



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 14, 2013**

The City Council will meet in Closed Executive Session at 6:00 PM, on Monday, January 14, 2013, 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: 6:30 PM

REGULAR MEETING: 7:30 PM

AGENDA

- 1. Meeting Called to Order.**
- 2. Roll Call.**
- 3. Pledge of Allegiance.**
- 4. Approval of the December 10, 2012, Regular City Council Meeting Minutes.**
- 5. PRESENTATION OF BOARDS AND COMMISSIONS APPRECIATION PLAQUES.**

6. CONSENT AGENDA

RESOLUTION R-13-01, authorizing acceptance of work under a takeover agreement with the Guarantee Company of North America USA to complete the 2011 Small Water Main Replacement Project WB1194 due to the default of Wilson Plumbing Company; and authorizing final payment in the amount of \$49,211.25.

RESOLUTION R-13-02, authorizing acceptance of work under contract with Linaweaver Construction, Incorporated, for the 24 Inch Water Transmission Upgrades Project; and authorizing final payment in the amount of \$45,548.73.

RESOLUTION R-13-03, ratifying and approving the purchase of a tract of land located within Block 36 of Linden Subdivision.

APPROVAL OF A LIMITED ONE-DAY LIQUOR BY THE DRINK LICENSE for Oakhill Day School, 7019 North Cherry, for an annual auction event on March 2, 2013. Hours: 6:00 PM – 11:59 PM.
Managing Officer: Sarah Van Duser.

BUILDING PERMIT: to expand the structure on property located at 6927 North Oak Trafficway by enclosing the current drive through lanes. Applicant/Owner: ATA Karate for Kids.

APPROVAL OF THE NOVEMBER 2012 FINANCIAL REPORT.

REGULAR AGENDA

7. Communications from the Audience.
8. Communications from the City Council.
9. Communications from the City Manager.
10. **RESOLUTION R-13-04**, adopting the 2013 Legislative Program for the City of Gladstone, Missouri.

11. **RESOLUTION R-13-05**, repealing Resolution R-08-20, adopting a new Tax Increment Financing Policy, and adopting a new Tax Increment Financing Bidding Policy.
12. **FIRST READING BILL 13-01**, an Ordinance of the City of Gladstone, Missouri, repealing Chapter 125 of the City Code, relating to redevelopment, in its entirety, and enacting in lieu thereof a new Chapter 125.
13. Other Business.
14. Questions from the News Media.
15. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 14, 2013**

Mayor Carol Suter opened the City Council Meeting to adjourn to a Closed Executive Session on January 14, 2013, 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 Bill Gamos seconded.

Roll Call Vote: All "aye" – Councilman Bill Gamos, Councilman Barry McCullough, and Mayor Carol Suter. (3-0).

Councilman Brian Hill was also present at the Closed Executive Session. Mayor Pro Tem Jean Moore was absent.

Motion to Approve Settlement

Councilman Brian Hill moved to approve a settlement in the lawsuit captioned Aipperspach v. McInerney, et. al., Case No. 4:11-CV-01225-W-DGK on the following terms: Plaintiff will dismiss all claims against the City of Gladstone and any individually named persons who were or are employed by the City in exchange for the payment of Five Thousand Dollars (\$5,000.00).

Councilman Barry McCullough seconded.

Roll Call Vote: All "aye" – Councilman Bill Gamos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. (4-0).

Mayor Carol Suter adjourned the Closed Executive Session.

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

PRESENT: Mayor Carol Suter
Councilman Barry McCullough
Councilman Brian Hill
Councilman Bill Gamos

Assistant Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

ABSENT: Mayor Pro Tem Jean Moore
City Manager Kirk Davis

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

Mayor Carol Suter opened the Regular January 14, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present, except for Mayor Pro Tem Jean Moore, who was unfortunately "under the weather" with the flu. City Manager Kirk Davis was also absent, as he, too, was "under the weather" with the flu. Mayor Suter noted that this has been a tough season for the flu, with a lot of people ill.

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

Mayor Carol Suter lead the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE DECEMBER 10, 2012, REGULAR CITY COUNCIL MEETING MINUTES.**

Councilman Brian Hill moved to approve the **December 10, 2012, REGULAR CITY COUNCIL MEETING MINUTES** as presented. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. (4-0).

Item 5. on the Agenda. **PRESENTATION OF BOARDS AND COMMISSIONS APPRECIATION PLAQUES.**

Mayor Suter began by saying that our City is so successful because of people like this evening's honorees, who are willing to serve. So many people have the opportunity to serve our City on a Board or Commission. It is a great volunteer opportunity, and it is really helpful to the City Council, because they rely on the Boards and Commission members' judgment, their process in making recommendations to the City Council, and to be the pulse of the City of Gladstone. Mayor Suter offered a special thank you to the people, some of whom have served a long time, who are being recognized this evening. Mayor Suter invited the honorees to approach the Council dais, while she read their plaque, and to remain there until all honorees were present. The honorees were:

David Velasquez, member, and former Chairman of the Planning Commission. Mayor Suter stated that she and Mr. Velasquez were in the very first Leadership Academy, which is how they met, and they both have gone on to do lots of other things with the City. It was a very productive academy that year.

Staci Hagen, member of the Board of Zoning Adjustment. Mayor Suter said she had the opportunity to be the liaison to the Board of Zoning Adjustment, which is how she first met Ms. Hagen.

Lee Hinderliter, member of the Arts Commission. Mayor Suter stated that the Arts Commission, of which Ms. Hinderliter was a member, was responsible for the wonderful art seen at the Community Center. There will also be a piece of sculpture at the dentist's office being built behind City Hall, and Ms. Hinderliter has worked on these projects.

Daniel Green, member of the Neighborhood Commission. Mayor Suter said that Dan Green was one of the City's pioneers in helping with the neighborhood organization and redevelopment program that has been worked on for a number of years in Gladstone. Mr. Green has served in his own neighborhood association and then he served on the Neighborhood Commission, which was created several years ago.

Donald Harper, member of the Parks and Recreation Advisory Board. Mayor Suter stated that Mr. Harper is one of our City's most profound volunteers, and one of the first people she got to know when she became involved with the City. Mr. Harper has been a great supporter of the City of Gladstone. Mayor Suter said a lot has happened during his 12 years on the Parks and Recreation Advisory Board, and Mr. Harper has provided great leadership.

The family of **Mary Abbott**, former member of the Planning Commission. Jane Davies, granddaughter of Mary Abbott accepted the award on behalf of the family of Mary Abbott, who passed away this past year. Mayor Suter began by saying that Mary Abbott was one of the most wonderful volunteers the City has had. Mayor Suter said when she was first appointed to the Planning Commission, Mary Abbott made her feel so welcome from the very first meeting. She was always a very enthusiastic supporter of women in leadership, and so she was always eager to see more women participate.

Applause followed each plaque presentation.

Note: Honorees **Mary Cross**, member of the Neighborhood Commission, and **John Stueve**, member of Tax Increment Financing, were unable to attend this meeting.

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

Following the Clerk's reading, Councilman Barry McCullough moved to accept the Consent Agenda as presented. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. (4-0).

Councilman Barry McCullough moved to adopt **RESOLUTION R-13-01**, authorizing acceptance of work under a takeover agreement with the Guarantee Company of North America USA to complete the 2011 Small Water Main Replacement Project WB1194 due to the default of Wilson Plumbing Company; and authorizing final payment in the amount of \$49,211.25. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. (4-0).

Councilman Barry McCullough moved to adopt **RESOLUTION R-13-02**, authorizing acceptance of work under contract with Linaweaver Construction, Incorporated, for the 24 Inch Water Transmission Upgrades Project; and authorizing final payment in the amount of \$45,548.73. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. (4-0).

Councilman Barry McCullough moved to adopt **RESOLUTION R-13-03**, ratifying and approving the purchase of a tract of land located within Block 36 of Linden Subdivision.

Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. (4-0).

