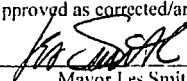
Item 17. on the Agenda. **Adjournment.**

There being no further business to come before the August 9, 2010, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the regular meeting, to reconvene to a Closed Executive Session.

Respectfully submitted:



Cathy Swenson, City Clerk

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


Mayor Les Smith



PUBLIC NOTICE

GLADSTONE CITY COUNCIL

CLOSED EXECUTIVE SESSION

THURSDAY, AUGUST 19, 2010

TIME: STARTING AT 5:30 PM

LOCATION: ADMINISTRATIVE OFFICE

GLADSTONE COMMUNITY CENTER

6901 NORTH HOLMES

GLADSTONE, MO 64118

The Gladstone City Council will meet in Closed Executive Session on Thursday, August 19, 2010, starting at 5:30 PM in the Administrative Office, Gladstone Community Center, 6901 North Holmes. The Executive Session is closed pursuant to the Missouri Open Meeting Act Exemption under Section 610.21(3) for Personnel Discussion.

Representatives of the News Media may obtain copies of this notice by contacting:

City Clerk Cathy Swenson

7010 N Holmes

423-4096



**MINUTES
CITY COUNCIL MEETING
ADJOURNMENT TO A CLOSED EXECUTIVE SESSION
GLADSTONE, MISSOURI**

AUGUST 19, 2010

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilman Mark Revenaugh
Councilmember Carol Suter

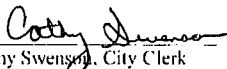
Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on August 19, 2010, at 5:30 PM in the Gladstone Community Center Administrative Office.

Councilman Carol Rudi made a motion to adjourn to Closed Executive Session pursuant to the Missouri Open Meeting Act Exemption 610.021(3) for Personnel Discussion. Mayor Pro Tem Barry McCullough seconded.

Roll Call Vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, Mayor Les Smith. (5-0).

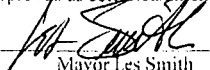
Mayor Les Smith adjourned the Closed Executive Session.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: ☒

Approved as corrected/amended: _____


Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, AUGUST 23, 2010**

The City Council will meet in Closed Executive Session on Monday, August 23, 2010, starting at 6:45 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 5:30 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular August 9, 2010, City Council Meeting Minutes.
5. SPECIAL PRESENTATION BY THE MAYOR AND CITY COUNCIL.

6. CONSENT AGENDA

RESOLUTION R-10-44, accepting Permanent and Temporary Construction Easements from certain property owners in conjunction with the Northeast 76th Terrace and North Lydia Drainage Project.

RESOLUTION R-10-45, authorizing the City Manager of the City of Gladstone, Missouri to execute an agreement with the City of Pleasant Valley, Missouri for the purpose of providing emergency Animal Control Services to the City of Pleasant Valley by Gladstone Animal Control Officers.

RESOLUTION R-10-46, authorizing acceptance of work under contract with Musselman and Hall, LLC, for the 2010 Intermediate Maintenance Program Project; and authorizing final payment in the amount of \$14,317.26.

RESOLUTION R-10-47, authorizing acceptance of a proposal from Vellar Consulting in the amount of \$25,000.00 for Neighborhood Development Consulting Services for Northaven-1 and Shoalbrook Addition neighborhoods.

RESOLUTION R-10-48, authorizing the City Manager to execute an agreement with Linden Neighborhood Connection, in the form of a sign use agreement, for the use of existing street signs within the Linden Neighborhood Connection neighborhood; and authorizing the execution of all necessary requirements by the City of Gladstone to be carried out in conjunction with the sign use agreement.

RESOLUTION R-10-49, authorizing execution of a contract with Kissick Construction Company, Incorporated, of Kansas City, Missouri, for the emergency installation of a parallel water main under Highway 9, in the total amount not to exceed \$144,530.00, for the Briarcliff 24-Inch Raw Water Main Project.

APPROVAL OF THE JULY 2010 FINANCIAL REPORT

REGULAR AGENDA

7. **Communications from the Audience.**
8. **Communications from the City Council.**
9. **Communications from the City Manager.**
10. **PUBLIC HEARING:** on setting the annual rate of levy for the 2010 Real Estate and Personal Property Taxes within the corporate limits of the City of Gladstone, Missouri.
11. **FIRST READING BILL 10-32**, enacted pursuant to Missouri Revised Statutes Section 94.030 fixing the annual rate of levy for the 2010 Real Estate and Personal Property Taxes within the corporate limits of the City of Gladstone, Missouri.
12. **FIRST READING BILL 10-33**, approving the Final Plat of Northhaven South, commonly known as 6811 North Flora, in the County of Clay, City of Gladstone, Missouri, and directing the appropriate officials to affix their signatures to said plat for recording. Applicant/Owner: Gladstone Community Church.
13. **FIRST READING BILL 10-34**, approving the final settlement agreement with T-Mobile to recover business license taxes and authorizing the City Manager to execute the agreement on behalf of the City.
14. **FIRST READING BILL 10-35**, approving the final settlement agreement with Cricket Communications, Inc., to recover business license taxes and authorizing the City Manager to execute the agreement on behalf of the City.
15. **Other Business.**
 - A. Discussion of **Art Springs in Gladstone Event**, by Chris Yannitelli, Chairman of the Arts Commission.
16. **Questions from the News Media.**
17. **Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, AUGUST 23, 2010**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:45 PM**

Mayor Pro Tem Barry McCullough opened the City Council Meeting to adjourn to a Closed Executive Session on August 23, 2010, at 6:45 PM. Mayor Pro Tem Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilmember Carol Suter seconded.

Roll Call Vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh and Mayor Pro Tem Barry McCullough. (3-0)

Mayor Les Smith and Councilman Carol Rudi were absent from the vote, but were present at the Closed Executive Session.

Mayor Les Smith recessed the Closed Executive Session to go into the Regular City Council meeting.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilman Mark Revenaugh
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor David Ramsay
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the Regular August 23, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. APPROVAL OF THE REGULAR AUGUST 9, 2010, CITY COUNCIL MEETING MINUTES.

Mayor Pro Tem Barry McCullough moved to approve the Regular August 9, 2010, City Council Meeting Minutes as presented. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 5. on the Agenda. SPECIAL PRESENTATION BY THE MAYOR AND CITY COUNCIL.

Mayor Smith announced that there were some very special people in the audience who recently assisted with two election campaigns, and the Council would like to recognize them for their efforts. One election campaign was the ¼ cent Public Safety Sales Tax election that garnered a 78 percent "yes" vote; and the other election was for two Bond issues for roads, sewers and water. Those garnered 86 and 88 percent "yes" votes. Mayor Smith said these folks did a lot of work. Mayor Smith invited the City Council to join him in front of the Council dais to present certificates of appreciation to the honorees.

Mayor Smith introduced Jean Moore, Co-Chairman of the Public Safety Sales Tax Committee. Mayor Smith read, and along with the City Council, presented a framed certificate to Ms. Moore and thanked her for her service to the City.

Ms. Moore said it had been a privilege and an honor to be involved with the Public Safety Sales Tax campaign, and said she had a tiny role compared to the heavy lifting others carried. Ms. Moore thanked Pete Hall, saying he was a most able-bodied Treasurer, and David Velasquez, who was the Co-Chair, and who did tons of work, and managed to get 500 campaign signs installed. Ms. Moore said there were many in the audience who were instrumental in the success of the campaign, and the City staff did lots of work. The Mayor was fully involved in the campaign, as well as the rest of the City Council. Ms. Moore said the Public Safety Department did unbelievable work – the men and women of that department did a fine job. Ms. Moore said she believed the success of the campaign was in large part due to the fact that in Gladstone we give people trust about the government, and when we go to people, and give our message, they believe our message, they trust in our message, and they know that we are not going to them "willy nilly". Ms.

Moore said the citizens know the City is going to them with a cause they truly believe in and that is really needed, which was certainly the case with the Public Safety Sales Tax. The citizens of Gladstone deserve a big "hurrah" for their efforts and support of this campaign.

Following applause from the audience, Mayor Smith said that Jean Moore has spearheaded a couple of other big issues for the City, for example the Community Center, and she is a behind the scenes supporter, as is Dave Velasquez and others, such as Everett Jones, who put up lots of signs. This success is due to the team effort of the community, which is just great. Mayor Smith told Jean Moore she was the best! Mayor Smith said Co-Chair David Velasquez could not be here this evening, and his award will be given to him at a later date.

Mayor Smith invited Pete Hall to step forward, saying he served as Treasurer for both the Public Safety Sales Tax election and the Bonds election. Mayor Smith and the City Council presented to Mr. Hall a framed certificate and thanked him for his service to the City, which was followed by applause from the audience.

Mr. Hall said that many people in Gladstone worked very diligently on these elections. Mr. Hall said he does not work to get plaques or accolades, but Gladstone is a great place to live and raise children. Mr. Hall said it has been his privilege to do both for about 50 years, and he will continue to support our City, and thanks to the "new blood", Jean and others, bring to the community. we have a great future ahead of us.

Mayor Smith invited Art Hammen, Co-Chairman of the Bonds Election Campaign Committee, to step forward, saying Mr. Hammen is a former Mayor and Councilman, sits on the Neighborhood Commission, serves with the Gladstone Neighbors Helping Neighbors, and has been a constant supporter of Gladstone for many years. Mayor Smith said he thought that Mr. Hammen would agree that it was kind of nice to get back in the saddle and help out again with this campaign, and the City Council certainly appreciates him and were happy to present him with a certificate of appreciation for his hard work. This was followed by applause from the audience.

Mr. Hammen stated that when an 86 percent and 88 percent approval rating is received, the citizens are not just saying yes to these bond issues, they are saying they recognize that the members of the City Council, City Manager Davis and City staff are doing an excellent job of managing the finances of this City, and they know the City is not asking for something they should not. Mr. Hammen said he believed that is what this vote was about - supporting not only the City Council, but also the City staff.

Mayor Smith stated that John Houlihan, Co-Chairman of the Bonds Election Campaign Committee could not be present at this meeting, and his presentation will be made at a later date.

Mayor Smith invited Bill Gamos, a member of the Bonds Election Campaign Committee, to join him and the City Council. Mayor Smith said that Mr. Gamos sits on the Planning

Commission and acted as a de facto Co-Chair; he and John Houlihan worked very closely on this campaign. Mayor Smith thanked Mr. Garnos, and said he and the City Council wished to express their thanks with a certificate of appreciation. Mr. Garnos thanked the Mayor and City Council, which was followed by applause from the audience.

Item 6. on the Agenda. **CONSENT AGENDA**

Following the Clerk's reading, Councilman Carol Rudi moved to accept the Consent Agenda as presented. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-44**, accepting Permanent and Temporary Construction Easements from certain property owners in conjunction with the Northeast 76th Terrace and North Lydia Drainage Project. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-45**, authorizing the City Manager of the City of Gladstone, Missouri to execute an agreement with the City of Pleasant Valley, Missouri for the purpose of providing emergency Animal Control Services to the City of Pleasant Valley by Gladstone Animal Control Officers. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-46**, authorizing acceptance of work under contract with Musselman and Hall, L.L.C. for the 2010 Intermediate Maintenance Program Project; and authorizing final payment in the amount of \$14,317.26. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-47**, authorizing acceptance of a proposal from Vellar Consulting in the amount of \$25,000.00 for Neighborhood Development Consulting Services for Northaven-I and Shoalbrook Addition neighborhoods. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-48**, authorizing the City Manager to execute an agreement with Linden Neighborhood Connection, in the form of a sign use agreement, for the use of existing street signs within the Linden Neighborhood Connection neighborhood; and authorizing the execution of all necessary requirements by the City of Gladstone to be carried out in conjunction with the sign use agreement.

Councilmember Carol Suter seconded. The vote: All "aye" -- Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-49**, authorizing execution of a contract with Kissick Construction Company, Incorporated, of Kansas City, Missouri, for the emergency installation of a parallel water main under Highway 9, in the total amount not to exceed \$144,530.00, for the Briarcliff 24-Inch Raw Water Main Project. Councilmember Carol Suter seconded. The vote: All "aye" -- Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to approve the **JULY 2010 FINANCIAL REPORT**. Councilmember Carol Suter seconded. The vote: All "aye" -- Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

REGULAR AGENDA.

Item 7. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

There were no communications from the audience.

Item 8. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Councilmember Carol Suter stated this has been an exciting week for the City of Gladstone, as we have been in the news for a variety of reasons. Councilmember Suter said she wished to express her thanks to the individuals and organizations, like Neighbors Helping Neighbors, and to all the folks who stepped up to help our residents whose house is sliding down the slope. It is amazing how many offered help, the extent of the help that has been offered, and it is indicative of the kind of community that we have, and it is why people trust each other, because we really do step up to help each other. Councilmember Suter expressed her appreciation to all those involved.

Councilman Mark Revenaugh had no comments at this time.

Councilman Carol Rudi reported that the days of operation have changed with the Farmers Market, and asked Economic Development Administrator Melinda Mehaffy to share that information.

Ms. Mehaffy said the dates for the Farmers Market have been changed, and the final Saturday event will be on Saturday, September 4, and then there will not be a Saturday Farmers Market. There will just be the Wednesday Farmers Market events. One of the vendors is leaving Saturdays after September 4, which has made it prohibitive to offer anything to our customer base on Saturdays. The Wednesday event continues to grow in number and continues to grow in recruitment of potential vendors for the remainder of the

season. There is still a lot of interest in the Farmers Market, which will continue through October 27, on Wednesdays, from 3:00 PM to 7:00 PM.

Councilman Rudi said she had a sign-up sheet for Gladfest volunteers to work in the information booth, and she has about nine spots to fill. Councilman Rudi invited folks to see her after the meeting.

Mayor Pro Tem Barry McCullough had no comments at this time.

Mayor Les Smith expressed appreciation from the community to the staff members who participated in both campaigns, not just from a standpoint of providing information during the work day, but also a lot of personal time after hours, which is very much appreciated.

Item 9. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis reported that City Hall would be closed on Labor Day, Monday, September 6. City Manager Davis also reported that there is not a Council meeting scheduled for September 13, due to the Missouri Municipal League Conference. The next City Council meeting will be September 27.

Item 10. on the Agenda. **PUBLIC HEARING:** on setting the annual rate of levy for the 2010 Real Estate and Personal Property Taxes within the corporate limits of the City of Gladstone, Missouri.

Mayor Smith said first staff would make a presentation, and then anyone in the audience will be invited to speak in favor or in opposition, or to ask any questions.

Mayor Smith opened the Public Hearing.

Staff Presentation

Finance Director Debra Daily began by saying that on receipt of the City of Gladstone assessed property valuation from Clay County, the 2010 tax levy was calculated to set a levy for each class of Real and Personal property, based on current Missouri law. The method of calculation and the results of the calculation are set for discussion at this Public Hearing, as required by State Statute. At this Public Hearing, any questions regarding how the levy was calculated can be addressed.

Director Daily reported that 2010 is a non-reassessment year. The City's 2010 property valuation is just over \$353 million. This is the valuation used to set the 2010 levy. Almost \$560,000 was new construction; half of it was residential and just about one half was commercial construction. Compared to 2009, the City experienced a 1.77 percent decrease in total valuation or approximately \$6,350,000. The bulk of this came from personal property tax. This drop in valuation is directly attributable to the current economic downturn, and also the accelerated method of depreciation adopted by the County several years ago. Article X, Section 22 and Section 137.073, of the Missouri Constitution, governs how tax levies are to be set. In setting the levy, the City is limited to the lesser of

three different categories: actual growth, which this year was zero percent; the consumer price index, which was 2.7 percent; or 5 percent. Actual growth of zero percent was therefore used to set this levy. As a result, the maximum property tax rates committed for 2010 are set at \$0.9290 per \$100 property valuation for all property classes. Based on this levy, the City's property tax revenue for fiscal year 2011 is projected to be \$3,102,562. This represents a \$42,614 revenue decrease from the projected budget. Bill Number 10-32, which sets the property tax levy at \$0.9290 for all classes of property is presented for the Council's consideration and approval following this Public Hearing.

As there were no questions or comments from the City Council, Mayor Smith asked if there was anyone in the audience who wished to address the Council with any comments on this issue. **As there were no comments from the audience, Mayor Smith closed the Public Hearing.**

Item 11. on the Agenda. **FIRST READING BILL 10-32**, enacted pursuant to Missouri Revised Statutes Section 94.030 fixing the annual rate of levy for the 2010 Real Estate and Personal Property Taxes within the corporate limits of the City of Gladstone, Missouri.

Councilman Mark Revenaugh moved to place **Bill 10-32** on its First Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the First Reading of **Bill 10-32**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the Second and Final Reading of **Bill 10-32** and to enact the Bill as **Ordinance 4.161**. Councilmember Carol Suter seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 12. on the Agenda. **FIRST READING BILL 10-33**, approving the Final Plat of Northaven South, commonly known as 6811 North Flora, in the County of Clay. City of Gladstone, Missouri, and directing the appropriate officials to affix their signatures to said plat for recording. Applicant/Owner: Gladstone Community Church.

Councilmember Carol Suter moved to place **Bill 10-33** on its First Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of **Bill 10-33**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of **Bill 10-33** and to enact the Bill as **Ordinance 4.162**. Mayor Pro Tem Barry McCullough seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 13. on the Agenda. **FIRST READING BILL 10-34**, approving the final settlement agreement with T-Mobile to recover business license taxes and authorizing the City Manager to execute the agreement on behalf of the City.

Mayor Pro Tem Barry McCullough moved to place **Bill 10-34** on its First Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of **Bill 10-34**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the Second and Final Reading of **Bill 10-34** and to enact the Bill as **Ordinance 4.163**. Councilman Carol Rudi seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 14. on the Agenda. **FIRST READING BILL 10-35**, approving the final settlement agreement with Cricket Communications, Inc., to recover business license taxes and authorizing the City Manager to execute the agreement on behalf of the City.

Councilman Carol Rudi moved to place **Bill 10-35** on its First Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the First Reading of **Bill 10-35**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark

Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the Second and Final Reading of **Bill 10-35** and to enact the Bill as **Ordinance 4.164**. Councilman Mark Revenaugh seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 15. on the Agenda. Other Business.

- A. Discussion of the **Art Springs in Gladstone Event**, by Chris Yannitelli, Chairman of the Arts Commission.

Chris Yannitelli, Chairman of the Arts Commission, began by saying it gave her great pleasure to tell the City Council that Art Springs in Gladstone is coming back as promised - Friday evening, Saturday and Sunday, May 20, 21 and 22, 2011. It will be bigger, better, and it will be different. It will be outside of the Community Center in a large tent on North Holmes. It will feature a cultural corner, and there will be activities for kids and for adults. There will be food vendors and a variety of entertainment. There will be lots happening.

Ms. Yannitelli reported that the committee would be pursuing some very interesting sponsors. Ms. Yannitelli said that Councilman Rudi and Lee Hinderliter, who has been with the committee for the last two years and who is with the Northland Art League and present at this meeting, and she have been meeting for several weeks as an executive committee to put together the plans. People are in place for the steering committee, and they are ready to go forward. The committee has met with Parks and Recreation Director Sheila Lillis and the Community Center Rental Coordinator Linda Borders to make sure that they are doing everything that the City would like them to do and they are communicating very well.

Ms. Yannitelli said they are anticipating a wonderful event, and that they are anticipating and need the \$7,000 that is in the City's budget for this activity, because it is going to be bigger, better and different.

Mayor Smith inquired into how many artists would be participating in the event.

Ms. Yannitelli said they do not know, but they can anticipate as many as 100, but it will probably be between 60 and 70 artists. It depends on the response, as to how large the tent becomes.

Councilmember Suter asked if there were any hints as to the interesting sponsors.

Ms. Yannitelli said she was not at liberty to say, but the Council will love it.

Councilman Revenaugh asked if there would be music.

Ms. Yannitelli replied that there will be wonderful music; they don't know what it is, but it will be wonderful.

Mayor Smith said this is exciting, and he believes it was the right decision to step back, take a look at it and bring it back bigger and better.

Councilman Rudi said she had a question for the Council regarding the \$7,000, which has been allocated for this organization in the past. It is not strictly budgeted for this year, but she was told we would be able to find it somewhere. Councilman Rudi said she would like for the City Council to direct staff to find the money.

Mayor Smith asked City Manager Davis if any official action was needed by the City Council regarding the budgeted amount.

City Manager Davis asked if staff might have an opportunity to take a look at this and bring it back to the City Council.

Mayor Smith agreed that would be fine.

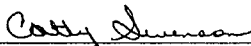
Item 16. on the Agenda. Questions from the News Media.

There were no News Media present.

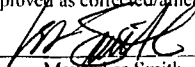
Item 17. on the Agenda. Adjournment.

There being no further business to come before the August 23, 2010, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the regular meeting.

Respectfully submitted:



Cathy Swenson, City Clerk

Approved as submitted: C
Approved as corrected/amended:


Mayor Les Smith



PUBLIC NOTICE

GLADSTONE CITY COUNCIL

CLOSED EXECUTIVE SESSION

TUESDAY, AUGUST 24, 2010

TIME: STARTING AT 5:30 PM

**LOCATION: ADMINISTRATIVE OFFICE
GLADSTONE COMMUNITY CENTER
6901 NORTH HOLMES
GLADSTONE, MO 64118**

The Gladstone City Council will meet in Closed Executive Session on Thursday, August 24, 2010, starting at 5:30 PM in the Administrative Office, Gladstone Community Center, 6901 North Holmes. The Executive Session is closed pursuant to the Missouri Open Meeting Act Exemption under Section 610.21(3) for Personnel Discussion.

Representatives of the News Media may obtain copies of this notice by contacting:

City Clerk Cathy Swenson
7010 N Holmes
423-4096



**MINUTES
CITY COUNCIL MEETING
ADJOURNMENT TO A CLOSED EXECUTIVE SESSION
GLADSTONE, MISSOURI**

AUGUST 24, 2010

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Mark Revenaugh
Councilman Barry McCullough

ABSENT: Councilman Carol Rudi

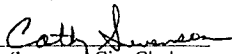
Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on August 24, 2010, at 5:30 PM in the Gladstone Community Center Administrative Office.


Mayor Les Smith made a motion to adjourn to Closed Executive Session pursuant to the Missouri Open Meeting Act Exemption 610.021(3) for Personnel Discussion. Mayor Pro Tem Barry McCullough seconded.

Roll Call Vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough, Mayor Les Smith. (4-0).

Mayor Les Smith adjourned the Closed Executive Session.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: 

Approved as corrected/amended: _____

Mayor Les Smith



PUBLIC NOTICE

GLADSTONE CITY COUNCIL

CLOSED EXECUTIVE SESSION

WEDNESDAY, SEPTEMBER 8, 2010

TIME: STARTING AT 5:30 PM

**LOCATION: GLADSTONE CITY HALL
7010 NORTH HOLMES
GLADSTONE, MO 64118**

The Gladstone City Council will meet in Closed Executive Session on Wednesday, September 8, 2010, starting at 5:30 PM at Gladstone City Hall, 7010 North Holmes, Gladstone, MO 64118. The Executive Session is closed pursuant to the Missouri Open Meeting Act Exemption under Section 610.21(3) for Personnel Discussion.

Representatives of the News Media may obtain copies of this notice by contacting:

City Clerk Cathy Swenson
7010 N Holmes
423-4096

DRAFT



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI**

**ADJOURNMENT TO A CLOSED EXECUTIVE SESSION
AND
CLOSED EXECUTIVE SESSION ACTION**

SEPTEMBER 8, 2010

PRESENT:

Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Mark Revenaugh
Councilmember Carol Suter

ABSENT:

Carol Rudi, Councilman

Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on September 8, 2010, at 5:30 PM in the Gladstone City Council Chambers.

Mayor Pro Tem Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to the Missouri Open Meeting Act Exemption 610.021(3) for Personnel Discussion. Councilmember Carol Suter seconded.

Roll Call Vote: All "aye" – Councilmember Carol Suter, Mayor Pro Tem Barry McCullough, Mayor Les Smith. (3-0).

Note: Councilman Mark Revenaugh was present at the Closed Executive Session.

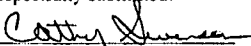
CLOSED EXECUTIVE SESSION ACTION

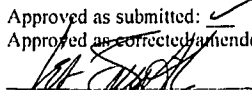
Following discussion of a Separation Agreement for City Counselor David Ramsay, Councilmember Carol Suter moved to ratify City Manager Kirk Davis's authority to enter into the Separation Agreement as presented. Mayor Pro Tem Barry McCullough seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0)

Mayor Les Smith adjourned the Closed Executive Session.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: 
Approved as corrected/amended: _____
Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, SEPTEMBER 27, 2010**

OPEN STUDY SESSION: 6:30 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. APPROVAL OF THE REGULAR AUGUST 23, 2010, CITY COUNCIL MEETING MINUTES.
5. Approval of the August 19, 2010, City Council Meeting Minutes convening a Closed Executive Session.
6. Approval of the August 24, 2010, City Council Meeting Minutes convening a Closed Executive Session.
7. Approval of the September 8, 2010, City Council Meeting Minutes convening a Closed Executive Session and Closed Executive Session action.
8. SPECIAL PRESENTATION BY THE MAYOR AND CITY COUNCIL.

9. **PROCLAMATION** Designating September 23-30, 2010, as **"CONSTITUTION WEEK"** in Gladstone, Missouri. Sponsor: William Boydston Chapter of the Daughters of the American Revolution.

10. **PROCLAMATION** designating September 2010, as **NATIONAL CHILDHOOD OBESITY AWARENESS MONTH** in Gladstone, Missouri.

11. **PROCLAMATION** designating October 2010, as **WALK AND BICYCLE TO SCHOOL MONTH** and October 6, 2010, **"INTERNATIONAL WALK TO SCHOOL DAY"** in Gladstone, Missouri.

12. **CONSENT AGENDA**

RESOLUTION R-10-50, authorizing acceptance of work under contract with Site Rite Construction Company, for the Sanitary Sewer Improvements – 58th Terrace and North Euclid Project; and authorizing final payment in the amount of \$30,535.54.

RESOLUTION R-10-51, authorizing acceptance of work under contract with Commercial Aquatic Services, Incorporated, for the purchase of three (3) Ultraviolet Disinfection Treatment Systems; and authorizing final payment in the amount of \$4,133.70.

RESOLUTION R-10-52, authorizing execution of a contract between the City of Gladstone, Missouri, and DOCVIEW, LLC, to provide electronic access to City of Gladstone, Missouri traffic accident reports.

APPROVAL OF A BUILDING PERMIT for replacement of existing Verizon antennas with new updated antennas on the Linden Water Tower. Applicant: Burroughs Creek. Owner: City of Gladstone.

APPROVAL OF A BUILDING PERMIT for replacement of existing Verizon antennas with new updated antennas on the Antioch Water Tower. Applicant: Burroughs Creek. Owner: City of Gladstone.

ANNUAL LIQUOR LICENSE RENEWALS:

Tommy's, 6221 North Chestnut, Class "AR&B" Liquor by the Drink License.

Snappy Store #4901, 4901 North Old Pike Road, Class "C&H" Package Liquor License.

APPROVAL OF THE AUGUST 2010, FINANCIAL REPORT.

REGULAR AGENDA

13. **Communications from the Audience.**
14. **Communications from the City Council.**
15. **Communications from the City Manager.**
16. **RESOLUTION R-10-53**, authorizing the City Manager of the City of Gladstone, Missouri to execute an agreement on behalf of the City of Gladstone, Missouri with Williams & Campo, for the position of Interim City Counselor.
17. **RESOLUTION R-10-54**, authorizing execution of a cooperative agreement between the City of Gladstone, Missouri and Northaven Village Condominiums, LLC, for construction improvements, according to the general standards established for public improvements within the City of Gladstone City Code, in the Northaven Village Condominiums residential area.
18. **Other Business.**
19. **Questions from the News Media.**
20. **Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, SEPTEMBER 27, 2010**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilman Mark Revenaugh
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
Interim City Counselor Chris Williams
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the Regular September 27, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

**Item 4. on the Agenda. APPROVAL OF THE REGULAR AUGUST 23, 2010,
CITY COUNCIL MEETING MINUTES.**

Councilman Mark Revenaugh moved to approve the Regular August 23, 2010, City Council Meeting Minutes as presented. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 5. on the Agenda. **Approval of the August 19, 2010, City Council Meeting Minutes convening a Closed Executive Session.**

Mayor Pro Tem Barry McCullough moved to approve the August 19, 2010, City Council Meeting Minutes convening a Closed Executive Session as presented. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 6. on the Agenda. **Approval of the August 24, 2010, City Council Meeting Minutes convening a Closed Executive Session.**

Councilmember Carol Suter moved to approve the August 24, 2010, City Council Meeting Minutes convening a Closed Executive Session as presented. Mayor Pro Tem Barry McCullough seconded. The vote: "Aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. "Abstain" – Councilman Carol Rudi. (4-0-1).

Note: Councilman Rudi was absent from the August 24, 2010, meeting; therefore, she abstained from voting on approval of the meeting Minutes.

Item 7. on the Agenda. **Approval of the September 8, 2010, City Council Meeting Minutes convening a Closed Executive Session and Closed Executive Session Minutes.**

Councilman Mark Revenaugh moved to approve the September 8, 2010, City Council Meeting Minutes convening a Closed Executive Session and Closed Executive Session Minutes, as presented. Councilmember Carol Suter seconded. The vote: "Aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. "Abstain" – Councilman Carol Rudi. (4-0-1).

Note: Councilman Rudi was absent from the September 8, 2010, meeting; therefore, she abstained from voting on approval of the meeting Minutes.

Item 8. on the Agenda. **SPECIAL PRESENTATION BY THE MAYOR AND CITY COUNCIL.**

Mayor Smith invited John Houlihan and David Velasquez to join him and the City Council in front of the dais. Mayor Smith stated that these two gentlemen were not able to be present at an earlier City Council meeting to be recognized for their contributions in City election campaigns. Mayor Smith said that Mr. Houlihan had a leadership role in the two Bond issues election this year, and Mr. Velasquez played a leadership role in the Public Safety Sales Tax election this year; however, both of them also worked in both campaigns. Both of them helped carry the water, and did a fantastic job in getting a positive consensus from the citizens. Mayor Smith said he and the City Council wanted to show their appreciation with a framed certificate, and to thank them for all the hard work they did to ensure the passage of these two elections.

Mr. Velasquez thanked the Mayor and Council and said this is a great city in which to live. There were so many people involved in this that it made it so easy. Jean Moore did such a great job. Mr. Velasquez said he was invited to be a part of this effort, but unfortunately, his job took him away more than he had planned. Mr. Velasquez said that people like Everett Jones, Councilman Carol Rudi, the Mayor, and a lot of people were involved, so this is really more than what any one person could ask for.

Mr. Houlihan said he wished to echo that, and expressed thanks to Mayor Smith, the City Council, Pete Hall, and Bill Gamos. Mr. Houlihan said the 78 percent approval rate was gratifying, and he expressed his appreciation to all who helped with the election.

Item 9. on the Agenda. PROCLAMATION Designating September 23-30, 2010, as "CONSTITUTION WEEK" in Gladstone, Missouri. Sponsor: William Boydston Chapter of the Daughters of the American Revolution.

Mayor Smith read and presented the Proclamation to Freddie Nichols, a committee chairman, of the William Boydston Chapter of the Daughters of the American Revolution. Mayor Smith pointed out that the Proclamation was not framed at the request of Ms. Nichols.

Ms. Nichols said that was correct, as the Proclamation will be filed in the organization's scrapbook. Ms. Nichols thanked the Mayor and the City Council and said this presentation is not taken lightly. All the schools in Gladstone receive information regarding Constitution Week. Ms. Nichols said the actual week is September 17-23, but her organization was slow in requesting this Proclamation, and the City Council did not meet earlier in September. due to a conference most of the Council attended.

Item 10. on the Agenda. PROCLAMATION designating September 2010, as NATIONAL CHILDHOOD OBESITY AWARENESS MONTH in Gladstone, Missouri.

As there was no one present to accept the Proclamation, Freddie Nichols offered to accept the Proclamation on behalf of the Clay County Health Department, and thanked the Mayor and City Council for recognizing this important issue.

Item 11. on the Agenda. PROCLAMATION designating October 2010, as WALK AND BICYCLE TO SCHOOL MONTH and October 6, 2010, "INTERNATIONAL WALK TO SCHOOL DAY" in Gladstone, Missouri.

Mayor Smith read and presented the Proclamation to Doug Miller, of Linden West Elementary School.

Mr. Miller thanked the Mayor and City Council and said that Linden West School would celebrate the day on Friday, October 8, and he thanked the Gladstone Ambulance, Fire Department and Police Officers who would be at the meeting place - the Gladstone Bowl

parking lot – to assist with the students and adults who will be walking to school that day. Mr. Miller invited anyone who wished to join them to meet at the Gladstone Bowl parking lot at 8:15 AM.

Item 12. on the Agenda. **CONSENT AGENDA**

Following the Clerk's reading, Councilman Carol Rudi moved to accept the Consent Agenda as presented. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-50**, authorizing acceptance of work under contract with Site Rite Construction Company, for the Sanitary Sewer Improvements – 58th Terrace and North Euclid Project; and authorizing final payment in the amount of \$30,535.54. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-51**, authorizing acceptance of work under contract with Commercial Aquatic Services, Incorporated, for the purchase of three (3) Ultraviolet Disinfection Treatment Systems; and authorizing final payment in the amount of \$4,133.70. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-52**, authorizing execution of a contract between the City of Gladstone, Missouri, and DOCVIEW, I.L.C. to provide electronic access to City of Gladstone, Missouri traffic accident reports. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to approve a **BUILDING PERMIT** for replacement of existing Verizon antennas with new updated antennas on the Linden Water Tower. Applicant: Burroughs Creek. Owner: City of Gladstone. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to approve a **BUILDING PERMIT** for replacement of existing Verizon antennas with new updated antennas on the Antioch Water Tower. Applicant: Burroughs Creek. Owner: City of Gladstone. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to approve the following ANNUAL LIQUOR LICENSE RENEWALS:

Tommy's, 6221 North Chestnut, Class "AR&B" Liquor by the Drink License.
Snappy Store #4901, 4901 North Old Pike Road, Class "C&H" Package Liquor License.

Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to approve the **AUGUST 2010, FINANCIAL REPORT**. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

REGULAR AGENDA.

Item 13. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

Shirley Smith, 103 NE 67th Street, said she had four quick thank you's for the City of Gladstone. Ms. Smith thanked the City for the west ingress/egress that was allowed Quik Trip on 72nd Street. That intersection is horrendous with Walmart, Hy-Vee, and Quik Trip, and it is still pretty rugged, but it is much better now, and we are glad for all the business. Ms. Smith thanked the Council for the adjustment of the traffic signals on North Oak Trafficway; she goes to church at 8:00 on Sunday morning, and used to sit at red lights, with no other car anywhere, and now it is so much easier with the lights timed. Ms. Smith thanked the City Council for the stop sign at North Walnut and North Main, which is right down the street from her. Northeast 67 Street has always been one of the few east/west streets, and many people use it for a throughway between North Oak and Broadway, going down to the 169 Highway entrance. At traffic times it is like a mountain bike ski run, but that stop sign has toned it down some. The traffic may not stop, but they do slow down, and realize that there is a sign there, and it makes drivers realize that it is a residential street and not a freeway. Ms. Smith said our City really needs more east/west streets. Ms. Smith thanked the City Council for the Gladstone Plaza renovations – it is wonderful!

Mayor Smith informed the audience that Ms. Smith is a former Councilman, and thanked her for her comments, and asked Public Safety Director Mike Hasty if he made note of Number 3 on Ms. Smith's list.

Director Hasty replied that he did make note of that.

Item 14. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Councilmember Carol Suter inquired into the completion time of the trail project on North Prospect.

City Manager Kirk Davis replied the contractor is winding up everything that he is doing, and in his opinion, this has been a messy construction site. The contractor will be cleaning up the site. The contractor is doing a lot of work down the hill, and there is signage that needs to be placed, then they should be done. The project should be completed relatively soon.

Councilmember Suter welcomed John Garner back, and said it was good to see him operating under his own steam. Mr. Garner regularly attends these meetings.

Councilman Mark Revenaugh stated that it struck him that one of the reasons that the Community Center is so successful is because of the tremendous amount of planning and thought from the residents that went into the planning of that structure. Councilman Revenaugh said that even though the Village Center is not moving as rapidly as we would all have hoped, there is still a lot of planning and forethought going into it, so by the time we do have it built, there is no doubt in his mind that it is going to be one spectacular area. The fact that our City is getting 150 streetlights from the government is going to translate into a crime savings, because there is a direct correlation between streetlights and crime and safety; and in addition to that, although, he is uncertain as to the exact cost, that will also be quite a cost savings for the citizens of Gladstone.

City Manager Davis stated the cost of the streetlights is about \$150 per light.

Councilman Revenaugh thanked City Manager Davis, and said he is glad that we are continuing work on the Village Center Square, and we are still moving forward.

Councilman Carol Rudi reminded everyone of Gladfest this weekend - it is a great event, and she hopes everyone will attend, and have a good time. Councilman Rudi said that on October 5, at 6:00 PM, at the Community Center, will be the City's next art exhibit opening, and Water Colorist Margarita Tinder will be featured. Councilman Rudi encouraged everyone to attend this event.

Councilman Rudi said that Public Works Director Tim Nebergall may want to make a note that there are potholes in the streets going in to Meadowbrook North from M-1 Highway. Councilman Rudi said she has not mentioned it before, because she has been waiting for the construction to be finished. All three streets need to be looked at.

Mayor Pro Tem Barry McCullough thanked City Manager Davis for opening up the brush drop-off for folks to use to relieve their yards that were damaged in the last couple of weeks. Mayor Pro Tem McCullough said he hopes everyone has a great time at Gladfest this weekend.

Mayor Les Smith reported that the Chiefs requested a Red Friday Proclamation, which our City presented over the City Council's break the last couple of weeks. Mayor Smith said he wished to remind everyone that a project that has been worked on for a couple of

years or more, the Walmart expansion, will have a grand opening on October 6, at 8:00 AM, and he invites everyone to attend that function.

Mayor Smith said today he attended the dedication ceremony for the new Christopher S. Bond Bridge. On the news this evening, it was reported that this project is nearly a year ahead of schedule, approximately \$20 million under budget, and they have committed to having all lanes of traffic, with no construction detours, open by the end of this year, which is a phenomenal feat. The easier that we can get back and forth across the river the less we have the psychological divide of a river. It is quite a project, and it was phenomenal that they let folks walk across the bridge. When one stands and looks up at the big arch and all the cables, it is quite an impressive project. A lot of folks in the Northland had a lot to do with that project, along with Senator Bond, who came up with the last \$50 million that it cost to build the bridge. We have a debt of gratitude to him and the other Northlanders and congressional leaders who worked on this project.

Mayor Smith said he wished to welcome John Garner back. Mr. Garner had some health issues, of which they kept us abreast, and it is great to see him back. Mayor Smith said he sees a lot of brush in our City stacked at the curbs, and he believes people are expecting the City to pick it up, and asked City Manager Davis if there is a plan in place for that.

City Manager Davis replied that the plan right now is to maintain an open Public Works facility through Friday, and then it will be evaluated how much brush is at the curbs still, and see what the options are.

Mayor Smith said that Kansas City put out a Press Release as to where they would pick up brush, and the description was poorly written, and it made it sound like it was from Holmes to I-435, and Parvin Road to 72nd Street. Mayor Smith said the southeast corner of our City was hit by the storm more heavily than other areas, and there is a lot of brush piled on the curbs. Mayor Smith said he believed that there is an expectation that we will be picking that up, so in the next couple of days we may want to evaluate that and decide how to proceed.

Item 15. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis introduced Chris Williams, of the Williams and Campo Law Firm, whose firm will be serving as the interim Counsel, until the City is in a position to hire another City Attorney. City Manager Davis welcomed Mr. Williams, and said he has been with our City before, and served as interim Counsel about ten years ago, and he has known him for about 20 years, and he is a very competent attorney, and he is glad he is with us.

City Manager Davis reminded everyone that City Hall will be closed Friday at Noon, for the public, due to Gladfest.

Item 16. on the Agenda. **RESOLUTION R-10-53**, authorizing the City Manager of the City of Gladstone, Missouri to execute an agreement on behalf of the City of Gladstone, Missouri with Williams & Campo, for the position of Interim City Counselor.

Mayor Pro Tem Barry McCullough moved to adopt **RESOLUTION R-10-53**, authorizing the City Manager of the City of Gladstone, Missouri to execute an agreement on behalf of the City of Gladstone, Missouri with Williams & Campo, for the position of Interim City Counselor. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 17. on the Agenda. **RESOLUTION R-10-54**, authorizing execution of a cooperative agreement between the City of Gladstone, Missouri and Northaven Village Condominiums, LLC. for construction improvements, according to the general standards established for public improvements within the City of Gladstone City Code, in the Northaven Village Condominiums residential area.

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-54**, authorizing execution of a cooperative agreement between the City of Gladstone, Missouri and Northaven Village Condominiums, LLC. for construction improvements, according to the general standards established for public improvements within the City of Gladstone City Code, in the Northaven Village Condominiums residential area. Mayor Pro Tem Barry McCullough seconded.

Councilman Mark Revenaugh asked for some information about this project.

Assistant City Manager Scott Wingerson reported that this is an agreement that says if a developer does certain things, the City will accept the streets. The streets through the Northaven Village Condominiums area are currently private. They were built in the late 1970's and early 1980's. It is currently the developer's goal to dedicate those streets for public maintenance, so staff is trying to define the terms under which that can occur. A lot of the rehabilitation and reconstruction over the last 25 years has been completed, and staff will make final inspection, put together the legal paperwork for acceptance, and bring it back to the City Council, when everything is in ship-shape order for the residents.

The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 18. on the Agenda. **Other Business.**

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

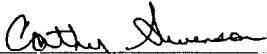
Item 19. on the Agenda. **Questions from the News Media.**

There were no News Media present.

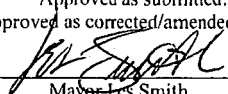
Item 20. on the Agenda. Adjournment.

There being no further business to come before the September 27, 2010, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the regular meeting.

Respectfully submitted:



Cathy Swenson City Clerk

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


Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, OCTOBER 25, 2010**

The City Council will meet in Closed Executive Session on Monday, October 25, 2010, starting at 6:15 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 7:00 PM

REGULAR MEETING: 7:30 PM

AGENDA

- 1. Meeting Called to Order.**
- 2. Roll Call.**
- 3. Pledge of Allegiance.**
- 4. Approval of the Regular October 11, 2010, City Council Meeting Minutes.**
- 5. PROCLAMATION: offering congratulations to ST. PIUS X HIGH SCHOOL, which was recently recognized as one of the "TOP 50 CATHOLIC HIGH SCHOOLS IN THE UNITED STATES".**

6. CONSENT AGENDA

RESOLUTION R-10-59, authorizing the Mayor, City Council members, City Manager, Director of Parks and Recreation, and Chairman of the Parks and Recreation Advisory Board to execute all necessary applications and other documents to seek a grant-in-aid under the Missouri Department of Natural Resources Land and Water Conservation Fund for City of Gladstone Park Improvements.

RESOLUTION R-10-60, authorizing execution of a contract with Playworld Systems, Incorporated, in the total amount not to exceed \$135,000.00 for the Happy Rock Park East Playground Replacement Project.

RESOLUTION R-10-61, authorizing the City of Gladstone, Missouri to execute a partner pledge with the Freedom's Frontier National Heritage Area.

RESOLUTION R-10-62, accepting Permanent and Temporary Construction Easements from certain property owners in conjunction with the Northeast 76th Terrace and North Lydia Drainage Project.

RESOLUTION R-10-63, authorizing the City Manager to execute an agreement with Clay County Realty Company to return the "Letter of Credit" pursuant to the terms of its settlement agreement for Phase I repair items to be completed by October 31, 2010.

APPROVAL OF THE SEPTEMBER FINANCIAL REPORT.

REGULAR AGENDA

- 7. Communications from the Audience.**
- 8. Communications from the City Council.**

9. Communications from the City Manager.

10. FIRST READING BILL 10-38, authorizing and directing the issuance, sale and delivery of \$2,000,000 principal amount of General Obligation Street Improvement Bonds, Series 2010, of the City of Gladstone, Missouri, and authorizing certain other documents and actions in connection therewith.

11. FIRST READING BILL 10-39, authorizing the issuance of Combined Waterworks and Sewerage System Refunding and Improvement Revenue Bonds, Series 2010, of the City of Gladstone, Missouri; prescribing the form and details of said Bonds and the covenants and agreements to provide for the payment and security thereof; and authorizing certain actions and documents and prescribing other matters relating thereto.

12. Other Business.

13. Questions from the News Media.

14. Adjournment.



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, OCTOBER 11, 2010**

OPEN STUDY SESSION: 6:30 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular September 27, 2010, City Council Meeting Minutes.
5. **PROCLAMATION** recognizing National Codes Enforcement Month and the important role Code Compliance Officers play in our Community.

REGULAR AGENDA

6. Communications from the Audience.
7. Communications from the City Council.
8. Communications from the City Manager.

9. **RESOLUTION R-10-55**, authorizing acceptance of work under contract with SAK Construction LLC, for the Sanitary Sewer Rehabilitation – Cured-In-Place-Pipe Project; and authorizing final payment in the amount of \$24,624.48.
10. **RESOLUTION R-10-56**, authorizing execution of a contract with Blue Nile Engineering, Incorporated, in the total amount not to exceed \$188,554.00 for the 76th & Lydia Drainage Improvements; Project.
11. **RESOLUTION R-10-57**, A Resolution of the City Council of the City of Gladstone, Missouri, determining its intent to reimburse itself for certain capital expenditures from projects financed through a potential Certificates of Participation Bond issue.
12. **RESOLUTION R-10-58**, authorizing the offering for sale of approximately \$5,750,000 Combined Waterworks and Sewerage System Refunding and Improvement Revenue Bonds, Series 2010, and \$2,000,000 General Obligation Street Improvement Bonds, Series 2010, of the City of Gladstone, Missouri; ratifying a conditional notice of redemption of certain outstanding bonds of the City; and prescribing matters related thereto.
13. **FIRST READING BILL 10-36**, approving a second amendment to the Cooperative Agreement for sewer service between the City of Kansas City, Missouri, and Gladstone, Missouri, revising the fee schedule associated with the disposal of lime-sludge, and authorizing the City Manager to execute the agreement on behalf of the City.
14. **FIRST READING BILL 10-37**, approving a Cooperative Agreement between the City of Kansas City, Missouri, and Gladstone, Missouri for construction of transportation related improvements to North Broadway, and authorizing the City Manager to execute the agreement on behalf of the City.
15. Other Business.
16. Questions from the News Media.
17. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, OCTOBER 11, 2010**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
Interim City Counselor Chris Williams
City Clerk Cathy Swenson

ABSENT: Councilman Mark Revenaugh

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the Regular October 11, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present, except for Councilman Mark Revenaugh.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. APPROVAL OF THE REGULAR SEPTEMBER 27, 2010, CITY COUNCIL MEETING MINUTES.

Councilmember Carol Suter moved to approve the Regular September 27, 2010. City Council Meeting Minutes as presented. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 5. on the Agenda. **PROCLAMATION:** recognizing National Codes Enforcement Month and the important role Code Compliance Officers play in our Community.

Mayor Smith read and presented the Proclamation to Building Official Alan Napoli. Mayor Smith asked Mr. Napoli to pass along to staff members that the job they do is an important job, and it is very much appreciated.

REGULAR AGENDA.

Item 6. on the Agenda. **COMMUNICATIONS FROM THE AUDIENCE.**

Kimberly Haskins, 6308 North Grand, stated that both of her children attend Linden West Elementary School, and recently there have been a number of things happening there after school, and she was wondering if Gladstone has considered a curfew.

City Manager Kirk Davis replied that in 1991 or 1992, there was discussion of a City curfew, and there were a lot of legal issues that needed to be researched. After receiving that information, the City Council opted not to evoke a curfew.

Mayor Smith asked Ms. Haskins if she knew the age group, the kind of activity and the time of night?

Ms. Haskins said she did not know the time of night, but they have set a trash dumpster on fire, they have been on top of the roof several times, and they broke into the school. It has been youth under the age of 16. Ms. Haskins said she called Kansas City, and they said the curfew does not lower the crime rate, but it gives them something in their "back pocket" if they see a child who is possibly up to no good.

Mayor Smith asked the City Manager to ask the Public Safety Department to provide a call history over the last few months or year, and look at putting something together as a proactive measure to stem the tide of activity in this area. Mayor Smith suggested an analysis to see if we are having any problems in any of the other schools, as a first step, and based on that, we may want to do more research.

Mayor Smith said what the City Manager was talking about stemmed from the festivals the City had, and the City was seeing a lot of activity after 9:30 PM to 10:00 PM, around the festivals; young people were congregating and coming from outside of our area. Mayor Smith agreed with City Manager Davis in that he does not remember all the issues, but he does recall seeing some draft language. Mayor Smith said this should be looked at in a broad scope and also in that particular area.

Ms. Haskins said there was a Board meeting two weeks ago, when this was discussed. Ms. Haskins said she knew young people had been on the roof, but the fire in the dumpster and so forth has occurred recently.

Councilman Carol Rudi asked if the children have been identified.

Ms. Haskins replied she talked to the Vice Principal who said they have talked to a few kids, who have given them bits and pieces of information, but she does not know if the school has done anything.

Councilmember Carol Suter asked if this was reported to Gladstone's Public Safety Department.

Ms. Haskins said as far as she knows, yes.

Mayor Smith said that he saw Public Safety Director Mike Hasty making notes, and he believed it was reasonable for Ms. Haskins to receive a follow-up report on this issue.

City Manager Davis stated that he believed that Director Hasty would be getting more information from Ms. Haskins right away this evening, and staff will be getting back to her, and discussions will be held with the school to see if there is some sort of a pattern in regard to this issue.

Item 7. on the Agenda. **COMMUNICATIONS FROM THE CITY COUNCIL.**

Councilmember Carol Suter offered congratulations and kudos to everyone who helped make Gladfest such a success. Councilmember Suter said one of the fun things about riding in the parade was that she had the opportunity to see how Gladstone is changing, and to see the diversity of the community along the parade route. This was brought home also when her own neighborhood had a party recently. Councilmember Suter said her neighborhood, Tall Timbers, had not held a party for about seven years. Councilmember Suter said that Tall Timbers is behind Walmart, and is a small development, 48 houses, with no through streets. The difference in her neighborhood with the diversity in race, ethnicity, sexual orientation and lifestyle choices is really interesting and it is heartwarming to see people feel welcome to come out together and socialize. The rebirth of children in the neighborhood is also an interesting thing – it is good to see children again.

Councilmember Suter said she heard great things from her neighborhood about City staff in dealing with the Walmart project. There was nothing negative about the project at all: even the parking lot lights were not an issue. A lady said it is a nice glow, and she did not mind at all. Councilmember Suter said she heard a lot of nice things about Assistant City Manager Scott Wingerson and others with whom people had direct contact in regard to the Walmart project. A lot of people were enthusiastic about the trail being completed, and there were a lot of positive comments about that. Councilmember Suter inquired into when the trail clean up would be completed.

City Manager Davis replied that there is still quite a bit of clean up to be completed. Assistant City Manager Wingerson walked the trail recently. The small stop signs may also be removed, there is some silt fencing that will be removed, some mowing that needs to occur, and some signs that need to be installed. City Manager Davis said he was pleased that the work has moved along this far, and pleased that they have the landscaping in, but there is still work to be done.

Councilman Carol Rudi said she wished to extend her appreciation to the City's Fire Department, who responded to a call at her mother's house today. Councilman Rudi said her mother does not hear well, and what happened was that the vacuum cleaner caused smoke to come out of the outlet, and they did a very thorough job of looking for any other possibilities for problems. Councilman Rudi said because her mother does not hear well, they helped her contact a qualified electrician, who was there within 30 minutes, checked everything out, made some changes, made some updates, and everything has worked out just great. Councilman Rudi thanked the Fire Department for all their help.

Councilman Rudi said there are a number of events coming up at the Atkins Johnson Farm. On October 23, there will be scouting activities, Geocaching, and there will be the Daughters of the American Revolution historical marker dedication. Councilman Rudi suggested that if anyone needed further information, to please contact Economic Development Administrator Melinda McHaffy. Councilman Rudi reported that on October 28, at 7:00 PM, there would be a speaker to talk about paranormal investigative techniques and findings at the Atkins Johnson Farm, brought to us by the Johnson County Community College. This is scheduled right before Halloween. The group has spent quite a bit of time at the farm, and it will be a very interesting talk. Councilman Rudi informed the audience that if one is not a member of the Friends of the Atkins-Johnson Farm, it is not too late to join and attend some of these activities for free; otherwise, some of the activities will cost \$5.00.

Mayor Pro Tem Barry McCullough stated he had a blast seeing so many people at Gladfest this year. The weather was much more enjoyable than last, and as Councilmember Suter said regarding diversity – everyone was there! It was amazing to see so many folks having a great time.

Mayor Les Smith jokingly said that the Mayor is in charge of the weather and it was not very good last year. Hopefully, it will be equally as good next year as it was this year.

Councilman Rudi jokingly said no one told her she was in charge of the weather last year (when she was Mayor) – she was told Mayor Smith was in charge last year!

Mayor Smith reported that he and Councilman Rudi attended a Crossing Guard ceremony, for our City's crossing guards, who give so much of their time in all types of weather to help our children get across the streets safely. Mayor Smith said he believed that Public Safety Director Hasty would agree that the crossing guards were very pleased with the recognition.

Mayor Smith reported that the Walmart ribbon cutting was fabulous. There is a lot of enthusiasm in that store. The store looks great, feels great and is great. Mayor Smith said he heard nothing negative from his friends who live in the neighborhood through the whole renovation process, which is a good thing, and Mr. Wingerson and his staff did a great job of responding to folks.

Mayor Smith continued by saying some friends were inducted into the Oak Park Hall of Fame this past weekend, and he and Councilman Rudi were fortunate to attend that. The inductees were: Linda Bond, Senator Christopher Bond's wife; Chris Stigall, a native Gladstonian, whose parents still live around 76th Street; John Baker, an Astrophysicist for NASA, and son of the John Baker whom many know; and Becky Kahler Rutledge, daughter of Doctor Dan Kahler, long time Principal of Oak Park High School.

Item 8. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis had no comments at this time.

Item 9. on the Agenda. **RESOLUTION R-10-55**, authorizing acceptance of work under contract with SAK Construction LLC, for the Sanitary Sewer Rehabilitation -- Cured-In-Place-Pipe Project; and authorizing final payment in the amount of \$24,624.48.

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-55**, authorizing acceptance of work under contract with SAK Construction LLC, for the Sanitary Sewer Rehabilitation -- Cured-In-Place-Pipe Project; and authorizing final payment in the amount of \$24,624.48. Councilmember Carol Suter seconded. The vote: All "aye" -- Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 10. on the Agenda. **RESOLUTION R-10-56**, authorizing execution of a contract with Blue Nile Engineering, Incorporated, in the total amount not to exceed \$188,554.00 for the 76th & Lydia Drainage Improvements; Project.

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-56**, authorizing execution of a contract with Blue Nile Engineering, Incorporated, in the total amount not to exceed \$188,554.00 for the 76th & Lydia Drainage Improvements; Project. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" -- Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 11. on the Agenda. **RESOLUTION R-10-57**, A Resolution of the City Council of the City of Gladstone, Missouri, determining its intent to reimburse itself for certain capital expenditures from projects financed through a potential Certificates of Participation Bond issue.

Mayor Pro Tem Barry McCullough moved to adopt **RESOLUTION R-10-57**, A Resolution of the City Council of the City of Gladstone, Missouri, determining its intent to

reimburse itself for certain capital expenditures from projects financed through a potential Certificates of Participation Bond issue. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 12. on the Agenda. **RESOLUTION R-10-58**, authorizing the offering for sale of approximately \$5,750,000 Combined Waterworks and Sewerage System Refunding and Improvement Revenue Bonds, Series 2010, and \$2,000,000 General Obligation Street Improvement Bonds, Series 2010, of the City of Gladstone, Missouri; ratifying a conditional notice of redemption of certain outstanding bonds of the City; and prescribing matters related thereto.

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-58**, authorizing the offering for sale of approximately \$5,750,000 Combined Waterworks and Sewerage System Refunding and Improvement Revenue Bonds, Series 2010, and \$2,000,000 General Obligation Street Improvement Bonds, Series 2010, of the City of Gladstone, Missouri; ratifying a conditional notice of redemption of certain outstanding bonds of the City; and prescribing matters related thereto. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 13. on the Agenda. **FIRST READING BILL 10-36**, approving a second amendment to the Cooperative Agreement for sewer service between the City of Kansas City, Missouri, and Gladstone, Missouri, revising the fee schedule associated with the disposal of lime-sludge, and authorizing the City Manager to execute the agreement on behalf of the City.

Councilmember Carol Suter moved to place **Bill 10-36** on its First Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of **Bill 10-36**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of **Bill 10-36** and to enact the Bill as **Ordinance 4.165**. Mayor Pro Tem Barry McCullough seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 14. on the Agenda. **FIRST READING BILL 10-37**, approving a Cooperative Agreement between the City of Kansas City, Missouri, and Gladstone, Missouri for

construction of transportation related improvements to North Broadway, and authorizing the City Manager to execute the agreement on behalf of the City.

Mayor Pro Tem Barry McCullough moved to place **Bill 10-37** on its First Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of **Bill 10-37**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the Second and Final Reading of **Bill 10-37** and to enact the Bill as **Ordinance 4.166**. Councilman Carol Rudi seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 15. on the Agenda. Other Business.

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

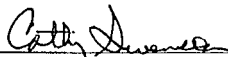
Item 16. on the Agenda. Questions from the News Media.

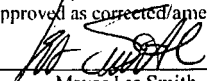
There were no News Media present.

Item 17. on the Agenda. Adjournment.

There being no further business to come before the October 11, 2010, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the regular meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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

Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, OCTOBER 25, 2010**

The City Council will meet in Closed Executive Session on Monday, October 25, 2010, starting at 6:15 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 7:00 PM

REGULAR MEETING: 7:30 PM

AGENDA

- 1. Meeting Called to Order.**
- 2. Roll Call.**
- 3. Pledge of Allegiance.**
- 4. Approval of the Regular October 11, 2010, City Council Meeting Minutes.**
- 5. PROCLAMATION: offering congratulations to ST. PIUS X HIGH SCHOOL, which was recently recognized as one of the "TOP 50 CATHOLIC HIGH SCHOOLS IN THE UNITED STATES".**

6. CONSENT AGENDA

RESOLUTION R-10-59, authorizing the Mayor, City Council members, City Manager, Director of Parks and Recreation, and Chairman of the Parks and Recreation Advisory Board to execute all necessary applications and other documents to seek a grant-in-aid under the Missouri Department of Natural Resources Land and Water Conservation Fund for City of Gladstone Park Improvements.

RESOLUTION R-10-60, authorizing execution of a contract with Playworld Systems, Incorporated, in the total amount not to exceed \$135,000.00 for the Happy Rock Park East Playground Replacement Project.

RESOLUTION R-10-61, authorizing the City of Gladstone, Missouri to execute a partner pledge with the Freedom's Frontier National Heritage Area.

RESOLUTION R-10-62, accepting Permanent and Temporary Construction Easements from certain property owners in conjunction with the Northeast 76th Terrace and North Lydia Drainage Project.

RESOLUTION R-10-63, authorizing the City Manager to execute an agreement with Clay County Realty Company to return the "Letter of Credit" pursuant to the terms of its settlement agreement for Phase I repair items to be completed by October 31, 2010.

APPROVAL OF THE SEPTEMBER FINANCIAL REPORT.

REGULAR AGENDA

- 7. Communications from the Audience.**
- 8. Communications from the City Council.**

9. Communications from the City Manager.

10. FIRST READING BILL 10-38, authorizing and directing the issuance, sale and delivery of \$2,000,000 principal amount of General Obligation Street Improvement Bonds, Series 2010, of the City of Gladstone, Missouri, and authorizing certain other documents and actions in connection therewith.

11. FIRST READING BILL 10-39, authorizing the issuance of Combined Waterworks and Sewerage System Refunding and Improvement Revenue Bonds, Series 2010, of the City of Gladstone, Missouri; prescribing the form and details of said Bonds and the covenants and agreements to provide for the payment and security thereof; and authorizing certain actions and documents and prescribing other matters relating thereto.

12. Other Business.

13. Questions from the News Media.

14. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, OCTOBER 25, 2010**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:15 PM**

Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on October 25, 2010, at 6:15 PM. Mayor Pro Tem Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilman Mark Revenaugh seconded.

Roll Call Vote: All "aye" – Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (3-0)

Councilmember Carol Suter was absent from the vote, but was present at the Closed Executive Session.

Councilman Carol Rudi was absent from the Closed Executive Session.

Mayor Les Smith recessed the Closed Executive Session to go into the Regular City Council meeting.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Mark Revenaugh
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
Interim City Counselor Chris Williams
City Clerk Cathy Swenson

ABSENT: Councilman Carol Rudi

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

Mayor Les Smith opened the Regular October 25, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present, except for Councilman Carol Rudi, who was ill.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR OCTOBER 11, 2010, CITY COUNCIL MEETING MINUTES.**

Mayor Pro Tem Barry McCullough moved to approve the Regular October 11, 2010, City Council Meeting Minutes as presented. Councilmember Carol Suter seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 5. on the Agenda. **PROCLAMATION:** offering congratulations to **ST. PIUS X HIGH SCHOOL**, which was recently recognized as one of the "TOP 50 CATHOLIC HIGH SCHOOLS IN THE UNITED STATES".

Mayor Smith invited Mr. Joseph Monachino, Principal of St. Pius X High School to join him at the Council dais, where he read and presented the Proclamation to Mr. Monachino, who was accompanied by Ms. Mary Ann Litras, Vice Principal of School Advancement.

Mr. Monachino thanked the Mayor and the City Council for this recognition, and said St. Pius X High School has been serving the Northland for a long time, and it is a pleasure for them to continue a long standing tradition. This award is the culmination of a lot of hard work by a lot of good people over many years. Mr. Monachino said he was blessed to work with a lot of great people and great kids, and it is a pleasure to serve the Northland.

Ms. Litras thanked the Mayor and City Council.

Mayor Smith said that three years ago Mr. Monachino's father was recognized by the City Council. Mayor Smith invited the St. Pius X High School students who were present to stand up and introduce themselves as follows: Theresa Gaul, Alexandria Sweeney, Amelia Miller, and Quinn Morris, all of whom were sophomores at the high school. Nelsie Sweeney, who accompanied the students, also introduced herself.

Mr. Monachino commented that the students were present at the meeting as part of their debate class, and just happened to be present this evening.

Mayor Smith, who said he graduated from St. Pius X High School, the class of 1975, congratulated Mr. Monachino and the high school. Mayor Smith said that the audience may have noticed that one of the young ladies who introduced herself, had the last name

Sweeney. She is the daughter of Nelsie Sweeney, who was at one time the Executive Director of the Gladstone Area Chamber of Commerce. Mayor Smith said it was good to see her again.

Item 6. on the Agenda.

CONSENT AGENDA

Councilmember Carol Suter moved to approve the Consent Agenda as presented. Councilman Mark Revenaugh seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-59**, authorizing the Mayor, City Council members, City Manager, Director of Parks and Recreation, and Chairman of the Parks and Recreation Advisory Board to execute all necessary applications and other documents to seek a grant-in-aid under the Missouri Department of Natural Resources Land and Water Conservation Fund for City of Gladstone Park Improvements. Councilman Mark Revenaugh seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-60**, authorizing execution of a contract with Playworld Systems, Incorporated, in the total amount not to exceed \$135,000.00 for the Happy Rock Park East Playground Replacement Project. Councilman Mark Revenaugh seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-61**, authorizing the City of Gladstone, Missouri to execute a partner pledge with the Freedom's Frontier National Heritage Area. Councilman Mark Revenaugh seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-62**, accepting Permanent and Temporary Construction Easements from certain property owners in conjunction with the Northeast 76th Terrace and North Lydia Drainage Project. Councilman Mark Revenaugh seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-63**, authorizing the City Manager to execute an agreement with Clay County Realty Company to return the "Letter of Credit" pursuant to the terms of its settlement agreement for Phase I repair items to be completed by October 31, 2010. Councilman Mark Revenaugh seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Councilmember Carol Suter moved to approve the **SEPTEMBER 2010 FINANCIAL REPORT**. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

REGULAR AGENDA.

Item 7. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

Freddie Nichols, 5233 Old Pike Road, began by saying that she has been a resident of Gladstone on and off since 1955 or 1956, and for 38 straight years lately. Ms. Nichols said she was present at this meeting wearing two hats. Ms. Nichols said first she wished to compliment and say a huge thank you to the City Council and staff for their assistance on Saturday, when the William Boydston Chapter of the Daughters of the American Revolution performed the dedication of the historical marker. Ms. Nichols said she also wished to extend a thank you for the help of the City staff throughout that period. Public Information Officer Richard King acted as the historian, Planning Specialist Chris Helmer, and Economic Development Coordinator Melinda Mehaffy provided guidance as to how to get all the material together. These people made a difference throughout the effort, and it only took two years to get this project completed. The National Daughters of the American Revolution do a lot of "double dots on the i" on projects.

Ms. Nichols continued by saying that as a Health Board member, but most importantly, as Chairman of Missouri Local Boards of Health, and as a member of the board of the National Local Boards of Health, she was surprised as she traveled down North Oak Trafficway to see a Hookah Bar listed on Gladstone Plaza's sign. This has been a priority on the part of the national association of Local Boards of Health for quite some time. Ms. Nichols said they were made aware in 2008, at a national conference about this issue. Ms. Nichols provided copies to the City Council of the National Association of Local Boards of Health Position Statement regarding Hookah Smoking and Lounges. Ms. Nichols read the following excerpt from the position statement:

Hookah smoking consists of tobacco, heated by quick-lighting charcoal, filtered through water, and distributed to the consumer via a plastic or leather hose. Persons smoke a single hookah over an average 45-50 minute period equating to the consumption of smoke from 100 cigarettes. Smoking sessions at hookah lounges also increase the risk of spreading infectious diseases such as herpes, hepatitis, influenza and tuberculosis if the hookahs are not properly disinfected between users.

Ms. Nichols, at this point, stated that in many of the bars, people will bring their own pipes to insert, and it is a community smoke, not a single smoke. If the hookah tubes are not properly cleaned, that is where the problem lies. Ms. Nichols concluded reading from the position statement with the following sentence:

Hookah lounges place consumers and employees at an increased risk of the same poor outcomes that cigarette smoking does.

Ms. Nichols said this is a real concern, and these have been popping up in college towns, and it shocked her that one came to Gladstone Plaza, as their drawing crowd is older teens. Ms. Nichols said that Springfield, Massachusetts has created an Ordinance, and she has the information, but she would not be so presumptuous as to present that to the City Council this evening. Ms. Nichols said she wanted to raise a concern and let the City Council know that this is truly a national health issue, and that our communicable disease rate is raising in Clay County, and she recently heard that we are almost surpassing Jackson County, and that is bad. Ms. Nichols concluded by thanking the City Council again for their assistance with the historical markers, and said she very much appreciates the City Council members.

Donald Harper, 1606 NE 68 Terrace, stated that Parks and Recreation Director Sheila Lillis earlier this evening made reference to Clay County Senior Services, and he would like pay special tribute to Director Lillis and her staff. The funding that Clay County Senior Services provides to the Gladstone Community Center is one of the best investments they have any place in the County. Anyone can go to the Community Center any day and watch the Seniors in their exercise classes, and it shows how really great it is for all of us, and for not only Gladstone, but a lot of people come from other areas as well. Mr. Harper said this program is offered with Liberty and North Kansas City, and a couple of hospitals, but Gladstone is head and shoulders ahead of the curve in getting people involved in this and working with the Seniors to encourage them to do this. Mr. Harper said from the Clay County Seniors' standpoint, they appreciate all that Gladstone does for this program. Exercise programs are being given credit for helping to stave off Alzheimer's disease. Any place one looks, the benefits are so profound, it is unbelievable. Mr. Harper said he wished to thank Director Lillis and her staff for being partners with them, and doing what he believes is really good work. Mr. Harper said it has not been announced yet, but yes, they are going to receive an increase in funding for 2011.

Item 8. on the Agenda. **COMMUNICATIONS FROM THE CITY COUNCIL.**

Councilmember Carol Suter stated to Ms. Nichols that she would be interested in seeing the information she has about Ordinances related to water pipes.

Mayor Smith said he would also be interested in that information.

Ms. Nichols said she would provide that information to them.

Councilman Mark Revenaugh stated that usually when you see City staff in the paper, especially what comes to mind is the picture of a Kansas City employee sleeping in a truck, that is so opposite of the way our staff operates. Our City started a brand new enterprise like the Community Center, an 18 to 20 million-dollar facility, and for the third year in a row we are making money on it, which is unbelievable, and we are doing that in large part with no outside management. It is all City staff driven. City Council and staff will be going through a Goal Setting session this Wednesday, and one of the things that City Council members were asked to consider is what makes Gladstone special.

Councilman Revenaugh said he would suggest that our Theatre in the Park program that is provided to citizens free of charge is a wonderful benefit to the community, and we do such a great job with it. We are teaching kids to swim, and by Director Lillis's numbers, close to 1,200 kids learned to swim, and probably will not drown, as a result of participating in our learn to swim classes. Councilman Revenaugh said when he reflects on what makes Gladstone unique, he believes he would have to start with the City's Parks and Recreation group. They do a fabulous job, and he would like to extend congratulations to Director Lillis and the rest of the staff, because he has never seen a City staff operate at the level that this one does, and our staff is certainly one of the things that has to be at the top of the list when one thinks of what makes Gladstone special.

Mayor Pro Tem Barry McCullough said he wished to extend a special appreciation to the St. Pius Debate members who were present. It is great to have young people in the crowd, and it is always exciting to see the engagement. Mayor Pro Tem McCullough thanked them for attending the meeting.

Mayor Les Smith stated that he remembered the Debate teacher's name when he was in high school, Ms. Gorsky, and joking said that he was not Ms. Gorsky's favorite student! Mayor Smith offered congratulations to the Debate team members present. Mayor Smith thanked Ms. Nichols for the ceremony at the Atkins Johnson Farm, and said the City is honored to have the marker dedicated, which is helping recognize the historical significance of the Farm. Mayor Smith said he is glad that the Council, staff and community members are committed to it – it is a wonderful project.

Item 9. on the Agenda. COMMUNICATIONS FROM THE CITY MANAGER.

City Manager Kirk Davis began by saying there was a person in the audience who deserves some recognition because of her commitment to the City in the past, and that is, for those who don't know her, Nelsie Sweeney, who ran the Gladstone Area Chamber of Commerce for a period of time.

City Manager Davis mentioned that the Friday Night Fright Night would be held on October 29.

City Manager Davis reported that the City received a double A rating on the bond issues, and he believes it is the highest rating the City has ever received. It comes at a time when most cities have their ratings fall, versus actually improving. It says a lot about our city's financial condition, and the work that the Department Heads do, the budgets that are set, and the history of how we managed our money. City Manager Davis offered Kudos to all involved, including the City Council and staff on the double A bond rating. This is a pretty big deal, and he is not sure how many suburban communities in Missouri have a double A rating, but he would venture to guess that there are very few. City Manager Davis said our city received a double A rating on the General Obligation Bonds, and a double A-1 rating on the Revenue Bonds.

Mayor Smith stated that the City Council does not wish to take action on the next two items on the agenda at this time, and asked Interim City Counselor Chris Williams if they may be continued to a "date certain"?

Counselor Williams agreed that would be fine, but did ask if the Bills would be completely rewritten.

City Manager Davis said the Bills would be adjusted, to which Rick McConnell of Gilmore and Bell, agreed. City Manager Davis said what we are talking about are two Bills relative to the issuance of those bonds. The City was notified late Thursday that we had been approved by the State of Missouri for Recovery Zone Economic Development Bond Re-allocation funds that affects these bonds in a couple of different ways. It makes them taxable versus not taxable, but also we get reimbursed 45 percent of the interest costs on the bonds, resulting in about a \$350,000 savings over the course of twelve years. City Manager Davis explained this came up late, but he believes it is worth looking in to delaying any action Council might take on these bonds for a couple of weeks. City Manager Davis invited Greg Bricker, of George K. Baum, to discuss this issue.

Greg Bricker, of George K. Baum, began by saying that communication was received from the Department of Economic Development at roughly 1:00 PM on Thursday afternoon, which preceded the initial offering of the two series of bonds by roughly 18 hours. An application was submitted on June 30, to participate in a State program that we had initially been not approved to participate in. There had been enough communities that elected not to use their allocation, and had been returned back to the State, that they now had authorization to distribute to those people who had not been originally approved. Gladstone was on that list, and notification was received that the entire seven million dollar application we had made in late June had been granted.

Mr. Bricker said the average interest rate that we had originally anticipated for the General Obligation Bond was roughly 2.5 percent, and running that issue through this program will lower the average interest rate down to probably the 2.1 percent range. That will translate into an \$85,000 savings on the Street Bonds, and on the Revenue Bonds, we had estimated an average interest rate of roughly 2.7 percent, and it should lower the average interest rate on that to the 2.2 percent range, which would translate into roughly a \$275,000 savings. On a combined basis, this is a roughly \$350,000 savings to the City for a little extra work and delaying the financing by roughly two weeks. If this communication had come in today at 1:00 PM, it would have been too late, so the timing is sometimes everything. Mr. Bricker said it was his professional recommendation to take advantage of this program, and it is his understanding that City staff concurs. These bonds will be marketed as taxable bonds, and the actual interest rate on the bonds themselves will be a higher interest rate than what we would have incurred on a tax-exempt basis. As City Manager Davis indicated, this program will reimburse the City 45 percent of the interest expense every six months, so after bringing in the subsidy into the equation, there is a roughly \$350,000 benefit to the City, with very little or no hoops to jump through after the financing concludes. There is some moderate document reconstruction that is required that we could not do in the roughly 18 hour period of time that was available to meet the original

calendar, so tonight's action items for the two Bills will be tabled until November 8, which is the current calendar.

Councilmember Suter inquired into the new issue date.

Mr. Bricker replied that date would be November 8. Mr. Bricker stated he would like to compliment Finance Director Debra Daily for completing the application.

Mayor Smith asked Counselor Williams what his preference would be.

Counselor Williams agreed that continuing the next two items on the agenda, until the next City Council meeting would be fine.

Item 10. on the Agenda. **FIRST READING BILL 10-38**, authorizing and directing the issuance, sale and delivery of \$2,000,000 principal amount of General Obligation Street Improvement Bonds, Series 2010, of the City of Gladstone, Missouri, and authorizing certain other documents and actions in connection therewith.

Mayor Smith said that Item 10., First Reading of Bill 10-38, would be continued to the November 8, 2010, City Council meeting.

Item 11. on the Agenda. **FIRST READING BILL 10-39**, authorizing the issuance of Combined Waterworks and Sewerage System Refunding and Improvement Revenue Bonds, Series 2010, of the City of Gladstone, Missouri; prescribing the form and details of said Bonds and the covenants and agreements to provide for the payment and security thereof; and authorizing certain actions and documents and prescribing other matters relating thereto.

Mayor Smith said that Item 11., First Reading of Bill 10-39, would be continued to the November 8, 2010, City Council meeting.

Item 12. on the Agenda. **Other Business.**

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

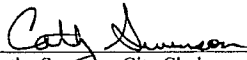
Item 13. on the Agenda. **Questions from the News Media.**

There were no News Media present.

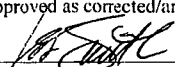
Item 14. on the Agenda. **Adjournment.**

There being no further business to come before the October 25, 2010, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the regular meeting.

Respectfully submitted:



Cathy Swenson, City Clerk

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


Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, NOVEMBER 8, 2010**

The City Council will meet in Closed Executive Session on Monday, November 8, 2010, starting at 6:00 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 7:00 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular October 25, 2010, City Council Meeting Minutes.
5. **CONSENT AGENDA**

RESOLUTION R-10-64, authorizing execution of a professional service agreement with Land3 Studio LLC, in an amount not to

exceed \$53,500.00 for the 2010 Parks and Recreation Master Plan Consulting Services Project.

RESOLUTION R-10-65, supporting an amendment to the 2008 Comprehensive Plan in accordance with Missouri Revised Statutes Section 89.310.

REGULAR AGENDA

6. **Communications from the Audience.**
7. **Communications from the City Council.**
8. **Communications from the City Manager.**
9. **FIRST READING SUBSTITUTE BILL 10-38**, an Ordinance authorizing and directing the issuance, sale and delivery of \$2,000,000 principal amount of taxable General Obligation Street Improvement Bonds (Build America Recovery Zone Economic Development Bonds – direct pay), series 2010, of the City of Gladstone, Missouri, and authorizing certain other documents and actions in connection therewith.
10. **FIRST READING SUBSTITUTE BILL 10-39**, an Ordinance authorizing the issuance of taxable Combined Waterworks and Sewerage System Refunding and Improvement Revenue Bonds (Build America Recovery Zone Economic Development Bonds - direct pay), Series 2010a, and tax-exempt Combined Waterworks and Sewerage System Refunding Revenue Bonds, Series 2010b of the City of Gladstone, Missouri; prescribing the form and details of said bonds and the covenants and agreements to provide for the payment and security thereof; and authorizing certain actions and documents and prescribing other matters relating thereto.
11. **PUBLIC HEARING:** for consideration of a Special Use Permit subject to certain conditions to Trudy Taylor for operation of a

child care facility on property at 7406 North Main Street.
Applicant: Trudy Taylor. Owner: Keith and Trudy Taylor.
File #1349.

- 11a. **FIRST READING BILL 10-40**, granting a Special Use Permit subject to certain conditions to Trudy Taylor for operation of a child care facility on property at 7406 North Main Street.
Applicant: Trudy Taylor. Owner: Keith and Trudy Taylor.
12. **FIRST READING BILL 10-41**, designating a Recovery Zone pursuant to the American Recovery and Reinvestment Tax Act of 2009 for the purpose of issuing Recovery Zone Economic Development Bonds.
13. **RESOLUTION R-10-66**, adopting a Mission Statement and Goals for the City of Gladstone, Missouri for 2010-2011.
14. **RESOLUTION R-10-67**, amending the 2011 Annual General Fund and Combined Waterworks and Sewerage System Fund Budgets for the City of Gladstone, Missouri and authorizing expenditures of funds.
15. Other Business.
16. Questions from the News Media.
17. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, NOVEMBER 8, 2010**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:00 PM**

Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on November 8, 2010, at 6:00 PM. Councilman Carol Rudi made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilmember Carol Suter seconded.

Roll Call Vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, and Mayor Les Smith. (4-0)

Mayor Pro Tem Barry McCullough was absent from the vote, but was present at the Closed Executive Session.

Mayor Les Smith recessed the Closed Executive Session to go into the Regular City Council meeting.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilman Mark Revenaugh
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
Interim City Counselor Chris Williams
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the Regular November 8, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Les Smith invited members of Troop 247 to present the colors and lead the Pledge of Allegiance, in which all joined.

Following the Pledge of Allegiance, Mayor Smith invited the Troop members to introduce themselves as follows:

Grant Martonc, 6th grade, Maple Park Middle School; Grant Bergman, 6th grade, Northgate Middle School; Jacob Gray, 6th grade, New Mark Middle School; Mason Davis, 6th grade, New Mark Middle School; Zack Rong, 6th grade, Congress Middle School; Jeremy Chambers, 8th grade, Antioch Middle School; and Logan Palmer, 7th grade, New Mark Middle School. The adult Troop leaders were: Major Davis, Jeremy Chambers, Sr., Elizabeth Gray, and Kyle Bergman.

Mayor Smith thanked the group, and said they did a great job, which was followed by applause from the audience.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR OCTOBER 25, 2010, CITY COUNCIL MEETING MINUTES.**

Councilmember Carol Suter moved to approve the Regular October 25, 2010, City Council meeting minutes. Mayor Pro Tem Barry McCullough seconded. The vote: "Aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. "Abstain" – Councilman Carol Rudi. (4-0-1).

NOTE: Councilman Carol Rudi was absent from the October 25, 2010, City Council Meeting, so, therefore, abstained from voting on the Minutes of that meeting.

Item 5. on the Agenda. **CONSENT AGENDA**

Councilman Carol Rudi moved to approve the Consent Agenda as presented. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi. Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-64**, authorizing execution of a professional service agreement with Land3 Studio LLC, in an amount not to exceed \$53,500.00 for the 2010 Parks and Recreation Master Plan Consulting Services Project. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-65**, supporting an amendment to the 2008 Comprehensive Plan in accordance with Missouri Revised Statutes Section 89.310. Councilmember Carol Suter seconded. The vote: All "aye" –

Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

REGULAR AGENDA.

Item 6. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

There was no communications from the audience.

Item 7. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Councilmember Carol Suter began by saying it was great to see people out on the sidewalks and trails. Councilmember Suter said she was taking a walk in the Maple Woods Nature Preserve, and the parking lot was full, and there were a number of people walking in the Preserve, which was wonderful. Councilmember Suter asked if there was still any effort to acquire the adjacent property to the preserve.

City Manager Kirk Davis said there was a fund raising effort, but he was not sure of the status of that. At one time the City was looking at acquiring the property, but the price could not be agreed upon.