Councilman Barry McCullough moved to approve a **LIMITED ONE-DAY LIQUOR BY THE DRINK LICENSE** for Oakhill Day School, 7019 North Cherry, for an annual auction event on March 2, 2013. Hours: 6:00 PM – 11:59 PM. Managing Officer: Sarah Van Duser. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. (4-0).

Councilman Barry McCullough moved to approve a **BUILDING PERMIT** to expand the structure on property located at 6927 North Oak Trafficway by enclosing the current drive through lanes. Applicant/Owner: ATA Karate for Kids. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. (4-0).

Councilman Barry McCullough moved to approve the **NOVEMBER 2012 FINANCIAL REPORT**. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. (4-0).

REGULAR AGENDA

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

Billy Reinsch, 203 NE 67 Street, said he had with him a signed request from all the neighbors on 67 Street requesting a streetlight to be put up on the south side of the road. Mr. Reinsch said there is a lot of traffic on the street, traveling at a very fast rate, and it is a very dark curve. A lot of people do not realize it, and there is a lot of screeching tires. Mr. Reinsch said he had two neighbors on the north side of the street who will not let their children play in their own front yard, because they are afraid of the traffic. Mr. Reinsch said he wished to present this request to the Mayor and City Council for their consideration.

Mayor Suter thanked Mr. Reinsch, and said the Council appreciates input from community members, so whenever someone has a need, please make sure you talk to the City Council, or call the City staff, and make your request known, because it will get to the City Council that way, as well. Mayor Suter confirmed with Mr. Reinsch that he was the point person, and informed Mr. Reinsch that this information would be passed on to staff, and someone would be back in touch with him.

Norbert Reinsch, 300 NE 74 Street, began by saying that he was Billy Reinsch's uncle. Mr. Reinsch said his street goes up to Linden West Elementary School. Mr. Reinsch said he had a request with him that had been signed by his neighbors, asking the City to do something about the drainage problem on his street.

Mayor Suter thanked Mr. Reinsch and confirmed with him that he was the point person, and said this information would be passed on to staff, and the Public Works Department would be contacting him.

Mayor Suter asked both gentleman to include their phone numbers and e-mail addresses on the information as point people, so that staff may easily get in touch with them.

Item 8. on the Agenda.

COMMUNICATIONS FROM THE CITY COUNCIL.

Councilman Bill Garnos stated that one of his first involvements with City government was also requesting a streetlight for a dark corner by his house. His question was what does one have to do to get a streetlight here - he had to learn the process, and learn to be patient. There is now a streetlight at that corner, which is a dangerous, dark corner that has a curve, with an uphill approach from two directions. With cars parking on the street, he felt this was a good place to put a streetlight. Councilman Garnos said he did not at the time understand what all goes into getting one approved and installed, but with some patience, there is a streetlight there now, which is a big improvement. It may not have happened if someone had not brought it to the City's attention. Councilman Garnos said he appreciates Mr. Reinsch's input on this issue, as he has been down the same road. Councilman Garnos encouraged Mr. Reinsch to be patient.

Councilman Brian Hill had no comments at this time.

Councilman Barry McCullough expressed his true appreciation for all the City's Boards and Commissions members who were able to join the City Council this evening, and for all their years of service.

Mayor Carol Suter agreed, and said it was the beginning of a new year, and so there are a lot of new people who have started serving the City, and she hopes they have as good of an experience as most of the Boards and Commissions members present at this meeting have had, and that they serve the City as well as tonight's honorees.

Mayor Suter said she would rely on Assistant City Manager Scott Wingerson to provide an update on upcoming events in the City.

Mayor Suter reminded the City Council of the Special City Council meeting this Thursday, at 5:30 PM, to certify the election for the seat on the City Council.

Item 9. on the Agenda.

COMMUNICATIONS FROM THE CITY MANAGER.

Assistant City Manager Scott Wingerson reported that the Atkins Johnson Farm garage sale will be at the Hillside Christian Church, on Vivion Road, on January 26, 2013, between 8:00 AM and 2:00 PM. There is a student art exhibit that opens at the Community Center on January 25, 2013, at 5:30 PM. Free ice-skating lessons will be available on Saturdays, while the rink is open, between 2:30 PM and 4:30 PM. People who participate in the free ice-skating lessons are asked to rent their skates.

Assistant City Manager Wingerson reported that City Hall would be closed on January 21, 2013, for the Dr. Martin Luther King, Jr. holiday.

Item 10. on the Agenda.

RESOLUTION R-13-04, adopting the 2013 Legislative Program for the City of Gladstone, Missouri.

Councilman Barry McCullough moved to adopt **RESOLUTION R-13-04**, adopting the 2013 Legislative Program for the City of Gladstone, Missouri. Councilman Brian Hill seconded.

The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. (4-0).

Item 11. on the Agenda. **RESOLUTION R-13-05**, repealing Resolution R-08-20, adopting a new Tax Increment Financing Policy, and adopting a new Tax Increment Financing Bidding Policy.

Councilman Brian Hill moved to adopt **RESOLUTION R-13-05**, repealing Resolution R-08-20, adopting a new Tax Increment Financing Policy, and adopting a new Tax Increment Financing Bidding Policy. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. (4-0).

Item 12. on the Agenda. **FIRST READING BILL 13-01**, an Ordinance of the City of Gladstone, Missouri, repealing Chapter 125 of the City Code, relating to redevelopment, in its entirety, and enacting in lieu thereof a new Chapter 125.

Councilman Brian Hill moved to place **BILL 13-01** on its First Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. (4-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the First Reading of **BILL 13-01**. Waive the Rule and place the Bill on its Second and Final Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. (4-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the Second and Final Reading of **BILL 13-01**, and to enact the Bill as **Ordinance 4.224**. Councilman Barry McCullough seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. (4-0).

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 questions from the News Media. Mayor Suter thanked the Media representative for being present this evening.

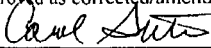
Item 15. on the Agenda. ADJOURNMENT.

There being no further business to come before the January 14, 2013, Gladstone Regular City Council Meeting, Mayor Carol Suter adjourned the meeting.

Respectfully submitted:



Cathy Swenson, City Clerk

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


Mayor Carol Suter



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
THURSDAY, JANUARY 17, 2013**

SPECIAL MEETING: 5:30 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. **FIRST READING BILL 13-02**, calling a General Election for the election of one position to the Gladstone City Council on Tuesday, April 2, 2013; 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.
8. Other Business.
9. Questions from the News Media.
10. Adjournment.



**MINUTES
SPECIAL CITY COUNCIL MEETING
GLADSTONE, MISSOURI
THURSDAY, JANUARY 17, 2013**

5:30 PM

PRESENT: Mayor Carol Suter
Councilman Barry McCullough
Councilman Brian Hill
Councilman Bill Garnos

Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

ABSENT: Mayor Pro Tem Jean Moore
City Manager Kirk Davis

Item 2. on the Agenda. ROLL CALL.

Mayor Carol Suter opened the Special January 17, 2013, City Council Meeting at 5:30 PM in the Gladstone City Council Chambers, and welcomed everyone in attendance, and those viewing the meeting that was streaming on-line. Mayor Suter thanked everyone for taking an interest in their City government. Mayor Suter noted that all City Council members were present, except for Mayor Pro Tem Jean Moore, who was ill.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Carol Suter 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.

Councilman Bill Garnos said he noticed in the Council's informational newsletter that funding had become available for some of the transit improvements on North Oak Trafficway. Councilman Garnos said he visited with Assistant City Manager Scott Wingerson about this, but wished to mention that in addition to the nice stops that we had previously reviewed for part of the Village Center, it would be nice if we could get park benches, at least on the south bound lane, along the bus stops, here in Gladstone. We just got the signs on poles, and there are people standing around or sitting on the ground. We may not need the expensive shelters and

maintenance agreements, but a concrete pad and a park bench, at least on the southbound lanes, where people are waiting for a bus, would be one of those things that would be nice and attainable. If there is money available, this would be something worth pursuing. It would not solve our mass transit issues, or our many North Oak Corridor issues, but it seems like something small and reasonable that would at least help with the bus service along there, whether it is something we do, or KCATA (Kansas City Area Transportation Authority) does, or a joint effort. This would be a benefit to those who do use and rely on the bus service.

Mayor Suter said she believed this issue is on the agenda for the southbound lanes. It takes longer than we think. Mayor Suter said she championed the one on North Prospect, and it took awhile before we got that one. We are gaining traction on this issue.

Councilman Brian Hill said he noticed in the Council's informational newsletter that the wheels are in motion for a streetlight that was requested at the last City Council meeting, and he wondered what kind of streetlight it would be – would it be sodium vapor or one of the new ones? Would the cost difference be such that we could not afford a LED light?

Mayor Suter said she just read an article that due to the response being so great for the LED lights, that was what Kansas City Power and Light were going to.

Assistant City Manager Scott Wingerson said he would need to check with Public Works Director Tim Nebergall to be sure, but part of what was in the informational newsletter about the LED lighting was MARC's effort to push the power company to make a decision about high efficiency lighting. The cities got together with MARC and said they would test the lights out for them. The research has been done now, but he is not sure if they passed all their policies to make it standard operating procedures to provide LED lights. Assistant City Manager Wingerson said he would check into this and report back in Council's newsletter.

Councilman Barry McCullough had no comments at this time.

Mayor Carol Suter said she was sorry that our Mayor Pro Tem and City Manager are still suffering with the flu. Hopefully, we are getting past it in Missouri and we will have fewer people out.

Item 6. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

Assistant City Manager Scott Wingerson stated that City Manager Kirk Davis sends his regrets. We saw him for a short bit today. He is getting better, but is not yet there.

Mr. Wingerson reported that City Hall would be closed on Monday, January 21, for the Dr. Martin Luther King, Jr. holiday.

Item 7. on the Agenda. **FIRST READING BILL 13-02**, calling a General Election for the election of one position to the Gladstone City Council on Tuesday, April 2, 2013; 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.

Councilman Brian Hill moved to place **BILL 13-02** on its First Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. (4-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the First Reading of **BILL 13-02**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the Second and Final Reading of **BILL 13-02**, and to enact the Bill as **Ordinance 4.225**. Councilman Barry McCullough seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. (4-0).

Item 8. on the Agenda. **OTHER BUSINESS.**

There was no other business.

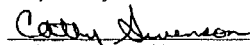
Item 9. on the Agenda. **QUESTIONS FROM THE NEWS MEDIA.**

There were no questions from the News Media.

Item 10. on the Agenda. **ADJOURNMENT.**

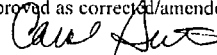
There being no further business to come before the January 17, 2013, Gladstone Special City Council Meeting, Mayor Carol Suter adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: X

Approved as corrected/amended:


Mayor Carol Suter



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 28, 2013**

The City Council will meet in Closed Executive Session at 6:45 PM, on Monday, January 28, 2013, 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: 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 January 14, 2013, Regular City Council Meeting Minutes.
5. Approval of the January 17, 2013, Special City Council Meeting Minutes.

6. PRESENTATION OF MAYOR'S CHRISTMAS TREE LIGHTING FUND CHECKS TO:

The Northland Christmas Store in the amount of \$9,713.70.

Children's Mercy Hospital in the amount of \$3,763.70.

Get Kids Connected – Gladstone Parks and Recreation Scholarship Program in the amount of \$3,613.70.

REGULAR AGENDA

- 7. Communications from the Audience.**
- 8. Communications from the City Council.**
- 9. Communications from the City Manager.**
- 10. RESOLUTION R-13-06**, authorizing acceptance of work under contract with Linaweaver Construction, Incorporated, for the 67th and Woodland Storm Water Improvements; and authorizing final payment in the amount of \$14,943.05.
- 11. RESOLUTION R-13-07**, supporting an amendment to the 2008 Comprehensive Plan in accordance with Missouri Revised Statutes Section 89.310; related to the Antioch Road Corridor Study.
- 12. FIRST READING BILL NO. 13-03**, prohibiting picketing or other protest activities within three hundred feet of any residence, cemetery, funeral home, church, or synagogue during a funeral or burial service within the City of Gladstone.
- 13. APPROVAL OF THE DECEMBER 2012 FINANCIAL REPORT.**
- 14. Other Business.**
- 15. Questions from the News Media.**
- 16. Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 28, 2013**

Mayor Carol Suter opened the City Council Meeting to adjourn to a Closed Executive Session on January 28, 2013, at 6:45 PM. Mayor Pro Tem 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 Bill Garnos seconded.

Roll Call Vote: All "aye" – Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (3-0).

Councilman Barry McCullough and Councilman Brian Hill were also present at the Closed Executive Session.

Mayor Carol Suter adjourned the Closed Executive Session.

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

PRESENT: Mayor Carol Suter
Mayor Pro Tem Jean Moore
Councilman Barry McCullough
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 Carol Suter opened the Regular January 28, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present. Mayor Suter welcomed everyone in the audience, and also those people joining the meeting live, on-line. Mayor Suter said the City Council appreciates everyone's interest in City government.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Carol Suter lead the Pledge of Allegiance, in which all joined.

Mayor Suter pointed out to those who might be new to a City Council meeting that the meeting agenda was provided on the screens in the Council Chambers.

Item 4. on the Agenda. APPROVAL OF THE JANUARY 14, 2013, REGULAR CITY COUNCIL MEETING MINUTES.

Councilman Barry McCullough moved to approve the **JANUARY 14, 2013, REGULAR CITY COUNCIL MEETING MINUTES** as presented. Councilman Brian Hill seconded. The vote: "Aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. "Abstain" - Mayor Pro Tem Jean Moore. (4-0-1).

Note: Mayor Pro Tem Jean Moore was absent from the January 14, 2013, Regular City Council meeting; therefore, she abstained from voting on approval of the meeting Minutes.

Item 5. on the Agenda. APPROVAL OF THE JANUARY 17, 2013, SPECIAL CITY COUNCIL MEETING MINUTES.

Councilman Brian Hill moved to approve the **JANUARY 17, 2013, SPECIAL CITY COUNCIL MEETING MINUTES**. Councilman Barry McCullough seconded. The vote: "Aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, and Mayor Carol Suter. "Abstain" - Mayor Pro Tem Jean Moore. (4-0-1).

Note: Mayor Pro Tem Jean Moore was absent from the January 17, 2013, Regular City Council meeting; therefore, she abstained from voting on approval of the meeting Minutes.

Item 6. on the Agenda. PRESENTATION OF MAYOR'S CHRISTMAS TREE LIGHTING FUND CHECKS TO:

The Northland Christmas Store in the amount of \$9,713.70.

Children's Mercy Hospital in the amount of \$3,763.70.

Get Kids Connected – Gladstone Parks and Recreation Scholarship Program in the amount of \$3,613.70.

Mayor Suter stated next on the agenda was a fun activity. There was a very successful Mayor's Christmas Tree Fund this year. Mayor Suter said she believed that people were so enthusiastic about Linden Square that the enthusiasm carried a long way, and, also, we have a lot of great folks in Gladstone, who want to help their fellow citizens. Mayor Suter said it was her pleasure to award the checks this evening. Mayor Suter stated that one of the fun things the Mayor gets to do is decide which organization receives the money from the Mayor's Christmas Tree Fund, so tonight she would announce which organizations received the money, and the recipients would tell a little bit about their organization.

Mayor Suter, invited Bill Turnage, Chairman of the Board of the Northland Christmas Store, to join her at the Council dais.

Mayor Suter explained that the funds raised this year were divided between three agencies, but some contributions are earmarked or designated for just one of the agencies, and that is the case with the Northland Christmas Store. The Scarecrow Run is designated to this charity, so the checks are not equal thirds.

Mayor Suter presented a check in the amount of \$9,713.70 to Bill Turnage on behalf of the Northland Christmas Store.