Mayor Smith said he believed that one of the nearby property owners bought the property, so it would not get away, with hopes that fund raising efforts would lead to a permanent solution.

Councilmember Suter said in seeing all the people enjoying the Preserve, it is wonderful to live in a city with such excellent planning by both elected officials and paid staff. To have amenities like this for a city our size is really amazing.

Councilman Mark Revenaugh stated he was a big proponent of both Bond issues being considered this evening; however a sister company, Southwest Trust who was also owned by Bank of Oklahoma, who owns Bank of Kansas City, who is his employer, has been named as the paying agent on these Bond issues, so to avoid the appearance of any impropriety, he will be abstaining from the vote on those two issues.

Councilman Carol Rudi had no comments at this time.

Mayor Pro Tem Barry McCullough said he was glad to see the Boy Scouts in attendance, and he had the pleasure of meeting with several Boy Scouts at the Mid Continent Library last week, where he visited with them about citizenship in the community for the American Heritage Merit Badge. It was a lot of fun, and it was a good experience for him, as well as hopefully, the Scouts. Mayor Pro Tem McCullough extended a "thank you" to our veterans in honor of Veterans Day coming up on Thursday.

Mayor Les Smith thanked Mayor Pro Tem McCullough for visiting with the Scouts, and said he understood it went very well and he did a great job representing the City and educating the young men.

Item 8. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis reported that City Hall would be closed on Thanksgiving Day and the following Friday. The next regular City Council meeting will be on November 29. There will not be a meeting on the regular meeting day of November 22.

Mayor Smith said the order of some of the agenda items would be switched, this evening, and he would like at this time to move published **Agenda Item 11.** forward on the agenda to be considered as **Agenda Item 9.**

Item 9. on the Agenda. **PUBLIC HEARING:** for consideration of a Special Use Permit subject to certain conditions to Trudy Taylor for operation of a child care facility on property at 7406 North Main Street. Applicant: Trudy Taylor. Owner: Keith and Trudy Taylor. File #1349.

Mayor Smith said the procedure for the Public Hearing would be that the Public Hearing will be opened, a presentation will be heard from staff, the applicant will be invited to make a presentation to the Council, and the audience will then be invited to speak in favor or opposition to the application.

Mayor Smith opened the Public Hearing.

Planning Specialist Chris Helmer began by saying that tonight's Special Use Permit application is simply for a renewal of an existing Special Use Permit for Ms. Taylor. This application dates back to 1992, with no problems. Staff is recommending that the 10 year duration continue, and would recommend that the City Council consider the same action as the Planning Commission, who voted unanimously in favor of this request on October 18.

As there were no questions from the City Council, Mayor Smith invited the applicant to address the Council.

Trudy Taylor, 7406 North Main Street, said she is asking for a renewal of her application. She has been providing child care for 18 years, with the City's approval, and is asking for another 10 years.

There was no one in the audience to speak in Favor or in Opposition to the application.

Mayor Smith closed the Public Hearing.

Item 9a. on the Agenda (published as Item 11a.). FIRST READING BILL 10-40, granting a Special Use Permit subject to certain conditions to Trudy Taylor for operation of a child care facility on property at 7406 North Main Street. Applicant: Trudy Taylor. Owner: Keith and Trudy Taylor. File #1349.

Councilman Mark Revenaugh moved to place **Bill 10-40** on its First Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the First Reading of **Bill 10-40**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the Second and Final Reading of **Bill 10-40** and to enact the Bill as **Ordinance 4.167**. Mayor Pro Tem Barry McCullough seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 10. on the Agenda (published as Item 12). FIRST READING BILL 10-41, designating a Recovery Zone pursuant to the American Recovery and Reinvestment Tax Act of 2009 for the purpose of issuing Recovery Zone Economic Development Bonds.

Mayor Pro Tem Barry McCullough moved to place **Bill 10-41** on its First Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of **Bill 10-41**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the Second and Final Reading of **Bill 10-41** and to enact the Bill as **Ordinance 4.168**. Councilman Mark Revenaugh seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 11. on the Agenda (published as Item 9). **FIRST READING SUBSTITUTE BILL 10-38**, an Ordinance authorizing and directing the issuance, sale and delivery of \$2,000,000 principal amount of taxable General Obligation Street Improvement Bonds (Build America Recovery Zone Economic Development Bonds – direct pay), series 2010, of the City of Gladstone, Missouri, and authorizing certain other documents and actions in connection therewith.

Councilmember Carol Suter moved to place **Substitute Bill 10-38** on its First Reading. Councilman Carol Rudi seconded. The vote: "Aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. "Abstain" – Councilman Mark Revenaugh. (4-0-1). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of **Substitute Bill 10-38**. Waive the Rule and place the Bill on its Second and Final Reading. Councilman Carol Rudi seconded. The vote: "Aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. "Abstain" – Councilman Mark Revenaugh. (4-0-1). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of **Substitute Bill 10-38** and to enact the Bill as **Ordinance 4.169**. Councilman Carol Rudi seconded.

Roll call vote: "Aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. "Abstain" – Councilman Mark Revenaugh. (4-0-1)

Item 12. on the Agenda (published as Item 10). **FIRST READING SUBSTITUTE BILL 10-39**, an Ordinance authorizing the issuance of taxable Combined Waterworks and Sewerage System Refunding and Improvement Revenue Bonds (Build America Recovery Zone Economic Development Bonds - direct pay), Series 2010a, and tax-exempt Combined Waterworks and Sewerage System Refunding Revenue Bonds, Series 2010b of the City of Gladstone, Missouri; prescribing the form and details of said bonds and the covenants and agreements to provide for the payment and security thereof; and authorizing certain actions and documents and prescribing other matters relating thereto.

Councilman Carol Rudi moved to place **Substitute Bill 10-39** on its First Reading. Mayor Pro Tem Barry McCullough seconded. The vote: "Aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. "Abstain" – Councilman Mark Revenaugh. (4-0-1). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the First Reading of **Substitute Bill 10-39**. Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Barry McCullough seconded. The vote: "Aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. "Abstain" – Councilman Mark Revenaugh. (4-0-1). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the Second and Final Reading of **Substitute Bill 10-39** and to enact the Bill as **Ordinance 4.170**. Councilman Mayor Pro Tem Barry McCullough seconded.

Roll call vote: "Aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. "Abstain" – Councilman Mark Revenaugh (4-0-1)

Item 13. on the Agenda. **RESOLUTION R-10-66**, adopting a Mission Statement and Goals for the City of Gladstone, Missouri for 2010-2011.

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-66**, adopting a Mission Statement and Goals for the City of Gladstone, Missouri for 2010-2011. Councilman Mark Revenaugh seconded.

Mayor Smith asked City Manager Davis to provide a summary of the goals to be adopted by the City Council.

City Manager Davis began by reporting that every year the City Council holds a goal setting session in the fall, and this happened recently. The importance of this for the staff is that staff uses the goals and initiatives that come from that goal setting session as the framework for our 2011-2012 budget. It also provides a framework from which staff is able to make decisions about expenditures and programs much more easily as long as staff stays within the framework of the goals.

City Manager Davis stated that there were nine goals this year, and they are very important. The City Council acted upon a couple of them this evening, a \$3.7 million road improvement program, with \$2 million coming from the Bonds that were just approved. The City Council approved \$5 million for the water/sewer program.

City Manager Davis continued by saying that our City is in the process of implementing the Public Safety Sales Tax. Two officers will be hired in December, two officers will be hired in March, and two officers will be hired in June. Staff is currently going through the process of the design and construction of a new radio system that will allow us to communicate much more effectively with adjacent agencies and Kansas City.

City Manager Davis said our city is continuing to work on initiatives that allow investors to invest money in our community. One of those is the Village Center concept, and staff is continuing to try to set the table for that when the economy does turn around. When credit becomes a little easier for developers, we might be in a situation where we have a real valuable opportunity for them. Our city is also supportive of the Mayors Climate Protection Agreement, and we talk about a lot of environmental things and sustainability issues, and our city is doing its best to become sustainable environmentally, fiscally, historically and from a community health standpoint. Our city is trying to look long term in a lot of different areas that ultimately makes this a very healthy community and healthy organization. .

City Manager Davis reported that another goal is continued emphasis and implementation of housing and neighborhood initiatives. The City Council is well aware of all the neighborhood programs, and in our recent Goal Setting Session, Assistant City Manager Scott Wingerson gave a report about approximately 14 of them. These initiatives help our neighborhoods reinvest in themselves, get organized, and work toward improvements, and the City staff is there to support them in those initiatives, and so far, they are working quite well.

City Manager Davis stated another goal is to continue emphasis on developing community health program initiatives, and said this is a kind of sustainability issue for our own citizens. The program Strive to Thrive was discussed this evening in the budget's re-appropriation presentation. There are a number of things being done from the community health standpoint in terms of the Health Fair, and so forth. City Manager Davis said he was very pleased with the staff's reaction to developing a community health program and their initiatives.

City Manager Davis continued by saying another goal is to pursue single source solid waste disposal, and as the City Council knows, there will be consideration of bidding out or contracting with a single source solid waste hauler, who will provide services such as recycling to all the citizens in our community, and hopefully, will do so at a rate that will be less than what individuals are currently paying.

City Manager Davis stated in regard to the goal, Develop and Analyze Certificate of Participation Projects and Financing, discussion was held regarding eight or ten items that are unique to our community that we need to find a way to fund, and our City is moving toward a COP (Certificates of Participation), which is essentially a bond issue to fund those eight or ten initiatives. All the details of that will be addressed by the City Council as we move forward -- all the financial details, refinement of some of the project costs, and things like that, so there are a lot of filters we still need to go through with that particular issue. It is still a goal for this next year.

Mayor Smith thanked City Manager Davis and staff for the preparation for the Goal Setting Session. There are a lot of quality of life issues involved with these goals, what we have done the last few years, and what we are going to be doing in the coming year. There are a lot of exciting things for our community, as we continue to do very well, in the sense of being able to reinvest in ourselves and to create those amenities in the community that make everyone proud to live here, but more importantly, to make it a good place to live and raise your family.

The vote: All "aye" -- Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 14, on the Agenda. RESOLUTION R-10-67, amending the 2011 Annual General Fund and Combined Waterworks and Sewerage System Fund Budgets for the City of Gladstone, Missouri and authorizing expenditures of funds.

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-67**, amending the 2011 Annual General Fund and Combined Waterworks and Sewerage System Fund Budgets for the City of Gladstone, Missouri and authorizing expenditures of funds. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 15. on the Agenda. Other Business.

Mayor Smith said he forgot to mention earlier for those who do not yet know, Gladstone is about to have a local newspaper again. The Sun Tribune, which used to be The Dispatch, and then discontinued circulation in this area, is coming back on line to help support the community, and will be called The Gladstone Dispatch. The first edition will be delivered on Thanksgiving, and we are excited about that, because we have not had a member of the press at one of our meetings for it seems like an awfully long time.

Mayor Smith reported that the Mayor's Christmas Tree Lighting Ceremony will be November 23, at the First Bank of Missouri at 59th and Antioch Road, at 6:00 PM. There will be singing from a couple of the elementary school choirs, Santa will be there accepting requests, and there will be warm drinks and cookies afterwards. The tree lighting will be hopefully broadcast live on Channel 9, and the Master of Ceremonies will be Chris Ketz. Mayor Smith invited everyone to attend on November 23rd at 6:00 PM. That is also the kick-off for the Mayor's Christmas Tree Lighting Fund Drive that allows us to help a lot of people in our community who need help.

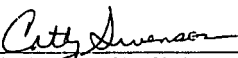
Item 16. on the Agenda. Questions from the News Media.

There were no News Media present.

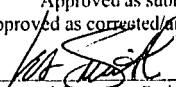
Item 17. on the Agenda. Adjournment.

There being no further business to come before the November 8, 2010, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the regular meeting.

Respectfully submitted:



Cathy Swenson, City Clerk

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


Mayor Les Smith



PUBLIC NOTICE

GLADSTONE CITY COUNCIL

CLOSED EXECUTIVE SESSION

MONDAY, NOVEMBER 15, 2010

TIME: STARTING AT 5:30 PM

LOCATION: CITY MANAGER'S OFFICE

GLADSTONE CITY HALL

7010 NORTH HOLMES

GLADSTONE, MISSOURI 64118

The Gladstone City Council will meet in Closed Executive Session on Monday, November 15, 2010, starting at 5:30 PM in the City Manager's Office; Gladstone City Hall; 7010 North Holmes; Gladstone, MO 64118. The Executive Session is closed pursuant to the Missouri Open Meeting Act Exemption under Section 610.21(3) for Personnel Discussion.

Representatives of the News Media may obtain copies of this notice by contacting:

City Clerk Cathy Swenson
7010 N Holmes
423-4096



**MINUTES
CITY COUNCIL MEETING
ADJOURNMENT TO A CLOSED EXECUTIVE SESSION
GLADSTONE, MISSOURI**

MONDAY, NOVEMBER 15, 2010

PRESENT: Mayor Les Smith
Mayor Pro Barry McCullough
Councilman Carol Rudi
Councilmember Carol Suter

Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on November 15, 2010, at 5:30 PM in the Gladstone City Council Chambers.


Councilman Carol Rudi made a motion to adjourn to Closed Executive Session pursuant to the Missouri Open Meeting Act Exemption 610.021(3) for Personnel Discussion. Councilmember Carol Suter seconded.


Roll Call Vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (4-0).

NOTE: Councilman Mark Revenaugh was present at the Closed Executive Session.

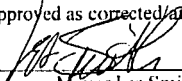
Mayor Les Smith adjourned the Closed Executive Session.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: 

Approved as corrected/amended: _____


Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, NOVEMBER 29, 2010**

The City Council will meet in Closed Executive Session on Monday, November 29, 2010, starting at 6:00 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 6:30 PM

REGULAR MEETING: 7:30 PM

AGENDA

- 1. Meeting Called to Order.**
- 2. Roll Call.**
- 3. Pledge of Allegiance.**
- 4. Approval of the Regular November 8, 2010, City Council Meeting Minutes.**
- 5. Approval of the November 15, 2010, City Council Meeting Minutes convening a Closed Executive Session.**

REGULAR AGENDA

6. **Communications from the Audience.**
7. **Communications from the City Council.**
8. **Communications from the City Manager.**
9. **APPROVAL OF THE OCTOBER 2010, FINANCIAL REPORT.**
10. **FIRST READING BILL 10-42**, authorizing the City Manager to execute an agreement with the Missouri Department of Transportation (MODOT) for federal funds relating to the construction of a bicycle/pedestrian trail along Shoal Creek.
11. **FIRST READING BILL 10-43**, authorizing the City Manager to execute a Cooperative Agreement with the City of Kansas City, Missouri for construction of a bicycle/pedestrian trail along Shoal Creek.
12. **FIRST READING BILL 10-44**, providing that a Primary Election shall not be held, and calling a General Election for the election of two positions to the Gladstone City Council on Tuesday, April 5, 2011, describing the form of the ballot, and directing the City Clerk to submit certification of such election to the Clay County Board of Election Commissioners pursuant to RSMo 115.125.
13. **Other Business.**
14. **Questions from the News Media.**
15. **Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, NOVEMBER 29, 2010**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:00 PM**

Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on November 29, 2010, at 6:00 PM. Mayor Pro Tem Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilmember Carol Suter seconded.

Roll Call Vote: All "aye" – Councilmember Carol Suter, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (3-0)

Councilman Mark Revenaugh was absent from the vote, but was present at the Closed Executive Session. Councilman Carol Rudi was absent from the meeting.

Mayor Les Smith recessed the Closed Executive Session to go into the Regular City Council meeting.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Mark Revenaugh
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
Interim City Counselor Chris Williams
City Clerk Cathy Swenson

ABSENT: Councilman Carol Rudi

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

Mayor Les Smith opened the Regular November 29, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present, except Councilman Carol Rudi, who was ill.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Les Smith introduced Boy Scout Zach Adams and his father Tim Adams, of Troop 354, sponsored by the United Methodist Church. Mayor Smith invited Zach Adams to lead the group in the Pledge of Allegiance, in which all joined.

Mayor Smith offered "good job" to Zach, and invited him to tell a little bit about himself.

Zach said he was a 6th grade student at Antioch Middle School.

Mayor Smith thanked Zach and his father for attending the meeting this evening.

Mayor Smith introduced Nick Cain, and Mari Grelinger, from St. Pius X High School, where they are Debate Team students, and thanked them for being present this evening.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR NOVEMBER 8, 2010, CITY COUNCIL MEETING MINUTES.**

Councilman Mark Revenaugh moved to approve the Regular November 8, 2010, City Council meeting minutes. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 5. on the Agenda. **APPROVAL OF THE NOVEMBER 15, 2010, CITY COUNCIL MEETING MINUTES CONVENING A CLOSED EXECUTIVE SESSION.**

Mayor Pro Tem Barry McCullough moved to approve the November 15, 2010, City Council Meeting Minutes Convening a Closed Executive Session. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

REGULAR AGENDA.

Item 6. on the Agenda. **COMMUNICATIONS FROM THE AUDIENCE.**

David Smith, 3301 NE 68 Terrace, stated David Bennett, Gary Lint and Mike Rider were with him this evening. Mr. Smith said he was a member of the Friends of the Atkins Johnson Farm. If he had said that two years ago, he would have had to explain where it was and what it was. Today, when he says that, before he can say anything else, people

tell him how nice the house and cemetery look. Mr. Smith thanked the City Council for making the transition possible. Mr. Smith continued by saying a few weeks ago, Gladstone Public Works employees did some work at the cemetery, and cleaned up the tree lines, cut brush and trees, and turned what looked like a good place to dump stuff into what looks like a well maintained historic cemetery. Mr. Smith said he would like to thank them for a well-done, professional job.

Mayor Smith invited Economic Development Coordinator Melinda Mehaffy to join Mr. Smith, to share some good news received today about more work at the cemetery.

Ms. Mehaffy reported that excellent news was received today. Suher Industries, which is a company from Parsons, Kansas, who does mausoleum work, and works closely with White Chapel Cemetery, has agreed to help with the restoration work at the cemetery. They will be raising between eight and ten stones, leveling those stones, shoring up the foundation, putting in pins, and putting down new scalant on the stones. Ms. Mehaffy said we will see most of our headstones back in working order, and she is very pleased with that, because there is a Civil War veteran's headstone that is being repaired, and one of the oldest stones that is being repaired is from 1886. The work is being done for about one third of the price that they had originally bid, and they will work with the City for a Gladstone Economic Betterment Council donation for the remainder. Ms. Mehaffy said she was very pleased with this.

Mayor Smith said to Mr. Smith and the gentlemen with him that the City Council appreciates his comments and those will be passed along. There are a number of volunteers in the community, such as these gentlemen, who have a real passion for what is going on at Atkins-Johnson Farm, and who have participated and donated their own time and efforts, and they are all very much appreciated.

Dean Merkel, 7244 North Norton, began by saying he lives in the Stonebrook subdivision, and introduced his wife, Karen. Mr. Merkel said they sent a letter to the City, and spoke to the City Engineer earlier this evening. Mr. Merkel said there were two things he wanted to talk about, and one of them is a single trash/recycling provider for Gladstone. Our streets are getting beat up with the trucks, and now that recycling has been added, there are more and more trucks coming into our City. Everyday, there is trash sitting out, and it is getting rough on our streets and is a safety issue. Mr. Merkel said he did not care which vendor the City used, but a single vendor would be great.

Mr. Merkel said the other issue he wished to discuss is a safety issue, which is old Antioch Road, by St. Andrew's Church, by the (White Chapel) cemetery. It is a very dangerous road, with a drainage ditch on the west side of the road. There is getting to be more traffic and homes in that area, there is also a poor intersection at that spot. When cars go driving out, it is a dangerous area. The City Engineer said there is already something in the works for both of these issues.

Mayor Smith said Mr. Merkel probably saw all the Council members nodding their heads regarding the single source hauler, and he knows where the City is on that issue.

Regarding old Antioch Road, there are issues there, and the City is working on some things for that area. Mayor Smith said he also wanted to apologize to Mr. Merkel, because having been told right before the meeting that Mr. Merkel was present, Council members and staff discussed who responded to these folks, and he is not sure that the proper written response from as many people as Council had anticipated would have responded, actually happened, because each person thought the other had done it. Mayor Smith apologized to Mr. Merkel, if he did not receive an adequate response.

Mr. Merkel replied that he and his wife had already planned to be at this City Council meeting.

Mayor Smith asked City Manager Kirk Davis to respond to these issues.

City Manager Davis suggested that Public Works Director Tim Nebergall would be able to share with the City Council what he discussed with Mr. and Mrs. Merkel.

Public Works Director Tim Nebergall began by saying he advised Mr. and Mrs. Merkel that the single source hauler issue had been discussed at the City Council's recent goal setting meeting, and the City Council directed staff to move forward with single source hauling, which will include recycling. The City's two-year notice to the City's licensed trash haulers expires the end of August 2011, so we would need to have a contract in place with a single source hauler by that date. Director Nebergall said he is not certain when the implementation date would be; however, we need to have a contract in place by the end of August 2011.

Public Works Director Nebergall continued by saying in regard to the old Antioch Road curve, the Capital Improvements Program Committee and City Council funded a \$170,000 project there at the curve. This does not fix everything; however, the goal is to keep people from going off the road into the ditch. The road, in that area, is super elevated, and it gets slick in the wintertime, and people find themselves at the bottom of the ditch. Director Nebergall reported that the Transportation Enhancement Committee recently had a call for projects, and one of the projects we submitted was a trail on old Antioch Road. That trail would serve two purposes – one the trail, and the other is curb and gutter on that section of Antioch Road, so staff is looking at some other options to improve this area.

Mayor Smith commented that regarding the awkward intersection, we have the realignment of Pleasant Valley Road, which will be discussed later as part of the Atkins Johnson land project. With this project, the Pleasant Valley Road connection would be further to the north, up the hill on old Antioch Road, which will alleviate a lot of traffic concerns. The long-term goal is to alleviate that much traffic in that area all together.

Councilman Mark Revenaugh inquired into the 76th and North Broadway project, and asked if money has been set aside for that area, where there is a bad dip, and police are there every winter.

City Manager Davis replied that is included in the Bond issue, that the City Council approved. That project is designed, and construction will begin in the spring.

Councilman Revenaugh asked if Kansas City has already done their share of the project.

City Manager Davis replied, no, but our City will do its share, and we will do some work in Kansas City to taper into our area, but Kansas City probably has some work they will want to do, north of our project; they have put an overlay or a cap down. Our project will be different from their project. City Manager Davis said that the City Council will recall that they just issued Bonds for 76th Street and for Broadway. The projects we have always talked about are Pleasant Valley Road, Old Pike Road, and old Antioch Road, which is our next highest priority short of the 68th Street extension. If the Road District financial issue works out, that is a potential.

Mayor Smith suggested as we get to that point, especially with the single source haulers issue, there might need to be some legwork done with some of the neighborhoods. The Merkels would be great folks to have on our side for this, so we need to keep in touch with them.

Item 7. on the Agenda. **COMMUNICATIONS FROM THE CITY COUNCIL.**

Councilmember Carol Suter said the Mayor's Christmas Tree Lighting event was held recently, and one of the charities that receives contributions from the fund raising that is attached to that, is the Northland Christmas Store. Councilmember Suter said there was recent media coverage about that organization, and they are in very dire straits this year with a real shortfall of income. So often, when we think about needs in urban areas, we always think about the downtown urban core, and lots of times the needs of communities like the Northland are hidden; we don't see them so much, because people are not out on the streets. They are expecting to serve more than 1,000 families, who have needs for food and gifts for their children. Councilmember Suter encouraged anyone who is thinking about what they would like to do at the end of year, to consider this; the Northland Christmas Store has extended their fundraising window for this Christmas, through January. There are opportunities to contribute and help them find resources for more food and gifts for community families in need.

Mayor Smith said that Mayor's Christmas Tree Fund contributions may be made directly to our City Hall. Recreation Supervisor Tina Spallo has agreed to accept any contributions, and if one wishes to earmark their contribution to go 100 percent to the Northland Christmas Store, that can certainly be done.

Councilman Mark Revenaugh had no comments at this time.

Mayor Pro Tem Barry McCullough had no comments at this time.

Mayor Les Smith thanked Councilmember Suter for discussing the fund raising part of the Mayor's Christmas Tree Lighting event. Mayor Smith asked City Manager Davis to

carry back his thanks and appreciation to those members of City staff, who helped with the logistics of this event. Mayor Smith thanked Recreation Supervisor Tina Spallo, who was present in the audience. It was a great event, and there were some great corporate sponsors, who stepped forward. Gladstone Hy-Vee, through their sponsorship of the Scarecrow 5K Run, presented a check for about \$6,000. Antioch Bible Baptist Church presented a check for \$2,500. Commerce Bank and First Bank of Missouri both contributed \$1,500. Gladstone Bowl and other small businesses also contributed. All of this is very much appreciated. It was a good time that evening. Chris Ketz, Channel 9 News, served as the emcee, and gave the City a great plug the following morning on his news show. This is all good for the community of Gladstone. Mayor Smith thanked everyone who helped with this event.

Item 8. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis had no comments at this time.

Item 9. on the Agenda. **APPROVAL OF THE OCTOBER 2010, FINANCIAL REPORT.**

Councilmember Carol Suter moved to approve the **OCTOBER 2010, FINANCIAL REPORT**. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 10. on the Agenda. **FIRST READING BILL 10-42**, authorizing the City Manager to execute an agreement with the Missouri Department of Transportation (MODOT) for federal funds relating to the construction of a bicycle/pedestrian trail along Shoal Creek.

Councilman Mark Revenaugh moved to place **Bill 10-42** on its First Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the First Reading of **Bill 10-42**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Councilman Mark Revenaugh moved to accept the Second and Final Reading of **Bill 10-42** and to enact the Bill as **Ordinance 4.171**. Councilmember Carol Suter seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0)

Item 11. on the Agenda. **FIRST READING BILL 10-43**, authorizing the City Manager to execute a Cooperative Agreement with the City of Kansas City, Missouri for construction of a bicycle/pedestrian trail along Shoal Creek.

Mayor Pro Tem Barry McCullough moved to place **Bill 10-43** on its First Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of **Bill 10-43**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the Second and Final Reading of **Bill 10-43** and to enact the Bill as **Ordinance 4.172**. Councilman Mark Revenaugh seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0)

Item 12. on the Agenda. **FIRST READING BILL 10-44**, providing that a Primary Election shall not be held, and calling a General Election for the election of two positions to the Gladstone City Council on Tuesday, April 5, 2011, describing the form of the ballot, and directing the City Clerk to submit certification of such election to the Clay County Board of Election Commissioners pursuant to RSMo 115.125.

Councilmember Carol Suter moved to place **Bill 10-44** on its First Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of **Bill 10-44**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of **Bill 10-44** and to enact the Bill as **Ordinance 4.173**. Mayor Pro Tem Barry McCullough seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0)

Item 13. on the Agenda. **Other Business.**

Mayor Smith noted that the Gladstone Dispatch newspaper is back, and he hoped everyone found one in their driveways. It is a work in progress, as they say. Mayor Smith suggested to the Scouts, folks working with the Atkins Johnson Farm and cemetery, and the schools that the Gladstone Dispatch is looking for information, human-interest stories, and events to be funneled to them. Mayor Smith asked people to please send any information the newspaper might have an interest in for our community, and they might write about it. They are very interested in making this a true community newspaper.

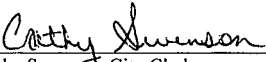
Item 14. on the Agenda. **Questions from the News Media.**

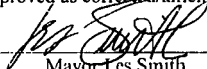
There were no News Media present.

Item 15. on the Agenda. **Adjournment.**

There being no further business to come before the November 29, 2010, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the regular meeting. Mayor Smith invited anyone who would like to stay for the conclusion of the Open Study Session that began at 6:30 PM, to do so.

Respectfully submitted:


Cathy Swenson, City Clerk

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

Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, DECEMBER 13, 2010**

The City Council will meet in Closed Executive Session on Monday, December 13, 2010, starting at 6:00 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 7:00 PM

REGULAR MEETING: 7:30 PM

AGENDA

- 1. Meeting Called to Order.**
- 2. Roll Call.**
- 3. Pledge of Allegiance.**
- 4. Approval of the Regular November 29, 2010, City Council Meeting Minutes.**
- 5. SPECIAL PRESENTATION TO RETIRING BOARD AND COMMISSION MEMBERS.**
- 6. CONSENT AGENDA**

RESOLUTION R-10-68, authorizing acceptance of work under contract with Kissick Construction Company, Incorporated, for the Briarcliff 24 Inch Raw Water Main Replacement Project; and authorizing final payment in the amount of \$8,825.60.

RESOLUTION R-10-69, authorizing acceptance of a proposal from Dick Smith Ford, received from the Metropolitan Joint Bid, for the purchase of a 4 x 4 Dump Truck with Spreader and Snowplow for the net purchase amount of \$53,316.

RESOLUTION R-10-70, authorizing execution of a contract with Raftelis Financial Consultant Company, for the Kansas City, Missouri Sanitary Sewer Cost of Service Study, in the total amount not to exceed \$28,300.00.

RESOLUTION R-10-71, authorizing execution of a contract with Wallace Engineering for the design of the Water Treatment Plant Upgrades, in the total amount not to exceed \$183,460.00.

APPROVAL OF A NEW SEVEN DAY PACKAGE LIQUOR LICENSE for Moran Foods, Incorporated, dba Save-A-Lot #458; 6599 North Oak Trafficway. Liquor Managing Officer: Barbara A. Loop.

APPROVAL OF A NEW SIX DAY RESTAURANT BAR (A-R) LIQUOR BY THE DRINK LICENSE for First Latin Culinary Center, dba Latin Bistro; 6924 North Oak Trafficway. Liquor Managing Officer: Teresa L. Faller.

APPROVAL OF THE NOVEMBER FINANCIAL REPORT.

REGULAR AGENDA

- 7. Communications from the Audience.**
- 8. Communications from the City Council.**
- 8a. Board and Commission Appointments.**

9. Communications from the City Manager.

10. RESOLUTION R-10-72, authorizing the Mayor of the City of Gladstone, Missouri to execute an employment agreement on behalf of the City of Gladstone, Missouri with Randall D. Thompson, for the position of City Counselor.

11. FIRST READING BILL 10-45, approving the Final Plat of Block 1, Santerra at Shady Lane 4th Plat, a subdivision in Gladstone, Clay County, Missouri, and directing the appropriate officials to affix their signatures to said plat for recording.

12. APPROVAL OF AN ANNUAL LIQUOR LICENSE RENEWAL:

RNB, LLC, dba Red Night Club, 316 NE 72nd Street; Class A Liquor by the Drink License.

13. Other Business.

14. Questions from the News Media.

15. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, DECEMBER 13, 2010**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:00 PM**

Mayor Pro Tem Barry McCullough opened the City Council Meeting to adjourn to a Closed Executive Session on December 13, 2010, at 6:00 PM. Councilman Mark Revenaugh made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Mayor Pro Tem Barry McCullough seconded.

Roll Call Vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, and Mayor Pro Tem Barry McCullough. (3-0)

Mayor Les Smith and Councilman Carol Rudi were absent from the vote, but were present at the Closed Executive Session.

Mayor Les Smith adjourned the Closed Executive Session.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilman Mark Revenaugh
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
Interim City Counselor Chris Williams
City Clerk Cathy Swenson

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

Mayor Les Smith opened the Regular December 13, 2010, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR NOVEMBER 29, 2010, CITY COUNCIL MEETING MINUTES.**

Mayor Pro Tem Barry McCullough moved to approve the Regular November 29, 2010, City Council meeting minutes. Councilmember Carol Suter seconded. The vote: "Aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Mayor Pro Tem Barry McCullough and Mayor Les Smith. "Abstain" – Councilman Carol Rudi. (4-0-1).

NOTE: Councilman Carol Rudi was absent from the November 29, 2010, City Council Meeting, so, therefore, abstained from voting on the Minutes of that meeting.

Item 5. on the Agenda. **SPECIAL PRESENTATION TO RETIRING BOARD AND COMMISSION MEMBERS.**

Mayor Smith said the City Council would like to recognize two retiring Board and Commission members. Mayor Smith first invited LeRoy Gunselman, retiring member of the Board of Zoning Adjustment to join him and the City Council at the dais. Mayor Smith read and presented a Certificate of Recognition plaque to Mr. Gunselman, which was followed by applause from the audience. Mayor Smith said that Mr. Gunselman has been a huge supporter of our community for many years, and on top of that, he is just a really good guy, and the City Council appreciates him.

Mr. Gunselman thanked the Mayor and Council, and said he enjoyed serving on the Board of Zoning Adjustment, and jokingly said he tried to quit earlier a couple of times, but Councilman Rudi would not let him!

Mayor Smith said Mr. Gunselman began his service in 1989, which is a long time, and invited Mr. Gunselman to return for a visit any time.

Mayor Smith invited Mike West, retiring member of the Planning Commission, to join him and the City Council at the dais. Mayor Smith read and presented a Certificate of Recognition plaque to Mr. West, which was followed by applause from the audience. Mr. West was also the Planning Commission's representative to the Capital Improvements Program Committee for the past two years. Mr. West has served on the Planning Commission since 2006.

Mr. West thanked the Mayor and Council, and said he appreciated the privilege of serving, and is nearly a life long member of the community, and he is glad to be a part of our community.

Mayor Smith offered "good job" to Mr. West, and thanked him for his service.

Item 6. on the Agenda. **CONSENT AGENDA.**

Following the Clerk's reading, Councilmember Carol Suter moved to approve the Consent Agenda as presented. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-68**, authorizing acceptance of work under contract with Kissick Construction Company, Incorporated, for the Briarcliff 24 Inch Raw Water Main Replacement Project; and authorizing final payment in the amount of \$8,825.60. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-69**, authorizing acceptance of a proposal from Dick Smith Ford, received from the Metropolitan Joint Bid, for the purchase of a 4 x 4 Dump Truck with Spreader and Snowplow for the net purchase amount of \$53,316. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-70**, authorizing execution of a contract with Raftelis Financial Consultant Company, for the Kansas City, Missouri Sanitary Sewer Cost of Service Study, in the total amount not to exceed \$28,300.00. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-10-71**, authorizing execution of a contract with Wallace Engineering for the design of the Water Treatment Plant Upgrades, in the total amount not to exceed \$183,460.00. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve a **NEW SEVEN DAY PACKAGE LIQUOR LICENSE** for Moran Foods, Incorporated, dba Save-A-Lot #458; 6599 North Oak Trafficway. Liquor Managing Officer: Barbara A. Loop. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman

Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve a **NEW SIX DAY RESTAURANT BAR (A-R) LIQUOR BY THE DRINK LICENSE** for First Latin Culinary Center, dba Latin Bistro; 6924 North Oak Trafficway. Liquor Managing Officer: Teresa L. Faller. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" -- Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve the **NOVEMBER FINANCIAL REPORT**. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" -- Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

REGULAR AGENDA.

Item 7. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

There were no communications from the audience.

Item 8. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Councilmember Carol Suter began by saying she wished to express her appreciation for the opportunity to attend the National League of Cities conference, earlier this month, and she was sorry that no one else was able to go this year. This was actually one of the best ones she has attended, with some really great workshops, and some really good information. Councilmember Suter said she would like to highlight a couple of things, because she believes they speak so much to us and to what we are doing. Some numbers jumped out that painted some important pictures about what is going on in America today, and it informs us about a lot of decisions that we have to make about the future of our own community.

Councilmember Suter said changing demographics and the housing situation in America first caught her attention. Councilmember Suter said she went to a seminar sponsored by Wells Fargo, who is the largest mortgage lender in America, and they said currently in America today, there are two million foreclosed vacant homes on the market. In the pipeline are 3 million to 5 million more. Just when we think we are over the hump, the truth is there are a lot bigger humps coming our way, and it made her think about the kind of financial stress that there must be everywhere in our community, even though we do not see it. Councilmember Suter said she appreciated the features that the Kansas City Star has been doing the last few days on poverty in the city, in particular, hunger North of the River. Everyone thinks that everything is fine North of the River, and the truth is we have a lot of poverty that is invisible. Hunger is invisible up here. This kind of financial stress must be amazing, and it made her think, as a city, what can we do? We talk about being a healthy community, and financial health is an important element, as well as our physical

health, and others. Councilmember Suter suggested perhaps a credit counseling organization could do some seminars at our Home Show. Lots of other cities are tackling this issue by providing city resources. Renovation mortgages was another topic that was presented by Wells Fargo, who funds in one mortgage the money to buy a house and the funds to renovate it. In a first tier suburb, almost everything we have for sale needs to be fixed up, and people are put off by thinking they are going to buy something, and then how are they going to pay for the new roof, garage doors, and those kinds of things. Wells Fargo, who is the largest company in the country who does this, has a product that allows people to get an appraisal, contract bids on the work that needs to be done, and then they roll it together and they base the mortgage on the appraisal of the fixed up house. Councilmember Suter said her question was how do people, such as homeowners and realtors know about this? Councilmember Suter said she thought the Home Show and our magazine would be good resources to let people know this kind of financing is available.

Councilmember Suter said the scary thing she learned about the housing thing, was that she learned that the FHA, who mostly is financing this kind of mortgage, is financing 110 percent of appraised value. Everyone in her group in the seminar looked at each other and said, "isn't that how we got here in the first place"? Councilmember Suter said that given there are so many more foreclosures coming, A. if there are things that we can do to help sell homes, or B. if we can help people to avoid losing their homes in the first place, would be good.

Councilmember Suter said the demographics shift in America makes her ask the question not only about housing, but every city program and service, and are we preparing for what is coming in America. By 2020, or ten years, there will be 21.7 million more adults in the United States - people 18 years of age and older. Of that, 900,000 will be between 18 and 54 years of age. By 2020, 20.8 million more people will be 55 years of age and older, and of that number, two thirds of them will be 65 years of age and older - this is in just ten years. Councilmember Suter said we talk about housing stock and how to prepare lots of things to anticipate when this economy rebounds, and it goes back to the way it was, and we are going to do all this family housing, but there are only going to be about 900,000 people in that age category who even have children. One of the speakers was rather solemn in his assessment, and he said pretty much what history tells us is whenever the flow of young people stops in a society, economies die. Japan is our most recent example. They have been in a recession that has gone on for more than 20 years.

Councilmember Suter continued by saying in understanding who some of the people are for whom we do programming, which is our idea of families, and the numbers, for 2008, say that more than 40 percent of the births in America are to unmarried women. The number that really "wowed" her was that 49 percent of all the births in the United States participate in the WIC program (Women and Infant Children), so 49 percent of all the babies born in America are being subsidized for food or housing by federal programs. That is absolutely astounding. Councilmember Suter said she thinks about what kinds of programs we are offering to families, and do we really understand who the families in America are, and the kind of economic stress they are under.

Councilmember Suter continued by saying the dying economy was a rampant conversation every place, and she was in a session, where a speaker made a pronouncement that small business, especially retail, cannot be the basis of a sustainable economy for a city. Councilmember Suter said she thought to herself that is pretty much what we are, and what we have, so she turned it into the question of can it, in fact, become a sustainable economy, and she believes that is our challenge moving forward. Sixty-five percent of all the jobs in America are created by companies who employ 2 to 99 people, so it is pretty much small business. There is a new thing called Economic Gardening out there, which is a whole strategy about growing what you have, instead of going out to find others to move in, and lots of great resources are being developed to help cities to get on top of this, and to provide services. More and more cities are doing economic education – business planning for small businesses. Councilmember Suter said she is wondering if there are opportunities for us or the local Chambers of Commerce around that. The number one thing that small businesses say they need is information, especially, market research. The Edward Lowe Foundation has committed itself to Economic Gardening; they have a great website, and they have created a whole new database that assesses business trends in America; especially with small business. One can go to their part of the world and find trend history, breakdowns of kinds of businesses and what is happening with them, and how employment is going with them. This is a good resource.

Councilmember Suter stated that the other thing that stood out to her was that there are increasingly some great partners in our struggle to become sustainable, as economic entities, and that is organizations such as Home Depot. Councilmember Suter said she went to a lunch with them and was impressed with how they have totally committed their foundation to building sustainable cities. They have created a whole entity called Sustainable Cities Institute.Org, which is a website, which has fabulous resources from model Ordinances to pilot projects in cities all over the country. They are putting their money where their mouth is, and Framing Hope and Team Depot are two of the other things they are doing. They are providing funding and materials to do home repair, and they are mobilizing all their employees to go out and actually do the work on projects, everything from building community gardens, planting trees, to building houses or repairing things. Home Depot provides the supplies, so they have had a huge commitment over ten years for what they want to do. Councilmember Suter said since we have a Home Depot in our city, she thought that would be a partner to keep in mind.

Councilmember Suter said it became clear as she went to all the different workshops, and heard all the different people talking about lots of things, that at the end of the day, what is the underlying message? The message is pretty much that the federal government has abdicated all responsibility for planning for the important issues for the future of America, and States, because of their budget problems, have become irrelevant to everything, so it really falls to cities to take the lead, and cities are taking the lead. It starts with things like the Mayors Climate Protection. When our own government would not sign, Mayors said they would take responsibility for this. That is what is happening all across America, and that part is really exciting. Councilmember Suter said she heard lots of great ideas about what cities can do to become more sustainable in every way, which was a little bit of encouragement at the end of the day of hearing some negative things. Councilmember

Suter said she wanted to share this information with the Council, and said she appreciated the opportunity to attend this conference.

Mayor Les Smith said nearly every one of these issues touches part of our community. We talk about Vescovo buildings, we talk about incubators, and we talk about helping people get started, how do we help people stay in business? You talk about demographics and who are we designing our Village Center for, and what we are hearing is that we need people. Are we planning for the right kind of people? How can we take advantage of that to where we somehow stimulate some types of development so that these people have a place to come to that they may not at other places in the metropolitan area. We have seen it with the whole idea of being able to sustain our local economy with retail. The reason we have not been hurt as bad as some of the surrounding communities is that we don't have a lot of the retail that we say we want – the dress shop, the shoes shop, the men's clothing store, and all the restaurants. Those got hurt the worst when the economy tanked. Our sales tax revenue is beginning to increase again, as we provide the staples, such as the hardware stores, the grocery stores, and the Walmart store, and people still need to buy the necessities. We are living proof of some of what Councilmember Suter learned, and more importantly, we need to pay attention to what Councilmember Suter learned, and implement some of it, in order to keep moving forward. What a real opportunity for us, because we have all of those things that we have put in place to where we can develop. Let's see what we want to develop for – let's create that niche, and let's be the best at that segment of that.

Councilmember Suter stated another thing that she keeps coming away with from a lot of these meetings is that we started out thinking about First Tier Suburbs, being one, as mostly a negative thing, and it is always what are the issues. Councilmember Suter said she went to the First Tier sessions, and it was about our issues, and she said, "wait a minute, people, look at how America is changing, and look at the assets of First Tier communities". With smaller houses and big yards, one can garden and put in geothermal and garden on top of it. No one wants big houses anymore; everyone wants smaller houses. Again, when one looks at the demographics, it can be seen why. Wells Fargo was also talking about people in their 20's do not want to buy because A. they are afraid, because of what has happened, and B. they do not see it as part of their life style, so they are renters. There is going to be a growing rental market.

We have so much to offer, that we should be focusing on that; it is called "appreciative inquiry". Councilmember Suter said she did not know if the Council has heard of that kind of a planning tool; it is where you start with what is right, and you learn how to work with it, instead of usually we identify what are all the obstacles and problems and how to fix them – you start with what's right, and we have a lot. Councilmember Suter asked the Council if they saw in the National League of Cities last newspaper that they did a Gallup poll. The poll said what builds communities is not the old fashioned economic development where you get hard business to come in, but what builds communities is residents' attachment to their community. What builds attachment? There are four things: 1. Social offerings – places where people can meet and mix. 2. Openness – diversity – a place where all generations and races connect. 3. Aesthetics – parks, water sites, tree lined

streets, playgrounds and trails. 4. Connection to education. Councilmember Suter said she keeps wondering if there is more that we can do with Maple Woods, and to develop similar connections; she went to a whole seminar about attracting young people to a community. A number of things we are doing. Almost everything about a First Tier Suburb is what young people are looking for.

Mayor Smith thanked Councilmember Suter.

Councilman Mark Revenaugh stated to Councilmember Suter – good report, and said he had no further comments at this time.

Councilman Carol Rudi had no comments at this time.

Mayor Pro Tem Barry McCullough welcomed Randall Thompson, the City's new City Counselor, who was present this evening, and Kyle Yarber, a future Planning Commission member. Mayor Pro Tem Barry McCullough wished everyone a Merry Christmas and a Happy New Year.

Mayor Les Smith offered ditto on all of that. Mayor Smith welcomed Mr. Thompson. Mayor Smith said that Public Safety Director Mike Hasty has a new appointment and responsibility effective the first of January, as President of the KC Metro Chiefs & Sheriffs Association, and he will serve as President for one year. Mayor Smith offered congratulations to Director Hasty.

Item 8a. on the Agenda. BOARD AND COMMISSION APPOINTMENTS.

Councilman Carol Rudi asked to address the Environmental Management Committee first and vote on it separately, so Councilmember Suter would be able to vote on the remainder.

Mayor Smith agreed with Councilman Rudi's request.

Councilman Carol Rudi moved to accept the following appointments:

Environmental Management Advisory Committee:

Term Expiration

Reappointment	Eugene Suter
New Appointment	Jinny Kyle

December 2013
December 2013

Councilman Mark Revenaugh seconded. The vote: "Aye" – Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. "Abstain" – Councilmember Carol Suter. (4-0-1).

Councilmember Suter explained to the audience that the reason she abstained from the vote is because Eugene Suter is her husband.

Councilmember Carol Rudi moved to accept the following appointments:

Planning Commission

Term Expiration

Reappointment	Bill Garnos	December 2014
Reappointment	Alan Ringhausen	December 2014
New Appointment	Gary Markenson	December 2014
New Appointment	Shawn Hartman	December 2014

Capital Improvements Program

Reappointment	Ronald Guglielmino	December 2013
Reappointment	Lee Laramore	December 2013

Board of Zoning Adjustment

Reappointment	Robert Settich	December 2015
New Appointment	Larry Newport	December 2015
New Appointment	Joe Coleman	December 2014

Code Board of Appeals

Reappointment	Charles Logan	December 2013
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Gladstone Industrial Development Authority

Reappointment	Russell Tluscik	December 2016
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Parks and Recreation Advisory Board

Reappointment	Jo Ann Bryant	December 2013
Reappointment	Jim Olshefski	December 2013
Reappointment	Rachel Pacubas	December 2013

Telecommunications Advisory Board

Reappointment	Brenda Lowe	December 2013
Reappointment	John Garner	December 2013

Tax Increment Financing (TIF)

Reappointment	Pete Hall	December 2014
Reappointment	Jean Moore	December 2014

Arts Commission

Reappointment	Julie Crawford	December 2013
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Theatre in the Park

Reappointment	Becky Clark	December 2012
Reappointment	Julie Crawford	December 2012
Reappointment	Teresa Farley	December 2012

Neighborhood Commission

Reappointment	Mary Cross	December 2013
New Appointment	Nick Heiser	December 2013

Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Mayor Smith said that again this year there were more qualified applicants who applied for positions than were available. Citizen engagement is our strength in this community, and the City Council likes that a lot. Mayor Smith thanked Mr. Yarber for being present this evening.

Item 9. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis reported that City Hall would be closed on December 24 and December 31 for Christmas and New Years holidays. We will be accepting tax payments through January 3rd, because of the closing on December 31. City Manager Davis welcomed Randall Thompson to the City's leadership team as City Counselor. City Manager Davis said he has known him for a long time, and he looks forward to working with him. He will do a really good job for the City. City Manager Davis offered "welcome aboard" to Mr. Thompson. City Manager Davis reported that there would be no City Council meeting on December 27, because of the holidays. City Manager Davis invited everyone to attend the holiday concerts at the Community Center on December 15 and December 20. Christmas tree disposal will be on January 8 & 9, at the Public Works site. City Manager Davis wished everyone a happy holiday and a safe new year, and said he was looking forward to next year.

Item 10. on the Agenda. **RESOLUTION R-10-72**, authorizing the Mayor of the City of Gladstone, Missouri to execute an employment agreement on behalf of the City of Gladstone, Missouri with Randall D. Thompson, for the position of City Counselor.

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-72**, authorizing the Mayor of the City of Gladstone, Missouri to execute an employment agreement on behalf of the

City of Gladstone, Missouri with Randall D. Thompson, for the position of City Counselor. Councilmember Carol Suter seconded.

Mayor Smith stated that Mr. Thompson has sat in on a couple of meetings that have been held this week, and he is up to speed and engaged, and a couple of more things will be thrown at him tomorrow that will really give him an opportunity to get his feet wet. Mayor Smith said he has known Mr. Thompson for a long time, and just for reference, Randall's wife, Nancy, was the City Attorney for Gladstone for a few years a while back, and Mr. Thompson is continuing the tradition. Mayor Smith said he is extremely excited that our City was able to get someone of Mr. Thompson's caliber.

City Manager Davis stated that Chris Williams has been with the City for the last few months as the interim City Counselor, and Mr. Thompson is taking his place after the first of the year. City Manager Davis said he wished to publicly thank Mr. Williams for the service his firm has provided. It has been great working with him. He does a great job, and this is his second go around with our City as an interim Counselor. City Manager Davis offered "well done" to Mr. Williams.

Mayor Smith said let's hope this is the last time we need an interim Counselor, but hopefully, we will see Mr. Williams again, and he did a great job.

The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 11. on the Agenda. **FIRST READING BILL 10-45**, approving the Final Plat of Block 1, Santerra at Shady Lane 4th Plat, a subdivision in Gladstone, Clay County, Missouri, and directing the appropriate officials to affix their signatures to said plat for recording.

Mayor Pro Tem Barry McCullough moved to place **Bill 10-45** on its First Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of **Bill 10-45**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Mark Revenaugh seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough to accept the Second and Final Reading of **Bill 10-45** and to enact the Bill as **Ordinance 4.174**. Councilman Mark Revenaugh seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 12, on the Agenda. **APPROVAL OF AN ANNUAL LIQUOR LICENSE RENEWAL:**

RNB, LLC, dba Red Night Club, 316 NE 72nd Street; Class A Liquor by the Drink License.

Mayor Smith said this item would be continued to the next City Council meeting.

Item 13, on the Agenda. **Other Business.**

There was no other business.

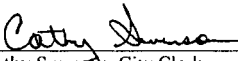
Item 14, on the Agenda. **Questions from the News Media.**

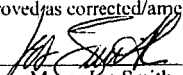
There were no News Media present.

Item 15, on the Agenda. **Adjournment.**

There being no further business to come before the December 13, 2010, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the regular meeting, and wished everyone Happy Holidays.

Respectfully submitted:


Cathy Swenson, City Clerk

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

Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, DECEMBER 20, 2010**

The City Council will meet in Closed Executive Session on Monday, December 20, 2010, starting at 6:30 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel.

SPECIAL MEETING: 6:45 PM

AGENDA

- 1. Meeting Called to Order.**
- 2. Roll Call.**
- 3. Pledge of Allegiance.**

REGULAR AGENDA

- 4. Communications from the Audience.**
- 5. Communications from the City Council.**
- 6. Communications from the City Manager.**
- 7. APPROVAL OF AN ANNUAL LIQUOR LICENSE RENEWAL:**
RNB, LLC, dba Red Night Club, 316 NE 72nd Street; Class A Liquor by the Drink License.

8. **RESOLUTION R-10-73**, authorizing a Settlement Agreement and Release between the City of Gladstone, Missouri and RNB, LLC dba "RED".
9. Other Business.
10. Questions from the News Media.
11. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, DECEMBER 20, 2010**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:30 PM**

Mayor Pro Tem Barry McCullough opened the City Council Meeting to adjourn to a Closed Executive Session on December 20, 2010, at 6:30 PM. Mayor Pro Tem Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel. Councilmember Carol Suter seconded.

Roll Call Vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi and Mayor Pro Tem Barry McCullough. (4-0)

Mayor Les Smith was absent from the vote, but was present at the Closed Executive Session.

Mayor Les Smith adjourned the Closed Executive Session to go into the Special City Council Meeting.

**SPECIAL CITY COUNCIL MEETING
6:45 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilman Mark Revenaugh
Councilmember Carol Suter

City Manager Kirk Davis
Interim City Counselor Chris Williams
City Clerk Cathy Swenson

ABSENT: Assistant City Manager Scott Wingerson

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the Special December 20, 2010, City Council Meeting at 6:45 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

REGULAR AGENDA.

Item 4. on the Agenda. **COMMUNICATIONS FROM THE AUDIENCE.**

There were no communications from the audience.

Item 5. on the Agenda. **COMMUNICATIONS FROM THE CITY COUNCIL.**

Councilmember Carol Suter had no comments at this time.

Councilman Mark Revenaugh had no comments at this time.

Councilman Carol Rudi wished everyone a Merry Christmas!

Mayor Pro Tem Barry McCullough had no comments at this time.

Mayor Les Smith wished everyone a Merry Christmas and Happy New Year!

Item 6. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis had no comments at this time.

Item 7. on the Agenda. **APPROVAL OF AN ANNUAL LIQUOR LICENSE RENEWAL:**

RNB, LLC, dba Red Night Club, 316 NE 72nd Street; Class A Liquor by the Drink License.

Interim City Counselor Chris Williams stated it was his recommendation to remove Item 7. from the Agenda.

Mayor Les Smith said Item 7. would be removed from the Agenda, at the recommendation of Interim City Counselor Chris Williams.

Item 8. on the Agenda. **RESOLUTION R-10-73, authorizing a Settlement Agreement and Release between the City of Gladstone, Missouri and RNB, LLC, dba "RED".**

Councilman Carol Rudi moved to adopt **RESOLUTION R-10-73**, authorizing a Settlement Agreement and Release between the City of Gladstone, Missouri and RNB, LLC, dba "RED". Councilmember Carol Suter seconded.

Councilman Rudi said she wished to point out that there has been considerable discussion over this particular business, and the City Council was on the verge of not approving a Liquor License for them at one point, but the City Council has reached an agreement that is hoped will be satisfactory to everyone involved, and that all of the items in the agreement would be followed very carefully.

Councilman Mark Revenaugh stated that he hoped that if this particular business continues to be a bad neighbor or a bad corporate citizen going forward, causing our Public Safety office undue number of calls and amounts of time, that this Council would move quickly to rescind their Liquor License.

Councilman Rudi said she agreed.

The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 9. on the Agenda. Other Business.

There was no other business.

Item 10. on the Agenda. Questions from the News Media.

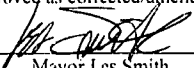
There were no News Media present.

Item 11. on the Agenda. Adjournment.

There being no further business to come before the December 20, 2010, Gladstone Special City Council Meeting, Mayor Les Smith adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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

Mayor Les Smith



PUBLIC NOTICE

GLADSTONE CITY COUNCIL

CLOSED EXECUTIVE SESSION

MONDAY, January 3, 2011

TIME: 6:30 PM

**LOCATION: City Manager's Office
Gladstone City Hall**

7010 North Holmes; Gladstone, MO 64118

The Gladstone City Council will meet in Closed Executive Session on Monday, January 3, 2011, at 6:30 PM in the City Manager's Office, Gladstone City Hall, 7010 North Holmes; Gladstone, MO 64118

The Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021 (1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021 (2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

City Clerk Cathy Swenson
7010 N Holmes
423-4096

Posted December 29, 2010 at 2:00 PM



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 3, 2011**

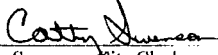
**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:30 PM**


Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on January 3, 2011, at 6:30 PM. Mayor Pro Tem Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021 (2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion. Councilman Mark Revenaugh seconded.

Roll Call Vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0)

Mayor Les Smith adjourned the Closed Executive Session.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: 

Approved as corrected/amended: ...


Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 10, 2011**

The City Council will meet in Closed Executive Session on Monday, January 10, 2011, starting at 6:00 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 7:00 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular December 13, 2010, City Council Meeting Minutes.
5. Approval of the Special December 20, 2010, City Council Meeting Minutes.
6. Approval of the January 3, 2011, City Council Meeting Minutes convening a Closed Executive Session.

7. CONSENT AGENDA

RESOLUTION R-11-01, authorizing acceptance of work under contract with Amino Brothers Company, Incorporated, for the Bolling Heights Stormwater Drainage Improvement Project; and authorizing final payment in the amount of \$12,333.49.

RESOLUTION R-11-02, authorizing acceptance of work under contract with William White and Sons Construction Company, Incorporated, for the 2010 Curb, Gutter and Sidewalk Program Phase Two Project; and authorizing final payment in the amount of \$1,000.00.

RESOLUTION R-11-03, authorizing the City Manager to accept a Bill of Sale from Prospect-1 and/or Northaven Village Condominiums, conveying Streets and Sidewalks to the City of Gladstone.

RESOLUTION R-11-04, authorizing an Intergovernmental Agreement between the City of Gladstone and the Mid-America Regional Council (MARC) Solid Waste Management District for the Regional Household Hazardous Waste Collection Program.

RESOLUTION R-11-05, authorizing the City Manager to accept a Bill of Sale from Wal-Mart Real Estate Business Trust and Martin Phillips Backhoe Service LLC, conveying to the City a Water Main built in conjunction with construction of a Wal-Mart addition at 7207 North M-1 Highway.

REGULAR AGENDA

- 8. Communications from the Audience.**
- 9. Communications from the City Council.**
- 10. Communications from the City Manager.**

11. **PUBLIC HEARING:** for consideration of a Special Use Permit for operation of a Child Care Facility at 5804 North Norton. Applicant/Owner: Darron and Alecia Jones. File #1351.
12. **FIRST READING BILL 11-01**, approving a Special Use Permit for operation of a Child Care Facility at 5804 North Norton. Applicant/Owner: Darron and Alecia Jones. File #1351
13. **RESOLUTION R-11-06**, authorizing the offering for sale of a series of Certificates of Participation, Series 2011 evidencing a proportionate interest in basic rent payments to be made by the City of Gladstone, Missouri, pursuant to an annually renewable Lease Purchase Agreement and, if economically advantageous, authorizing the issuance of additional refunding Certificates of Participation to refund outstanding Certificates of Participation, and prescribing matters related thereto.
14. Other Business.
15. Questions from the News Media.
16. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 10, 2011**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:00 PM**

Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on January 10, 2011, at 6:00 PM. Mayor Pro Tem Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilman Carol Rudi seconded.

Roll Call Vote: All "aye" – Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (3-0)

Councilman Mark Revenaugh and Councilmember Carol Suter were present at the Closed Executive Session.

Mayor Les Smith adjourned the Closed Executive Session.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilman Mark Revenaugh
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the Regular January 10, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **Approval of the Regular December 13, 2010, City Council Meeting Minutes.**

Councilmember Carol Suter moved to approve the **Regular December 13, 2010, City Council Meeting Minutes**. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 5. on the Agenda. **Approval of the Special December 20, 2010, City Council Meeting Minutes.**

Councilmember Carol Suter moved to approve the **Special December 20, 2010, City Council Meeting Minutes**. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 6. on the Agenda. **Approval of the January 3, 2011, City Council Meeting Minutes convening a Closed Executive Session.**

Mayor Pro Tem Barry McCullough moved to approve the **January 3, 2011, City Council Meeting Minutes Convening a Closed Executive Session**. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

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

Following the Clerk's reading, Councilman Carol Rudi moved to adopt the Consent Agenda as presented. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-11-01**, authorizing acceptance of work under contract with Amino Brothers Company, Incorporated, for the Bolling Heights Stormwater Drainage Improvement Project; and authorizing final payment in the amount of \$12,333.49. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-11-02**, authorizing acceptance of work under contract with William White and Sons Construction Company, Incorporated, for the 2010 Curb, Gutter and Sidewalk Program Phase Two Project; and authorizing final

payment in the amount of \$1,000.00. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-11-03**, authorizing the City Manager to accept a Bill of Sale from Prospect-1 and/or Northaven Village Condominiums, conveying Streets and Sidewalks to the City of Gladstone. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-11-04**, authorizing an Intergovernmental Agreement between the City of Gladstone and the Mid-America Regional Council (MARC) Solid Waste Management District for the Regional Household Hazardous Waste Collection Program. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-11-05**, authorizing the City Manager to accept a Bill of Sale from Wal-Mart Real Estate Business Trust and Martin Phillips Backhoe Service I.L.C., conveying to the City a Water Main built in conjunction with construction of a Wal-Mart addition at 7207 North M-1 Highway. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

REGULAR AGENDA

Item 8. on the Agenda. Communications from the Audience.

There were no communications from the audience.

Item 9. on the Agenda. Communications from the City Council.

Councilmember Carol Suter expressed her appreciation for the kind thoughts and support that she and her husband received while he was hospitalized. He is now home and doing well.

Councilman Mark Revenaugh stated that as it appeared there were many in the audience who wished to speak this evening, he would forego any comments at this time.

Councilman Carol Rudi had no comments at this time.

Mayor Pro Tem Barry McCullough thanked Public Works Director Tim Nebergall and everyone who is working so hard to keep our streets clean.

Note: This comment was followed by applause from the audience.

Mayor Les Smith agreed, and offered "good job", and said he knows the Public Works Department appreciates this very much.

Item 10. on the Agenda. **Communications from the City Manager.**

City Manager Kirk Davis reported that City Hall would be closed on Monday January 17, for Martin Luther King's Birthday. City Manager Davis thanked the Public Works crews and said they did a nice job. They were out Sunday pre-treating the roads, and they have been plowing snow since. They will be out again tonight, so by the rush hour time tomorrow, all the roads will be cleaned. City Manager Davis introduced Randall Thompson, the City's new City Counselor. He comes to us as a resident for almost 20 years, and he has been with Ensz and Jester law firm. Many people in the room know who Randall is because of his involvement in the community. City Manager Davis said he was really looking forward to having Mr. Thompson on the staff, and he believes he will do a great job, and he has already fit in very well with the staff on various issues, and he believes Mr. Thompson feels very comfortable in his first week on the job. City Manager Davis welcomed Mr. Thompson.

City Counselor Thompson thanked City Manager Davis.

Mayor Smith said he was confident he spoke for the entire City Council in welcoming Mr. Thompson on board. Mayor Smith said he has known Mr. Thompson for a while, and he is a man of very high integrity and ethics. Mayor Smith said he appreciated him being here.

City Counselor Thompson thanked Mayor Smith.

Item 11. on the Agenda. **PUBLIC HEARING:** for consideration of a Special Use Permit for operation of a Child Care Facility at 5804 North Norton. Applicant/Owner: Darron and Alecia Jones. File #1351.

Mayor Smith explained that first comments would be heard from City staff, and then comments would be heard from the applicant, if they so desire. Comments would then be heard from anyone in favor of the application, followed by comments from anyone opposed to the application. Mayor Smith asked everyone to keep their comments to the facts of the application, and to be relative to the application.

Mayor Smith opened the Public Hearing.

Staff Report

Assistant City Manager Scott Wingerson began by saying his goal this evening was to explain to the Council what they have before them, more than anything else, and hopefully as we go through the materials, what hopefully will emerge is a review of the criteria in granting a Special Use Permit. Bill 11-01 grants a Special Use Permit to allow the operation

of a Day Care at 5804 North Norton Avenue. Mr. Wingerson said that Planning Specialist Chris Helmer presented this application before the Planning Commission; however, he is ill tonight, so he will be doing that job this evening. Mr. Wingerson pointed out the Staff Report that was part of the packet of information. In this case, it is brief and to the point. It talks about zoning, a home based Day Care, the number of children and it also makes a staff recommendation. Staff's recommendation is to approve the Day Care. It is important to note that when staff writes the recommendation, it is based on the application materials that are submitted. It is made prior to any public input. When the Planning Commission holds its Public Hearing, there is the opportunity for public input, and the Planning Commission will weigh that and the application materials, and move it forward as a recommendation to the City Council.

Mr. Wingerson stated the next document in the packet is typical maps and pictures of the property. The property is in Brooktree Subdivision. The next two pages are examples of the website operated by Brighton Learning Center. On the backside of the website posting is an email from the applicant, Alecia Jones. It is in response to an email from staff that asks about parents' night out. We asked the question about parents' night out; it is different than the hours being proposed as the operation of the Day Care. The applicant's response is that they put it on the website, but it did not work, so they discontinued that, and are accepting of the proposed hours for the Day Care of 6:30 AM to 5:30 PM. Also in the packet is a table that shows the Special Use Permits issued by the City Council that are currently in effect. Of the total list, there are seven Day Cares. Two of those Day Cares are probably not comparable to tonight's discussion, because they are not home based. They are not occupied by a family who operates a Day Care, so there are really five comparable Special Use Permits, and they are geographically spread across the city. Following that are a few letters; these letters were provided to a Planning Commission member prior to the Hearing, but they did not make discussion or the record of the Planning Commission. One is from Kim Pearcy, and one is from Joyce Hoefer, and one is from Harold and Kathryn Hake.

Mr. Wingerson stated that the Planning Commission minutes are also attached along with an exhibit relative to property values that was provided by one of the people speaking to the Planning Commission. The next group of documents were received at some point after the Planning Commission Public Hearing. The first is a letter from December 9, from the Poppenhagens, the Medelys, the Gibsons and the Levels. It is a two page letter indicating their concerns with the action of the Planning Commission. The next two pages are photographs provided by a neighbor of the applicant. These are included only to show the Council that they are not indicative of a home based Day Care that exceeds the current requirement. In other words, there are not more than four unrelated children in either of these two photos. Although staff was trying to gather documentation, the documentation that was being received was not indicative of what was or was not happening at the Day Care location. The next set of documents is from the applicant. The first part is a letter directly from the applicant, which is in response to the December 9 letter. There is also included a copy of the State of Missouri license, a floor plan of the house, the daily schedule, the fire drill log and the tornado drill log for the last period of time. The next documents are letters from Josh Thomas, Rich and Dodie Rayl, Dwight and Esther Blake, and are followed with the Minutes from the December 6, 2010. Planning Commission

meeting. Mr. Wingerson said this is what was given to the City Council as part of their City Council packet. Based on staff recommendation, and based on the Public Hearing in front of the Planning Commission, the Planning Commission recommended by a vote of 8 to 1, one person abstaining, to recommend to the City Council that this operation be approved. The next group of documents was at City Council members' places either before the meeting started, or just prior to the regular Council meeting starting. The first is a statement from the Brooktree Homes Association. The second is a letter received very late this afternoon from Patricia and Larry Brant. Finally, there were two documents provided tonight to the City Council, that have not been reviewed. The first document looks like a progression of children kept by the applicant over a period of time and various staff letters about the status, on a given time, of the Day Care operation. Mr. Wingerson said, although, staff does not have a copy, Ms. Poppenhagen did provide to the Council copies of the covenants in Brooktree and maybe a secondary document to that, and he believes that will be spoken to by Mr. Meyers.

Mr. Wingerson said this is all the information that City Council has at this point, and he would like to back up just a little bit and talk about the process. The process starts with the operation of a business. That business grows, and that is what business people are in the business of, which is growing the business. At some point a business, as in this particular case, transitions from a home occupation Day Care to something else - a larger operation. The process is to work with the applicant and the property owners to bring forward opinions from all perspectives. The staff recommendation and the Planning Commission Hearing are really about providing information.

Mr. Wingerson continued by saying that the Council has issued five Special Use Permits to in home Day Cares that care for more than five but less than ten children. Each one of those is unique, and many of the City Council will remember those Public Hearings, and how unique and different they were. At the same time, either at the Planning Commission level or at the staff level, applicants have applied for these types of operations, and on the surface they may appear not to work. Either staff or the Planning Commission works with that neighborhood or that applicant, and looks for other alternatives. In this particular case, we did the same thing. Staff worked with the Jones family on other arrangements for their Day Care such as operating it from a church or at a separate location. All of those efforts did not pan out in this particular case, and that is what brings us here today. Mr. Wingerson said, in conclusion, the City Council has wide discretion. The situation is involving land use, traffic and noise, which are all applicable things, and all things on which reasonable people can differ.

Applicant Presentation

Alecia Jones, 5804 North Norton, began by thanking the City Council for the opportunity to speak this evening, and said she would like to clear up some incorrect statements that were made by their former neighbor last time. Ms. Jones said the first statement the former neighbor made was that their Day Care had been up and running for over two years, which made it seem they had not begun the process of getting a Special Use Permit for quite a while after they started watching children. That is not the case; they did not move into their

home until June 2009, so they have not even lived in their home for two years. They did not begin watching children until August 2009; therefore, they have been open for about one and one half years, and State licensed since October 2009. Ms. Jones said this person also stated that through watching her home that they have people living with them and several employees – she mentioned several times seeing a burgundy car. Ms. Jones said that is her mom's car, who is one of her State approved assistants. Being licensed by the State of Missouri, one must have at least two approved assistants who get background checks for emergency situations. Ms. Jones said when they had their last child, both she and her husband had to be at the hospital, so one of their State assistants had to come for those reasons. For the most part, her mom comes to see her grandchildren and to see the other kids. She is not an employee.

Ms. Jones said another point that was brought up at the last meeting was a concern that if they were to receive a Special Use Permit, then all of a sudden, Day Cares would spring up all up and down North Norton. At this point they know that there is at least one other State licensed Day Care on North Norton that has been in operation for over three years, and they have spoken with the owner. Ms. Jones said they have the same number of children that they do, and that was happening before they moved into the neighborhood, so that concern was already happening before they moved in or started watching children. There was also some concern about why they have been opened since 2009, and the fact that they are just now applying for a Special Use Permit. That was the copies of the letters that she provided just before the meeting.

Ms. Jones said they received the first letter from the City of Gladstone in August, which was the same month that they began watching children. They did what they were instructed to do in the letter, which was to fill out some enclosed paperwork, send in a fee to start the process, and then they received the second letter, which was in October. That stated that no further action was necessary on their part, and they would receive a refund of their money, and they received back their money. They received another letter in April, which said there were some concerns and phone calls from the neighbors, and they needed to send an email at that time about how many children they had, any employees, what their hours were, and things of that nature. Ms. Jones said she included a copy of the email she sent at that point. The final letter is the one they received this October, stating that they needed to begin the process again. This is just to clear up the fact that they did not wait until a year after they had been in business, and that they had been doing what they were instructed to do. From their end, it seemed that no further action was necessary, because at that point in August, they only had three unrelated children. As time has passed, they have grown through referrals, and currently operate under their State capacity of ten children, with nine full time children enrolled.

Ms. Jones said they do what they do, because as former educators, they realize the importance of early childhood education, and felt led to provide other young families with their unique child care program that combines nurturing care with high academic expectations. Those things, coupled with their faith based practices, and close partnerships with their families, has caused the growth mentioned. With growth, come some of the concerns voiced. One of which was traffic issues. Ms. Jones said they have events for

families that are common to Day Care, such as a Christmas party and an Easter egg hunt. They have approximately four of these types of events per year, and during the events that last typically one to two hours, there is as much traffic as someone would have for a birthday party or a summer barbeque. The daily traffic is minimal, and staggered across about an hour in the morning and about an hour and a half in the evening, when most of the parents drop off and pick up. Ms. Jones said, in closing, she hoped most of the misconceptions have been cleared up, and that it is seen that they are part of the neighborhood, the community and the city, and they simply want to use their gifts, education and experience to make our community better.

Ms. Jones said she provided a list of the progression of children just to show how it may have been confusing to various neighbors to see different cars coming and going, or at times more cars than others. Ms. Jones explained that they care for children of several teachers, so during the summer months and Christmas break, often those children are not there. They have also provided care for a semester for parents who are also students, so there have been some short time children. Ms. Jones said as shown in the progression, they started off in August with just three unrelated children, still had three in September, a new child enrolled in October, and they were at four children all the way until January. Three were added in January and the number stayed there until April, then three left. In May, two were added. It can be seen through the progression, that the numbers go up and down. People decide to stay home, or it may not be a good fit, and different things happen. Ms. Jones said they have had growth and some leave, so it may have been confusing to the neighbors who were watching their traffic.

Ms. Jones stated that one of the neighbors mentioned seeing cars late in the evening. Before families are accepted, there is a tour, so they can meet them and see their home, and those are done in the evenings. At this point, they are at their capacity, but when they were still growing, there were tours on an average of a couple per month, so if they were seeing cars in the evenings, that was probably due to those things. Ms. Jones asked if the Council had any questions.

Mayor Pro Tem Barry McCullough asked Ms. Jones how many children of their own do they have?

Ms. Jones replied they have three children of their own.

Councilman Mark Revenaugh asked if the other Day Care on North Norton was a licensed Day Care?

Assistant City Manager Wingerson replied that it is not licensed as a Special Use Permit, but they can check to see the size of it; it is possible that it is under the four non-related children criteria.

Councilman Revenaugh asked Ms. Jones, for clarification, if she went back after she received the application from the City, and she was told she had done everything she needed to do at that point, and then she was just waiting to hear from the City for the next move?

Ms. Jones replied she was told no further action was necessary.

Councilman Revenaugh asked if she was told she needed a license.

Ms. Jones replied no, the letter said her application material was received, and at that time, no further action was necessary, and she would receive her refund in a separate mailing.

Councilman Revenaugh asked if the application was for a license, and did she know they needed a license.

Ms. Jones replied that was correct, but then they received all the paperwork back saying they did not need a license.

Councilmember Carol Suter stated to Ms. Jones, in regard to long term business projections for this enterprise, they are limited to ten children, and asked if word of mouth grows, did they have ambitions to grow the enterprise into something else at some other location, or is this the vision that they have.

Ms. Jones replied that they have looked into other locations, and at this point, they are looking at continuing this for five years or so; their youngest is one year old. Once all of their children are in school, they will look at doing something different. This will not be for a long term.

Darron Jones, 5804 North Norton, began by saying he hoped not to insult anyone with the basic nature of some of his statements; he just wants to be very thorough and cover some bases. Mr. Jones said he wished to state the relevancy of child care in our State. As a licensed Child Care, it is estimated they serve approximately 50,000 working families' children. There are various organizations that ensure the quality of licensed Child Care facilities, and that make sure that we have more to stimulate our economy. Mr. Jones said it is their intention to operate under the State guidelines: to have no more than ten unrelated children; to stay in compliance and to offer a good service. They do not want to be a corporation. You gather variables and find out if something is for you. They have a great opportunity under the guidelines that are set in the State to be at home with their children, and to use their experience to build community.

Mr. Jones said they are people, and he was glad to see that tonight, that there was some people behavior, that it was not just about the numbers, which are very important, and it was not just about stats. Mr. Jones said they are people, and with that said, they do have an issue with education. They do have an issue with society, and they were mindful of those things when they came up with Brighton Learning Center. Mr. Jones said that he did not want there to be confusion - Bright Learning Center does not have corporate ambitions. It is more of a marketing tool, that they are more than a home Day Care. In reality, they are a home Day Care, and operate under those confines, and they do not plan on using the 5804 North Norton property beyond that goal. The property will never be used like that, and they

have no intention to use it like that. They think it is an excellent home for them, and that is how they intend on using it.

Mr. Jones said some issues came up regarding real estate, and that is a key issue in his opinion, because they do reside there and it is a residential area; however, the law has allowed and seen fit that it is important that Day Cares are provided, and that a home Day Care has its place. For many people, real estate is the greatest investment they will make. We know that jobs are a vital part of our society, and we know that children are a vital part of our society, and we know that education is a vital part of our society. Mr. Jones explained it is a combination of things that he wants to be mindful of, and empathetic to everyone who is affected by what they do. They understand that real estate bears greatly on our society and our community. There were some issues that came up regarding the use of commercial and the use of residential, and how they should properly be used. Mr. Jones said that we know in our society that child care in the home environment is important, and we know that real estate is important, and we know that capitalizing on our real estate is important, but he believes in this situation that we are talking a lot of theory as far as how them being there is going to affect property values.

Mr. Jones said we may be talking theory if how they operate their Child Care program is making a difference in our society. Mr. Jones said he applauds the City Council for the decision they have to make, and it is lofty; the City Council is affecting someone's employment with the decision they make and affecting someone's pocket book, potentially, with the decision they make, either way it goes. Mr. Jones said he truly has admiration for the public job that the City Council does, and he wants to show empathy, and he understands either way, and they are vested both ways. They understand that some things are repairable as far as property; they do not plan on modifying the property to suit their purpose, such as putting up any storage. It is used like a residential home is supposed to be used. With that said, the kids are hard on certain things.

Mr. Jones stated that they have three children who are hard on certain things. Not only do they have three children, but also they have added more children to the bunch. They will be hard on grass, and the walls. A lot of the things they bear on the inside. At times they will be loud, but that is quality. As far as property and how it is used and how it is relevant to real estate and its value, they are in a situation where they have to judge if this is something that is repairable, and that this is something they can go back from, and they are very cognizant of that. Mr. Jones said he is just showing that they are in it and vested for the residential area, but the children, their children personally, and the opportunity they have, they cannot go back from that. They have a great opportunity to be with them and invest in their lives, and the children they get to take care of everyday; they cannot go back from that. They feel like they are the best and feel like they do a great thing. The affect that they have on the children is a priceless situation, but the grass - we can come back from that.

Mr. Jones said he hoped that they established through the Commission meeting that they are an asset to the community; they greatly believe that, but he does not want to harp on that because that is better seen than said, but they have some testimony to prove that. Even the people around them who are in opposition and those who are for us have said out of their

own mouths that they are good neighbors, and they believe that the Jones family are good people -- it is not personal. Mr. Jones said hopefully he has separated the business end that they take care of and the personal end that they take care of.

Mr. Jones continued by saying he wanted to touch on how they are organized. They open their door at 6:30 AM, but for the last six months, the children do not get there until 7:00 AM. The children are all gone by 5:30 PM. During that time, it is a good day if they are outside for an hour. Not of late, but that could include them walking around with the children in the neighborhood. They try to be very visible and transparent in all that they do. Sometimes they go in the back yard or to the park. The park was a very attractive feature for them moving into the neighborhood. That would be no longer than an hour or maybe an hour and a half, if it is in their schedule. Mr. Jones said he says this, because this may be where the noise factor may come in, and where they may be a potential nuisance. Mr. Jones said there are play sets in their connecting yards, some of them more extensive than theirs, he is talking tire swings and the big items you jump on. Mr. Jones said they have three pieces, and they have some cars and things like that for the kids to push on, but people love their children in the Brooktree area, and they appreciate that, so there are some extensive toys. Mr. Jones said his case is that he hears noise, there are kids screaming, there are kids having a good time, kids that drive around in golf carts in the community, and they play their music in the summer. They are a relatively young, so they are OK with that and do not mind. These are things that are normal and typical in Brooktree.

Mr. Jones said they get the rare deal of being residential and having a business at the same time -- great country. Mr. Jones said they do not get out very much; they are pretty private people as far as Brooktree is concerned. They are still feeling their way, and this has been a great opportunity. They have met some people and heard some great ideas, and met some people who make Gladstone what it is. Even the opposition has been a great learning experience, and he would like to take the time to thank them, because he has no hard feelings. This is a very beautiful thing to preserve a neighborhood, preserve the safety, and to preserve all those things involved. He is very knowledgeable of that, and a neighborhood and the way it appears, and how it is kept, crime and those types of things are all statistically connected, but he is here to say that there are individuals who are aware of that, and are on the side of the struggle to preserve stability. That is who the Joneses are and that is what Brighton Learning Center represents, and our track record proves that.

Mr. Jones said regarding the short, intermediate and long term goals for Brighton Learning Center, they have a short term goal of attaining ten children in their home for a period of no less than five years, because that is when their youngest would be ready for school. Their intermediate goal is to ensure that families who allow them the privilege of caring for their children to comfortably have their children at a place until they are at a place to usher their children into grade school. Their long-term goal is not related to child care, but to be part of the community in other business endeavors. There will be an eventual exit. It is an outstanding opportunity for Brighton Learning Center to extend or for other business endeavors to take priority. Mr. Jones said they are in it to maintain the residential integrity of 5804 North Norton Avenue. They do not want to keep any big business appearance. There will be no advertising signs. No modifications to the property. They continue to

strive to abide by the housing association regulations. Mr. Jones said that is the best thing they can do; that is regulation beyond what the City provides – beyond what the State provides. It is even more detailed. Mr. Jones said they will continue to do that, and that was their mindset when they moved in. Mr. Jones said he would answer any questions.

Councilman Carol Rudi asked for a definition of ten unrelated children.

Mr. Wingerson replied that definition is ten children unrelated to the family operating the Day Care.

Comments from those in Favor of the Application

Melissa Tobey, 3603 NE 78 Street, Kansas City, Missouri, stated she and her husband appreciate what Darron and Alecia Jones do. They have been amazing with their daughter, who has been there about one year. It just really takes special people to have the patience to work with children. Ms. Tobey said she just works with her daughter and gets frustrated sometimes, so she really appreciates the fact that they have the patience to maintain their Day Care and not go crazy. They provide a wonderful learning environment in a home setting, and when she and her husband were choosing day care for their daughter, that was something they really wanted. They did not want her going to a corporate Day Care; they felt that she might not get as much attention, and they wanted her to feel really comfortable with where she went. They also wanted her to go to a place where she would learn a little bit of academics, even though she is little, and they did want her sitting in front of the television all day. They were a perfect fit. She is learning sign language, so instead of throwing her food on the floor, she can sign that she is all done. That has been really wonderful. It is really terrifying to have to find day care for your child; especially when you see on the news about abuse and everything, so it has been just really wonderful. Ms. Tobey said when she first talked to them she just knew that they would probably be the people they chose. Ms. Tobey said they went through an interview with her mother and her, and they made it through that, and then her husband got to grill them. They made it through both of those interviews, and they ended up being who they chose to watch their daughter.