Following applause, Mr. Turnage thanked the Mayor and City Council, and said that there are employees of the City of Gladstone who participate, and member of the City Council who volunteer, and he appreciates all of them, as well as the support of the community, which makes the Northland Christmas Store a great organization. This past year the count of people in the store, and the homebound recipients were a little bit less, but these funds will provide an opportunity to do more for the clients they have for this coming season.

Mayor Suter invited David Daniel, Director of Development, with Children's Mercy Hospital, to join her at the Council dais. Mayor Suter announced that Children's Mercy Hospital Northland Clinic was the second recipient, and they received a check for \$3,763.70, and there was an in-kind contribution from Best Buy, a gift card, which was passed on to Children's Mercy Hospital, which will make possible the purchase of some great things to help the children.

Following applause, Mr. Daniel thanked the Mayor and City Council, and said that Children's Mercy Hospital is a children's hospital, with a location on Hospital Hill, near Crown Center, and there are also regional clinics or hospitals at all four points of the compass - Northland, east, south, and Kansas City Kansas. Children's Mercy Hospital takes care of every kid, regardless of their ability to pay, and when the community steps up, it is important, and helps them with their mission. Mr. Daniel said they were very grateful to the City of Gladstone for this contribution.

Mayor Suter said her family had the opportunity to take her grandson to Children's Mercy North, with a minor emergency. Mayor Suter said it was her first trip to the clinic, and she was so appreciative of the pediatric care, which is available after hours and on weekends, providing access to the best care around.

Mayor Suter invited Parks and Recreation Director Sheila Lillis to join her at the Council dais, where she said a check for \$3,613.70 would be presented to Director Lillis for the Get Kids Connected program, which is a Gladstone Parks and Recreation scholarship program.

Following applause, Director Lillis stated that this scholarship program has had their formal name for the past four years. The name was coined by Parks Supervisor Matt Hoops. Director Lillis said whether a person can or cannot pay for a program, staff does not want to turn away anyone. Scholarships are provided primarily for the youth development programs, and children have also been sponsored for Theatre in the Park, where they may need to buy their own costumes, and the program has afforded opportunities for families to use the outdoor pool. It is looked at as a necessity to keep kids involved and busy. Director Lillis said to her knowledge, a child has not been turned away because of their ability to pay. The program is now more formalized. Director Lillis thanked the Mayor and City Council for their continued support of this program.

Mayor Suter remarked that one of Gladstone's nicknames is the Heart of the Northland, and this is a great example of why that is true.

REGULAR AGENDA

Item 7. on the Agenda.

COMMUNICATIONS FROM THE AUDIENCE.

Charles Carmack, 1505 NE 77 Street, began by saying that he had told everyone he knows that Gladstone is the best place to live in the metropolitan area. Mr. Carmack said he wished to congratulate the City on the improvements that were made on 76th Street, which is now really beautiful. Mr. Carmack said at least six people, who knew that he had served on some committees in the City, came to him and really bragged on the appearance of 76th Street. Mr. Carmack said the City did a very good job with this project, and he thanked the City Council.

Mayor Suter thanked Mr. Carmack, and said a ribbon cutting was planned, but it was snowed out, so hopefully, one will be held soon.

Item 8. on the Agenda.

COMMUNICATIONS FROM THE CITY COUNCIL.

Councilman Bill Garnos said with the beautiful weather today, he had the privilege of riding his bicycle on the 76th Street improvements and down to the trails. One of the things he found out that he did not realize was that the City of Kansas City was in the process of doing their portion of the work on the north end to extend the trail. Councilman Garnos said when he got to the end, he saw equipment, and they had at least bulldozed a rough path that would eventually take the north end of the trail all the way up to Barry Road. One cannot visit this trail without seeing people walking, riding their bikes, or walking their dogs. Councilman Garnos said his understanding is that it will be done sometime in June. Councilman Garnos said he knew it was going to be expanded, but he did not realize it was going to be done this quickly; especially, the Kansas City portion of it. It will be a great finished project.

Councilman Brian Hill had no comments at this time.

Councilman Barry McCullough had no comments at this time.

Mayor Pro Tem Jean Moore stated she had the opportunity on Friday night to attend the Little Art Show that the City does occasionally. The artwork for this show was from area high school students. It was wonderful. If one has not had the opportunity to see the art, it is on display at the Community Center, which gives folks the opportunity to see our wonderful Community Center. The art show was well attended by all the students, and it was a big hit. Mayor Pro Tem Moore encouraged everyone to attend the City's art shows, because they are really fun, there are refreshments, and there is an opportunity to hear the artist talk about his work. It is a little hidden gem that we have in this City, and a lot of folks maybe do not take advantage of it. The students seem to really enjoy the opportunity to show case their talents, and there is a lot of talent there. Mayor Pro Tem Moore said it is a fun event, and she encouraged everyone to stop by the Community Center and take a look.

Mayor Carol Suter reported that on Wednesday evening of this week the City of Kansas City is conducting a focus group on arts in the community, and the event will be held in our Community Center. This is partly due to our request, because we want to be included in the research they are doing, as they are taking a look at art programming in Kansas City. This will help us as we pursue our Council goal this year of creating a cultural plan for the City of Gladstone. Mayor Suter encouraged people who have interest in the arts or the business of art, to attend this

meeting at 5:00 PM, Wednesday evening, in the Community Center. The meeting should last for one hour. Everyone's input would be appreciated, because although Kansas City is conducting the meeting, Gladstone will receive the information and that information will be used in Gladstone.

Mayor Suter stated she wished to offer a special thank you to City Clerk Cathy Swenson for the work done this year on the City election and ballot construction. The State law changed this year, so there was some extra work on City Clerk Swenson's part, and she always keeps the Council "up to snuff", and doing the right things at the right time. Mayor Suter said that this year took extra effort, and it was done so professionally, and the Council really appreciates her support.

City Clerk Cathy Swenson thanked the Mayor and City Council.

Mayor Suter mentioned the litter on M-1 Highway, from 72nd Street on the west side, or basically from Walmart to the City limits. There is a lot of trash on the embankment in that area. Mayor Suter said she did not see a sign noting that someone had volunteered to adopt that area.

City Manager Kirk Davis said that information would be forwarded on to our friends with the Missouri Department of Transportation. City Manager Davis said the other thing we will do is get out our own street sweeper, when we know it will be above freezing for a couple of days. Staff will cover the areas around the islands with the street sweeper.

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-13-06**, authorizing acceptance of work under contract with Linaweaver Construction, Incorporated, for the 67th and Woodland Storm Water Improvements; and authorizing final payment in the amount of \$14,943.05.

Councilman Barry McCullough moved to adopt **RESOLUTION R-13-06**, authorizing acceptance of work under contract with Linaweaver Construction, Incorporated, for the 67th and Woodland Storm Water Improvements; and authorizing final payment in the amount of \$14,943.05. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0).

Item 11. on the Agenda. **RESOLUTION R-13-07**, supporting an amendment to the 2008 Comprehensive Plan in accordance with Missouri Revised Statutes Section 89.310; related to the Antioch Road Corridor Study.

Councilman Brian Hill moved to adopt **RESOLUTION R-13-07**, supporting an amendment to the 2008 Comprehensive Plan in accordance with Missouri Revised Statutes Section 89.310; related to the Antioch Road Corridor Study. Mayor Pro Tem Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0).

Item 12. on the Agenda. **FIRST READING BILL NO. 13-03**, prohibiting picketing or other protest activities within three hundred feet of any residence, cemetery, funeral home, church, or synagogue during a funeral or burial service within the City of Gladstone.

Councilman Brian Hill moved to place **BILL 13-03** on its First Reading. Mayor Pro Tem Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the First Reading of **BILL 13-03**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the Second and Final Reading of **BILL 13-03**, and to enact the Bill as **Ordinance 4.226**. Mayor Pro Tem Jean Moore seconded.

Councilman McCullough stated he would like to applaud everyone for a second try at this Bill, so it would be upheld in the legal system. It is too bad we have to take this step and take measures that seem unnecessary to show due respect. Councilman McCullough said he was glad to see this action seems to have upheld that test, and that Gladstone is putting it in place.

Mayor Suter said she was on the City Council when this was done the first time, and we had to vacate it, because the law was not upheld, and we are back to square one of putting it back on the books, she hopes.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0).

Item 13. on the Agenda. **APPROVAL OF THE DECEMBER 2012 FINANCIAL REPORT.**

Councilman Barry McCullough moved to approve the **DECEMBER 2012 FINANCIAL REPORT**. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0).

Item 14. on the Agenda. **OTHER BUSINESS.**

There was no other business.

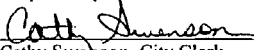
Item 15. on the Agenda. **QUESTIONS FROM THE NEWS MEDIA.**

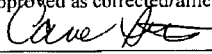
There were no questions from the News Media.

Item 16. on the Agenda. **ADJOURNMENT.**

There being no further business to come before the January 28, 2013, Gladstone Regular City Council Meeting, Mayor Carol Suter adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: X
Approved as corrected/amended:

Mayor Carol Suter



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, FEBRUARY 11, 2013**

The City Council will meet in Closed Executive Session at 5:15 PM, on Monday, February 11, 2013, 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: 6:15 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the January 28, 2013, City Council Meeting Minutes.

REGULAR AGENDA

5. **Communications from the Audience.**
6. **Communications from the City Council.**
7. **Communications from the City Manager.**
8. **APPROVAL OF A CLASS "AR & B" LIQUOR BY THE DRINK WITH SUNDAY SALES LICENSE** for Mi Ranchito #2 LLC, 5708 North Oak Trafficway. Managing Officer: Dana Phillips.
9. **RESOLUTION R-13-08**, authorizing execution of a contract with Ace Pipe Cleaning, Incorporated, in the total amount not to exceed \$67,100.00 for the 2013 Sanitary Sewer Cleaning and Televising Project.
10. **FIRST READING BILL NO. 13-04**, An Ordinance allowing the "Show Me Green Sales Tax Holiday" to apply to the local sales taxes of the City of Gladstone between April 19 and April 25, 2013.
11. **FIRST READING BILL NO. 13-05**, An Ordinance to opt out of the State imposed sales tax holiday between August 2 and August 4, 2013.
12. **Other Business.**
13. **Questions from the News Media.**
14. **Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, FEBRUARY 11, 2013**

Mayor Carol Suter opened the City Council Meeting to adjourn to a Closed Executive Session on February 11, 2013, at 5:15 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 Bill Garnos seconded.

Roll Call Vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, and Mayor Carol Suter. (3-0).

Mayor Pro Tem Jean Moore and Councilman Brian Hill were also present at the Closed Executive Session.

Mayor Carol Suter adjourned the Closed Executive Session.

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

PRESENT: Mayor Carol Suter
Mayor Pro Tem Jean Moore
Councilman Barry McCullough
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 Carol Suter opened the Regular February 11, 2013. City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present. Mayor Suter welcomed everyone in the audience, and also those people joining the meeting live, on-line. Mayor Suter said the City Council appreciates everyone's interest in City government.

Item 3, on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Carol Suter lead the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE JANUARY 28, 2013, REGULAR CITY COUNCIL MEETING MINUTES.**

Councilman Brian Hill moved to approve the **JANUARY 28, 2013, REGULAR CITY COUNCIL MEETING MINUTES** as presented. Mayor Pro Tem Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

REGULAR AGENDA

Item 5. on the Agenda. **COMMUNICATIONS FROM THE AUDIENCE.**

There were no communications from the audience.

Item 6. on the Agenda. **COMMUNICATIONS FROM THE CITY COUNCIL.**

Councilman Bill Garnos congratulated Mayor Suter on being named the Democratic Co-Chair of the Clay County Charter Commission, and wished Mayor Suter the best of luck with that endeavor.

Councilman Brian Hill also congratulated Mayor Suter.

Councilman Barry McCullough said he also wished to congratulate Mayor Suter.

Mayor Pro Tem Jean Moore had no comments at this time.

Mayor Carol Suter thanked everyone who attended the arts focus group meeting. The City of Kansas City, Missouri is working on a cultural plan, and they were doing a survey and focus group effort, and they graciously included Gladstone, so we may also obtain feed-back. Mayor Suter said she was not able to attend, but sent a surrogate, who said good information was shared and collected at the event.

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

City Manager Kirk Davis invited everyone to put on their calendar that April 5, 2013, is the opening date for Linden Square.

Mayor Suter stated this will be an exciting event, and it is hoped that the weather cooperates. This will kick-off an entire season of professional entertainment in our City's outdoor amphitheatre.

City Manager Davis reported that City Hall would be closed on President's Day, February 18, 2013.

Item 8. on the Agenda. **APPROVAL OF A CLASS "AR & B" LIQUOR BY THE DRINK WITH SUNDAY SALES LICENSE** for Mi Ranchito #2 LLC, 5708 North Oak Trafficway. Managing Officer: Dana Phillips.

Councilman Barry McCullough moved to approve a **CLASS "AR & B" LIQUOR BY THE DRINK WITH SUNDAY SALES LICENSE** for Mi Ranchito #2 LLC, 5708 North Oak Trafficway. Managing Officer: Dana Phillips. Councilman Brian Hill seconded.

Mayor Suter noted that a representative for the applicant was present in the audience, and said the Council appreciated his attendance.

The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Item 9. on the Agenda. **RESOLUTION R-13-08**, authorizing execution of a contract with Ace Pipe Cleaning, Incorporated, in the total amount not to exceed \$67,100.00 for the 2013 Sanitary Sewer Cleaning and Televising Project.

Councilman Brian Hill moved to adopt **RESOLUTION R-13-08**, authorizing execution of a contract with Ace Pipe Cleaning, Incorporated, in the total amount not to exceed \$67,100.00 for the 2013 Sanitary Sewer Cleaning and Televising Project. Councilman Barry McCullough seconded.

Mayor Suter explained that this action represents part of a plan to clean all of the City's sewers on a regular cycle, within a four or five year period. This is similar to our City's scheduled road resurfacing, where over time all areas are addressed.

The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Item 10. on the Agenda. **FIRST READING BILL NO. 13-04**, An Ordinance allowing the "Show Me Green Sales Tax Holiday" to apply to the local sales taxes of the City of Gladstone between April 19 and April 25, 2013.

Mayor Pro Tem Jean Moore moved to place **BILL NO. 13-04** on its First Reading. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Mayor Pro Tem Jean Moore moved to accept the First Reading of **BILL NO. 13-04**, 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, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Mayor Pro Tem Jean Moore moved to accept the Second and Final Reading of **BILL NO. 13-04**, and to enact the Bill as **Ordinance 4.227**. Councilman Brian Hill seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0).

Item 11. on the Agenda. **FIRST READING BILL NO. 13-05**, An Ordinance to opt out of the State imposed sales tax holiday between August 2 and August 4, 2013.

Councilman Barry McCullough moved to place **BILL NO. 13-05** on its First Reading. Councilman Brian Hill seconded.

Councilman Barry McCullough stated for clarification that this is the Bill for which the Council would need to vote "no" if they choose to participate in the sales tax holiday, since Council would be voting "no" to opting out.

Mayor Suter agreed that was correct. If a Council member wants to participate, a "no" vote is appropriate.

The vote: "Aye" – Councilman Bill Garnos. "Nay" - Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (1-4).

City Clerk Swenson asked for clarification if the vote was one aye and four nays.

Councilman McCullough stated that was correct.

Mayor Suter agreed that was correct, the vote was one aye and four nays. **Bill No. 13-05 was not approved.**

Item 12. on the Agenda. OTHER BUSINESS.
There was no other business.

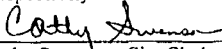
Item 13. on the Agenda. QUESTIONS FROM THE NEWS MEDIA.

There were no questions from the News Media.

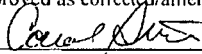
Item 14. on the Agenda. ADJOURNMENT.

There being no further business to come before the February 11, 2013, Gladstone Regular City Council Meeting, Mayor Carol Suter adjourned the meeting.