Ms. Tobey continued by saying if they were forced to relocate their Day Care to a commercial building, she is sure they would have to raise their rates, since they would have more overhead, and families like hers might not be able to afford the increase in price. Right now the payment for day care is about a nice car payment. If they had to take their daughter to Kinder Care or another corporate Day Care it would be about \$1,000 per month, which is some people's mortgages. Some families may not be able to afford that. Ms. Tobey said she has to focus on her daughter. This really is about her. She goes full time to Brighton Learning Center. She spends about 45 hours per week there, so that is quite a bit of time. They are probably like a second set of parents to her. She is very comfortable and confident there. She has learned so much since she has been there. There are just not enough good people taking care of children, and so she feels like she hopes they do get their permit tonight; that way, hopefully, they will not have to find alternative care for her.

Ms. Tobey said she would like to give her take on some of the concerns the neighbors had about the Day Care last time. Some of the concerns would be happening whether or not there was a Day Care. For instance, they do have three children, so they would have toys in the back yard, regardless, of whether or not they own the Day Care. The neighbors are upset that they kept the trash outside, but they have fixed that now, so their trash is in the garage, but that could have happened whether or not they had the Day Care. They also did not like how their lawn was manicured, which could also happen whether or not they owned the Day Care. Ms. Tobey said, in her opinion, she does not feel that the toys in the back yard are excessive; her daughter has quite a bit of toys already, so she does not feel like what they have for their Day Care is excessive. She does not feel like their lawn has anything to do with the Day Care; it would still look like it does without the Day Care. She does not think it looks bad; it looks like it fits in with the rest of the community. As far as traffic, she does not feel that the parents disturb the neighbors. She has only seen a couple of the neighbors a couple of times, and even since the last Planning Commission, she has only seen one other neighbor, and she has been going there for a year, so she does not feel like her dropping her daughter off is disturbing anyone, unless they are looking out the window.

Ms. Tobey said generally, when she drops her daughter off, there is usually maybe one other parent there; so, it is not like there is a herd of parents going in at the same time. Right after the Planning Commission meeting when the neighbors did state that they were worried about the traffic, the Joneses did address the car issue. They ask that the parents park in the driveway, even if it means that they block another parent in. That way they do not have to park in front of any of the neighbors' homes. They also asked that if they do have to park on the street, that they do stay right in front of their home, and do not park across the street or in front of any other neighbor's home. In reality, with the traffic, Brooktree is a fairly busy street for being a side street, and those who apposed this permit at the last meeting, live at the corner of Brooktree and Norton, so there is already traffic in that area.

Ms. Tobey said going back to the toys – they live on the corner, so they are OK with looking at a pavement road right next to them, but they are not OK with looking at children's toys. Ms. Tobey said she is not really understanding. The noise issue – like Darron said they are only outside an hour or an hour and a half per day, if that. She would like to point out that there is a pool only a couple of houses down, so she is sure in the summer there is plenty of traffic from the pool, and she is sure there are plenty of children at the pool making noise, so there is another area that they could get noise from, besides the Day Care. Ms. Tobey said she felt that at the last meeting there were a couple of mixed truths presented by the opposition. The first one was that some parents drop their children off at 5:30 in the morning. Ms. Tobey said about one year ago when she first started going, she would drop her daughter off at 6:30 AM, so she knows people do not drop their children off at 5:30 AM, because if she arrived at 6:28 AM, they would not open the door. She had to wait until 6:30 AM on the dot, and they would open their door for her. There is also one that all the parents would line their cars up and down the street and one by one they would pull into the driveway to get their children, if it is raining or snowing. It is not true. After the end of the day she just wants to go home. They all park in the driveway to get their children; they don't just sit there and go one by one.

Ms. Tobey concluded by saying she really feels that if the neighbors would get to know Darron and Alecia better, and knew what they were about and how much they really cared about their Day Care and what they are doing, then maybe this would not be happening. Ms. Tobey thanked the Mayor and Council for listening and said she urged them to vote in favor of this Special Use Permit.

Mandy Shoeman, 5420 North Wayne, Kansas City, Missouri, began by saying they have two children, 2 ½ years old and 10 months old, and finding a Day Care for your children is one of the hardest things you can do as a parent. They decided to switch to Darron and Alecia in the fall of 2009, when they opened, for several reasons. Ms. Shoeman said she teaches at Chapel Hill Elementary School, and has since 2002. She knows the clientele there and she highly respects the children that go there, and she loves the neighborhood. The community is very kid friendly, safe and clean. There are many parks and she knows that the children get to take advantage of those during the school day.

Ms. Shoeman stated another reason is because they were applying for and received their State Certification, which does limit their numbers. The State does unannounced visits and inspections of their home. Ms. Shoeman said she could talk for an hour about the quality that is provided at Darron and Alecia's, but she knows that is really not what this meeting is about, but allowing them to get their Special Use Permit will allow them to continue to care for these children, and educating them, and if you get to know Alecia and Darron, they are two of the most loving people you would ever meet. They allow parents to rest easy every day knowing that their children are safe and loved, and there is really no better feeling as a parent. Ms. Shoeman said she really hopes this continues as an in home Day Care.

Comments from those Opposed to the Application

Philip Wilson, 4000 NE 58 Terrace, said he is a member of the Brooktree Homeowners Association in good standing. He is not aware that either the State or the individuals who are a part of the City's apparatus that gathers materials for approval of restrictions on permits have been aware that the homeowners' association, since 1972, has had a part of the recorded covenants of the subdivision – a document that is called a Deed of Restriction. They also have in part a Brooktree Homeowners' Declaration Number 1. Mr. Wilson said at this time he would like to introduce that into evidence, and provide to each of the Council members a copy.

Note: Mr. Wilson also provided a copy to Assistant City Manager Scott Wingerson.

Mr. Wilson said he wished to call to the attention of the City Council and the Mayor Section One, which is Use of Land, Page 2, of the Declaration of Restrictions to the Brooktree Homes Association. It in part reads:

Any residence erected or maintained on any of the lots hereby restricted shall be designated for occupancy by a single family. No business building shall be erected, nor business of any nature conducted on the land herein described, nor shall anything be done therein which may be or become a nuisance to the neighborhood.

Mr. Wilson said he believed that a business functioning, no matter how small, would be in potential violation of that Deed of Restriction. Mr. Wilson said he heard a discussion this evening about a potential Day Care, and he also believed he heard that it had not applied for a Special Use Permit. The State may not be aware of this restriction, and he fully intends to make them aware of the restriction, and ask that this City Council take due note of these restrictions and they request that Council abide by them as they have to abide by them as a way of keeping their area a residential area, not a commercial area. Mr. Wilson said he would also like to have a copy of their report.

Mayor Smith said Mr. Wingerson would provide that to him.

Mayor Smith said he had a question of City Counselor Randall Thompson, and he does not want to interpret their covenants and restrictions, but his question is two fold. Number one, should the Council make its decision based on the restrictions of the subdivision, or would that be more of a private matter between the homeowners' association and the resident?

City Counselor Thompson said Mayor Smith was correct with the latter statement, which is they are private covenants and restrictions, and private covenants and restrictions can be enforced by the entity that created them, and that is the Brooktree Homeowners' Association, so the City Council is not confined by the private restrictions.

Mayor Smith said he would also assume that in no way shape or form could our action supercede the association or relieve the association of their rights to bring action against the homeowner, is that correct?

Mr. Thompson replied he believed that the homeowner's association could attempt to enforce their own covenants and restrictions regardless of what the Council does.

Kiel Batchelor, 5804 NE Buttonwood Tree Lane, said he is presently the Director of Facilities for the Brooktree Homes Association. Mr. Batchelor said to his knowledge, there is not a Day Care center in his subdivision except for the Jones' Day Care. If there is one on North Norton, that is going to be in either Carriage Hill or in Brookhill.

Mayor Smith asked Mr. Wingerson if he were aware of the other Day Care.

Mr. Wingerson replied he is not aware of a Day Care that cares for more than five unrelated children, and he is not aware of even a smaller Day Care, but he assumes they exist as they do in other parts of the City.

Mayor Smith, for clarification, stated the City would not be aware of a Day Care if they had not applied for a Special Use Permit.

Mr. Wingerson replied that was correct.

Mr. Batchelor asked if they are operating without a Special Use Permit from the City, they are operating illegally?

Mayor Smith replied a Day Care is allowed to care for four unrelated children without applying for a Special Use Permit. Mayor Smith said there could be a Day Care operating under those parameters, and the City would not know about it, and they are legal, because they do not exceed that number, and they did not have to apply for a Special Use Permit.

Mr. Batchelor said the other thing that has come to his attention is that the Jones family is not the legal owner of the property. It is owned by another person, and they are renting, which is no big deal, but they have no vested interest in Brooktree, since they are not legal owners of that property, and that concerns him.

Lenny Poppenhagen, 5800 North Norton, said he and his wife live next door to the Day Care center, to the south of them. They have been Gladstone residents for over 40 years, and have been residents of Brooktree for 26 years. They really enjoy their stay in the City of Gladstone. The City of Gladstone is an All America City. Brooktree is one of the premier residential planned neighborhoods in the City. On the City's website there is a list of planned neighborhoods that list a lot prestigious homes that may be vulnerable to Day Cares coming in: Stonebrook Estates, Claymont North and a whole list that would be vulnerable to this type of situation. Mr. Poppenhagen said the bottom line is that it gets down to operating a home based business in Gladstone. Right from the website, there are about nine different rules and regulations that are required to operate a business in a residential area. You have to have an Occupation License; you have to pay \$30.00 per year, plus whatever it is; he is not sure the taxes have been paid; and he does not have a definitive date that they actually had a home operating business license, and paying those fees.

Mr. Poppenhagen said the nine conditions that they must follow include: 1. There must be no outdoor storage of materials related to the business. They live right next door, so many times they have counted 15 or 20 big plastic toys in the back yard, that are outside all of the time. They are now putting them in one area of the yard, but Rule Number 1 says they cannot be stored outside the business. The second condition, they are in compliance with. Number 3, states that No patrons of the business may come to the home, but they have their customers coming to the home, and it says right there that they cannot have people coming to the home, if they have a home based business. Number 4, The business cannot produce any obnoxious or offensive vibration noise, odor, dust or fumes, and they were storing outside the dirty diapers in big containers; that has been resolved, but that was a problem for a while. Number 7, Only members of the family, who live in the home may carry on the business. No persons who do not live in the home shall be employed or assist in the business, and you heard from them that they have people coming in to assist them. Mr. Poppenhagen said these are the rules and regulations from the City of Gladstone. The application that they fill out states that "I understand the violation of these regulations would result in revocation of my license and therefore, the right to continue home occupation".

Mr. Poppenhagen said from his standpoint, this is a clear-cut case, and it has nothing to do with the quality of Day Care they have. They have not been in compliance with a home

based business application from day one. Mr. Poppenhagen said if you are going to drive a car, you have to have a driver's license, if you are going to own a business, you have to have a business permit from the City. Mr. Poppenhagen said to his knowledge, they were very delinquent in getting that, if they have that now; also, they applied for and got the State regulation, which has nothing to do with where a business can be located. They have certain standards and regulations by the State, but the State does not say that you can come into Brooktree and set this up. Mr. Poppenhagen said he does not understand that since they have been in noncompliance for five out of the nine restrictions for a home occupancy business, and are now exempt from following those rules and regulations, why the Council would recommend that they should be extended a Special Use Permit, when they have been operating on their own for a good period of time. It does not stand to reason that would even be a good request.

Mayor Smith asked Mr. Poppenhagen if he could summarize the objections, what would they be? Is it traffic? Is it noise? Is it possible to list 1, 2, and 3?

Mr. Poppenhagen replied where he is coming from is that they are not following the City's rules and regulations set by the City of Gladstone. This is an All America City, there are rules, regulations, and zoning codes. You follow the procedures, and so it is a clear-cut deal. If you want to be a home-based business, this is what you do. If you want to expand your business, then you apply for a Special Use Permit. It did not go in that sequence, whatsoever. Mr. Poppenhagen said he goes by the behavior of what has happened and not what they want to do.

Lisa Bone, 4008 Northeast Brooktree Lane, said she is the Standing Secretary for the Board of Directors for the homeowners association in Brooktree. Ms. Bone said she was not present to judge or to have an opinion either way, personally, or the other, but just to basically uphold their covenants. Ms. Bone said by most of what she has seen, this has become a nuisance, not only to the half of the room that is here this evening, but it was also brought to her attention, and she is here speaking about it. Truly, if they were to have businesses in their neighborhood, it would have been in their covenants, and it is not. Unfortunately, the Joneses seem like very nice people, and it sounds like they care about children, but they were not informed before they came into the neighborhood that they could not have a business. That is the unfortunate thing.

Edwin E. Trainor, 4012 Northeast 57 Place, said he has owned his house for 20 years, and one of the reasons he moved to Gladstone and Brooktree was that he read the covenants. It was not a commercial/residential area; it was a residential area. He pays \$280 per year to support a swimming pool that he does not use, but he is happy to do it, because that is going to help him sell his house, God forbid, if he has to go to a nursing home. Mr. Trainor said he was interested in protecting his interests in his real estate. He thinks we need child care, but we don't need it mixed in residential areas, and as he read the Brooktree residents' restrictions, they did not permit businesses.

Mr. Trainor said if we permit this, what is going to keep us from having an automobile garage, what is going to keep us from having a grocery store, and what is going to keep us from

having a music store that sells bands and makes noise all day? This is going to prevent us from living in a residential area. It is just like the camel with a tent - he sticks his nose under the tent, and before long, the camel is in the tent. This is what we have here. Mr. Trainor said he bought in Brooktree for a residential area. He read the covenants 20 years ago, and he guesses right now we are questioning whether this 20 year old covenant is worth anything it is written on. Mr. Trainor said he had to put on a shingle roof because the covenants said he had to. You don't have to now, because the rules have been changed, but the rules were changed, he did not change it. Mr. Trainor said they are probably wonderful people, but they need to be in a commercial area, not in a residential area. They are going to hurt the residential property that he owns. Mr. Trainor said he is very selfish.

Don Palmiter, 4016 Brooktree Lane, began by saying that he is known in the neighborhood as a friendly guy, and he is usually out in his yard working. He loves his yard, and he loves to work in his yard. He and his wife built their house on Brooktree Lane in 1977, so they have lived there 34 years this summer. Mr. Palmiter said they lived in Gladstone in the Northaven addition before they built their home in Brooktree, and one reason that they moved to Brooktree is that they were looking for planned community living. One that had restrictions, and one that upheld their restrictions, and did not let them, over the years, dwindle to where you lost all of the value that you had bought into a planned community for.

Mr. Palmiter said he usually stays out of these issues, and he really does not like to offend people, and he has met the gentleman and he is a very nice gentleman. He talks to him on the street as he goes by. Mr. Pamiter said that is not his problem, his problem is if we begin to allow this to happen, and they are allowed a Special Use Permit, what is to stop other Special Use Permits for other things - say, a woman is a beautician and wants to start a beauty shop in a garage. There would be a lot less people coming and going probably than a Day Care. What is to stop someone working in their garage on a car. That was one thing that was in his other neighborhood, which is one reason that he moved to Brooktree - that was a restriction that was not allowed. That was made quite clear. At the time, you could not even have a car sit on the driveway for over a 24-hour period without being in a garage.

Mr. Palmiter said he has watched these things over the years slip a little bit. Mr. Palmiter said he believes Brooktree has done a pretty good job in trying to uphold the restrictions - it is a matter of the value of their homes and the value of the planned community, and the continued use. Mr. Palmiter said he is getting to the age where probably one of these days he will be retiring, and he may want to sell his house. He will make a profit, because he bought it so cheap back in 1977, when he built it, but still, he would like to see it maintain its true value in the market. One of the things he has noticed has happened in Brooktree is because of the market, and because of different situations, there have been a lot of rental houses coming in, and those people have no vested interest in the neighborhood. Most of those houses are not kept up like the ones where people bought the houses and understood the covenants when they purchased them, and know the importance of maintaining your neighborhood and keeping it up. Mr. Palmiter said he is sure there are all the attributes of a wonderful Day Care, and he even agrees with what they are saying, but he believes it should be done in a residential area that would not have a problem with this. Mr. Pamiter said

whoever owns the property, did not tell them how strong Brooktree feels about their covenants.

Carol Medley, 5805 North Norton, said she lives across the street from the Day Care. Ms. Medley said she is a former 30-year mortgage banker, and she has discussed this with practically every real estate agent she knows in the Northland, and mostly in Gladstone. Her property value is decreasing because of this Day Care. In addition, there is traffic congestion. She realizes these people don't think there is, but she lives on that street. She lives across the street from it, and she has the traffic congestion of one garage sale every day. Ten cars coming in the morning; ten cars coming in at night - it is like a garage sale. Ms. Medley said she looks at it from the point of view of five garage sales per week - "I don't think so". The noise congestion in the summertime, she can hear that noise. She is not against noise, but she does not feel like she wants it outside her door every time she opens up a window or walks out her door. She does not want to hear it. Other than that, her main concern is this cannot happen, because this is a business. They have admitted that it is a business. It is for a profit, and she is not against a business; her husband was self-employed before he retired. They did not bring their business into their home and go to work. They went out, got a commercial building, and opened up a business that way. That is the way they should be doing it also.

Linda Gibson, 4100 Northeast Brooktree Lane, said she lives one house down and over from the Day Care. Ms. Gibson thanked everyone for coming out in the bad weather. Ms. Gibson said her husband works nights at the Union Pacific Railroad, and railroading is a very dangerous job, comparable to firefighting. He is unable to be here this evening, because he is at work, but he states that he is unable to get good sleep, because in the mornings, of the noise of the doors shutting. Mr. Gibson said she is also concerned about the value of their homes and she wants the Joneses to know that it is not personal; they spoke very eloquently, and she is impressed with their education, and she is 100 percent positive they will be successful in a commercial location for their Day Care.

Mayor Smith asked Mr. Wingerson, in regard to Mr. Poppenhagen's comments, to explain how that works.

Mr. Wingerson replied he was not certain what Mr. Poppenhagen was reading from, but it appeared to him a brochure that staff put together to help people understand the rules of a home occupation. These are normal home occupations. There are hundreds within the City. It may be an internet travel agency, or an accountant, or any number of businesses. There is criteria in which an occupation license is issued, if they meet each and every one of those. Those are really not up for discussion. In every case, except for one, when a business does not meet each of the criteria that Mr. Poppenhagen referenced, it becomes a Special Use Permit. Very few make it to the City Council level, because they just do not work. The one exception in all of the home based businesses is for Day Cares. For Day Cares, by State law, people are allowed to keep four non-related children in their home. It is really a provision that years ago was designed to allow young mothers to stay home and watch the kids of other mothers, while they were going into the work force. What Mr. Poppenhagen talked about is applicable to home based businesses, except for Day Cares, except especially

for Day Cares, like we are talking about tonight, to care for more than four unrelated children.

Mr. Wingerson said he apologized, the Council knows this, but the public does not, there were two conditions added to the draft Bill in the Council's packet. Condition Number 10, requires the construction of a six foot wood privacy fence around the backyard of the property, on or before August 1. The second Condition comes out of the Planning Commission, and it relates to absolutely no signage as related to the home based Day Care.

Mr. Wingerson said in the Planning Commission Hearing, there were comments made by Mrs. Huff. The property, for clarification, is titled in the name of Jones and Huff, LLC. That is a pretty common practice when two people go together to buy a piece of property. Mrs. Huff is a relative of the Joneses, so the home is, in fact, owner occupied. It is just titled differently than Mr. and Mrs. Jones. Mr. Wingerson said he hopes that clears things up on the ownership side.

Bev Poppenhagen, 5800 North Norton, stated she is the person who has been monitoring the situation for over two years. While she cannot quote years, she could say that the first year, they had four or less children, who are no longer at that Day Care. She is assuming the oldest girl probably went to school, in Kindergarten or first grade. They were in compliance. Ms. Poppenhagen said she has been talking to the Assistant City Manager, who she understands is the head person for the zoning and planning staff, for over two years, and she does not understand. She has provided him with documentation. The first time, before the Planning Commission, she left personalities out of it, because that is how she operates, but they have been put in the position of addressing some of these discrepancies, and unprofessional behavior. She was been many times in communication with Scott Wingerson, and it was very difficult to get straight answers from him. She is a person who does not spend time pursuing things like this, unless she knows what she is talking about. At one point that first year, she said, "I cannot get straight answers, so I'm just going to forget it, because I am going to end up being made to look like I'm foolish, and I don't know what I'm talking about".

Ms. Poppenhagen said it was only three months ago when she was told by a neighbor that it had escalated to the extent that it has, that she started taking a look at it. She sat outside one day, and she saw from 3:15 PM to 5:00 PM that there were ten children who were picked up every five or ten minutes. That means three hours out of every day children are being left and picked up right next door to her house. Ms. Poppenhagen said in the Special Use Permit rules or Ordinances, or whatever it is called, Chapter 165 says: *If, after Public Hearing, and after consideration and recommendation by the Planning Commission;* Ms. Poppenhagen said that is the end of her quote. Ms. Poppenhagen said there appears to be no mention of the staff making a recommendation, and in all of her conversations with Mr. Wingerson, never once did he say that the staff would make a recommendation before the Hearing. Ms. Poppenhagen said she does not understand this.

Ms. Poppenhagen said that the Planning Commission is made up of volunteers. How many volunteers are going to take issue with a staff member's recommendation? Ms.

Poppenhagen said she is a profiler. She profiles people and jobs. She knows people. How many volunteers are going to do that, if they like working and serving on the Planning Commission? She does not think there are very many. Ms. Poppenhagen said she asks a lot of questions, and she asked Mr. Wingerson what types of things are looked at when a Special Use Permit is allowed, and there are only five in the City of Gladstone. Ms. Poppenhagen said Mr. Wingerson stated *that this is a pretty gray area, but basically the types of issues related to safety, consistency, neighborhood preservation, and the like.* Ms. Poppenhagen said that is the end of the quote. Ms. Poppenhagen said none of the pro advocates talked about these issues when they came to the Planning Commission meeting, and she does not think how nice people are or what good teachers they are has anything to do with safety, consistency, and neighborhood preservation, and the like. Mr. Wingerson then went on to say *of course, certain things are off the table for discussion, like race, religion, income, marital status, property ownership.* Ms. Poppenhagen said she does not understand why property ownership would not be considered, but she is not going to go off on that tonight, and the like. How nice someone is and what a good educator would not fit in this group. Are these statements biased and subjective? Ms. Poppenhagen said she believed that yes, they are. Can the City impact these? She does not think they can, and yet, all of the testimony that was allowed at the Planning Commission meeting had to do with things that the City can't impact. So while she inquired about how things processed and how they worked, the Planning Commission did not stick to that, nor did they require that of the people who got up and spoke. Ms. Poppenhagen said she was sorry, she is a very logical person; she does not understand this.

Ms. Poppenhagen said this brings up another issue. She has a real question about whether the Planning Commission has adequate training, because of the way the vote went. It is inconceivable the way the testimony was, and the Council has had access to that, because they have the Minutes of the meeting. None of it applied to any of the things that she was told that the City would look at, and it was not required of them. Ms. Poppenhagen said the thing that was most upsetting to her was that the owner of the house, Linda Huff, was allowed to get up and she made a false statement, and she was allowed to talk about that statement for five minutes. That statement that she made is incorrect. The information that she gave was incorrect.

Ms. Poppenhagen said, getting back to the planning and zoning staff, she does not understand why when they have been provided with pictures, and all of this documentation from so many other people, why they would make a recommendation. It makes no sense to her. Ms. Poppenhagen said how she personally feels is that she listened to what they had to say, and she went down the primrose path, and when it came right down to it, she could not believe what they told her. Things were not required that they had told her would be the way it would process. At the Planning Commission meeting it was allowed to get very personal, and she resents that; she is sorry, she is a person who takes the high road.

City Counselor Randall Thompson stated, as a point of order, that what was before the Council this evening was a Special Use Permit, and not one citizen's satisfaction, or lack thereof, with a process or what happened at an earlier process. If we could just confine

ourselves to whether or not someone is in favor or not of the permit, that is what is required by our City Ordinances.

Mayor Smith asked Ms. Poppenhagen if she would please speak to the merits of the application.

Ms. Poppenhagen said from the very beginning the State has been an issue. The State clearly says in their printed information that if there is a local Ordinance that interferes with them having a Day Care of ten children, then it is not applicable, so in other words, the State does not have jurisdiction over Brooktree, they do not have jurisdiction over Gladstone's specifications in this particular situation, and yet, she keeps hearing this time and time again. Ms. Poppenhagen said she knows that the State has stipulations about animals, and her husband was over at the house two weeks ago, and looked in the yard, and there were four piles of dog excrement. That is against the State regulation, but from day one it has appeared that the City wants the State to monitor this, and she does not get it. She is very much against it. It does affect property values. She is very much an ethical person, and they have not followed proper guidelines. Ms. Poppenhagen said she did have a question, and asked if someone has four or less children, do they not have to get an occupation license.

Mr. Wingerson replied yes.

Ms. Poppenhagen stated she has been asking about this for a year and a half, because she could never get an answer that they had that documentation, and she still does not know whether they did or not. Ms. Poppenhagen said she has been very open and straight forward about this; she provided the City with all this information, and she had probably done more work than anyone else on this, and she does not understand why the stuff that has been presented to the City has not been part of the record. She does not understand this. These things can be documented, and they should have been documented. Ms. Poppenhagen said she also has a problem with the staff's recommendation.

Mayor Smith asked Ms. Poppenhagen to speak specifically to her opposition for this application.

Ms. Poppenhagen said she is in opposition to three hours per day of people coming next door to her house, picking people up and letting them off. It does affect the property value. She has had her house for sale, and she will have it for sale again in three and one half years, and she does not want to have to deal with a Day Care that is next door.

There being no further comments, Mayor Smith closed the Public Hearing.

Item 12, on the Agenda. **FIRST READING BILL 11-01**, approving a Special Use Permit for operation of a Child Care Facility at 5804 North Norton. Applicant/Owner: Darron and Alecia Jones. File #1351

Councilmember Carol Suter moved to place **Bill 11-01** on its First Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Mark

Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of **Bill 11-01**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Carol Rudi seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter to accept the Second and Final Reading of **Bill 11-01** and to enact the Bill as **Ordinance 4.175**. Councilman Carol Rudi seconded.

Councilman Carol Rudi said this is probably the hardest Special Use Permit she has ever considered. She does believe that we have an excellent facility available to children in our area, but she also believes that the neighbors have a right to their own privacy and quiet. Councilman Rudi said she plotted on a map the people who were in favor and the people who were opposed, and until tonight, it came out even, and if she just looked at the street itself, there were the same number of people on that street in favor of it as opposed to it. Councilman Rudi said what she hears tonight is a lot of concern about the noise and the traffic, and she does not think she can support it as much as she would like to, so she would be voting no.

Mayor Pro Tem Barry McCullough stated that it does sound like the Joneses operate a fantastic business that does benefit the community, but he shares the concern of the Brooktree residents that this does impact their property values, and therefore, he cannot support it.

Councilman Mark Revenaugh stated that he owned a small business several years ago in Kansas City, he started out working in his basement, so he has been there: he knows what it is like to have to go through the process. However, clearly the number one issue is how does it affect the neighbors. Councilman Revenaugh said he was on the Planning Commission before being elected to the City Council, so he has been through that process, and he understands that process. He would say that generally if it is a good fit, we do not run into this kind of opposition to the fit. Generally, Gladstone is a welcoming community, and they are glad to have people move in, and especially, entrepreneurs, such as the Joneses. Councilman Revenaugh said what he sees tonight is just not a good fit for this particular location for this particular business, so he would be voting no.

Councilmember Carol Suter stated she also finds this to be a really problematic decision, because quality Day Care is one of the biggest needs in our community. Several years ago, the Community Foundation of Greater Kansas City and the Northland Foundation did a study, and one of the biggest needs we have in the Northland is quality child care. To have educators, in particular, run child care is an absolute asset, and for all those parents, who are out looking to find something that is both affordable and quality, it is a real challenge north of the river. Councilmember Suter said it really pained her that we are not finding a welcoming community for this kind of an enterprise. Other parts of our community are

open to these kinds of activities, because we have a number of them. We have lots of other kinds of Special Use businesses going on in the City, as well. It really does come down to this issue of fit.

Councilmember Suter said regarding the issue about property values in neighborhoods where we are now having rental, she is interested that, apparently, Brooktree does not consider investment property and renting your house a business, because that seems to be happening in Brooktree, but that will run property values down faster than anything else that is going on in your neighborhood. For those who own and do not live there or live next to rental properties, that is a major issue, beside itself. Councilmember Suter said her concern is that the business will not be successful, if the neighborhood is troubled, and that is a sad situation. Councilmember Suter addressed the Joneses by saying, in a community that needs your kind of service, that needs the kind of people that you seem to be, it is a real disappointment for the people that you serve that they may lose their opportunity. She hopes that some other arrangement may be able to be found so that you can continue to serve the community, but clearly, in a neighborhood with this much unpleasantness it would be hard for the business to be successful, so she would have to vote no.

Roll call vote: All "nay" – Councilmember Carol Suter, Councilman Mark Revenaugh, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (0-5)

Mayor Smith stated that the application for the Special Use Permit had been denied.

Item 13. on the Agenda. **RESOLUTION R-11-06**, authorizing the offering for sale of a series of Certificates of Participation, Series 2011 evidencing a proportionate interest in basic rent payments to be made by the City of Gladstone, Missouri, pursuant to an annually renewable Lease Purchase Agreement and, if economically advantageous, authorizing the issuance of additional refunding Certificates of Participation to refund outstanding Certificates of Participation, and prescribing matters related thereto.

Councilman Carol Rudi moved to adopt **RESOLUTION R-11-06**, authorizing the offering for sale of a series of Certificates of Participation, Series 2011 evidencing a proportionate interest in basic rent payments to be made by the City of Gladstone, Missouri, pursuant to an annually renewable Lease Purchase Agreement and, if economically advantageous, authorizing the issuance of additional refunding Certificates of Participation to refund outstanding Certificates of Participation, and prescribing matters related thereto. Councilmember Carol Suter seconded.

Mayor Smith said he noticed Mr. Bricker in the audience this evening, and asked that either he or City Manager Davis provide "the Reader's Digest" version of the intent of this Resolution.

City Manager Davis invited Mr. Greg Bricker to speak about the scheduling. Mr. Davis said the financing for this particular financing tool is presented to allow the City to complete projects that are listed in the memo in the City Council's packet, for about \$5.9 million. Mr. Bricker can talk about scheduling, process and what is going to happen.

Greg Bricker, of George K. Baum Company, began by saying that the action item before the City Council this evening is to consider the adoption of what he refers to as a "go to market" Resolution. Basically, the official action that the Council will take or consider is to authorize the steps necessary to proceed forward with bringing into the market place a financing to produce approximately \$5.9 million for various projects that have been discussed at earlier meetings. The form of this financing is what is referred to as a Certificate of Participation. The City of Gladstone has used this form of borrowing on at least four other occasions that he is aware of, and the Council will recall that they worked on a simultaneous basis two transactions late in 2010, to bring to market a General Obligation Bond issue and a Water and Sewer Revenue Bond issue. That financing also involved a "go to market" Resolution.

Mr. Bricker said the calendar that he has mapped out currently would envision being on the agenda either on the February 14, but more likely the February 28, agenda for final passage of the Ordinance to accept the final sale results of this financing, with a closing expected on or before March 20. Mr. Bricker said we have a need for a portion of these funds to be available on or before April 1, to meet an installment payment on the communications system. Right now, the interest rates would expect to be somewhere in the very low four percent range. We are looking at a twelve year amortization on this financing, and basically, this is the action the Council will consider to authorize this financing to proceed forward.

Councilman Revenaugh pointed out that Mr. Bricker's firm and the bank for which he works have a relationship, so he would be abstaining from the vote.

Mayor Pro Tem McCullough stated he has previously stated his concern over the money being spent in this fashion, and he would not be voting in favor of this.

Councilman Revenaugh stated that he brought up in the planning session that there were some expenses that were being considered that he wondered, personally, if it was the direction the Council wanted to go. Councilman Revenaugh said he long has said that we have a great City staff: they know what they are doing, and he saw his job as a City Councilman to pretty much stay out of their way, and so he is hoping that this is following along that pursuit of excellence that we have come to know and expect from our staff.

Mayor Smith said there are a couple of items that have been discussed as part of this package that may or may not come to fruition for one reason or another. If we go to market with the \$5.9 million amount, and those projects, through no fault of our own, do not come to fruition, what happens to those funds?

City Manager Davis replied he would consult with bond counsel Mr. Bricker on the ultimate solution, but there are a number of ways that this could go. Number one, at some time the Council could retire the debt of the remaining money or money not spent. Number two, the focus of this Certificate of Participation is stormwater. The City has many stormwater needs. There are stormwater needs not financed here, because we reduced the size of this financing, based on Council concerns, and he would suggest to the Council that he would

encourage us to look at other stormwater projects to invest in. Those are projects we will have to invest in anyway at some point of time down the road.

Mayor Smith asked Mr. Bricker if every dollar had to be specifically earmarked to every certain project. This is a financing tool, and there is certain collateral in place. Mayor Smith said this is the answer he hoped he would get. It could be \$250,000 that is in that package; it could \$650,000 in the package. Mayor Smith said he is hoping that we would get some commitment that if those projects do not come to fruition, that those monies be focused, unless there is some dire need to retire the debt, towards the main focus of the program, which is stormwater needs.

Mr. Bricker said that was correct.

Councilman Revenaugh said that was a good point – the focus is on the stormwater.

Mayor Smith stated to be frank, there are a couple of issues out there. The triangle we have talked about is “iffy” because it will require a large participation in excess of our own by an outside party to make that happen. We are talking about some amenities to the Village Center, and we are potentially looking at some expenses there to do it first class, which is how we do everything in which we engage. If that becomes too expensive of a proposition, because that needs to be built on a business plan, that may not work. Those funds will then be shifted towards the main emphasis, which is storm drainage.

Mayor Smith said we have been working with storm drainage since 1983. We passed the first ever bond issue, which dedicated real money towards storm drainage problems in this community – it was \$1.5 million, and it was the same time we passed a bond issue for \$2.5 million for North Prospect. Mayor Smith said since 1983, we have been talking about serious storm drainage problems in this community. If these funds could then be utilized to help reduce the storm drainage problems that we have, then that makes him a bit more comfortable.

The vote: “Aye” – Councilmember Carol Suter, Councilman Carol Rudi, and Mayor Les Smith. “Opposed” – Mayor Pro Tem Barry McCullough. “Abstain” – Councilman Mark Revenaugh. (3-1-1).

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 News Media present.

Item 16. on the Agenda. **Adjournment.**

There being no further business to come before the January 10, 2011, Regular Gladstone City Council Meeting, Mayor Les Smith adjourned the meeting.

Respectfully submitted:

Cathy Swenson
Cathy Swenson, City Clerk

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

Les Smith
Mayor Les Smith



PUBLIC NOTICE

GLADSTONE CITY COUNCIL

CLOSED EXECUTIVE SESSIONS

THURSDAY, JANUARY 20, 2011

TIME: STARTING AT 2:45 PM

LOCATION: GLADSTONE COMMUNITY CENTER

The Gladstone City Council will meet in Closed Executive Session on January 20, 2011; starting at 2:45 PM at the Gladstone Community Center, 6901 N. Holmes for personnel discussion.

The Executive Sessions are closed pursuant to the Missouri Open Meeting Act Exemptions under Section 610.021(3) for Personnel Discussion

Representatives of the News Media may obtain copies of this notice by contacting:

City Clerk Cathy Swenson
7010 N Holmes
Gladstone, MO 64118
436-2200, Extension 3102



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 20, 2011**


**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
2:45 PM**


Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on January 20, 2011, at 2:45 PM. Mayor Pro Tem Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.21(3) for Personnel Discussion. Councilmember Carol Suter seconded.

Roll Call Vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (4-0)


Mayor Les Smith adjourned the Closed Executive Session.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: 

Approved as corrected/amended: _____


Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 24, 2011**

The City Council will meet in Closed Executive Session on Monday, January 24, 2011, starting at 6:00 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 6:30 PM

REGULAR MEETING: 7:30 PM

AGENDA

- 1. Meeting Called to Order.**
- 2. Roll Call.**
- 3. Pledge of Allegiance.**
- 4. Approval of the Regular January 10, 2011, City Council Meeting Minutes convening a Closed Executive Session.**
- 5. Presentation of Boards and Commission appreciation plaque to David Peironnet, member of the Neighborhood Commission November 2007 – December 2010.**

6. **Presentation of Mayor's Christmas Tree Lighting checks to Ikey Harris for the Northland Christmas Store for \$10,564.78 and Sheila Lillis and Tina Spallo for the Get Kids Connected Scholarship Fund for \$3,539.78.**
7. **Presentation of commemorative flag to Mr. Stu Revenaugh and family honoring late Councilman Mark Revenaugh.**

REGULAR AGENDA

7. **Communications from the Audience.**
8. **Communications from the City Council.**
9. **Communications from the City Manager.**
10. **BUILDING PERMIT:** for the Linden West Elementary School classroom addition located at 7333 N. Wyandotte Street. Applicant: Hollis + Miller Architects Owner: North Kansas City School District.
11. **APPROVAL OF DECEMBER 2010 FINANCIALS.**
12. **PUBLIC HEARING:** on a request for a site plan revision at 6300 N. Oak Trafficway. Applicant: Ozark Civil Engineering, Inc. Owner: McDonalds USA, LLC. File #1353. (This hearing will be opened and immediately continued.)
- 12a. **FIRST READING BILL 11-02,** for consideration of a site plan revision at 6300 N. Oak Trafficway.
13. **FIRST READING BILL 11-03,** amending ordinance number 4.121 by adding a new chapter concerning "Sump Pumps and Ground Water Standards" to the "Building and Construction Ordinance" of the City of Gladstone, Missouri.

14. **FIRST READING BILL 11-04**, allowing the "Show Me Green Sales Tax Holiday" to apply to the local sales taxes of the City of Gladstone between April 19 and April 25, 2011.
15. **FIRST READING BILL 11-05**, approving an ordinance to opt out of the State imposed Sales Tax Holiday between August 5th and 7th, 2011.
16. **RESOLUTION R-11-07**, a resolution amending the 2011 Mid-Year Budget.
17. **RESOLUTION R-11-08**, a resolution adopting the findings of fact and conclusions of law set forth herein and denying the application for a special use permit by Darren and Alecia Jones to operate a child day care.
18. Other Business.
19. Questions from the News Media.
20. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 24, 2011**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:00 PM**

Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on January 24, 2011, at 6:00 PM. Mayor Pro Tem Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion. Councilman Carol Rudi seconded.

Roll Call Vote: All "aye" -- Councilman Carol Rudi and Mayor Pro Tem Barry McCullough, Mayor Les Smith. (3-0)

Councilmember Carol Suter was present at the Closed Executive Session.

Mayor Les Smith adjourned the Closed Executive Session.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
Deputy City Clerk Pam Smitka

ABSENT: City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL.

Mayor Les Smith opened the Regular January 24, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. Approval of the Regular January 10, 2011, City Council Meeting Minutes convening a Closed Executive Session.

Mayor Pro Tem Barry McCullough moved to approve the Regular January 10, 2011, City Council Meeting Minutes convening a Closed Executive Session. Councilmember Carol Suter seconded. The vote: All "aye" - Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 5. on the Agenda. Presentation of Boards and Commission appreciation plaque to David Peironnet, member of the Neighborhood Commission November 2007 - December 2010.

Mayor Smith invited Mr. David Peironnet, a member of the Neighborhood Commission, from November 2007 to December 2010, to please join him at the Council dais. Mayor Smith read and presented a Certificate of Service plaque to Mr. Peironnet.

Mr. Peironnet jokingly thanked Mayor Smith for melting the snow in front of his house, saying the Mayor of Gladstone came to his house with a hair dryer, and as the flakes came down, he ran up and down and melted them before they even got on his street. Mr. Peironnet jokingly asked how he could express appreciation for that.

Mayor Smith jokingly responded by saying he has to have some use for a hair dryer in the morning, and they had a deal while Mr. Peironnet was on the Commission, with Public Works Director Tim Nebergall, that he would actually catch the snow before it hit the streets.

Mr. Peironnet said Mr. Nebergall did well. Mr. Peironnet said he appreciated the opportunity to serve the people of Gladstone, and he believes one of the main reasons that Gladstone has been so extraordinarily efficient in use of public resources and good stewards of taxpayers dollars is because there is so much public involvement, so getting to serve was a way of doing what he believes in. Mr. Peironnet said he had to drop off this year, as he serves on his Church Board, and there is so much coming up this year, that he could not continue to serve on the Neighborhood Commission. Mr. Peironnet said he would drop off the Church Board the end of 2011, so if the Council needs him next year, he is available.

Mayor Smith said he sits on the Neighborhood Commission, and not only has Mr. Peironnet been active in Gladstone, but also in Clay County and in other regions of the world. Mr. Peironnet did a great job on the Neighborhood Commission, and the Council appreciates his good work.

Mr. Peironnet thanked the Mayor and Council, which was followed by applause from the audience.

Item 6. on the Agenda. Presentation of Mayor's Christmas Tree Lighting checks to Ikey Harris for the Northland Christmas Store for \$10,564.78 and Sheila Lillis and Tina Spallo for the Get Kids Connected Scholarship Fund for \$3,539.78.

Mayor Smith invited Northland Christmas Store Co-Chairmen Ikey Harris, and Bob Hill to join him at the dais, for the presentation of the Mayor's Christmas Tree Lighting Fund check in the amount of \$10,564.78. Mayor Smith said one of his favorite things each year is to invite Ms. Harris to say a few words, as she is always so gracious.

Ms. Harris said everyone has been so wonderful and have helped the Northland Christmas Store so much. This year has been a difficult year, but they were able to serve 800 families.

Mayor Smith said a lot of people in the community participated in the donations, and the City appreciates the good work of the Northland Christmas Store.

Mayor Smith invited Parks and Recreation Director Sheila Lillis and Recreation Supervisor Tina Spallo, who were representing the Get Kids Connected Scholarship Fund program, to join him at the dais for the presentation of the Mayor's Christmas Tree Lighting Fund check in the amount of \$3,539.78.

Mayor Smith invited Director Lillis to talk about this program.

Director Lillis stated the past proceeds from Mayor Smith's campaign that he donated to the City were used for a scholarship fund. This scholarship fund provides children the opportunity to participate in recreation programs. That can be anything from Theatre in the Park, to youth soccer, to swim lessons and even working with families for outdoor swim passes. As the socioeconomic structure of our community has changed, and unemployment has risen, staff has seen an increase in scholarship needs. About seven months ago, staff realized that there was a need to formalize this process, and not only let Mayor Smith and a few friends know about it, but staff wants everyone in the community to know about the Get Kids Connected program. Parks and Recreation staff asks patrons, with each of their transactions, both at City Hall and the Community Center, if they would like to donate to the Get Kids Connected program. This past year, about 15 scholarships were issued. Director Lillis said staff does ask for buy-in from the scholarship recipients: they are allowed to go on a payment plan. If the fee is \$15, they are allowed to pay over the eight or nine week program. There has been great success with this. Director Lillis said in her tenure no child has been turned away: there have always been resources found for them to participate in a program.

Mayor Smith said the program was funded with extra campaign funds, and Commerce Bank also contributed one year, but what Director Lillis is not saying is that sometimes those resources were out of staff's own pockets. That is another one of those special

things in Gladstone to have folks participate like that. Mayor Smith thanked Director Lillis and staff, and said this is a great program, and he hopes it continues to do well.

Director Lillis thanked the Mayor and Council, which was followed with applause from the audience.

Mayor Smith thanked Director Lillis, Recreation Supervisor Spallo and others for their help with the Mayor's Christmas Tree Lighting Fund this year. It was kicked off with the tree lighting ceremony, which was a great event, with the help of First Bank of Missouri and the Gladstone Area Chamber of Commerce, which was appreciated this year. It was a difficult year to raise money, but we kept plugging along.

PRESENTATION OF COMMEMORATIVE FLAG to Mr. Stu Revenaugh and family honoring late Councilman Mark Revenaugh.

This item was not addressed at this meeting.

REGULAR AGENDA.

Item 7. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

There were no communications from the audience.

Item 8. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Mayor Les Smith began by saying that Councilman Mark Revenaugh passed away two weeks ago tonight. His father and mother had hoped to attend this evening to receive the framed City flag and the picture of Mark, but his father called this morning and said they were not up to it emotionally, and we certainly respect that. We all knew Mark as a friend, and we will miss him. He was a good Councilman, and he had the best interests of Gladstone at heart, and those in the audience who worked with him know he cared deeply for the employees of this City, and realized that they are in a large part, if not the most part, why this is absolutely the best place to live and raise a family. Mark always spoke highly of the employees, and always wished we could do a little bit more to take care of the employees. Everyone needs to know that he appreciated them.

Mayor Smith said the Council has established a process by which a member of the community will be appointed to fill Councilman Revenaugh's unexpired term. The term will run through a year from April, which is coincidentally when Mark's term would have expired. The process is that Council is asking interested residents to submit a letter of interest along with a civic resume. The deadline for those resumes is February 4, at 5:00 PM. The Council may interview interested members of the community on February 10, with an appointment to be made on February 14. To this point, one letter of interest has been received, and it is from Jeanie Moore.

Mayor Smith said the City hosted a reception for Councilman Revenaugh last Thursday evening. His family was incredibly appreciative of the efforts. Mayor Smith said he would be remiss if he did not thank those members of the City staff who organized that and pulled it all together. Mayor Smith said he did not generally do this, but he did want to point out that Executive Assistant Pam Smitka did a fabulous job in coordinating all that. Mayor Smith said he believed that many in the room would agree that Pam did a fabulous job in pulling this off. Mayor Smith addressed Ms. Smitka by saying the he and the Council thanks her and the family thanks her.

Councilmember Carol Suter thanked Mayor Smith for taking the lead in planning for this unusual event for a City the remembrance for Councilman Revenaugh. It was appreciated by everyone, including the Council and his family. Councilmember Suter said she, too, appreciated the work of the staff. January has been an unusual month for a number of reasons for all of us here, between health emergencies, and deaths on Council, and City Clerk Cathy Swenson's father. There have just been a number of things this month. This time has demonstrated the great spirit that exists among the staff and elected officials and volunteers of the City. There is such a good family feel and team support all the time. We tend to see it the most in bad times, and maybe appreciate it the most, but it exists in the good times as well.

Councilman Carol Rudi said Thursday's event was an excellent event and she is glad that Mayor Smith thought of it, and she really does appreciate it, as did many people. Councilman Rudi thanked Ms. Smitka for all her work.

Councilman Rudi stated that on Tuesday, February 1, there would be the next art exhibit opening at the Community Center. This will be art and music, not just art as usual. It will be presented by the educators and students of the North Kansas City School District. The date again is Tuesday, February 1, from 6:00 PM to 8:00 PM, at the Community Center. Councilman Rudi invited all to attend, and said it would be a great event, and said she believed this would provide an introduction to what is being planned for this summer. In June, on Tuesday evenings, we have music at the amphitheatre, and we are adding to that an art component, so there will be a few artists at each of those Tuesday evenings' presentations. The process is still being worked on, but it is very exciting. Councilman Rudi said she hoped to see everyone on February 1, and she hopes to see everyone also in June.

Mayor Pro Tem Barry McCullough said he, too, wished to thank Ms. Smitka, City staff, and Mayor Smith for all of their efforts and care and thoughtfulness that went into preparations for Mark's memorial on Thursday.

Mayor Smith stated that Cathy Swenson's father passed away, and his services will be tomorrow, at White Chapel Funeral Home. The visitation is at 10:00 AM, and the funeral services will be held at 11:00 AM.

Mayor Smith asked Parks and Recreation Director Sheila Lillis to extend his and the Council's appreciation to the Community Center staff for what they did for Thursday evening's reception.

Item 9. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis announced that the 76th Street Project public meeting is scheduled for Thursday, January 27, here in City Hall, from 5:00 PM to 7:00 PM, for people interested in that bond project.

Item 10. on the Agenda. **BUILDING PERMIT:** for the Linden West Elementary School classroom addition located at 7333 N. Wyandotte Street. Applicant: Hollis + Miller Architects Owner: North Kansas City School District.

Councilman Carol Rudi moved to approve the **BUILDING PERMIT:** for the Linden West Elementary School classroom addition located at 7333 N. Wyandotte Street. Applicant: Hollis + Miller Architects Owner: North Kansas City School District. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 11. on the Agenda. **APPROVAL OF DECEMBER 2010 FINANCIALS.**

Councilmember Carol Suter moved to approve the **DECEMBER 2010 FINANCIAL REPORT.** Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 12. on the Agenda. **PUBLIC HEARING:** on a request for a site plan revision at 6300 N. Oak Trafficway. Applicant: Ozark Civil Engineering, Inc. Owner: McDonalds USA, LLC. File #1353. (This hearing will be opened and immediately continued.)

Mayor Smith opened the Public Hearing and continued the Public Hearing to a later date, following a recommendation from the Planning Commission.

Item 12a. on the Agenda. **FIRST READING BILL 11-02,** for consideration of a site plan revision at 6300 N. Oak Trafficway.

Mayor Smith said this agenda item would be considered on the same date as the Public Hearing.

Item 13. on the Agenda. **FIRST READING BILL 11-03,** amending ordinance number 4.121 by adding a new chapter concerning "Sump Pumps and Ground Water Standards" to the "Building and Construction Ordinance" of the City of Gladstone, Missouri.

participate in the sales tax holiday, we should vote "no"; Councilman Rudi said her question was does the Council need to do three full readings to do that or may Council vote "no" at this time and drop the Bill or would it need to come back next time?

City Counselor Randall Thompson replied that if all of the Council voted "no", that would drop the Bill.

Mayor Smith asked if Counselor Thompson agreed it would be permissible to all vote "no" on the first reading.

Counselor Thompson agreed that would be permissible.

The vote: All "nay" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (0-4).

Mayor Smith stated that Bill 11-05 has been defeated, so, therefore, the City is not opting out of the sales tax holiday in August 2011.

Item 16. on the Agenda. **RESOLUTION R-11-07**, a resolution amending the 2011 Mid-Year Budget.

Councilman Carol Rudi moved to approve **RESOLUTION R-11-07**, a resolution amending the 2011 Mid-Year Budget. Mayor Pro Tem Barry McCullough seconded.

Mayor Smith offered Kudos to City Manager Davis, Finance Director Debra Daily, the Finance Department and the budget team for putting together a good mid-year budget. For all intents and purposes our city has pretty much weathered the storm. We have weathered the storm in large part because members of this community have come forward to help us to keep our house in order, but more substantially, because of City Manager Davis, the leadership team, and members of the staff of the City of Gladstone, whom the Council appreciates. Mayor Smith said there is a 1.5 percent pay increase across the board for employees to take effect immediately, and he appreciates seeing that in the budget as well.

The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 17. on the Agenda. **RESOLUTION R-11-08**, a resolution adopting the findings of fact and conclusions of law set forth herein and denying the application for a special use permit by Darren and Alecia Jones to operate a child day care.

Mayor Pro Tem Barry McCullough moved to approve **RESOLUTION R-11-08**, a resolution adopting the findings of fact and conclusions of law set forth herein and denying the application for a special use permit by Darren and Alecia Jones to operate a child day care. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Mayor Pro Tem Barry McCullough moved to place **Bill 11-03** on its First Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of **Bill 11-03**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the Second and Final Reading of **Bill 11-03** and to enact the Bill as **Ordinance 4.175**. Councilmember Carol Suter seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0)

Item 14. on the Agenda. **FIRST READING BILL 11-04**, allowing the "Show Me Green Sales Tax Holiday" to apply to the local sales taxes of the City of Gladstone between April 19 and April 25, 2011.

Councilmember Carol Suter moved to place **Bill 11-04** on its First Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of **Bill 11-04**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of **Bill 11-04** and to enact the Bill as **Ordinance 4.176**. Mayor Pro Tem Barry McCullough seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0)

Item 15. on the Agenda. **FIRST READING BILL 11-05**, approving an ordinance to opt out of the State imposed Sales Tax Holiday between August 5th and 7th, 2011.

Councilman Carol Rudi moved to place **Bill 11-05** on its First Reading. Councilmember Carol Suter seconded.

Councilman Rudi stated she had a procedural question in regard to this Bill, and said this Bill would allow us to opt out of the sales tax holiday, which means if we want to

Item 18. on the Agenda. **Other Business.**

There was no other business.

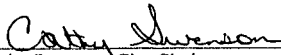
Item 19. on the Agenda. **Questions from the News Media.**


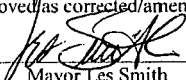
There were no News Media present.

Item 20. on the Agenda. **Adjournment.**

There being no further business to come before the January 24, 2011, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: 
Approved as corrected/amended: _____

Mayor Les Smith



PUBLIC NOTICE

**GLADSTONE CITY COUNCIL
MEETING**

TO DISCUSS CITY COUNCIL VACANCY

TUESDAY, FEBRUARY 8, 2011

6:00 PM

- LOCATION -

GLADSTONE COMMUNITY CENTER

CONFERENCE ROOM

6901 NORTH HOLMES

GLADSTONE, MISSOURI

**Representatives of the News Media may obtain copies of this notice by
contacting:**

**City Clerk Cathy Swenson
7010 N Holmes
423-4096**



**NOTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
TUESDAY, FEBRUARY 8, 2011**

**CITY COUNCIL MEETING
6:00 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilmember Carol Suter

City Counselor Randall Thompson

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the February 8, 2011, City Council Meeting at 6:00 PM in the Gladstone Community Center, and noted that all Council members were present.

Item 3. on the Agenda. Review of Applications for City Council Vacancy

Discussion ensued regarding the applications received for the City Council vacancy, following the death of Councilman Mark Revenaugh.

Councilman Carol Rudi moved to appoint Jean Moore to the vacant City Council seat, effective February 14, 2011. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0)

Item 4. on the Agenda. Other Business.

There was no other business.

Item 5. on the Agenda. Questions from the News Media.

There were no News Media present.

Item 6. on the Agenda. Adjournment.

There being no further business to come before the February 8, 2011, Gladstone City Council Meeting, Mayor Les Smith adjourned the meeting.

Respectfully submitted:

Cathy Swenson thru City Councilor Randell Thompson
Cathy Swenson, City Clerk

Approved as submitted: ☒

Approved as corrected/amended: ☐

Les Smith
Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, FEBRUARY 14, 2011**

The City Council will meet in Closed Executive Session on Monday, February 14, 2011, starting at 6:00 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 6:15 PM

REGULAR MEETING: 7:30 PM

AMENDED AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular January 10, 2011, City Council Meeting Minutes.
5. Approval of the January 20, 2011, City Council Meeting Minutes convening a Closed Executive Session.

6. Approval of the Regular January 24, 2011, City Council Meeting Minutes.
7. Approval of the February 8, 2011, City Council Meeting Minutes.
8. FIRST READING BILL 11-06, APPOINTING JEAN B. MOORE TO FILL THE CITY COUNCIL SEAT LEFT VACANT BY THE DEATH OF COUNCILMAN MARK REVENAUGH.
9. CITY COUNCIL OATH OF OFFICE TO JEAN MOORE.
- 9a. City Council Comments
10. CITIZEN COMMENDATION PRESENTATION BY PUBLIC SAFETY TO: ROBERT CARTER.
- 10a. PROCLAMATION: RECOGNIZING ROBERT CARTER, WHO ASSISTED TWO PEOPLE FROM A BURNING APARTMENT.
11. CONSENT AGENDA

RESOLUTION R-11-09, authorizing execution of a contract with Utility Service Company, Incorporated, in the total amount not to exceed \$54,400.00 for the 5.0 Million Gallon Reservoir Tank Mixer Project.

RESOLUTION R-11-10, authorizing acceptance of work under contract with O'Donnel-Way Construction Company, Incorporated, for the 2010 and 2011 Mill and Overlay Projects; and authorizing final payment in the amount of \$1,000.00

RESOLUTION R-11-11, authorizing acceptance of a proposal from Diamond International, received from the metropolitan joint bid, for the purchase of a 4 x 2 dump truck for the net purchase amount of \$65,507.00.

RESOLUTON R-11-12, authorizing execution of a professional service agreement with Tevis Architectural Group, in an amount not to exceed \$32,000.00 for the Animal Control Design – phase 2 consulting services Project.

Approval of a Temporary Liquor by the Drink License to St. Charles Borromeo Church for a fundraising function to be held on March 5, 2011, from 6:00 PM to 11:30 PM. Managing Officer: Lori Creek.

REGULAR AGENDA

12. Communications from the Audience.

13. Communications from the City Council.

14. Communications from the City Manager.

15. RESOLUTION R-11-13, authorizing execution of a contract with Miller Paving and Construction, LLC, in the total amount not to exceed \$199,830.00 for the 2011 Accelerated Curb, Gutter and Sidewalk Program Project.

16. RESOLUTION R-11-14, authorizing acceptance of a proposal from Landmark Dodge Chrysler Jeep for the purchase of two (2) Police Interceptor vehicles for the net purchase amount of \$26,699.84 each.

17. RESOLUTION R-11-15, adopting the 2011 Legislative Program for the City of Gladstone, Missouri.

18. Other Business.

19. Questions from the News Media.

20. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, FEBRUARY 14, 2011**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:00 PM**

Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on February 14, 2011, at 6:00 PM. Mayor Pro Tem Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion. Councilmember Carol Suter seconded.

Roll Call Vote: All "aye" - Councilmember Carol Suter, Mayor Pro Tem Barry McCullough, Mayor Les Smith. (3-0)

Councilman Carol Rudi was present at the Closed Executive Session.

Mayor Les Smith recessed the Closed Executive Session to be reconvened following the Regular City Council Meeting.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the Regular February 14, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. APPROVAL OF THE REGULAR JANUARY 10, 2011, CITY COUNCIL MEETING MINUTES.

Councilmember Carol Suter moved to approve the **Regular January 10, 2011, City Council Meeting Minutes**. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 5. on the Agenda. APPROVAL OF THE JANUARY 20, 2011, CITY COUNCIL MEETING MINUTES CONVENING A CLOSED EXECUTIVE SESSION.

Mayor Pro Tem Barry McCullough moved to approve the **January 20, 2011, City Council Meeting Minutes convening a Closed Executive Session**. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 6. on the Agenda. APPROVAL OF THE REGULAR JANUARY 24, 2011, CITY COUNCIL MEETING MINUTES.

Councilman Carol Rudi moved to approve the **Regular January 24, 2011, City Council Meeting Minutes**. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 7. on the Agenda. APPROVAL OF THE FEBRUARY 8, 2011, CITY COUNCIL MEETING MINUTES.

Mayor Pro Tem Barry McCullough moved to approve the **February 8, 2011, City Council Meeting Minutes**. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 8. on the Agenda. FIRST READING BILL 11-06, APPOINTING JEAN B. MOORE TO FILL THE CITY COUNCIL SEAT LEFT VACANT BY THE DEATH OF COUNCILMAN MARK REVENAUGH.

Councilmember Carol Suter moved to place **Bill 11-06** on its First Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of **Bill 11-06**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Barry

McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of **Bill 11-06** and to enact the Bill as **Ordinance 4.177**. Mayor Pro Tem Barry McCullough seconded.

Roll call vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0)

Item 9. on the Agenda. **CITY COUNCIL OATH OF OFFICE TO JEAN B. MOORE.**

Mayor Smith invited Ms. Jean B. Moore to join City Clerk Cathy Swenson at the dais for the City Council Oath of Office, which was followed with applause from the audience, as Councilmember Moore took her seat at the Council dais.

Item 9a. on the Agenda. **CITY COUNCIL COMMENTS.**

Mayor Les Smith welcomed Councilmember Jean Moore to the City Council. Mayor Smith said newly appointed Councilmember Moore has been instrumental in virtually every major task undertaken in this community in the past 7 or 8 years, and there is a lot going on that would not have happened without the efforts that she has put forth. Mayor Smith said that Councilmember Moore was an active member of the community prior to that as well, but since Gladstone on the Move, she has really meant a lot to our community, and it is an honor to serve with her.

Councilmember Carol Suter said she seconded those comments, and said it is a pleasure to have Councilmember Moore join the City Council, and just for the record, this historic moment cannot go without notice in that this is the first time in the history of the City that a majority of the Council is women!

Mayor Smith jokingly said that he and Mayor Pro Tem McCullough are making history this evening as the first time that men have been in a minority on the City Council!

Councilmember Suter stated that all joking aside, a couple of the things that she found most gratifying about our process was that so many wonderful, talented and capable citizens were interested in serving on this Council. That is a compliment to the current Council, and to the previous City Councils, and to the fabulous staff who makes this a desirable volunteer job. Councilmember Suter said as the City Council made their decision, one could probably hear echoing through the community a loud "Amen", because Councilmember Moore is a person who is well known and well respected, and well loved by the citizens of Gladstone.

Mayor Smith said there is a gentleman sitting in the audience who wished to go unannounced, Mr. Stu Revenaugh, Mark Revenaugh's father, who thinks very highly of Councilmember Moore, and wanted to be here for this occasion.

Councilmember Jean Moore thanked Mayor Smith and Councilmember Suter, and stated this is the point of time that she is supposed to take the advice of her sister-in-law, the Psychologist, and take a deep breath! Councilmember Moore introduced her husband, Rick Moore, her sister-in-law, Dr. Linda Moore, and her sister, Jo Ann Oakman, who just moved here from Houston, Texas, who is now an official Gladstone resident.

Mayor Smith said he and his father, Everett, are the first father and son to serve on the City Council. For those who may not know, Mr. Moore sat on the City Council previously, so they are the first husband and wife team to serve on the City Council.

Councilmember Moore expressed her deepest thanks to Mayor Smith and to each of the Councilmembers for the confidence and support they have shown in her in giving her this appointment. Councilmember Moore said she was honored and humbled to fill the vacancy created by Mark's untimely death. He loved our City and he was loved by the City, and he served it very well. Councilmember Moore said it is her honor to try to step into that position. Councilmember Moore thanked Stu Revenaugh for being here this evening; it means so much to her.

Councilmember Moore stated she accepts this position as a real responsibility and a challenge, and she hopes that as we go forward, that people will be patient with her, and will help her as she understands her new role as a City Councilmember.

Item 10. on the Agenda. CITIZEN COMMENDATION PRESENTATION BY PUBLIC SAFETY TO ROBERT CARTER.

Mayor Smith invited Mr. Carter and Public Safety Director Mike Hasty to step forward.

Director Hasty stated he wished to make the City Council aware of an incident that occurred on January 24, 2011, at about 11:30 PM. Our department firefighters, members of the Fire Division "A" Shift, who were present this evening, arrived at the scene of a structure fire at the Morningside Apartment complex, 109 NE 59th Street. When the firefighters arrived, they found smoke in the apartment and two adult occupants suffering from the effects of smoke inhalation.

Firefighters determined that the fire originated in the apartment when a purse was left on a hot stovetop in the kitchen. A citizen, Robert Carter, was visiting an occupant in an apartment in the same building when he detected the odor of smoke. He investigated and found that the smoke was coming from the apartment, and he heard the sound of a smoke detector coming from inside. After receiving no response from pounding on the apartment door, he forced the door open and found two adult occupants asleep inside. He assisted both occupants from the apartment building and then retrieved a fire extinguisher and extinguished the fire just prior to the arrival of the firefighters, and before it spread to the

rest of the apartment and the structure. Director Hasty said, in his estimation and the estimation of the fire fighters who were there that night, Mr. Carter saved not only the occupants of the apartment, but all the people in the entire building.

Director Hasty said because of Mr. Carter's courageous actions, it was his distinct honor to present a Citizen Commendation to Mr. Carter. Director Hasty presented the Citizen Commendation to Mr. Carter, which was followed by a standing ovation from the audience.

Mr. Carter thanked the Gladstone Fire Department for their quick response, and said he was very glad when they arrived, and he is very glad that the apartment complex had a fire extinguisher. Mr. Carter thanked Director Hasty for the Commendation.

Item 10a. on the Agenda. PROCLAMATION: RECOGNIZING ROBERT CARTER, WHO ASSISTED TWO PEOPLE FROM A BURNING APARTMENT.

Mayor Smith invited Mr. Carter to remain as Mayor Pro Tem Barry McCullough read and presented to him a **PROCLAMATION RECOGNIZING MR. CARTER, WHO ASSISTED TWO PEOPLE FROM A BURNING APARTMENT**, which was followed by applause from the audience.

Mr. Carter thanked the Mayor, Mayor Pro Tem and the City Council.

Item 11. on the Agenda. CONSENT AGENDA.

Mayor Pro Tem Barry McCullough moved to accept the Consent Agenda as presented. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Mayor Pro Tem Barry McCullough moved to adopt **RESOLUTION R-11-09**, authorizing execution of a contract with Utility Service Company, Incorporated, in the total amount not to exceed \$54,400.00 for the 5.0 Million Gallon Reservoir Tank Mixer Project. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Mayor Pro Tem Barry McCullough moved to adopt **RESOLUTION R-11-10**, authorizing acceptance of work under contract with O'Donnel-Way Construction Company, Incorporated, for the 2010 and 2011 Mill and Overlay Projects; and authorizing final payment in the amount of \$1,000.00. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Mayor Pro Tem Barry McCullough moved to adopt **RESOLUTION R-11-11**, authorizing acceptance of a proposal from Diamond International, received from the metropolitan joint

bid, for the purchase of a 4 x 2 dump truck for the net purchase amount of \$65,507.00. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Mayor Pro Tem Barry McCullough moved to adopt **RESOLUTON R-11-12**, authorizing execution of a professional service agreement with Tevis Architectural Group, in an amount not to exceed \$32,000.00 for the Animal Control Design – phase 2 consulting services Project. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Mayor Pro Tem Barry McCullough moved to approve a **TEMPORARY LIQUOR BY THE DRINK LICENSE** to St. Charles Borromeo Church for a fundraising function to be held on March 5, 2011, from 6:00 PM to 11:30 PM. Managing Officer: Lori Creek. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

REGULAR AGENDA.

Item 12. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

There were no communications from the audience.

Item 13. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Councilmember Jean Moore had no comments at this time.

Councilmember Carol Suter jokingly informed Councilmember Moore that she will only be the newest member of the City Council until April, and then it will be someone else's turn to go first! Councilmember Suter said she is constantly reminded of the many blessings of living in this country, and in this community in particular. Councilmember Suter said she recently had the opportunity to work with a medical team in the backwoods of the mountains of Jamaica, and it is so humbling to work among people who have absolutely nothing and have no resources of any kind, and have no government programs or community organizations, or personal financial resources. Yet, people have hope and love, and family, and they care about each other, and they still have dignity. Councilmember Suter said that always humbles her, and coming back here again and participating in all the advantages that we have in our community is also humbling. Councilmember Suter suggested that we need to count our blessings every day, and she reminds herself, "But for the grace of God, there go I". It is an accident of our birth sometimes what we have in life. Councilmember Suter said she appreciates Gladstone and life in America.

Mayor Smith offered, "good work" to Councilmember Suter.

Councilman Carol Rudi welcomed Councilmember Moore and said she is very happy to have her here, and said she is looking forward very much to April, and jokingly said things will be well maintained, as someone has to keep track of this particular Mayor, and she knows Councilmember Moore can do that!

Councilman Rudi said she had a story about our City's snow plowing efforts she would like to share, because it shows what kind of customer service we have in Gladstone, and we value that so highly, that she thinks everyone needs to know about it. Councilman Rudi said some people were shoveling out their driveway, and the plow had gone by, and there were cars were buried out in the street. They were trying to "unbury" the two cars that were in the street, when they flagged down the snowplow, and asked him to come by in about 10 minutes, when they would have the cars off the street and in the driveway, so the snow plow could get more snow off the road. There was no sour look or anything, it was "you betcha, we can", and the snowplow was back in 10 minutes, and the road was cleared. Councilman Rudi said she thinks that is wonderful, and she is really proud of the snowplow crew, and she believes they are to be commended.

Councilman Rudi said she had a meeting two or three weeks ago, and Derek Okubo from the National Civic League was there, and he was complimenting the City on our 20 percent reserve policy, because no one else does that. Councilman Rudi says this is a great and unique idea for the City of Gladstone, and we should always continue this policy. We have received national recognition for that!

Councilman Rudi thanked Mrs. Carmelina Smith, because she has given a check for the Art Show Fund. We are not having a large art show this year, but we are having art in June, and there will be a total of about 30 fine artists. It will be a juried show, and this money will be used to work on that program and anything that is left over will go forward to working on our City's next large art show and fair. Councilman Rudi said thank you very much to Mrs. Smith, and gave the check to Parks and Recreation Director Sheila Lillis.

Mayor Pro Tem Barry McCullough welcomed Councilmember Jean Moore to the City Council, and said he looks forward to working with her, and it is an honor to have her with the City Council. Mayor Pro Tem McCullough said he would like to echo the customer service efforts of the City staff. He heard from a citizen who had a few things to address, with which he had concerns with the City, and within 24 or 48 hours on the outside, City Manager Kirk Davis and staff had coordinated responses to all of these concerns, and to, he believes, a satisfactory outcome. Mayor Pro Tem McCullough said he really appreciates the effort that the City goes to in providing that level of customer service.

Mayor Les Smith stated that although GEBC (Gladstone Economic Betterment Council) does not have a regularly scheduled meeting until the middle of April, from time to time they have votes and various issues they address. Councilman Revenaugh's passing left a vacancy on the Board of Directors of GEBC. Mayor Smith said he serves as a business representative, and there is also a position for the Mayor or the Mayor's designee.

Councilman Revenaugh filled the Mayor's designee position; however, Mayor Pro Tem Barry McCullough, if the Council should appoint him to the position now, could assume the role once he becomes Mayor.

Mayor Smith said he would entertain a motion for an appointment.

Councilman Carol Rudi moved to appoint Mayor Pro Tem Barry McCullough to the vacant GEBC position. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 14. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis reminded the City Council of the Boards and Commission banquet on Tuesday, February 15. City Manager Davis reported that City Hall would be closed on Monday, February 21, for President's Day. City Manager Davis congratulated Councilmember Jean Moore on her appointment, and said he looks forward to working with her

Item 15. on the Agenda. **RESOLUTION R-11-13**, authorizing execution of a contract with Miller Paving and Construction, LLC, in the total amount not to exceed \$199,830.00 for the 2011 Accelerated Curb, Gutter and Sidewalk Program Project.

Councilman Carol Rudi moved to approve **RESOLUTION R-11-13**, authorizing execution of a contract with Miller Paving and Construction, LLC, in the total amount not to exceed \$199,830.00 for the 2011 Accelerated Curb, Gutter and Sidewalk Program Project. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 16. on the Agenda. **RESOLUTION R-11-14**, authorizing acceptance of a proposal from Landmark Dodge Chrysler Jeep for the purchase of two (2) Police Interceptor vehicles for the net purchase amount of \$26,699.84 each.

Councilmember Carol Suter moved to adopt **RESOLUTION R-11-14**, authorizing acceptance of a proposal from Landmark Dodge Chrysler Jeep for the purchase of two (2) Police Interceptor vehicles for the net purchase amount of \$26,699.84 each. Councilmember Jean Moore seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 17. on the Agenda. **RESOLUTION R-11-15**, adopting the 2011 Legislative Program for the City of Gladstone, Missouri.

Mayor Pro Tem Barry McCullough moved to adopt **RESOLUTION R-11-15**, adopting the 2011 Legislative Program for the City of Gladstone, Missouri. Councilmember Jean

Moore seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 18. on the Agenda. **Other Business.**

There was no other business.

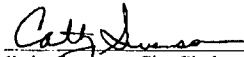
Item 19. on the Agenda. **Questions from the News Media.**


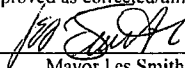
There were no News Media present.

Item 20. on the Agenda. **Adjournment.**

There being no further business to come before the February 14, 2011, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the meeting, to reconvene the Closed Executive Session.

Respectfully submitted:


Cathy Swanson, City Clerk

Approved as submitted: 
Approved as corrected/amended: _____

Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, FEBRUARY 28, 2011**

The City Council will meet in Closed Executive Session on Monday, February 28, 2011, starting at 6:45 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 7:00 PM

REGULAR MEETING: 7:30 PM

AGENDA

- 1. Meeting Called to Order.**
- 2. Roll Call.**
- 3. Pledge of Allegiance.**
- 4. Approval of the Regular February 14, 2011, City Council Meeting Minutes.**
- 5. CONSENT AGENDA**

RESOLUTION R-11-16, authorizing execution of a contract with SAK Construction, LLC, in the total amount not to exceed

\$587,011.67 for the 2011 Sanitary Sewer Rehabilitation (cured in place pipe) Project.

RESOLUTION R-11-17, authorizing execution of a professional service agreement with Lutjen, Incorporated, in an amount not to exceed \$60,165.00 for the Consulting Services for capital improvements at Atkins Johnson Farm.

RESOLUTION R-11-18, authorizing execution of a contract with Superior Bowen Asphalt Company, in the total amount not to exceed \$427,941.60 for the 2011 Accelerated Mill and Overlay Program.

BUILDING PERMIT: for the exterior remodel of the Applebee's property located at 6069 North Antioch Road. Owner: Applebee's. Applicant: H.C. Klover Architect.

APPROVAL OF A NEW SIX DAY RESTAURANT BAR (A-R) LIQUOR BY THE DRINK LICENSE for RNB, LLC dba MOJO, 316 Northeast 72nd Street. Managing Officer: Roy Newman.

APPROVAL OF THE JANUARY 2011 FINANCIAL REPORT.

REGULAR AGENDA

6. **Communications from the Audience.**
7. **Communications from the City Council.**
8. **Communications from the City Manager.**
9. **PUBLIC HEARING:** for consideration of a request for a Site Plan revision for property legally described as Oak Meadows South, Lot 1, commonly known as 6300 North Oak Trafficway. Applicant: McDonald's USA, LLC. Owner: Paul Licausi (property owner), LS Commercial Real Estate. File #1353.

- 9a. FIRST READING BILL 11-02**, approving a Site Plan revision for property legally described as Oak Meadows South, Lot 1, commonly known as 6300 North Oak Trafficway. Applicant: McDonald's USA, LLC. Owner: Paul Licausi (property owner), LS Commercial Real Estate. File #1353.
- 10. FIRST READING BILL 11-07**, approving the Final Plat of Oak Meadows South, Lot 1, Gladstone, Clay County, Missouri, commonly known as 6300 North Oak Trafficway, and directing the appropriate officials to affix their signatures to said Plat for recording.
- 11. PUBLIC HEARING:** for consideration of amending Title VII, "Zoning and Planning Ordinance" of the City Code by enacting a new Chapter 161, "MXD' Planned Mixed Use District" and other amendments relating to the addition of a new zoning district.
- 11a. FIRST READING BILL 11-08**, amending Title VII, "Zoning and Planning Ordinance" of the City Code by enacting a new Chapter 161, "MXD' Planned Mixed Use District" and other amendments relating to the addition of a new zoning district.
- 12. FIRST READING BILL 11-09**, authorizing the City of Gladstone, Missouri, to enter into a base lease with Southwest Trust Company, N.A., as Trustee, whereby the City will lease certain property to said Trustee, a Lease Purchase Agreement with said Trustee with respect to the acquisition, construction, furnishing, equipping and installing of certain capital improvements and prepaying certain outstanding Certificates of Participation; approving a Declaration of Trust made by the Trustee pursuant to which certain Certificates of Participation will be executed and delivered; and approving certain other documents necessary to deliver the Certificates of Participation and prepay certain outstanding Certificates of Participation.
- 13. FIRST READING BILL 11-10**, authorizing the City Manager to execute documents related to the United States Department of

Transportation (USDOT) for federal funds relating to Village Center Transportation Planning in Gladstone, Missouri.

14. **FIRST READING BILL 11-11**, authorizing the City Manager to execute a Cooperative Agreement with the United States Department of Transportation (USDOT) for Village Center Transportation Planning in Gladstone, Missouri.
15. Other Business.
16. Questions from the News Media.
17. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, FEBRUARY 28, 2011**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:45 PM**

Mayor Pro Tem Barry McCullough opened the City Council Meeting to adjourn to a Closed Executive Session on February 28, 2011, at 6:45 PM. Councilmember Carol Suter made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion. Mayor Pro Tem Barry McCullough seconded.

Roll Call Vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, and Mayor Pro Tem Barry McCullough. (3-0)

Mayor Les Smith and Councilman Carol Rudi were present at the Closed Executive Session.

Mayor Les Smith adjourned the Closed Executive Session.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilmember Carol Suter
Councilmember Jean Moore

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the Regular February 28, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR FEBRUARY 14, 2011, CITY COUNCIL MEETING MINUTES.**

Councilmember Carol Suter moved to approve the **Regular February 14, 2011, City Council Meeting Minutes** as presented. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 5. on the Agenda. **CONSENT AGENDA.**

City Counselor Randall Thompson stated that an item on the Consent Agenda has to do with the issuance of a new liquor license, and he asked that item be removed from the Consent Agenda. Counselor Thompson said he had contact from the applicant's attorney, who is unable to be present this evening, who asked that this item be removed from the Consent Agenda, and that action be continued until the next City Council meeting.

Mayor Smith stated this item would be considered as Item 5a. under the Regular Agenda.

Councilman Carol Rudi moved to accept the Consent Agenda as amended. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-11-16**, authorizing execution of a contract with SAK Construction, LLC, in the total amount not to exceed \$587,011.67 for the 2011 Sanitary Sewer Rehabilitation (cured in place pipe) Project. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-11-17**, authorizing execution of a professional service agreement with Lutjen, Incorporated, in an amount not to exceed \$60,165.00 for the Consulting Services for capital improvements at Atkins Johnson Farm. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to adopt **RESOLUTION R-11-18**, authorizing execution of a contract with Superior Bowen Asphalt Company, in the total amount not to exceed \$427,941.60 for the 2011 Accelerated Mill and Overlay Program. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol

Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to approve a **BUILDING PERMIT:** for the exterior remodel of the Applebee's property located at 6069 North Antioch Road. Owner: Applebee's. Applicant: H.C. Klover Architect. Councilmember Carol Suter seconded. The vote: All "aye" - Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilman Carol Rudi moved to approve the **JANUARY 2011 FINANCIAL REPORT.** Councilmember Carol Suter seconded. The vote: All "aye" - Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

REGULAR AGENDA.

Item 5a. on the Agenda. **APPROVAL OF A NEW SIX DAY RESTAURANT BAR (A-R) LIQUOR BY THE DRINK LICENSE** for RNB, LLC dba MOJO, 316 Northeast 72nd Street. Managing Officer: Roy Newman.

Mayor Smith stated that consideration of this item would be moved until the March 14, 2011, City Council meeting.

Item 6. on the Agenda. **COMMUNICATIONS FROM THE AUDIENCE.**

Larry Newport, 2002 NE 69 Terrace, thanked the Mayor and City Council for the snow removal, and he also expressed his appreciation to Parks and Recreation Director Sheila Lillis, Recreation Programs Specialist Paige Robbins, and staff for the nice Valentine's Day brunch.

Item 7. on the Agenda. **COMMUNICATIONS FROM THE CITY COUNCIL.**

Councilmember Jean Moore had no comments at this time.

Councilmember Carol Suter stated she was glad to be out of State for the last blizzard, but her neighbors and others appreciated the excellent work by Public Works in clearing the streets.

Councilman Carol Rudi offered a reminder to everyone that tomorrow night, March 1, 2011, is the rescheduled opening of the rotating art exhibit at the Community Center. It will be from 6:00 PM to 8:00 PM. The featured art is from the North Kansas City School District Art Department - both teachers and students. Councilman Rudi invited everyone to attend.

Mayor Pro Tem Barry McCullough thanked Director Lillis and the Parks staff for their efforts in the Park Master Plan; especially, in the midst of getting another snow downpour on the evening meeting.

Mayor Les Smith stated he believed that the 23 to 24 folks attendance was good in spite of the blizzard. Mayor Smith introduced Anna Chipman and her father, Todd Chipman. Anna is here as part of the Exchange City program, and Anna is home schooled. Mayor Smith welcomed them to the City Council meeting.

Mayor Smith recommended to the City Council that Councilmember Jean Moore be appointed to serve as Council's liaison to the EMAC Committee (Environmental Management Advisory Committee).

Councilman Carol Rudi moved to appoint Jean Moore to the EMAC Committee. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" -- Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 8. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis had no comments at this time.

Mayor Les Smith said he would like to re-order the agenda. The Bond counsel is here this evening, and they had the misfortune of sitting through about a 90 minute Public Hearing the last time they were here, so he would like to show them some courtesy and move forward **Item 12.** as **Item 9.** on the agenda.

Item 9. on the Agenda. **FIRST READING BILL 11-09**, authorizing the City of Gladstone, Missouri, to enter into a base lease with Southwest Trust Company, N.A., as Trustee, whereby the City will lease certain property to said Trustee, a Lease Purchase Agreement with said Trustee with respect to the acquisition, construction, furnishing, equipping and installing of certain capital improvements and prepaying certain outstanding Certificates of Participation; approving a Declaration of Trust made by the Trustee pursuant to which certain Certificates of Participation will be executed and delivered; and approving certain other documents necessary to deliver the Certificates of Participation and prepay certain outstanding Certificates of Participation.

Councilmember Carol Suter moved to place **Bill 11-09** on its First Reading. Councilman Carol Rudi seconded.

Mayor Smith invited Greg Bricker of George K. Baum & Company to share information regarding this action.

Greg Bricker began by saying that the Council will recall that at the January 10, 2011, City Council meeting an action was taken to adopt what was referred to as a "go to market" Resolution. It authorized George K. Baum & Company and Gilmore and Bell to proceed

with the necessary steps to put in place the financing to fund the various projects that the Council has discussed for several months. It was the intention at the time to be back at the second City Council meeting in February, which is tonight, with final terms on the offering of that Bond, and a closing on this transaction sometime in late March. Mr. Bricker said he was proud to say that they completed the offering of the financing this morning, and they succeeded in locking in an average interest rate of 3.45 percent on the \$5.9 million of funds that have been borrowed for the various improvements. At the January meeting, his preliminary calculations were suggesting an average interest rate somewhere in the 3.9 percent range, so a nice improvement in the Bond market has been seen. Mr. Bricker said they went through the steps of having the rating of the City Bonds reaffirmed for this transaction, and there was, once again, received the strong rating that was received last year, when the City's Bond rating was upgraded. Everything has gone very smoothly on this financing. The action item this evening is to adopt an Ordinance to accept the final terms of the financing, the 3.45 percent average interest rate, and authorize the Mayor and City Clerk to sign certain documents at a meeting that is scheduled on March 11, and prepare for a closing on March 25.

Mayor Smith asked City Manager Kirk Davis if he had anything to add.

City Manager Davis replied that this is a good interest rate; again the Bond rating was reaffirmed, of which the City is very proud. Council may recall on the GO (General Obligation) Bonds, that was an AA rating from Standard and Poors. It allows the City to move forward with the Certificates of Participation projects that were discussed a couple of months ago. City Manager Davis said he was very pleased with the work from George K. Baum, and the City will be receiving proceeds prior to the first payment of the Public Safety Radio System, which is part of this package, so staff is pleased with the timing.

Mayor Smith thanked City Manager Davis and Mr. Bricker.

The vote: All "aye" - Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of **Bill 11-09**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Carol Rudi seconded. The vote: All "aye" - Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of **Bill 11-09** and to enact the Bill as **Ordinance 4.178**. Councilman Carol Rudi seconded.

Roll call vote: "Aye" - Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, and Mayor Les Smith. "Nay" - Mayor Pro Tem Barry McCullough (4-1).

Mayor Smith stated that Bill 11-09 had been enacted as Ordinance 4.178.

Mayor Smith took a moment to execute the documents.

Item 10. on the Agenda. **PUBLIC HEARING:** for consideration of a request for a Site Plan revision for property legally described as Oak Meadows South, Lot 1, commonly known as 6300 North Oak Trafficway. Applicant: McDonald's USA, L.L.C. Owner: Paul Licausi (property owner), LS Commercial Real Estate. File #1353.

Mayor Smith explained that the process for the Public Hearing would be that once opened, the Council would first hear from the City staff, then from the applicant or representative thereof, and then anyone in the audience would be invited to speak in favor or in opposition to this proposal, and then conclude with any comments from staff.

Mayor Smith opened the Public Hearing.

Staff Presentation

Planning Specialist Chris Helmer began by saying he would like to point out a couple of documents to which the Council was presented. Mr. Helmer stated that the City Council received, in addition to the traditional staff packet, a memorandum from him addressed to City Manager Davis that had a number of issues that have evolved since the Planning Commission's Public Hearing. The applicant since that time has requested that staff and the Council consider an additional five feet to the west of the proposed building. The applicant will elaborate a bit further on this during their remarks. It is staff's understanding that this is intended solely for additional operational needs for the actual facility, itself. The second item that has been an ongoing discussion is that of the possibility of addressing additional right-of-way dedication for the possible northbound left turn lane into the proposed development site.

Mr. Helmer stated there has been one condition added to the overall Site Plan revision Ordinance that states "a total of five feet of right-of-way adjacent to the west side of North Oak Trafficway shall be dedicated prior to Certificate of Occupancy issuance". Mr. Helmer said there are two considerations before the City Council this evening; one being the Site Plan Revision for the proposed site, in addition to that on the agenda is the approval of the Final Plat. These changes have been incorporated into the Site Plan and into the Plat.

Mr. Helmer said the second item the Council has received tonight was not in the staff's packet to the Council, and is a rendering of a different proposed monument sign than was seen by the Planning Commission. There have been some changes, and he asks that the applicant expound on these changes. Mr. Helmer said the request from the applicant is for a Final Plat consideration and Site Plan revision, and for consideration of the additional five feet, which would be approximately 4,000 square feet of commercial space for the proposed drive through business at 6300 North Oak Trafficway. In addition, in a review done by staff, the overall proximity to neighboring residential properties is roughly 400

feet from the nearest residence to the west of the proposed McDonald's building. The applicant has given direction to a Certified Engineer to review the traffic impact for the proposed site. The Council will see in the Staff Analysis those levels of service. Mr. Helmer asked if the Council had any specific questions on the analysis that those questions be addressed to the applicant.

Mr. Helmer pointed out that there are the typical three lane drive configuration; one to the north of what is predominantly used to enter the Smokehouse portion of the development site, and then to the south and to the east of the proposed McDonald's building, which is within the actual development parcel, and would be an addition to what is currently there. Mr. Helmer stated that stormwater issues are always asked by staff to be addressed. In the packet, there is a letter submitted by Ozark Engineering that addresses the ratio of impervious surface and how that is not a significant impact to the existing system that is currently in place. There is also another phase with all of these applications, which is an even more thorough review during permit process on any other potential impacts that might be seen as things progress on the civil engineering side. The Planning Commission did send a unanimous recommendation for approval and staff is recommending that the Council consider approval contingent on the conditions that were received this evening.

Councilman Rudi asked, to confirm, in regard to the left turn lane, five feet of right-of-way is being requested to be dedicated for the possibility of that, and the traffic study at this time is indicating that we will not need that - is staff fully comfortable with that?

Mr. Helmer replied that was correct. The five feet right-of-way dedication would just be for the actual McDonald's site itself.

Mayor Smith said to Mr. Helmer that he was very clear to say specifically for the McDonald's site - what is the linear footage for that, and is it just across the McDonald's site or is that additional that might be needed in the future to actually build a turn lane.

Mr. Helmer replied the five feet that has been discussed is just adjacent to the west of North Oak, and is just for the McDonald's portion that would allow for the appropriate right-of-way width. It would need to expand to the north and the south. Mr. Helmer said the engineer is here this evening, who will be able to expand further on some of the roadway widths.

Mayor Smith stated that just by them dedicating this five feet, would not allow us to do something, unless we were able to get additional right-of-way to the north and south of the McDonald's site, and asked if that were correct.

Mr. Helmer replied that was correct.

Councilmember Carol Suter said her question had to do with the change in the monument sign. Councilmember Suter said she does not see anything that indicates that anyone is seeking any exemptions or modifications from our current Ordinances, so she assumes this proposal would comply with all the City Ordinances regarding electronic signs?

Mr. Helmer replied that staff just received this information late last week, and it needs to be reviewed further, but from a first blush, it was obvious that the applicant has looked at the Ordinance, but in order to move to the permit process, it would have to comply exactly with square footage required in City Code, and if the Council is comfortable conceptually with the changes, staff would work with the applicant with the specifics of the actual Ordinance.

Councilmember Suter said it is the number of characters and no flashing and all of that – we are clear about that?

Mr. Helmer replied that was correct.

Applicant Presentation

Howard Johnson, who had a rendering of the proposed construction on display, began by saying he was the Project Manager for McDonald's Corporation, and their address is 10801 Mastin Boulevard; Overland Park, Kansas, Suite 400. Mr. Johnson said present with him were: Jim Waggy, owner/operator; Jan Anderson, Real Estate Manager; Joe Elliott, Director of Operations; Todd Olson, Traffic Engineer. Mr. Johnson said the five-foot easement would be in front of McDonald's, and they are willing to give up that five feet to work with staff, and stated it has been really great working with Assistant City Manager Scott Wingerson, Economic Development Coordinator Melinda Mehaffy, and Planning Specialist Chris Helmer. The five feet would be in the front of the proposed site to allow for a future turn lane. The five feet in the rear of the building is to help them with storage. With this volume of store, they need additional five feet in the rear to help with the freezer/cooler space. Mr. Johnson said they were willing to work with staff in regard to the monument sign. McDonald's likes to see a nicer monument sign, but they do understand the concerns with the flashing sign.

Councilmember Suter asked what is being given up to get the five feet in the back of the building?

Mr. Johnson said they would be giving up landscaping in the back island.

Councilmember Suter stated that she is not a fan of electronic signs; she finds them distracting, and if everyone puts one up, we look like the old Las Vegas strip, and that does not seem to her to be a good thing for a community, so she appreciates the applicant's willingness to work with it. It got through the Planning Commission without that in it, so no one raised the issue there, but it is a concern of hers. So long as it is in strict compliance with the City's Ordinance, she is agreeable.

Mayor Smith asked for a further explanation regarding the ingress/egress. It appears to be at the southern portion – is that correct?

Mr. Johnson replied that the ingress/egress is in front of the Smokehouse Barbeque, where there is traffic coming in on the north end, and then traffic is coming out and able to turn left or right, to go either south or north there. Mr. Johnson said in front of the McDonald's they are proposing to have traffic come in to the north and also be able to travel out that 24-foot approach. Mr. Johnson said at the back of the store, near where the storage shed is at, they like to allow traffic from the Smokehouse Barbeque to drive through their parking lot and travel out.

Councilmember Suter said she had a question about the impact on the parking with Smokehouse. How is that working?

Mr. Johnson pointed out on the rendering the Smokehouse parking behind the McDonald's property line, and said they can still travel north of there and exit at the north, and be able to exit through the McDonald's parking lot.

Councilmember Suter asked if Smokehouse would still have the same amount of parking they now have.

Assistant City Manager Wingerson replied that it is his understanding that the building that is there now had parking where McDonald's is proposing to build their building, so that parcel has always controlled the parking directly in front of Smokehouse, and Smokehouse has always controlled the parking where it is shown in the proposal. Because there is no firm line, people just park where it is most convenient. Mr. Wingerson said this will be a little bit different, although, he believes there will be cross parking agreements between all of the parcels. Mr. Wingerson said there have been a couple of meetings with the Smokehouse owners, and they have been very flexible, and their main concern was the safety of their customers being pedestrians from their car to the front door of Smokehouse. That is the reason for the hard separation between the proposed McDonald's and the Smokehouse, to do the best we can for pedestrians.

Councilmember Suter pointed out that there would be significantly increased traffic coming in on the inbound north side of this property; which, since so many Smokehouse people are parking in the parking lot on the east side, there will be pedestrians and a lot more cars.

Mayor Pro Tem McCullough stated the way the lines are differentiated on the rendering with the northbound and southbound lanes out of the main entrance, where there is proposed the one incoming lane and the two outgoing left hand/right hand turns, he assumes that would be a little bit more clear as to how the inbound traffic would navigate that. The dash line looks very complicated for somebody coming in and navigating that properly.

Mr. Wingerson replied what he believes Mayor Pro Tem McCullough is seeing is a hash mark where an existing island is. What they are trying to show is a relocation of the existing island to the north - that would become the inbound lane.

Mayor Pro Tem McCullough stated he understood that, but when you start going back 50-60 feet, the dash line that looks like it separates the right hand and left hand turn lanes, comes back quite a ways, and it is hard to differentiate how someone coming in would navigate that. It appears that there is no room for the incoming traffic to do anything but go around that other island and then find a parking spot.

Mr. Wingerson replied for clarification - clarify the striping plan?

Mayor Pro Tem McCullough stated he was just asking for clarification, because it looks confusing, but it may be a little issue.

Mayor Smith stated it is not a little issue, if you are the one being hit. It is a good question.

Councilmember Suter asked if the movement of the islands would eat into the parking in that parking lot in the front of the whole strip? If the islands are moved further north, that eats into parking again - is that correct?

Mr. Wingerson replied that would be a 12-foot movement to the north, so it is a parking spot and one half.

Councilmember Suter stated that is obviously with the concurrence of the property owner, so they are all happy with that?

Mr. Wingerson nodded his head to indicate that was correct.

Mayor Smith thanked Mr. Howard.

There was no one to speak in Favor of the Application.

Comments from those Opposed to the Application

John Garner, 111 North Heatherton Court, stated his concern is with the left hand turn lane on the northbound side, going in, there is also two entrances there to Taco Bell, and his concern is that turn lane might also be used for the people to pull over into there to proceed to turn into Taco Bell. Mr. Garner said he did not see the map and was unsure of the alignment. Right now sometimes there will be two or three cars backed up to turn into Taco Bell. As you are going south on North Oak, to turn into their lot, if that actually gets full or is congested with an unusual way to get in and out, that could cause a nice back-up and more accidents.

Mr. Wingerson said he would be glad to share with Mr. Garner the aerial photograph that is in the Council's packet, so he can see how the drives are aligned, but he would defer to the traffic engineer regarding traffic conditions at the site.

Mr. Garner reviewed the map, and said his other concern is that there is already 3 or 4 restaurants in that same area, and with this type of restaurant being moved from one end of

the City to the other end, his concern was about the lost revenue of the other restaurants in that vicinity. Being further up the street, where it is now, it basically does not affect maybe the revenue of the businesses already there.

Mayor Smith replied he does not disagree with that philosophy, but unfortunately, that is one of those things that is not within the Council's parameters for this particular application being considered. That is always a concern, if you are shifting one way or another.

Mr. Garner stated if one of them did have to go under, it would decrease the revenue from there, because of this being shifted down to there, when it is already up on North Oak. He would hate to see Gladstone lose another business or someone to go under because of this.

Mayor Smith asked if the City has additional right-of-way from the McDonald's property north to the intersection, or what is the right-of-way that has been dedicated. It does not do us any good to have right-of-way for this particular parcel, if it precludes us from building a turn lane, because we do not have right-of-way going farther north.

Mr. Wingerson replied he would begin at the intersection of Shady Lane or 64th Street and North Oak, and would work south. In front of Walgreen's there is sufficient right-of-way, because there is a turn lane there. Coming further south in front of the DAV store and the Taco Bell, all of the North Oak roadway begins to gradually narrow. To the point we approach the development site of the proposed McDonald's, a full lane width is required. That said, if eleven feet are required, there currently exists five feet behind the existing sidewalk, so that would make the right-of-way requirement about five feet to move the curb and gutter all on one side to the west to accomplish a center turn lane. Moving back north towards 64th Street, because the right-of-way exists at the north end, it is a sliver pie piece that begins to appear within the five feet, so we start at needing ten feet, then we gradually reduce to a point somewhere north on the south side of Walgreen's to accomplish a full "chicken" lane that would go from 64th Street to the development site. Further to the south the condition is the same as it is at the proposed McDonald's site -- a full ten feet would be required.

Mr. Wingerson said what makes this a little bit more complicated is the ability to obtain right-of-way on the east side of North Oak, which is pretty difficult, because it is the Village of Oakview. The Mayor of Oakview was at the Planning Commission meeting, and suggested to take a look at this issue. Mr. Wingerson said he did not think he knew that it would require some discussion on acquiring right-of-way in the Village of Oakview. Since the Planning Commission meeting until tonight, staff has sort of figured it out. McDonald's has agreed to donate the five feet of right-of-way across their property. Right-of-way would have to be required in front of Smokehouse and DAV to the point where the requirement ends.

Mayor Smith asked for clarification, we do need right-of-way to the north to accomplish the objective?

Mr. Wingerson stated that was correct.

Mayor Smith asked if staff has requested that of the property owner.

Mr. Wingerson replied yes.

Mayor Smith inquired into the response of the property owner.

Mr. Wingerson replied that they believe in 1975, the City requested a five foot right-of-way dedication; that is the five feet located behind the sidewalk, and that is sufficient right-of-way dedication on their part.

Mayor Smith suggested that things do change. He was graduating from high school in 1975. Mayor Smith asked if we are talking about the same property owner currently, who chooses not to contribute any more right-of-way – is that the same ownership of the proposed McDonald's site.

Mr. Wingerson replied it is proposed that McDonald's would purchase the site, and the current owner of the proposed McDonald's and the Smokehouse center is the same.

Mayor Smith stated, to be clear, the entity, that is not willing to contribute additional right-of-way, wishes the Council to approve this, so they can sell the land to McDonald's.

Mr. Wingerson replied yes.

Mayor Smith said in the future if we wish to acquire that right-of-way in front of the DAV and Smokehouse from the person wishing to sell this parcel, we would have to buy it from them as a City.

Mr. Wingerson agreed that was correct.

There being no further comments, Mayor Smith closed the Public Hearing.

Item 10a. on the Agenda. **FIRST READING BILL 11-02**, approving a Site Plan revision for property legally described as Oak Meadows South, Lot 1, commonly known as 6300 North Oak Trafficway. Applicant: McDonald's USA, LLC. Owner: Paul Licausi (property owner), LS Commercial Real Estate. File #1353.

Mayor Pro Tem Barry McCullough moved to place **Bill 11-02** on its First Reading. Councilman Carol Rudi seconded.

The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of **Bill 11-02**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the Second and Final Reading of **Bill 11-02** and to enact the Bill as **Ordinance 4.179**. Councilman Carol Rudi seconded.

Mayor Smith asked Mr. Wingerson if the right-of-way issue is totally off the table, and if that is their final answer?

Mr. Wingerson replied that on Friday, the property owner provided an email clarifying their position, in that the right-of-way dedicated in the 1970's, they believed, was the extent of their requirement.

Mayor Smith asked if that was for the development as it was planned at that time?

Mr. Wingerson replied yes, for the development that was planned at that time.

Mayor Smith stated this is a new proposal, is that correct?

Mayor Smith said if the City Council wishes to move forward, he would not support this based on that premise. Mayor Smith said we have a traffic nightmare up and down Oak Street, and if the property owner wishes to help us solve that by virtue of the traffic count that is being proposed here, he would be willing to support it. Mayor Smith said the Wagys have been great operators of McDonald's; probably the finest we could ever hope for, but he does not feel it is right, if we come into a traffic problem, and as a Council, we have to spend taxpayers' dollars to purchase right-of-way to have a turn lane that is created by this project.

Mr. Wingerson stated that one of the options clearly that is available to the Council is to continue this matter for two weeks, and allow staff to take back a very clear message from the Council to dedicate the right-of-way for a future turn lane, installed from 64th Street, south through this property.

Councilmember Suter said she has the same concern that the property owner wants it both ways, and that is who is making the money off of this proposal, so she believes that cooperation for the future is pretty much a necessity in this case. Councilmember Suter stated that the traffic issue is a concern for her, because all up and down North Oak that is an issue. It gets worse as time goes on. Councilmember Suter said this area is congested already, and she is concerned with the internal traffic on this site with pedestrians from the Smokehouse. Councilmember Suter said she was curious with the Smokehouse folks' take on it all, but since they have not appeared, she assumes they are OK with this, but this whole issue makes her a little bit uncomfortable, and she, too, would like some clarification from the property owners.

Councilmember Carol Suter moved to continue **Bill 11-02** to the March 14, 2011, City Council meeting. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Mayor Smith stated that the Council will address this issue again on March 14, 2011, and said to Assistant City Manager Wingerson that direction is clear as to the Council's request, and perhaps he can work this out. Mayor Smith stated that the Wagys' business is going to suffer if the internal does not work, and as he is confident that they are good operators, they will find a way to make the internal work. The Council's concern is for the external. Mayor Smith said there is a situation in another project up Oak Street, where a property owner is not willing to participate, and is holding the City hostage on a project that is for everyone's benefit, and if we can avoid that here, that would be great.

Item 11. on the Agenda. **FIRST READING BILL 11-07**, approving the Final Plat of Oak Meadows South, Lot 1, Gladstone, Clay County, Missouri, commonly known as 6300 North Oak Trafficway, and directing the appropriate officials to affix their signatures to said Plat for recording.

Councilmember Carol Suter moved to continue **Bill 11-07** to the March 14, 2011, City Council meeting. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 12. on the Agenda. **PUBLIC HEARING:** for consideration of amending Title VII, "Zoning and Planning Ordinance" of the City Code by enacting a new Chapter 161, "MXD' Planned Mixed Use District" and other amendments relating to the addition of a new zoning district.

Mayor Smith stated that the Public Hearing process would be the same as the last Public Hearing.

Mayor Smith opened the Public Hearing.

Staff Presentation

Planning Specialist Chris Helmer stated that some time back there was an appointed committee called the Master Plan Oversight Committee. That continued the efforts of further defining the development vision of the overall Downtown Village Center Master Plan. The Planning Commission held a Public Hearing on two amendments to the 2008 Comprehensive Plan, and ultimately, the City Council on November 8, 2010, passed a Resolution of support of those amendments. The Planning Commission held a Public Hearing on February 7, 2011, for final adoption of those amendments. Imbedded with those discussions throughout the process of the Comprehensive Plan, as well as with the oversight committee, was to continue to go down the path of looking at not only additional

guidelines but zoning regulations that would continue to support the development vision for Village Center. One of the defining documents for the Council to consider this evening is a mixed use zoning guidelines that the Planning Commission did vote in favor of at their February 7th meeting. City staff is recommending that the Council consider final action on the Ordinance this evening, and Kevin Kokes is present this evening, and is available for questions. Mr. Kokes is highly knowledgeable of this process, and he was involved with the 2008 Comprehensive Plan process, the amendments to the Comprehensive Plan and in helping with the development of this overall Ordinance.

There were no comments from the Applicant

There was no one to speak in Favor or in Opposition to the amendment.

Mayor Smith closed the Public Hearing.

Item 12a. on the Agenda. **FIRST READING BILL 11-08**, amending Title VII, "Zoning and Planning Ordinance" of the City Code by enacting a new Chapter 161, "'MXD' Planned Mixed Use District" and other amendments relating to the addition of a new zoning district.

Councilman Carol Rudi moved to place **Bill 11-08** on its First Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the First Reading of **Bill 11-08**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the Second and Final Reading of **Bill 11-08** and to enact the Bill as **Ordinance 4.179**. Councilmember Carol Suter seconded.

Roll call vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 13. on the Agenda. **FIRST READING BILL 11-10**, authorizing the City Manager to execute documents related to the United States Department of Transportation (USDOT) for federal funds relating to Village Center Transportation Planning in Gladstone, Missouri.

Mayor Pro Tem Barry McCullough moved to place **Bill 11-10** on its First Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of **Bill 11-10**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the Second and Final Reading of **Bill 11-10** and to enact the Bill as **Ordinance 4.180**. Councilman Carol Rudi seconded.

Mayor Smith asked City Manager Davis to discuss this item and the next item on the agenda.

City Manager Davis reported that the City was fortunate to receive a grant for roughly just under \$100,000 for northland modal transportation planning, primarily in the Village Center area. As we continue to look ahead and look at what is going on with mass transit and rapid transit, this will help us analyze the opportunities for a transit station.

Roll call vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 14, on the Agenda. **FIRST READING BILL 11-11**, authorizing the City Manager to execute a Cooperative Agreement with the United States Department of Transportation (USDOT) for Village Center Transportation Planning in Gladstone, Missouri.

Councilmember Carol Suter moved to place **Bill 11-11** on its First Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of **Bill 11-11**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of **Bill 11-11** and to enact the Bill as **Ordinance 4.181**. Mayor Pro Tem Barry McCullough seconded.

Councilman Rudi said she would like to comment on the last three Bills. As a First Tier Suburb committee member, she feels this is really important. We have finally put into place what we need for planning for our downtown center. Councilman Rudi said that everything she has learned over the years is that without these Ordinances in place, the developers are very hesitant to come in and try to make changes to the way that things have always been done in the suburbs. The transportation center is critical. Councilman

Rudi said at the Parks planning meeting the other morning, people were telling her how they use the bus system in Gladstone, and how excellent it is, and they are really glad that we have it. Councilman Rudi said if we can push harder and farther, and really get an outstanding transportation center as part of our downtown plan, that we will go a long ways. Councilman Rudi said she was glad to see these actions on the agenda this evening and offered her thanks.

Mayor Smith offered "ditto" to Councilman Rudi's remarks.

Roll call vote: All "aye" - Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 15. on the Agenda. Other Business.

There was no other business.


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

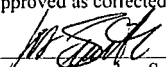
There were no News Media present.

Item 17. on the Agenda. Adjournment.

There being no further business to come before the February 28, 2011, Gladstone Regular City Council Meeting. Mayor Les Smith adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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

Mayor Les Smith

*A majority
of council was
not present & any
one time
information of*



PUBLIC NOTICE

GLADSTONE CITY COUNCIL
MEETING

MARCH 14, 2011

LAND3STUDIO CONSULTANTS FOR
THE CITY OF GLADSTONE PARKS MASTER PLAN
WILL BE AVAILABLE TO ANSWER QUESTIONS
FROM THE CITY COUNCIL BETWEEN
5:00 TO 7:00 PM

- LOCATION -

GLADSTONE CITY HALL

SOUTH CONFERENCE ROOM

7010 NORTH HOLMES

GLADSTONE, MISSOURI

Representatives of the News Media may obtain copies of this notice by
contacting:

City Clerk Cathy Swenson
7010 N Holmes



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MARCH 14, 2011**

OPEN STUDY SESSION: 7:00 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular February 28, 2011, City Council Meeting Minutes.
5. SPECIAL PRESENTATION TO THE CITY OF GLADSTONE FROM THE NATIONAL DAUGHTERS OF THE AMERICAN REVOLUTION (DAR), PRESENTED BY WILLIAM BOYDSTON DAR.
6. CONSENT AGENDA

RESOLUTION R-11-19, accepting Temporary Construction Easements from certain property owners in conjunction with the Northeast 70th Terrace and North Walnut Street Improvements.

RESOLUTION R-11-20, accepting Permanent and Temporary Construction Easements from certain property owners in conjunction with the Northeast 76th Street Reconstruction Project.

RESOLUTION R-11-21, authorizing the City Manager to execute a Mutual Aid Agreement with the County of Platte County, Missouri, for Intergovernmental Police Service and Assistance.

RESOLUTION R-11-22, authorizing execution of a contract with Rand Construction Company, in the total amount not to exceed \$155,390.00 for the Water Plant Efficiency Upgrades.

RESOLUTION R-11-23, authorizing execution of a contract with the Kansas City North Umpires Association to provide umpire services for the City of Gladstone for one year and three optional terms of one year each at the cost of \$23.00 per league game and \$23.00 per tournament game.

APPROVAL OF A NEW SIX-DAY RESTAURANT BAR (A-R) LIQUOR BY THE DRINK LICENSE, WITH A SIX MONTH PROBATIONARY PERIOD for RNB, LLC dba MOJO, 316 Northeast 72nd Street. Managing Officer: Roy Newman.

REGULAR AGENDA

- 7. Communications from the Audience.**
- 8. Communications from the City Council.**
- 9. Communications from the City Manager.**
- 10. RESOLUTION R-11-24**, authorizing execution of a contract with the Gladstone Rotary Club to provide concession services at certain events in Oak Grove Park for the City of Gladstone for one year and three optional terms of one year each wherein the Gladstone Rotary will pay the City of Gladstone 15 percent of gross receipts.

11. **RESOLUTION NO. R-11-25**, accepting a public road Right-of-Way Easement from Gladstone Commons, L.L.C. and the City of Gladstone, Missouri.
12. **SECOND READING BILL 11-02**, approving a Site Plan revision for property legally described as Oak Meadows South, Lot 1, commonly known as 6300 North Oak Trafficway. Applicant: McDonald's USA, LLC. Owner: Paul Licausi (property owner), LS Commercial Real Estate. File #1353.
13. **FIRST READING BILL 11-07**, approving the Final Plat of Oak Meadows South, Lot 1, Gladstone, Clay County, Missouri, commonly known as 6300 North Oak Trafficway, and directing the appropriate officials to affix their signatures to said Plat for recording.
14. **PUBLIC HEARING**: for consideration of a Site Plan Revision for property located at 100 NW Vivion Road. Applicant: JRMA Architects. Owner: Brian Schaffer/Van Chevrolet Cadillac, Inc. File No. 1355.
- 14a. **FIRST READING BILL 11-12**, approving a Site Plan Revision for property located at 100 NW Vivion Road. Applicant: JRMA Architects. Owner: Brian Schaffer/Van Chevrolet Cadillac, Inc. File No. 1355.
15. **FIRST READING BILL 11-13**, amending Ordinance Number 3.947 by modifying a section of "Chapter 1700, Dangerous Building Insurance Proceeds" and amending Ordinance 4.121 by adding a new chapter concerning "Abatement of Dangerous Buildings" to the "Building and Construction Ordinance" of the City of Gladstone, Missouri
16. Other Business.
17. Questions from the News Media.
18. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MARCH 14, 2011**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilmember Carol Suter
Councilmember Jean Moore

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the Regular March 14, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. APPROVAL OF THE REGULAR FEBRUARY 28, 2011, CITY COUNCIL MEETING MINUTES.

Mayor Pro Tem Barry McCullough moved to approve the Regular February 28, 2011, City Council Meeting Minutes as presented. Councilmember Carol Suter seconded. The vote: All "aye" -- Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 5. on the Agenda. SPECIAL PRESENTATION TO THE CITY OF GLADSTONE FROM THE NATIONAL DAUGHTERS OF THE AMERICAN REVOLUTION (DAR), PRESENTED BY WILLIAM BOYDSTON DAR.

Mayor Smith invited Freddie Nichols to join the entire City Council in front of the dais.

Ms. Nichols asked that City Manager Kirk Davis join the City Council.

Ms. Nichols said that she and members of the William Boydston Daughters of the American Revolution were in attendance this evening to make a presentation to the City of Gladstone. One of the primary goals of the National Society of the Daughters of the American Revolution is historic preservation, and many of her chapter's members, who were present this evening, are involved with the Atkins-Johnson Farm. While they provided a marker for the building, they did not do anything for those who "stuck their necks out" to get this done. Ms. Nichols said she is currently serving as Historic Preservation Chairman for her chapter, and in going through the packet that is provided every year, she found a NSDAR (National Society Daughters of the American Revolution) Historic Preservation Medal Application.

Ms. Nichols said she completed the form and attained the necessary letters. Ms. Nichols said this award is special because it is not for an individual who has always done historic preservation; this is special. Ms. Nichols stated when the final award notice was received, the lady who wrote her definitely felt the Atkins-Johnson Farm project was worthwhile, and she said, "It gives me great pleasure to notify you of the approval of the Missouri William Boydston Chapter's nomination of Kirk Davis and the Gladstone City Council for the Historic Preservation Recognition Award". Ms. Nichols read and presented the National Society of the Daughters of the American Revolution Historic Preservation Recognition Award to the City Council and City Manager Kirk Davis, for excellent work in Historic Preservation - 2005-2010.

Ms. Nichols stated that there probably is not another City Council in this Nation, who when landlocked like Gladstone, would dare to take land off the tax rolls to preserve a farmhouse and a log cabin. Ms. Nichols said they are so grateful, and the Daughters of the American Revolution say "thank you", with all their hearts. Ms. Nichols said she had letters from Chris Cox, who is a descendent and serving on the Friends of Atkins-Johnson Farm Committee; Linda Smith, who is the President of the Friends of the Atkins-Johnson Farm Committee; and Suzanne Botts, DAR Regent; and her own letter of recommendation.

Mayor Smith said, on behalf of the City Council and all the staff, they are very appreciative of this special honor, and what made this all worthwhile are the volunteers - people like the Friends of the Atkins-Johnson Farm Committee. These folks have really taken the "bull by the horn", and made this project a very special place in our community. Just like everything else we do in Gladstone, it is all about the people. Mayor Smith thanked Ms. Nichols.

City Manager Davis said, on behalf of the City staff, he wished to say thank you so much to Ms. Nichols, and said he could not express his appreciation as well as the Mayor, but would like to say the Atkins-Johnson Farm is a neat place, and if folks have not had the opportunity to visit, he invited them to please participate, and to go out and go through the facility. This year, the City will be building a parking lot, and bringing in some restrooms, and water and sewer to the site, and then it can be opened up for public events. A museum is planned for the site, and the history of Missouri farms will be presented. The home was

built in 1826, and was one of the first homesteads in Clay County. City Manager Davis thanked Ms. Nichols again for the recognition.

Ms. Nichols thanked City Manager Davis and the City Council and the former City Council members who were involved with this project.

Item 6. on the Agenda. **CONSENT AGENDA.**

Councilmember Carol Suter moved to accept the Consent Agenda as presented. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-11-19**, accepting Temporary Construction Easements from certain property owners in conjunction with the Northeast 70th Terrace and North Walnut Street Improvements. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-11-20**, accepting Permanent and Temporary Construction Easements from certain property owners in conjunction with the Northeast 76th Street Reconstruction Project. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-11-21**, authorizing the City Manager to execute a Mutual Aid Agreement with the County of Platte County, Missouri, for Intergovernmental Police Service and Assistance. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-11-22**, authorizing execution of a contract with Rand Construction Company, in the total amount not to exceed \$155,390.00 for the Water Plant Efficiency Upgrades. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-11-23**, authorizing execution of a contract with the Kansas City North Umpires Association to provide umpire services for the City of Gladstone for one year and three optional terms of one year each at the cost of \$23.00 per league game and \$23.00 per tournament game. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Jean Moore,

Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve a **NEW SIX-DAY RESTAURANT BAR (A-R) LIQUOR BY THE DRINK LICENSE, WITH A SIX-MONTH PROBATIONARY PERIOD** for RNB, LLC dba MOJO, 316 Northeast 72nd Street. Managing Officer: Roy Newman. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

REGULAR AGENDA.

Item 7. on the Agenda.

COMMUNICATIONS FROM THE AUDIENCE.

Stephanie Theis, began by saying that she is a teacher at Antioch Middle School, 2100 NE 65th Street, and said her school works very diligently to do their best for their students and that includes working with their stakeholders, who are community members and the parents of the students. As part of that, she had the honor last year of working with the school's leadership team on a project entitled "Miss School-Miss Out". Ms. Theis stated she noticed there was a "Miss School-Miss Out" high school poster hanging in the lobby of City Hall – she works with the middle school portion of this project, and they are hoping to have more community and parent involvement in the upcoming "Miss School-Miss Out" parent event.

Ms. Theis provided flyers to the City Council, and said they are working with Synergy Services, Maplewoods Community College, Clay County Prosecuting Attorney's office, and Community America Credit Union. and staff and students from the building will also be presenting sessions that evening. Ms. Theis said they are also working with Tommy's Restaurant, Hy-Vee, and Smokehouse Barbeque, and hopefully, Starbucks in providing food that evening in a "taste of Gladstone" type event, where they will be providing individual samples of a dish of their choice. The hope is to have in attendance community members and parents, and that will help their students' achievement, the student attendance, and the graduation rate, as well as helping parents begin that navigation into the high school level.

Ms. Theis said she would like for the City Council and private citizens to attend and to invite a friend to attend also. Ms. Theis said her phone number is on the flyer for any questions, and Antioch Middle School Principal Bob Russell would also be happy to answer any questions.

Mayor Smith asked what the Council could do to support this project.

Ms. Theis replied word of mouth, and anything that the Council thinks would be great. In the fall, the City offered space on the community channel, announcing the event, and she believes that may be in the process this time, as well. Ms. Theis said she appreciated the opportunity to extend the invitation to the City Council this evening, and she would

appreciate it if folks would talk to any other parents they know and their neighborhoods, and encourage everyone to attend this event. Ms. Theis said it is planned to have this a bi-annual event, in the fall and the spring.

Mayor Smith said he believed there would be a Gladstone Area Chamber of Commerce luncheon that day, and perhaps this could be announced at the luncheon.

Ms. Theis said that would be fabulous.

Mayor Smith asked City Manager Davis to give consideration to unique ways to get this information out on our website and so forth for the school district.

City Manager Davis replied, yes, there are a couple of opportunities there. City Manager Davis asked if staff should just use the information on the flyer.

Ms. Theis replied yes, and said she had e-mailed Public Information Officer Richard King this information, so he has that in e-mail format.

Mayor Smith said he would be happy to attend, and jokingly added, if he is not sent to the Principal's office.

Ms. Theis said she would also like to give recognition to an 8th grade student of Antioch Middle School, who did the art work that is on the flyer. Starbucks on North Prospect is displaying this piece of art.

Councilman Rudi asked if there was an e-mail address where Ms. Theis could be reached for questions.

Ms. Theis said her e-mail is stheis@nksd.k12.mo.us.

Councilman Rudi said she sends out a calendar of events to a number of people, and she will include this information.

Ms. Theis thanked Councilman Rudi and the Mayor and City Council members.

Note: This "Miss School-Miss Out" school event is at Antioch Middle School, on March 24, from 6:00 PM to 8:00 PM. The 8th grade artist's name is Rachel Oatney.

Item 8. on the Agenda. **COMMUNICATIONS FROM THE CITY COUNCIL.**

Councilmember Jean Moore said she would like to remind the City Council and the audience about two important meetings coming up – one is tomorrow evening and one is on Wednesday evening, from 6:00 PM to 7:30 PM. Tomorrow's meeting is here, in City Hall, and Wednesday's meeting is in the Community Center. The Environmental Management Advisory Committee, better known as EMAC, is seeking input from Board

and Commission members about our new idea of a single source solid waste collection for the City. These are very important meetings, and it would be great to see folks there.

Councilmember Carol Suter expressed her appreciation to the Friends of Atkins-Johnson Farm, and said she really enjoyed the program they had recently, with the re-enactor whose great-grandfather had been a slave on a Platte County farm. It was really interesting and motivating for people to get even more involved with the Atkins-Johnson Farm.

Councilman Carol Rudi began by saying at the last meeting, she was negligent to congratulate two employees, Chris Helmer and Becky Jarrett, who worked on a program with Oakhill Day School about the process of government, and they had been nominated for a Star Partner Award. Councilman Rudi said there was a recognition luncheon held, and she feels we owe them a big "thank you" for all the work they did on this. The teacher was thrilled with it.

Councilman Rudi stated she received a phone call today from a member of the Assistance League of Kansas City, Mary Cross, and she wished to express her appreciation to the Public Safety Department, because the Assistance League's flags had become tangled around their flag pole, and no one in the organization could get high enough to get them down. Ms. Cross called Public Safety Director Mike Hasty, and he got someone there within a day to get the flags down for them. Councilman Rudi said they really appreciated Public Safety's help, and were quite impressed, as they did not know if anyone could do anything, but we did, as usual. Councilman Rudi said thank you very much, and asked Director Hasty to please share her remarks with his staff.

Mayor Pro Tem Barry McCullough had no comments at this time.

Mayor Les Smith thanked Freddie Nichols and the DAR for the honor; it was fabulous, and offered congratulations not only to the volunteers in the audience, but to members of the staff who have worked so hard on this, way beyond the call of duty. They have the same passion for it as do the rest of the folks.

Mayor Smith welcomed Chris Jackson from Rockhurst High School, who is studying in a government class.

Mayor Smith stated that many might have heard this past week of a radio personality who passed away by the name of Mike Murphy. One might wonder what is the connection to Gladstone; the connection to Gladstone sits on a pedestal right on the other side of the window in the Council Chambers. Mr. Murphy brought back from Ireland in 1970, the official Happy Rock, and it is duly inscribed on the rock as a gift from the citizens of Kilkenny, Ireland to the citizens of Gladstone, Missouri. Forty-one years ago, Mike Murphy brought that rock to dedicate and to give to the citizens of Gladstone, so if you hear that name, there is a Gladstone connection, and there (Mayor Smith indicated the location of the Happy Rock) is the official Happy Rock of Gladstone.

Item 9. on the Agenda.

COMMUNICATIONS FROM THE CITY MANAGER.

City Manager Kirk Davis stated that he talked to Mike Murphy about seven years ago, and he asked him if the rock was still on display, and he wanted to come to see it, and in fact, he believes Mr. Murphy came into our lobby to be sure that it was still on display.

Item 10. on the Agenda. **RESOLUTION R-11-24**, authorizing execution of a contract with the Gladstone Rotary Club to provide concession services at certain events in Oak Grove Park for the City of Gladstone for one year and three optional terms of one year each wherein the Gladstone Rotary will pay the City of Gladstone 15 percent of gross receipts.

Councilman Carol Rudi moved to adopt **RESOLUTION R-11-24**, authorizing execution of a contract with the Gladstone Rotary Club to provide concession services at certain events in Oak Grove Park for the City of Gladstone for one year and three optional terms of one year each wherein the Gladstone Rotary will pay the City of Gladstone 15 percent of gross receipts. Councilmember Carol Suter seconded. The vote: "Aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, and Mayor Les Smith. "Abstain" – Mayor Pro Tem Barry McCullough. (4-0-1).

Note: Mayor Pro Tem Barry McCullough abstained from the vote as he is a member of the Gladstone Rotary Club.

Item 11. on the Agenda. **RESOLUTION NO. R-11-25**, accepting a public road Right-of-Way Easement from Gladstone Commons, L.L.C. to the City of Gladstone, Missouri.

Councilmember Carol Suter moved to adopt **RESOLUTION NO. R-11-25**, accepting a public road Right-of-Way Easement from Gladstone Commons, L.L.C. to the City of Gladstone, Missouri. Councilman Carol Rudi seconded.

Mayor Smith asked Assistant City Manager Scott Wingerson to describe the purpose of this Resolution.

Assistant City Manager Wingerson replied during a Public Hearing concerning the McDonald's development project two weeks ago, there was a discussion about the ability in the future to provide a center turn lane on North Oak Trafficway to serve the development should it be warranted in the future. The future owners of the "out parcel", McDonald's Corporation, had agreed to donate the five feet of right-of-way. Since the City Council's last meeting, staff has been able to successfully work with the property owner adjacent, where Smokehouse and DAV is located, to obtain the right-of-way easement necessary to fully implement the turn lane if it is warranted. Resolution No. R-11-25 does that. A graphic depiction is in the Council's packet. Mr. Wingerson stated he is very pleased to say that the turn lane could be constructed should the Council accept the right-of-way.

Councilmember Suter said she was pleased to see progress with this project, and expressed her appreciation for staff's good work.

Mayor Smith said this issue has taken a lot of time over the last couple of weeks, and he commended Mr. Wingerson on his diligence on this matter. For something that seemed to be so simple, there was a whole lot that went into it in the meantime. Mayor Smith offered "good work" to Mr. Wingerson.

The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 12. on the Agenda. **SECOND READING BILL 11-02**, approving a Site Plan revision for property legally described as Oak Meadows South, Lot 1, commonly known as 6300 North Oak Trafficway. Applicant: McDonald's USA, LLC. Owner: Paul Licausi (property owner), LS Commercial Real Estate. File #1353.

Councilmember Carol Suter moved to place **Bill 11-02** on its Second Reading. Councilman Carol Rudi seconded.

The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of **Bill 11-02** and to enact the Bill as **Ordinance 4.182**. Councilman Carol Rudi seconded.

Roll call vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 13. on the Agenda. **FIRST READING BILL 11-07**, approving the Final Plat of Oak Meadows South, Lot 1, Gladstone, Clay County, Missouri, commonly known as 6300 North Oak Trafficway, and directing the appropriate officials to affix their signatures to said Plat for recording.

Mayor Pro Tem Barry McCullough moved to place **Bill 11-07** on its First Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of **Bill 11-07**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the Second and Final Reading of **Bill 11-07** and to enact the Bill as **Ordinance 4.183**. Councilman Carol Rudi seconded.

Roll call vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 14. on the Agenda. **PUBLIC HEARING:** for consideration of a Site Plan Revision for property located at 100 NW Vivion Road. Applicant: JRMA Architects. Owner: Brian Schaffer/Van Chevrolet Cadillac, Inc. File No. 1355.

Mayor Smith explained that the process for the Public Hearing would be that once opened, the Council would first hear from the City staff, then from the applicant or representative thereof, if they wished to speak, and then anyone in the audience would be invited to speak in favor or in opposition to this proposal, and then conclude with any comments from staff.

Mayor Smith opened the Public Hearing.

Staff Report

Planning Specialist Chris Helmer began by saying that tonight's Site Plan Revision is a request for an additional building at the current location. The proposed new building is to be located where an existing truck sales building is in current operation. The applicant is also requesting in addition to the development of the new building, two additional car service bays, which would be to the north of the proposed building, bringing the requested development at approximately 10,000 square feet. Along with the conditions that have been presented with the Site Plan revision Ordinance, there is a letter submitted by a certified engineer on the issue of stormwater conveyance. The building, itself, will be larger; however, the current system that has been implemented will handle the future stormwater that would fall into that system. The Planning Commission did unanimously vote in favor of this application, and the staff is also requesting that the Council consider approval of the Site Plan revision.

There were no comments from the Applicant.

There were no comments from anyone in Favor or in Opposition to the application.

Mayor Smith closed the Public Hearing.

Item 14a. on the Agenda. **FIRST READING BILL 11-12**, approving a Site Plan Revision for property located at 100 NW Vivion Road. Applicant: JRMA Architects. Owner: Brian Schaffer/Van Chevrolet Cadillac, Inc. File No. 1355.

Mayor Pro Tem Barry McCullough moved to place **Bill 11-12** on its First Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of **Bill 11-12**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the Second and Final Reading of **Bill 11-12** and to enact the Bill as **Ordinance 4.184**. Councilmember Carol Suter seconded.

Roll call vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 15. on the Agenda. FIRST READING BILL 11-13, amending Ordinance Number 3.947 by modifying a section of "Chapter 1700, Dangerous Building Insurance Proceeds" and amending Ordinance 4.121 by adding a new chapter concerning "Abatement of Dangerous Buildings" to the "Building and Construction Ordinance" of the City of Gladstone, Missouri

Councilman Carol Rudi moved to place **Bill 11-13** on its First Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the First Reading of **Bill 11-13**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the Second and Final Reading of **Bill 11-13**, and to enact the Bill as **Ordinance 4.185**. Mayor Pro Tem Barry McCullough seconded.

Roll call vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 16. on the Agenda. Other Business.

Councilmember Suter stated she would like to recommend, suggest and inquire as to whether the City is planning on the website and maybe in the Dispatch to provide public notice of the upcoming election. Historically, we have relied on the media coming to us, but since there is no media at this time, perhaps we should remind people that there is an election. This time of the year is so confusing to people with all the different election dates, and no one knows what jurisdiction they live in, so it would be good to remind people that live in Gladstone that there is an election; even though, it's not contested, we do need people to show up to vote.

City Manager Davis stated that staff could post the information on the City's cable channel and on the City's website.

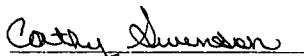
Item 17. on the Agenda. **Questions from the News Media.**

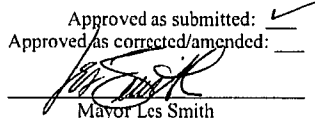
There were no News Media present.

Item 18. on the Agenda. **Adjournment.**

There being no further business to come before the March 14, 2011, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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

Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MARCH 28, 2011**

OPEN STUDY SESSION: 6:30 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular March 14, 2011, City Council Meeting Minutes.
5. **PROCLAMATION:** designating April 10-16, 2011 as **NATIONAL CRIME VICTIMS' RIGHTS WEEK** and reaffirming our City's commitment to respect and enforce victims' rights and to address their needs throughout the year.
6. **PROCLAMATION:** recognizing the accomplishments of eight Northland students who were the winners of the **F.I.R.S.T.** (For Inspiration and Recognition of Science and Technology) **LEGO LEAGUE CHAMPIONSHIP TOURNAMENT**.
7. **PROCLAMATION:** recognizing the diverse cultural life of our metropolitan community and the traditional Chinese culture portrayed in the **2011 WORLD TOUR OF SHEN YUN**

PERFORMING ARTS at the Music Hall in Kansas City, Missouri on April 13, 2011.

8. **PROCLAMATION:** designating April 1, 2011, as "**ARBOR DAY**" in Gladstone, Missouri, and urging residents to support efforts that focus on environmental betterment and the planting of trees.
9. **PROCLAMATION:** recognizing April 10-16, 2011 as **GLADSTONE ANIMAL CONTROL OFFICER APPRECIATION WEEK** and encouraging the community to express their appreciation to these dedicated professionals for their many hours of outstanding and valuable service to our City.

REGULAR AGENDA

10. **Communications from the Audience.**
11. **Communications from the City Council.**
12. **Communications from the City Manager.**
13. **AN UPDATE AND DISCUSSION REGARDING THE REQUEST FOR PROPOSALS (RFP) FOR SOLID WASTE AND CURBSIDE RECYCLING COLLECTION SERVICES.**
14. **MOTION FROM THE CITY COUNCIL REGARDING THE REQUEST FOR PROPOSALS (RFP) PROCESS FOR SINGLE SOURCE SOLID WASTE DISPOSAL.**
15. **Other Business.**
16. **Questions from the News Media.**
17. **Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MARCH 28, 2011**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilmember Jean Moore

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

ABSENT: Councilmember Carol Suter

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the Regular March 28, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present, except for Councilmember Carol Suter, who is on her way back from China this evening.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

**Item 4. on the Agenda. APPROVAL OF THE REGULAR MARCH 14, 2011,
CITY COUNCIL MEETING MINUTES.**

Councilman Carol Rudi moved to approve the **Regular March 14, 2011, City Council Meeting Minutes** as presented. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Jean Moore, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Mayor Smith stated that following on the Agenda are a series of Proclamations, which would be read by City Clerk Cathy Swenson. Mayor Smith said the Council is honored to have those people present this evening who would be accepting the Proclamations, and asked that they join him and the City Council at the dais as their Proclamation is read.

Item 5. on the Agenda. **PROCLAMATION:** designating April 10-16, 2011 as **NATIONAL CRIME VICTIMS' RIGHTS WEEK** and reaffirming our City's commitment to respect and enforce victims' rights and to address their needs throughout the year.

Following the Clerk's reading, Mayor Smith and the City Council presented the Proclamation to Angie Blumel, Director of Community Services for the Metropolitan Organization to Counter Sexual Assault (MOCSA).

Ms. Blumel explained that her organization works as advocates for children, adolescents and adults who have experienced sexual violence in their lives. Ms. Blumel said she so appreciated the City of Gladstone partnering with them, and offered a special thanks to Public Safety Director Michael Hasty for helping in organizing this presentation. Ms. Blumel thanked the Mayor and City Council for this acknowledgement, which is very important to MOCSA's efforts.

Item 6. on the Agenda. **PROCLAMATION:** recognizing the accomplishments of eight Northland students who were the winners of the **F.I.R.S.T.** (For Inspiration and Recognition of Science and Technology) **LEGO LEAGUE CHAMPIONSHIP TOURNAMENT.**

Following the Clerk's reading, Mayor Smith and the City Council presented the Proclamation to the Up NeXT team, comprised of Cooper Lehr, Andrew Marshall, Peter Marshall, Aspen Speiser, Cale Speiser, Daniel Andrews, Zane Canon and Cullan Fritts.

Mayor Smith congratulated the team on their accomplishments.

Item 7. on the Agenda. **PROCLAMATION:** recognizing the diverse cultural life of our metropolitan community and the traditional Chinese culture portrayed in the **2011 WORLD TOUR OF SHEN YUN PERFORMING ARTS** at the Music Hall in Kansas City, Missouri on April 13, 2011.

Following the Clerk's reading, Mayor Smith and the City Council presented the Proclamation to Barbara Gay, who thanked the Mayor and Council members. Ms. Gay handed out flyers for the Shen Yun performances, which will be held April 13, 2011, in the Kansas City Music Hall. Ms. Gay invited everyone to attend, and suggested if anyone had any questions to look at the website for more information. Ms. Gay thanked the City of Gladstone for the recognition.

Item 8. on the Agenda. **PROCLAMATION:** designating April 1, 2011, as **"ARBOR DAY"** in Gladstone, Missouri, and urging residents to support efforts that focus on environmental betterment and the planting of trees.

Following the Clerk's reading, Mayor Smith and the City Council presented the Proclamation to Parks and Recreation Director Sheila Lillis, who thanked the Mayor and City Council.

Mayor Smith announced that the annual tree planting ceremony in celebration of Arbor Day would be held in cooperation with the Meadowbrook Elementary School First Grade students, on Friday, April 1, at 10:00 AM, in the south end of Meadowbrook Park, and invited all to attend.

Director Lillis stated a Linden tree would be planted this year, and said there were two Linden trees in the area. Director Lillis reported that this is the ninth year our City has earned the Tree City Award, which is important to our City.

Item 9. on the Agenda. **PROCLAMATION:** recognizing April 10-16, 2011, as **GLADSTONE ANIMAL CONTROL OFFICER APPRECIATION WEEK** and encouraging the community to express their appreciation to these dedicated professionals for their many hours of outstanding and valuable service to our City.

Following the Clerk's reading, Mayor Smith and the City Council presented the Proclamation to Animal Control Officer Darcy Meadows, who thanked the Mayor and City Council for the recognition and also thanked the community for their support. Ms. Meadows announced the annual Walk N' Wag fundraiser, benefiting the Gladstone Shelter, would be held in April, and they are hoping for good support from the community at this event.

Mayor Smith stated that the Animal Control Department are the "unsung heroes" of the City, responding when called upon at all hours of the day and night. Mayor Smith said the City Council very much appreciates all the Animal Control Department does for the City, and there are some plans in the works to improve the Animal Control facility, which will improve the work environment for the employees.

Mayor Smith thanked City Clerk Swenson for reading the Proclamations and congratulated all the recipients, saying he and the City Council appreciate very much everyone being here this evening.

Item 10. on the Agenda. **COMMUNICATIONS FROM THE AUDIENCE.**

Pam Cook, 6024 North Kansas, said she has lived in Gladstone about ten years, but has worked with the City of Gladstone for much longer; although, she is retired now. Ms. Cook said she wished to thank the City of Gladstone for the walking trail that has been installed around Happy Rock Park, and her question concerned a sign that says there will be a footbridge installed in the spring of 2011, and she was wondering when that would be completed. She and her friends currently ford the creek, which is a little cold.

Parks and Recreation Director Sheila Lillis stated that spring just began on March 20 (which was followed with laughter from the audience), and the final plans have been reviewed. This is a joint project with Kansas City, and it is anticipated the bridge will be in place by July. A lot of people are excited about this project and are waiting with bated breath for the bridge to be completed. It has stimulated a lot of interest in the trails.

Director Lillis said she would be happy to provide an update to Ms. Cook, if she would provide her phone number.

Ms. Cook asked if there was an interest in an off-leash dog park in the City.

Mayor Smith asked City Manager Davis to please put that on the list.

Councilman Rudi stated there is a Planning Commissioner who very much would like a dog park, and she is sure Director Lillis has been hearing from him.

Mayor Smith stated there is a Council goal setting session every fall, where the Council discusses various issues like this that come up throughout the year, and that could be a topic for discussion.

Item 11. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Councilmember Jean Moore had no comments at this time.

Councilman Carol Rudi reminded everyone to vote on Tuesday, April 5, and that evening at 6:00 PM, at the Community Center, there would be another art exhibit reception from 6:00 PM to 8:00 PM. It is always a good time, with great artists, who talk about their work, and give insight that one would not hear otherwise.

Councilman Rudi said the Walk N' Wag event, benefiting the Gladstone Animal Shelter, would be April 23, 2011, at Happy Rock Park.

Mayor Pro Tem Barry McCullough said he wished he were thanking and congratulating Public Safety Director Hasty for something other than putting a fire out at his office building this weekend, but he appreciates the timely response and how efficient they were with the water, so that there was no water damage. The Fire Department did a fantastic job of clearing the scene, making it happen very fast, and taking good care of everyone involved. Mayor Pro Tem McCullough thanked Director Hasty and the Public Safety staff.

Mayor Les Smith said he would like to acknowledge a Resolution presented to the City and the Friends of Atkins-Johnson Farm this afternoon, in recognition of receiving the 2010 Missouri Preservation Office Preserve Missouri Award. Mayor Smith extended congratulations to the Friends of Atkins-Johnson Farm organization.

Mayor Smith invited everyone to watch the Imagine KC series that in part featured Gladstone. The episode will be aired on KCPT TV for generally 30 to 60 days. Mayor Smith encouraged everyone to check that out - it puts our community in a very good light. City Manager Davis, Councilmember Moore, and Economic Development Coordinator Melinda Mehaffy all "shined", and are super stars now. Mayor Smith thanked them for all the work they did on this project.

Councilmember Moore stated that the Mayor shined!

Mayor Smith asked City Counselor Randall Thompson to provide an update on the ongoing discussions with Clay County regarding the Road District.

City Counselor Randall Thompson began by saying, as the City Council is aware, Gladstone and all the public entities in Clay County have been in a disagreement with Clay County over funding of our roads and bridges. It seems that we have gone months, if not years, without any activity, and then all of a sudden in the last couple of days we have had a flurry of activity. City Manager Davis was contacted by the City of Kansas City last Friday, and they indicated that they were willing to go forward with litigation against Clay County concerning payment of the Road and Bridge Fund. They have asked us if we are willing to join them in that litigation. Today, we received an offer of settlement from Clay County to resolve all the issues. Counselor Thompson said we have yet to digest that offer, and have not had a chance to share it with the Council, but he wanted the Council to be aware of the events that have come in quick succession. Counselor Thompson said we will be asked next week to probably make a decision with respect to going forward with litigation or settling the potential litigation.

Mayor Smith stated that he appreciated Kansas City's willingness to allow us to work through negotiations a bit longer. He and Mayor Pro Tem McCullough have been involved in those negotiations, along with City Manager Davis and Counselor Thompson. The fact of the matter is that this has been ongoing for quite some time, and it only seems reasonable that we put a drop-dead date on the negotiations. Mayor Smith said it would be his recommendation to the Council that, based on the conversation with Kansas City and based on making some progress, albeit only as of late with the County, who meets on Mondays, perhaps next Wednesday, April 6, would be a date that might be in order to authorize the City Attorney to either conclude negotiations in a meaningful and positive way or perhaps to seek legal remedy. Mayor Smith said he believed we do need to have a hard deadline at some point for us to make real progress.

Mayor Pro Tem Barry McCullough moved that the City of Gladstone finalize an agreement with Clay County for the Road District by April 6, 2011, or that the City proceeds with moving things through legal channels. Councilman Carol Rudi seconded.

Councilman Rudi said this gives our Counselor room to negotiate and take care of any odds and ends that may come up, and let the City Council know if there is something we have to clarify.

Counselor Thompson agreed that was correct. This provides a window for staff to get back to the Council, if there are meaningful settlement negotiations, so those can be affirmed or agreed to.

Mayor Smith said, in fairness to the County regarding their written offer today, it is within the parameters of what the Council has established, and it might also be important to note that the City Council of Liberty has agreed to, from a structural standpoint, the process of

how the agreement going forward will be structured. It is just that our City Council does not feel that it meets the monetary requirements of that settlement. There is some negotiation going back and forth. To their credit, they have come to the plate with a written proposal. This will give the Council the opportunity to negotiate within those parameters, but we will set the April 6 deadline for us to move forward another way, if we cannot come to some agreement. Mayor Smith stated, for the edification of the audience, that the City Council has been trying to negotiate this for one, to one and one half or a couple of years, but it is time to force the issue a bit for the good of our residents.

The vote: All "aye" – Councilmember Jean Moore, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Mayor Smith suggested that City Manager Kirk Davis might want to provide a report on the upcoming Green Home Show.

Item 12. on the Agenda. COMMUNICATIONS FROM THE CITY MANAGER.

City Manager Kirk Davis reported the Home Show would be April 8 and 9, 2011. It will be at the Community Center, and it has a sustainability and environmental focus. It is sold out. A good crowd is expected. Last year, there were approximately 20 vendors, and it is estimated that 500 people came through. City Manager Davis said he was pleased that it has picked up a little momentum this year, and if anyone is doing home improvements this spring, they might want to visit the Home Show, because there will be a lot of folks who can offer ideas.

City Manager Davis reported that Public Works Director Tim Nebergall and his wife had a baby girl, Hannah, last week, and Mom, Dad, and baby are doing fine. City Manager Davis said he talked to Director Nebergall today and he has a big smile on his face!

Mayor Smith asked that the City Council's congratulations be passed on to Director Nebergall.

Item 13. on the Agenda. AN UPDATE AND DISCUSSION REGARDING THE REQUEST FOR PROPOSALS (RFP) FOR SOLID WASTE AND CURBSIDE RECYCLING COLLECTION SERVICES.

City Counselor Randall Thompson explained that he was filling in for Public Works Director Tim Nebergall, who, as City Manager Davis noted, is otherwise disposed this evening, and Director Nebergall's right-hand person, Jennifer Stafford, was also present at this meeting. Counselor Thompson stated, as the Council knows, Jennifer, Tim, the EMAC (Environment Management Advisory Committee), and Lisa Danbury (who added a lot to an understanding of what is going on in our region with regard to solid waste disposal and recycling) from MARC (Mid-America Regional Council) were present at two meetings, where members of Boards and Commissions from the City of Gladstone were invited to be in attendance and were invited to ask questions and find out more about the solid waste disposal issue, which is that Gladstone is considering going to a single solid

waste hauler to handle both waste and recycling. Mr. Nebergall and Ms. Stafford put together an RFP (request for proposal), and that is what was presented last week. A lot of good ideas and comments were received from the people who attended, and staff has tried to incorporate a lot of those into the RFP. Counselor Thompson said he prepared a memo for the City Council, and he assumes the Council has read that memo, and he mentioned in the memo some of the suggestions that were included into the RFP.

Counselor Thompson said he would like to go over some ideas that were not included in the RFP, because he found them interesting. They were not topics or items that could be put in a RFP; they were more general discussion items. One person asked if smaller haulers would have a chance to bid or participate. Apparently, there was some concern that Platte Valley might be too small to compete, but Director Nebergall pointed out that because of the way the initial term is being structured, which is for ten years, it should allow smaller operators to participate in order to plan and finance enough trucks and service personnel to handle a city the size of Gladstone. Another gentleman asked how the replacement of containers would be handled, because eventually containers would have to be replaced. These are not small containers; they are anywhere from 35- to 65-gallon containers, with lids, so we have asked all the haulers who are going to bid to weigh in on how they would propose to replace the containers, and that they will replace containers that need to be replaced.

Counselor Thompson stated that a couple of people asked whether or not we should bill people who happen to not be home for a month or two or whether or not it is a service that should be billed regardless of use, and staff thought that was a meritorious question, so it was put in the RFP that the City may consider circumstances where a resident could choose not to use the service for a period of time. The question was asked as to what the City's administrative costs would be. We do not know the answer to that at this time, but Director Nebergall and his department have researched this, and right now it is believed the cost will be in the neighborhood of \$1.45 for administrative fees, but we will not know that until we actually get the RFPs back.

Counselor Thompson reported that the length of time has been shortened in which companies are asked to respond. The RFP originally asked for a response in 45 days, but because we are up to a pretty tight acceptance date in August, that response time has been shortened to 30 days. It was asked whether or not the City would offer this to commercial businesses, and at this time we are not. It was important among those people who attended the meetings that we put an emphasis on recycling, so they were assured that as part of the single source project, the City will advertise and try to do an information campaign with the public so they understand that we want them to fill up the container that has the recycling in it, and not fill up the container that has bags of trash. They are making it as easy as possible for us. We do not have to sort recycling anymore; one just takes it out and throws it into the container. It is hoped that this project will eventually lead to less waste and more recycling. Staff is wanting to go forward with the RFP at this time.

Mayor Smith addressed City Counselor Thompson by saying as he is always concerned with gray areas, and the opportunity to opt out even for a period of time, especially if the

City is given some discretion in making those decisions, do you not see that as fraught for conversation on many fronts? Mayor Smith said many of the other cities' proposals that he has seen state that folks have to participate. It is a billed service and you participate, unless we set some specific criteria that would allow perhaps a snowbird to opt out for two or three months during the winter. Mayor Smith said it would seem to him that it would need to be very specific, or else we are going to be asked for exemptions, possibly, across the board.

Counselor Thompson agreed with Mayor Smith and said staff shares that concern. At this point all staff is asking is that we send out the RFP, and what the RFP addresses on that topic is that the City may consider allowing residents to not use the service for a short period of time. Counselor Thompson said that whether or not we end up doing that in our contract, he did not know, but that was one of the questions citizens had, so staff thought they would explore that with haulers. Counselor Thompson said he was aware that Raymore, who recently started a single source solid waste process, allow people to opt out just like they do for any other utility; for example, if they do not want their water on for a month or two. Counselor Thompson said they have a form where one can ask to do the same with solid waste, so he thinks that there is a way to do it, much like we handle other utilities, but there would be an underlying service charge that we would want to maintain, even if someone did opt out for a short period of time.

Mayor Smith pointed out that as long as people are paying for the service, they are more apt to use it than to dispose of things in other ways.

Item 14. on the Agenda. MOTION FROM THE CITY COUNCIL REGARDING THE REQUEST FOR PROPOSALS (RFP) PROCESS FOR SINGLE SOURCE SOLID WASTE DISPOSAL.

Councilmember Jean Moore made a motion that the City Council move ahead with the RFP process for single source solid waste disposal for the City. Councilman Carol Rudi seconded. The vote: All "aye" - Councilmember Jean Moore, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Mayor Smith said the motion had carried, and he would be remiss if he did not take a moment to thank both the staff and community members who participated in putting this together. Mayor Smith offered "job well done", and said we went down this path about ten years ago and it did not work out to the benefit of our residents, but there is a whole new ball game today. People appreciate the opportunity to recycle and to be part of a program, and what he hears more than anything is, "Why do I have to see three or four different companies driving the big trucks down our roads every day, and tearing up our streets"? Mayor Smith said this is a benefit to the community in many ways, and hopefully, folks can be saved some money in the process.

Item 15. on the Agenda. **Other Business.**

There was no other business.

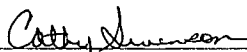
Item 16. on the Agenda. **Questions from the News Media.**

There were no News Media present.

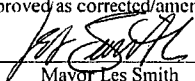
Item 17. on the Agenda. **Adjournment.**

There being no further business to come before the March 28, 2011, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the meeting.

Respectfully submitted:



Cathy Swenson, City Clerk

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


Mayor Les Smith



PUBLIC NOTICE

GLADSTONE CITY COUNCIL

CLOSED EXECUTIVE SESSION

WEDNESDAY, APRIL 6, 2011

TIME: 2:00 PM

LOCATION: CITY MANAGER'S OFFICE
GLADSTONE CITY HALL
7010 NORTH HOLMES
GLADSTONE, MISSOURI 64118

The City Council will meet in Closed Executive Session on Wednesday, April 6, 2011, starting at 2:00 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes, Gladstone, Missouri. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

Representatives of the News Media may obtain copies of this notice by contacting:

City Clerk Cathy Swenson
7010 N Holmes
Gladstone, MO 64118
816-436-2200



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, APRIL 6, 2011**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
2:00 PM**

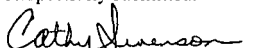
Mayor Pro Tem Barry McCullough opened the City Council Meeting to adjourn to a Closed Executive Session on April 6, 2011, at 2:00 PM. Councilman Carol Rudi made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion. Mayor Pro Tem Barry McCullough seconded.


Roll Call Vote: All "aye" – Councilmember Jean Moore, Councilman Carol Rudi, and Mayor Pro Tem Barry McCullough. (3-0)

Mayor Les Smith was also present at the Closed Executive Session.

Mayor Les Smith adjourned the Closed Executive Session.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: 

Approved as corrected/amended: _____


Mayor Les Smith



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, APRIL 11, 2011**

The City Council will meet in Closed Executive Session on Monday, April 11, 2011, starting at 7:00 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel.

REGULAR MEETING: 7:30 PM

A G E N D A

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of Regular March 28, 2011, City Council Meeting Minutes.
5. Approval of the April 6, 2011, City Council Meeting Minutes convening a Closed Executive Session.
6. **PROCLAMATION:** designating April 2011 as **Sexual Assault Awareness Month** and encouraging programs that promote awareness and prevention of this crime that affects our entire community.
7. **PROCLAMATION:** recognizing **Meals on Wheels and Mayors for Meals** and their generous work on behalf of our senior citizens.

8. MAYOR'S STATE OF THE CITY ADDRESS.

9. FIRST READING BILL 11-14, declaring the results of the Tuesday, April 5, 2011, Gladstone General Election as certified by the Clay County Board of Election Commissioners that City Council Candidates J. Brian Hill and Carol J. Suter have been elected to Three Year Terms on the Gladstone City Council.

10. SPECIAL PRESENTATION to outgoing Councilman Carol Rudi recognizing her service as Councilman and Mayor.

11. CITY COUNCIL OATH OF OFFICE: J. Brian Hill and Carol J. Suter.

12. ELECTION OF MAYOR AND OATH OF OFFICE.

13. ELECTION OF MAYOR PRO-TEM.

CONSENT AGENDA

RESOLUTION R-11-26, authorizing acceptance of work under contract with Playworld Systems, Incorporated, for the Happy Rock Park East Playground Replacement Project; and authorizing final payment in the amount of \$135,000.00.

RESOLUTION R-11-27, accepting Quit-Claim Deeds, Permanent Drainage Easements and Temporary Construction Easements from certain property owners in conjunction with the North Broadway Avenue Street Reconstruction Project.

RESOLUTION R-11-28, authorizing execution of a contract with Empire Electric Services and Technologies, LLC, in the total amount not to exceed \$541,313.00 for the Supervisory Control and Data Acquisition and High Service Pump Improvements Project.

APPROVAL OF A TEMPORARY LIQUOR BY THE DRINK LICENSE to St. Charles Borromeo Church for a fundraising function to be held on May 21, 2011, from 6:00 PM to 11:30 PM. Managing Officer: Lori Creek.

APPROVAL OF THE FEBRUARY FINANCIAL REPORT.

REGULAR AGENDA.

14. Communications from the Audience.
15. Communications from the City Council.
16. Introduction of the Past Mayors and City Council members.
17. Communications from the City Manager.
18. **APPROVAL OF PARK FESTIVAL USE PERMITS** for the 15th Annual Gladstone Summertime Bluesfest in Oak Grove Park, 76th & North Troost, Friday and Saturday, June 10-11, 2011, including approval of designated smoking areas; and the 32nd Annual Gladfest Celebration on Friday, Saturday and Sunday, September 30, October 1 & 2, 2011, in the Gladstone Central Park area, near 69th & N. Holmes, under the sponsorship of the Gladstone Area Chamber of Commerce and the City of Gladstone.
19. Other Business.
20. Questions from the News Media.
21. Adjournment.

Following the Adjournment
of the Regular City Council Meeting,
you are cordially invited to a Reception
in the North and South Conference Rooms
honoring Past and Present City Council Members



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, APRIL 11, 2011**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
7:00 PM**

Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on April 11, 2011, at 7:00 PM. Councilman Carol Rudi made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel. Councilmember Carol Suter seconded.

Roll Call Vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough, and Mayor Les Smith. (5-0).

Mayor Les Smith adjourned the Closed Executive Session.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilmember Carol Suter
Councilmember Jean Moore

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL.

Mayor Les Smith opened the Regular April 11, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR MARCH 28, 2011, CITY COUNCIL MEETING MINUTES.**

Mayor Pro Tem Barry McCullough moved to approve the **REGULAR MARCH 28, 2011, CITY COUNCIL MEETING MINUTES** as presented. Councilman Carol Rudi seconded. The vote: "Aye" – Councilmember Jean Moore, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. "Abstain" – Councilmember Carol Suter. (4-0-1).

Note: Councilmember Carol Suter was absent from the March 28, 2011, Regular City Council meeting, so, therefore, abstained from the vote on the Minutes of that meeting.

Item 5. on the Agenda. **APPROVAL OF THE APRIL 6, 2011, CITY COUNCIL MEETING MINUTES CONVENING A CLOSED EXECUTIVE SESSION.**

Councilman Carol Rudi moved to approve the **APRIL 6, 2011, CITY COUNCIL MEETING MINUTES CONVENING A CLOSED EXECUTIVE SESSION.** Mayor Pro Tem Barry McCullough seconded. The vote: "Aye" – Councilmember Jean Moore, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. "Abstain" – Councilmember Carol Suter. (4-0-1).

Note: Councilmember Carol Suter was absent from the April 6, 2011, Regular City Council meeting, so, therefore, abstained from the vote on the Minutes of that meeting.

Item 6. on the Agenda. **PROCLAMATION:** designating April 2011 as **Sexual Assault Awareness Month** and encouraging programs that promote awareness and prevention of this crime that affects our entire community.

Mayor Smith read and presented the Proclamation to the Metropolitan Organization to Counter Sexual Assault Coordinator of Advocacy Services, Jessie Funk, who thanked the Mayor and City Council members.

Ms. Funk stated that the MOCSA (Metropolitan Organization to Counter Sexual Assault) organization is a not for profit organization that serves both adults and children who are survivors of sexual assault. Ms. Funk said they could not do what they do without the support of the community, so receiving this Proclamation is very important for her organization and the survivors of sexual violence.

Item 7. on the Agenda. **PROCLAMATION:** recognizing **Meals on Wheels and Mayors for Meals** and their generous work on behalf of our senior citizens.

Mayor Smith read and presented the Proclamation to Patte Bahl, of Northland Meals on Wheels, who thanked the Mayor and City Council members.

Ms. Bahle said Northland Meals on Wheels has been in business for 38 years, and volunteers deliver all their meals, and the volunteers often say they get more out of delivering the meals than the recipients of the meals. Ms. Bahle said she had been delivering meals for sixteen years, and if she did not like it, she would not do it. Ms. Bahle invited everyone to volunteer; it only takes about an hour, and she guaranteed folks would find it rewarding.

Mayor Smith said volunteering is very gratifying, and it is amazing how many people you run into who you know. Most importantly, the people embrace you. As you drive down the street, they are looking out the window, waiting for you to get there, and it is sometimes one of the few forms of contact that people receive, and they seem to enjoy the visit as much as the meal. Mayor Smith said he appreciated the opportunity to volunteer this year. Mayor Smith said one of the gentlemen to whom he delivers meals has a tree in his front yard, and it is half in the right-of-way and half within his property, and every year he lobbies to have the tree removed by the City.

Mayor Smith stated that the Council also has a Proclamation for KFKF 94.1 Radio Station in Kansas City, honoring them for their commitment to raising funds for St. Jude Children's Research Hospital; unfortunately Dale Carter, who is also a Councilmember in Blue Springs, could not be present this evening. Mayor Smith said do not feel sorry for him, as he is on a plane to Hawaii. Mayor Smith jokingly said they must get paid more than our City Council!

Mayor Smith asked how many in the audience had the opportunity to see the KCPT Imagine KC piece that featured, in part, Gladstone. Mayor Smith noted that just a couple of people raised their hands. Mayor Smith announced that piece would be presented at this City Council meeting, and said it is part of an ongoing series of eleven episodes, ours is the third, produced by KCPT, focusing on various communities in the region. The Imagine KC piece was shown to the audience.

Following the viewing, Mayor Smith stated that as can be seen, he feels this feature put our community in a good light. There have been a lot of comments from around the region. Mayor Smith encouraged everyone to go on line and find the schedule of cities that will be presented in the near future. It is a very fascinating piece.

Item 8. on the Agenda.

MAYOR'S STATE OF THE CITY ADDRESS.

Note: Mayor Smith's State of the City Address was accompanied by a PowerPoint presentation.

Mayor Smith stated he would like to offer a few words this evening about our community, and said in a word, the State of our City is SOUND.

Following is Mayor Smith's State of the City Address:

We have many challenges ahead of us, but we have also put many challenges behind us. The recurring theme around city hall the last couple of years has been "Taking Care of Business", and that is exactly what has been done, and thanks to everyone in this organization, and the many dedicated citizens who participate in the process, we continue to take care of business and provide the services that they need.

Most importantly, by all accounts, we have weathered the economic storm. A recent survey of Missouri cities concluded that 75 percent of all cities with a sales tax reported that their revenues were less than expected; and 45 percent reported a shortfall in anticipated property tax revenues. Although we're beginning to see a slight increase in sales tax collections, Gladstone has not been immune to the declines experienced by others.

More than 37 percent of cities indicated having to increase the use of reserve funds to meet their needs, while 17 percent reported having to reduce the city workforce. Thanks to sound financial planning, increased efficiencies and operations, and good old fashioned hard work by our municipal employees, we have had to do neither. Lastly, nearly 60 percent of all cities in Missouri feel their city will be less able to meet its fiscal responsibilities than it was the previous year. Again, this is not the case for Gladstone.

The council realizes that protecting the health, safety and welfare of our community is by far our single greatest responsibility, with infrastructure investments a close second. Last summer we sought additional resources to protect those services. Upon deciding to place the Public Safety Sales Tax on the ballot – yes, a sales tax increase in the middle of a recession – a group of volunteers jumped on board and began spreading the word in Gladstone on behalf of better public safety. The Kansas City Star wrote in an endorsement of the sales tax issue: "This kind of grassroots involvement has helped the City make notable progress in recent years, including construction of a first-rate community center as well as road, fire and stormwater improvements."

Many of these same folks then joined with some others and did the same thing in support of bond issues to enhance our road, water, and sewer program. Mayor Smith said his point is that he believes it's fair to say that since this town's inception, it has been proven time and time again that human capital is our greatest asset.

Ten years ago this summer, three people sat down with Derick Okubo, of the National Civic League, and planted the first seed for Gladstone On the Move, which was a new generation of citizen engagement. City Manager Davis, you were at that table. Laura (Smith), as the Assistant City Manager at the time, you were at that table, too. The significance is that, in one way or another, the plan adopted by Gladstone on the Move continues to be the cornerstone for every Council goal-setting session, and thus the basis for every budget we adopt. Suffice it to say that Gladstone has thrived for nearly 60 years in large part because we enjoy an engaged citizenry, proving beyond a doubt that engaged citizens produce sustainable results. That being said, while we sit here tonight and talk about what we're doing in 2011, we need to look around the room and take notice of the men and women who have invested their heart and soul into our community for many, many years. Their work was just as important and equally as exciting.

Many of you have heard me use the quote attributed to Bob Kendrick, of the Negro League Baseball Museum, when speaking about the late Buck O'Neil, "In crossing the bridge, we must not forget those who built the bridge." We cannot forget, nor ever fail to appreciate all of you in this room, who have served our community over the years, for the leadership that built the bridge and laid the foundation for everything we enjoy today.

Unfortunately, we lost one of those leaders in January, and we lost a friend. Mark Revenaugh enjoyed his time as Councilman and Mayor, and we miss him. I miss him, even though right now he would be sitting in Jean's seat, just out of the line of sight for all of the audience, either rolling his eyes at me or trying to figure out some other way to throw me off track. He was a good man and he cared deeply about our community. Please do not every allow yourself to forget Mark and his contribution to Gladstone.

Mayor Smith said, in closing, he would like to provide a brief update on a few City initiatives. We will leave the challenges for this community for another day; perhaps we will turn it over to the next regime.

Mayor Smith stated that due in part to the hard work of Officer Elaine Kross, we are experiencing fascinating results from the additional manpower provided by passage of the Public Safety Sales Tax, especially as it pertains to our crime-free community effort; and as we speak, our new radio system is being built as promised.

We currently have more than \$25 million in capital improvement projects on the drawing board. Perhaps the most noticeable to most of you are the trails that you have seen. One along M-1 Highway, another called the Happy Rock Trail, for which we had a bridge ribbon cutting last June. Both of these will connect to the Metro-Green trail system that leads from the north of our City into Kansas City. These additions also fit in well with the Council's goal of developing a Community Health Program.

We have worked diligently at retaining and attracting businesses for our community. Of major consequence is the remodeling of WalMart, which held its grand re-opening last October. Save-A-Lot grocery store recently opened in the Gladstone Plaza, which you may have noticed looks much better than it has in many years, and Wheel Cyclery recently relocated from Kansas City to the Prospect Plaza. We were quite nervous about WalMart. We had heard all the rumors that perhaps they were looking to leave our community. As it turned out, they were just rumors. They have been committed to our community all along, because of the support they enjoy from our community.

The Friends of the Atkins Johnson Farm continue to impress everyone with their hard work in support of the project, and we soon hope to add better street access, a parking lot, and restrooms so we can open the facility to the public. It was quite fascinating to visit the Farm during the restoration and see an honest to goodness log cabin, circa 1823, standing in Gladstone. The group provided an evening of "Christmas at the Farm"; and we are very appreciative of the acknowledgments from the local chapter of the Daughters of the American Revolution (DAR), including a marker we dedicated in October.

We are also very excited about the Arts Program in Gladstone. We have a group of dedicated folks committed to public art, and we look forward to what they have to bring to us in the very near future.

We continue to make great strides in organizing neighborhoods and establishing a better sense of community with the neighborhood groups, and we will continue to focus on neighborhood preservation and revitalization efforts. We were in large part awarded the All America City designation in 2008 based on our work in our neighborhoods. We have also found that many of the leaders in our community have come out of neighborhood organization efforts.

The broad issue of sustainability continues to be center stage in our City's planning. A major initiative that you will soon be hearing a lot about is single-source trash hauling. The intent is to provide a single full-service provider at an attractive price for all residents. In most communities, these things do not always go smoothly. There is a lot of discussion that needs to be had, and at some point during this process there will be a need for difficult decisions to be made by all involved, staff and Council alike, and I am confident that our staff and Council will be up to the task.