Respectfully submitted:



Cathy Swenson, City Clerk

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


Mayor Carol Suter



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, FEBRUARY 25, 2013**

OPEN STUDY SESSION: 6:00 PM

REGULAR MEETING: 7:30 PM

AMENDED AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the February 11, 2013, City Council Meeting Minutes.

REGULAR AGENDA

5. Communications from the Audience.
6. Communications from the City Council.
7. Communications from the City Manager.

8. **RESOLUTION R-13-09**, to begin proceedings to vacate sections of North Cherry Street and North Cherry Lane from Northeast 70th Street on the north to Northeast 69th Street to the south located in Gladstone, Clay County, Missouri.
9. **RESOLUTION R-13-10**, authorizing execution of a contract with Schulte Supply, Incorporated, in the total amount not to exceed \$1,427,919.35 for the purchase of water meters and automatic meter reading equipment for the Automatic Meter Reading (AMR) Project.
10. **RESOLUTION R-13-11**, amending or adopting the 2013 General Fund, Combined Water and Sewerage System Fund, Transportation Sales Tax Fund, Capital Improvement Sales Tax Fund, Capital Equipment Replacement Fund, Public Safety Sales Tax Fund, and Community Center and Park Fund for the City of Gladstone, Missouri, and authorizing expenditures of funds.
11. **APPROVAL OF THE JANUARY 2013 FINANCIAL REPORT.**
12. **PUBLIC HEARING:** for consideration of amendments to Chapters 105 and 195, of Title VII, "The Zoning and Planning Ordinance", of the City of Gladstone, Missouri, Code of Ordinances. File #1376
13. **FIRST READING BILL NO. 13-06**, amending Section 7.105.020 R-1 Single-Family Dwelling District of the Gladstone City Code relating to private swimming pools within the City of Gladstone.
14. **FIRST READING BILL NO. 13-07**, amending Sections 7.195.010 to 7.195.090 of the Gladstone City Code relating to parking requirements for the handicapped within the City of Gladstone.

15. **FIRST READING BILL NO. 13-08**, amending Title IX of the City of Gladstone, Clay County, Missouri, Code of Ordinances by repealing certain provisions contained therein and enacting in lieu thereof new provisions designated as Title IX relating to the construction and maintenance of structures and property within the City and designated as the "Building and Construction Ordinance" for the City of Gladstone, Clay County, Missouri.
16. **FIRST READING BILL NO. 13-09**, authorizing the City Manager to enter into a development agreement by and between the City of Gladstone, Missouri and F&C Gladstone Apartments, LLC for the Heights at Linden Square.
17. Other Business.
18. Questions from the News Media.
19. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, FEBRUARY 25, 2013**

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

PRESENT: Mayor Carol Suter
Mayor Pro Tem Jean Moore
Councilman Barry McCullough
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 Carol Suter opened the Regular February 25, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present. Mayor Suter welcomed everyone in the audience, who attended the City Council meeting on this snowy night; their participation is most welcome. Mayor Suter also welcomed those people joining the meeting live, on-line. Mayor Suter said the City Council appreciates everyone's interest in their City government.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Carol Suter lead the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. APPROVAL OF THE FEBRUARY 11, 2013, REGULAR CITY COUNCIL MEETING MINUTES.

Councilman Barry McCullough moved to approve the **FEBRUARY 11, 2013, REGULAR CITY COUNCIL MEETING MINUTES** as presented. Councilman Brian Hill seconded. The vote: All "aye" - Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

REGULAR AGENDA

Item 5. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

There were no communications from the audience.

Item 6. on the Agenda.

COMMUNICATIONS FROM THE CITY COUNCIL.

Councilman Bill Garnos stated he was going to comment about the snow plowing, but it might be premature, as it looks like we may have another "dumping" on the way, so he would wait for his comments until the next meeting.

Councilman Brian Hill had no comments at this time.

Councilman Barry McCullough thanked Public Works Director Tim Nebergall, and said his crews have done an awesome job with snow removal, as always. Councilman McCullough said he knew it was a lot of long hours and long days, and it does not go unnoticed. The Council appreciates their hard work.

Mayor Pro Tem Jean Moore stated she wished to "second" those remarks. The efforts of the Public Works crew are really amazing, and she knows they worked really hard, and she wished to thank them.

Public Works Director Nebergall stated that the Parks and Recreation crew also works very hard with the snow removal.

Mayor Carol Suter stated that everyone works hard, and the Council knows that it is one of our City's "claims to fame"; people are heard from all the time who say that our City gets it so right with public services. Our City learned a long time ago that when we get it right with basic public services, it is the best way to have a happy community, who is willing to be creative and move forward in lots of other ways. There were lots of great comments on-line from citizens last week. The bad part about that is that it sets the bar high again. Another 12 inches within a week is unheard of, and people will have high expectations. Mayor Suter said she was trying to rearrange her schedule with all of the things she had booked for tomorrow, (due to the heavy snowfall, which began during the Council meeting), and one person said he was able to get out within a few hours with the 12 inches of snow last week, and so he did not want to cancel their meeting. Mayor Suter said she was not that optimistic or that interested in getting dug out that early. Mayor Suter thanked everyone for their good work with snow removal.

Mayor Suter stated that whenever we have consultants, developers, or attorneys come in to work with us on all kinds of projects in the City, it is absolutely heart-warming to hear the compliments and praise that they have for our City staff. City Manager Davis and all the staff "do the Council proud" all of the time, with the most professional, creative, innovative, and hard working staff the Council could ever hope to have. Mayor Suter expressed her thanks, and said it is paying off in big ways.

City Manager Kirk Davis thanked Mayor Suter for her comments.

Item 7. on the Agenda.

COMMUNICATIONS FROM THE CITY MANAGER.

City Manager Kirk Davis encouraged everyone to be safe going home this evening, and he hoped they did not have to get out tomorrow. City Manager said he hoped our friends from Indianapolis enjoyed their stay in snowy Kansas City. City Manager Davis said that City Hall would be closed tomorrow, due to the pending nature of the storm, and Friday's ribbon cutting for Northeast 76th Street has been canceled. It will be delayed a couple of weeks.

Item 8. on the Agenda. **RESOLUTION R-13-09**, to begin proceedings to vacate sections of North Cherry Street and North Cherry Lane from Northeast 70th Street on the north to Northeast 69th Street to the south located in Gladstone, Clay County, Missouri.

Councilman Barry McCullough moved to adopt **RESOLUTION R-13-09**, to begin proceedings to vacate sections of North Cherry Street and North Cherry Lane from Northeast 70th Street on the north to Northeast 69th Street to the south located in Gladstone, Clay County, Missouri. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Item 9. on the Agenda. **RESOLUTION R-13-10**, authorizing execution of a contract with Schulte Supply, Incorporated, in the total amount not to exceed \$1,427,919.35 for the purchase of water meters and automatic meter reading equipment for the Automatic Meter Reading (AMR) Project.

Councilman Brian Hill moved to adopt **RESOLUTION R-13-10**, authorizing execution of a contract with Schulte Supply, Incorporated, in the total amount not to exceed \$1,427,919.35 for the purchase of water meters and automatic meter reading equipment for the Automatic Meter Reading (AMR) Project. Mayor Pro Tem Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Item 10. on the Agenda. **RESOLUTION R-13-11**, amending or adopting the 2013 General Fund, Combined Water and Sewerage System Fund, Transportation Sales Tax Fund, Capital Improvement Sales Tax Fund, Capital Equipment Replacement Fund, Public Safety Sales Tax Fund, and Community Center and Park Fund for the City of Gladstone, Missouri, and authorizing expenditures of funds.

Mayor Pro Tem Jean Moore moved to adopt **RESOLUTION R-13-11**, amending or adopting the 2013 General Fund, Combined Water and Sewerage System Fund, Transportation Sales Tax Fund, Capital Improvement Sales Tax Fund, Capital Equipment Replacement Fund, Public Safety Sales Tax Fund, and Community Center and Park Fund 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, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Item 11. on the Agenda. **APPROVAL OF THE JANUARY 2013 FINANCIAL REPORT.**

Councilman Bill Garnos moved to approve the **JANUARY 2013 FINANCIAL REPORT**. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Item 12. on the Agenda. **PUBLIC HEARING:** for consideration of amendments to Chapters 105 and 195, of Title VII, "The Zoning and Planning Ordinance", of the City of Gladstone, Missouri, Code of Ordinances. File #1376.

Mayor Suter opened the Public Hearing, and invited Assistant City Manager Scott Wingerson to provide a City staff report.

Assistant City Manager Wingerson began by saying that this Public Hearing refers to two Bills on the agenda directly following this Hearing – Bill No. 13-06 and Bill No. 13-07. Both Bills do exactly the same thing; they remove sections of the Zoning Ordinance from the Zoning Ordinance, because they will be replaced with the later action, which is the adoption of the Building Code. Basically, these are the same provisions located in two different areas of the City Code, which gets confusing for anyone who uses the City Code. The first Bill is regarding swimming pools. Instead of the provisions being in the Zoning Ordinance and the Building Code, they will simply be in the Building Code, where they are updated every three years. The second Bill has to do with handicap parking – the size, signage and number. When the ADA Act was initially instituted by the Federal government, the right place to put that was in the Zoning Ordinance, where everyone could get used to it. Everyone is used to it now. Those ratios are Federally mandated, and everyone knows what they are, so now it will be put in the Building Code, and it will be made a requirement of a building permit for any kind of parking improvement. Staff is seeking to clean things up a bit with the two Bills. Mr. Wingerson concluded by saying that the Planning Commission recommended their approval unanimously.

There was no one to speak in **Favor** or in **Opposition** to the amendments to Chapters 105 and 195, of Title VII, "The Zoning and Planning Ordinance", of the City of Gladstone, Missouri, Code of Ordinances.

Mayor Suter closed the Public Hearing.

Item 13. on the Agenda. **FIRST READING BILL NO. 13-06**, amending Section 7.105.020 R-1 Single-Family Dwelling District of the Gladstone City Code relating to private swimming pools within the City of Gladstone.

Councilman Brian Hill moved to place **BILL NO. 13-06** on its First Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the First Reading of **BILL NO. 13-06**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the Second and Final Reading of **BILL NO. 13-06**, and to enact the Bill as **Ordinance 4.228**. Councilman Barry McCullough seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0).

Item 14. on the Agenda. **FIRST READING BILL NO. 13-07**, amending Sections 7.195.010 to 7.195.090 of the Gladstone City Code relating to parking requirements for the handicapped within the City of Gladstone.

Councilman Barry McCullough moved to place **BILL NO. 13-07** on its First Reading. Mayor Pro Tem Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the First Reading of **BILL NO. 13-07**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the Second and Final Reading of **BILL NO. 13-07**, and to enact the Bill as **Ordinance 4.229**. Mayor Pro Tem Jean Moore seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0).

Item 15. on the Agenda. **FIRST READING BILL NO. 13-08**, amending Title IX of the City of Gladstone, Clay County, Missouri, Code of Ordinances by repealing certain provisions contained therein and enacting in lieu thereof new provisions designated as Title IX relating to the construction and maintenance of structures and property within the City and designated as the "Building and Construction Ordinance" for the City of Gladstone, Clay County, Missouri.

Councilman Brian Hill moved to place **BILL NO. 13-08** on its First Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the First Reading of **BILL NO. 13-08**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the Second and Final Reading of **BILL NO. 13-08**, and to enact the Bill as **Ordinance 4.230**. Councilman Barry McCullough seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0).

Item 16. on the Agenda. **FIRST READING BILL NO. 13-09**, authorizing the City Manager to enter into a development agreement by and between the City of Gladstone, Missouri and F&C Gladstone Apartments, LLC for the Heights at Linden Square.

Mayor Pro Tem Jean Moore moved to place **BILL NO. 13-09** on its First Reading. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Mayor Pro Tem Jean Moore moved to accept the First Reading of **BILL NO. 13-09**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Mayor Pro Tem Jean Moore moved to accept the Second and Final Reading of **BILL NO. 13-09**, and to enact the Bill as **Ordinance 4.231**. Councilman Bill Garnos seconded.

Mayor Suter stated that this was an exciting vote and an exciting time in the City of Gladstone.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). Mayor Suter said she was a very gladly "aye"!

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 questions from the News Media.

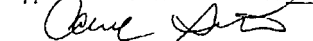
Item 19. on the Agenda. **ADJOURNMENT.**

There being no further business to come before the February 25, 2013, Gladstone Regular City Council Meeting, Mayor Carol Suter adjourned the meeting, and wished everyone a safe travel home.

Respectfully submitted:


Cathy Svenson, City Clerk

Approved as submitted: ✓
Approved as corrected/amended:


Mayor Carol Suter



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MARCH 11, 2013**

The City Council will meet in Closed Executive Session at 6:00 PM, on Monday, March 11, 2013, 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 February 25, 2013, City Council Meeting Minutes.

REGULAR AGENDA

5. Communications from the Audience.
6. Communications from the City Council.
7. Communications from the City Manager.

8. **RESOLUTION R-13-12**, authorizing execution of a contract with Westland Construction, Incorporated, in the total amount not to exceed \$249,003.70 for the 2013 Water Meter Pit Upgrades Project.
9. **APPROVAL OF LIMITED ONE-DAY LIQUOR BY THE DRINK LICENSE** for St. Charles Borromeo Church, 804 Shady Lane Drive, for a fundraising event on May 4, 2013.
Hours: 6:00 PM – 11:00 PM. Managing Officer: Lori Creek.
10. **PUBLIC HEARING:** for consideration of a Development Plan and Zoning Change for property commonly known as 500 Northeast 69th Street, 7100 North Locust Street, 6909 North Locust Street, 6913 North Cherry Street and 605 Northeast 70th Street. Applicant: Flaherty & Collins Properties. Owner: City of Gladstone.
File No. 1377.
11. **FIRST READING BILL NO. 13-10**, vacating that section of North Cherry Street from Northeast 70th Street on the north, to Northeast 69th Street to the south, located in Gladstone, Clay County, Missouri.
12. **FIRST READING BILL NO. 13-11**, approving the Final Plat of The Heights at Linden Square, Lot 1, Gladstone, Clay County, Missouri, and directing the appropriate officials to affix their signatures to said Plat for recording. Applicant: Flaherty & Collins Properties. Owner: City of Gladstone. File No. 1378.
13. **FIRST READING BILL NO. 13-12**, amending Ordinance No. 3.973 and being an Ordinance and Final Development Plan relating to Zoning Ordinance regulations and the establishment of Use Districts within the City of Gladstone, Missouri, for property located in the area commonly known as The Downtown Village Center. Applicant: Flaherty & Collins Properties. Owner: City of Gladstone.
File No. 1377.
14. Other Business.
15. Questions from the News Media.
16. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MARCH 11, 2013**

Mayor Carol Suter opened the City Council Meeting to adjourn to a Closed Executive Session on March 11, 2013, at 6:00 PM. Mayor Pro Tem 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, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0).

Councilman Barry McCullough was also present at the Closed Executive Session.

Mayor Carol Suter adjourned the Closed Executive Session.

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

PRESENT: Mayor Carol Suter
Mayor Pro Tem Jean Moore
Councilman Barry McCullough
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 Carol Suter opened the Regular March 11, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present. Mayor Suter welcomed everyone in the audience, and also those people joining the meeting live, on-line. Mayor Suter said the City Council appreciates everyone's interest in City government.

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

Mayor Suter introduced Boy Scout David Stewart, and invited him to tell the audience about himself and his Troop.

Mr. Stewart stated his rank was 2nd Class, and he is a Scout with Troop 357.

Following Mayor Suter's invitation, Mr. Stewart led the Pledge of Allegiance, in which all joined.

Mayor Suter introduced Ms. Amy Stewart, the mother of Boy Scout David Stewart, and stated that Mr. Stewart was working on the Citizenship in the Community merit badge.