Lastly, on behalf of the Council and our community, I'd like to thank City Manager Kirk Davis and the entire staff for their continued hard work, dedication and support. You have each made personal sacrifices as we have worked through this period of uncertain financial times. Many may not know that municipal employees went without raises for three of the last four years, and you may not know it, because you have not missed anything in the delivery of services. Because of the efforts of these folks, we have been able to continue to deliver the quality of services that our residents have come to expect and that they deserve. Job well done.

Thank you very much for being here this evening. I appreciate you listening to some of the efforts that we have going on in the community. Gladstone is still a great place to live and work, and for those who have participated in the process, and for those who have served in an elected capacity, thank you for what you have done to make our home town the best home town.

Item 9. on the Agenda. **FIRST READING BILL 11-14**, declaring the results of the Tuesday, April 5, 2011, Gladstone General Election as certified by the Clay County Board of Election Commissioners that City Council Candidates J. Brian Hill and Carol J. Suter have been elected to Three Year Terms on the Gladstone City Council.

Councilman Carol Rudi moved to place **Bill 11-14** on its First Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" - Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the First Reading of **Bill 11-14**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Barry McCullough

seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the Second and Final Reading of **Bill 11-14** and to enact the Bill as **Ordinance 4.186**. Mayor Pro Tem Barry McCullough seconded.

Roll call vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 10. on the Agenda. **SPECIAL PRESENTATION** to outgoing **Councilman Carol Rudi** recognizing her service as Councilman and Mayor.

Mayor Smith stated that as the presentation is made to Councilman Rudi, past and present pictures of her and her service to the community would be shown on a PowerPoint presentation. Mayor Smith said that Councilman Rudi is a 44 year resident of Gladstone, and was first elected to the City Council in 2002. She served our City twice as Mayor. Before being elected to the City Council, she served on the following Boards and Commissions: Planning Commission; Capital Improvements Committee; Neighborhood Preservation Task Force; Recycling and Solid Waste Committee; Beautification Week Committee; Council liaison to the Planning Commission; Industrial Development Authority; Art Commission; and the Friends of the Atkins Johnson Farm. She has served as the Chair of the West Gate Division of the Missouri Municipal League, and is currently the Co-Chair of the Mid-America Regional Council First Suburb Coalition, in which she has done a fine job of representing the Missouri side community.

Mayor Smith said Councilman Rudi's keen interests, in addition to budgetary items, have always been the Atkins Johnson Farm restoration and the Arts Council. Mayor Smith invited Councilman Rudi to join him in front of the Council dais, where he read and presented a framed Gladstone flag that flew over our City during Councilman Rudi's tenure on the City Council, and a framed Key to the City, which he said is not given out freely by the City Council.

The presentations were followed by a standing ovation by the City Council and the audience.

Councilman Rudi jokingly said that Mayor Smith had been trying to make her cry for years, and she does not do it easily, but she is just flabbergasted! Councilman Rudi said she knew she would have to say something, so she worked on a speech, and for the first time, did not ask for Richard's (Public Information Officer Richard King) help in preparing the speech!

Councilman Rudi said thank you for an amazing 9 years, and said she has learned so much and gained a great appreciation for a well-run local government. She has met fantastic people and made many friends. Councilman Rudi said she would like to talk a little bit about what she has learned:

Fun things –

- Meeting other city officials and finding out how great we have it here.
- Working with enthusiastic citizens like our Board and Commission members.
- Watching programs start and problems being resolved.
- Exposure to metro wide issues – transportation, art, and the issues in our schools.
- Working with the First Suburbs and MARC (Mid-America Regional Council), MML (Missouri Municipal League), and Metro Area Mayors. This has been inspirational to her. Great people trying to do the best for everyone.

Boring things – No offense to anyone intended!

- Learning about radio communication systems.
- Intergovernmental agreements.
- Methods of development assistance like CID (Community Improvement District), NID (Neighborhood Improvement District), and TIF (Tax Increment Financing), that we have not used.
- Hours and hours of budgeting, and that is nothing compared to what staff spends working on our budget.
- Road repair methods and materials – I now look for pervious concrete everywhere I go.
- Water systems.
- Sewers.
- Trash, because we went through this ten years ago, and now, trash again.

Motivating things –

- Staff & Council – proactive not just reactive, which is unusual in government, and this is so important and we are so lucky in Gladstone to have this.
- Gladstone is a role model for many other cities especially for citizen involvement, like Gladstone on the Move, and for our 20 percent fund reserves. No one has an amount like this. The National Civic League has commended us for this.
- Government works best on the local level especially in Gladstone citizens can talk to their elected officials and City employees and be involved in the future of their City.
- "Shop local" – we need to keep our tax dollars in Gladstone. It may be hard to buy everything we need here, but please try, because, if those dollars go somewhere else, so do our services.
- Start small. Everything you do has an effect somewhere. Start with your family - support them. Know your neighbors, help them out. Take their paper up to their front porch, and make tire tracks in their driveway if they are out of town and it snows. Keep your eyes open for what happens in your neighborhood. If something strange is going on, call Public Safety, because we do not want anything strange, unusual, or illegal going on in our City. Help in the community. Youth Friends is a wonderful opportunity to get involved in our schools. Give back for what you got when you were there. We need to keep our schools in top shape to attract younger families and businesses and to keep our City strong. You can also be involved in Boards and Commissions, and do things like Meals on Wheels. There are so many places where

one can work in the community and give back, and it doesn't have to be a lot – just a little.

Scary things –

- *2 tornadoes.*
- *Tanking economy.*
- *Loss of past leaders, most recently Mark.*
- *Not knowing what is going on is a scary thing after leaving the City Council, because by being a member of the City Council, you learn so much, and you have a constant flow of information, and when you are not on the Council any more, that stops suddenly.*
- *Being able to say no to people who think I will have time on my hands.*

Not scary –

- *Having 20-30 hours of "free" time each week.*
- *Reading only what I want to read. Not reading about sewer and trash anymore, and I know more about that than any person should have to!*
- *I am not scared about leaving this position in good hands*

Councilman Rudi concluded by thanking everyone for her nine years, and said she wanted to thank her family, because she has not seen them as much as she would prefer, but she probably won't see them much more anyway, because she does not say "no" very well. Councilman Rudi introduced her family, and began by saying her other half, Greg was in the audience, as were the rest of her family as follows: grandchildren, Jonah and Ansley Mueller; daughter, Stephanie and her husband, Mike Mueller; daughter, Allison and her future granddaughter who will be born in August, and her husband, James Rike. Councilman Rudi introduced her mother, Bonnie Belknap, who has always been her biggest supporter and ally. Councilman Rudi said she loved them all, which was followed with applause from the audience.

Councilman Rudi left her seat at the dais to join her family in the audience.

Mayor Smith said that Carol has done a fabulous job of representing everyone during her tenure on the City Council. Mayor Smith said he has been serving on the City Council off and on since 1984, and he has seen a lot of different Council members pass through, and everyone brings their own special interest and style, and their own concerns to the Council. There is a place on every Council for a person like Carol Rudi - a person who cares deeply for her community, and a person who studies the issues and keeps everything on file. She is a very good thinker, and most importantly she represents, on a daily basis in everything she does, each and every person in the community. Mayor Smith said he believes we saw some raw emotion from Carol, because we do not always stop to think if people appreciate what we do, and he hopes we were able to show tonight how much she is appreciated. Mayor Smith said it is also a family affair, which is why he believes her daughters and her mother and the rest of the family are so very proud of her, and they should be proud of her.

Mayor Smith said that Carol has been a great representative of our community, and we thank her very much for her service.

Item 11. on the Agenda. **CITY COUNCIL OATH OF OFFICE: J. Brian Hill and Carol J. Suter.**

City Clerk Cathy Swenson administered the oath of office to J. Brian Hill and Carol J. Suter for three-year terms on the Gladstone City Council. The audience applauded the newly elected City Council members.

Mayor Smith welcomed back Councilmember Suter and welcomed newly elected Councilman Brian Hill to the City Council.

Item 12. on the Agenda. **ELECTION OF MAYOR AND OATH OF OFFICE.**

Mayor Les Smith presided and opened nominations for the office of Mayor of the City of Gladstone.

Councilmember Carol Suter said she took great pride in nominating **Mayor Pro Tem Barry McCullough** for the role of Mayor of Gladstone for 2011. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 13. on the Agenda. **ELECTION OF MAYOR PRO-TEM.**

Mayor Barry McCullough presided and opened nominations for the office of Mayor Pro Tem of the City of Gladstone. Councilman Les Smith said it was with great honor that he nominated **Councilmember Carol Suter** as Mayor Pro Tem of the City of Gladstone, Missouri. Councilmember Jean Moore seconded the motion.

The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilmember Carol Suter, Councilman Les Smith and Mayor Barry McCullough. (5-0).

Mayor McCullough congratulated Mayor Pro Tem Carol Suter, which was followed with applause from the audience.

CONSENT AGENDA

Following the Clerk's reading, Mayor Pro Tem Carol Suter moved to approve the Consent Agenda as presented. Councilman Les Smith seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-26**, authorizing acceptance of work under contract with Playworld Systems, Incorporated, for the Happy

Rock Park East Playground Replacement Project; and authorizing final payment in the amount of \$135,000.00. Councilman Les Smith seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-27**, accepting Quit-Claim Deeds, Permanent Drainage Easements and Temporary Construction Easements from certain property owners in conjunction with the North Broadway Avenue Street Reconstruction Project. Councilman Les Smith seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-28**, authorizing execution of a contract with Empire Electric Services and Technologies, LLC, in the total amount not to exceed \$541,313.00 for the Supervisory Control and Data Acquisition and High Service Pump Improvements Project. Councilman Les Smith seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to approve a **TEMPORARY LIQUOR BY THE DRINK LICENSE** for St. Charles Borromeo Church for a fundraising function to be held on May 21, 2011, from 6:00 PM to 11:30 PM. Managing Officer: Lori Creek. Councilman Les Smith seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to approve the **FEBRUARY FINANCIAL REPORT**. Councilman Les Smith seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

REGULAR AGENDA.

Item 14. on the Agenda. Communications from the Audience.

There were no communications from the audience.

Item 15. on the Agenda. Communications from the City Council.

Councilman Brian Hill stated he looked forward to working with City staff and the City Council members during his term, and he hoped it would be fruitful.

Councilmember Jean Moore welcomed Councilman Hill and said she looks forward to working with him on the City Council.

Councilman Les Smith offered congratulations to Mayor McCullough on his election as Mayor of our City, and said he has not been on board that long, but he has done a fabulous job of acclimating himself to the City, and he is a good thinker. Councilman Smith said that Mayor McCullough has done a fabulous job in his short tenure on the City Council, and he is confident he will do equally as well as Mayor. Councilman Smith congratulated Mayor Pro Tem Suter.

Mayor Pro Tem Carol Suter welcomed Councilman Hill, and said she was glad to have him with the City Council, and said she looks forward to working with Mayor McCullough, and she said she seconded Councilman Smith's comments about his demonstrated leadership so far. Mayor Pro Tem Suter said she was not at the last City Council meeting, because she and her husband went with the Chamber of Commerce on a tour of China. The Northland Chamber and the Greater Kansas City Chamber of Commerce team up to do this from time to time. Mayor Pro Tem Suter encouraged everyone if they ever have the opportunity to go on one of these trips, to go. It was a fabulous experience.

Mayor Pro Tem Suter said the most inspiring thing for her was to see how absolutely stunning the re-invention of China has been in such a short amount of time, especially cities like Shanghai, that have been completely torn down and rebuilt in twenty years. Twenty-five years ago, there were only five buildings in Shanghai that were 25 stories or taller. Today there are over 5,000 buildings that are over 25 stories high in Shanghai alone. How they accomplished it really does "blow one's mind", but for her, the inspiration was that it really reminds her again that when people are motivated, great things can be done. Mayor Pro Tem Suter said it makes her even more excited about the possibilities for us to get our village center developed and in place, and to turn the community into that kind of revitalized community center that we are all aiming for and wanting, and said she was committed to that, going forward.

Mayor Barry McCullough offered his thanks to the City Council for putting him in the Mayor's seat, and he welcomed Councilman Hill, and said it was great to have him with the Council and he looks forward to working with him.

Item 16. on the Agenda. Introduction of the Past Mayors and City Council Members.

Mayor McCullough said tonight was an opportunity to honor our City's past Mayors and City Council members, and he asked each of them to stand as he called their name: former Mayor Anita Newson; former Mayor Wayne Beer; Mary Cross, widow of former Mayor Bill Cross; Carmelina Smith, widow of former Mayor Everett Smith; former Mayor Dick Davis; former Mayor Paul Degenhardt; and former Councilman Shirley Smith. Mayor McCullough invited the audience to welcome them and thank them for their service, which was followed by applause from the audience. Mayor McCullough thanked all the former Mayors and Council members for being present this evening.

Item 17. on the Agenda. Communications from the City Manager.

City Manager Kirk Davis stated, on behalf of the staff, he would like to welcome aboard Councilman Hill, and said "enjoy the ride"! City Manager Davis congratulated Mayor Pro Tem Suter, and said hopefully, we can continue some of the progress we have made, and he is looking forward to the next year working with this Council. City Manager Davis said he would reserve a couple of comments for former Mayor Smith for when they are in private, and said he could not say enough about the job he has done this past year, and he thanked him for his comments about staff in his State of the City report. City Manager Davis said he and staff would miss Councilman Rudi. In her nine years, she went through two tornadoes, an ice storm, a downturn in the economy, and a lot of things happened in those years, but she was always steadfast in what she believed was the right thing to do for this City, and we will miss that leadership, and certainly have appreciated it.

City Manager Davis said the Home Show was a great success, and double the number of people attended this year. There were over 30 vendors, and hopefully, we will continue to build on that.

Mayor Pro Tem Suter said she had her solar fan spec'd today and it will be installed next week. She and her husband found a product they were impressed with at the Home Show.

Item 18. on the Agenda. **APPROVAL OF PARK FESTIVAL USE PERMITS** for the 15th Annual Gladstone Summertime Bluesfest in Oak Grove Park, 76th & North Troost, Friday and Saturday, June 10-11, 2011, including approval of designated smoking areas; and the 32nd Annual Gladfest Celebration on Friday, Saturday and Sunday, September 30, October 1 & 2, 2011, in the Gladstone Central Park area, near 69th & N. Holmes, under the sponsorship of the Gladstone Area Chamber of Commerce and the City of Gladstone.

Councilman Les Smith moved to approve **PARK FESTIVAL USE PERMITS** for the 15th Annual Gladstone Summertime Bluesfest in Oak Grove Park, 76th & North Troost, Friday and Saturday, June 10-11, 2011, including approval of designated smoking areas; and the 32nd Annual Gladfest Celebration on Friday, Saturday and Sunday, September 30, October 1 & 2, 2011, in the Gladstone Central Park area, near 69th & N. Holmes, under the sponsorship of the Gladstone Area Chamber of Commerce and the City of Gladstone. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Item 19. on the Agenda. **Other Business.**

Councilman Smith stated he was remiss in not welcoming Councilman Hill. It was not intentional, and said he was focused on the Mayor, and he apologized. Councilman Smith said he has known Councilman Hill for a long time, and knows he will make an outstanding Councilman.

Councilman Hill thanked Councilman Smith.

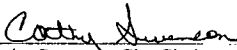
Item 20. on the Agenda. **Questions from the News Media.**

There were no News Media present.

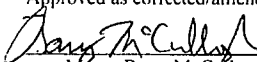
Item 21. on the Agenda. **Adjournment.**

There being no further business to come before the April 11, 2011, Gladstone Regular City Council Meeting, Mayor Barry McCullough adjourned the meeting, and invited everyone to stay for a reception honoring past and present City Council members. The reception would be held in the north and south conference rooms.

Respectfully submitted:



Cathy Swenson, City Clerk

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


Mayor Barry McCullough



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, APRIL 25, 2011**

OPEN STUDY SESSION: 5:30 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular April 11, 2011, City Council Meeting Minutes.
5. RECOGNITION OF LEADERSHIP ACADEMY GRADUATES.
6. PROCLAMATION: recognizing May 2011, as **OLDER AMERICANS MONTH**.
7. PROCLAMATION: recognizing **Building Safety Week** in the City of Gladstone, Missouri.
8. **CONSENT AGENDA**

RESOLUTION R-11-29, authorizing acceptance of work under contract with Miller Paving and Construction, LLC, for the Shoal Creek Bicycle/Pedestrian Bridge, and the Antioch Road/Shoal

Creek Bicycle/Pedestrian Connectors Projects; and authorizing final payment in the amount of \$500.00 for Projects TP0609 and TP0671.

RESOLUTION R-11-30, authorizing acceptance of work under contract with Precision Construction and Contracting, LLC, for the M-1 Bicycle/Pedestrian Trail Project; and authorizing final payment in the amount of \$500.00.

RESOLUTION R-11-31, authorizing execution of a contract with Amino Brothers Company, Incorporated, in the total amount not to exceed \$194,292.35 for the 70th Terrace and Walnut Street Improvements Project TP1011.

RESOLUTION R-11-32, authorizing execution of a contract with Linaweaver Construction, Incorporated, in the total amount not to exceed \$730,284.05 for the North Broadway Reconstruction – Northwest 72nd Street to 250 feet beyond the City Limits Project.

RESOLUTION R-11-33, accepting a Temporary Construction Easement from certain property owners in conjunction with the North Broadway Avenue Street Reconstruction Project.

RESOLUTION R-11-34, accepting Temporary Construction Easements from certain property owners in conjunction with the Northeast 76th Street Reconstruction Project.

RESOLUTION R-11-35, authorizing the City Manager to enter into an amended agreement with the Mid-America Regional Council (MARC) for professional administrative services for the administration of the Neighborhood Stabilization Program Grant Category #3.

APPROVAL OF MARCH FINANCIAL REPORT.

REGULAR AGENDA

9. Communications from the Audience.

10. **Communications from the City Council.**
11. **Communications from the City Manager.**
12. **RESOLUTION R-11-36**, authorizing the City Manager to execute an agreement with Commerce Bank for credit card processing services for the City of Gladstone, Missouri.
13. **FIRST READING BILL 11-15**, repealing Ordinance No. 4.142, and enacting a new Ordinance levying Sewer Service Charges and Commodity Rate Charges in the City of Gladstone, Missouri.
14. **FIRST READING BILL 11-16**, repealing Ordinance No. 4.119 and enacting in its place a new Ordinance governing a "Farmers' Market" within the City of Gladstone, to be administered by the Director of Community Development.
15. **PUBLIC HEARING:** to consider the suspension or revocation of the "Liquor Class AR" License issued to RNB, LLC dba MOJO.
16. **RESOLUTION R-11-37**, revoking the Class AR Liquor License held by RNB, LLC, doing business as MOJO.
17. **Other Business.**
18. **Questions from the News Media.**
19. **Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, APRIL 25, 2011**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Barry McCullough
Mayor Pro Tem Carol Suter
Councilman Les Smith
Councilmember Jean Moore
Councilman Brian Hill

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL.

Mayor Barry McCullough opened the Regular April 25, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Barry McCullough led the Pledge of Allegiance, in which all joined.

**Item 4. on the Agenda. APPROVAL OF THE REGULAR APRIL 11, 2011,
CITY COUNCIL MEETING MINUTES.**

Mayor Pro Tem Carol Suter moved to approve the **REGULAR APRIL 11, 2011, CITY COUNCIL MEETING MINUTES** as presented. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Item 5. on the Agenda. **RECOGNITION OF LEADERSHIP ACADEMY GRADUATES.**

Mayor McCullough invited all the City Council members to join him in front of the dais to present certificates to the Leadership Academy graduates as follows:

Bill Garnos, Kyle Yarber, Shelly True, Tiarra Norwood, Freddy Cooper, Donald Ward, Michael Holly, Staci Streich, Ronald Guglielmino, and Nicholas Jackalone.

Mayor McCullough expressed appreciation to the graduates by saying this is a wonderful opportunity to thank the many graduates. This is the fifth graduating class, and now these graduates are ready to become involved with City activities, as so many already are. Mayor McCullough said he and the City Council appreciate the graduates giving up their Thursday evenings to attend the classes and learn so much from the City staff. It was a lot of time and commitment, but so rewarding and insightful for the graduates. Mayor McCullough thanked the graduates for participating in the Leadership Academy, which was followed by applause from the audience.

City Manager Kirk Davis pointed out that there are three of the five members of the City Council who have been through the Leadership Academy in the past, and asked those three to please raise their hands. Mayor Barry McCullough, Mayor Pro Tem Carol Suter, and Councilmember Jean Moore raised their hands.

Item 6. on the Agenda. **PROCLAMATION: recognizing May 2011, as OLDER AMERICANS MONTH.**

Mayor McCullough invited Donald Harper, Chairman of the Board of Clay County Senior Services, to join him in front of the dais. Mr. Harper invited Parks and Recreation Director Sheila Lillis to also join them, and said that the Parks and Recreation Department have been great supporters of Senior activities in this area. People come from everywhere to Gladstone.

Mayor McCullough read and presented the Proclamation to Mr. Harper.

Mr. Harper thanked the Mayor and City Council, and said he did not receive this because he is a Senior, although he is one, but because he is the Chairman of the Board of Clay County Senior Services, and is deeply involved in all of these activities. Mr. Harper said the Board enjoys a wonderful working relationship with the City of Gladstone. Director Lillis and her staff are especially helpful in all the Senior Services activities, and that is very much appreciated. Mr. Harper said there would be a special Senior event, May 10, from 9:00 AM to Noon, at the Liberty Community Center, where there will be a lot of exhibits of interest to Senior Citizens, and also to those who may be Seniors in the not too distant future. Mr. Harper said the City of Gladstone would be one of the exhibitors. Mr. Harper invited everyone to attend this event to see what is going on in the Senior world. Mr. Harper thanked Mayor McCullough and Director Lillis for all they do for Senior Citizens.

Mayor McCullough thanked Mr. Harper for his leadership and for all he does for the community.

Mr. Harper said he was a member of the Public Safety Citizens' Academy, the predecessor of the Leadership Academy, and it was a great program, and he has not forgotten the many things he learned in it, and he still has his badge of honor from it.

Item 7. on the Agenda. **PROCLAMATION:** recognizing **BUILDING SAFETY WEEK** in the City of Gladstone, Missouri.

Mayor McCullough read and presented the Proclamation to Building Official Alan Napoli, who thanked the Mayor and City Council, which was followed with applause from the audience.

Item 8. on the Agenda. **CONSENT AGENDA**

Councilman Les Smith moved to approve the Consent Agenda as presented. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Councilman Les Smith moved to adopt **RESOLUTION R-11-29**, authorizing acceptance of work under contract with Miller Paving and Construction, LLC, for the Shoal Creek Bicycle/Pedestrian Bridge, and the Antioch Road/Shoal Creek Bicycle/Pedestrian Connectors Projects; and authorizing final payment in the amount of \$500.00 for Projects TP0609 and TP0671. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Councilman Les Smith moved to adopt **RESOLUTION R-11-30**, authorizing acceptance of work under contract with Precision Construction and Contracting, LLC, for the M-1 Bicycle/Pedestrian Trail Project; and authorizing final payment in the amount of \$500.00. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Councilman Les Smith moved to adopt **RESOLUTION R-11-31**, authorizing execution of a contract with Amino Brothers Company, Incorporated, in the total amount not to exceed \$194,292.35 for the 70th Terrace and Walnut Street Improvements Project **TP1011**. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Councilman Les Smith moved to adopt **RESOLUTION R-11-32**, authorizing execution of a contract with Linaweaver Construction, Incorporated, in the total amount not to exceed \$730,284.05 for the North Broadway Reconstruction – Northwest 72nd Street to 250 feet beyond the City Limits Project. Mayor Pro Tem Carol Suter seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Councilman Les Smith moved to adopt **RESOLUTION R-11-33**, accepting a Temporary Construction Easement from certain property owners in conjunction with the North Broadway Avenue Street Reconstruction Project. Mayor Pro Tem Carol Suter seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Councilman Les Smith moved to adopt **RESOLUTION R-11-34**, accepting Temporary Construction Easements from certain property owners in conjunction with the Northeast 76th Street Reconstruction Project. Mayor Pro Tem Carol Suter seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Councilman Les Smith moved to adopt **RESOLUTION R-11-35**, authorizing the City Manager to enter into an amended agreement with the Mid-America Regional Council (MARC) for professional administrative services for the administration of the Neighborhood Stabilization Program Grant Category #3. Mayor Pro Tem Carol Suter seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Councilman Les Smith moved to approve the **MARCH FINANCIAL REPORT**. Mayor Pro Tem Carol Suter seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

REGULAR AGENDA

Item 9, on the Agenda. **Communications from the Audience.**

Larry Newport, 2002 NE 69 Terrace, thanked Parks and Recreation Director Sheila Lillis and Senior Programmer Paige Robbins and all the Parks and Recreation Department for a nice Easter breakfast.

Item 10, on the Agenda. **Communications from the City Council.**

Councilman Brian Hill had no comments at this time.

Councilmember Jean Moore had no comments at this time.

Councilman Les Smith had no comments at this time.

Mayor Pro Tem Carol Suter said City Council members have been receiving many phone calls and e-mails from concerned citizens in regard to the single source waste disposal project. There is a lot of misunderstanding about this, and confusion. Mayor Pro Tem Suter said she received a call from someone who thought that the Council would be voting on this issue this evening. Mayor Pro Tem Suter encouraged people to go to the City's website, where there is a description of the process and the purpose of the project outlined; but of course, the City Council members are always happy to talk to people. It would be helpful if the Leadership Academy graduates would represent the City and the community to encourage people to be well informed and appropriately informed.

Mayor Pro Tem Suter pointed out that some people get upset about things that are not true at all and have no bearing on reality. There is a process, requests for proposals have been issued, the bids should be in next week, and then there will be a selection committee who will decide if there are any bids the City should pursue or consider, if there are, there will be community meetings and people will have the opportunity to hear what the exact proposal is and to express their opinions before it ever gets back to the City Council for a vote. Mayor Pro Tem Suter encouraged everyone to help clear up misconceptions, if they hear them, or if they encounter people who seem upset, to encourage them to contact the City Council or the City Manager, or anyone else at City Hall, who can help give them the straight story.

Mayor Pro Tem Suter said she wished to add her personal thanks to those in the Leadership Academy, because it did take a lot of time, but it was a fun thing. Mayor Pro Tem Suter encouraged the graduates to keep paying attention, as once they are done, they are now prime candidates for some more activity with the City. In the fall, every year, the City Council accepts applications and conducts interviews to fill vacancies on all the Boards and Commissions for the City. It is a great opportunity to get involved in some way. Mayor Pro Tem Suter encouraged the graduates to watch for announcements about this later in the year.

Mayor Barry McCullough reported that one of the Leadership Academy graduates, Kyle Yarber, is being appointed to the Planning Commission. Mayor McCullough congratulated Mr. Yarber. Mayor McCullough stated that he would like to announce the Council liaison positions as follows:

Councilman Hill will be serving as the liaison to the Planning Commission, the Code Board of Appeals, and the Industrial Development Authority.

Councilmember Moore will be serving as the liaison to the Parks and Recreation Advisory Board, the Environmental Management Advisory Committee, and the Arts Commission.

Councilman Smith will be serving as the liaison to the Road District, the Tax Increment Financing Commission, and the Neighborhood Commission.

Mayor Pro Tem Suter will be serving as the liaison to the Capital Improvements Program Committee, the Board of Zoning Adjustment, and the Telecommunications Advisory Board.

Mayor McCullough will be serving as the liaison to the Planning Commission, the Capital Improvements Program Committee, and the Gladstone Economic Betterment Council.

Item 11. on the Agenda. **Communications from the City Manager.**

City Manager Kirk Davis reported that the Beautification event would be held this weekend at Happy Rock Park. On Friday, Saturday and Sunday, dumpsters would be available for disposal of items. The following weekend is the free brush drop-off at the Public Works site. This event will be May 7 and 8. These are two important City events.

Councilman Les Smith asked if the Council should formally appoint Mr. Yarber to the Planning Commission.

Mayor McCullough said that does need to be done.

Councilman Les Smith moved to appoint Kyle Yarber to the Planning Commission for the appropriate term. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" -- Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Item 12. on the Agenda. **RESOLUTION R-11-36**, authorizing the City Manager to execute an agreement with Commerce Bank for credit card processing services for the City of Gladstone, Missouri.

Mayor McCullough stated that Item 12. on the Agenda has been postponed until the next City Council meeting.

Item 13. on the Agenda. **FIRST READING BILL 11-15**, repealing Ordinance No. 4.142, and enacting a new Ordinance levying Sewer Service Charges and Commodity Rate Charges in the City of Gladstone, Missouri.

Mayor Pro Tem Carol Suter moved to place **Bill 11-15** on its First Reading. Councilman Les Smith seconded. The vote: All "aye" -- Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the First Reading of **Bill 11-15**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Les Smith seconded. The vote: All "aye" -- Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the Second and Final Reading of **Bill 11-15** and to enact the Bill as **Ordinance 4.187**. Councilman Les Smith seconded.

Roll call vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Item 14. on the Agenda. **FIRST READING BILL 11-16**, repealing Ordinance No. 4.119 and enacting in its place a new Ordinance governing a "Farmers' Market" within the City of Gladstone, to be administered by the Director of Community Development.

Councilman Les Smith moved to place **Bill 11-16** on its First Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilman Les Smith moved to accept the First Reading of **Bill 11-16**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilman Les Smith moved to accept the Second and Final Reading of **Bill 11-16** and to enact the Bill as **Ordinance 4.188**. Councilmember Jean Moore seconded.

Roll call vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Item 15. on the Agenda. **PUBLIC HEARING:** to consider the suspension or revocation of the "Liquor Class AR" License issued to RNB, LLC dba MOJO.

Mayor McCullough announced that there would be no City Council action this evening on Agenda Items 15 and 16.

Item 16. on the Agenda. **RESOLUTION R-11-37**, revoking the Class AR Liquor License held by RNB, LLC, doing business as MOJO.

No City Council action taken on this Agenda item.

Item 17. on the Agenda. **Other Business.**

There was no other business.


Item 18. on the Agenda. **Questions from the News Media.**

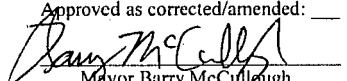
There were no News Media present.

Item 19. on the Agenda. **Adjournment.**

There being no further business to come before the April 25, 2011, Gladstone Regular City Council Meeting, Mayor Barry McCullough adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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

Mayor Barry McCullough



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MAY 9, 2011**

The City Council will meet in Closed Executive Session on Monday, May 9, 2011, immediately following the Regular City Council Meeting, in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 5:30 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular April 25, 2011, City Council Meeting Minutes.
5. **PROCLAMATION:** declaring May 21st, 2011, as **NATIONAL KIDS TO PARKS DAY** in the City of Gladstone, Missouri.

6. **PROCLAMATION:** recognizing the week of May 15 - 21, 2011, as **EMERGENCY MEDICAL SERVICES WEEK** in Gladstone, Missouri.
7. **PROCLAMATION:** recognizing the week of May 15-21, 2011, as **POLICE WEEK**, and May 15, 2011, as **PEACE OFFICERS MEMORIAL DAY** in Gladstone, Missouri.

8. CONSENT AGENDA

RESOLUTION R-11-38, authorizing the destruction of certain records in accordance with RSMO Chapter 109 and applicable State Retention Schedules.

RESOLUTION R-11-39, authorizing an agreement between the City of Gladstone and the engineering firm of Camp, Dresser, and McKee for the Rock Creek FEMA Floodplain Review.

RESOLUTION R-11-40, authorizing acceptance of work under contract with Blue Nile Engineering, Incorporated, for the 76th and Lydia Drainage Improvements Project; and authorizing final payment in the amount of \$20,650.20.

BUILDING PERMIT: for construction of a new McDonald's restaurant on property located at 6300 North Oak Trafficway. Applicant: Ozark Civil Engineering, Inc. Owner: McDonald's.

REGULAR AGENDA

9. **Communications from the Audience.**
10. **Communications from the City Council.**
11. **Communications from the City Manager.**

12. **RESOLUTION R-11-41**, authorizing the City Manager to execute a cooperative agreement with the Village of the Oaks for asphalt surface patching and asphalt resurfacing on Valley Street from Englewood Road to Barnes Avenue.
13. **RESOLUTION R-11-36**, authorizing the City Manager to execute an agreement with Commerce Bank for credit card processing services for the City of Gladstone, Missouri.
14. Other Business.
15. Questions from the News Media.
16. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MAY 9, 2011**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Barry McCullough
Mayor Pro Tem Carol Suter
Councilman Les Smith
Councilmember Jean Moore
Councilman Brian Hill

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL.

Mayor Barry McCullough opened the Regular May 9, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Barry McCullough led the Pledge of Allegiance, in which all joined.

**Item 4. on the Agenda. APPROVAL OF THE REGULAR APRIL 25, 2011,
CITY COUNCIL MEETING MINUTES.**

Councilman Brian Hill moved to approve the **REGULAR APRIL 25, 2011, CITY COUNCIL MEETING MINUTES** as presented. Councilman Les Smith seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

**Item 5. on the Agenda. PROCLAMATION: declaring May 21st, 2011, as
NATIONAL KIDS TO PARKS DAY in the City of Gladstone, Missouri.**

Mayor McCullough read and presented the Proclamation to Parks and Recreation Director Sheila Lillis.

Director Lillis thanked the Mayor and City Council members, and said the new Happy Rock playground would be dedicated at 10:00 AM on May 21. This project was funded through the Land and Water Conservation Fund. The playground is getting a lot of use not only from young kids, but from bigger kids too. Hopefully, there will be a lot of people on hand to participate in the dedication.

Item 6. on the Agenda. **PROCLAMATION:** recognizing the week of May 15 - 21, 2011, as **EMERGENCY MEDICAL SERVICES WEEK** in Gladstone, Missouri.

Mayor McCullough read and presented the Proclamation to Battalion Chief Curtis Norris, who thanked the Mayor and Council for their continuous support of EMS (Emergency Medical Services) and Fire Operations for the City of Gladstone.

Mayor McCullough thanked Battalion Chief Norris for all he does, and also thanked the EMS and Fire personnel who were at the meeting.

Item 7. on the Agenda. **PROCLAMATION:** recognizing the week of May 15 -21, 2011, as **POLICE WEEK**, and May 15, 2011, as **PEACE OFFICERS MEMORIAL DAY** in Gladstone, Missouri.

Mayor McCullough read and presented the Proclamation to Police Sergeant Rob Hays, who thanked the Mayor and Council, and the citizens of the City of Gladstone for this recognition.

Mayor McCullough thanked Sergeant Hays for all he does, and also thanked the Police personnel who were at the meeting.

Item 8. on the Agenda. **CONSENT AGENDA**

Mayor Pro Tem Carol Suter requested that the Building Permit be removed from the Consent Agenda, for consideration under the Regular Agenda.

Mayor McCullough stated that item would be considered as Item 8a.

Councilman Les Smith moved to approve the Consent Agenda as amended. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Councilman Les Smith moved to approve **RESOLUTION R-11-38**, authorizing the destruction of certain records in accordance with RSMO Chapter 109 and applicable State Retention Schedules. Mayor Pro Tem Carol Suter seconded.

The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Councilman Les Smith moved to adopt **RESOLUTION R-11-39**, authorizing an agreement between the City of Gladstone and the engineering firm of Camp, Dresser, and McKee for the Rock Creek FEMA Floodplain Review. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Councilman Les Smith moved to adopt **RESOLUTION R-11-40**, authorizing acceptance of work under contract with Blue Nile Engineering, Incorporated, for the 76th and Lydia Drainage Improvements Project; and authorizing final payment in the amount of \$20,650.20. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

REGULAR AGENDA

Item 8a. on the Agenda. BUILDING PERMIT: for construction of a new McDonald's restaurant on property located at 6300 North Oak Trafficway. Applicant: Ozark Civil Engineering, Inc. Owner: McDonald's.

Mayor Pro Tem Carol Suter moved to approve as presented a **BUILDING PERMIT:** for construction of a new McDonald's restaurant on property located at 6300 North Oak Trafficway. Applicant: Ozark Civil Engineering, Inc. Owner: McDonald's. Councilman Les Smith seconded.

Mayor Pro Tem Suter stated that she appreciated that this project is going to be a real addition to Gladstone. We have had a really wonderful relationship with McDonald's in the City for a long time, and this looks to be an exciting new project. Mayor Pro Tem Suter said she had some concerns about the plan as proposed, and was happy that the applicant was willing to make some changes in the façade of the visual interest of the project. Mayor Pro Tem Suter said in conversation, she encouraged other Council members to speak if they are moved, and she thinks there is room for some more visual interest in this project. Mayor Pro Tem Suter asked City Counselor Randall Thompson if it was possible for the City Council to approve a permit with a proviso that staff, to the best of their ability, continue to negotiate with the applicant to improve the visual interest of the project?

Counselor Thompson replied yes, the City Council may do that.

Councilman Les Smith said to Assistant City Manager Scott Wingerson that he believed a representative of McDonald's was present at this meeting, and asked if there was a commitment from the folks from McDonald's to enhance this building a bit as we go through the process?

Assistant City Manager Scott Wingerson replied that Howard Johnson from McDonald's Corporation was present this evening, and they had a few minutes to talk right before the

meeting, and of course, they are willing to continue to work with the City Council and staff to achieve the best project possible.

Councilman Brian Hill said he, too, would encourage some visual enhancements, and would be willing to approve this permit on the basis that the applicant will work with City staff on some additional enhancements to the façade of the building – nothing really structural – to change the roof line, maybe the awnings, and perhaps some of the accents to make the project a little more architecturally appealing.

Mayor McCullough said he concurred with everything that had been said by the City Council members, and said he believes this project is a fantastic benefit to the community, and he looks forward to the new building. It just would be nice to have a few other enhancements to the outside appearance.

Councilman Smith said Mayor Pro Tem Suter asked Counselor Thompson about a proviso to the motion, and personally, the Council has known the Wagys for a long time. They have done business in this community forever, and he feels confident that if the Council has their word that they will attempt to make some enhancements to the project, that is good enough for him. The interesting thing is going to be is that there may be some Council members who really like it, and how is staff going to manage those enhancements. Councilman Smith stated to Mr. Wingerson that what may be an enhancement to some, might be a detriment to others, so he wishes staff all the luck in the world in working through the process.

Mr. Wingerson thanked Councilman Smith.

The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Item 9. on the Agenda. **Communications from the Audience.**

Anne Alexander, 3121 NE 59 Terrace, Apt. #3, began by saying she had just been told that it is incredibly difficult to write an Ordinance controlling a dog's barking – how loud it can bark. That does not mean it is impossible. Ms. Alexander said this says to her that there can be written an Ordinance to control her, but not to control an animal - let's get real. Ms. Alexander said she lives in Gladstone by choice, and as the City Council knows, she volunteers with various projects, and she is back again, and said that she and Councilman Smith have discussed the fact that barking dogs are a continuing problem in Gladstone, and she was at the meeting to plead with the City Council to draft an Ordinance that will control the noise limit on dogs. Why should she be up from midnight to 5:00 AM over and over? She is going back to court for the fifth time.

Ms. Alexander said she sat in court Saturday morning for an hour and a half, only to discover her case had been continued until the first of June. Ms. Alexander said she could think of a lot more fun things, although, court is interesting. If people are having a party and making noise, the police take care of it. If a person wants to come into her home

uninvited, the police can take care of it. Why should an animal be allowed to come into her home, uninvited, unwanted, and nothing can be done about it? The police have been wonderful, but they are limited in what they can do.

Ms. Alexander stated that, again, she wished to plead for an animal Ordinance. Ms. Alexander said if it is difficult – OK, the City Council handles difficult things all the time – don't ever tell her something cannot be done, because it is difficult. Ms. Alexander said she was mad and stubborn, and wants the (expletive) dog to shut up during the early morning hours, and said she is right, there is no question about it. Ms. Alexander asked the City Council if they wanted the citizens of Gladstone to spend the early morning hours trying to shut up a dog and going to court for the fifth time, or do they want her to volunteer for the good of the City? Ms. Alexander said she would be back if she needed to.

Mayor McCullough thanked Ms. Alexander, and said they have visited about this repeatedly, and the Council will talk to staff about the possibilities on this issue.

Item 10. on the Agenda. **Communications from the City Council.**

Councilman Brian Hill had no comments at this time.

Councilmember Jean Moore had no comments at this time.

Councilman Les Smith had no comments at this time.

Mayor Pro Tem Carol Suter said she wished to express sympathy to families who lost loved ones this week. We had a strange week in Gladstone where two deadly accidents involving four different Gladstone parties occurred in one week. This is quite unusual. There were two 2-car accidents, and in both cases a resident of Gladstone was the driver, and in both instances, the driver was killed. This is a tragedy for Gladstone.

Mayor Barry McCullough said he has had the opportunity to be in our City's parks a few times the last couple of weeks, and has had a fantastic time in seeing more people in Oak Grove and Happy Rock Parks than he has ever seen before, walking their dogs and just strolling. Last Tuesday evening he was there for a Rotary event, and it was amazing how full the parking lot was and all the activity that was happening.

Item 11. on the Agenda. **Communications from the City Manager.**

City Manager Kirk Davis reported that this Saturday is the Youth Triathlon, from 9:00 AM to 11:00 AM. City Manager Davis invited everyone to attend this event at the Community Center to watch the young folks compete. It really is pretty fun.

City Manager Davis reported that the Park Master Plan meeting would be at 7:00 PM, tomorrow night at the Community Center. There will be an ability to share ideas on the Park Master Plan with the consultants.

Councilman Les Smith stated that Steve Bindseil, General Manager of Hy-Vee, has announced his retirement, and there was an open house for him this past weekend. Councilman Smith said what really struck his memory was when City Manager Davis mentioned the Youth Triathlon. Sponsorship and financial support for this event had dwindled, and that is just another example of how Mr. Bindseil, not only through Hy-Vee, but also in reaching out to his suppliers and vendors, and so forth, in essence, saved it and made it bigger and better than ever last year. Councilman Smith said Mr. Bindseil was a very willing participant in doing so, but as the City Council knows, he has facilitated many good things for this community, and he knows from time to time Mr. Bindseil reads the City Council meeting minutes, so he wanted to be on record as congratulating him on his retirement, and thanking him for all that he has done for our community.

Mayor McCullough thanked Councilman Smith, and agreed that the City Council appreciates everything that Mr. Bindseil has done for our community.

Item 12. on the Agenda. **RESOLUTION R-11-41**, authorizing the City Manager to execute a cooperative agreement with the Village of the Oaks for asphalt surface patching and asphalt resurfacing on Valley Street from Englewood Road to Barnes Avenue.

Councilman Les Smith moved to adopt **RESOLUTION R-11-41**, authorizing the City Manager to execute a cooperative agreement with the Village of the Oaks for asphalt surface patching and asphalt resurfacing on Valley Street from Englewood Road to Barnes Avenue. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Item 13. on the Agenda. **RESOLUTION R-11-36**, authorizing the City Manager to execute an agreement with Commerce Bank for credit card processing services for the City of Gladstone, Missouri.

Councilman Brian Hill moved to adopt **RESOLUTION R-11-36**, authorizing the City Manager to execute an agreement with Commerce Bank for credit card processing services for the City of Gladstone, Missouri. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (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 News Media present.

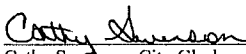
Item 16. on the Agenda. **Adjournment to Closed Executive Session.**

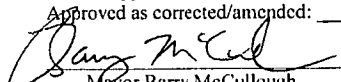
There being no further business to come before the May 9, 2011, Gladstone Regular City Council Meeting, Mayor Barry McCullough adjourned the Regular meeting to go into a Closed Executive Session.

Councilman Les Smith moved to adjourn to a Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion. Mayor Pro Tem Carol Suter seconded.

Roll Call Vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0)

Respectfully submitted:


Cathy Swenson, City Clerk

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

Mayor Barry McCullough



PUBLIC NOTICE

**GLADSTONE CITY COUNCIL
MEETING**

TO DISCUSS CITY COUNCIL VACANCY

MONDAY, MAY 16, 2011

4:00 PM

- LOCATION -

GLADSTONE CITY HALL

CITY MANAGER'S OFFICE

7010 NORTH HOLMES

GLADSTONE, MISSOURI

**Representatives of the News Media may obtain copies of this notice by
contacting:**

**City Clerk Cathy Swenson
7010 N Holmes
423-4096**



**NOTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MAY 16, 2011
4:00 PM**

PRESENT: Mayor Barry McCullough
Mayor Pro Tem Carol Suter
Councilman Les Smith
Councilmember Jean Moore
Councilman Brian Hill

City Manager Kirk Davis
City Counselor Randall Thompson
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL

Mayor Barry McCullough opened the May 16, 2011, City Council Meeting at 4:00 PM in the City Manager's office, and noted that all Council members were present.

Item 3. on the Agenda. Review of Applications for City Council Vacancy

Discussion ensued regarding the City Council vacancy to be left by retiring Councilman Les Smith. Councilman Smith's retirement date is effective June 30, 2011

The following timeline will be followed:

Richard is asked to run the approved press release this week and next week & post the press release on the website. I will post on the front window.

June 3rd is the deadline for the applicants.

June 7th @ 5:30 PM - the Council will review applications

June 14 @ 5:30 PM - the Council will conduct interviews at their discretion

June 22 @ 5:30 PM - is an alternate date for interviews, if necessary.

Item 4, on the Agenda.

Other Business.

There was no other business.

Item 5, on the Agenda.

Questions from the News Media.

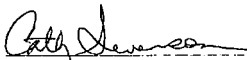
There were no News Media present.

Item 6, on the Agenda.

Adjournment.

There being no further business to come before the May 16, 2011, Gladstone City Council Meeting, Mayor Barry McCullough adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MAY 23, 2011**

The City Council will meet in Closed Executive Session on Monday, May 23, 2011, at 6:00 PM, immediately before the Open Study Session, in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 6:15 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular May 9, 2011, City Council Meeting Minutes.

5. **PROCLAMATION:** recognizing the many contributions of **STEVE AND VICTORIA BINDSEIL** to the City of Gladstone Community.

6. **CONSENT AGENDA**

RESOLUTION R-11-42, authorizing the City Manager to execute a Cooperative Agreement with the City of Liberty, Missouri for street sweeping.

RESOLUTION R-11-43, accepting a Temporary Construction Easement and a Quit-Claim Deed from certain property owners in conjunction with the Northeast 70th Terrace and North Walnut Street Improvements.

RESOLUTION R-11-44, authorizing execution of a contract with Wilson Plumbing Company, in the total amount not to exceed \$492,126.86 for the 2011 Small Water Main Replacement Project.

RESOLUTION R-11-45, authorizing the Gladstone City Manager to execute Joint Payment Agreements with Miller Paving & Construction, LLC and Miller's subcontractors as are necessary to complete payment of the 2011 Curb, Gutter and Sidewalk Program.

APPROVAL OF THE FINANCIAL REPORT FOR APRIL 2011.

REGULAR AGENDA

7. **Communications from the Audience.**
8. **Communications from the City Council.**

8a. Board and Commission Appointments.

9. Communications from the City Manager.

10. **PUBLIC HEARING:** on the proposed Fiscal Year 2012 Annual Operating Budget for the City of Gladstone, Missouri.

11. Other Business.

12. Questions from the News Media.

13. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MAY 23, 2011**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:00 PM**

Mayor Barry McCullough opened the City Council Meeting to adjourn to a Closed Executive Session on May 23, 2011, at 6:00 PM. Councilman Les Smith made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilmember Jean Moore seconded.

Roll Call Vote: All "aye" – Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (4-0).

Councilman Brian Hill was also present at the Closed Executive Session.

Mayor Barry McCullough adjourned the Closed Executive Session.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Barry McCullough
Mayor Pro Tem Carol Suter
Councilman Les Smith
Councilmember Jean Moore
Councilman Brian Hill

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL.

Mayor Barry McCullough opened the Regular May 23, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Barry McCullough led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR MAY 9, 2011, CITY COUNCIL MEETING MINUTES.**

Councilman Brian Hill moved to approve the **REGULAR MAY 9, 2011, CITY COUNCIL MEETING MINUTES** as presented. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Item 5. on the Agenda. **PROCLAMATION:** recognizing the many contributions of **STEVE AND VICTORIA BINDSEIL** to the City of Gladstone Community.

Mayor McCullough read and presented the Proclamation to Steve and Victoria Bindseil.

Mr. Bindseil thanked the Mayor and City Council members, and said he and his wife love living in the Gladstone community, and they like living in a place where not only the community gets involved in different city events, but it is also nice working with City employees, who are responsive to the citizens' needs. The City Council is always willing to listen to any ideas that he and his wife, Victoria, may have. Mr. Bindseil said he was at the Englewood Hy-Vee, where they caught a shoplifter. He asked the manager if they were going to call the Kansas City police. The manager's reply was that it would take them an hour and a half to get there. Mr. Bindseil said that when he would call from the Gladstone Hy-Vee, depending on what he said, the police would arrive between one to four minutes. These are some of the great things about living in Gladstone. The City is responsive to the needs of the store and also to the needs of the community. Mr. Bindseil said he and Victoria appreciate living in the Gladstone area.

Mayor McCullough thanked Mr. and Mrs. Bindseil for all they have done for the community.

Item 6. on the Agenda. **CONSENT AGENDA**

Following the Clerk's reading, Mayor Pro Tem Carol Suter moved to approve the Consent Agenda as presented. Councilman Les Smith seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-42**, authorizing the City Manager to execute a Cooperative Agreement with the City of Liberty, Missouri for street sweeping. Councilman Les Smith seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-43**, accepting a Temporary Construction Easement and a Quit-Claim Deed from certain property owners in conjunction with the Northeast 70th Terrace and North Walnut Street Improvements. Councilman Les Smith seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-44**, authorizing execution of a contract with Wilson Plumbing Company, in the total amount not to exceed \$492,126.86 for the 2011 Small Water Main Replacement Project. Councilman Les Smith seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to approve the **FINANCIAL REPORT FOR APRIL 2011**. Councilman Les Smith seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

REGULAR AGENDA

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

Donald Harper, 1606 NE 68th Terrace, said as a member of the Parks and Recreation Advisory Board, he wished to comment that in most everything that has been done in the Parks area, Steve Bindseil has always been there, even if it is 5:00 in the morning for the 5K Run, or something. He has always been there, right behind the City in anything that is done. Mr. Harper said he wished to say thanks from the Parks Board side to him.

Mr. Harper said the Joplin tragedy brought a question to his mind, and he asked if our City has a reverse 911 system. The tornado in Joplin happened in the late afternoon, when people were not in bed asleep. Mr. Harper asked if Gladstone citizens could be notified by telephone in the event of an emergency. Mr. Harper asked do we have it and if not, why not? It would seem to be a great thing to wake people up in the middle of the night to tell folks to go to their basements.

City Manager Kirk Davis replied there is not a reverse 911 system in Gladstone. City Manager Davis asked Captain Bob Baer, who was in the audience, if North Kansas City started a reverse calling system, and have they dropped that because of costs?

Captain Baer said that was correct, and the City of Gladstone was in a cooperative effort with several other cities, like Liberty, and the other cities started to drop out because of the expense. Our City found out in the last tornado, when we actually used it, that we used up the minutes so fast, the billing was astronomical.

Mayor McCullough asked if there has been a possibility of lower rates since that time, or could that be looked into since it has been several years?

City Manager Davis said that has not been looked into for a long time, and he would be happy to do that.

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

Councilman Brian Hill thanked City staff and members of the community for the very successful opening of the Farmers' Market last week. It was well attended and he hopes the attendance continues, and the vendors continue. It is a great City program.

Councilmember Jean Moore had no comments at this time.

Councilman Les Smith said that Mr. Bindseil is a great contributor to our community, not just through his role as the Gladstone store manager, but personally, he and Victoria have given a lot to our community. They have a real passion for helping others. Councilman Smith said as a side note, Victoria makes the most awesome apple pie ever, anytime, anywhere.

Councilman Smith said he wished to hitchhike on Councilman Hill's comments regarding the Farmers' Market, and also mention that we had a play structure ribbon cutting on Saturday. It was an interactive play structure, and it fits in nicely with our theme of a healthy community. Councilman Smith congratulated the Parks and Recreation Department for this nice event.

Councilman Smith said there were a number of things at the Farmers' Market that will be of benefit to the Council's team in the Strive to Thrive competition. Fruits and vegetables were discussed that day, and he found a ton of cherries in his cherry pie, for example, and there was potato bread and kettle corn, so it was a very worthwhile event, and it is helping the Council team greatly.

Councilman Smith said the tragedy in Joplin makes us appreciate even more the way that we are prepared. He has been through three tornados. Way back, one hit in the area of Gladstone Bowl, the second hit in 2003, and one subsequent to that. It just proves that the efforts put into our Emergency Response Plan that we put on the shelf pay off, and it is good to be able to pull it off the shelf, and he commends the City Manager on down through the Public Safety Department, Public Works and others for having those plans in place so we could respond to our citizens' needs when that happened in our community.

Mayor Pro Tem Carol Suter said she wished to express her heartfelt sympathy to the people of Joplin and also her pride in our city, that we are one of the many who are ready, willing and able to respond to help them in any way that we can, and to offer our equipment and personnel. Mayor Pro Tem Suter said she also wished to express her support and appreciation, especially to Parks and Recreation and Public Works, as the holiday reminds us this week that summer has kicked off, and their workload now goes up even more than what they normally do. We really appreciate everything they do, and all the programs that we offer to the community. Public Works, especially, in addition to their

regular work, is working on the City's single source trash hauling contract, and now as they are working in cooperation with Joplin, she really appreciates the extra energy and effort that they are putting into improving our community and others.

Mayor Barry McCullough said he wished to commend City Manager Kirk Davis and staff as a whole. He called Mr. Davis last evening a little after 8:00 PM, to see what our City's capabilities were for donating assistance to Joplin, and by this morning there was a plan, and implementation and our commitment was made, as well as extensive communication with the folks in Joplin. Mayor McCullough said he was very happy to see the efficiency of our staff and our ability to assist a neighboring community, even though they are three hours away, and he appreciates that effort.

Mayor McCullough said our City had a fantastic opening for the National Kids To Parks Day, and christening our playground equipment; although, he believes the kids had already christened it pretty well. There was a nice turnout with City Council, and staff was there in full force, and several of our Parks Board members were there. It was a very nice get-together.

Item 8a. on the Agenda. **Board and Commission Appointments.**

Councilmember Les Smith moved to appoint Jim Butler to the Environmental Management Advisory Committee and David Fricke to the Neighborhood Commission. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Item 9. on the Agenda. **Communications from the City Manager.**

City Manager Kirk Davis reported City Hall is closed Monday for Memorial Day. City Manager Davis said the person the Council wanted to mention and did not is Becky Jarrett who really put in a lot of time to organize the Farmers' Market and to plan the kickoff event. City Manager Davis asked Assistant City Manager Scott Wingerson to pass along his appreciation for the effort she made, as well as a number of other employees, but especially, Becky – he very much appreciates it.

City Manager Davis said Joplin was mentioned. Many communities from the metro area responded to this tragedy. Our City as well responded. We have a commitment to that city for at least three weeks, with efforts from Public Works and a little help from Parks and Recreation, and some of the equipment that we have been able to acquire, along with these staff members, are all headed down there. Fire Inspector Chuck Duddy is going to coordinate some of the efforts there, and is down there now working with them, and will put our people to work tomorrow when they get there. We did not have a problem getting people to volunteer for what will be very tough duty. City Manager Davis said he was very proud of our Public Works and Parks employees.

Item 10. on the Agenda. **PUBLIC HEARING:** on the proposed Fiscal Year 2012 Annual Operating Budget for the City of Gladstone, Missouri.

Mayor McCullough opened the Public Hearing.

City Manager Davis began by saying submitted herewith is the Fiscal Year 2012 budget and program of services for the City of Gladstone. The annual budget for FY 12 as proposed represents the strategic, administrative and financial plan of the City. The budget is the product of a comprehensive team effort from every level of the municipal organization. The FY 12 budget illustrates a conservative approach utilized by the City Council and City staff to develop a proposed budget, which benefits the entire City and the residents. The budget continues a conservative revenue prognostication. The projects are very achievable. It maintains the overall budget constraints necessary for fiscal stability, not only this year, but in the future. The budget still manages to maintain a required commitment to outstanding services for all Gladstone residents, as well as to the employees who provide those citizens services. This budget continues the emphasis on City Council goals, our redevelopment initiatives, as well as the momentum that was established by Gladstone on the Move. It also meets the Budget Team's goals of funding personnel merit increases this year, requested positions in Parks and Recreation, Public Works and Public Safety, as well as mitigating health care costs and funding a reasonable fleet replacement schedule.

City Manager Davis said in the General Fund, total budgeted revenues are projected to be \$16,059,982. In that fund, property tax revenues are projected to be \$3,237,961, a decrease of \$70,004, or 2.12 percent. General Fund Sales Tax revenue is projected to remain flat at \$3,144,000. Gross Receipts Tax revenue is projected at \$3,600,000 or 22.4 percent of the budget. This is a slight decrease of \$2,000 over FY 11. Property tax, sales tax, and gross receipts tax are a little over 60 percent of our revenue picture. License and Permit revenues are projected for \$407,600 for FY12, which reflects a small decrease of \$1,300 over FY 11. Intergovernmental Revenue for FY 12 is expected to increase by \$61,573. These revenues are projected to be \$1,228,089 or 7.6 percent of total revenues. Charges for services total \$2,603,360 or 16 percent of total revenues and are projected to decrease \$27,777 for FY 12. Fines and Forfeitures revenue account for 6.8 percent of total revenues, and are estimated to be \$1,093,000 in FY 12. This is an anticipated increase of approximately \$28,400 over FY 11. Miscellaneous Revenue and Transfers (\$746,112) are expected to decrease \$474,478. A large portion of the Miscellaneous Revenue in FY 11 was for the one time T-Mobile Wireless settlement. These revenues are not available for FY 12, which accounts for the expected decrease. Fund balance exceeds the 20 percent reserve requirement by \$6,402 with a positive net income of \$72,733.

City Manager Davis reported in the General Fund, on the expenditure side, projected expenditures are \$15,987,249. This represents a \$834,332 decrease or 4.96 percent decrease compared to FY 11 expected expenditures. Personnel services show an overall increase of an estimated \$57,886 or .5 percent over FY 11 expected. As projected, health care costs for FY 12 will increase about \$120,000. LAGERS will also increase for Public Safety employees for about \$62,000. On the positive side, the base salary cost for FY 12

include a recommended 2 percent merit pay pool, and new positions totaling approximately \$58,000 in costs. Supplies and services have decreased by \$150,086 over FY 11, mainly due to good management and fiscally conservative budgets submitted by the Department Heads. Capital purchases were funded in the amount of \$177,325. Debt service and transfers have decreased by \$744,983 over FY 11 expected.

City Manager Davis continued by reporting that relative to the capital and supplemental requests, the proposed budget attempted to address the top budget priorities of each department, and recommended funding a total of \$355,841 for capital and supplemental requests this year. It is maybe the most we have had in several years for capital and supplemental. Capital purchases recommended for funding amounts to \$177,325. In Public Safety, two motorcycles will be replaced, one patrol car with all necessary lighting and equipment, as well as two Life Packs and one Auto Pulse. Five items costing \$427,000 will be lease financed over four years for a total projected FY 12 cost of \$88,125. The fleet lease was paid off in FY 11, and therefore, some funding became available. Items to be financed for Public Works and Public Safety include a one-ton 4X4 dump truck, with a plow; a wheeled loader with a bucket that will be split with the water fund; a tractor with a cab and boom mower; a dump truck with a plow and spreader; and an animal control van in Public Safety. In Parks and Recreation, there is an infield ball diamond groomer and a used half-ton truck funded. On the supplemental side, Finance is going to receive \$41,000 for technology improvements. Public Safety received funding for \$14,015 for digitizing records, \$19,331 for bulletproof vests, and an additional \$1,500 for microfilming costs. One additional part-time kennel attendant was funded. Public Works funding totaled \$26,272. This includes \$8,000 to upgrade signage to reflect new standards, and \$18,272 for additional personnel: one seasonal maintenance worker and to reclass an engineer in training. In Parks and Recreation, \$53,025 was recommended for funding. Parks and Recreation items include \$27,250 in building requests for a tool storage shed and City Hall roof repairs. Recommended funding for supplemental included \$1,600 for a trifold marketing stuffer, \$750 increase in credit card processing fees, and \$23,425 for personnel that includes a part-time Arts Coordinator and a part-time Park Crew member. Non Departmental requests totaled \$6,000 for tuition reimbursements.

City Manager Davis stated this budget focuses on Council goals, and he would not go through all of the Council goals, as the Council has received updates just recently on those. For the public's benefit, those goals include: Implementation of the \$3.7 Million Road Improvement Program, which is essentially 76th Street, Broadway and two overlay components. Implement the \$5 Million Water/Sewer Improvement Program. This budget memo contains a chart for all of those improvements. Implement the Public Safety Sales Tax Program, that is, the six officers, related equipment, automobiles, and the payments on the new Public Safety radio system. Initiatives for Redevelopment of the Village Center, that includes North Oak Streetscape Project that is nearing completion. The 2011 COP (Certificates of Participation) includes a number of improvements in the Village Center area. The Gladstone 18 building is moving forward. Continue Emphasis and Implementation of Housing and Neighborhood Initiatives. There was discussion this evening about the safe residents program, and a number of neighborhood grants. There are 10 or 12 objectives mentioned in the memo. Implement Practices in Support of the

Mayor's Climate Projection Agreement. Many things have happened, such as the Home Show, the building efficiency grants, the water storage solar mixer, the LED lights and so forth. Continue Emphasis on Developing Community Health Program Initiatives. There is our third annual Health Fair coming up this year. The Farmers' Market falls in this category as an objective. The walking competitions are underway. Physical fitness is being promoted at the Community Center, the outdoor pool, in the parks and in the playgrounds and elsewhere. We are very committed to that objective. A new community garden was started in a partnership with North Kansas City School District last year. It is anticipated that will continue. Pursue Single Source Solid Waste Disposal. This is in the works as we speak. City Manager Davis said this concludes all the objectives listed in the memo, and a few more, and are funded in this budget, and this concludes his presentation on the General Fund.

Councilman Smith reported that the City Council had asked that a second patrol car be funded for Public Safety, and asked if he missed that.

City Manager Davis replied that item is coming up in the Public Safety Sales Tax portion of the memo.

City Manager Davis continued by saying in the Water Fund, the proposed budget for FY 12 will provide for all operating costs and debt service requirements. Total revenues are estimated at \$8,345,420, and total expenses are estimated at \$8,329,887, resulting in a net income of \$15,533. The key to the Water Fund budget includes a couple of points about rates. The water rate for production and distribution of potable water is currently \$3.34 per 1,000 gallons. This rate has not changed since July of 2008. The current administrative fee charge is \$7.63. This fee has not changed since July of 2009. The FY 12 budget proposal includes a \$.20 rate increase per 1,000 gallons of water and a \$.35 increase in the administrative fee. Based on these recommended increases, the average bi-monthly bill would increase by \$2.77. The requested \$.20 increase or \$140,000 annually is planned to fund the lease purchase of an automated water meter reading system (AMR). Currently, City meters are all read manually, a very labor-intensive system. There are many times during the winter months when the accumulation of ice and snow makes it impossible to read meters and bills must be estimated and adjusted in the next billing cycle. In addition to controlling labor costs and billing inefficiencies, there are other significant benefits to an AMR system. These include improved billing accuracy over the manual reading of each individual meter, the ability to read meters quickly, and better customer service. Currently, the meter reading is a contracted service. The last time the meter reading contract was advertised, there was only one vendor, which is a concern. The continuity of service for meter reading is therefore at risk as well. Changing from a bi-monthly billing to a monthly billing makes movement to an automated meter reading system pretty important. In the Council's FYIN last week, there was a paragraph about how those costs broke down and why we are not suggesting moving full fledge into it this year, but do it over a couple of years; primarily, because of rate shock. It will ultimately save the rate payers money, but we need to ease into it. The requested \$.35 increase in the administrative fee will generate \$20,500 annually and is planned to fund the supplemental request that covers the estimated FY 12 cost of transaction processing fees for accepting credit cards for utility payments

both on-line and at the counter. The Estimated Statement of Revenues and Expenses indicates total operational expenses of \$6,956,940 in FY 12, for an increase of \$735,937 over FY 11. The majority of this increase, or \$644,725, is due to the sewer rate and service charge increase. The proposed FY 12 operating expenses increased by 11.83 percent. If you factor out the Kansas City sewer rate and service charge increase, the percentage increase in operational expenses would be 1.5 percent. Non-operating expenses include all FY 12 debt payments, which is about \$660,447. These include \$207,988 for the 2010 Bond Series, \$24,512 for the 2011 COPS, an estimated \$112,500 to pay off the fleet replacement lease, and an estimated \$315,447 to pay off the Mill Creek Sewer Loan. Capital outlay totals \$712,500, and \$300,000 of the capital outlay budget is dedicated to water line replacement projects. Funds in the amount of \$152,500 will be used to purchase capital as detailed in the supplemental and capital section of the memo. The balance of \$260,000 continues the annual reserve set aside for water plant repairs and the proposed leasing of the automated meter reading system. In the supplemental section for the Water/Sewer Fund, FY 12 supplemental requests funded from the Water Production Division includes an increase of \$3,500 for lime sludge removal for FY 12. A dump truck, one half of a wheeled loader with a bucket, a transit connect van, and water main break restorations, and water meter service parts were funded from the Water Operations Division.

City Manager Davis reported that the Capital Improvements Program was outlined on pages 59-63 in the memo. The budget includes approximately \$5,000,000 for road improvements this year, and approximately \$2,000,000 for stormwater improvements, and approximately \$2,000,000 for parks and building improvements. With the Bond issues and so forth, and with our annual maintenance program, this year will be one of our stronger years in terms of Capital Improvements, and if all the numbers are added up, it will be approximately \$25,000,000 in construction if it is done in one year.

City Manager Davis continued by saying that the Community Center and City Parks Fund FY 12 budget will provide for all operating costs and debt service requirements. Total revenues are estimated at \$3,081,738. Total expenditures are estimated at \$3,081,687. Supplemental requests in the Community Center Fund were funded at \$39,130, and includes treadmill replacement, group instructor contracts and personal training fees. In the Natatorium Division, supplemental requests for \$4,645 were funded for the 300-gallon bleach tanks and replacement of pool pump impellers. In the Outdoor Pool Division, \$1,500 was requested to fund the extra cost of accepting credit cards at the concession stands.

City Manager Davis said this is the first year for the Public Safety Sales Tax Fund. The revenues are projected at \$674,000, and the expenditures are expected to be \$662,000. The specific purpose of this fund was to fund six new law enforcement officers, pay the debt service on the new radio system and pay for any other related equipment and training in that fund. Not all of the six officers are hired right now; we are still awaiting processing on two. The supplemental requests amounted to \$116,000, which were fully funded. This amount includes \$25,000 for a license plate reader, \$6,200 for a radar unit, \$27,500 for a Dodge Charger patrol car, and \$58,000 for two Ford Explorers. We felt the need to

diversify our fleet in police; we had some problems last winter in the snow. We wanted to have at least a couple of vehicles in Patrol that got around well in difficult driving conditions, and that is why there is this request.

City Manager Davis said, on behalf of the management team, he would like to formally thank the City Council for reviewing all of the documentation submitted. The proposed FY 12 budget reflects a great deal of work by many people within the City organization. Special thanks go to Finance Department Director Debra Daily, City Attorney Randall Thompson, and Financial Analyst Beth Saluzzi. They all worked very hard in putting this budget together and deserve a lot of credit.

Mayor Pro Tem Suter said since she has been on the City Council, one of the things that impresses her the most about Gladstone is our fiscal management. We started into this recession in a pretty comfortable position. The longer it goes, each budget year is less comfortable, but we are still able to move forward, and she appreciates the creativity that City Manager Davis and the budget team puts into this, and the discipline to stay conservative and make sure that when we err, we err in a positive way instead of a negative way. It is benefiting the citizens enormously.

There being no comments from the audience, Mayor McCullough closed the Public Hearing.

Item 11. on the Agenda. **Other Business.**

There was no other business.


Item 12. on the Agenda. **Questions from the News Media.**

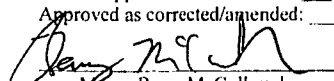
There were no News Media present.

Item 13. on the Agenda. **Adjournment.**

There being no further business to come before the May 23, 2011, Gladstone Regular City Council Meeting, Mayor Barry McCullough adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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

Mayor Barry McCullough



PUBLIC NOTICE

**CITY OF GLADSTONE
CITY COUNCIL
SPECIAL OPEN STUDY SESSION
TUESDAY, JUNE 7, 2011
3:30 PM**

A Gladstone City Council Special Open Study Session will be held in the City Manager's Office in the Gladstone City Hall, 7010 North Holmes, to discuss Single Source Solid Waste Collection and the selection of a new City Councilmember to fill the vacancy due to the retirement of Councilman Les Smith.

Representatives of the News Media may obtain copies of this notice by contacting:

City Clerk Cathy Swenson
7010 N Holmes
816-423-4096



**NOTES
CITY COUNCIL
GLADSTONE, MISSOURI
TUESDAY, JUNE 7, 2011**

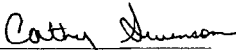
**OPEN STUDY SESSION
3:30 PM**

PRESENT: Mayor Barry McCullough
Mayor Pro Tem Carol Suter
Councilman Les Smith
Councilmember Jean Moore
Councilman Brian Hill

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

The City Council discussed continuing to pursue public input on single source trash collection.

The City Council wishes to seek applications for the vacancy to left by the retirement of Councilman Les Smith. After applications are received, interviews will be held and an appointment made.


Cathy Swenson, City Clerk



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JUNE 13, 2011**

OPEN STUDY SESSION: 6:30 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular May 23, 2011, City Council Meeting Minutes.
5. PROCLAMATION: recognizing the efforts of City of Gladstone personnel in assisting the City of Joplin following the recent tornado disaster.

REGULAR AGENDA

6. Communications from the Audience.
7. Communications from the City Council.
8. Communications from the City Manager.

9. **RESOLUTION R-11-46**, authorizing execution of a contract with R. F. Fisher Electric Company, LLC, in the total amount not to exceed \$84,115.00 for the Building Energy Efficiency Upgrades; Project.
10. **RESOLUTION R-11-47**, authorizing acceptance of a proposal from Mid-America Coach for the purchase of a 40-passenger bus at the net purchase price of \$117,137.00.
11. **BUILDING PERMIT:** for exterior renovation of the Seagull Environment business property located at 121 NE 72nd Street. Applicant: Arc Studio, LLC. Owner: Hieu Q. Vu.
12. **RESOLUTION R-11-48**, a Resolution adopting the 2012 annual operating budget for the City of Gladstone, Missouri, and authorizing the expenditures of funds for municipal services.
13. **FIRST READING BILL 11-17**, an annual Ordinance establishing a procedure for certain Gladstone municipal officials to disclose potential conflicts of interest and comply with the personal financial disclosure requirements pursuant to the State of Missouri "Ethics Law".
14. **Other Business.**
15. Questions from the News Media.
16. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JUNE 13, 2011**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Barry McCullough
Mayor Pro Tem Carol Suter
Councilman Les Smith
Councilmember Jean Moore
Councilman Brian Hill

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL.

Mayor Barry McCullough opened the Regular June 13, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Barry McCullough led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. APPROVAL OF THE REGULAR MAY 23, 2011, CITY COUNCIL MEETING MINUTES.

Councilman Les Smith moved to approve the **REGULAR MAY 23, 2011, CITY COUNCIL MEETING MINUTES** as presented. Councilman Brian Hill seconded. The vote: All "aye" -- Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Item 5. on the Agenda. PROCLAMATION: recognizing the efforts of City of Gladstone personnel in assisting the City of Joplin following the recent tornado disaster.

Mayor McCullough invited Emergency Management Director/Fire Inspector Chuck Duddy to discuss a Power Point presentation he had prepared showing the efforts of City of

Gladstone personnel in assisting in the aftermath of the deadly tornado, which struck Joplin, Missouri on May 22, 2011.

Emergency Management Director Chuck Duddy began by saying that Gladstone was asked to assist in Joplin with the disaster relief efforts. Mr. Duddy reported that the first day he arrived, he began prepping for our City's crews to arrive. Mr. Duddy said he was not prepared for what he saw. Our City has been through two tornados, and he thought that would prepare him, but what he saw in Joplin was not even close to the aftermath of our tornados. Mr. Duddy said he took over 1,100 pictures while in Joplin, and he compiled some of them that gave a good overview of the disaster, and added music ("Shine Your Light", by Robbie Robertson) that he felt signified the City of Joplin and the work done by our crews.

Mr. Duddy said he heard in Joplin, from the Public Works people to the Emergency Operations people, that our crews gave the highest representation of our City, and the Joplin people were so proud of having our people there. We were requested at numerous scenes, because of our crews' professionalism and the way they worked and did their jobs. Mr. Duddy said he was very proud to be there with them and to assist them in any way he could. Mr. Duddy began the PowerPoint presentation.

Following the PowerPoint presentation, Mr. Duddy stated the presentation included just a few of the pictures he had taken. While in Joplin, a number of people shared their stories with him of what they were doing at the time the tornado hit. One of the things that amazed him was seeing things left that were not touched. There were things still sitting on a kitchen counter, yet, the entire house was gone. The crews that assisted in Joplin stepped forward, no matter what was asked of them. They were doing debris removal when they were asked to do search and rescue. Mr. Duddy said he asked the crews if they were up to it, and without hesitation, they jumped in and did the job. It is sad to say that they did find a victim. The cat in one of the photos was saved. There were stories everywhere they went. The crew did an awesome job. Mr. Duddy said he was very proud to call them his fellow workers, and they were awesome representatives for our City.

Mayor McCullough invited the City employees present at the meeting, who worked in Joplin, to join the City Council members in front of the dais, where Mayor McCullough read and presented the proclamation to: Chuck Duddy, Danny Shinneman, Ryan Collins, Kieth Gardner, Justin O'Rear and Nick Schulz.

This presentation was followed by a standing ovation by the audience.

REGULAR AGENDA

Item 6. on the Agenda. Communications from the Audience.

John Garner, 111 North Heatherston Court, thanked the Mayor and City Council for the work done on 64th Street. It looks great and is a big improvement to his neighborhood. Mr. Garner said his sympathy goes to the City Council for the Tuesday night meeting

regarding single source trash disposal. It was a good meeting, and he is sure everyone learned a lot, and he congratulated staff on putting together a good program. Mr. Garner said he noticed on the television that the upcoming agenda for the City Council meeting has not been displayed, and he wondered if it could be on the cable channel in a more timely manner. It is not getting updated, and a couple of weeks ago he watched it and it was still showing the agenda from the previous Council meeting. Mr. Garner suggested that the hearings on the agendas be highlighted, because he has been telling people in his neighborhood to watch this channel to learn what is coming up at the City Council meetings, so they may voice their opinions.

City Manager Kirk Davis thanked Mr. Garner for his kind words about the Tuesday meeting, and said the City Council agendas are discussed by staff on the Mondays when there are no Council meetings. Those agendas should be finalized on Thursday, both Study Session and Regular Agenda, before they go out in the City Council packet. They should be on the cable television station either Thursday afternoon or early Friday morning, depending on when staff gets done with the packets. Unfortunately, that means they are on the channel for a period of time after the City Council actually holds their meetings, but they should be available on the channel either Thursday night or Friday morning prior to the Council meeting.

Mayor McCullough asked City Manager Davis if we have missed timing in some instances.

City Manager Davis said he would have to talk to Mr. Garner to be sure we did not miss something from this schedule.

Bill Ploth, 2610 NE 69 Terrace, said he wished to talk about Gladstone's proposal for trash collection, which he knows is a hot issue given what he saw on Thursday and Tuesday. A lot of his neighbors are concerned about this, as is he. It seems like they are all trying to catch up to what is going on, and he would like to know what the agenda is from here on, before the City Council meets on the point of approval of the proposal. Mr. Ploth said he would also request that if there is enough opposition to this issue, would the Council entertain putting this to a public referendum, before an approval is made. Mr. Ploth asked when the next City Council meeting would be.

Mayor McCullough said the next City Council meeting would be June 27, 2011.

Mr. Ploth asked if he and others would be allowed to participate in the meeting, his intention is to present to the City Council a written statement of his and perhaps his neighbors views, and he would implore the Council to give him more than just a minute, because there are so many issues that have so much "indepthness" to them that more than a minute is required to express himself.

Mayor McCullough thanked Mr. Ploth and said the City is still working on the process, and gathering facts. There is a committee meeting tomorrow, as well as an Environmental Management Advisory Committee (EMAC) meeting on Wednesday. Surveys are still

being received, and the Council is trying to learn from additional citizen input. Mayor McCullough stated that Assistant City Manager Scott Wingerson may be able to help with the best way to provide written documentation at the June 27, 2011, meeting.

Dennis Daily, 2309 NE 59 Street, began by saying he promised his wife he would come up here and keep his mouth shut tonight, but he wants to give the City Council, in a peaceful setting, his thoughts on the trash collection. His trash removal now costs \$15.50 per month; that includes the \$10.00 per quarter senior discount. He is billed \$46.50 quarterly, and \$186.00 per year, which does not include recycling – he does his own recycling. Under the proposed rates, the lowest rate would give him a savings of \$63.00 per year, and the highest rate plan would give him an added cost of \$9.84 per year, which would save him three times that amount to avoid driving to the various recycling places to do his recycling.

Mr. Daily said anything that is going to save him money, he is all for it. He is trusting in the City Council to make a wise decision, and he is not going to mention a certain trash removal company. The proposed rate increase over the ten-year period of the contract will allow a 44 percent increase over the ten-year period, which he thinks is excessive, and the Council should take a long close look at allowing that much of a percentage for cost of living, when the government says there is no cost of living increase right now. There was talk at the last meeting about the City Council going after a MARC (Mid-America Regional Council) grant, because of the recycling the City did as part of a City-wide recycling effort, and if the City is going after a grant, good for you. Why not? Mr. Daily said his only concern about this trash issue is for the City to keep an eye on the ten-year contract, because he is not going to get a 44 percent increase in anything over the next ten years, unless it is medical costs.

Tammy Witmer, 2508 NE 66 Street, said she was present at the meeting to ask the Council to look into a pet containment system, an in-ground containment system. Her dogs have been successful with this for eight years. It just came to her understanding the last couple of months that this is not a viable means of containment by the City of Gladstone, and she wants to know what she needs to bring forward to make changes.

Mayor McCullough inquired into clarification of what is a pet containment system.

Ms. Witmer replied that is an in-ground fencing system. The City does not acknowledge that this is a viable means of containment because the dogs are not on a leash.

Councilman Les Smith said he would be interested in hearing from Public Safety Director Mike Hasty, because this was reviewed a lot in the past. Councilman Smith said as he recalled in previous discussions, and he subscribes to the theory, this is very effective as a pet containment system; it may keep the dogs in, but it does not keep children and others out, and that was a big issue with the Council the last time this was discussed.

Ms. Witmer said many people and breeders who have fences have dogs that have been attacked by other dogs jumping fences.

Councilman Smith said a child sees the barrier and generally does not go past the barrier.

Public Safety Director Mike Hasty agreed with Councilman Smith and said this issue has been looked at on prior occasions, but he did get Ms. Witmer's information late this afternoon, and was planning on having someone call her tomorrow. Director Hasty said staff is not opposed to re-examining this issue and see if there are additional things to come forward, but he does want to explain fully to Ms. Witmer why this issue in the past came about.

Item 7. on the Agenda. **Communications from the City Council.**

Councilman Brian Hill began by saying he wished to express some concerns from the meetings that occurred last week. It appears that the process of gathering information from the public is being tainted by outside influences, and that is a concern of his, and he believes because of that taint, we have a lot of residents and non-residents attending these meetings expressing opinions that are not based on the true facts and circumstances. Councilman Hill said he believes City staff has done an admirable job at both of the meetings. It seems to him that people he spoke to after the meetings, who were opposed to the single hauler system, if approached one on one and the true facts were explained to those persons, their response was why did you not tell me this before? All of a sudden they are in favor of it. Councilman Hill said he has the feeling that there are a lot of people being fed erroneous information, and it is a concern, and he does not know how to address it.

Councilmember Jean Moore said she wished to express deepest thanks to the employees of Public Safety, Public Works and Parks and Recreation. We are so proud of their efforts, and she wants all the Gladstone residents to know how proud we are of their service, which is exemplary, and everyone needs to know about this, because they responded to not only Joplin, but to Parkville and to Riverside.

Councilman Les Smith asked that the City Clerk include in the minutes "ditto" for him next to Councilmember Moore's comments regarding our folks. Councilman Smith said he also wished to commend our folks on Bluesfest this weekend. It is no small task when one is charged with keeping a crowd that size safe and comfortable, and our people did a great job with that. Councilman Smith said he was looking in a magazine and noticed that our very own Linda Borders received one of the awards from the Snake Saturday Committee this past year - the Shamrock Award. Many of us probably do not know that Linda Borders is involved in that capacity. We appreciate her. Councilman Smith said he is going to lean heavily on his 25 to 30 years of experience and just look at Councilman Hill and say that he probably agrees with him and would like to add a lot to that, but will not.

Mayor Pro Tem Carol Suter said she wished to thank the citizens that came this evening to share their opinions in a professional, sane and rational way. Citizen input is really appreciated always. People are always welcome to come to the microphone to provide

their input, which is appreciated by the City Council. Mayor Pro Tem Suter said she shares Councilman Hill's concerns about the public meetings that happened this last week. It was very disappointing to see some citizens and non-citizens resort to yelling and shouting and intimidating and threatening. So much so, that some persons were concerned about their physical safety. It is so outside the bounds of what we are accustomed to in Gladstone for the last number of years, that it took us quite aback. Mayor Pro Tem Suter said she appreciated the courage it took for staff and especially the volunteers, who have been working on the selection committee and the EMAC committee, to stay and participate and to not give up.

Mayor Pro Tem Suter said this took her back, as she grew up an ethnic outsider in a very small community, and her family was subjected to all kinds of harassment, discrimination, intimidation, and threats. Her family's home was vandalized, and their cars were vandalized for years. They would have family meetings from time to time to talk about whether they should move, but her parents were adamant that it was an important lesson for them to learn how to deal with the unruly, the mean and the bullies in the world. To stand their ground with dignity and to continue to do good in the community and participate, which they did for a very long time.

Mayor Pro Tem Suter said her father died a few weeks ago and at his funeral, the minister in his eulogy was reflecting on those years in the community and how terrible it must have been for their family, but he said their staying was so good for the community. He attributed their staying for so many years to actually helping the community to becoming more open and tolerant of differences and things they did not understand. Mayor Pro Tem Suter said she has always appreciated this and it has stood her well all of her life to stand up to bullies, when need be, and she hopes that it will stand her in good stead as we go through this experience as well, and she hopes this can be shared with all of us to not allow rude and obnoxious and uncivil and threatening behavior to intimidate us from doing our work for the City. That is what we are here for and she still intends to do it.

Mayor Barry McCullough stated there were a lot of good comments and he wished to "ditto" on most of them, and he did want to add we did have a fair amount of volunteers, who worked in Parkville, and Jerry Richardson, the Mayor of Parkville, called him last week to say thank you and say how much he appreciated our volunteers helping in their city, and how efficient we were in what we were doing. We got so much work done in such a short period of time, they felt they really had things in hand.

Item 8. on the Agenda. **Communications from the City Manager.**

City Manager Kirk Davis said he, too, is very proud of the Public Works employees for the job they did in Joplin and Parkville, and the Public Safety employees for the job they did in Riverside, as we assisted that community with the loss of their officer.

City Manager Davis reported that next week, the City would host the Corporate Challenge, June 20 through June 24, from 5:00 PM on. This event brings in several thousand competitors to our swimming facility in our Community Center. June Tunes is being held,

and tomorrow night and June 28, we have someone performing jazz and blues at the Oak Grove Amphitheatre. City Manager Davis said our City was a winner of the All America City Award in 2008, and the All America City event is in Kansas City this week. There are 30 or so contenders from across the country participating in that. The Farmers' Market is held on Wednesdays, if you haven't been there, show up early, as they are selling out. The Farmers' Market opens at 2:00 PM. The Movie in the Park will be shown at Oak Grove Park. This movie is "Shrek - Forever After". Those events are becoming more and more popular, and we are pleased to put them on in Oak Grove Park.

Mayor Pro Tem Suter said the diving well in the pool is out of commission and asked when it would be back for use.

City Manager Davis replied that there was an accident where an employee was carrying some glass and it broke and went into the pool, and in order to clean it out, it had to be emptied.

Mayor Pro Tem Suter asked if it would be available for the competition?

City Manager Davis replied yes.

Item 9. on the Agenda. **RESOLUTION R-11-46**, authorizing execution of a contract with R. F. Fisher Electric Company, LLC, in the total amount not to exceed \$84,115.00 for the Building Energy Efficiency Upgrades Project.

Councilman Les Smith moved to adopt **RESOLUTION R-11-46**, authorizing execution of a contract with R. F. Fisher Electric Company, LLC, in the total amount not to exceed \$84,115.00 for the Building Energy Efficiency Upgrades Project. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" - Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Item 10. on the Agenda. **RESOLUTION R-11-47**, authorizing acceptance of a proposal from Mid-America Coach for the purchase of a 40-passenger bus at the net purchase price of \$117,137.00.

Councilman Brian Hill moved to adopt **RESOLUTION R-11-47**, authorizing acceptance of a proposal from Mid-America Coach for the purchase of a 40-passenger bus at the net purchase price of \$117,137.00. Councilmember Jean Moore seconded.

Councilman Les Smith said it must be time for him to leave because this is the third bus that we have bought, and he still cannot ride on it!

The vote: All "aye" - Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Item 11. on the Agenda. **BUILDING PERMIT:** for exterior renovation of the Seagull Environment business property located at 121 NE 72nd Street. Applicant: Arc Studio, LLC. Owner: Hieu Q. Vu.

Mayor Pro Tem Carol Suter moved to approve the **BUILDING PERMIT** for exterior renovation of the Seagull Environment business property located at 121 NE 72nd Street. Applicant: Arc Studio, LLC. Owner: Hieu Q. Vu. Councilman Les Smith seconded.

Mayor Pro Tem Suter said this is already a nice property, but looking at the site, they are doing wonderful things, and she hopes it catches on to other people around the area.

Mayor McCullough agreed that this would be a nice addition.

The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Item 12. on the Agenda. **RESOLUTION R-11-48**, a Resolution adopting the 2012 annual operating budget for the City of Gladstone, Missouri, and authorizing the expenditures of funds for municipal services.

Councilmember Jean Moore moved to approve **RESOLUTION R-11-48**, a Resolution adopting the 2012 annual operating budget for the City of Gladstone, Missouri, and authorizing the expenditures of funds for municipal services. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

Item 13. on the Agenda. **FIRST READING BILL 11-17**, an annual Ordinance establishing a procedure for certain Gladstone municipal officials to disclose potential conflicts of interest and comply with the personal financial disclosure requirements pursuant to the State of Missouri "Ethics Law".

Councilman Les Smith moved to place **Bill 11-17** on its First Reading. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilman Les Smith moved to accept the First Reading of **Bill 11-17**. Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilman Les Smith moved to accept the Second and Final Reading of **Bill 11-17** and to enact the Bill as **Ordinance 4.189**. Mayor Pro Tem Carol Suter seconded.

Roll call vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (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 News Media present.


Item 16. on the Agenda. **Adjournment.**

There being no further business to come before the June 13, 2011, Gladstone Regular City Council Meeting, Mayor Barry McCullough adjourned the meeting.

Respectfully submitted:



Cathy Swenson, City Clerk

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


Mayor Barry McCullough



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JUNE 27, 2011**

OPEN STUDY SESSION: 7:00 PM
**GLADSTONE CITY HALL
7010 NORTH HOLMES**

REGULAR MEETING: 7:45 PM
**GLADSTONE COMMUNITY CENTER
6901 NORTH HOLMES**

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular June 13, 2011, City Council Meeting Minutes.
5. **CONSENT AGENDA**

RESOLUTION R-11-49, authorizing acceptance of proposal from Vellar Consulting in the amount of \$30,000.00 for Neighborhood Development Consulting Services and \$5,000.00 for Neighborhood Strategic Planning Consulting Services for Northaven-2 and Northaven-3 neighborhoods.

RESOLUTION R-11-50, authorizing Change Order No. 1 in the amount of \$123,284.73 to the contract with Superior Bowen Asphalt Company, LLC, for the 2011 Mill and Overlay Program.

RESOLUTION R-11-51, authorizing acceptance of work under contract with Miller Paving and Construction, LLC, for the 2011 Accelerated Curb, Gutter and Sidewalk Program; and authorizing final payment in the amount of \$21,219.95.

RESOLUTION R-11-52, authorizing acceptance of a proposal from QUEST Enterprises for the purchase of twenty-one sets of Firefighting Personal Protective Equipment for the purchase amount of \$31,458.00.

APPROVAL OF ANNUAL LIQUOR LICENSE RENEWALS:

- TNT Two, Inc., dba Tanner's Bar & Grill, 6024 North Antioch Road; Class AR&B Liquor by the Drink License.
- Smokehouse BBQ, 6304 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Wasahi, 328 NE 72nd Street; Class AR&B Liquor by the Drink License.
- Margarita's North, dba Margarita's, 7013 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Hy-Vee Food & Drugstore, 7117 North Prospect Avenue; Class AR&B Liquor by the Drink License.
- Quick Trip #181, 2590 NE 72nd Street; Seven-Day Package Liquor License.
- Quick Trip #237, 6309 NE Antioch Road; Seven-Day Package Liquor License.
- Price Chopper, 6475 North Prospect, Seven-Day Package Liquor and Wine Tasting License.
- Walgreens #1244, 6320 North Oak Trafficway; Seven-Day Package Liquor License.
- Gasmart USA, 7303 North Oak Trafficway; Seven-Day Package Liquor License.

- Kwik Shoppe, 7603 North Oak Trafficway; Six-Day Package Liquor License.
- Bubbles Wines & Spirits, 7407 North Oak Trafficway, Seven-Day Package Liquor License.
- End Zone II, 6420 North Prospect, Class AE Liquor by the Drink License.

APPROVAL OF THE FINANCIAL REPORT FOR MAY 2011.

REGULAR AGENDA

6. **Communications from the Audience.**
- 6a. **Public Comment Regarding Single Source Trash Collection.**
7. **Communications from the City Council.**
8. **Communications from the City Manager.**
9. **PUBLIC HEARING:** for consideration of a request for a Special Use Permit Renewal at 2005 Northeast 62 Street. Applicant: Judy A. Cervantes. Owner: Louis A. Sr. and Judy A. Cervantes.

AUDIENCE NOTE: This Public Hearing will be opened and immediately continued to the July 11, 2011, City Council meeting by agreement of the Applicant and City staff.

10. **PUBLIC HEARING:** for consideration of a request for a Special Use Permit Renewal at 6822 North Charlotte. Applicant: Lisa Jo Sink/Kids Count. Owner: Lisa Sissel.

AUDIENCE NOTE: This Public Hearing will be opened and immediately continued to the July 11, 2011, City Council meeting by agreement of the Applicant and City staff.

11. **RESOLUTION R-11-53,** amending the 2011 Transportation Sales Tax Fund, and Capital Improvement Sales Tax Fund for

the City of Gladstone, Missouri, and authorizing expenditures of funds.

12. **RESOLUTION R-11-54**, establishing the Financial Policy for implementing the Governmental Accounting Standards Board's Statement No. 54-Fund Balance Reporting and Governmental Fund Type Definitions
13. **SPECIAL PRESENTATION TO RETIRING COUNCILMAN AND FORMER MAYOR LES SMITH.**
14. Other Business.
15. Questions from the News Media.
16. Adjournment.



PUBLIC NOTICE

**MEETING
TO DISCUSS THE SUBJECT
OF
CITY HALL PUBLIC MEETING PROCEDURES**

**6:45 PM
MONDAY, JUNE 27, 2011**

A majority of the City Council may be in attendance.

Representatives of the News Media may obtain copies of this notice by contacting:

City Clerk Cathy Swenson
7010 N Holmes
Gladstone, MO 64118
436-2200



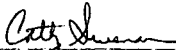
NOTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
JUNE 27, 2011
6:45 PM

PRESENT: Mayor Barry McCullough
Mayor Pro Tem Carol Suter
Councilman Les Smith
Councilmember Jean Moore
Councilman Brian Hill

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

Security measures for City Council meetings was discussed for the benefit of the new City Council members and as a review for the other City Council members and for staff.

Respectfully submitted:



Cathy Swenson, City Clerk

CITY OF GLADSTONE, MISSOURI

CITY COUNCIL MEETING

JUNE 27, 2011

7:45 p.m.

TRANSCRIPT OF PROCEEDINGS
OF REGULAR MEETING

Held at the Gladstone Community Center,
6901 North Holmes Street, in Gladstone, Missouri.

A P P E A R A N C E S:

Mayor Barry McCullough

Mayor Pro Tem Carol Suter

Councilman Les Smith

Councilmember Jean Moore

Councilman Brian Hill

- - - - -

City Manager, Kirk Davis

Assistant City Manager, Scott Wingerson

City Counselor Randall Thompson

City Clerk Cathy Swenson

1 THE MAYOR: Call to order the Monday,
2 June 27th, 2011, Gladstone Council Meeting. Madam
3 Clerk, please note that all council members are
4 present. I would like to invite everybody to
5 please stand and join us in the Pledge of
6 Allegiance.

7 (The Pledge of Allegiance was said.)

8 THE MAYOR: Item 4 tonight is approval
9 of the regular June 13, 2011 City Council Meeting
10 Minutes. Mayor Pro Tem Suter.

11 MAYOR PRO TEM SUTER: I move that the
12 minutes from the June 13, 2011 City Council
13 meeting be approved as published.

14 COUNCILMAN HILL: Second.

15 THE MAYOR: All approved, please say
16 "Aye".

17 (Ayes stated.)

18 THE MAYOR: Any opposed?

19 (No response.)

20 THE MAYOR: Item 5 is our Consent Agenda
21 for tonight. Madam Clerk, would you please read
22 and explain the Consent Agenda.

23 MS. SWENSON: The Consent Agenda allows
24 the City Council to consider and approve routine
25 items of business without discussion. Any member

1 of the City Council, the City Staff or the public
2 may request removal of any item from the Consent
3 Agenda and request that it be considered under the
4 regular agenda if discussion of the item is
5 desired. Items not removed from the Consent
6 Agenda will stand approved upon motion by any
7 council member and second, and a unanimous vote to
8 approve the Consent Agenda as published or
9 modified.

10 The Consent Agenda is as follows:

11 Resolution R-11-49, authorizing acceptance of
12 proposal from Vellar Consulting in the amount of
13 \$30,000 for Neighborhood Development Consulting
14 Services and \$5,000 for Neighborhood Strategic
15 Planning Consulting Services for Northaven-2 and
16 Northaven-3 neighborhoods.

17 Resolution R-11-50, authorizing Change
18 Order Number 1 in the amount of \$123,284.73 to the
19 contract with Superior Bowen Asphalt Company, LLC
20 for the 2011 Mill and Overlay Program.

21 Resolution R-11-51, authorizing
22 acceptance of work under contract with Miller
23 Paving and Construction, LLC, for the 2011
24 Accelerated Curb, Gutter and Sidewalk Program; and
25 authorizing final payment in the amount of

1 \$21,219.95.

2 Resolution R-11-52, authorizing
3 acceptance of a proposal from Quest Enterprises
4 for the purchase of 21 sets of Firefighting
5 Personal Protective Equipment for the purchase
6 amount of \$31,458.

7 Approval of Annual Liquor License
8 Renewals: TNT Two, Inc., dba Tanner's Bar &
9 Grill, 6024 North Antioch Road; Class AR&B Liquor
10 by the Drink License.

11 Smokehouse BBQ, 6304 North Oak
12 Trafficway; Class AR&B Liquor by the Drink
13 License.

14 Wasahi, 328 NE 72nd Street; Class AR&B
15 Liquor by the Drink License.

16 Margarita's North, dba Margarita's, 7013
17 North Oak Trafficway; Class AR&B Liquor by the
18 Drink License.

19 HyVee Food & Drugstore, 7114 North
20 Prospect Avenue; Class AR&B Liquor by the Drink
21 License;.

22 Quiktrip #181, 2590 NE 72nd Street,
23 Seven-Day Package Liquor License.

24 Quiktrip #237, 6309 NE Antioch Road;
25 Seven-Day package Liquor License.

1 Price Chopper, 6475 North Prospect,
2 Seven-Day Package Liquor and Wine Tasting License.

3 Walgreens #1244, 6320 North Oak
4 Trafficway; Seven-Day Package Liquor License.

5 Gasmart USA, 7303 North Oak Trafficway;
6 Seven-Day Package Liquor License.

7 Kwik Shoppe, 7603 North Oak Trafficway;
8 Six-Day Package Liquor License.

9 Bubbles Wines & Spirits, 7404 North Oak
10 Trafficway, Seven-Day Package Liquor License.

11 End Zone II, 6420 North Prospect, Class
12 AE Liquor by the Drink License.

13 Approval of the financial report for May
14 2011.

15 THE MAYOR: Thank you, Madam Clerk. We
16 have the opportunity to remove any items from the
17 Consent Agenda for discussion. Is there anybody
18 in the audience that would like any of these items
19 to be removed for additional discussion? Council?
20 Staff?

21 STAFF: No, sir.

22 COUNCILMAN HILL: Move the Consent
23 Agenda be approved as submitted.

24 COUNCILMEMBER MOORE: Second.

25 THE MAYOR: The motion has been moved

1 and seconded to approve the Consent Agenda. All
2 in favor.

3 (Ayes stated.)

4 THE MAYOR: Any opposed?

5 (No response.)

6 THE MAYOR: The Consent Agenda is
7 approved as presented. Moving on to our regular
8 agenda. We have Item 6. Are there any
9 communications from the audience not related to
10 the Single Source Trash Collection item tonight,
11 and if so, please come to the podium, state your
12 name and address for the record.

13 MS. ALEXANDER: Anne Alexander, 3121
14 Northeast 59th Terrace, Apartment 3. I want to
15 thank you for having the City sue the owner of the
16 barking dog. Having spent two and a half years,
17 having been to court five times, Michael Feeback
18 asked me what I wanted. I said I just want the
19 dog to shut up from 10:00 o'clock at night until
20 6:00 a.m. So they did a deferred prosecution. If
21 the dog barks between those hours, the owner will
22 be prosecuted. But please get something in place
23 so the police can take care of that. There's no
24 excuse in the dogs barking in the middle of the
25 night.

1 My recommendation to you is the first
2 complaint a courtesy notice. On the courtesy
3 notice, point out that if they get a second
4 complaint, there will be a fine of \$250 or \$500,
5 and increasing fine as they go along. Because
6 unless you hit them in their pocketbook, they are
7 not going to pay a bit of attention to you. I
8 think if you do this you will have very few that
9 wind up getting fined. But I would appreciate not
10 having to spend my time going back to court.
11 Thanks.

12 THE MAYOR: Thank you, Mrs. Alexander.
13 Is there anybody else that would like to address
14 the Council on something not related to the Single
15 Source this evening? Great. We are going to move
16 on to Item 6-A.

17 Since we do have a large crowd tonight,
18 I am going to extend the proceedings for the
19 agenda regarding the public comments regarding
20 Single Source Trash Collection. First we will
21 hear a staff report regarding single source trash
22 collection. Then we will hear from those in favor
23 of single source trash collection, followed by the
24 concerns of those opposed to the single source
25 trash collection. And we've got some expectations

1 of how that will flow. We would like to proceed
2 row by row just so that we can have orderly
3 procession. We will have an officer direct
4 traffic, basically line by line down the row from
5 the center, and we will have everybody make sure
6 to get an opportunity to speak that way. Only the
7 recognized speaker and Council may enter the
8 discussion. Proper decorum will be maintained.
9 We expect that personal, impertinent, slanderous
10 remarks or any boisterous behavior will result in
11 barring you from participating in the
12 conversation.

13 Please limit comments to two minutes.
14 Counselor Thompson will track the time and will
15 use a yellow card indicating 30 seconds remaining,
16 with a red card indicating the end of your time
17 allotment.

18 If you have any materials that you wish
19 Council to consider, we ask that you present those
20 to Public Safety Director Mike Hasty over here.
21 If we hear a consistent message, I will ask for a
22 show of hands for those that support that idea, so
23 we can encourage the ability to move on to new
24 material rather than hearing the same thing a
25 dozen times. I think that will allow us all a

1 better experience tonight. And at this time I
2 would like to ask Director Nebergall to please
3 come forward and present staff's report for us,
4 please.

5 MR. NEBERGALL: Mayor, City Council.
6 Thank you for your time tonight. In your packet
7 is a staff report that summarizes all the work
8 that has been done to date on the issue of
9 residential single source solid waste and
10 recycling collection. As you know, this is not a
11 new issue for the City of Gladstone. In 2001 the
12 City issued a request for proposal. At that time
13 the citizens expressed concerns regarding high
14 rates, customer service and recycling mandates.
15 As a result the issue was tabled. The City
16 reissued the RFP in 2002, and the pricing again
17 was not competitive and the program did not move
18 forward.

19 In 2007 the City of Gladstone updated
20 its Comprehensive Plan. A 2000 survey completed
21 as part of that study found that 85 percent of the
22 participants believed that a top priority for
23 community investment was environmental issues and
24 maximizing the City's attention to the
25 environment. Also in 2007, Gladstone collected

1 support of the Mayor's Climate Protection
2 Agreement. The agreement recognizes that local
3 governments play a significant role in minimizing
4 pollution and directing energy issues. These two
5 plans establish the parameter for how the city
6 conducts business and places a focus on
7 sustainability. As a result, the topic of single
8 source collection resurfaced.

9 On August 25th, 2008, the City Council
10 approved a resolution directing staff to issue a
11 mandatory two-year notice, notifying haulers that
12 the city was considering implementation of a
13 comprehensive city-wide residential solid waste
14 recycling program.

15 On October 27th, at your annual
16 goal-setting session, the City Council directed
17 staff to again collect additional information to
18 evaluate the issue. If the City chose to move
19 forward, the contract would be required, be in
20 place prior to August 29th, 2011 or the mandatory
21 two-year notice will need to be reissued.

22 In December, taking this goal to heart,
23 the Environmental Management Advisory Committee,
24 also known as EMAC, met to develop a process to
25 evaluate the issue. EMAC is a citizen committee

1 that makes recommendations to the City Council on
2 a variety of different environmental issues.
3 Since December, EMAC has met 11 times in different
4 formats to discuss the issue. As part of the data
5 collection process, EMAC and staff have spoke with
6 several cities, including Liberty, North Kansas
7 City and Excelsior Springs, all of which utilize a
8 single city contract. We have also spoken with
9 the Mid-America Regional Council to identify
10 regional goals that impact Gladstone. And then we
11 scheduled meetings with local haulers, including
12 Platte Valley Sanitation, Deffenbaugh, and Allied
13 Waste to improve the process.

14 Since December, several presentations
15 have been made in open study sessions as well as
16 other locations. Two large public meetings were
17 conducted on June 7th and June 9th. One at
18 Antioch Bible Baptist Church, and one in Antioch
19 Middle School. Approximately 300 people attended
20 each meeting. Overall both meetings, the tone of
21 the meetings were negative. The primary concerns
22 included, first off, choice. Residents expressed
23 their concern that a single waste provider
24 infringed on their freedom to choose.

25 Cost. Residents expressed a concern

1 that the cost of solid waste recycling will
2 increase and become unaffordable without
3 competition.

4 Customer service. Residents expressed
5 that they were concerned that the hauler may be
6 unresponsive to the resident if the contracts were
7 directly with the City. And then several
8 residents expressed the opinion that the issue
9 should be brought to a public vote.

10 In addition to the public meetings, an
11 electronic survey was placed on-line. Over 300
12 people have completed the survey to date.
13 Actually I believe it is well over 450 people now.
14 Customer service and cost received the highest
15 rating. However, residents were allowed to write
16 additional comments if they wanted to. All this
17 information is included in your packet tonight.

18 On March 28th, 2011 the City Council
19 passed a motion directing the staff to issue an
20 RFP for single source collection. The RFP did not
21 allow the City to award a contract, only to
22 collect additional information to evaluate the
23 issue. The City received a total of six
24 proposals. The firms that submitted proposals
25 included A-1 Service Corporation, Platte Valley

1 Sanitation, Jim's Disposal, Doffenbaugh, Town &
2 Country Disposal, and Allied Waste.

3 The proposal was broken into two parts.
4 Those were identified as basic services and
5 additional services. Basic services were thought
6 to be the ones that would be utilized by the
7 majority of residents. Additional services were
8 thought to be the ones that would be utilized by
9 few residents or intermittently throughout the
10 year. The pricing for basic services ranged from
11 \$10.20 to \$20.95 per month, which included a \$1.45
12 administrative fee.

13 Basic services included weekly trash and,
14 recycling collection on the same day. A
15 hauler-provided 35-gallon or 65-gallon container
16 for weekly trash collection. To promote
17 recycling, an additional fee would apply for bags
18 placed outside the container. A hauler-provided
19 35-gallon or 65-gallon container for unlimited
20 weekly recycling collection. Additional
21 recyclables could be placed outside the container
22 at no additional cost.

23 In addition to those services, there
24 were also two unlimited trash disposal dates per
25 year. Those would be scheduled by the City and

1 could be the week after Christmas or, for example,
2 the week after Thanksgiving. And two unlimited
3 curbside bulky item collection dates per year.
4 Again those would be scheduled by the City.

5 We have heard a lot of conversation
6 recently about a fuel recovery fee and consumer
7 price index. After discussing with EMAC, those
8 items were included in the RFP. A fuel recovery
9 fee was based upon a six-month rolling average of
10 diesel fuel price and paid by the hauler. Not
11 what you would pay at the pump. An adjustment
12 would be made if the average diesel price exceeded
13 \$4 per gallon. After \$4 per gallon the fuel
14 recovery fee would be 17 cents per household per
15 month.

16 However, the fuel recovery fee was
17 capped at 30 cents per household per month if the
18 average price of diesel fuel exceeds \$5 per
19 gallon. That's equivalent to \$3.60 per customer.

20 In addition to the fuel recovery fee, we
21 also included a consumer price index adjustment.
22 Before we did that, we took a look at the average
23 of changes in the consumer price index for trash
24 collection over the last ten years. They averaged
25 3.6 percent. We also took a look at the City of

1 Liberty's contract. The City of Liberty has a
2 mandatory 3 1/2 percent rate increase per year
3 through the life of the agreement. We didn't want
4 to do that. What we proposed is that that be --
5 we capped it at 3 1/2 percent and the hauler would
6 be required to provide supporting documentation
7 for any request for a rate increase. So none of
8 the rate increases were mandatory.

9 In an effort to kind of show how those
10 rates may look, in your packet is actually a
11 breakdown of the cost for each hauler. It
12 includes present day cost, it includes a projected
13 cost for five years down the road and another cost
14 for ten years down the road. You will notice that
15 what we've done is we've tried to be extremely
16 conservative and factored in all of the cost
17 increases that may be available as part of the
18 contract.

19 A 12-member review committee was
20 appointed to review the proposal, which is made up
21 of two council members, one city staff member,
22 three EMAC members, six residents at large,
23 including representatives from the neighborhood of
24 Carriage Hill, Happy Rock, Stonebrooke, North
25 Haven, Stormy Acres and Oakwood. The committee

1 met a total of four times and interviewed the
2 companies Allied Waste, Deffenbaugh, Jim's
3 Disposal, Platte Valley Sanitation, and Town &
4 Country Disposal. Based on all the information,
5 should the City move forward with the issue, the
6 committee unanimously recommends that the City
7 negotiate a contract with Town & Country Disposal.
8 Key supported reasons included good customer
9 service, competitive cost, locally owned and
10 operated, a commitment to recycling, and
11 equipment.

12 EMAC met again on June 15th, 2011 with
13 all the information collected to date. Even what
14 was presented by the Proposal Review Committee.
15 Based upon all the information, it was unanimously
16 recommended that the City move forward with
17 pursuing residential single source solid waste and
18 recycling collection of city service by
19 contracting with a single hauler. Supporting
20 reasons included competitive rates for all
21 residents. Just for comparison purposes, the
22 pricing for Town & Country was \$11.17 per month.
23 Less waste through recycling participation.
24 Beautification throughout the community. Better
25 for the environment. Less wear and tear on

1 streets. And the EMAC noted that competition
2 among haulers in 2002, there was only two haulers
3 that submitted a proposal. In 2011 we had six.

4 I don't want to put words into the City
5 Council's mouth. However, the next steps to
6 possibly consider would be a resolution to proceed
7 with the program and begin contract negotiations
8 with Town & Country. Approve a resolution with
9 additional conditions and direction. Or take no
10 action and table the matter. Should a contract
11 not be negotiated by August 29, 2011, the initial
12 two-year notice will need to be reissued at your
13 direction. That concludes the staff report. I
14 would be happy to answer any questions you may
15 have.

16 THE MAYOR: Thank you, Director
17 Nebergall. Are there any questions? Thank you
18 for everything that went into that report. We
19 appreciate it. Captain Dobbins, are you going to
20 direct for us tonight?

21 CAPTAIN DOBBINS: I am ready, sir.

22 THE MAYOR: Wonderful. We're going to
23 call on the first row and we are going to ask for,
24 again, everybody that would like to speak in
25 support of single source trash hauling. Again,

1 we'll start at the first row, work our way back.
2 Is there anybody in the first row that would like
3 to speak in support of single source? Seeing
4 none, we'll move on to the second row. Please
5 state your name and address for us.

6 MR. MERKEL: Hi, I'm Dean Merkel. I
7 live in Stonebrooke Homes Association. And
8 Stonebrooke address is 7244 North Norton. And I
9 just wanted to thank the City Council for even
10 looking into this. We've been here for about
11 eight years, my wife and I. We moved here from
12 Kansas City. We are so thrilled with the services
13 provided by the City. And we anticipate the same
14 services if you go with a single hauler.

15 My concerns were, of course, the traffic
16 in the City with the trucks. The road repairs.
17 Our subdivision is a rather new subdivision, maybe
18 the streets aren't made like they used to be. But
19 they are being torn up by these trucks just
20 something terrible. Especially the cul-de-sacs.

21 My other concern was the trash being put
22 out every day in the City. Trash haulers would
23 come every day up and down the streets. There
24 would be trash set out on Monday, Tuesday,
25 Wednesday, Thursday, Friday in different areas of

1 the City. And I thought it looked unsightly.

2 Once again, I just want to voice my
3 support for the single vendor and hope you proceed
4 with it. Thank you.

5 THE MAYOR: Thank you, Mr. Merkel. Is
6 there anybody else in this row that would like to
7 speak in favor? The next row.

8 MS. LAYTON: Judith Layton, 7301 North
9 Norton. I love living in Gladstone. I've lived
10 in a lot of cities who couldn't compare to the
11 services this City provides. I appreciate snow
12 removal, I appreciate all of the cordial,
13 compassionate attention of your city staff when
14 there is a concern or an issue. The police
15 department. I haven't had to have the fire
16 department. I hope I never do.

17 I am very much in support of this. I am
18 a retired corporate president of an environmental
19 training firm. And we were based not here, but my
20 husband passed away a number of years ago and we
21 trained people to operate water and waste water
22 facilities. We absolutely have to be concerned
23 about our waste generation and disposal. I am an
24 Artic Ambassador for the Kansas City Zoo, and I
25 believe very strongly in recycling. Global

1 warming is a major issue. We've got to cut down
2 what goes into our environment. And we
3 personally, individually, can make a difference by
4 exercising our own research.

5 We can't run scared of new and change.
6 We have to be positive in our approach for being
7 personally responsible. I have loved our
8 recycling, our trash hauling, our yard waste
9 collection, but we don't need three trucks to do
10 this for each household. And I am very much in
11 support of moving forward with this idea.

12 THE MAYOR: Thank you for your comments,
13 Mrs. Layton. Is there anybody else in that row
14 that would like to speak? In the next row? Row
15 after that maybe? I'll trust you to guide. I
16 lose track.

17 MR. THRASHER: I would like you to
18 consider commercial pick-up, see if we could get a
19 lower rate as well. I live in condominiums. And
20 we have nine buildings, 18 units per building. We
21 use Deffenbaugh now, but if we could get a lower
22 rate. It cost \$105,000 to fix up our streets
23 about five years ago. So the City has since then
24 taken over the street. So it might help us cut
25 down on some street repair. Thank you.

1 THE MAYOR: Sir, for the record. May we
2 have you state your name and address.

3 MR. THRASHER: Larry Thrasher, 2379
4 Northeast 68th Street.

5 THE MAYOR: Thank you for your comments.

6 MR. GREEN: My name is Dan Green, 3704
7 Northeast 63rd Street here in Gladstone. Been a
8 resident of Gladstone over 26 years now. I
9 appreciate everything that the City does for its
10 residents. I appreciate you-all listening to the
11 needs of the citizens. Before I even knew
12 anything like this was going on, I remember
13 thinking that when I lived at 7008 Walnut a few
14 months ago, it seemed like every day was trash day
15 in Gladstone. To me it makes sense to have a
16 single hauler, because we don't need three
17 different companies or more companies in the same
18 neighborhood. They are all doing the same
19 business. If you could get me a lower price than
20 what I am currently paying, I would really very
21 much appreciate it. That's all I have to say. I
22 support what you want to do.

23 THE MAYOR: Thank you, Mr. Green. We
24 appreciate your comments.

25 MR. WAGES: Good afternoon. George

1 Wages, I live at 7201 North Park. And I am in
2 favor of the one trash hauler, but I really didn't
3 get to hear. Is that under a ten-year contract?
4 Five-year contract? I didn't hear a contract
5 date.

6 THE MAYOR: It has been ten years
7 discussed.

8 MR. WAGES: I don't like that. I am in
9 favor of the one trash, but I don't like the
10 ten-year contract. I didn't hear anything about a
11 senior citizen discount.

12 THE MAYOR: Sir, I think that the
13 discount would already be factored into the rate.

14 MR. WAGES: Okay. Then another thing.
15 What days would that be picked up? Is that one
16 day, one side of the City, one day on the other
17 side of the City?

18 THE MAYOR: We don't know that. It will
19 be part of the balance of the negotiation.

20 MR. WAGES: Okay. Like I say, I agree
21 with the one trash hauler. The good customer. I
22 try to back out of my driveway and I got two trash
23 trucks sitting there. I've got six or eight of
24 them running down the road. So one is enough.

25 THE MAYOR: Thank you, sir.

1 MS. HANSEN: Hi. My name is Jennifer
2 Hansen, I live at 2105 NE 64th Street. My husband
3 and I are very much in favor of this program.
4 Prior to living here for eight years we lived in
5 Chicago. Several different suburbs. We came here
6 and we always wondered why there were so many
7 trucks coming up and down our street. There it
8 was just a natural fact that every city had a
9 provider and they took care of it. We believe
10 that Gladstone takes care of everything for us.
11 You have taken care of our streets with snow
12 removal. When we have troubles with water, you
13 guys always respond and take care of that quickly.
14 So I have no reason to not believe that Gladstone
15 will not take care of us if we should have a
16 concern. People have waste. We have to have a
17 new program that will help us work through it and
18 get that changed.

19 Just this morning I told my husband this
20 is why we need this. A stray dog came running
21 through our neighborhood and tore through people's
22 trash bags. They had already left for work. And
23 probably 75 percent of what they picked up was
24 recycled goods. They are working families and
25 they don't have time to run to a recycle center

1 across town. But if it was there in their house,
2 I do believe that they would utilize that service
3 as much as we do. The service that we currently
4 pay for to have recycling. Because it is so
5 important that you take care of your environment.
6 So we strongly support this and hope that the City
7 will be able to go through with this. Thank you.

8 THE MAYOR: Thank you for your comments.
9 Come on back and we'll start the process over.
10 You do a wonderful Vanna White impression, by the
11 way. At this time we will hear from those opposed
12 to the plan. And front row.

13 MR. BONSIGNORE: Mr. Mayor and City
14 Council people. Salvatore Bonsignore, 6911 North
15 Agnes, North Haven Gardens Subdivision. I have
16 been -- I have served as president for our homes
17 association twice, two terms. So I am very
18 familiar with our process that we negotiated for
19 our trash service for our subdivision. You know,
20 I know that Gladstone has talked about a single
21 vendor service for years. This has been an
22 ongoing process. I just wanted to first of all,
23 before I talk about my negative comment, I just
24 wanted to thank you for your effort. I know it is
25 a thankless effort. Been there, done that. One

1 of the things I wanted to, at both of the public
2 meetings I got a chance to speak just a little bit
3 at the first one. I was appalled at the
4 negativity in the way our citizens reacted towards
5 those that were there. I mean, that to me shocked
6 me. There's no cause for the rudeness. So I want
7 to apologize to the City on behalf of your work.

8 My only concern with the single vendor
9 program is the City taking this on and hiring two
10 people to do that. To me, the vendors are already
11 doing this, they are already billing us on a
12 bimonthly or whatever their setup is. I am with,
13 currently with Allied, our subdivision is. We get
14 billed every three months. We have a good rate.
15 I mean, I'm not opposed to saving money. I know
16 that is possible whenever we talk about as many
17 homes that are in Gladstone. But the fact that
18 the City is wanting to take this responsibility on
19 as far as the billing process. I know that the
20 concern is that somebody would be there to take
21 complaints if that happens. But, here again, the
22 vendors are doing that already. And I think they
23 are doing a decent job.

24 That's my only concern is the fact that
25 we are going to get into it as a city to

1 administrate the thing. I would suggest that
2 maybe the vendors do that themselves. They are
3 already doing it, so why don't they continue to do
4 that. I appreciate your efforts. Thank you.

5 THE MAYOR: Thank you for your comments,
6 sir.

7 MR. GRELINGER: My name is Dan
8 Grelinger, I live at 3305 NE 70th Place. I
9 believe there has been a misdirection of the
10 public's input on environmental priorities.
11 Environmental programs deliver benefits at no or
12 low cost that are fully recovered in a quick
13 period of time. A competitive market is widely
14 recognized as the most efficient system for
15 providing the best solution to consumers at the
16 lowest cost. Monopolies are not. Time Warner
17 Cable, my cable bill in Lee's Summit 25 years ago
18 was \$10. Now it is over \$100 and I watch even
19 less T.V. Fortunately, we are starting to get
20 choice there and we are starting to see an impact
21 in the cost. But cable companies are monopolies.
22 AT&T, the same way. When there is not
23 competition, over the long term, you end up paying
24 more. Blocking the City into a ten-year agreement
25 with a single supplier is the creation of another

1 monopoly.

2 This proposal removes a resident's
3 option to vote with their feet when such action is
4 necessary. I've done that twice in the last nine
5 years that I have been a Gladstone resident and
6 that has been very valuable to me. I think it is
7 key to keeping the garbage suppliers in line.
8 This proposal places the City in the position of
9 playing a middleman.

10 I agree with those that say the City has
11 done a great job with the police force and the
12 fire department and the water department and the
13 sewer department. Unfortunately, the City is not
14 going to be playing that role here. They are not
15 the supplier, they are the middleman. I believe
16 that improvements to the current system can be
17 made, but this proposal attempts to make these
18 improvements by establishing a monopoly. And I
19 don't think that's going to work. Thank you.

20 THE MAYOR: Thank you, sir. We will
21 keep the meeting to comments, please.

22 MR. PLOTH: Good evening. Mr. Mayor,
23 ladies and gentlemen of the Council. I agree with
24 some of the people that spoke before me.
25 Gladstone is a fantastic place to live. We have

1 lived here for probably 15, 20 years. And we
2 moved here because of the way that city government
3 was run, the facilities that you provided, and the
4 environment. It was a very conservative town. We
5 are getting away from our conservative values.

6 By the way, my name is Bill Ploth. I
7 live at 2610 NE 69th Terrace. And I furnished a
8 prepared statement for you all. I thought that it
9 would be in your packet by Thursday. It did not.
10 I apologize for that. But I would like to read
11 from that. I have shortened some of it so it
12 doesn't take so long.

13 After listening to the presentations of
14 Gladstone officials and then talking with various
15 attendees of the hearing at Antioch Middle School,
16 and many other residents who were not aware of
17 what is going on, I feel there is a need for a
18 spokesperson against this proposal. Given the
19 huge outcry from all around the City, I
20 recommended the Council very seriously reconsider
21 its position if the belief by the citizenry is
22 correct that this already is a done deal.

23 The relevant points are: This proposal
24 is another government attempt to eliminate one
25 more of consumer freedoms to choose the best

1 service that fits individually specific needs and
2 we are fed up with this direction. Government
3 oversight does not replace viable and active
4 competition in the marketplace.

5 Awarding long-term contracts drives
6 competitors from the marketplace forever and
7 focuses extreme market power in the hands of the
8 bid holder to the detriment of the consumers. The
9 argument that reducing the number of trash trucks
10 traversing city streets reduces the cost of street
11 maintenance is moot because studies cannot
12 quantify any cost differentials effect to the
13 taxpayers.

14 THE MAYOR: Mr. Ploth, can you
15 summarize. Your two minutes are up.

16 MR. PLOTH: I didn't realize we were on
17 a two-minute time frame.

18 THE MAYOR: Yes, sir.

19 MR. PLOTH: There is no need to hire new
20 people to be watchdogs over issues that are
21 normally handled by the service provider. And
22 there may be issues with tortious interference
23 with the contracts homeowner associations have
24 with their current trash collectors, which again
25 could be a cost to taxpayers. Gladstone -- this

1 is my last point.

2 Gladstone voters want this proposal put
3 up for public referendum before the City Council
4 takes any further action. And I would like to
5 know if the Council proposes to do that. Put it
6 up for public referendum. We have a petition that
7 is going to be signed to put it up for public
8 referendum.

9 THE MAYOR: Thank you for your comments,
10 sir. Next row.

11 MS. ANTHONY: Council members. My name
12 is Pat Anthony, and I live at 7200 North
13 Bellefontaine in Tall Timber. I agree with
14 everything that Mr. Ploth was trying to say. I
15 have one or two points, one being for myself. I
16 may fill up one barrel a month. Maybe.

17 So my question would be for myself, if I
18 have access to dispose of my own waste, which I
19 do, would I be automatically billed? Or would I
20 have the opportunity to deny that be put on my
21 water bill? Because I do like Platte Valley and I
22 would like to stay with them. But if that choice
23 is going to be taken away, then I will dispose of
24 my own, which I do have the ability to do. Thank
25 you.

1 THE MAYOR: Thank you, ma'am. We
2 appreciate your comments.

3 MS. LeBEER: Hi. My name is Mary
4 LeBeer, I live at 6705 North Broadway. I too want
5 to say thank you for all the wonderful things you
6 guys do in our City. But in case I don't get a
7 chance to vote, I just want to say that I am
8 against this proposal.

9 THE MAYOR: Thank you, ma'am.

10 MR. KRETZSCHMER: Midge Kretzschmer at
11 6106 North Michigan. I also oppose this. I don't
12 oppose this for what Gladstone City has done.
13 They have done a great job. I do oppose this. I
14 want the right to choose my trash, because I have
15 gone through some bad trash people. And I've got
16 a good one now and I want to stay with it. And
17 they put up a lot of things about trucks tearing
18 up the road and everything. But you've got other
19 heavy people on that.

20 The school buses are heavy. We wouldn't
21 want to do away with them. There are other heavy
22 trucks on Gladstone streets. It is not just the
23 trash trucks tearing up the streets.

24 And I would like to -- I would like to
25 know what the City Council, I would like to know

1 what you have to say, because you probably have
2 the notes from the Council, what they had to say.
3 I want to hear from you. I also would like to
4 have this put on the ballot to vote for it.

5 I want to know too if the trash company
6 that you would take, if it would be a union shop.
7 If it went on strike, what would happen to our
8 trash? Would it sit there? Who would pick it up?
9 And a lot of people already recycle. We don't
10 have to be forced to. We already do it. I know
11 that was mentioned. Thank you so much for
12 listening.

13 THE MAYOR: Thank you, ma'am.

14 MS. PLOTH: My name is Nell Nunn Ploth,
15 2610 NE 69th Terrace, Gladstone, Missouri. In
16 addition to what my husband was trying to say,
17 there's one thing that I have noted. That is that
18 now not only are you going to do the billing, but
19 now we are going to be billed once a month with a
20 water bill, which means that you are going to have
21 to go out and get meter readings once a month. We
22 calculated -- and this was added postage in what
23 we're talking about. It would be about \$48,000 a
24 year between what you have to pay and what we have
25 to pay to remit. So there are costs here that

1 really have not been established.

2 Minnesota did a study on this and
3 determined, yes, there was road damage, but
4 overall they could not show that the community
5 itself benefited overall from single source. So I
6 think until there is a decision on -- or some
7 study that says here is the economic benefit
8 overall by doing what we are doing, I think it
9 should be postponed. Thank you.

10 THE MAYOR: Thank you for your comments.

11 MS. DUNHAM: My name is Karen Dunham, I
12 live at 206 NW 59th Terrace. And I agree with
13 what Bill and Nell were trying to say about all
14 this stuff. And also I oppose it also, because
15 we've had different services and the rates kept
16 going up, up and up. So we switched and we're
17 with Platte Valley right now. We are real
18 satisfied with them. They are courteous. We have
19 no problems. You call them, you get a person.
20 The other company, you call and you get a machine.
21 And I oppose it. So that's all I have to say.

22 THE MAYOR: We appreciate your comments.

23 MS. RINEHART: Good evening. I am Cathy
24 Rinehart, I live at 7400 NE Antioch Road. And I
25 would like to ask a couple of questions for those

1 of us that -- I've never had trash service at my
2 house. I didn't get an answer from the lady that
3 said can you opt out. I didn't get an answer to
4 that. And the other question that I have is the
5 \$1.49 admin fee. Does that go to Gladstone?

6 THE MAYOR: We've been trying to avoid
7 the discussion. We wanted to hear from you. Let
8 me go ahead and address those briefly. There will
9 be an opt out provision, the details of which have
10 not been worked out. Again, there's not been a
11 decision made to pursue this. That's why we're
12 asking for everybody's input. And then, yes, the
13 administrative fee is to help offset the postage
14 and the employees that would provide the service.
15 And, again, we've tried to project out and
16 accommodate all of the added costs.

17 MS. RINEHART: Thank you.

18 THE MAYOR: Thank you.

19 MS. SMITH: Shirley Smith, 103 NE 67th
20 Street. I really can't believe that one source
21 trash hauling in this municipality can save the
22 planet. I do my part by picking up the beer
23 bottles and cans and QuikTrip cups out of my yard
24 every Saturday and Sunday morning. But I think
25 the problem with me with this is that the

1 arguments that you presented were rather weak and
2 answerable. At least I answered them in my mind.
3 And I'm an old-timer and I like old adages. I
4 love old adages. So I will just say it. "If it
5 ain't broke, don't fix it."

6 THE MAYOR: Thank you former Council
7 Person Smith.

8 MS. NIEDERWIMMER: I am Vonnie
9 Niederwimmer, I live at 301 NW 73rd Terrace.
10 Basically I am against it. There are certain
11 aspects I think that are worthwhile looking at the
12 recycling as I know. We have a lot of neighbors
13 that don't recycle. But I definitely think that
14 if you go with this, there ought to be an opt out.

15 My husband and I have some acreage north
16 of Platte City. We take our yard waste, the
17 neighbor's yard waste up there. We would not want
18 to have to pay that. We also recycle, either up
19 at Lindenwood School, which offers the school some
20 extra income, the glass we take up to Metro North.
21 So we would not need to have recycle and yard
22 waste as part of the service.

23 Now, I understand the City of Shawnee
24 has three different types of services. Like if
25 you're a single person, have very little trash,

1 there's a much lesser charge. And I don't know if
2 you have looked into that at all. But something
3 else that concerns me, we have Blacksher, which is
4 a small company. If we go with one big company,
5 he is probably going to be put out of business.
6 Have you thought about dividing the city up in
7 three or four sections and having three or four
8 different trash services? And I definitely think
9 we should go with no more than a three-year
10 contract to start off with to see how this goes.
11 To have a ten-year contract is ludicrous. I mean,
12 that's not even common sense. I guess that's all
13 I have to say.

14 THE MAYOR: Thank you, Mrs.
15 Niederwimmer. We appreciate your comments.
16 Again, please keep it to the comments.

17 MR. SPURGEON: I want to thank the
18 Council and the City of Gladstone for moving this
19 meeting to the Community Center. Single source
20 trash collection is just a symptom of a bigger
21 problem. If you look at city websites you see a
22 page that says "Gladstone citizen survey." There
23 is a paragraph that follows, and I quote in part,
24 "In 2007, 85 percent of residents participating in
25 Gladstone's comprehensive area plan stated that

1 environmental issues needed maximum attention." I
2 went to several of those meetings and it was clear
3 the meeting was facilitated. This is a common
4 practice.

5 The facilitator's job is to control the
6 meeting, bring it to a pre-planned conclusion. If
7 they are good at their job they can actually make
8 the audience think the consensus they have reached
9 on an issue or proposal is actually their idea.
10 They break you up in small groups, give you
11 leading questions, and steer you to their
12 conclusion.

13 Unfortunately, we now are stuck with
14 that mandate. If we could take a vote of the
15 people and ask them what is more important to
16 them, liberty, freedom of choice and free
17 enterprise or the environment, I believe the
18 majority of the people would say liberty, freedom
19 of choice, and free enterprise. I have a lot of
20 other information I could share with you. There
21 is not time for it. I again appreciate having the
22 privilege to speak. God bless the City of
23 Gladstone, the State of Missouri, the United
24 States of America, and our Constitution. Thank
25 you.

1 THE MAYOR: Mr. Spurgeon, I know who you
2 are, but could you please give your name and
3 address for the record.

4 MR. SPURGEON: Yeah. Barret C.
5 Spurgeon. I go by Chris Spurgeon. 3710 NE 57th
6 Street. Thank you.

7 THE MAYOR: Thank you for your comments.

8 MR. HAMILTON: Good evening. I am
9 Forrest Hamilton, I live at 6910 North Flora
10 Avenue. I am delighted to be a resident of
11 Gladstone. I have operated a business here for
12 the last 25 years and became a resident within the
13 last eight, but I do believe in the spirit of
14 competition and freedom of choice. Thank you.

15 THE MAYOR: Thank you, sir.

16 MR. HODGES: My name is John Hodges, I
17 live at 5707 North Garfield, Gladstone, Missouri.
18 I have been a resident of Gladstone for 54 years
19 and I have been very happy with the service that I
20 have had with the trash pick-up. We've had three
21 different trash pick-ups, types of trash pick-ups,
22 and we have a very good one now, which is Platte
23 Valley Sanitation. And I go along with everybody
24 here that spoke that is against it. Thank you.

25 THE MAYOR: Thank you, Mr. Hodges.

1 MR. HESTON: My name is Mike Heston, I
2 have been a resident of Gladstone for 27 years. I
3 live at 1121 NE 75th Street in Jamestown. I have
4 not been to the other meetings. So I apologize if
5 I am going to put something in front of you that
6 has already been asked. Is there a breakdown of
7 exactly what the cost is for each service? Are we
8 going to be required to recycle? I'm not against
9 recycling. I am against paying somebody to pick
10 up my recycling and make money off of my work and
11 my recycling. Presently I go to Metro North.

12 I would suggest to you that if those
13 have not been answered, those types of questions,
14 the specific breakdown of what all costs are going
15 to be to me and the audience and the people in
16 Gladstone, that that might be something that you
17 wish to do. I think it will eliminate a lot of
18 new problems.

19 I also do not support the 10-year
20 contract. I'm a retired government employee and
21 we just did not do 10-year contracts unless it was
22 for a lease of a building. That's too long. It
23 is just too long. I would personally agree maybe
24 three, five years to begin with, with maybe an
25 ability to reup, if you will.

1 But I think the last thing that I am
2 really, really against is for somebody to tell me
3 who I have to do business with. That just rubs me
4 the wrong way, because it is a monopoly type of
5 deal. I know where the costs are going to go. So
6 that's my concern. I love living here. This is
7 my city. It is our city. It should be our choice
8 as to who services us in this city. Thank you.

9 THE MAYOR: Thank you, sir. You guys
10 know what I am going to say.

11 MR. FREEZE: I am Leland Freeze, I live
12 at 6504 North McGee Street. I love this city too.
13 But I don't like anybody telling me who I have to
14 have. I am completely against it unless you
15 choose to blackmail. I have dealt with BFI when
16 they were unionized, they are not unionized
17 anymore, I got rid of them. Deffenbaugh used to
18 be unionized. When they sold out to the outfit
19 down in Kentucky, they are no longer unionized. I
20 got rid of them. I've got Platte Valley. I get
21 100 percent wonderful service out of them. I pay
22 a little bit more, but I get what I pay for.

23 And I am afraid that if you go with
24 Platte County out of Harrisonville, you are going
25 to get less service. You are not going to be able

1 to control them. They have already got Kansas
2 City. And my daughter and son both live in Kansas
3 City and their service has went down. I am a firm
4 believer in hometown. Platte Valley is hometown.
5 BFI out of Detroit. Deffenbaugh now is out of
6 Kentucky. But Platte Valley is right here north
7 of the river. Thank you so much.

8 THE MAYOR: Thank you, sir.

9 MS. AVRON: I am Bev Avron, 2105 NE 69th
10 Terrace. And I too love living -- my husband and
11 I love living in Gladstone and appreciate the snow
12 removal. And friends do not have that in other
13 areas. I really appreciate that. I just have
14 some questions about this. I am not totally for
15 it yet. I couldn't understand or hear completely.
16 Was Town & Country what they are recommending
17 right now? And if so, do they have yard waste? I
18 have been calling around because I was told by a
19 Jennifer that yard waste was going to be up to the
20 individuals to secure their own. So far I am not
21 having any luck with that. And the ones that I
22 have are so -- their prices are just out of sight.
23 I am very happy with Platte Valley.

24 I have been with the big boys and they
25 did not work. The service was bad. I like the

1 hometown person and because they are the local
2 business. And also their yard waste is a dollar a
3 bag. I don't use it every week. So I don't want
4 to be paying \$90 or \$100 a year for something I
5 don't use every week. But I cannot be
6 transporting when I do use it. I don't have a way
7 in the trunk of my car maybe to your land place or
8 wherever the deal is. I would like for that to be
9 addressed. Somehow get some information on that.
10 Thank you.

11 THE MAYOR: Thank you, ma'am. Real
12 quick, Director Nebergall. There are negotiations
13 for the yard waste that would happen as a part of
14 any considered contracts?

15 MR. NEBERGALL: Yes.

16 THE MAYOR: Thank you.

17 MS. BROWN: My name is Rose Brown, I
18 live at 6701 North Garfield and I am also managing
19 agent for the Meadowbrook Manor Duplexes. I have
20 been working with the duplexes for 18 years now on
21 and off as managing agent and also for previous
22 managing agents. And the committee's
23 recommendation is Town & Country.

24 I was at the Antioch meeting and it was
25 stated there that 50 percent of the Gladstone

1 residents used Platte Valley. 25 Allied Waste and
2 25 Deffenbaugh. The other three make up a little
3 bit percentage, which is telling me their
4 recommendation is by cost only.

5 I have worked, just as you have, over
6 the years on getting bids and prices on contracts.
7 And I know, as well as you do, you get what you
8 pay for. If you are going to go cheap, there's a
9 reason 50 percent of Gladstone is not using Town &
10 Country. And I feel that if you go cheap, we're
11 going to get cheap. We know those of us that use
12 these other companies, we're using them for a
13 reason. We had a chance to use these cheaper
14 companies.

15 And I was also told from some of the
16 companies, I called the three main ones over the
17 last couple weeks because I was at that meeting.
18 All three of them told me that it will be losing
19 trucks, they will be selling trucks. If they
20 don't get the bid, they will be selling trucks,
21 they will be laying off employees. And some of
22 them said they might even have to start shutting
23 down.

24 So my problem is if we go one hauler, I
25 really believe we are going to have a hard time

1 down the line getting competitive bids for the
2 future. And I guess I wouldn't have a problem
3 with one source bid or one bid if the Gladstone
4 City themselves ran it. If you guys had your own
5 trucks, you have your own employees and you
6 control the whole thing. That would -- I know it
7 is not cost effective for you to do that, but all
8 the companies that I have talked to, they all have
9 said they all would be buying extra trucks and
10 would be hiring other employees, which the City
11 would also be having to do in the end. My big
12 thing is, remember we get what we pay for in the
13 end. Thank you.

14 THE MAYOR: Thank you, ma'am. And for
15 clarification, I don't believe Town & Country is
16 licensed at all in the City and probably has zero
17 pick-up in our City.

18 MR. PARKENSON: My name is Ralph
19 Parkenson, I live at 6402 Michigan. I have lived
20 here longer than any of you probably except for
21 Les. You guys do a good job as the City goes in
22 the police business, the fire business, the roads,
23 water, everything you do, because you guys have
24 control over the people that is doing it. If you
25 do this trash pick-up, who is going to have

1 control over them? Who are they going to answer
2 to? You got a 10-year contract, who are they
3 going to answer to? I am looking at you. Who are
4 they going to answer to?

5 THE MAYOR: There are quality control
6 provisions.

7 MR. PARKENSON: You give them a ten-year
8 contract, they're going to do it the way they want
9 to do it. You guys do a good job because you
10 control the things you can control. But you're
11 not going to be able to control this. It is a
12 known thing. One thing about the apartments, the
13 businesses, those people pick up two or three
14 times a week at some of those places. What are
15 you going to do about them?

16 THE MAYOR: There is no commercial
17 provision as a part of this.

18 MR. PARKENSON: Okay. So those trucks
19 are around here two or three times a week. I hear
20 them going to the schools. I live between two
21 schools. I hear those trash trucks 2:00 o'clock
22 in the morning. And they are not once a week. So
23 that is something you have to think about. These
24 two people you hire for the City, what are they
25 going to do eight hours a day? They said in that

1 meeting they're going to just answer complaints
2 from the people. Are they going to sit there
3 eight hours a day and answer complaints from the
4 people? That's a lot of complaints. If there's
5 that many complaints, we got a problem with our
6 trash pick-up. Anything? Is that all they are
7 going to be doing is answering complaints or are
8 they going to be doing other city services on our
9 dime?

10 THE MAYOR: They will be able to do
11 quite a bit of service work.

12 MR. PARKENSON: For other than -- we're
13 paying them for our deal for the trash. Was
14 supposed to take care of our trash situation. So
15 they're going to do other stuff for the City and
16 we're paying for it? That's not right. Why
17 should we be paying -- if we are paying something
18 on our bill, an added tax, so then why are we
19 having to pay for them to do other stuff for the
20 City?

21 THE MAYOR: Thank you for your time and
22 your comments.

23 MR. PARKENSON: Hang on a minute.

24 THE MAYOR: You've had your two minutes,
25 sir.

1 MR. PARKENSON: I don't like it.

2 MS. CRABTREE: My name is Lynn Crabtree,
3 1312 NE 69th Street, and I am a resident of
4 Gladstone for over 30 years. My main objections,
5 I oppose the ten-year contract. I think that's
6 way too long. If there's a problem, there's not a
7 way to negotiate. If it does go forward, I think
8 that it should be put up to a vote for the voters
9 to decide instead of a committee to decide. My
10 main problem with this, our individual freedoms
11 are near and dear to my heart. My son is getting
12 ready to deploy to Iraq for the second time to
13 protect people's freedoms, and here at home we
14 don't have those freedoms. They keep getting
15 taken away. And I object to that.

16 THE MAYOR: Thank you for your comments.

17 MS. KALMUS: My name is Karen Kalmus, I
18 live at 5625 North Gladstone Place, Gladstone,
19 Missouri, 64119. I have resided in Gladstone for
20 34 years. I find it highly offensive that you
21 five people have set yourself up to speak for
22 26,000 residents. Over half of which in the
23 households are using Platte Valley Sanitation
24 because they had so many problems with other trash
25 providers. I find it highly offensive that you

1 set yourselves up in stature in this room above
2 me. Who on earth do you people think you are?
3 What wisdom have you been given --

4 THE MAYOR: Ma'am, please keep it down.
5 It is regarding the trash pick-up.

6 MS. KALMUS: These are comments
7 regarding pick-up. Because you people have
8 decided to take away my freedom of choice. You
9 people. Not these people. You five have decided
10 to take away my freedom of choice and their
11 freedom of choice. That's what we're talking
12 about here. More so than anything else. Thank
13 you so much.

14 THE MAYOR: Thank you, ma'am.

15 MS. DUISIK: Hester Duisik, 3205 NE
16 Shady Lane Drive in Gladstone. I am president of
17 the Carriage Hills Homeowner's Association. We
18 could strongly support just having one trash
19 company if you chose Platte Valley. We did our
20 research last year and that's who we switched to.
21 And I have a concern since we're going to a
22 company that -- you are choosing to go to a
23 company that we haven't tried out yet. That is a
24 big concern. And also the Platte Valley
25 sanitation company, when I spoke with them, they

1 do everything they can to support Gladstone. They
2 do buy some of their diesel when they need to.
3 They buy it at HyVee. When they accidentally
4 crunch somebody's car or something, they would
5 encourage them to go to Gill's or some other place
6 to get their car fixed so that it would be
7 Gladstone money.

8 I don't think that other company is
9 going to have any concerns about Gladstone. We're
10 just another client, just somebody else. So I do
11 agree ten years is a long time. And I would just
12 like to be able to say thank goodness it is a
13 local company, period. But I would like to see
14 one north of the river who has north of the river
15 values. Somebody that is ours. And again, big
16 problem is the fact that we have -- if they have
17 not been licensed to even be in this city, I think
18 you have to try something out before you buy it.

19 I just want to thank you very much for
20 your time and appreciate your good work. And I
21 hope that there hasn't been a firm decision that
22 you have yet. Because I really wish that you look
23 at the rest of it.

24 One other thing. I wanted to know if
25 all of the results of the study would be available

1 at some point for us to look at? Would that be
2 available or not? Should it be public record?

3 THE MAYOR: Yes, it will be public
4 record.

5 MS. DUISIK: Okay, great. Do you know
6 when that will be available?

7 THE MAYOR: Is it already available to
8 some degree? I don't know what form it takes. I
9 believe it, is it accessible from the city
10 website?

11 MR. THOMPSON: I don't know that.

12 MS. DUISIK: I'll just call.

13 MR. DAVIS: We'll have to prepare
14 somewhat of a final document. As you know,
15 though, we are still just taking input. There are
16 a lot of issues still to be discussed, but we will
17 have a document that is available for folks if
18 they would like to see it.

19 THE MAYOR: Thank you, Captain Dobbins.
20 At this point we have really taken in quite a bit.
21 We appreciate everybody's comments. And the
22 Council will not be taking any action on the
23 single source trash collection tonight. And there
24 will be no further discussion on the issue this
25 evening.

1 We will consider the information
2 presented tonight, schedule the decision for the
3 July 25th Council meeting. At this time we will
4 take a ten-minute break before completing the
5 remainder of the meeting. Thank you all, we
6 appreciate your input.

7 (A short recess was taken.)

8 THE MAYOR: We are going to move on to
9 Item 7 of the Agenda, which is Communications from
10 the City Council. Councilman Hill, do you have
11 anything for us this evening?

12 COUNCILMAN HILL: Yes, Mayor McCullough.
13 I just want to take this opportunity to thank
14 Councilman Smith for his many, many years of
15 service to the City. And his insight and guidance
16 will be sorely missed in the future. Thank you.

17 THE MAYOR: Councilmember Moore.

18 COUNCILMEMBER MOORE: I would echo those
19 same comments. I would have to say that
20 Councilman Smith is the one who kind of railroaded
21 me several years ago at Starbucks and said,
22 "Wouldn't you like to get involved in this little
23 thing the City is doing?" And so that kind of
24 started me on my process. I volunteered for the
25 City and I am grateful. Very grateful. And

1 grateful for your friendship and all that you have
2 done for the City. We can't thank you enough. I
3 also would just like to say thank you to the City
4 Manager and to Richard King for their service at
5 the All America City function here in Kansas City.
6 It took a lot of hours and a lot of energy and a
7 lot of dedication. And I know it was a great
8 event because of all their services. So thank
9 you.

10 THE MAYOR: Thank you. Councilman
11 Smith, I hope you will bear with me, I am skipping
12 you. And I am going to let you go last at your
13 last meeting. Mayor Pro Tem Suter.

14 MAYOR PRO TEM SUTER: I want to thank
15 you, to all the citizens of Gladstone that showed
16 up tonight, whatever your opinion, we really
17 appreciated the input and we appreciated the
18 thoughtful and courteous way that people conducted
19 themselves. We've had some unfortunate incidents
20 in the last couple weeks that weren't so happy for
21 Gladstone. So I am really glad to see that we are
22 capable of conducting ourselves in a good way in a
23 public setting. It helps us to really hear what
24 people are saying on all sides. It is greatly
25 appreciated.

1 We did this on Les's last meeting, so it
2 would be a really long one so he could savor every
3 minute of his last session. It is a hard one for
4 the rest of us, because we are going to miss you.
5 And you have been instrumental in all of us here
6 getting started. Pro or con, I think Barry
7 started out by running against you. But look what
8 happened. So whether people are for you or
9 against you, it seems to get us involved in
10 Gladstone. That's a good thing.

11 THE MAYOR: Thank you, Carol. Les, I do
12 have to echo the thank you's and the appreciation.
13 I know we did start off on the wrong foot. And I
14 appreciate your help, your guidance, and
15 everything you did to put me in this seat. Even
16 though it was a long, hard, rough battle for me to
17 experience at that time, I have learned to
18 appreciate everything that you shared with me, and
19 that you helped me gain insight and become a
20 better citizen of Gladstone as a result. So I
21 greatly appreciate the many, many, many years that
22 you have committed to the City, and wish you a lot
23 of luck in your future endeavors.

24 So at this time, Councilman Smith.
25 Former Mayor Smith.

1 COUNCILMAN SMITH: Thank you all very
2 much for the kind comments. And, actually, the
3 best part of you running against me in 2007 was
4 that it forced Laura, who is now my wife, to
5 engage in a political campaign. Being an
6 administrator, they are kind of adverse -- or they
7 claim to be -- to politics. Although we know most
8 administrators probably know more about politics
9 than we give them credit for or that they wish to
10 admit. But she got to see the other side of the
11 fence. And I would even say it served her well in
12 her career. Correct?

13 MRS. SMITH: Sure.

14 COUNCILMAN SMITH: But I do appreciate
15 it very much. And I also appreciate the fact that
16 you all are throwing a little reception for us a
17 week from Thursday, and would hope that everyone
18 will come so that there will be a couple dozen
19 folks there. It has just been fabulous. It
20 really has. Growing up in some of the more
21 politically volatile years in Gladstone, talking
22 Gladstone politics and city business at the dinner
23 table, it wasn't exactly like that. It was more
24 listening to my mother and father screaming about
25 some of the other folks that were involved at that

1 time. Who was going to outclimb who on the
2 telephone pole to put a sign the highest. Who was
3 going to sue who for libel.

4 My dad always seemed to get the last
5 word, though. I think it had something to do with
6 the fact that he owned the local newspaper. That
7 made it rather convenient. It has just been truly
8 an honor to serve the folks of my hometown. You
9 don't get to do that every day. And never a
10 second thought about the opportunity having arisen
11 to move to Johnson County in large part because of
12 Laura's career. That was the easiest decision,
13 because she is just a special person. And I
14 wouldn't do it any differently.

15 This city is in good hands. This staff
16 is just phenomenal. We have always been fortunate
17 in Gladstone to have good leaders on the
18 administrative side. For a while we were kind of
19 the proving grounds or resume' builders, training
20 grounds, if you will, for city managers. Think
21 about, you know, Mark Akin, who in 1987 Mark Akin
22 was the city manager. The day after my election
23 he announced his resignation. He claimed it was
24 only coincidental. He didn't want to impact the
25 election. That was my breaking into the city

1 government, to have the city administrator or city
2 manager leave the day you get elected. I didn't
3 take it personally at all.

4 Then we have Pat Riley come along who
5 jumped into a very difficult time in Gladstone.
6 But he was probably one of the nicest men you
7 could ever hope to meet and a very talented city
8 manager. With the politics as volatile as they
9 were at that time, it didn't bode well for him
10 being here long. And I think that what we can do
11 best going forward is to be supportive and
12 appreciative of the professionalism and the
13 dedication that this staff presents or brings to
14 this community and then to be supportive of that
15 and just give them, provide them the environment
16 to be successful. Because they are very talented,
17 they are very dedicated. They make things work.

18 And I will be eternally grateful for all
19 the times that many of you have made the Council
20 look good. We know where the credit lies, it lies
21 with you. And we appreciate you. We hope that
22 all of you will be around for a very long time.
23 With that, I will stop rambling, because I will
24 probably do plenty of that next Thursday night.

25 Thank you very much for the kind words.

1 Good luck on the decision with the single source
2 hauler issue. I am really sorry that I won't be
3 around to participate in that discussion any
4 longer. We didn't know how the timing of that was
5 going to play out. So I actually have to
6 apologize for not being around to see this to its
7 conclusion. Good luck with that. I know you will
8 make the right decision. I appreciate each of you
9 and what you have done for this community and look
10 forward to your friendship for many, many years to
11 come.

12 THE MAYOR: Thank you, Les. Item 8,
13 communications from the City Manager.

14 MR. DAVIS: Tough to follow that.
15 Councilman Smith, I won't even go into my comments
16 right now. I am going to reserve some of those
17 for that Thursday night. I hope, I know you
18 understand. Otherwise, we might be here for a
19 long time tonight. And I don't want -- we've
20 already been here for a while. I guess you
21 understand that, you know, we have a special
22 relationship and I have always appreciated that.

23 Three things with the City. Theater In
24 The Park, July 8, 9 and 10. I want to encourage
25 everybody to go out to Oak Grove Park to the

1 Ampitheater and participate and watch the show.
2 Participate in the park activities. But watch the
3 show Flyer. I think it is going to be a great
4 show. Should be great crowds.

5 Reminder that we are closed on Monday,
6 July the 4th, but we would like to invite
7 everybody out to Oak Grove Park again for the
8 fireworks display that night. It will start
9 roughly 9:45. I think as usual it will be a great
10 display and hopefully everybody will enjoy
11 themselves. That's all I have.

12 THE MAYOR: Thank you, Kirk. Moving on
13 to Item 9. We have got a public hearing for
14 consideration of a request for a Special Use
15 Permit Renewal at 2005 NE 62th Street. Applicant,
16 Judy A. Cervantes. Owner: Louis A. Sr. and Judy
17 A. Cervantes. We will open this public hearing
18 and immediately close it. The meeting is opened
19 and closed.

20 Audience Note: This public hearing will
21 be continued to the July 11th, 2011 City Council
22 meeting by agreement of the applicant as well as
23 the City Staff. As further explanation, it was
24 just, we knew this was going to be a long meeting
25 tonight and rather than subject them to a long

1 drawn-out process, we continued it on.

2 Item 10, public hearing for
3 consideration of a request for a Special Use
4 Permit Renewal at 6822 North Charlotte.

5 Applicant: Lisa Jo Sink/Kids Count. Owner: Lisa
6 Sissel. Again, we will open the meeting and
7 immediately close it, with the same note that it
8 will be carried forward to the July 11th, 2011
9 City Council meeting.

10 Item 11, Resolution R-11-53, amending
11 the 2011 Transportation Sales Tax Fund and Capital
12 Improvement Sales Tax Fund for the City of
13 Gladstone, Missouri, and authorizing expenditures
14 of funds.

15 COUNCILMEMBER MOORE: I move that
16 Resolution R-11-53 be adopted.

17 COUNCILMAN HILL: Second.

18 THE MAYOR: Motion has been moved and
19 seconded. Is there any discussion? All in favor?
20 (Ayes stated.)

21 THE MAYOR: All opposed?

22 (No response.)

23 THE MAYOR: Hearing none, that
24 resolution moves forward.

25 Item 12, Resolution R-11-54,

1 establishing the financial policy for implementing
2 the Governmental Accounting Standards Board's
3 Statement Number 54-Fund Balance Reporting and
4 Governmental Fund Type Definitions.

5 COUNCILMAN SMITH: I move that
6 Resolution R-11-54 be approved.

7 COUNCILMEMBER MOORE: Second.

8 THE MAYOR: The motion has been
9 seconded. Is there any discussion? Hearing none.
10 All in favor, please say "aye".

11 (Ayes stated.)

12 THE MAYOR: Any opposed?

13 (None stated.)

14 THE MAYOR: Resolution R-11-54 moves
15 ahead. And Item 13. We get to continue with the
16 celebration. And I would like to ask the Council
17 as well as former Mayor Smith to join me down
18 front for a special presentation. We went through
19 and talked about everything that we could possibly
20 present to you. And every time Cathy and I talked
21 about something, it really boiled down to you
22 already had it. You've already done so much for
23 the community. I couldn't give you a city key.
24 So we are presenting you with a flag. Presented
25 the 30th day of June, 2011. You get the idea.

1 We'll actually bring it back. With the greatest
2 respect and affection. City Council, staff and
3 the citizens of Gladstone, Missouri, by all of us
4 on the City Council.

5 COUNCILMAN SMITH: That is awesome.

6 THE MAYOR: Les, we can't tell you
7 enough about how much we appreciate your
8 leadership and everything that you have done for
9 the Council and the City as a whole. It has been
10 an honor to work with you.

11 COUNCILMAN SMITH: This is perfect.
12 This is perfect.

13 THE MAYOR: Thank you. Cathy did come
14 up with a wonderful idea to give you an additional
15 Certificate of Dedicated Service and heartfelt
16 appreciation presented to Mayor Les Smith in
17 grateful recognition of his devoted service and
18 outstanding contribution to the City of Gladstone,
19 Missouri; whereas Councilman from April 1984
20 through April 1987, April 2001 to June 2011, and
21 Mayor from April 2003 through April 2004, and
22 April 2007 through 2008, and again April 2010
23 through April 2011. Presented this 30th day of
24 June, 2011 with the greatest respect and
25 appreciation, affection from the Mayor and the

1 City Council members and City Managers and City
2 Staff members and Civic Leaders who were
3 privileged to serve with you. Do you have any
4 additional words for us?

5 COUNCILMAN SMITH: Well, no. I had
6 managed to not look anyone in the eye. No eye
7 contact, especially with you folks over here and
8 over here, so I don't lose it. And not too much
9 with the folks down here. So I am going to win a
10 very large bet by not losing it this evening. I
11 would, Mayor McCullough, one thing I did want to
12 say in communications that I forgot, is to thank
13 the folks on staff, both the administrative staff
14 and others and the public works and community
15 center for pulling this together very quickly. We
16 had a crowd that was well in excess of the number
17 of folks that would fit in City Hall. I really
18 appreciate making this happen for the Council.
19 Once again, I think they did the right thing for
20 us. I just want to say thanks. That's all. No
21 more, I promise.

22 THE MAYOR: Good call. Just for the
23 folks that may not understand the last minute
24 decision. This was made on Friday. We realized
25 that the crowd was likely to be in excess of the

1 capacity that we could have in council chambers.
2 And so staff, everybody worked really hard to pull
3 this off and make sure it was a good event and
4 everybody had the opportunity to be heard this
5 evening.

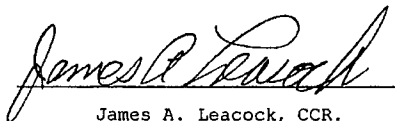
6 Item 14. Is there other business to
7 come before Council this evening? Item 15. Are
8 there questions from the news media? Thank you
9 for being here, gentlemen. Item 16. We are
10 adjourned. Thank you all.

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C E R T I F I C A T E

I, JAMES A. LEACOCK, Certified Court Reporter,
do hereby certify that I appeared at the time and place
hereinbefore set forth; I took down in shorthand the
entire proceedings had at said time and place, and the
foregoing 63 pages constitute a true, correct and
complete transcript of my said shorthand notes.

Certified to this 5th day of July, 2011.


James A. Leacock, CCR.

Certified Court Reporter No. 662 (G)

Notary Public, State of Missouri



Respectfully submitted:

Cathy Swenson
Cathy Swenson, City Clerk

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

Carol Suter
Mayor Pro Tem Carol Suter



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JULY 11, 2011**

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular June 27, 2011, City Council Meeting Minutes.
5. **PROCLAMATION:** recognizing the month of July 2011, as "NATIONAL PARKS AND RECREATION MONTH".
6. **CONSENT AGENDA**

RESOLUTION R-11-55, authorizing the City Manager to enter into a purchasing agreement with Precision Fire Apparatus of Camdenton, Missouri, for one 2012 Precision Fire Engine, with an Alternative Power Unit, and Specified Firefighting Equipment, for a total cost of \$541,907.00.

RESOLUTION R-11-56, authorizing execution of a contract with Mega Industries Corporation, in the total amount not to exceed \$961,429.58 for the Shoal Creek Trail Segment 5, Project TP1071, pending concurrence from the Missouri Department of Transportation.

RESOLUTION R-11-57, authorizing execution of a contract with Linaweaver Construction, Incorporated, in the total amount not to exceed \$144,108.60 for the Shady Lane at Wayne Storm Drainage Project.

RESOLUTION R-11-58, authorizing execution of a contract with Linaweaver Construction, Incorporated, in the total amount not to exceed \$310,100.00 for the Atkins-Johnson Farm Infrastructure Project.

APPROVAL OF A BUILDING PERMIT: for the interior and exterior remodeling of the Gladstone Dodge property located at 5610 North Oak Trafficway. Applicant: WSKF Architects, Inc. Owner: Thomas Doherty/Michelle Stouffer.

APPROVAL OF ANNUAL LIQUOR LICENSE RENEWALS:

- Wal-Mart #1120, 7207 North M-1 Highway; Seven-Day Package Liquor License.
- CVS Pharmacy, 6129 Northeast Antioch Road; Seven-Day Package Liquor License and Wine Tasting.
- CVS Pharmacy, 7107 North Oak Trafficway; Seven-Day Package Liquor License.
- Archa, LLC, 7020 North Oak Trafficway; Seven-Day Package Liquor License.
- Trex Mart #7, 5810 Northeast Antioch Road; Seven-Day Package Liquor License.
- Gladstone Bowl, Inc., 300 NW 72nd Street; Class AA&B Liquor by the Drink License.

- Applebee's Neighborhood Grill & Bar, 6069 Northeast Antioch Road; Class AR&B Liquor by the Drink License.
- Tommy's, 6221 North Chestnut; Class AR&B Liquor by the Drink License.
- El Patio, dba Senor Tequila, 6502 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- The Hide Out Blues Club, LLC, 6948 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Mark & Michelle's Bar & Grill, 7102 North Oak Trafficway; Class AR Liquor by the Drink License.
- Northland Elks, 7010 North Cherry; Class AF&B Liquor by the Drink License.

REGULAR AGENDA

- 7. Communications from the Audience.**
- 8. Communications from the City Council.**
- 9. Communications from the City Manager.**
- 10. PUBLIC HEARING:** for consideration of a request for a Special Use Permit subject to certain conditions to Judy Cervantes for operation of a child care center on residential property at 2005 Northeast 62nd Street. Applicant/Owner: Judy A. Cervantes.
- 10a. BILL NO. 11-18,** approving a Special Use Permit subject to certain conditions to Judy Cervantes for operation of a child care center on residential property at 2005 Northeast 62nd Street. Applicant/Owner: Judy A. Cervantes.
- 11. PUBLIC HEARING:** for consideration of a request for a Special Use Permit subject to certain conditions to Lisa Jo Sink for operation of a child care center on residential property at 6822 North Charlotte Street. Applicant/Owner: Lisa Jo Sink.

11a. **BILL NO. 11-19**, approving a Special Use Permit subject to certain conditions to Lisa Jo Sink for operation of a child care center on residential property at 6822 North Charlotte Street. Applicant/Owner: Lisa Jo Sink.

12. Other Business.

13. Questions from the News Media.

14. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JULY 11, 2011**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Pro Tem Carol Suter
Councilmember Jean Moore
Councilman Brian Hill

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

ABSENT: Mayor Barry McCullough

Item 2. on the Agenda. ROLL CALL.

Mayor Pro Tem Carol Suter opened the Regular July 11, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present, except for Mayor Barry McCullough who was on vacation. Mayor Pro Tem Suter explained to the audience that due to Councilman Smith's resignation, there is one unfilled seat on the City Council.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Pro Tem Carol Suter led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. APPROVAL OF THE REGULAR JUNE 27, 2011, CITY COUNCIL MEETING MINUTES.

Councilman Brian Hill moved to approve the **REGULAR JUNE 27, 2011, CITY COUNCIL MEETING MINUTES** as presented. Councilmember Jean Moore seconded. The vote: All "aye" - Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

Item 5. on the Agenda. **PROCLAMATION:** recognizing the month of July 2011, as "NATIONAL PARKS AND RECREATION MONTH".

Mayor Pro Tem Suter read and presented the Proclamation to Parks and Recreation Director Sheila Lillis, who thanked the Mayor and Council. Director Lillis introduced Carl Tramon, the co-author of the book, Flyer, and his sister, Diana Belkowski, who was the co-author of the music and lyrics of the musical, Flyer. The musical, Flyer, was presented at the Gladstone Amphitheatre in Oak Grove Park, July 8th, 9th and 10th.

Ms. Belkowski said they were honored that Gladstone presented their production and they have had a great time in Gladstone. Mr. Tramon agreed, and said Gladstone is a wonderful city and they had a wonderful experience while visiting.

Item 6. on the Agenda. **CONSENT AGENDA**

Following the Clerk's reading, Councilmember Jean Moore moved to approve the Consent Agenda as presented. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-55**, authorizing the City Manager to enter into a purchasing agreement with Precision Fire Apparatus of Camdenton, Missouri, for one 2012 Precision Fire Engine, with an Alternative Power Unit, and Specified Firefighting Equipment, for a total cost of \$541,907.00. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-56**, authorizing execution of a contract with Mega Industries Corporation, in the total amount not to exceed \$961,429.58 for the Shoal Creek Trail Segment 5, Project TP1071, pending concurrence from the Missouri Department of Transportation. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-57**, authorizing execution of a contract with Linaweaver Construction, Incorporated, in the total amount not to exceed \$144,108.60 for the Shady Lane at Wayne Storm Drainage Project. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-58**, authorizing execution of a contract with Linaweaver Construction, Incorporated, in the total amount not to exceed \$310,100.00 for the Atkins-Johnson Farm Infrastructure Project. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

Councilmember Jean Moore moved to approve a **BUILDING PERMIT**: for the interior and exterior remodeling of the Gladstone Dodge property located at 5610 North Oak Trafficway. Applicant: WSKF Architects, Inc. Owner: Thomas Doherty/Michelle Stouffer. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

Councilmember Jean Moore moved to approve the following **ANNUAL LIQUOR LICENSE RENEWALS**:

- Wal-Mart #1120, 7207 North M-1 Highway; Seven-Day Package Liquor License.
- CVS Pharmacy, 6129 Northeast Antioch Road; Seven-Day Package Liquor License and Wine Tasting.
- CVS Pharmacy, 7107 North Oak Trafficway; Seven-Day Package Liquor License.
- Archa, LLC, 7020 North Oak Trafficway; Seven-Day Package Liquor License.
- Trex Mart #7, 5810 Northeast Antioch Road; Seven-Day Package Liquor License.
- Gladstone Bowl, Inc., 300 NW 72nd Street; Class AA&B Liquor by the Drink License.
- Applebee's Neighborhood Grill & Bar, 6069 Northeast Antioch Road; Class AR&B Liquor by the Drink License.
- Tommy's, 6221 North Chestnut; Class AR&B Liquor by the Drink License.
- El Patio, dba Senor Tequila, 6502 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- The Hide Out Blues Club, LLC, 6948 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Mark & Michelle's Bar & Grill, 7102 North Oak Trafficway; Class AR Liquor by the Drink License.
- Northland Elks, 7010 North Cherry; Class AF&B Liquor by the Drink License.

Councilman Brian Hill seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

REGULAR AGENDA

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

Dr. Erica Perryn, 5817 North Euclid Avenue, thanked the Council and the Mayor Pro Tem for allowing her to speak this evening. Dr. Perryn said she has been a resident of Gladstone for the last eight years, and she is a founding Board member of the Board of Directors of Northridge Neighborhood Group, which was established in 2008, with the help of this Council and Carolyn Vellar. Dr. Perryn said she loves living in Gladstone, and has enjoyed good working relationships with City employees and looks forward to new great relationships in the future.

Dr. Perryn said she would like to say a few things about the single source trash collection issue that is before this Council. Dr. Perryn said she is not 100 percent against this idea; in

fact, she believes this idea has been founded in good faith, and she supports efforts that encourage green communities and initiatives; however, at this time, she believes that the City Council should vote to table the issue. She believes this because she objects to the method by which this has been presented to the citizens of Gladstone. She believes that what we need is to educate the citizens about the issues, and to start a grass roots campaign to work towards this goal in small group sets, rather than the "force it down your throat" approach, which is how many Gladstone residents feel at this time.

Dr. Perryn said that currently, emotions are running high on both sides of the issue, and neither side appears to want to appease the other. Dr. Perryn said she honestly believes that if the Council works with the citizens of Gladstone there will be the support, and along with working with the neighborhood groups, the Council could really get this going. It would be a large benefit to our residents and to the city; just in the way our neighborhood group can help reinvest and take pride in our neighborhood. Dr. Perryn said the goal of becoming "green" with trash and recyclables is attainable in a very short time, even as quickly as in a one- or two-year period.

Dr. Perryn encouraged the Council to table this issue for the time being, and to begin working with the neighborhood groups and the citizens on the issue to find a resolution that is suitable to most. Dr. Perryn thanked the City Council for their time and attention.

Mayor Pro Tem Suter thanked Dr. Perryn for her comments.

Clyde Williams, 6736 North Euclid, said he would like to compliment the lady who takes care of the flowers around the Community Center. They really look great! Thank you!

Mayor Pro Tem Suter thanked Mr. Williams and said the Council loves to hear those kinds of compliments.

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

Councilman Brian Hill had no comments at this time.

Councilmember Jean Moore had no comments at this time.

Mayor Pro Tem Carol Suter said she attended the Theatre in the Park on Saturday night, and there was a wonderful crowd. It is a wonderful program that our City provides to the community for free. Where else can you go and take your whole family for free, and get top rate quality performance, which it really was. It is fun to be part of something that is new. If you did not know the play, Flyer, that was presented, it is about the life of Orville and Wilbur Wright. It has not yet made it to Broadway, and has been debated in just a couple of places around the country. They are hoping to work their way to Broadway one day.

Mayor Pro Tem Suter said she heard from a number of residents that illegal fireworks seemed to be better contained this year than they have been in other years, except in her

neighborhood, where they did go off until 3:00 or 4:00 in the morning. People have been noticing better enforcement of illegal fireworks.

Item 9. on the Agenda. **Communications from the City Manager.**

City Manager Kirk Davis congratulated Parks and Recreation Director Sheila Lillis on the show this weekend. He heard the crowds were great. The weather was pretty warm on Sunday night, and he felt sorry for the participants in the show, but they did a great job. Kudos to Parks and Recreation.

Item 10. on the Agenda. **PUBLIC HEARING:** for consideration of a request for a Special Use Permit subject to certain conditions to Judy Cervantes for operation of a child care center on residential property at 2005 Northeast 62nd Street. Applicant/Owner: Judy A. Cervantes.

Mayor Pro Tem Suter opened the Public Hearing, and explained that for the two Public Hearings on tonight's agenda, comments would first be heard from staff, then from the applicant, and then comments would be entertained from anyone in Favor of the application and then from those who might be Opposed.

Comments from Staff

Planning Specialist Chris Helmer began by saying he would like to review a few key points of a Special Use Permit request. Typically, when we see a Special Use Permit's conditions within the Staff Report, and within the Ordinance, they are very typical conditions that apply to every application. These particular conditions are some security to the residential character of the neighborhood. The Special Use Permit request is one that protects the underlying zoning of the residential property in this particular case. Although there are some opportunities for things to occur at the property, such as increased traffic, or presence at the actual property, this allows an opportunity that in the event there are some issues, under the Special Use Permit application, a Public Hearing can be revisited. Unlike a commercially zoned property that if the use is correct, a property owner can operate there as of right, under a Special Use Permit request, there is some additional security for the preservation of the overall neighborhood.

Mr. Helmer said that both applicants this evening have been before the Planning Commission and the City Council on at least a couple of different occasions. Typically, what we do with a new applicant is begin with a one-year trial, and then move to anywhere from a five- to ten-year duration. Ms. Cervantes is currently operating under a ten-year Special Use Permit application, and staff is recommending that an additional ten-year permit be granted to Ms. Cervantes. The Planning Commission has directed a positive recommendation to the City Council, and staff is supportive of that recommendation.

Comments from the Applicant

Judy Cervantes provided to Mr. Helmer a copy of her license, and said she has been doing this for about 15 or 16 years, and began when her son was five years old, and they bought so close to the school that he did not have to ride the bus very long, and then they bought so close to the school that he did not have to ride the bus at all. That was the end of her working out of the home, and she has been doing this ever since, and she loves it.

There was no one to speak in Favor or Opposition of the Application.

Mayor Pro Tem Suter closed the Public Hearing.

Item 10a. on the Agenda. BILL NO. 11-18, approving a Special Use Permit subject to certain conditions to Judy Cervantes for operation of a child care center on residential property at 2005 Northeast 62nd Street. Applicant/Owner: Judy A. Cervantes.

Councilman Brian Hill moved to place Bill 11-18 on its First Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the First Reading of Bill 11-18, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the Second and Final Reading of Bill 11-18 and to enact the Bill as Ordinance 4.190. Councilmember Jean Moore seconded.

Roll call vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

Item 11. on the Agenda. PUBLIC HEARING: for consideration of a request for a Special Use Permit subject to certain conditions to Lisa Jo Sink for operation of a child care center on residential property at 6822 North Charlotte Street. Applicant/Owner: Lisa Jo Sink.

Mayor Pro Tem Suter opened the Public Hearing.

Comments from Staff

Planning Specialist Chris Helmer began by saying this is a request for a renewal as well. Ms. Sink has operated since 2006 under a Special Use Permit request. She has requested that her five-year permit be extended to ten years, and staff is recommending that the

Council consider that. The Planning Commission did vote in favor of that request and would ask that the Council consider that at this time.

Comments from the Applicant

Lisa Jo Sink said she had done this for 15 years, and she is licensed, and she loves working with children. This is a great business.

There was no one to speak in Favor or in Opposition to the application.

Item 11a. on the Agenda. **BILL NO. 11-19**, approving a Special Use Permit subject to certain conditions to Lisa Jo Sink for operation of a child care center on residential property at 6822 North Charlotte Street. Applicant/Owner: Lisa Jo Sink.

Councilmember Jean Moore moved to place **Bill 11-19** on its First Reading. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0). The Clerk read the Bill.

Councilmember Jean Moore moved to accept the First Reading of **Bill 11-19**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0). The Clerk read the Bill.

Councilmember Jean Moore moved to accept the Second and Final Reading of **Bill 11-19** and to enact the Bill as **Ordinance 4.191**. Councilman Brian Hill seconded.

Roll call vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

Item 12. on the Agenda. **Other Business.**

There was no other business.

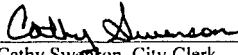
Item 13. on the Agenda. **Questions from the News Media.**

There were no News Media present.


Item 14. on the Agenda. **Adjournment.**

There being no further business to come before the July 11, 2011, Gladstone Regular City Council Meeting, Mayor Pro Tem Carol Suter adjourned the meeting.

Respectfully submitted:



Cathy Swanson, City Clerk

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


Mayor Barry McCullough



PUBLIC NOTICE

**CITY OF GLADSTONE
CITY COUNCIL
OPEN STUDY SESSION**

**GLADSTONE CITY HALL
7010 NORTH HOLMES
GLADSTONE, MO 64118**

**MONDAY, JULY 18, 2011
6:30 PM**

A Gladstone City Council Special Open Study Session will be held in the City Manager's Office in the Gladstone City Hall, 7010 North Holmes, to discuss possible single source trash collection.

Representatives of the News Media may obtain copies of this notice by contacting:

City Clerk Cathy Swenson
7010 N Holmes
816-423-4096



**NOTES
CITY COUNCIL
GLADSTONE, MISSOURI
MONDAY, JULY 18, 2011**

**OPEN STUDY SESSION
6:30 PM**

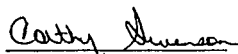
PRESENT: Mayor Barry McCullough
Mayor Pro Tem Carol Suter
Councilmember Jean Moore
Councilman Brian Hill

Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

Assistant City Manager Scott Wingerson discussed the logistics of the July 25, 2011 City Council meeting. Whether to hold the meeting in City Hall, the Community Center, or off-site.

The City Council decided to meet in City Hall as usual, with two or three Police officers present due to the subject matter of the single source trash collection. The direction is that the Public Safety staff follow the same low key approach as the last meeting the officers were present. Audio and visual will be provided for the North and South conference rooms in the event of overflow from the Council Chambers.

The order of the agenda will remain as usual, with single source trash collection the first regular agenda item. Assistant City Manager Wingerson asked the City Council to advise staff by Tuesday or Wednesday if they wished any further information in the meeting packet.


Cathy Swenson, City Clerk



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JULY 25, 2011**

The City Council will meet in Closed Executive Session on Monday, July 25, 2011, starting at 6:45 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 7:00 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular July 11, 2011, City Council Meeting Minutes.
5. **CONSENT AGENDA**

**APPROVAL OF A NEW CLASS AR LIQUOR BY THE DRINK
LICENSE** for Latin Bistro & Culinary Center, LLC, dba Latin

Bistro, 6924-28 North Oak Trafficway. Managing Officer: Charles W. Terry.

APPROVAL OF ANNUAL LIQUOR LICENSE RENEWALS:

- The Office Bar & Grill, 6825 North Oak Trafficway; Class AE Liquor by the Drink License.
- Save-A-Lot #458, 6599 North Oak Trafficway; Seven-Day Package Liquor License.
- Lost Bar Family, dba The Lost Bar, 7632 North Oak Trafficway; Class AE Liquor by the Drink License.
- Tortilla Flats, 5716 Northeast Antioch Road; Class AR Liquor by the Drink License.
- Aldi, Inc., 7604 North Oak Trafficway; Seven-Day Package Liquor License.
- Snappy Store, 4901 North Old Pike Road; Seven-Day Package Liquor License.

REGULAR AGENDA

6. **Communications from the Audience.**
7. **Communications from the City Council.**
8. **Communications from the City Manager.**
9. **RESOLUTION R-11-59**, authorizing the City Manager to negotiate a contract between the City of Gladstone and Town & Country for single source solid waste services as recommended by the Environmental Management Advisory Committee
10. **RESOLUTION R-11-60**, accepting a Permanent Easement from a certain property owner in conjunction with the Northeast Shady Lane Drive and North Wayne Avenue Drainage Improvements Project.

11. **RESOLUTION R-11-61**, accepting Temporary Construction Easements and a Quit-Claim Deed from certain property owners in conjunction with the Northeast 76th Street Reconstruction Project.
12. **RESOLUTION R-11-62**, authorizing the City Manager to execute a post-mutual aid agreement with the City of Joplin, Missouri, to facilitate reimbursement of expenses from the Federal Emergency Management Agency.
13. **FIRST READING BILL 11-20**, authorizing the City Manager to execute a supplemental agreement with the Missouri Department of Transportation (MODOT) for federal funds relating to the construction of a bicycle/pedestrian trail along shoal creek under federal project #stp-3323(404).
14. **APPROVAL OF THE FINANCIAL REPORT FOR JUNE 2011.**
15. Other Business.
16. Questions from the News Media.
17. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JULY 25, 2011**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:45 PM**

Mayor Pro Tem Carol Suter opened the City Council Meeting to adjourn to a Closed Executive Session on July 25, 2011, at 6:45 PM. Councilman Brian Hill made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilmember Jean Moore seconded.

Roll Call Vote: All "aye" – Councilmember Jean Moore, Councilman Brian Hill, and Mayor Pro Tem Carol Suter. (3-0).

Mayor Barry McCullough was also present at the Closed Executive Session.

Mayor Barry McCullough adjourned the Closed Executive Session.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Barry McCullough
Mayor Pro Tem Carol Suter
Councilmember Jean Moore
Councilman Brian Hill

City Manager Kirk Davis
City Counselor Randall Thompson
City Clerk Cathy Swenson

ABSENT: Assistant City Manager Scott Wingerson

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

Mayor Barry McCullough opened the Regular July 25, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Barry McCullough led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR JULY 11, 2011, CITY COUNCIL MEETING MINUTES.**

Mayor Pro Tem Carol Suter moved to approve the **REGULAR JULY 11, 2011, CITY COUNCIL MEETING MINUTES** as presented. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

Item 5. on the Agenda. **CONSENT AGENDA**

Following the Clerk's reading, Councilman Brian Hill asked that the annual liquor license renewal for Lost Bar Family, dba The Lost Bar, 7632 North Oak Trafficway, be removed from the Consent Agenda.

Mayor McCullough stated this item would be removed from the Consent Agenda to be considered under the Regular Agenda as Item 5a.

Councilman Brian Hill moved to approve the Consent Agenda as revised. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

Councilman Brian Hill moved to approve a **NEW CLASS AR LIQUOR BY THE DRINK LICENSE** for Latin Bistro & Culinary Center, L.L.C. dba Latin Bistro, 6924-28 North Oak Trafficway. Managing Officer: Charles W. Terry. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

Councilmember Brian Hill moved to approve the following **ANNUAL LIQUOR LICENSE RENEWALS**:

APPROVAL OF ANNUAL LIQUOR LICENSE RENEWALS:

- The Office Bar & Grill, 6825 North Oak Trafficway; Class AF Liquor by the Drink License.
- Save-A-Lot #458, 6599 North Oak Trafficway; Seven-Day Package Liquor License.

- Tortilla Flats, 5716 Northeast Antioch Road; Class AR Liquor by the Drink License.
- Aldi, Inc., 7604 North Oak Trafficway; Seven-Day Package Liquor License.
- Snappy Store, 4901 North Old Pike Road; Seven-Day Package Liquor License.

Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

REGULAR AGENDA

Item 5a. on the Agenda. **APPROVAL OF AN ANNUAL LIQUOR LICENSE RENEWAL FOR:** Lost Bar Family, dba The Lost Bar, 7632 North Oak Trafficway; Class AE Liquor by the Drink License.

Mayor Pro Tem Carol Suter moved to approve an **ANNUAL LIQUOR LICENSE RENEWAL FOR:** Lost Bar Family, dba The Lost Bar, 7632 North Oak Trafficway; Class AE Liquor by the Drink License. Councilmember Jean Moore seconded.

Councilman Brian Hill said he would be recusing himself from this matter as he has a business relationship with the Lost Bar Family.

The vote: "Aye" – Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. Councilman Brian Hill recused himself from the vote. (3-0-1).

Mayor McCullough stated that due to the special circumstances of having a large crowd at this meeting, Item 9. on the Agenda would be moved forward for consideration at this time. Item 9. would be considered, and then the City Council will take a ten minute recess, and then continue on with the balance of the meeting.

Item 9. on the Agenda. **RESOLUTION R-11-59**, authorizing the City Manager to negotiate a contract between the City of Gladstone and Town & Country for single source solid waste services as recommended by the Environmental Management Advisory Committee.

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-59**, authorizing the City Manager to negotiate a contract between the City of Gladstone and Town & Country for single source solid waste services as recommended by the Environmental Management Advisory Committee. Councilman Brian Hill seconded.

Mayor McCullough said he would like to begin the discussion on this item this evening by thanking the EMAC (Environmental Management Advisory Committee) members, the selection committee and City staff for their effort to prepare this recommendation. They worked to develop a plan that would benefit Gladstone that provides a single pick-up day in our neighborhoods, increase recycling while reducing landfill, and provide a substantial

savings for most Gladstone residents – some even as much as \$120 yearly, and on average between \$70-\$80 annually.

Mayor McCullough said he believed there was a lot of misunderstanding of this program. It is unfortunate that some opponents chose to knowingly spread untrue stories of personal gain by this Council, former Mayor Les Smith and the City staff who work hard to provide excellent service to our community. Mayor McCullough stated, that being said, he has had untold conversations, e-mails and other correspondence regarding trash. There have been many opportunities to have meaningful discussions with many residents on the subject. Most who have heard the benefits of the program, do support it. Unfortunately, many who signed the petitions never heard the advantages to the program. They were simply told that the City was taking away their freedom of choice, accepting kickbacks and going to raise their rates.

Mayor McCullough said he has been torn by both sides of this discussion. While he believes that single source waste hauling would be best for the community, he would not vote to pass this Resolution tonight.

Mayor Pro Tem Carol Suter began by saying that this recommendation comes to us as the result of years of citizen-led planning, research and discussion. The uninformed and the uninformed may not realize that Gladstone is one of the most well run cities, not just in Missouri, but in the United States. That is due to a first class staff, a dedicated professional City Council, and a citizenry that participates as a full partner in identifying and planning the City's future. It is our commitment to citizen engagement that really sets us apart from the norm. Our process is so unique and so successful that it has won us State and national awards, and was the hallmark in our selection as an All-America City in 2008. Every aspect of city planning – long range planning, our Comprehensive Plan, economic development plans, Ordinances like sign Ordinances, pay-day loan Ordinances, and so forth - are accomplished with community-wide citizen participation and leadership.

Mayor Pro Tem Suter said this Resolution is part of a process that has been underway for almost ten years in Gladstone. Twice before, City Councils, with members entirely different from today's Council, sought bids for single source waste disposal. Both times the bids submitted did not provide a real economic benefit to residents, so no contract was pursued. This time is quite different. But, why have various City Councils continued to pursue this? It is because this City is committed to environmental and economic sustainability. In fact, in a recent city survey, environmental sustainability was rated as a top concern by 85 percent of the respondents. This has been confirmed by every update and extension of the City's comprehensive and long-range plans of recent years.

Mayor Pro Tem Suter continued by saying that we know that the benefits of this recommendation are consistent with the long-range, comprehensive plans of the City and are consistent with the City Council goals, which emanate from those plans. Mayor Pro Tem Suter said she would not take the time to recite all of those benefits. They are really well documented for those who have taken the time to actually look at the website and read the information. Mayor Pro Tem Suter stated that whatever the vote tonight, she will

continue to be committed to the environmental and economic sustainability of this community, and will pursue any and all programs that may help us achieve our goals.

Mayor Pro Tem Suter stated she would like to focus on the bottom line for her on this issue. When all is said and done, and she has considered every pro and every con, the place where her conscience really hits the wall is economic benefit. The contract recommended to the City tonight will save residents of Gladstone collectively \$700,000 per year – every year - \$700,000 per year! That is money that could fill residents' pockets rather than line the pockets of trash haulers. Mayor Pro Tem Suter said she did not see how she could face residents, whether they are for or against this plan, and just say, "I know I could have saved you \$700,000 per year, but I just didn't." One hundred dollars per household per year or \$80.00 per household per year is a prescription, a week's groceries, or clothes for kids to go back to school. She cannot do that, so she must support this Resolution. This is still not the final word on the issue tonight, because what this Resolution does is direct the staff to negotiate a proposed contract. Any such contract will still have to come back before this Council for final approval and ratification.

Mayor Pro Tem Suter said that this has become the summer of Gladstone's discontent. Sadly, and surprisingly, we have apparently tapped into a well of anger and frustration in America, much of it having nothing to do with the issue at hand. It has led to the most disappointing behavior she has ever witnessed in Gladstone. Public meetings have been turned into rude, disrespectful mob action. City Council members, City staff, and citizen volunteers, who have worked diligently for this City, have been subjected to shouting, yelling, stomping, insults, intimidation, knowingly false character assassinations, lies, threats – even threats of physical harm. Mayor Pro Tem Suter said she never thought in a million years she would have ever lived to see the day in Gladstone that the members of the City Council had to have police protection to and from and during open Council meetings. This in her opinion is the lowest point in the history of Gladstone.

Mayor Pro Tem Suter stated has all of this violent and disruptive behavior advanced some well-reasoned position on the issue? Not with her, because she has zero tolerance for bullying. She is so distracted by the obnoxious behavior that she cannot even hear any point being made. It reminds her of an adage that she learned in her first year of law school. When preparing for oral argument, if you have the facts, argue the facts; if you have the law, argue the law; if you have neither, argue like hell. There has been a lot of arguing like hell going on; full of sound and fury and basically signifying nothing. Mayor Pro Tem Suter said that in the midst of the disruptive turmoil, she has heard other calm and reasoned voices. They have been citizens concerned about the disagreement in the community who advocate for a public vote as a way to settle the matter, and she must say that she supports those voices. She agrees that when a significant number of citizens want to vote on a matter of community interest, they really ought to be able to do so, because that is what she believes America is about, so she has supported exploring a public vote and, with Mayor McCullough's indulgence, she would like to speak to that more fully following the vote.

Councilmember Jean Moore stated she has been involved with the single source solid waste issue since her appointment to the Council in February. She is the Council representative to the Environmental Management Advisory Committee and was a member of the Proposal Review Committee to evaluate the proposals the City received from the haulers responding to the request for proposal. This issue has been highly researched and has commanded enormous amounts of time, energy, and dedicated efforts by the Public Works professionals, City staff, and citizen committees of this City. The intent of the proposal has always been "what is best for the City"—namely, to save Gladstone residents money, save wear and tear on our streets, and reduce our City's contributions to the area landfills by providing unlimited curbside recycling opportunities for all of our residents. Councilmember Moore said she firmly supports and believes in the intent of this proposal. Unfortunately, we have just not done a very good job communicating these benefits to the residents of our City. Instead, the single source solid waste debate has become a highly charged emotional issue that, quite frankly, none of us predicted. Councilmember Moore said she did not ever remember seeing an issue being reduced to such mis-information and untruths, and it makes her really sad, because this issue has deteriorated to the point of personal threats, insinuating that Council members have monetary gain from this, and besmirching the name, integrity and service of former Councilman Les Smith.

Councilmember Moore said citizen involvement is very important to her. It's how she became involved as a volunteer with the City beginning with Gladstone on the Move. It's a right and responsibility about which she is most passionate. This City listens to its residents—it's what we do! We don't always agree on every issue and we never will, but we encourage participation in the processes of decision-making—that's the hallmark of who we are and it is how we do business in an All America City.

Councilmember Moore stated let's take the energy and enthusiasm that has been generated about this issue and let's re-channel it to move forward on some of the critical components of this proposal that have gotten completely lost in the noise. Let's provide unlimited curbside recycling opportunities for our residents. Let's consider zoned trash pick-ups so that every day is not trash day in our neighborhoods. These are the right and responsible things to do—not just for us today, not for us sitting here, not just for you sitting there, but also for all those who will live and work in this City in the future.

Councilmember Moore said she would vote no on the proposal before the Council tonight. This issue has divided our community and it should be just the opposite—it should bring us together to improve Gladstone. It's time for compromise. We can do this if we work together to achieve shared goals. We can and must come together to make good decisions about trash hauling and the environment.

Councilman Brian Hill apologized and said he has notes, but does not have a written script, so his comments may not be as polished as everyone else tonight. Councilman Hill said he has been involved in Gladstone City government for almost 20 years, and he has never seen anything like this. He has been embarrassed by the actions of many residents at the City meetings. It has been amazing – you go to an open forum for residents to come and explain their point and answer questions, and people come to the podium and talk about

how pleased they are with City services; how the police and the fire, and the snow removal are all great. They praise City staff for that, and in the next sentence they say about these same people who provide those amazing services at such a low cost and that their life depends on if there is a medical emergency - don't let them touch my trash. Does that make any sense? These people who you trust with your lives on an emergency basis, people say they don't trust to arrange for a trash hauler. This blows his mind. This is not a time where the Council is taking comments from the public; there have been those meetings before, but he would ask for each person to acknowledge to himself if they signed the petition, or ones that were previously presented, how many of you think that the citizens of Gladstone should spend over a \$1 million more next year to have their trash removed. Councilman Hill asked do you know to whom that money is going to next year? It is going to go to Allied Waste, Platte Valley Sanitation, and Deffenbaugh. That is exactly where it is going.

Councilman Hill suggested let's look back at some of the facts. This whole issue began over two years ago with Gladstone on the Move, with citizen participation, and it was citizen-driven as to what the citizens of this City wanted. One of the things that was requested was that not every day be trash day, and I am paying more for trash service than my neighbor a block away - why isn't it equal, and how about doing some citywide recycling? This is what started this - it is citizen-driven. So many times at the public meetings in the past few weeks, he has heard this is the City Council or the City staff trying to shove this down our throats. It is not - it came from the citizens. After Gladstone on the Move, about two years ago, statutory notice was given to the trash haulers, and this whole process began. Before a Request for Proposal was submitted, the staff met with some haulers, including Platte Valley Sanitation. The proposal that was requested was tailored from those meetings. At the public meetings it was heard, "Why a ten-year contract? Why would the City want to enter into a ten-year contract with anybody?" Councilman Hill asked the audience if they knew where that came from, and informed them that that was a request by Platte Valley Sanitation, because they could not get the financing to participate in this proposal from their bank, unless there was a ten-year commitment. Now the Platte Valley Sanitation people have turned that around and used that against this proposal, when it was their request.

Councilman Hill said there were other changes to the Request for Proposal that were made at the request of Platte Valley Sanitation. Bond requirements were reduced, and other changes were made to accommodate Platte Valley Sanitation, so they could bid on it, because City staff knew that they hauled a lot of the trash in this City. The bids came in, and meetings began in order to talk with the haulers. Councilman Hill said he sat in those meetings. At that time there may have been two citizen inquiries - there was no interest. People were behind it. Councilman Hill said he sat in the interview with Platte Valley Sanitation, and sat closer to him than he was now sitting to City Manager Kirk Davis. Councilman Hill said he asked him why his bid was so high and why citizens should pay an extra \$568,560.00; his bid was higher than the other bids. He did not have an answer, and he turned all shades of white. The next day City Hall started getting calls from people saying they were Platte Valley Sanitation customers and they opposed this. The very company that was going to lose business because they bid so high, and they were allowed

to compete, because changes were made to the proposal to allow them to compete, and the day after they found out their bid was not the low bid, it was actually 40 percent more, City Hall began receiving complaints. Councilman Hill asked, "Is that kind of a coincidence?"

Councilman Hill stated he attended all the interviews with haulers and both public meetings, and at the first public meeting City staff was overwhelmed. The City had not had that many complaints and did not expect that many people. There were a lot of negative comments at that meeting – anyone that was there saw that. The second public meeting was even more interesting. Councilman Hill said while he stood at the back and watched what happened at the meeting, the owner of Platte Valley Sanitation stood over on the right side, about the middle, and was handing notes to people who were going up to the podium, and they read from his notes as to their comments. That is where those comments were coming from. Some of those people were not even Gladstone residents. Councilman Hill said after that meeting, he talked to a lot of people as they were going out the door, and he found the people with whom he talked to be misinformed, and when he told them the facts, unanimously, they said we need to do that.

Councilman Hill continued by saying two weeks ago tonight we had a Council meeting, and a lady spoke, who didn't really know that much about this issue, but was concerned because she was not that familiar with the facts, and afterwards, Mayor Pro Tem Suter and he talked with her. Councilman Hill said they learned that same night that there was a rumor circulating that former Councilman Les Smith owned an interest in Town & Country, and it was being circulated that this was to personally benefit him. Councilman Hill said they told that to former Councilman Smith. It was determined who was spreading the rumor, and the person was affiliated with the petition drive. That person was contacted and asked about it, and that person said they had a paralegal working for them, and they conducted an investigation of all the Council members, and they could not find any dirt. The person said since they could not find any dirt, they had to have something, and Les Smith was the best-known name, so they made that up. The person said they had to have a rallying cry. That person has apologized to Mr. Smith, but that is the kind of misinformation that is out there.

Councilman Hill reported that right now people pay between \$10 and \$30 per month for their trash service, and when people would come to the public meetings, they would say that competition works, but he does not think that is the case, if you have a spread that great in what people are paying for their trash service. Councilman Hill said from the interview with Platte Valley Sanitation, the rates now being charged were specifically addressed, and he did say that some of those rates would not be renewed; they would be increased. He would not allow that to be charged again. This is just for everyone's information. Councilman Hill said there has been a lot of talk at the meetings about a Senior Citizen discount, and he does not understand that. The people with Platte Valley Sanitation are getting a Senior Citizen discount. They are paying \$14 or \$15 per month. There have been concerns that this would not continue. Councilman Hill stated that he does not understand why people need a Senior Citizen discount when they are paying \$14 or \$15 per month now, and under the proposal would be paying \$11, so it is already a decrease.

Councilman Hill said it is really obvious that Platte Valley Sanitation, Allied Waste, and Deffenbaugh are all against this, because that extra \$1 million per year that the City is paying for trash service is going in their pockets, and he does not want to see our citizens paying an extra million dollars every year for the next ten years for trash service. Part of what is wrong right now in Washington, D.C., and he believes this is part of the sentiment that is coming back here and we are seeing tonight, is there are all these special interests, and because there are so many special interests, nothing gets done. Councilman Hill said when he was sworn in as a Councilmember in April, he took an oath, and that oath was to serve the citizens of Gladstone, not the owners of trash hauling services. Councilman Hill said he understands that people want to vote, and that would be fine with him. The problem is we have until August 27 to sign a contract, that is the State Statutes, that is what we have to operate within. We do not have the time for a public vote before then. If we do not sign a contract before August 27, we have to give a new two-year notice. So, for at least two more years Gladstone is going to be paying an extra million dollars per year for trash. Councilman Hill said he would be voting for this, because he represents the citizens of Gladstone and their best interests, and he does not represent Platte Valley Sanitation, he does not represent Allied Waste, and he does not represent Deffenbaugh. His oath said to represent the citizens.

The vote: "Aye" – Councilman Brian Hill and Mayor Pro Tem Carol Suter. "Nay" – Councilmember Jean Moore and Mayor Barry McCullough. (2-2).

Mayor McCullough stated that the City Council held off on making an appointment to fill the vacancy of Les Smith, because they did not want to thrust someone into the middle of this decision at a late date. By having a 2-2 vote, there is not a majority to pass this, so, therefore, the motion fails, and we will move on. Mayor McCullough thanked the audience for their time and for being at this meeting.

Mayor Pro Tem Carol Suter said she would like to address the issue of the public vote. Mayor Pro Tem Suter said she would like to thank her fellow Council members and City staff, especially Counselor Randall Thompson, for indulging her on the issue of a public vote on trash hauling. Mayor Pro Tem Suter said one of the finest characteristics of our City Council is the support we give each other in the exploration of ideas, proposals - even when we disagree. Mayor Pro Tem Suter said she has advocated that we check out any possible options for placing an issue on the ballot in November, and we have done just that, and she asked that she might briefly summarize what she has learned. This will be very brief and with oversimplification, because this is a complex issue.

Mayor Pro Tem Suter stated that this is a complex issue - even for a lawyer like her. The bottom line is that single source trash contracting is a matter of State law, not of City Ordinance. As Council members, we are individually sworn to uphold the constitution and laws of the State of Missouri. As an elected body, City Council members are required to comply with State law and to conduct all City business in compliance with State law. A city or its residents have no authority to overturn, modify, or repeal any State Statute. Only the citizens of the entire State can deal with State Statutes. Missouri law grants the

authority to cities like ours to contract for single source trash disposal, and State law proscribes the specific process a city must use in doing so. We have followed that process exactly. The law authorizing such contracts was enacted by the Missouri Legislature eight years after the enactment of the Hancock Amendment, which mandates public votes on specific governmental activities that create taxes and fees. If the Legislature had intended for the single source process to include a public vote, it would have so designated, and would have created a process that includes such a vote. It did not, and Missouri courts upheld the Statute.

Mayor Pro Tem Suter posed the question, "What could be put on the ballot legally?" Mayor Pro Tem Suter said because the authority for single source contracting is a State law, there is no City Ordinance on that subject. So, there is no City Ordinance to challenge, or for the City to seek an "advisory" vote on, because the laws of the State of Missouri is that a municipality can only put something on the ballot if it has specific Statutory authority to do it, and there is none for this matter, so nothing can be done on our side. The same thing goes for a citizen-led petition, which many in the audience have participated in. There really are only two choices for a petition drive. One is an initiative, and that would be to propose an Ordinance that does not now exist. The second would be a referendum, and that is when citizens want to repeal, amend or change an Ordinance that is already on the books. There can be no City Ordinance on the subject of single source, because it is governed by State law, so a petition drive would have to be State wide and aimed at changing a State law.

Mayor Pro Tem Suter said she even thought we might pursue something creative that would not be legally binding, but would get a vote, because she felt that was important. Even if the matter passed or failed, she did not care, either way – we should try to figure this out. Getting creative is not always a wise move, and she did not want the City to end up in the same boat that this petition drive ended up on Friday. It was presented to the City Clerk, who noted that it was not done in compliance with State law, but accompanied it to the Board of Elections in Liberty, and they did their Statutorily required duty, which is they had to reject it, because the petition does not comply with State law, so they cannot accept it to put it on the ballot. Mayor Pro Tem Suter said she did not want the City to be in that situation to try to propose something that the Board of Elections would turn away or ultimately that the Attorney General would have to vacate, because we cannot create something that does not comply with State law.

Mayor Pro Tem Suter said she wished to express her appreciation to all the legal research that went into this. It took a lot of time and energy. Mayor Pro Tem Suter said her advice to any citizen who is still interested in pursuing this in some way is that they need to take it up with the State Legislature, as that is the only body with authority to change these things.

Mayor McCullough thanked everyone for their comments and said the City Council would take a break and return in ten minutes to continue with Item 6. on the Agenda.

Item 6. on the Agenda.

COMMUNICATIONS FROM THE AUDIENCE.

There were no comments from the audience.

Item 7. on the Agenda.

COMMUNICATIONS FROM THE CITY COUNCIL.

Councilman Brian Hill had no comments at this time.

Councilmember Jean Moore had no comments at this time.

Mayor Pro Tem Carol Suter said she was curious about how people are coping with the heat, and she believes she asked this question last year, so will ask it again to see if anything has changed this year. Mayor Pro Tem Suter inquired into the facilities north of the river that are available for people who need heat relief, and have we had people come into the Community Center in search for heat relief?

City Manager Kirk Davis replied he has not heard of anyone coming into the Community Center seeking relief from the heat. There have been good crowds at the pool. The Salvation Army on North Oak Trafficway has opened their doors at times, and so has the YMCA, and Kansas City Parks and Recreation at their Community Centers in the Northland, and there is one off of Antioch Road at approximately 35th Street. City Manager Davis said there is a reduced rate at our Community Center so if people want to get in, the cost is \$5.00, and people are free to walk in and utilize the common area with no charge.

Mayor Pro Tem Suter said she understands it is going to get hotter the end of the week, so she wants to be sure that she knows so she can tell people what resources are available.

City Manager Davis stated that relative to the heat, Parks and Recreation has gone to an early morning shift, as noted in the Council's FYIN, 6:00 AM to 3:00 PM is their work environment. City Manager Davis encouraged all employees to be careful, and he encouraged every citizen in town to be careful in this heat. It is forecast to be 103 degrees on Thursday.

Mayor Barry McCullough had no comments at this time.

Item 8. on the Agenda.

Communications from the City Manager.

City Manager Kirk Davis reported that Theatre in the Park is scheduled for August 5, 6 and 7. The production is "Thoroughly Modern Millie", and 8:30 PM is the show time, and he encouraged everyone to attend and catch the show for free in Oak Grove Park. If folks are interested in police equipment and supplies, the Night Out Against Crime is July 30, at 6:00 PM, in Oak Grove Park.

Item 10. on the Agenda. **RESOLUTION R-11-60**, accepting a Permanent Easement from a certain property owner in conjunction with the Northeast Shady Lane Drive and North Wayne Avenue Drainage Improvements Project.

Councilman Brian Hill moved to adopt **RESOLUTION R-11-60**, accepting a Permanent Easement from a certain property owner in conjunction with the Northeast Shady Lane Drive and North Wayne Avenue Drainage Improvements Project. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

Item 11. on the Agenda. **RESOLUTION R-11-61**, accepting Temporary Construction Easements and a Quit-Claim Deed from certain property owners in conjunction with the Northeast 76th Street Reconstruction Project.

Councilman Brian Hill moved to adopt **RESOLUTION R-11-61**, accepting Temporary Construction Easements and a Quit-Claim Deed from certain property owners in conjunction with the Northeast 76th Street Reconstruction Project. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

Item 12. on the Agenda. **RESOLUTION R-11-62**, authorizing the City Manager to execute a post-mutual aid agreement with the City of Joplin, Missouri, to facilitate reimbursement of expenses from the Federal Emergency Management Agency.

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-62**, authorizing the City Manager to execute a post-mutual aid agreement with the City of Joplin, Missouri, to facilitate reimbursement of expenses from the Federal Emergency Management Agency. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

Item 13. on the Agenda. **FIRST READING BILL 11-20**, authorizing the City Manager to execute a supplemental agreement with the Missouri Department of Transportation (MODOT) for federal funds relating to the construction of a bicycle/pedestrian trail along Shoal Creek under Federal Project #stp-3323(404).

Mayor Pro Tem Carol Suter moved to place **Bill 11-20** on its First Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the First Reading of **Bill 11-20**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the Second and Final Reading of **Bill 11-20** and to enact the Bill as **Ordinance 4.192**. Councilman Brian Hill seconded.

Roll call vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

Item 14. on the Agenda. **APPROVAL OF THE FINANCIAL REPORT FOR JUNE 2011.**

Councilmember Jean Moore moved to approve the **FINANCIAL REPORT FOR JUNE 2011**. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

Item 15. on the Agenda. **Other Business.**

There was no other business.

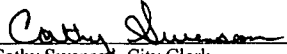
Item 16. on the Agenda. **Questions from the News Media.**

There were no questions from the News Media.

Item 17. on the Agenda. **Adjournment.**

There being no further business to come before the July 25, 2011, Gladstone Regular City Council Meeting, Mayor Barry McCullough adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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


Mayor Barry McCullough



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, AUGUST 8, 2011**

The City Council will meet in Closed Executive Session on Monday, August 8, 2011, starting at 6:15 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 6:45 PM

REGULAR MEETING: 7:30 PM

AGENDA

- 1. Meeting Called to Order.**
- 2. Roll Call.**
- 3. Pledge of Allegiance.**
- 4. Approval of the Regular July 25, 2011, City Council Meeting Minutes.**
- 5. SPECIAL PRESENTATION TO MARC A. CARBONETTO** for his courageous action in aiding a fellow Gladstone citizen and apprehending the suspect in a felony theft case.
- 6. FIRST READING BILL 11-21, APPOINTING BILL GARNOS TO FILL THE CITY COUNCIL SEAT LEFT VACANT BY THE RESIGNATION OF FORMER COUNCILMAN LES SMITH.**

7. CITY COUNCIL OATH OF OFFICE TO BILL GARNOS.

REGULAR AGENDA

8. Communications from the Audience.
9. Communications from the City Council.
10. Communications from the City Manager.
11. **APPROVAL OF THE ANNUAL LICENSE RENEWAL FOR:**
Buck's Home of the Big Game, 5708 North Oak Trafficway, Class AR&B Liquor by the Drink License.
12. **FIRST READING BILL 11-22**, amending Schedule V of the Model Traffic Code (Gladstone Municipal Code Section 4.100.020), to establish a "No Parking" zone along the west side of North Wyandotte for southbound traffic from Northwest 63rd Street north to Northwest 64th Street.
13. **RESOLUTION R-11-63**, authorizing Change Order No. 3 in the amount of \$50,000.00 to the contract with Reddi Services, Incorporated, for the 2010 Sanitary Sewer Cleaning and Televising Project.
14. **RESOLUTION R-11-64**, authorizing Change Order No. 1 in the amount of \$68,933.00 to the contract with SAK Construction, LLC, for the 2011 Sanitary Sewer Rehabilitation (cured in place pipe) Project.
15. **RESOLUTION R-11-65**, authorizing execution of a contract with Midwest Technology Connection, in an amount not to exceed \$99,981.00 for the Fixed Wireless System Project PS1102.
16. Other Business.
17. Questions from the News Media.
18. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, AUGUST 8, 2011**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:15 PM**

Mayor Barry McCullough opened the City Council Meeting to adjourn to a Closed Executive Session on August 8, 2011, at 6:15 PM. Mayor Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Mayor Pro Tem Carol Suter seconded.

Roll Call Vote: All "aye" – Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (3-0).

Councilman Brian Hill was also present at the Closed Executive Session.

Mayor Barry McCullough adjourned the Closed Executive Session.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Barry McCullough
Mayor Pro Tem Carol Suter
Councilmember Jean Moore
Councilman Brian Hill

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL.

Mayor Barry McCullough opened the Regular August 8, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Barry McCullough led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR JULY 25, 2011, CITY COUNCIL MEETING MINUTES.**

Councilman Brian Hill moved to approve the **REGULAR JULY 25, 2011, CITY COUNCIL MEETING MINUTES** as presented. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" -- Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

Item 5. on the Agenda. **SPECIAL PRESENTATION TO MARC A. CARBONETTO.**
for his courageous action in aiding a fellow Gladstone citizen and apprehending the suspect in a felony theft case.

Mayor McCullough invited Public Safety Director Mike Hasty to step forward to make this presentation.

Director Hasty began by saying he would like to share a story about something that Public Safety must deal with too frequently, but in this particular case, it had a fairly good outcome. On the night of June 10, one our citizens was loading into her car the items she had purchased at our local Walmart. It was just after dark, but a pleasant evening, and as she was distracted by unloading items out of her cart, one of the more unfortunate members of the community snatched her purse and took off running. What became unfortunate for that individual was the fact that a United States Marine was there to give chase. Director Hasty said although he does not recommend that one of our citizens chase suspects like this, when it is a United States Marine, how can he fault the gentleman.

Director Hasty invited Sergeant Carbonetto to step forward to accept a Certificate of Commendation, because what he did was above and beyond and definitely demonstrated his sense of duty to the community. Director Hasty stated to Sergeant Carbonetto that in addition to thanking him for his service to our Country, our City also wants to particularly thank him for his service to our community and our citizens in the time of need. Director Hasty read the certificate as follows: *Certificate of Commendation awarded to Marc A. Carbonetto in recognition of his courageous actions on the evening of June 10, 2011, when he observed the theft of a purse in the parking lot of Walmart, and bravely gave chase of the suspect; apprehending and holding him until arrival of the police.* Director Hasty presented the Certificate of Commendation to Mr. Carbonetto, and said he did so with thanks and appreciation for all he does and what he did for our City.

Director Hasty invited Sergeant Carbonetto to introduce the members of his family and friends who were with him this evening.

Sergeant Carbonetto introduced his wife, Danette, who spotted the theft and alerted him. Sergeant Carbonetto also introduced their good friends Scott and Amber Moore and their daughter, Bria.

Director Hasty thanked Sergeant Carbonetto, and said he knows we have a very grateful member of the community who was very impressed by the actions of Sergeant Carbonetto, and who was very thankful he was there that night.

Mayor McCullough thanked Sergeant Carbonetto, saying his actions were most heroic, and the City Council very much appreciates him taking care of a fellow citizen.

Item 6. on the Agenda. **FIRST READING BILL 11-21**, appointing Bill Garnos to fill the City Council seat left vacant by the resignation of former Councilman Les Smith.

Mayor Pro Tem Carol Suter moved to place **Bill 11-21** on its First Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the First Reading of **Bill 11-21**. Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the Second and Final Reading of **Bill 11-21** and to enact the Bill as **Ordinance 4.193**. Councilmember Jean Moore seconded.

Roll call vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

Item 7. on the Agenda. **CITY COUNCIL OATH OF OFFICE TO BILL GARNOS.**

Mayor McCullough invited Mr. Bill Garnos to join City Clerk Cathy Swenson at the dais for the City Council Oath of Office, which was followed with applause from the audience, as Councilman Garnos took his seat at the Council dais.

REGULAR AGENDA

Item 8. on the Agenda. **COMMUNICATIONS FROM THE AUDIENCE.**

John Garner, 111 North Heatherton Court, began by saying that earlier the City Council was discussing communications with the Gladstone residents, and he pointed out that each of the neighborhoods that are organized puts out a newsletter. Mr. Garner said his newsletter is going to print in the next week, and that is too soon for an article, but he suggested sending information on the sewer rates going up and things of that nature to all the neighborhood presidents. Mr. Garner said they each get four pages front and back that is printed free of charge by Northland.

Inc., and they could include information such as the great things the Parks and Recreation Department folks are doing for this coming fall and winter. Mr. Garner said if they could receive that information by the first or second week at the latest every month, they would include those articles in their newsletters. Mr. Garner said everyone may not read the newsletters, but his neighborhood has 285 residents, and 285 newsletters are delivered every month, at no cost to the City. Mr. Garner suggested sending information to the neighborhood presidents, and mark them "articles for the newsletter".

Item 9. on the Agenda.

COMMUNICATIONS FROM THE CITY COUNCIL.

Councilman Bill Garnos thanked Mayor McCullough and each City Council member for his appointment to the City Council, and for their confidence in him to fulfill the remainder of former Councilman Les Smith's term. Councilman Garnos jokingly said thank you to the City Council for not appointing him last month!

Councilman Garnos stated that his family was making a rare appearance here this evening, and he introduced his wife, Lori and their daughter, Elizabeth. Councilman Garnos stated last week he and his wife, Lori, celebrated their 22nd wedding anniversary, and next week Elizabeth leaves for college. She graduated in May from Oak Park High School with honors, and is on her way to Drake University in Des Moines, so this is a very exciting time for their household. Councilman Garnos said the only member of their household who was not here is their dog, Scout, a Bassett Hound, who could not be bothered to get off the couch for something like this. Councilman Garnos said his father served on the City Council in his hometown in South Dakota, and his parents would have loved to have been here this evening, but they were just here for a week for his daughter's graduation, but he knows they wish they could be here.

Councilman Garnos said in accepting this position, he has one regret. Like many people, Les Smith was responsible for getting him interested in City government – the Planning Commission, the Public Safety Sales Tax, and with the Road, Water and Sewer Bond issues last year. The regret is that he always thought if he ever had the privilege of serving on the City Council, he would get to do it with Les, and not in place of Les. Councilman Garnos said it was a special honor for him to be sitting in his chair and trying to fulfill the remainder of his term for him. Councilman Garnos said he looks forward to working with the City Council, City staff and all the citizens of our community to continue to make Gladstone a great place to live.

Councilman Brian Hill welcomed Councilman Garnos and said he looks forward to working with him.

Councilmember Jean Moore said she wished to echo that welcome, and said the dedication and commitment of Councilman Garnos to the City proceeds him, so they were really anxious to have him here, and she is looking forward to working with him. Councilmember Moore thanked Councilman Garnos for being willing to fill this position, and said the City Council appreciates it.

Mayor Pro Tem Carol Suter offered congratulations and welcome to Councilman Garnos. Mayor Pro Tem Suter stated as the Council's experience over the last several years continues, it

has been wonderful to see how many interested, qualified, and experienced people wanted this seat, and so Councilman Garnos should feel honored to have been selected, because it was a competitive group, and we are excited and blessed as a City to have people who are that interested. The Leadership Academy is one of the big reasons as to why we have been getting more and more people interested. It has been a great asset for the City. Mayor Pro Tem Suter said she commented earlier to staff that this is the fourth constituted City Council of Gladstone this year, and that is a lot of change for a City government to go through in one year. This is because of the death of Councilman Mark Revenaugh early in the year, and then we had an open seat in the election in April, so that brought Councilman Hill to the table, and then Les Smith left, so this makes our fourth constituted City Council.

Mayor Pro Tem Suter stated that the thing that she believes keeps us square is that our City operates on long-term plans and goals. The City has a long-range plan, and a comprehensive plan, so we do not just make this up every day as we go along. We are guided by plans that have been tested by citizens and the City has engaged with citizen groups of all kinds in the formation of these plans, and that is how we can keep moving in a known direction, and on a course that we know our citizens want us to do, and that we have been committed to. Each appointment included making sure that they were aware of and understood the long-range plans for the City. Mayor Pro Tem Suter said she wanted to remind folks that there really is some kind strategy to the whole thing as we go forward, and new people bring new ideas and new perspectives, but we do not throw everything out and start new with each new person. Mayor Pro Tem Suter again welcomed Councilman Garnos.

Mayor Barry McCullough welcomed Councilman Garnos, and said it was a pleasure to work alongside him on the Planning Commission, and he looks forward to working with him on the City Council. Mayor McCullough said it is a privilege to work with him on the City Council, and he appreciates that Lori and Elizabeth are willing to share him. Mayor McCullough said he learned that Councilman Garnos is celebrating a birthday tomorrow, and wished him an early Happy Birthday!

Mayor McCullough said he was in attendance at the Theatre in the Park to see the production of "Thoroughly Modern Millic", where he got to see a good example of how this City works. It was shortly after 6:00 PM, last evening, when there was no power at the stage. Van Ibsen was getting nervous, Parks and Recreation Director Sheila Lillis was nervous, but no sooner did they see a KCPL truck go by, that Sheila was in her car, chasing those folks down, and letting them know we needed power. It was not even ten minutes later that we had power. Mayor McCullough offered "great job" to Sheila, and said that was definitely "thinking on your feet" and making things happen!

Item 10. on the Agenda. COMMUNICATIONS FROM THE CITY MANAGER.

City Manager Kirk Davis said to Councilman Garnos "ditto" to what the City Council said, and on behalf of staff, we look forward to working with Councilman Garnos, and Mr. Davis suggested that there may be a thousand questions that come up, and he invited Councilman Garnos to feel free at any time to ask those questions, and staff looks forward to working with him.

City Manager Davis reminded the City Council that a picture would be taken of them following the Council meeting. City Manager Davis reported that daily swimmers at the pool in 2010 totaled 9,894 and in 2011, the number of daily swimmers was 19,325. Another interesting statistic that Counselor Thompson just pointed out was that in 2011, there were 361 non-resident season passes, and 337 resident season passes. City Manager Davis said he wished to share this information with the City Council, as especially, the daily swimmers' numbers were rather startling for him. It has been hot this summer.

Mayor Pro Tem Suter said she heard from someone who brought her grandchildren to the pool, and she said she could not believe how many people were at the pool that day, so apparently that was not a unique thing.

Item 11. on the Agenda. **APPROVAL OF THE ANNUAL LICENSE RENEWAL FOR:** Buck's Home of the Big Game, 5708 North Oak Trafficway, Class AR&B Liquor by the Drink License.

Councilman Brian Hill moved to approve the **ANNUAL LICENSE RENEWAL FOR:** Buck's Home of the Big Game, 5708 North Oak Trafficway, Class AR&B Liquor by the Drink License. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 12. on the Agenda. **FIRST READING BILL 11-22**, amending Schedule V of the Model Traffic Code (Gladstone Municipal Code Section 4.100.020), to establish a "No Parking" zone along the west side of North Wyandotte for southbound traffic from Northwest 63rd Street north to Northwest 64th Street.

Councilmember Jean Moore moved to place **Bill 11-22** on its First Reading. Councilman Brian Hill seconded.

Councilman Hill inquired into the background for this item – was it something the residents of the area requested?

Public Works Director Tim Nebergall replied that the initial request came from residents of the area, and the neighborhood association also requested no parking in this area.

The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilmember Jean Moore moved to accept the First Reading of **Bill 11-22**. Waive the Rule and place the Bill on its Second and Final Reading. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilmember Jean Moore moved to accept the Second and Final Reading of **Bill 11-22** and to enact the Bill as **Ordinance 4.194**. Councilman Brian Hill seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 13. on the Agenda. **RESOLUTION R-11-63**, authorizing Change Order No. 3 in the amount of \$50,000.00 to the contract with Reddi Services, Incorporated, for the 2010 Sanitary Sewer Cleaning and Televising Project.

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-63**, authorizing Change Order No. 3 in the amount of \$50,000.00 to the contract with Reddi Services, Incorporated, for the 2010 Sanitary Sewer Cleaning and Televising Project. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 14. on the Agenda. **RESOLUTION R-11-64**, authorizing Change Order No. 1 in the amount of \$68,933.00 to the contract with SAK Construction, LLC, for the 2011 Sanitary Sewer Rehabilitation (cured in place pipe) Project.

Councilman Brian Hill moved to adopt **RESOLUTION R-11-64**, authorizing Change Order No. 1 in the amount of \$68,933.00 to the contract with SAK Construction, LLC, for the 2011 Sanitary Sewer Rehabilitation (cured in place pipe) Project. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 15. on the Agenda. **RESOLUTION R-11-65**, authorizing execution of a contract with Midwest Technology Connection, in an amount not to exceed \$99,981.00 for the Fixed Wireless System Project PS1102.

Councilman Brian Hill moved to adopt **RESOLUTION R-11-65**, authorizing execution of a contract with Midwest Technology Connection, in an amount not to exceed \$99,981.00 for the Fixed Wireless System Project PS1102. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 16. on the Agenda. **OTHER BUSINESS.**

There was no other business.

Item 17. on the Agenda. **QUESTIONS FROM THE NEWS MEDIA.**

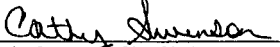
There were no questions from the News Media.


Mayor McCullough thanked the News Media for being here this evening.

Item 18. on the Agenda. **ADJOURNMENT.**

There being no further business to come before the August 8, 2011, Gladstone Regular City Council Meeting, Mayor Barry McCullough adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: 

Approved as corrected/amended: _____


Mayor Barry McCullough



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, AUGUST 22, 2011**

The City Council will meet in Closed Executive Session on Monday, August 22, 2011, starting at 6:00 PM in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion.

OPEN STUDY SESSION: 6:30 PM

REGULAR MEETING: 7:30 PM

AGENDA

- 1. Meeting Called to Order.**
- 2. Roll Call.**
- 3. Pledge of Allegiance.**
- 4. Approval of the Regular August 8, 2011, City Council Meeting Minutes.**
- 5. CONSENT AGENDA**

RESOLUTION R-11-66, authorizing Change Order No. 1 in the amount of \$250,253.41 to the contract with Superior Bowen Asphalt Company, LLC, for the 2011 Mill and Overlay Program.

RESOLUTION R-11-67, authorizing execution of a Memorandum of Understanding by and between the City of Gladstone, Missouri ("City"), and the Mid-America Regional Council ("MARC") to deploy high efficiency LED streetlight technology within the City.

RESOLUTION R-11-68, accepting a Temporary Construction easement in conjunction with the Northeast Antioch Road at Pleasant Valley Road Street Reconstruction Project.

RESOLUTION R-11-69, authorizing Change Order No. 2 in the amount of \$225,568.00 to the contract with Linaweaver Construction, Incorporated, for the Atkins-Johnson Farm Infrastructure Project and improvements to Northeast Antioch Road.

RESOLUTION R-11-70, authorizing acceptance of work under contract with Utility Service Company, Incorporated, for the 5.0 Million Gallon Reservoir Tank Mixer; and authorizing final payment in the amount of \$5,440.00.

RESOLUTION R-11-71, authorizing acceptance of a proposal from Independent Salt Company for the purchase of snow removal salt.

RESOLUTION R-11-72, authorizing the City Manager to purchase one 2012 Type III ambulance on a Chevrolet G4500 chassis, one ambulance patient box, and specified loose equipment from U.S. Coachworks for the total purchase amount of \$162,344.00.

RESOLUTION R-11-73, authorizing execution of a contract with Premier Picks, LLC, dba Performance Fitness Equipment, for the purchase of fitness equipment for the total purchase amount of \$25,100.00.

APPROVAL OF A NEW SEVEN DAY PACKAGE LIQUOR LICENSE for Gulnoor LLC dba Gladstone Mart & Liquor, 7020 North Oak Trafficway. Managing Officer: Nancy Whiton.

APPROVAL OF A NEW SIX DAY PACKAGE LIQUOR LICENSE for Dolgencorp, LLC dba Dollar General Store #2610, 6026 A NE Antioch Road. Managing Officer: Lorene Samson.

APPROVAL OF A NEW SIX DAY PACKAGE LIQUOR LICENSE for Dolgencorp, LLC dba Dollar General Store #3241, 6577 North Oak Trafficway. Managing Officer: Lorene Samson.

APPROVAL OF THE JULY 2011, FINANCIAL REPORT

REGULAR AGENDA

- 6. Communications from the Audience.**
- 7. Communications from the City Council.**
- 8. Communications from the City Manager.**
- 9. RESOLUTION R-11-74**, authorizing execution of agreements between the City of Gladstone, Missouri, and the Kansas City Area Transportation Authority to provide public transportation for the period of July 1, 2011 through June 30, 2012, and for transit shelter cleaning and maintenance at 72nd and North Prospect Streets.
- 10. PUBLIC HEARING:** on setting the annual rate of levy for the 2011 Real Estate and Personal Property Taxes within the corporate limits of the City of Gladstone, Missouri.
- 11. FIRST READING BILL NO. 11-23**, enacted pursuant to Missouri Revised Statutes Section 94.030 fixing the annual rate of levy for the 2011 Real Estate and Personal Property Taxes within the corporate limits of the City of Gladstone, Missouri.
- 12. Other Business.**
- 13. Questions from the News Media.**
- 14. Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, AUGUST 22, 2011**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:00 PM**

Councilmember Jean Moore opened the City Council Meeting to adjourn to a Closed Executive Session on August 22, 2011, at 6:00 PM. Councilmember Jean Moore made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilman Brian Hill seconded.

Roll Call Vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, and Councilmember Jean Moore. (3-0).

Mayor Pro Tem Carol Suter and Mayor Barry McCullough were also present at the Closed Executive Session.

Mayor Barry McCullough adjourned the Closed Executive Session.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Barry McCullough
Mayor Pro Tem Carol Suter
Councilmember Jean Moore
Councilman Brian Hill
Councilman Bill Garnos

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL.

Mayor Barry McCullough opened the Regular August 22, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda.

PLEDGE OF ALLEGIANCE.

Mayor Barry McCullough led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda.

APPROVAL OF THE REGULAR AUGUST 8, 2011, CITY COUNCIL MEETING MINUTES.

Councilman Brian Hill moved to approve the **REGULAR AUGUST 8, 2011, CITY COUNCIL MEETING MINUTES** as presented. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 5. on the Agenda.

CONSENT AGENDA

Mayor Pro Tem Carol Suter moved to approve the Consent Agenda as presented. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-66**, authorizing Change Order No. 1 in the amount of \$250,253.41 to the contract with Superior Bowen Asphalt Company, LLC, for the 2011 Mill and Overlay Program. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-67**, authorizing execution of a Memorandum of Understanding by and between the City of Gladstone, Missouri ("City"), and the Mid-America Regional Council ("MARC") to deploy high efficiency LED streetlight technology within the City. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-68**, accepting a Temporary Construction easement in conjunction with the Northeast Antioch Road at Pleasant Valley Road Street Reconstruction Project. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-69**, authorizing Change Order No. 2 in the amount of \$225,568.00 to the contract with Linaweaver Construction, Incorporated, for the Atkins-Johnson Farm Infrastructure Project and improvements to Northeast Antioch Road. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-70**, authorizing acceptance of work under contract with Utility Service Company, Incorporated, for the 5.0 Million Gallon Reservoir Tank Mixer; and authorizing final payment in the amount of \$5,440.00. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-71**, authorizing acceptance of a proposal from Independent Salt Company for the purchase of snow removal salt. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-72**, authorizing the City Manager to purchase one 2012 Type III ambulance on a Chevrolet G4500 chassis, one ambulance patient box, and specified loose equipment from U.S. Coachworks for the total purchase amount of \$162,344.00. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-73**, authorizing execution of a contract with Premier Picks, LLC, dba Performance Fitness Equipment, for the purchase of fitness equipment for the total purchase amount of \$25,100.00. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to approve a **NEW SEVEN DAY PACKAGE LIQUOR LICENSE** for Gulnoor LLC dba Gladstone Mart & Liquor, 7020 North Oak Trafficway. Managing Officer: Nancy Whiton. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to approve a **NEW SIX DAY PACKAGE LIQUOR LICENSE** for Dolgencorp, LLC dba Dollar General Store #2610, 6026 A NE Antioch Road. Managing Officer: Lorene Samson. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to approve a **NEW SIX DAY PACKAGE LIQUOR LICENSE** for Dolgencorp, LLC dba Dollar General Store #3241, 6577 North Oak Trafficway. Managing Officer: Lorene Samson. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Mayor Pro Tem Carol Suter moved to approve the **JULY 2011, FINANCIAL REPORT**. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 6. on the Agenda. **COMMUNICATIONS FROM THE AUDIENCE.**

There were no communications from the audience.

Item 7. on the Agenda. **COMMUNICATIONS FROM THE CITY COUNCIL.**

Councilman Bill Garnos stated he appreciated all the work the City did in the last couple of storms and also for keeping him apprised, as a new City Councilman, of what the City has been doing with the power outages, yard waste pickup, and opening up the Public Works brush disposal, for which we received good publicity on the evening news. Councilman Garnos said regarding the sewer issue, we had a Study Session and a presentation this evening, and the City Council has had other briefings on this issue, and he does not know if it is the work of the consultants or Public Works, but at some point, when this is explained to the people, and everyone knows that is going to be a critical part of the issue going forward, he would like to see the two sides of the equation on the monthly water bill that the people of Gladstone receive. We pay a water bill for the City's portion and the sewer portion of the bill for the City of Gladstone. We need to keep thinking of those two parts separately, and at some point, he would like to see on the City side, here is the average residential annual water bill for the City side of the equation, and the incremental increases and what we project the increases to be. Similarly, seeing the same kind of thing on the sewer side, and see what the changes have been and what we have to pass through to the City of Kansas City. What is scaring everyone is the projection on those sewer rate increases that we will be facing. We keep hearing the 13 and 15 percent annual increases. Hopefully, between the work of the consultants and Public Works, we can show what the City is facing and what the City has been doing to try to manage and control this, and here is what we are facing right now if we do not do anything on the sewer side with the City. To a citizen who receives their water bill every two months, that is the kind of information he would like to know, and so that people know that the bad guy is not the City of Gladstone, and all the things we have done to try to manage and control this issue.

Councilman Brian Hill had no comments at this time.

Councilmember Jean Moore had no comments at this time.

Mayor Pro Tem Carol Suter stated she wished to express appreciation to the Public Works staff who were out at 3:30 AM cleaning streets, and she always appreciates the good work of our City staff. Mayor Pro Tem Suter said it is exciting to see the new road being built to the Atkins Johnson Farm. She drives by that area from time to time, and it is fun to see us moving forward, and she believes, long term, that some great things will come out of that project.

Mayor Barry McCullough thanked the Public Works Department, and said he knew they had been hustling, and he appreciates them opening up the brush drop-off for our residents. It will

make a lot of people happy to have that available, and especially since we are doing it for no charge through next Sunday.

Mayor McCullough stated he would like to make an announcement regarding City Council liaison positions with Boards and Commissions. Mayor McCullough said that for the most part Councilman Garnos would fill in where former Councilman Smith left off. He will serve on the Tax Increment Financing Commission, and he will replace Mayor McCullough on the Planning Commission, and also serve on the Gladstone Special Road District No. 3. Mayor McCullough said he would take over the Neighborhood Commission to fill the vacancy there.

Mayor McCullough suggested that Council approval was necessary in order to appoint Don Ward to the Planning Commission.

Mayor Pro Tem Carol Suter moved to appoint Don Ward to the Planning Commission. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Mayor McCullough congratulated Mr. Ward, who was in the audience.

Item 8. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis began by saying, relative to the Atkins Johnson Farm road project, this is the first phase of what will ultimately be Pleasant Valley Road, and an extension of Pleasant Valley Road in Kansas City. We are working with Kansas City officials to make sure it has some priority in funding in the future, either through the Mid America Regional Council or the Public Improvements Advisory Committee (PIAC), or whatever the source may be. That alignment was set several years ago, and will ultimately result in work on 64th Street, and the removal of the dangerous curves by the cemetery and on the east side of the farm. It is a big project, and this is an important first step, and it is not only for providing access to the farm and the activities that are planned there.

City Manager Davis said work would be starting on the Antioch Road curve project, which the Council addressed in the Consent Agenda tonight. It will be the first attempt to improve a curve that poses challenges in the wintertime, with the deep ditches and so forth. That is an important project, and he was glad that the Council mentioned it this evening.

City Manager Davis announced that the 18th Annual Theatre in the Park Golf Tournament is Thursday, and the City Council is invited to eat lunch with the golfers. This event raises a lot of money for the summer theatre program, and helps to make it free for our residents.

City Manager Davis said yesterday, at the brush drop-off, there were over 300 visitors. That is a pretty heavy use for a brush drop-off, and we are pleased that people are using it and that we were able to make it available for free. City Manager Davis said he was proud of the work that Public Works has done to manage this issue, including Assistant City Manager Scott Wingerson,

who did a lot of work on Saturday morning in assessing damage and working with the department to make sure that we were providing appropriate service.

City Manager Davis introduced Rodney Lucas, who is an intern with the City. Mr. Lucas comes to us with some tools. We are usually working with folks in the undergrad, intern program. In this case, Rodney has a Master's degree in Public Administration and in Urban Administration. He chose to "turn right instead of left" and is now back to a fork in the road, and is interested in City management. He did a brief internship with our City in 1991 or 1992. City Manager Davis welcomed Mr. Lucas, and said he would be with us for five or six months.

Mayor McCullough welcomed Mr. Lucas, and thanked him for being with our City.

Item 9. on the Agenda. **RESOLUTION R-11-74**, authorizing execution of agreements between the City of Gladstone, Missouri, and the Kansas City Area Transportation Authority to provide public transportation for the period of July 1, 2011 through June 30, 2012, and for transit shelter cleaning and maintenance at 72nd and North Prospect Streets.

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-74**, authorizing execution of agreements between the City of Gladstone, Missouri, and the Kansas City Area Transportation Authority to provide public transportation for the period of July 1, 2011 through June 30, 2012, and for transit shelter cleaning and maintenance at 72nd and North Prospect Streets. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 10. on the Agenda. **PUBLIC HEARING:** on setting the annual rate of levy for the 2011 Real Estate and Personal Property Taxes within the corporate limits of the City of Gladstone, Missouri.

Mayor Barry McCullough opened the Public Hearing, and said a report would first be heard from Finance Director Debra Daily.

Finance Director Daily began by saying we had a drop in valuations for real estate in general – it was down by 2 percent; however there were increases in the personal property tax side of 7.87 percent, and overall there was a net change of .78 percent on the negative side for our valuations. Relative to how the tax levies are set, which are very intricate and are from a State formulation, our overall property tax remains at \$0.9290.

There was no one to speak in Favor or in Opposition of this proposal.

Mayor McCullough closed the Public Hearing.

Item 11. on the Agenda. **FIRST READING BILL NO. 11-23**, enacted pursuant to Missouri Revised Statutes Section 94.030 fixing the annual rate of levy for the 2011 Real Estate and Personal Property Taxes within the corporate limits of the City of Gladstone, Missouri.

Councilman Brian Hill moved to place **Bill 11-23** on its First Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the First Reading of **Bill 11-23**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the Second and Final Reading of **Bill 11-23**, and to enact the Bill as **Ordinance 4.195**. Councilmember Jean Moore seconded.

Councilman Hill said he was quite pleased with City staff in being able to hold the line on expenses in the budget, so we are not forced to increase the taxes for residents at this time; especially, with the economy the way it is.

City Manager Davis said, for the people in the audience who may not have heard the presentation made earlier, effectively, there was a slight decrease in assessed valuations, but the rate for personal and real property is going to be exactly the same as it was last year at \$0.9290.

Mayor McCullough stated that translates to the fact that we are working with less money.

City Manager Davis agreed.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 12. on the Agenda. OTHER BUSINESS.

There was no other business.

Item 13. on the Agenda. QUESTIONS FROM THE NEWS MEDIA.

There were no questions from the News Media.

Item 14. on the Agenda. ADJOURNMENT.

There being no further business to come before the August 22, 2011, Gladstone Regular City Council Meeting, Mayor Barry McCullough adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: 

Approved as corrected/amended: _____


Mayor Barry McCullough



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, SEPTEMBER 12, 2011**

OPEN STUDY SESSION: 6:00 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular August 22, 2011, City Council Meeting Minutes.
5. **PROCLAMATION** Designating September 17-23, 2011, as "CONSTITUTION WEEK" in Gladstone, Missouri. Sponsor: William Boydston Chapter of the Daughters of the American Revolution.

6. CONSENT AGENDA

RESOLUTION R-11-75, authorizing execution of a Professional Architectural Service Agreement with Clockwork LLC, in an amount not to exceed \$24,000.00 for the Gladstone 18 Consulting Services Project.

RESOLUTION R-11-76, authorizing execution of an amendment to an antenna site lease with New Cingular Wireless PCS, LLC, as successor-in-interest to Kansas City SMSA Limited Partnership, at 6803 Northeast Antioch Road.

BUILDING PERMIT: for the addition of three new antennas to the Antioch Water Tower, located at 6803 North Antioch Road, contingent upon staff approval of a structural analysis of the railing and tank. Owner: City of Gladstone. Applicant: Black & Veatch.

APPROVAL OF A SIX-DAY RESTAURANT BAR (A-R) LIQUOR BY THE DRINK LICENSE, WITH A SIX MONTH PROBATIONARY PERIOD for RNB, LLC dba MOJO, 316 Northeast 72nd Street. Managing Officer: Roy Newman.

REGULAR AGENDA

7. **Communications from the Audience.**
8. **Communications from the City Council.**
9. **Communications from the City Manager.**
10. **FIRST READING BILL NO. 11-24**, approving the Final Plat of Pollina Enterprises, First Plat, Gladstone, Clay County, Missouri, commonly known as 7200 North Broadway, and directing the appropriate officials to affix their signatures to said Plat for recording. Applicant: Ryan Dugdale, Olsson Associates. Owner: Louis Pollina (Pollina Enterprises, LLC). File Number: 1360.
11. **PUBLIC HEARING:** for consideration of Rezoning and a Site Plan Revision for property legally described as Pollina Enterprises, First Plat, commonly known as 7200 North Broadway. Applicant: Ryan Dugdale, Olsson Associates. Owner: Louis Pollina (Pollina Enterprises, LLC). File Number: 1360.

12. **FIRST READING BILL NO. 11-25**, amending Ordinance No. 3.973 and being an Ordinance relating to Zoning Ordinance regulations and the establishment of Use Districts within the City of Gladstone, Missouri, for property located at 7200 North Broadway. Applicant: Ryan Dugdale, Olsson Associates. Owner: Louis Pollina (Pollina Enterprises, LLC). File Number: 1360.
13. **FIRST READING BILL 11-26**, approving a Site Plan Revision for property legally described as Pollina Enterprises, First Plat, and commonly known as 7200 North Broadway. Applicant: Ryan Dugdale, Olsson Associates. Owner: Louis Pollina (Pollina Enterprises, LLC). File Number: 1360.
14. **RESOLUTION R-11-77**, authorizing execution of an agreement with Clay County for collection of City of Gladstone property taxes for the tax years 2011 to 2014.
15. Other Business.
16. Questions from the News Media.
17. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, SEPTEMBER 12, 2011**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Barry McCullough
Mayor Pro Tem Carol Suter
Councilmember Jean Moore
Councilman Brian Hill
Councilman Bill Garnos

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Clerk Cathy Swenson

ABSENT: City Counselor Randall Thompson

Item 2. on the Agenda. ROLL CALL.

Mayor Barry McCullough opened the Regular September 12, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Barry McCullough led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. APPROVAL OF THE REGULAR AUGUST 22, 2011, CITY COUNCIL MEETING MINUTES.

Mayor Pro Tem Carol Suter moved to approve the **REGULAR AUGUST 22, 2011, CITY COUNCIL MEETING MINUTES** as presented. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 5. on the Agenda. **PROCLAMATION** Designating September 17-23, 2011, as "CONSTITUTION WEEK" in Gladstone, Missouri. Sponsor: William Boydston Chapter of the Daughters of the American Revolution.

Mayor McCullough invited Donna McCann of the William Boydston Chapter of the Daughters of the American Revolution (DAR) to join him at the dais, where he read and presented to her the **PROCLAMATION** Designating September 17-23, 2011, as "CONSTITUTION WEEK" in Gladstone, Missouri.

Ms. McCann said on behalf of the William Boydston Chapter of the DAR, she thanked the Mayor and City Council for the recognition and said they appreciated not having the Proclamation in a frame, as they place it in their scrapbook. Ms. McCann reminded everyone to fly their United States flag during the week of September 17-23, in remembrance of Constitution Week.

Mayor McCullough thanked Ms. McCann for being present this evening.

Item 6. on the Agenda. **CONSENT AGENDA**

Councilman Brian Hill moved to accept the Consent Agenda as presented. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Councilman Brian Hill moved to adopt **RESOLUTION R-11-75**, authorizing execution of a Professional Architectural Service Agreement with Clockwork LLC, in an amount not to exceed \$24,000.00 for the Gladstone 18 Consulting Services Project. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Councilman Brian Hill moved to adopt **RESOLUTION R-11-76**, authorizing execution of an amendment to an antenna site lease with New Cingular Wireless PCS, LLC, as successor-in-interest to Kansas City SMSA Limited Partnership, at 6803 Northeast Antioch Road. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Councilman Brian Hill moved to approve a **BUILDING PERMIT** for the addition of three new antennas to the Antioch Water Tower, located at 6803 North Antioch Road, contingent upon staff approval of a structural analysis of the railing and tank. Owner: City of Gladstone. Applicant: Black & Veatch. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Councilman Brian Hill moved to approve a **SIX-DAY RESTAURANT BAR (A-R) LIQUOR BY THE DRINK LICENSE, WITH A SIX MONTH PROBATIONARY PERIOD** for RNB, LLC dba MOJO, 316 Northeast 72nd Street. Managing Officer: Roy Newman. Councilmember

Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 7. on the Agenda. **COMMUNICATIONS FROM THE AUDIENCE.**

Wayne Beer, 7413 North Wabash, began by saying he is a two term Councilman, proudly; one term Mayor, proudly; a proud 37-year resident of the City of Gladstone; and a proud 19-year resident of 7413 North Wabash.

Mr. Beer said he had an exciting announcement to make. He became aware of an organization called "Remembering our Fallen", which has put together traveling exhibitions that pay honor to the fallen of the Global War on Terror. While it is a national effort, it has exhibits that are tailored to the fallen of the individual states. In Missouri, Remembering our Fallen consists primarily of historical display panels honoring the fallen warriors of Missouri, and includes photos of each who died from wounds in a war zone while in uniform in Iraq and Afghanistan.

The exhibit was on display in the Capitol Rotunda in Jefferson City from July 31, and remained on display until August 5. On the closing of the exhibit, it began its tour of the State of Missouri. Mr. Beer said he has committed for it to be on display at Gladstone's Community Center from September 23 through October 2, 2011. An opening ceremony will be held on Sunday, September 25, at 1:00 PM, at the Community Center. Our most esteemed Mayor Barry McCullough will be making the welcoming remarks. It closes on October 2, which coincides with the closing of Gladfest, so it should enjoy a good audience.

The City of Gladstone is co-sponsoring this event with American Legion Post 626. It is open to the public and Post 626 believes that everyone who can, should attend as a means to honor the 130 fallen warriors of Missouri. There is no charge to attend the exhibit. Mr. Beer invited everyone to attend and to encourage all they know to come by and see the exhibit. The exhibit will be open during the hours of the Community Center.

Mayor McCullough thanked Mr. Beer and said he looked forward to seeing the exhibit.

Item 8. on the Agenda. **COMMUNICATIONS FROM THE CITY COUNCIL.**

Councilman Bill Garnos had no comments at this time.

Councilman Brian Hill had no comments at this time.

Councilmember Jean Moore had no comments at this time.

Mayor Pro Tem Carol Suter stated she was at the Missouri Municipal League Conference today, and sat through a couple of sessions that "made her hair stand on end" around infrastructure, and the huge challenges ahead for our State and for the cities, because it all trickles down in terms of maintaining what we have, for which we apparently barely have any money to do, and with keeping up with all the changes that are being required around the quality of things. Mayor Pro Tem Suter said it reminded her of the big job we have ahead of us, and

also, what a big job there is in Jefferson City, so she also wanted to use this as an opportunity to make it official, because people have heard the rumors, but she is going public this week that she is going to be a candidate for the Missouri House of Representatives next year in the 2012 election for whatever becomes of the 33rd District. Mayor Pro Tem Suter said she wanted everyone to know this, before they read it someplace else.

Mayor Barry McCullough stated that he and Councilman Hill attended the Big Shoal Heritage kick-off this weekend. They had a very nice time, and saw a lot of good folks, and interesting ideas that will develop, and he is sure will get better in the future.

Item 9. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis reported that 660 people attended the Country Fair Mayor McCullough mentioned, which packed the parking lot and drive-in. He was very pleased to see that kind of interest. The volunteers worked very hard for long hours that day, and they were very pleased with the public's reaction and the interest in the historic preservation of our community that is epitomized by that particular piece of property. City Manager Davis said he was pleased with the infrastructure leading to the property. It is much safer than coming off of North Jackson. Progress is being made, and this was the kick-off event for the public, and he was very pleased with the attendance.

City Manager Davis reminded everyone that Gladfest would be held September 30-October 2. The event has been realigned and some of the craft tents and things like that will be located on North Holmes instead of North Cherry, and he believes the changes are good. City Manager Davis said he hope everyone gets out and enjoys the festival.

Mayor Pro Tem Suter asked if the new road that goes to the farmstead would have a name at some point? Is it really a private drive, in that it will be closed except when the farm is open?

City Manager Davis said that is correct, for now, but the City Council will recall that the alignment of that road is really the future Pleasant Valley Road alignment. It stops where there is access now to the Big Shoal Heritage area, but ultimately, where the dead end is located, it will continue straight east, and line up with a new Pleasant Valley Road that will take out the curves at the cemetery and at the farm. What is there now, by the time all of that gets done, will probably be the base of the new road, which is essentially the new Pleasant Valley Road alignment where it comes out on Antioch Road.

Mayor Pro Tem Suter asked if until then, would it be identified in some way with a sign or something?

City Manager Davis said yes, there are a lot of different ideas being considered, but the one he likes the best, just speaking for himself and the process that has not happened yet, is some kind of Big Shoal Heritage Area sign similar to what is at the cemetery only bigger, that could be put on Antioch Road, with the idea that when the road does go through, and it becomes Pleasant Valley Road, it can be moved over to the entrance of the parking lot. There is a lot of history there, and it is a lot bigger than the Atkins Johnson Farm. We own several acres surrounding the

farm and connecting the cemetery. When we are done, there have been some people identified in the cemetery who were involved in some very big events in our country's history, and we want to tell that story. When we are done, it will be much bigger than just the house that is seen now, and the parking lot. It is the Big Shoal Heritage area, of which the Atkins Johnson Farm house is part. Ultimately, it is planned to have some permanent signage that is more attractive than what is in place now, but staff is pleased to have the road down, and access off of Antioch Road at this point.

Item 10. on the Agenda. **FIRST READING BILL NO. 11-24**, approving the Final Plat of Pollina Enterprises, First Plat, Gladstone, Clay County, Missouri, commonly known as 7200 North Broadway, and directing the appropriate officials to affix their signatures to said Plat for recording. Applicant: Ryan Dugdale, Olsson Associates. Owner: Louis Pollina (Pollina Enterprises, LLC). File Number: 1360.

Mayor Pro Tem Carol Suter moved to place **Bill 11-24** on its First Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the First Reading of **Bill 11-24**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the Second and Final Reading of **Bill 11-24**, and to enact the Bill as **Ordinance 4.196**. Councilman Brian Hill seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 11. on the Agenda. **PUBLIC HEARING:** for consideration of Rezoning and a Site Plan Revision for property legally described as Pollina Enterprises, First Plat, commonly known as 7200 North Broadway. Applicant: Ryan Dugdale, Olsson Associates. Owner: Louis Pollina (Pollina Enterprises, LLC). File Number: 1360.

Mayor McCullough opened the Public Hearing, and stated that first comments would be heard from staff.

Staff Presentation

Planning Specialist Chris Helmer began by saying that at the Planning Commission's last meeting, September 6, 2011, there were a number of items discussed. Mr. Helmer pointed out that in his memo addressed to City Manager Davis, which is in the City Council's packet, there are items that came specifically as a result of the Planning Commission's discussion. The first item addressed, which is in the Staff Report and the Bill being considered this evening, is Condition Number 9, which is a tweaking of the language, without a change in the intent. Since the proposed project is in relatively close proximity to a residential area, there was some

discussion that centered on what the exterior lighting would look like; is there going to be any adverse impacts; would this lighting intrude on the residential character of the proposed development. Like most projects that have come through the Planning Commission and Council, there is a rather extensive review of items. Some of the Council are aware of the City's rather recent outdoor lighting Ordinance, which addresses not only light pollution type issues, but also addresses exterior lighting technology – either LED or Induction type technology. The applicant is going to comply with that technology, and they have confirmed that the manufacturer that they propose does carry the type of technology that would fit into our Ordinance.

Mr. Helmer said, finally, like most new development projects, the Commission and the City Council are highly knowledgeable about storm water mitigation and what that needs to do to reduce the impact environmentally, as well as financially in the future for the City in regard to Capital Improvements expenditures and things of that sort. This project is no different. There has been a rather quick and crude conceptual example of some storm water options for this particular project. There is also language imbedded in the Site Plan Revision Ordinance that states that staff has fully tasked the applicant with continuing to get a more detailed storm water analysis, and they are engaging with Public Works Director Tim Nebergall on that particular issue. In regard to the final exhibit, there was really no "heartburn" by the Commission; it is more FYI, and just shows, conceptually where the proposed drive is for the dentist office on 72nd Street, and how that relates to the Gladstone Post Office. It did not show that well in the original Site Plan.

Mr. Helmer stated that in the storm water exhibit, the retaining wall in the Site Plan has had a slight modification, and he believed that the applicant and Dr. Pollina are trying to get that retaining wall to be less of an impact to the area residents, particularly to the north and to the west. The intent is to get the height down, and make it look as neighborly as possible. If the Council should approve this request, there would be the slight modification in the retaining wall, and it would be relatively close to what is laid out for the storm water detention, whether it is above ground or under ground.

Mr. Helmer stated that the overall building is proposed to be approximately 9,000 square feet. Another important aspect for the Council's consideration is that of the down zoning of the property. Currently the property is zoned CP2, which is a more intense level of zoning than CP1. Staff has felt strongly, and the applicant has been more than willing to heed staff's advice on that down zoning, which will help preserve any future development that could be more intense to the area residents. The down zoning more accurately aligns with Dr. Pollina's intent, as well as what could go into the additional tenant spot that is on the architectural rendering. Possibly something along the line of additional dental services or something along that lower level of intensity for the area. Staff is recommending approval of the rezoning and Site Plan revision, with the modifications with the storm water, as well as compliance with the proposed conditions in the Site Plan Ordinance.

Mayor Pro Tem Suter asked if the parcel lies in both Gladstone and Kansas City.

Mr. Helmer replied yes.

Mayor Pro Tem Suter asked what was zoned in Kansas City.

Mr. Helmer replied he would defer to the applicant, but he believes it is the intent for there to be future development on the Kansas City portion. The slight sliver of development that is in Kansas City for the parking lot does go through a permit approval process with Kansas City. It is not a Public Hearing process that falls under our jurisdiction. Mr. Helmer said to his knowledge they are working with Kansas City more predominantly with storm water permitting and things like that.

Mayor Pro Tem Suter said she assumed because an earlier project was approved, that whatever Kansas City's is, was consistent with our more commercial zone that we want to change.

Mr. Helmer agreed, and said from time to time, if Kansas City's Planning Department had a development that has been even remotely close to Gladstone, they have been pretty good about contacting our City. We from the beginning asked if there had been communication with Kansas City – just being good neighbors, and there has been that communication.

Mayor Pro Tem Suter stated it would be obviously helpful if we eased the zoning on this portion, then something that we don't want on this portion is not built on the other portion, which would be her concern.

Mr. Helmer said if there were something that would not be appealing to our residents, our voice would be part of that process.

Applicant Presentation

Trent Dansel, Olsson Associates, said Ryan Dugdale, shown as the applicant, and who he has worked directly with to get the project to this point, was unable to attend this meeting, so he was filling in tonight in his stead.

Darren Ingram, with Luke Draily Construction, introduced himself, and said he was representing the architect, Hollis and Miller, who, unfortunately, could not be here. Mr. Ingram said he was an architect by trade, so he would give it his "best shot" this evening.

Mr. Dansel said he had slides to share with the City Council, and began the slide presentation. Mr. Dansel stated that his company is the Civil Engineers, site planners, and landscape architects. The first slide was a preliminary view of how the building may appear, when driving west and approaching the intersection of 72nd Street and North Broadway. Mr. Dansel stated the parcel is split, almost 50/50, between the Cities of Gladstone and Kansas City, Missouri. A great majority of the project will be in Gladstone; a little less than ½ acre will be straddling Kansas City, and his firm has been coordinating with them in regard to permitting, site layout, and all the things that would go along with a development project such as this.

Mr. Dansel pointed out the grading plans, including the grades approaching the north property line, going down to the retaining wall. In some earlier renditions, there was shown a retaining wall a little further to the south. They pushed the retaining wall a little further to the north to

case the grades out and lower the impact of the wall. Originally, they were looking at a retaining wall that was anywhere from 10 to 12 feet high at its highest point. This is an effort to reduce the height of the wall by increasing the grading across the site, and we are now looking at a retaining wall between 6 to 8 feet tall; about 7 feet at its highest point. Mr. Dansel pointed out an additional storm sewer spur running to the south and the west from what was shown in the original Site Plan. This is a representative of another discussion of design that took place between the Planning Commission meeting and tonight.

Mr. Dansel pointed out the ability of trash trucks to enter and leave the site without impeding internal circulation. This would be done after hours. Mr. Dansel then pointed out the landscaping and landscape screening. The trash enclosure that would house the dumpsters includes full height screening walls that will be of an architectural character that is very similar to the building, and it fits in nicely, so the dumpsters will not be viewed by anyone, and there is landscaping around the dumpsters and the building. There will also be landscaping around the monument sign. Mr. Dansel said he would now turn the presentation over to Mr. Ingram.

Mr. Ingram stated Mr. Pollina wanted the exterior of the building to have a more Mediterranean motif, but be really sensitive to the existing houses around the project. The roof is an asphalt shingle roof, and has more of a residential feel to it. The exterior building materials include a stone base and above that is effis stucco, and all the windows will be aluminum framed and will be non-operational. There will be a curved entry and curved elements. The rendering shows a salon as a tenant, but Dr. Pollina would really like to get another dental professional to come in and partner with them in the future. The roof slopes will be kept lower to maintain the residential contact style with the neighborhood.

Mr. Ingram discussed the floor plan, and pointed out the curved entrance, and the space for the future tenant. There will be a lot of daylight in the building. Dr. Pollina is really sensitive to sustainable design, so the architects will be looking at that in flooring, ceilings, and some of the treatments in the landscaping, using renewable materials as much as possible. There is a basement for his medical equipment. Mr. Ingram pointed out that the roof pitch is more of a residential design, and also pointed out the stone accentuating the columns at the entrances, and it wraps around all sides of the building. Mr. Pollina is also concerned about the exterior building materials being very low maintenance, so as far as the stucco, maintaining its color and the stone as well.

Mr. Ingram said that Mr. Pollina wanted to thank the City Council for the opportunity to build this project in Gladstone. His current practice is located about a block east, and with his clientele and the need for expansion, is what predicated the new building, so he is about doubling in size with this project. Mr. Ingram said, on behalf of Mr. Pollina, he wished to thank the City Council for their time and said Mr. Pollina is very much looking forward to this project.

Mayor Pro Tem Suter inquired into the trees on the north side by the retaining wall, and asked if the trees would be left on the neighbors' side.

Mr. Ingram replied yes, they would be left there. There will also be additional landscaping around the building, and also low growing vegetation. The monument sign will be made of the same building materials as the dental office to tie in architecturally with the building.

Councilman Garnos asked for confirmation, that there have been some changes to the retaining wall since the presentation to the Planning Commission, and some fairly significant changes to the retaining wall – it was mentioned that it no longer wraps around to the back side of the facility, and is now not going to be as high as it was a week ago?

Mr. Dandel said that was correct. They were able to reduce the height of the wall by pushing it to the north. Not only was the linear footprint decreased, but also the vertical footprint by about 50 percent.

Councilman Garnos asked if there is any sort of requirement for fencing along the top of the retaining wall? He was initially concerned when we were looking at a 10 to 12 foot retaining wall, and now it is a 6 to 8 foot retaining wall, and he was not certain if there is a code requiring a fence on top or some sort of railing, but he did not see that in the drawings.

Mr. Dandel said his understanding of the code is that if there is greater than a 36 inch vertical drop immediately to the traveled way, a railing is required, and they do not comply to the requirement because they are not adjacent to the traveled way; although the drop is greater than 36 inches, there will not be a railing at this time. The lower part of the site is north of the wall.

Mayor McCullough asked, to the best of their knowledge, if there is any planned activity for the space directly to the west.

Mr. Dandel replied at this point, there is no planned activity. It is currently zoned B1-1, Kansas City Missouri code. Mr. Dandel said he does not know what that means exactly, but he would report back to staff if the Council would like. Mr. Dandel said the nature of Dr. Pollina's business, Dentistry for Children is the name, makes it in his best interest to find a future buyer or developer on that side that is a good neighbor for his own business, and also for the neighborhood and for the cities of Gladstone and Kansas City.

Mayor McCullough stated that the building has a very long stretch on the back that is uninterrupted, and asked if there was any consideration for some vertical interest to break up that long span, so it is a little more appealing to the future neighbor?

Mr. Ingram replied one of the thoughts is that they could take some of the stone and create pilasters intermittently and break up the back, which is a discussion they have had earlier with Dr. Pollina. That would be easy to do.

Mayor McCullough said that is something along the lines that he would envision to break up that long line.

Mr. Ingram jokingly said Dr. Pollina may wish to have a candy store on the Kansas City side for all the children who go to his practice!

There were no comments from anyone in Favor or in Opposition of the application.

Mayor McCullough closed the Public Hearing.

Item 12. on the Agenda. **FIRST READING BILL NO. 11-25**, amending Ordinance No. 3.973 and being an Ordinance relating to Zoning Ordinance regulations and the establishment of Use Districts within the City of Gladstone, Missouri, for property located at 7200 North Broadway. Applicant: Ryan Dugdale, Olsson Associates. Owner: Louis Pollina (Pollina Enterprises, LLC). File Number: 1360.

Councilmember Jean Moore moved to place **Bill 11-25** on its First Reading. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilmember Jean Moore moved to accept the First Reading of **Bill 11-25**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilmember Jean Moore moved to accept the Second and Final Reading of **Bill 11-25**, and to enact the Bill as **Ordinance 4.197**. Mayor Pro Tem Carol Suter seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 13. on the Agenda. **FIRST READING BILL 11-26**, approving a Site Plan Revision for property legally described as Pollina Enterprises, First Plat, and commonly known as 7200 North Broadway. Applicant: Ryan Dugdale, Olsson Associates. Owner: Louis Pollina (Pollina Enterprises, LLC). File Number: 1360.

Councilman Brian Hill moved to place **Bill 11-26** on its First Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the First Reading of **Bill 11-26**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the Second and Final Reading of **Bill 11-26**, and to enact the Bill as **Ordinance 4.198**. Councilmember Jean Moore seconded.

Mayor Pro Tem Suter stated she wished to express her enthusiasm for project like this. It is a delight to see that corner improved. It would be nice in this economy if there were more of these kinds of project.

Mayor McCullough said he agreed completely, and said he wished to commend the members of the Planning Commission who did a very thorough job, and had some wonderful insightful questions that helped this process along.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 14. on the Agenda. **RESOLUTION R-11-77**, authorizing execution of an agreement with Clay County for collection of City of Gladstone property taxes for the tax years 2011 to 2014.

Mayor Pro Tem Carol Suter moved to table **RESOLUTION R-11-77** to a later date. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 15. on the Agenda. **OTHER BUSINESS.**

There was no other business.

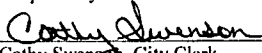
Item 16. on the Agenda. **QUESTIONS FROM THE NEWS MEDIA.**

There were no questions from the News Media.

Item 17. on the Agenda. **ADJOURNMENT.**

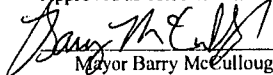
There being no further business to come before the September 12, 2011, Gladstone Regular City Council Meeting, Mayor Barry McCullough adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: ☒

Approved as corrected/amended: ☐


Mayor Barry McCullough



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, SEPTEMBER 26, 2011**

OPEN STUDY SESSION: 7:00 PM

REGULAR MEETING: 7:30 PM

AMENDED AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular September 12, 2011, City Council Meeting Minutes.
5. **PROCLAMATION:** Designating October 9-15, 2011, as "FIRE PREVENTION WEEK" in Gladstone, Missouri.
6. **CONSENT AGENDA**

RESOLUTION R-11-78, authorizing the City Manager to purchase two Autopulse® Non-Invasive Cardiac Support Pumps from Zoll Medical Corporation for a total purchase amount of \$29,903.16.

RESOLUTION R-11-79, accepting a Temporary Construction Easement in conjunction with the Northeast 76th Street Reconstruction Project.

RESOLUTION R-11-80, authorizing acceptance of a proposal from Landmark Dodge Chrysler Jeep for the purchase of two (2) Police Interceptor Vehicles for the net purchase amount of \$22,155.00 each.

APPROVAL OF A NEW SEVEN DAY PACKAGE LIQUOR LICENSE to Blue Falcon, LLC, dba Gladstone Discount Smoke and Convenience Store, 6034 North Antioch Road. Managing Officer: Robert G. Neds.

BUILDING PERMIT: for the exterior remodeling of the south building on property located at 5610 North Oak Trafficway, commonly known as Gladstone Dodge. Owner: Gladstone Dodge. Applicant: Williams Spurgeon Kuhl & Freshnock Architects, Inc.

APPROVAL OF THE AUGUST 2011, FINANCIAL REPORT.

REGULAR AGENDA

- 7. Communications from the Audience.**
- 8. Communications from the City Council.**
- 9. Communications from the City Manager.**
- 10. PUBLIC HEARING:** for consideration of a Sign Variance to allow construction of new signs for property located at 5610 North Oak Trafficway, commonly known as Gladstone Dodge. Owner: Gladstone Dodge. Applicant: Williams Spurgeon Kuhl & Freshnock Architects, Inc.
- 11. MOTION BY CITY COUNCIL:** for consideration of a Sign Variance to allow construction of new signs for property located at 5610 North Oak Trafficway, commonly known as Gladstone Dodge. Owner: Gladstone Dodge. Applicant: Williams Spurgeon Kuhl & Freshnock Architects, Inc.
- 12. RESOLUTION R-11-81,** amending the 2012 Annual General Fund, Community Center Park Tax Fund and the Combined Waterworks and Sewerage System Fund Budget for the City of Gladstone, Missouri and authorizing expenditures of funds.
- 13. Other Business.**
- 14. Questions from the News Media.**
- 15. Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, SEPTEMBER 26, 2011**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Barry McCullough
Councilmember Jean Moore
Councilman Brian Hill
Councilman Bill Garnos

Assistant City Manager Scott Wingerson
City Councilor Randall Thompson
City Clerk Cathy Swenson

ABSENT: Mayor Pro Tem Carol Suter
City Manager Kirk Davis

Item 2. on the Agenda. ROLL CALL.

Mayor Barry McCullough opened the Regular September 26, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present, except for Mayor Pro Tem Carol Suter.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Barry McCullough invited the Boy Scouts from Troop 155 to lead the Pledge of Allegiance, in which all joined.

Mayor McCullough invited the Scouts to introduce themselves as follows:

Jaymie Kennedy, Devin Berryman, Dakota Taylor, Miles Gilliland, Ayon Berhanu, Evan Land, and adult leaders, Shelley Allen and Juanita Necdham.

Mayor McCullough thanked the Scouts and their leaders for being present at this meeting and for leading the Pledge of Allegiance.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR SEPTEMBER 12, 2011, CITY COUNCIL MEETING MINUTES.**

Councilman Brian Hill moved to approve the **REGULAR SEPTEMBER 12, 2011, CITY COUNCIL MEETING MINUTES** as presented. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, and Mayor Barry McCullough. (4-0).

Item 5. on the Agenda. **PROCLAMATION: Designating October 9-15, 2011, as "FIRE PREVENTION WEEK" in Gladstone, Missouri.**

Mayor McCullough read and presented the Proclamation to Public Safety Director Mike Hasty, who thanked the Mayor and City Council. Director Hasty said that fire prevention efforts are very important to his department, and engaging the community in fire prevention efforts is also very important. Director Hasty said his department wants to do everything they can to reduce injuries and deaths that may occur due to fire, and also to bring a national awareness to these efforts.

Item 6. on the Agenda. **CONSENT AGENDA**

Councilman Brian Hill moved to accept the Consent Agenda as presented. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, and Mayor Barry McCullough. (4-0).

Councilman Brian Hill moved to adopt **RESOLUTION R-11-78**, authorizing the City Manager to purchase two Autopulse® Non-Invasive Cardiac Support Pumps from Zoll Medical Corporation for a total purchase amount of \$29,903.16. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, and Mayor Barry McCullough. (4-0).

Councilman Brian Hill moved to adopt **RESOLUTION R-11-79**, accepting a Temporary Construction Easement in conjunction with the Northeast 76th Street Reconstruction Project. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, and Mayor Barry McCullough. (4-0).

Councilman Brian Hill moved to adopt **RESOLUTION R-11-80**, authorizing acceptance of a proposal from Landmark Dodge Chrysler Jeep for the purchase of two (2) Police Interceptor Vehicles for the net purchase amount of \$22,155.00 each. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, and Mayor Barry McCullough. (4-0).

Councilman Brian Hill moved to approve a **NEW SEVEN DAY PACKAGE LIQUOR LICENSE** to Blue Falcon, LLC, dba Gladstone Discount Smoke and Convenience Store, 6034 North Antioch Road. Managing Officer: Robert G. Neds. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, and Mayor Barry McCullough. (4-0).

Councilman Brian Hill moved to approve a **BUILDING PERMIT**: for the exterior remodeling of the south building on property located at 5610 North Oak Trafficway, commonly known as Gladstone Dodge. Owner: Gladstone Dodge. Applicant: Williams Spurgeon Kuhl & Freshnock Architects, Inc. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, and Mayor Barry McCullough. (4-0).

Councilman Brian Hill moved to approve the **AUGUST 2011, FINANCIAL REPORT**. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, and Mayor Barry McCullough. (4-0).

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.**

Councilman Bill Garnos had no comments at this time.

Councilman Brian Hill reminded everyone that Gladfest would be held this coming weekend. It begins at 5:00 PM on Friday, and the weather is supposed to be perfect. The parade has a new route that will add to the parade. Councilman Hill encouraged everyone to attend.

Councilmember Jean Moore had no comments at this time.

Mayor Barry McCullough stated he, too, looked forward to an exciting Gladfest, and hoped everyone will be there to join the City Council.

Mayor McCullough said yesterday, he was honored to attend a special event at the Community Center called "Remember our Fallen Heroes". This event honors young men and women who have served in Iraq and Afghanistan, who, unfortunately, did not make it home. The exhibit will be at the Community Center until next Sunday, the end of Gladfest. Mayor McCullough encouraged everyone to visit the exhibit, which is very nicely done. It is good to recognize those who have protected our freedom.

Item 9. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

Assistant City Manager Scott Wingerson began by saying that City Manager Kirk Davis sends his regrets, as he is very ill. This is a good time to remind everyone to wash their hands, get plenty of rest, eat well, and do all the things we should do.

Assistant City Manager Wingerson reported that during Gladfest, City Hall has historically closed at noon on Friday. Staff will still be in City Hall, answering the phones for the residents, and also doing filing and cleaning that is not easily done any other time. The 5K Walk/Run, through the Parks and Recreation Department, which benefits the Northland Christmas Tree

Fund, is on Sunday, and people may register now at City Hall and the Community Center or on race day at the event. There is an Art Opening in the Community Center, at 6:00 PM, on October 4, featuring Frank Armato.

Assistant City Manager Wingerson reported that utility bills may now be paid on-line, and encouraged everyone to take advantage of this service. The new "Coming Home to Gladstone" magazine is at the Council's places this evening, and residents may expect them in their mailboxes soon. Regarding the Antioch Road curve project by White Chapel Cemetery and St. Andrew's Church, the curve will close next week. Advance signage will be going up tomorrow or Wednesday to let everyone know. Assistant City Manager Wingerson said he would be visiting with the church, businesses and the cemetery to explain the detour route. It is a simple detour, but unfortunately, it is necessary to get the equipment into the area. The good news is that it should be closed between 30 and 45 days at the very most, and there will be curb and gutter, keeping an awful lot of people out of the roadside ditch by the cemetery.

Assistant City Manager Wingerson stated the City blog is live, and there have been four topics introduced to the community. There have been over 450 views in just under two weeks, and these kinds of things tend to grow from a small following to a large one, but 450 people looking at it is a good sign. Assistant City Manager Wingerson offered congratulations to Public Information Officer Richard King and everyone who works on this.

Item 10. on the Agenda. **PUBLIC HEARING:** for consideration of a Sign Variance to allow construction of new signs for property located at 5610 North Oak Trafficway, commonly known as Gladstone Dodge. Owner: Gladstone Dodge. Applicant: Williams Spurgeon Kuhl & Freshnock Architects, Inc.

Mayor McCullough asked Assistant City Manager Wingerson to explain the process for this Agenda item.

Assistant City Manager Wingerson said, for the Council's benefit, when the Public Hearing is opened, Building Official Alan Napoli would discuss the Sign Variances being presented this evening. About three or four years ago, the City Council reviewed this issue, and suggested that all Sign Variances come through the City Council, as the City Council is the most qualified to make those decisions. There are two issues for the City Council's consideration, both may be approved by a single motion, or the two issues may be separated if the Council chooses, or the Council may choose to deny each of the two issues with a single motion. There will be a normal Public Hearing as there would be for a zoning change or a Site Plan. After the Public Hearing is closed, the next item on the agenda is the opportunity for the Council to make a simple motion to go whichever direction they wish.

Mayor McCullough opened the Public Hearing.

Staff Presentation

Building Official Alan Napoli began by saying before the City Council tonight were Sign Variances for Gladstone Dodge. Gladstone Dodge has been doing a lot of remodeling -- both

exterior and interior remodeling. They are currently working on the south building on the corner of Englewood and North Oak Trafficway, and will shortly be bringing in plans for the remodeling of the interior of the building. The Council just approved the exterior renovation work with the earlier Building Permit approval. What the applicant is requesting at this time is to go forward with new signage. Currently, both buildings have pole signs in front of them, which by our current Ordinance are existing non-conforming, and to do anything to them, they would have to bring them into compliance, which would be bringing them to monument size. They wish to leave the pole sign at the south building as a pole sign; although, they wish to modify it. It would be shorter in height than what it currently is, and the overall square footage of the sign would be less than what it currently is. It would be made of materials similar to the metal arch inside the front facing of the front of the building, which has silver trim work, and that is what the signs would be made of and that is the color they would be.

Mr. Napoli said the other pole sign, which is at the north building, would be reduced to a monument sign. The size would be within our 50 square foot size. The only issue is that the signs are supposed to have 30 percent natural materials. The applicant wants this monument sign to be of the same materials to match the pole sign. Both signs have more than adequate landscaping around them – exceeding what is required by Ordinance, plus they are doing some additional landscaping on the corner of Englewood and North Oak. Staff has reviewed the work they plan to do on the signs, and staff is requesting approval from the City Council. The architect and owners of Gladstone Dodge were present for any questions.

Applicant Presentation

Mark Spurgeon, Williams Spurgeon Kuhl & Freshnock Architects, Inc., stated they are the architects for Gladstone Dodge right now. Council members have probably seen the work that is going on, and the façade is almost finished. There is a little sheet metal that needs to be put on, along with some glass. The new signage is up on the building. All the car dealerships have their standard sign package that they like to see. It is image driven so that they all comply and it goes from the street all the way into the inside, so the package goes all the way through with the materials they use. There is a pylon sign now that they could maintain, and would remain the rest of the life of the business. The applicant is trying to make the signs correspond with the building as it is being designed, and they will be a little bit shorter and smaller. The pylon sign will stay, if this application is not approved. The visibility is needed there. It is hard to see anything on that corner, if a monument sign was installed. On the north building there will be masonry that is going to be part of the addition that will be going onto that building. There will be a masonry base, and they are incorporating some of the masonry that is on the building into the sign itself, so it is not just a Chrysler sign. Mr. Spurgeon said they are trying to make everything look very nice, and he applauds Gladstone Dodge for the amount of effort they are putting into the buildings and cleaning them both up. When one looks at the entire façade of both buildings and the whole lot, it will be a lot more uniformed than it is now, and it will all be more muted colors.

There were no comments from anyone in Favor or in Opposition to the application.

Mayor McCullough closed the Public Hearing.

Item 11. on the Agenda. **MOTION BY CITY COUNCIL:** for consideration of a Sign Variance to allow construction of new signs for property located at 5610 North Oak Trafficway, commonly known as Gladstone Dodge. Owner: Gladstone Dodge. Applicant: Williams Spurgeon Kuhl & Freshnock Architects, Inc.

Councilman Brian Hill moved to approve a Sign Variance to allow construction of new signs for property located at 5610 North Oak Trafficway, commonly known as Gladstone Dodge. Owner: Gladstone Dodge. Applicant: Williams Spurgeon Kuhl & Freshnock Architects, Inc. Councilmember Jean Moore seconded.

Councilman Hill said he normally would not be in favor of a pole sign, but since this is a lesser evil, so to speak, and he believes this is a more attractive sign than what is there now, he does not have a problem with a revised pole sign, plus we are eliminating one pole sign on the premises.

Councilmember Moore said she wished to echo Councilman Hill's comment about the variance with the pole sign, and she does commend Gladstone Dodge for their efforts. The reconstruction is looking great, and she thinks this is really good for the City, and she agrees that taking down one sign is a good thing. The other pole sign appears to be shorter, and they look very nice, so this is a really good thing for the City to have these improvements on this property.

Mayor McCullough said he, too, would like to echo these statements by the Council. As someone who had the joy of working on the Sign Ordinance, and revising it, he can appreciate the intent that went into creating that. He also recognizes that there has been a lot of work done by Gladstone Dodge, and as one of the gateways to our City, he thinks it makes a huge improvement, and these signs go very nicely with those improvements, and he looks forward to that.

The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, and Mayor Barry McCullough. (4-0).

Item 12. on the Agenda. **RESOLUTION R-11-81**, amending the 2012 Annual General Fund, Community Center Park Tax Fund and the Combined Waterworks and Sewerage System Fund Budget for the City of Gladstone, Missouri and authorizing expenditures of funds.

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-81**, amending the 2012 Annual General Fund, Community Center Park Tax Fund and the Combined Waterworks and Sewerage System Fund Budget for the City of Gladstone, Missouri and authorizing expenditures of funds. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, and Mayor Barry McCullough. (4-0).

Item 13. on the Agenda. **OTHER BUSINESS.**

There was no other business.

Item 14. on the Agenda. **QUESTIONS FROM THE NEWS MEDIA.**

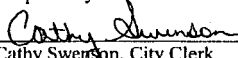
Kathy Crawford, of the Gladstone Dispatch Newspaper introduced herself and said she would be covering our City Council meetings.

Mayor McCullough welcomed Ms. Crawford and invited her, for her convenience, to sit at the press table during the City Council meetings.

Item 15. on the Agenda. **ADJOURNMENT.**

There being no further business to come before the September 26, 2011, Gladstone Regular City Council Meeting, Mayor Barry McCullough adjourned the meeting.

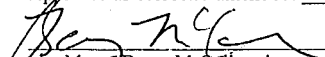
Respectfully submitted:



Cathy Swenson, City Clerk

Approved as submitted: ☒

Approved as corrected/amended: _____



Mayor Barry McCullough



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, OCTOBER 10, 2011**

OPEN STUDY SESSION: 6:30 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular September 26, 2011, City Council Meeting Minutes.
5. **PROCLAMATION:** recognizing October as National Codes Enforcement Month and the important role Code Compliance Officers play in our Community.

REGULAR AGENDA

6. Communications from the Audience.
7. Communications from the City Council.
8. Communications from the City Manager.

9. **RESOLUTION R-11-82**, authorizing the City Manager to purchase an Automated License Plate Reader from ELSAG North America for a total purchase amount of \$25,145.00.
10. **RESOLUTION R-11-83**, authorizing execution of a contract with David E. Ross Construction Company, Incorporated in the total amount not to exceed \$578,800.00 for the Filter and Clarifier Improvements Project.
11. **RESOLUTION R-11-84**, authorizing acceptance of a proposal from Victor L. Phillips for the purchase of an Articulated Loader for the net purchase amount of \$108,075.00.
12. **RESOLUTION R-11-85**, authorizing acceptance of a proposal from Shawnee Mission Ford for the purchase of a Transit Connect Van for Animal Control in the net purchase amount of \$20,687.00.
13. **RESOLUTION R-11-86**, authorizing execution of a professional architectural service agreement with Confluence, in an amount not to exceed \$18,365.00 for the Village Center Amenities - Phase 1 Consulting Services Project.
14. **BUILDING PERMIT**: for the construction of a new sales building on property located at 100 NW Vivion Road, commonly known as Van Subaru. Owner: Van Chevrolet Cadillac, Inc. Applicant: JRMA Architects, Inc.
15. Other Business.
16. Questions from the News Media.
17. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, OCTOBER 10, 2011**

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Barry McCullough
Mayor Pro Tem Carol Suter
Councilmember Jean Moore
Councilman Brian Hill
Councilman Bill Garnos

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL.

Mayor Barry McCullough opened the Regular October 10, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Barry McCullough led the Pledge of Allegiance, in which all joined.

**Item 4. on the Agenda. APPROVAL OF THE REGULAR SEPTEMBER 26, 2011,
CITY COUNCIL MEETING MINUTES.**

Councilmember Jean Moore moved to approve the **REGULAR SEPTEMBER 26, 2011, CITY COUNCIL MEETING MINUTES** as presented. Councilman Brian Hill seconded.

Mayor Pro Tem Suter stated she would be abstaining from the vote, as she was not present at the September 26, 2011, City Council meeting.

The vote: "Aye" - Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, and Mayor Barry McCullough. "Abstain" - Mayor Pro Tem Carol Suter. (4-0-1).

Item 5. on the Agenda. **PROCLAMATION:** recognizing October as National Codes Enforcement Month and the important role Code Compliance Officers play in our Community.

Mayor McCullough read and presented the Proclamation to Neighborhood Services Coordinator Darren Rodman, who, on behalf of the Community Development Department, thanked the Mayor and City Council.

Item 6. on the Agenda. **COMMUNICATIONS FROM THE AUDIENCE.**

There were no communications from the audience.

Item 7. on the Agenda. **COMMUNICATIONS FROM THE CITY COUNCIL.**

Councilman Bill Garnos thanked the City staff for all their efforts during Gladfest. There may have been a few hiccups behind the scenes getting things organized, but he walked through in the morning and he was amazed at the activity and the number of City staff working very hard. By the time the people showed up, he did not believe that anyone noticed anything awry, and he thought the weekend went beautifully. Councilman Garnos said he was at Gladfest for two and one half days of the three days, and enjoyed himself very much, and he won third place in the cupcake contest.

Councilman Brian Hill said he wished to ditto the comments made by Councilman Garnos. Councilman Hill said he especially wished to thank Public Information Officer Richard King for all of his efforts. He was pretty much at Gladfest 24/7, and was very instrumental in the success of the event. Councilman Hill thanked Public Safety. Things were kept under control, and it was a safe event for all. Councilman Hill thanked City Manager Kirk Davis for his efforts in judging the parade.

Councilmember Jean Moore thanked the City staff for Gladfest, and said it was an amazing operation to see how much time and energy it takes. We are so fortunate to have everyone so dedicated and involved in this event. Councilmember Moore said that last Saturday she had the opportunity to volunteer with the Brush With Kindness event. It was truly inspiring to see approximately 150 volunteers from Farmer's Insurance and Zurich (Financial) work with our neighborhoods and people in need who cannot do the kind of repairs that were needed. Councilmember Moore said that Mayor McCullough, and his wife, Anita were there with her, along with everyone else. It was really fun and inspiring to see that. A lot of the City parks received attention from the volunteers, as well. It is a great program. Building Official Alan Napoli and Richard King did a lot to get that going in our community, and we are very fortunate. Councilmember Moore said she wished to say publicly that if anyone needs someone who is a pro with the chainsaw, it is the Mayor.

Mayor McCullough jokingly said his limbs were all in tact!

Mayor Pro Tem Carol Suter said the Gladfest parade was really an enjoyable event. When she first came on the City Council she thought it might be a "hokey" thing, but it is really enjoyable:

particularly, this year, because it was a delight to have the streets lined with happy, cheering people, who were not shouting and mad and threatening.

Mayor Pro Tem Suter said she did have a question about the disease connected with pine trees. We have so many trees in the community that are dying, and she was wondering what we were doing with the trees on City property. There is a whole line of such trees south of Hy-Vee. Mayor Pro Tem Suter asked if those trees are on City property or private property, and asked if we, as a city, are doing anything about this issue, and are we offering assistance to citizens, because there are so many people who have dead trees.

Assistant City Manager Scott Wingerson replied that Mr. Napoli and his staff just completed a dead tree survey. There has not yet been an opportunity to share the report with the City Manager, but that will be done this week, and brought back to the City Council in terms of what the survey says. There is a disease; it is a bug affecting primarily pine trees, and the affected trees are not able to be saved. There are some of these trees in the parks, and many are scattered over all of Gladstone. As the policy options are considered, ways to assist the residents will be considered, which may include perhaps moving forward to the Neighborhood Commission with some sort of partnership or something of this sort, because it is an expensive proposition to remove the trees. The trees need to be removed in the spring, so that it doesn't jump to the next set of trees and so forth. It is an important issue. Mr. Wingerson said he was glad that Mayor Pro Tem Suter noticed this, and staff will share information with the City Manager and report to the City Council in their informational newsletter. The strip where trees are located just south of Hy-Vee on M-1 Highway is owned by the developer of Northaven Gardens, Susan Rose. Mrs. Rose has offered to give that property to the homes association, and the homes association has declined to accept it. Staff will continue to work with Mrs. Rose, and part of the solution throughout the community will apply to that batch of trees on M-1.

Mayor Pro Tem Suter said it is difficult for older citizens on fixed incomes, and taking down a tree is a lot, and a number of people have more than one tree.

Mayor Barry McCullough said it has already been said, but he could not say thank you enough to the City staff, and all of the volunteer effort that goes into pulling off Gladfest. It was a phenomenal year this year, and everyone raved about the successes. There were a few hiccups and headaches, but any time that many people are put together and try to move in the same direction, it takes a little work to make that happen. Mayor McCullough said he wished to thank Everett Jones for volunteering with GEMA (Gladstone Emergency Management Agency). He put in countless hours in making that happen. Mayor McCullough thanked John Garner, who worked with Art Hammen to make the car show the biggest and the best that it has ever been, and really making a huge difference for the Chamber. Mayor McCullough said they are all very much appreciated, and they do not get told that often enough. Parks and Recreation Director Sheila Lillis and her crew put together quite a run, and he believes this was the biggest and best Scarecrow Run ever. The weather cooperated, so that helped out quite a bit.

Mayor McCullough said the Brush With Kindness was a fantastic event in which to participate. It was a trial and a new experience for everyone involved, and it came together very nicely. Alan and Richard did work extremely hard to get this put together. Mayor McCullough said he and

Alan were hauling off brush until late in the afternoon. It was great to go out and meet the residents and see the appreciation that they had for everyone working so hard to improve their homes and the community as a whole.

Mayor McCullough said there is an opening on the Arts Commission, and former Mayor and Councilman Carol Rudi submitted an application to fill Linda Smith's vacated position. As that position is a dedicated position as a member of the Atkins Johnson membership, Carol uniquely fits that position. There is also a dire need for someone who can step in and possibly chair that commission. Rather than wait and conduct additional interviews, Carol is quite the person to fill that void.

Councilmember Jean Moore moved to appoint Carol Rudi to the vacancy on the Arts Commission. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 8. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis stated he wished to recognize our City as the recipient of the Cornerstone Award that was awarded by the North Kansas City School District Education Foundation. City Manager Davis stated one of the Gladstone On The Move initiatives was to direct the City to become more involved with the School District and help make our schools more successful – we have success as our schools have success. Our City has done that in a number of ways, and one of the ways is that we do support the Education Foundation, which assists with teachers' scholarships, classroom improvements, innovation, and so forth. For those efforts last week, our City received the Cornerstone Award, which is their award to a business that most supports and helps the District. It was a nice recognition, and it was unexpected. City Manager Davis said, on behalf of staff, the award was very much appreciated. It is the biggest award that the School District gives out every year.

City Manager Davis reported that the Coming Home To Gladstone magazine is out, and it is another good issue. City Manager Davis offered kudos to Economic Development Administrator Melinda Mehaffy and Public Information Officer Richard King. They do a nice job with the magazine, and he would like to continue to recognize the time and effort put into this by these individuals.

Item 9. on the Agenda. **RESOLUTION R-11-82**, authorizing the City Manager to purchase an Automated License Plate Reader from ELSAG North America for a total purchase amount of \$25,145.00.

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-82**, authorizing the City Manager to purchase an Automated License Plate Reader from ELSAG North America for a total purchase amount of \$25,145.00. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 10. on the Agenda. **RESOLUTION R-11-83**, authorizing execution of a contract with David E. Ross Construction Company, Incorporated in the total amount not to exceed \$578,800.00 for the Filter and Clarifier Improvements Project.

Councilman Brian Hill moved to adopt **RESOLUTION R-11-83**, authorizing execution of a contract with David E. Ross Construction Company, Incorporated in the total amount not to exceed \$578,800.00 for the Filter and Clarifier Improvements Project. Councilmember Jean Moore seconded. The vote: All "aye" - Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 11. on the Agenda. **RESOLUTION R-11-84**, authorizing acceptance of a proposal from Victor L. Phillips for the purchase of an Articulated Loader for the net purchase amount of \$108,075.00.

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-84**, authorizing acceptance of a proposal from Victor L. Phillips for the purchase of an Articulated Loader for the net purchase amount of \$108,075.00. Councilman Brian Hill seconded. The vote: All "aye" - Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 12. on the Agenda. **RESOLUTION R-11-85**, authorizing acceptance of a proposal from Shawnee Mission Ford for the purchase of a Transit Connect Van for Animal Control in the net purchase amount of \$20,687.00.

Councilman Brian Hill moved to adopt **RESOLUTION R-11-85**, authorizing acceptance of a proposal from Shawnee Mission Ford for the purchase of a Transit Connect Van for Animal Control in the net purchase amount of \$20,687.00. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" - Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 13. on the Agenda. **RESOLUTION R-11-86**, authorizing execution of a professional architectural service agreement with Confluence, in an amount not to exceed \$18,365.00 for the Village Center Amenities - Phase 1 Consulting Services Project.

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-86**, authorizing execution of a professional architectural service agreement with Confluence, in an amount not to exceed \$18,365.00 for the Village Center Amenities - Phase 1 Consulting Services Project. Councilman Brian Hill seconded.

Councilman Bill Garnos stated he would be abstaining from this vote, as he had a prior business dealing with one of the firms involved in the Confluence team.

The vote: "Aye" - Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. "Abstain" - Councilman Bill Garnos. (4-0-1).

Item 14. on the Agenda. **BUILDING PERMIT:** for the construction of a new sales building on property located at 100 NW Vivion Road, commonly known as Van Subaru. Owner: Van Chevrolet Cadillac, Inc. Applicant: JRMA Architects, Inc.

Mayor Pro Tem Carol Suter moved to approve the **BUILDING PERMIT:** for the construction of a new sales building on property located at 100 NW Vivion Road, commonly known as Van Subaru. Owner: Van Chevrolet Cadillac, Inc. Applicant: JRMA Architects, Inc. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Gamos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 15. on the Agenda. **OTHER BUSINESS.**

There was no other business.

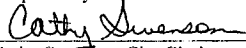
Item 16. on the Agenda. **QUESTIONS FROM THE NEWS MEDIA.**

Kathy Crawford, of the Gladstone Dispatch Newspaper, asked, for clarification, the name of the Brush With Kindness event, and the name of a staff person and the spelling of a name.

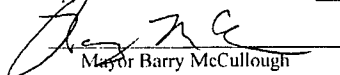
Item 17. on the Agenda. **ADJOURNMENT.**

There being no further business to come before the October 10, 2011, Gladstone Regular City Council Meeting, Mayor Barry McCullough adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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


Mayor Barry McCullough



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, OCTOBER 24, 2011**

The City Council will meet in Closed Executive Session at 6:15 PM, on Monday, October 24, 2011, in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion.

OPEN STUDY SESSION: 6:45 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular October 10, 2011, City Council Meeting Minutes.
5. **CONSENT AGENDA**

RESOLUTION R-11-87, authorizing acceptance of a proposal from Bartlett and West for the metering of sanitary sewer inflow and infiltration in the amount of \$28,400.00.

RESOLUTION R-11-88, rescinding and replacing Resolution R-11-86 and authorizing execution of a professional architectural service agreement with Brian Clark & Associates, Inc. in an amount not to exceed \$18,365.00 for the Village Center Amenities – Phase 1 Consulting Services Project.

APPROVAL OF THE SEPTEMBER 2011 FINANCIAL REPORT

REGULAR AGENDA

6. **Communications from the Audience.**
7. **Communications from the City Council.**
8. **Communications from the City Manager.**
9. **RESOLUTION R-11-89**, authorizing acceptance of a proposal from Olathe Ford for the purchase of a 4x4 truck with snow plow in the net purchase amount of \$48,492.00.
10. **RESOLUTION R-11-90**, authorizing acceptance of a proposal from Shawnee Mission Ford for the purchase of a 4x2 truck with snow plow for the net purchase amount of \$38,957.00.
11. **RESOLUTION R-11-91**, authorizing acceptance of a proposal from Olathe Tractor & Equipment for the purchase of a tractor with boom mower in the net purchase amount of \$84,987.00.
12. **RESOLUTION R-11-92**, authorizing acceptance of a proposal from Diamond International for the purchase of a dump truck with snow plow and spreader in the net purchase amount of \$82,337.00.
13. **FIRST READING BILL 11-27**, amending Schedule V of the Model Traffic Code (Gladstone Municipal Code Section 4.100.020), to establish a "No Parking" Zone along the north and south sides of Northwest 61st Street for east and westbound traffic from North Broadway Avenue east 150 feet.
14. **Other Business.**
15. **Questions from the News Media.**
16. **Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, OCTOBER 24, 2011**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:15 PM**

Councilmember Jean Moore opened the City Council Meeting to adjourn to a Closed Executive Session on October 24, 2011, at 6:15 PM. Councilmember Jean Moore made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilman Brian Hill seconded.

Roll Call Vote: All "aye" - Councilman Bill Garnos, Councilman Brian Hill, and Councilmember Jean Moore. (3-0).

Mayor Pro Tem Carol Suter and Mayor Barry McCullough were also present at the Closed Executive Session.

Mayor Barry McCullough adjourned the Closed Executive Session.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Barry McCullough
Mayor Pro Tem Carol Suter
Councilmember Jean Moore
Councilman Brian Hill
Councilman Bill Garnos

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

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

Mayor Barry McCullough opened the Regular October 24, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Barry McCullough led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR OCTOBER 10, 2011, CITY COUNCIL MEETING MINUTES.**

Councilman Brian Hill moved to approve the **REGULAR OCTOBER 10, 2011 CITY COUNCIL MEETING MINUTES** as presented. Councilmember Jean Moore seconded.

The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Item 5. on the Agenda. **CONSENT AGENDA**

Following the Clerk's reading, Councilman Bill Garnos asked that **RESOLUTION R-11-88**, rescinding and replacing Resolution R-11-86, and authorizing execution of a professional architectural service agreement with Brian Clark & Associates, Inc. in an amount not to exceed \$18,365.00 for the Village Center Amenities – Phase I Consulting Services Project, be removed from the Consent Agenda, as he would be abstaining from the vote on this item, as he did at the last meeting.

Note: At the October 10, 2011, City Council Meeting, Councilman Bill Garnos stated he would be abstaining from voting on this matter, as he had a prior business dealing with one of the firms involved in the Confluence team.

Mayor McCullough stated that Resolution R-11-88 would be removed from the Consent Agenda, and would be considered under the Regular Agenda as Item 5a.

Mayor Pro Tem Carol Suter moved to accept the Consent Agenda as amended. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-87**, authorizing acceptance of a proposal from Bartlett and West for the metering of sanitary sewer inflow and infiltration in the amount of \$28,400.00. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Mayor Pro Tem Carol Suter moved to approve the **SEPTEMBER 2011 FINANCIAL REPORT**. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill

Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Item 5a. on the Agenda. **RESOLUTION R-11-88**, rescinding and replacing Resolution R-11-86 and authorizing execution of a professional architectural service agreement with Brian Clark & Associates, Inc. in an amount not to exceed \$18,365.00 for the Village Center Amenities – Phase I Consulting Services Project.

Councilman Brian Hill moved to adopt **RESOLUTION R-11-88**, rescinding and replacing Resolution R-11-86 and authorizing execution of a professional architectural service agreement with Brian Clark & Associates, Inc. in an amount not to exceed \$18,365.00 for the Village Center Amenities – Phase I Consulting Services Project. Councilmember Jean Moore seconded.

The vote: "Aye" – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. "Abstain" – Councilman Bill Garnos. (4-0-1).

Item 6. on the Agenda. **COMMUNICATIONS FROM THE AUDIENCE.**

Anne Alexander, 3121 NE 59th Terrace, #3, began by saying that she understands from various members that progress is being made with the barking dogs. More and more, this is not just her problem, but also a universal problem, but people do not want to make their neighbors mad, so they won't come talk to the City Council to do something about it. The history of this is that for almost three years the dog barked between midnight and 6:00 AM. She would call the police, they would come out, they go to the barking dog's family, and she signs the complaint. Then they got to go to court. She has been to court five times. Once she goes to court, they keep their dog quiet for a while, and then, invariably, it starts again. Ms. Alexander said she is looking forward to not getting up at night to meet the police; however, she does not know what more the police could do than they have already done. Ms. Alexander asked the City Council if they plan to utilize an existing Ordinance.

Mayor McCullough stated that was correct.

Ms. Alexander said she would like to see a copy of the Ordinance, and asked what the City Council feels the police can do beyond what they have done, because they have been a huge help. Ms. Alexander said she would like to see these things in writing. Sunday, she discovered on the next block are two yappy little dogs. Ms. Alexander invited another resident to step forward to visit with the City Council about a dog with which he has a concern.

Nick Compton, 3011 NE 59 Terrace #4, stated the last couple of months he has been having a problem with a barking dog directly behind him. He visited the office at Kendallwood to see if the dog bothered anyone else, and they gave him Anne's number. He met up with Anne, they compared notes, and he wanted to back her up on this issue. Mr. Compton said he had talked to other individuals who were afraid to confront the owner, but they acknowledged that they could not sleep at night. The dog barks all night long, and it appears to him that some of the animals are being abused. The one behind him is on a chain, and he does not know if they ever take it in.

It just yelps and yelps with a high pitch voice – something is going on. Mr. Compton suggested this might be fought on two levels. The abuse of the animals and the barking.

Mayor McCullough encouraged Mr. Compton to contact Animal Control directly if he believes there was abuse, and reporting barking dogs to the police is an option, especially when it is overnight. It is probably impacting others who are trying to sleep. With repeated offenses, that mechanism can kick in as Ms. Alexander has experienced, where the owner is ultimately fined. That seems to be a useful mechanism for solving the problem. Mayor McCullough stated that Counselor Thompson could provide documentation as to our Ordinances and how the noise Ordinance would relate to this particular incident.

Counselor Thompson invited Ms. Alexander and Mr. Compton to contact him, and he would be happy to go over the Ordinances on the books and discuss how they work.

Mr. Compton agreed that he would call Animal Control during the day to report abuse or barking.

Counselor Thompson stated that an animal on a chain could be in violation of the City's Ordinance, so that needs to be reported.

Larry Newport, 2002 NE 69 Terrace, thanked Parks and Recreation Director Sheila Lillis, Recreation Programmer Paige Robbins and all the staff for a nice lunch they had last Friday at the Community Center.

Item 7. on the Agenda. **COMMUNICATIONS FROM THE CITY COUNCIL.**

Councilman Bill Garnos had no comments at this time.

Councilman Brian Hill stated he was contacted today by a resident in the 6700 block of North Woodland. The resident was concerned that he had received a communication from the homeowners' association saying there have been a lot of burglaries and break-ins of vehicles in that area. Councilman Hill said he would like to respond to the resident as to whether Public Safety has taken any action.

City Manager Kirk Davis asked that if Councilman Hill would provide the resident's name and address, staff would be happy to contact him. City Manager Davis said he was not aware of any history in that general area, but Captain Jeff Self was in the audience, and he was certain he made note of the concern. Staff would be happy to contact the gentleman, find out the history of this area, and get back to Councilman Hill.

Councilman Hill said the homeowners' association sent out something in their newsletter about this issue. Although, he does not know the homeowners' association's president's name, that may be someone who would be appropriate to also contact to see what the neighborhood's concerns are, and to coordinate with Public Safety.

City Manager Davis said he would follow-up on this issue.

Councilmember Jean Moore had no comments at this time.

Mayor Pro Tem Carol Suter asked for an update on the trail in Happy Rock Park West. Where are we in the process and her neighbors are asking when the bridge will be completed.

Assistant City Manager Scott Wingerson replied that he was not certain of the exact completion date of the bridge, but it will be quite an event when it is completed. The project is expected to be substantially complete by November 15.

Mayor Barry McCullough welcomed Anthony Nichols, who is a Poli Sci (Political Science) student, and asked if Mr. Nichols had any questions he wished to ask the City Council.

Mr. Nichols thanked the Mayor and City Council for allowing him to visit this evening. Mr. Nichols stated that everyone who works in the front office is extremely helpful every week when he comes into City Hall asking questions. The City has a great staff, who is very patient.

Mayor McCullough thanked Mr. Nichols and said that is wonderful to hear. Mayor McCullough asked Mr. Nichols where he attends school.

Mr. Nichols said he attends Park University and Maple Woods. He just transferred here from Arizona, so he needs to make up some "gen ed" that did not transfer, and he is currently studying social services.

Mayor McCullough offered good luck to Mr. Nichols and invited him to attend City Council meetings any time.

Mayor McCullough congratulated City Manager Davis on his appointment to the Board of Directors for the KC Area Development Council. It is a prestigious appointment, it speaks well for him.

City Manager Davis thanked Mayor McCullough and said he was looking forward to serving on the Board.

Mayor McCullough said he had the pleasure of speaking to 105 new inductees into the National Junior Honor Society at Antioch Middle School last week. It was a "blast", and fantastic to know that we have that many good kids coming up through our school system right here in Gladstone.

Item 8. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis reported that 8:00 AM to 5:00 PM, November 4, 5 and 6, is the City's brush drop-off weekend at Public Works. That is the half-price weekend. If folks want to get rid of some branches and yard debris, that would be the time to do it.

City Manager Davis stated that Friday Fright Night is always popular in Oak Grove Park, and that will be held this Friday night, from 6:00 PM to 9:00 PM. This would be an opportunity to see a bunch of kids in their costumes!

Item 9. on the Agenda. **RESOLUTION R-11-89**, authorizing acceptance of a proposal from Olathe Ford for the purchase of a 4x4 truck with snow plow in the net purchase amount of \$48,492.00.

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-89**, authorizing acceptance of a proposal from Olathe Ford for the purchase of a 4x4 truck with snow plow in the net purchase amount of \$48,492.00. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Item 10. on the Agenda. **RESOLUTION R-11-90**, authorizing acceptance of a proposal from Shawnee Mission Ford for the purchase of a 4x2 truck with snow plow for the net purchase amount of \$38,957.00.

Councilman Brian Hill moved to adopt **RESOLUTION R-11-90**, authorizing acceptance of a proposal from Shawnee Mission Ford for the purchase of a 4x2 truck with snow plow for the net purchase amount of \$38,957.00. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Item 11. on the Agenda. **RESOLUTION R-11-91**, authorizing acceptance of a proposal from Olathe Tractor & Equipment for the purchase of a tractor with boom mower in the net purchase amount of \$84,987.00.

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-91**, authorizing acceptance of a proposal from Olathe Tractor & Equipment for the purchase of a tractor with boom mower in the net purchase amount of \$84,987.00. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Item 12. on the Agenda. **RESOLUTION R-11-92**, authorizing acceptance of a proposal from Diamond International for the purchase of a dump truck with snow plow and spreader in the net purchase amount of \$82,337.00.

Councilman Bill Garnos moved to adopt **RESOLUTION R-11-92**, authorizing acceptance of a proposal from Diamond International for the purchase of a dump truck with snow plow and spreader in the net purchase amount of \$82,337.00. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Item 13. on the Agenda. **FIRST READING BILL 11-27**, amending Schedule V of the Model Traffic Code (Gladstone Municipal Code Section 4.100.020), to establish a "No Parking" Zone along the north and south sides of Northwest 61st Street for east and westbound traffic from North Broadway Avenue east 150 feet.

Mayor Pro Tem Carol Suter moved to place **Bill 11-27** on its First Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the First Reading of **Bill 11-27**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the Second and Final Reading of **Bill 11-27**, and to enact the Bill as **Ordinance 4.199**. Councilmember Jean Moore seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 14. on the Agenda. **OTHER BUSINESS.**

There was no other business.

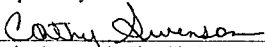
Item 15. on the Agenda. **QUESTIONS FROM THE NEWS MEDIA.**

There were no questions from the media.

Item 16. on the Agenda. **ADJOURNMENT.**

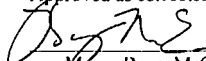
There being no further business to come before the October 24, 2011, Gladstone Regular City Council Meeting, Mayor Barry McCullough adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: ☒

Approved as corrected/amended: ☐


Mayor Barry McCullough



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, NOVEMBER 14, 2011**

**MEETING
CANCELED
DUE TO LACK
OF
AGENDA
ITEMS!!!**

OPEN STUDY SESSION: 6:45 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular October 24, 2011, City Council Meeting Minutes.
5. ATKINS-JOHNSON FARM FRIENDS PRESENTATION TO THE CITY COUNCIL AND THE CITY OF GLADSTONE.
6. CONSENT AGENDA
RESOLUTION R-11-93,
REGULAR AGENDA
7. Communications from the Audience.
8. Communications from the City Council.
9. Communications from the City Manager.
10. Other Business.

11. Questions from the News Media.
12. Adjournment.



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, NOVEMBER 28, 2011**

The City Council will meet in Closed Executive Session at 5:45 PM, on Monday, November 28, 2011, in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion.

OPEN STUDY SESSION: 6:45 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular October 24, 2011, City Council Meeting Minutes.
5. ATKINS-JOHNSON FARM FRIENDS PRESENTATION TO THE CITY COUNCIL AND THE CITY OF GLADSTONE.

6. CONSENT AGENDA

RESOLUTION R-11-93, authorizing Change Order No. 4 in the amount of \$30,750.00 to the contract with Linaweaver Construction, Incorporated, for the North Broadway Reconstruction Project.

RESOLUTION R-11-94, authorizing Change Order No. 7 in the amount of \$20,280.50 to the contract with Linaweaver Construction, Incorporated, for the Atkins-Johnson Farm Infrastructure Project and improvements to Northeast Antioch Road.

RESOLUTION R-11-95, authorizing the City Manager to amend the 457 Deferred Compensation Plan and Trust Agreement to include the associated Roth Amendments through ICMA Retirement Corporation.

BUILDING PERMIT: for the construction of four additional classrooms for Antioch Middle School, located at 2100 NE 65 Street. Owner: North Kansas City School District. Applicant: Hollis + Miller Architects.

BUILDING PERMIT: for the addition and interior remodel to an existing building on property located at 5610 North Oak Trafficway, commonly known as Gladstone Dodge. Owner: Thomas Doherty. Applicant: WSKF Architects, Inc.

APPROVAL OF THE OCTOBER 2011 FINANCIAL REPORT.

REGULAR AGENDA

- 7. Communications from the Audience.**
- 8. Communications from the City Council.**
- 9. Communications from the City Manager.**

10. **FIRST READING BILL 11-28**, providing that a Primary Election shall not be held, and calling a General Election for the election of three positions to the Gladstone City Council on Tuesday, April 3, 2012; describing the form of the ballot; and directing the City Clerk to submit certification of such election to the Clay County Board of Election Commissioners pursuant to RSMo 115.125.
11. Other Business.
12. Questions from the News Media.
13. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, NOVEMBER 28, 2011**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
5:45 PM**

Mayor Barry McCullough opened the City Council Meeting to adjourn to a Closed Executive Session on November 28, 2011, at 5:45 PM. Mayor Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilmember Jean Moore seconded.

Roll Call Vote: All "aye" – Councilman Bill Garnos, Councilmember Jean Moore, and Mayor Barry McCullough. (3-0).

Mayor Pro Tem Carol Suter and Councilman Brian Hill were also present at the Closed Executive Session.

Mayor Barry McCullough adjourned the Closed Executive Session.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Barry McCullough
Mayor Pro Tem Carol Suter
Councilmember Jean Moore
Councilman Brian Hill
Councilman Bill Garnos

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

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

Mayor Barry McCullough opened the Regular November 28, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Barry McCullough led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR OCTOBER 24, 2011, CITY COUNCIL MEETING MINUTES.**

Mayor Pro Tem Carol Suter moved to approve the **REGULAR OCTOBER 24, 2011 CITY COUNCIL MEETING MINUTES** as presented. Councilmember Jean Moore seconded.

The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Item 5. on the Agenda. **ATKINS-JOHNSON FARM FRIENDS PRESENTATION TO THE CITY COUNCIL AND THE CITY OF GLADSTONE.**

Mayor McCullough invited Chris Cox, Atkins-Johnson Farm Friends member, to join him at the Council dais.

Mr. Cox said he was present on behalf of the Friends of the Atkins-Johnson Farm to present a framed print of the Atkins-Johnson farm to the Mayor, City Council and the City of Gladstone. This print is Number 1 of 250 prints. This artwork is by Northland artist Denny Dowdy at the request of the Friends. The prints will be available for sale at the Farm. Mr. Cox said the Friends wished to present this print in appreciation of Council's assistance, dedication and for making possible the restoration of this wonderful gem of Gladstone's heritage.

Mayor McCullough thanked Mr. Cox for the presentation, and thanked him and the Friends for all their efforts. Mayor McCullough stated the Atkins-Johnson Farm has come a long ways.

Item 6. on the Agenda. **CONSENT AGENDA**

Following the Clerk's reading, Councilmember Jean Moore moved to accept the Consent Agenda as presented. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-93**, authorizing Change Order No. 4 in the amount of \$30,750.00 to the contract with Linaweaver Construction, Incorporated, for the North Broadway Reconstruction Project. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-94**, authorizing Change Order No. 7 in the amount of \$20,280.50 to the contract with Linaweaver Construction, Incorporated, for the Atkins-Johnson Farm Infrastructure Project and improvements to Northeast Antioch Road. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-95**, authorizing the City Manager to amend the 457 Deferred Compensation Plan and Trust Agreement to include the associated Roth Amendments through ICMA Retirement Corporation. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Councilmember Jean Moore moved to approve a **BUILDING PERMIT**: for the construction of four additional classrooms for Antioch Middle School, located at 2100 NE 65 Street. Owner: North Kansas City School District. Applicant: Hollis + Miller Architects. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Councilmember Jean Moore moved to approve a **BUILDING PERMIT**: for the addition and interior remodel to an existing building on property located at 5610 North Oak Trafficway, commonly known as Gladstone Dodge. Owner: Thomas Doherty. Applicant: WSKF Architects, Inc. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Councilmember Jean Moore moved to approve the **OCTOBER 2011 FINANCIAL REPORT** Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (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.**

Councilman Bill Garnos stated he hoped that everyone had a Happy Thanksgiving, and after spending 1,100 miles on the road and five days at his parents' house, he is really happy to be back in Gladstone.

Councilman Brian Hill stated he hoped that everyone had a good Thanksgiving. Councilman Hill said, on behalf of Mayor McCullough, he wished to remind everyone of the Mayor's Christmas Tree Fund, and as folks drive down Antioch Road, they will see the Mayor's Christmas Tree.

Councilmember Jean Moore stated she wished to echo Councilman Hill's remarks about the Mayor's Christmas Tree event. It was a lovely evening. It was a little bit chilly, but really nice, and the children did a great job.

Mayor Pro Tem Carol Suter began by saying she was sorry to miss the Mayor's Christmas Tree Lighting Ceremony this year, but she had a conflict. Mayor Pro Tem Suter said she would like to recommend our Public Works Department to the FAA for their planning expertise, as she started traveling this morning on a first plane at 6:00 AM, out of Columbus airport, and it was late. It was on the ground, and everyone was there, and they still could not get the plane off on time. If they are starting at 6:00 AM off-schedule, they are going to have a bad day.

Mayor Pro Tem Suter said a continuing concern for her is the traffic light at 72nd Street and M-1 Highway. On Wednesday night, late, traffic was backed up on 72nd Street, and both exits out of Walmart were backed up all the way into the parking lot. Mayor Pro Tem Suter said for her and her husband, it is always the eastbound traffic that is the problem. It is backing up and cannot get through the light in one setting, so drivers have to sit through it twice. The cameras are aimed in another direction, and do not measure that direction, and that is the direction that is backing up. Mayor Pro Tem Suter said her husband suggested calling someone, and she explained that it is not our traffic light.

Mayor Barry McCullough said he wished to extend a big thank you to everyone who put in so much effort for the Mayor's Christmas Tree event, especially Recreation Supervisor Tina Spallo, Parks and Recreation Director Sheila Lillis, and all of the Parks and Recreation staff. Mayor McCullough thanked Rhonda Dugan, her sister and the good folks at First Bank of Missouri. It was a really wonderful event, and these folks made it happen. He was the lucky beneficiary who got to be there and enjoy good company.

Mayor McCullough said he wished to give special recognition to Mr. John Garner, as he received a very pleasant e-mail from a person who was pleased that the "No Parking" signs were placed along 61st and North Broadway, where she no longer has to navigate through the traffic. Mayor McCullough thanked Mr. Garner for bringing this to the City's attention.

Item 9. on the Agenda.

COMMUNICATIONS FROM THE CITY MANAGER.

City Manager Kirk Davis began by saying that the light at 72nd Street and M-1 Highway is problematic, especially at 5:00 PM. It is a State signal, and we have had discussions with them. The big stumbling block is that the entire intersection needs to be redesigned. Since it was built 20 some years ago, there has been a lot of growth in the general area, especially to the east, and traffic patterns have changed. Now, it is a matter of coming up with the money to realign that signal with all of the turning movements. There has been a lot of conversation with the State, and we will continue to do that, because it is in our best interest from an economic development standpoint to make sure something happens there that is beneficial to the businesses that are on three corners. We also need to plan ahead to be certain we do not create road blocks for that fourth corner, which at some point in time will be an economic development project. City

Manager Davis said that staff will ask the State again to see what assistance we might be able to get, and how we can improve that intersection. We have had limited success in the recent past.

City Manager Davis reported that on December 8, there is a Christmas concert at the Community Center at 6:30 PM. The Community Center has seen some great crowds lately.

Item 10. on the Agenda. **FIRST READING BILL 11-28**, providing that a Primary Election shall not be held, and calling a General Election for the election of three positions to the Gladstone City Council on Tuesday, April 3, 2012; describing the form of the ballot; and directing the City Clerk to submit certification of such election to the Clay County Board of Election Commissioners pursuant to RSMo 115.125.

Mayor Pro Tem Carol Suter moved to place **Bill 11-28** on its First Reading. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the First Reading of **Bill 11-28**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the Second and Final Reading of **Bill 11-28**, and to enact the Bill as **Ordinance 4.200**. Councilman Brian Hill seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 11. on the Agenda. **OTHER BUSINESS.**

There was no other business.

Item 12. on the Agenda. **QUESTIONS FROM THE NEWS MEDIA.**

There were no questions from the media.

Item 13. on the Agenda. **ADJOURNMENT.**

Councilman Brian Hill moved to reconvene the Closed Executive Session. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

There being no further business to come before the November 28, 2011, Gladstone Regular City Council Meeting, Mayor Barry McCullough adjourned the meeting.

Respectfully submitted:

Cathy Swenson
Cathy Swenson, City Clerk

Approved as submitted: ☒

Approved as corrected/amended: ☐

Barry McCullough
Mayor Barry McCullough



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, DECEMBER 12, 2011**

The City Council will meet in Closed Executive Session at 5:15 PM, on Monday, December 12, 2011, in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion.

OPEN STUDY SESSION: 6:20 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the Regular November 28, 2011, City Council Meeting Minutes.
5. **CONSENT AGENDA**

RESOLUTION R-11-96, authorizing acceptance of work under contract with Linaweaver Construction, Incorporated, for the Atkins-Johnson Farm Infrastructure; and authorizing final payment in the amount of \$60,171.13.

RESOLUTION R-11-97, authorizing Change Order No. 3 in the amount of \$22,741.96 to the contract with Amino Brothers Company, Incorporated, for the 70th Terrace and Walnut Street Improvements Project.

RESOLUTION R-11-98, authorizing an agreement between the City of Gladstone and Brungardt Honomichl & Company, PA for consulting services in the amount of \$16,900.00 relating to the Mill Creek Stormwater Improvements.

APPROVAL OF LIMITED ONE-DAY LIQUOR BY THE DRINK LICENSE for St. Charles Borromeo Church, 804 Shady Lane Drive, for a fundraising event on February 18, 2012.
Hours: 7:30 PM – 11:30 PM. Managing Officer: Lori Creek.

APPROVAL OF WINE TASTING LIQUOR LICENSE for CVS/Pharmacy #5698; 7107 North Oak Trafficway. Managing Officer: Lorene Samson.

REGULAR AGENDA

6. **Communications from the Audience.**
7. **Communications from the City Council.**
- 7a. **Board & Commission Appointments**
8. **Communications from the City Manager.**
9. **PUBLIC HEARING:** for consideration of a Special Use Permit subject to certain conditions to Angela Stone for operation of a child care facility on property at 7204 Northeast Rosewood Drive. Owner/Applicant: Angela Stone. File No. 1363.
10. **FIRST READING BILL NO. 11-29**, granting a Special Use Permit subject to certain conditions to Angela Stone for operation of a child care facility on property at 7204 Northeast Rosewood Drive. Owner/Applicant: Angela Stone. File No. 1363.

11. **FIRST READING BILL NO. 11-30**, approving the Final Plat of Woodlands II Office Condominium, commonly known as 2900 Northeast Brooktree Lane, in the County of Clay, City of Gladstone, Missouri, and directing the appropriate officials to affix their signatures to said Plat for recording. Owner/Applicant: 2900 BC, L.L.C. File #1365.
12. **FIRST READING BILL NO. 11-31**, authorizing the City Manager to execute an agreement with the Missouri Highways and Transportation Commission for federal funds in the amount of \$600,000.00 relating to the North Oak Trafficway and Northeast 76th Street Intersection Upgrades Federal Project #CMAQ-3323(406).
13. **RESOLUTION R-11-99**, authorizing execution of a professional architectural service agreement with Brian Clark & Associates, Inc. in an amount not to exceed \$118,850.00 for the Village Center Amenities – Phase 2 Design Development and Construction Documents Project.
14. **RESOLUTION R-11-100**, adopting a Mission Statement and Goals for the City of Gladstone, Missouri for 2011-2012.
15. Other Business.
16. Questions from the News Media.
17. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, DECEMBER 12, 2011**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
5:15 PM**

Mayor Barry McCullough opened the City Council Meeting to adjourn to a Closed Executive Session on December 12, 2011, at 5:15 PM. Mayor Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilmember Jean Moore seconded.

Roll Call Vote: All "aye" – Councilman Bill Garnos, Councilmember Jean Moore, and Mayor Barry McCullough. (3-0).

Mayor Pro Tem Carol Suter and Councilman Brian Hill were also present at the Closed Executive Session.

Mayor Barry McCullough adjourned the Closed Executive Session.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Barry McCullough
Mayor Pro Tem Carol Suter
Councilmember Jean Moore
Councilman Brian Hill
Councilman Bill Garnos

Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

ABSENT: City Manager Kirk Davis

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

Mayor Barry McCullough opened the Regular December 12, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Barry McCullough led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE REGULAR NOVEMBER 28, 2011, CITY COUNCIL MEETING MINUTES.**

Councilman Brian Hill moved to approve the **REGULAR NOVEMBER 28, 2011, CITY COUNCIL MEETING MINUTES** as presented. Mayor Pro Tem Carol Suter seconded.

The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Item 5. on the Agenda. **CONSENT AGENDA**

Following the Clerk's reading, Mayor Pro Tem Carol Suter moved to accept the Consent Agenda as presented. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-96**, authorizing acceptance of work under contract with Linaweaver Construction, Incorporated, for the Atkins-Johnson Farm Infrastructure; and authorizing final payment in the amount of \$60,171.13. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-97**, authorizing Change Order No. 3 in the amount of \$22,741.96 to the contract with Amino Brothers Company, Incorporated, for the 70th Terrace and Walnut Street Improvements Project. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-98**, authorizing an agreement between the City of Gladstone and Brungardt Honomichl & Company, PA for consulting services in the amount of \$16,900.00 relating to the Mill Creek Stormwater Improvements. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Mayor Pro Tem Carol Suter moved to approve a **LIMITED ONE-DAY LIQUOR BY THE DRINK LICENSE** for St. Charles Borromeo Church, 804 Shady Lane Drive, for a fundraising event on February 18, 2012. Hours: 7:30 PM -- 11:30 PM. Managing Officer: Lori Creek. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Mayor Pro Tem Carol Suter moved to approve a **WINE TASTING LIQUOR LICENSE** for CVS/Pharmacy #5698; 7107 North Oak Trafficway. Managing Officer: Lorene Samson. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Item 6. on the Agenda. **COMMUNICATIONS FROM THE AUDIENCE.**

Former Councilman Mike Reinsch, 614 Gould, Village of the Oaks, said he would like to applaud the City Council and the City staff for their outstanding job during the reconstruction of North Broadway. That is a project that has been needed to be done for a long time, and as a vested person, and an adjoining landowner, it was done with minimal impact to the landowner. Mr. Reinsch said his whole family is super happy with the project.

Mr. Reinsch said he also wished to applaud the City Council and staff on two other projects with which he had a personal interest, which are 70th Terrace and North Walnut, and Northeast 67th Street. Both of those projects needed to be done, and working with the City staff, especially Tim Nebergall (Public Works Director), was very easy. Mr. Nebergall addressed all concerns, and it was super working with the City staff. Mr. Reinsch said he could not ask for a better Council in lean times. The City Council really stretched the dollars and got some very important projects done, and the City worked great with everyone.

Mayor McCullough thanked Mr. Reinsch, and said his comments were good to hear.

Mayor Pro Tem Suter agreed with Mayor McCullough.

Item 7. on the Agenda. **COMMUNICATIONS FROM THE CITY COUNCIL.**

Councilman Bill Garnos had no comments at this time.

Councilman Brian Hill reminded everyone of the ribbon cutting tomorrow morning in connection with a project that was just mentioned on North Broadway. Councilman Hill invited everyone to attend, and said this was a tremendous project.

Councilmember Jean Moore said she had the distinct privilege of overhearing conversations this evening in the City offices by volunteer Santas calling children in Gladstone, who had made a special request to be called by Santa. Councilmember Moore said she wished that everyone could hear these volunteers, because the men on the phones are bringing lots of joy to lots of little kids. This is a wonderful program through the Parks and Recreation Department.

Councilmember Moore thanked Parks and Recreation Director Sheila Lillis, and said if we could just see the little faces on the other end of the phone, it would surely make us all feel the Christmas spirit.

Mayor Pro Tem Carol Suter stated she had a question about the controlled burn, and if, and when, it would be held. Mayor Pro Tem Suter said she would like to see it, but it appears that the weather just keeps confounding us.

Parks and Recreation Director Sheila Lillis said it was hoped to conduct the burn at the end of this week, but with the inclement weather coming in, we will need to wait. Staff is not giving up; the burn permit runs through the end of this year. If it cannot be done this year, staff will conduct a spring burn. The dry fall really impacted the effort this year, but the crews are ready to go, once the weather cooperates.

Mayor Pro Tem Suter asked if the burn would remove the trees that have grown up on the site.

Director Lillis said the burn would take the smaller trees but not the larger ones, but what it will do is allow staff to manage what is in the bottom of the area. Director Lillis said as soon as a date is set, that information will be passed on to the City Council.

Mayor Barry McCullough announced that the North Broadway ribbon cutting ceremony would be held tomorrow morning at 10:00 AM, and folks would be meeting at 76th and North Broadway for this event. Mayor McCullough said the weather may be a challenge, but he hoped everyone would be able to attend.

Mayor McCullough asked for a moment of silence in recognition of the passing of former Mayor Paul Degenhardt. Mayor McCullough stated that unfortunately, Paul passed away on Saturday. Mayor McCullough, on behalf of the City Council and staff, offered condolences to Paul's wife, Paula, and the entire Degenhardt family. Mayor McCullough stated that Mr. Degenhardt was very formative in making sure that Gladstone was a success, and an awfully lot that we take for granted is a result of Paul's efforts. Mr. Degenhardt was a part of the team who transitioned into our current form of government back in the 1960s, and was a very important person in Gladstone's history. Visitation will be Wednesday, from 5:00 to 8:00 PM at White Chapel Funeral Home, and the funeral services will be at 2:00 PM on Thursday, at White Chapel Funeral Home. Mayor McCullough said that Paul was very important to Gladstone, and we appreciate all that he did, and he will be greatly missed.

Item 7a. on the Agenda. **BOARD AND COMMISSION APPOINTMENTS.**

Mayor McCullough read the list of proposed Board and Commission appointments as follows:

PLANNING COMMISSION

Reappointment
Reappointment
Reappointment

Mary Abbott
Mike Steffens
Larry Whitton

TERM EXPIRATION

December 2015
December 2015
December 2015

CAPITAL IMPROVEMENTS PROGRAM

Reappointment	Sharon Euler	December 2014
Reappointment	Pete Hall	December 2014
Reappointment	Beverly Johnson	December 2014

BOARD OF ZONING ADJUSTMENT

Reappointment	Daniel Young	December 2016
New Appointment	Dave Holley	December 2013

CODE BOARD OF APPEALS

Reappointment	Kathy Timmerman	December 2014
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GLADSTONE INDUSTRIAL DEVELOPMENT AUTHORITY

Reappointment	Tim Presko	December 2017
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PARKS AND RECREATION ADVISORY BOARD

Reappointment	Teresa Farley	December 2014
Reappointment	Donald Harper	December 2014
Reappointment	Scott Peper	December 2014

ENVIRONMENTAL MANAGEMENT ADVISORY COMMITTEE

Reappointment	Jim Butler Jr.	December 2014
Reappointment	Donna Eisenbarth	December 2014
New Appointment	Joshua Lary	December 2013

TAX INCREMENT FINANCING (TIF)

Reappointment	Dave Stanley	December 2015
New Appointment	Shari Poindexter	December 2014

ARTS COMMISSION

Reappointment	Ceresa Jackson	December 2014
Reappointment	Chris Yannitelli	December 2014

THEATRE IN THE PARK

Reappointment	Michelle Coon	December 2013
Reappointment	Lenette Johnson	December 2013

NEIGHBORHOOD COMMISSION

Reappointment
Reappointment.

Charles Dobbs
Chris Spurgeon

December 2014
December 2014

Councilmember Jean Moore moved to approve the Board and Commission appointments as presented. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Item 8. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

Assistant City Manager Scott Wingerson began by saying that City Manager Kirk Davis sends his regrets. He is traveling with his lovely wife to the City of New York, and we all know how much he deserves this trip. City Manager Davis will be back for the first meeting next year. Mr. Wingerson said there would not be a second City Council meeting in December, and offered Happy Holidays to everyone. City Hall will be closed on December 26, 2011, and January 2, 2012, in observance of the holidays.

Item 9. on the Agenda. **PUBLIC HEARING:** for consideration of a Special Use Permit subject to certain conditions to Angela Stone for operation of a child care facility on property at 7204 Northeast Rosewood Drive. Owner/Applicant: Angela Stone. File No. 1363.

Mayor Barry McCullough opened the Public Hearing, and stated that first, there would be a staff report, followed by any comments the applicant would like to share, and finally, comments from anyone in favor or in opposition to the application.

Staff Report

Planning Specialist Chris Helmer began by saying the request before the City Council is for a renewal. The applicant goes back with the City for quite some time – about 20+ years – dating back to about 1991. The ten-year renewal that was granted in 2001 is expiring, and staff is recommending that the City Council consider an additional ten-year permit renewal. At the Planning Commission's November 21, 2011, Public Hearing, the Planning Commission did vote in favor of that recommendation, and asks that the City Council consider approval of a ten-year renewal.

There were no comments from the Applicant.

There was no one to speak in Favor or in Opposition to the application.

Mayor Barry McCullough closed the Public Hearing.

Item 10. on the Agenda. **FIRST READING BILL NO. 11-29**, granting a Special Use Permit subject to certain conditions to Angela Stone for operation of a child care facility on property at 7204 Northeast Rosewood Drive. Owner/Applicant: Angela Stone. File No. 1363. Councilman Brian Hill moved to place **Bill 11-29** on its First Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the First Reading of **Bill 11-29**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the Second and Final Reading of **Bill 11-29**, and to enact the Bill as **Ordinance 4.201**. Councilmember Jean Moore seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 11. on the Agenda. **FIRST READING BILL NO. 11-30**, approving the Final Plat of Woodlands II Office Condominium, commonly known as 2900 Northeast Brooktree Lane, in the County of Clay, City of Gladstone, Missouri, and directing the appropriate officials to affix their signatures to said Plat for recording. Owner/Applicant: 2900 BC, L.L.C. File #1365.

Mayor Pro Tem Carol Suter moved to place **Bill 11-30** on its First Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the First Reading of **Bill 11-30**. Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the Second and Final Reading of **Bill 11-30**, and to enact the Bill as **Ordinance 4.202**. Councilmember Jean Moore seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 12. on the Agenda. **FIRST READING BILL NO. 11-31**, authorizing the City Manager to execute an agreement with the Missouri Highways and Transportation Commission for federal funds in the amount of \$600,000.00 relating to the North Oak Trafficway and Northeast 76th Street Intersection Upgrades Federal Project #CMAQ-3323(406).

Councilmember Jean Moore moved to place **Bill 11-31** on its First Reading. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilmember Jean Moore moved to accept the First Reading of **Bill 11-31**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilmember Jean Moore moved to accept the Second and Final Reading of **Bill 11-31**, and to enact the Bill as **Ordinance 4.203**. Councilman Brian Hill seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 13. on the Agenda. **RESOLUTION R-11-99**, authorizing execution of a professional architectural service agreement with Brian Clark & Associates, Inc. in an amount not to exceed \$118,850.00 for the Village Center Amenities – Phase 2 Design Development and Construction Documents Project.

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-99**, authorizing execution of a professional architectural service agreement with Brian Clark & Associates, Inc. in an amount not to exceed \$118,850.00 for the Village Center Amenities – Phase 2 Design Development and Construction Documents Project. Councilman Brian Hill seconded.

Councilman Bill Garnos said he would be abstaining from the vote on this issue, as he did on the previously considered original agreement, as he has done business with one of the firms involved with this team.

Mayor Pro Tem Suter said this is another wonderful example of how we are able to stretch the dollar, and even in lean times, we are able to add amenities to the community, and build for the future development of our downtown center. This is an exciting project.

The vote: "Aye" – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. "Abstain" - Councilman Bill Garnos. (4-0-1).

Item 14. on the Agenda. **RESOLUTION R-11-100**, adopting a Mission Statement and Goals for the City of Gladstone, Missouri for 2011-2012.

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-100**, adopting a Mission Statement and Goals for the City of Gladstone, Missouri for 2011-2012. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 15. on the Agenda. OTHER BUSINESS.

There was no other business.

Item 16. on the Agenda. QUESTIONS FROM THE NEWS MEDIA.

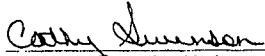
There were no questions from the media.

Mayor McCullough thanked the news media representative for being present this evening.

Item 17. on the Agenda. ADJOURNMENT.

There being no further business to come before the December 12, 2011, Gladstone Regular City Council Meeting, Mayor Barry McCullough adjourned the meeting, and offered everyone a Merry Christmas!

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: ☒

Approved as corrected/amended: ☐


Mayor Barry McCullough