Item 4. on the Agenda. **APPROVAL OF THE FEBRUARY 25, 2013, REGULAR CITY COUNCIL MEETING MINUTES.**

Councilman Barry McCullough moved to approve the **FEBRUARY 25, 2013, REGULAR CITY COUNCIL MEETING MINUTES** as presented. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

REGULAR AGENDA

Item 5. on the Agenda. **COMMUNICATIONS FROM THE AUDIENCE.**

John Garner, 111 North Heatherton Court, stated he wished to compliment the Street Department on the great snow removal. Mr. Garner asked if there were any consideration being made about handicap accessibility at Linden Square, where a person in a wheel chair might be wheeled into the area and could sit by a person at a certain spot, or a scooter would have access. Mr. Garner stated he did not mean an entire family, but at least for two people to be accommodated.

Mayor Suter replied that the area is open grassland.

Mr. Garner stated that some of the area is in a tiered area, and it is difficult to navigate in a wheel chair – perhaps if an area were made available to the side of the stage on the concrete.

Mayor Suter said she was certain that Parks and Recreation Director Sheila Lillis was making notes regarding this request.

Mr. Garner said the reason he mentioned this, was because there are many people who are handicapped who would appreciate accommodations of this sort.

Mayor Suter thanked Mr. Garner for his suggestion.

Item 6. on the Agenda.

COMMUNICATIONS FROM THE CITY COUNCIL.

Councilman Bill Garnos reported that the last City Council meeting was between the snow events, and he withheld congratulating Public Works, because we were about to be dumped on a second time, but he wished to compliment Public Works on the terrific job they did with the snow removal. The City had to reschedule the 76 Street ribbon cutting due to the weather. Councilman Garnos thanked the Public Works Department for their great work with the snow removal.

Councilman Brian Hill stated he wished to echo the appreciation of Councilman Garnos to Public Works for the tremendous job they did in removing the snow. Even though it snowed over the weekend, most of the snow is off of the sidewalks, so even Kansas City would be happy with the job they did.

Councilman Hill reported that he would be out of town for the next City Council meeting.

Councilman Barry McCullough stated that he was a Rotarian, as are several staff members, and they were having their annual pancake breakfast the upcoming Saturday. The breakfast benefits several of the local scholarships for high school students. Councilman McCullough invited everyone to come out before the Snake Saturday Parade and join them for breakfast. Councilman McCullough encouraged anyone with questions to please see him.

Mayor Pro Tem Jean Moore reported on Saturday, she was at Starbucks when she heard sirens, which were responding to a fire in the Carriage Hill neighborhood. Although, she did not get close to it, she did see that fire was going out of a roof. Mayor Pro Tem Moore said our City's departments were there immediately. It was just amazing, and she was very proud to be in Gladstone and to see what a great job the Fire Department was doing, as well as all of Public Safety.

Mayor Carol Suter stated she wished to echo all these remarks, and said it seemed to her that from time to time, it is appropriate to give a special thank you to staff and all the work they do. We have been involved in a number of major projects the last few months, the last few weeks, and the last few days. Those people who were present for the Open Study Session heard a lot of what Parks and Recreation is working on, but in every department, it seems we are on a crescendo these days, and she wants staff to always know how much the Council appreciates the work that they do. They always well equip the Council to be able to make the decisions that they have to make. Mayor Suter said she knows the staff puts in a lot of extra time and energy in exploring new territories.

Mayor Suter said she sat in on the Planning Commission meeting. She had not attended one for a long time, and she was so proud of our volunteer citizens who give up their time in the evenings, and do such a professional job. Everyone was so attentive to details, had done their homework, and processed the application very appropriately and professionally. Mayor Suter thanked the Planning Commission members for their good work.

Item 7. on the Agenda.

COMMUNICATIONS FROM THE CITY MANAGER.

City Manager Kirk Davis invited everyone to put on their calendar that April 5, 2013, is the opening date for Linden Square, weather permitting, with Liverpool performing. Ida McBeth will be performing on April 6, 2013, and there will be a whole summer of scheduled events at Linden Square.

Item 8. on the Agenda.

RESOLUTION R-13-12, authorizing execution of a contract with Westland Construction, Incorporated, in the total amount not to exceed \$249,003.70 for the 2013 Water Meter Pit Upgrades Project.

Councilman Barry McCullough moved to adopt **RESOLUTION R-13-12**, authorizing execution of a contract with Westland Construction, Incorporated, in the total amount not to exceed \$249,003.70 for the 2013 Water Meter Pit Upgrades Project. Mayor Pro Tem Jean Moore seconded. The vote: All "aye" – Councilman Bill Gamos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Item 9. on the Agenda.

APPROVAL OF LIMITED ONE-DAY LIQUOR BY THE DRINK LICENSE for St. Charles Borromeo Church, 804 Shady Lane Drive, for a fundraising event on May 4, 2013.

Hours: 6:00 PM – 11:00 PM. Managing Officer: Lori Creek.

Councilman Brian Hill 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 May 4, 2013. Hours: 6:00 PM – 11:00 PM. Managing Officer: Lori Creek. Councilman Bill Gamos seconded. The vote: All "aye" – Councilman Bill Gamos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Item 10. on the Agenda.

PUBLIC HEARING: for consideration of a Development Plan and Zoning Change for property commonly known as 500 Northeast 69th Street, 7100 North Locust Street, 6909 North Locust Street, 6913 North Cherry Street and 605 Northeast 70th Street. Applicant: Flaherty & Collins Properties. Owner: City of Gladstone. File No. 1377.

Mayor Suter opened the Public Hearing, and stated comments would first be heard from staff and then from the applicant, and finally, from anyone who wished to speak in favor or in opposition to the application.

Comments from Staff

Planning Specialist Chris Helmer said he would begin by going back in time to give a history of this project. The City Council, in 2004, endorsed the Gladstone on the Move proposal. This project began at that time, when it was discussed as to what this community could be, specifically in the Village Center. There was a lot of dialogue at that time about a community gathering place, infrastructure improvements, and all those great things that are occurring

each and every year in Gladstone. With that came a very ambitious goal by the City of a Downtown Village Center Master Plan. Another project that helped to shape the path of this vision was the need to update some of the City's policies and future guidelines for land use. There has been a lot of discussion of what that should look like, and the hopes of what that would look like in the Village Center. It doesn't stop there; there have been a lot of discussions regarding the entire City.

Mr. Helmer stated a lot of these principles, design elements, and future aspects of where the City was heading were brought forward, such as the Future Leaders Academy, and some great discussions have been held. During the economic down turn, staff was able to put before the Council and a lot of Boards and Commissions things like the amendments to the Comprehensive Plan and regulations for Mixed Use Zoning, that allowed our City to be in a good position as people came knocking on the door, who wanted to begin a partnership with the City in this particular area. A lot of good things from the Planning arena have been conveyed to the City Council.

Mr. Helmer reported that he provided more detail regarding the exhibits displayed this evening at the Planning Commission meeting a week ago. The Council has received this information in a number of different ways, and has participated with this process. Information received included how there has been a great deal of dialogue with the community and surrounding neighborhoods on appropriate density, special requirements and areas of focus within the redevelopment area. A prime example of that is what is happening right now with the Pollina Building in Linden Square. All of these great things are now becoming a reality. In addition, the Planning Commission was provided with the Resolution that was endorsed by the City Council to proceed with the vacation to make the development parcel what it needs to be, in order for this project to continue to move forward.

Mr. Helmer reported that the ATA has moved with the Notice to Proceed on the project for the transit shelters at 70th and North Oak Trafficway. This was before the City Council multiple times over the course of the last couple of years. The emphasis of that project was to show that what is happening in the redevelopment area would continue to hopefully, justify the need for increased density in the area, high quality development, and really being a participant in what's happening regionally and locally with transportation.

Mr. Helmer concluded by saying the development team was present this evening to provide a plethora of detail for the City Council's consideration.

Comments from the Applicant

Ryan Cronk, Flaherty & Collins Properties, said with him were David Parrish, RDL Architects; Jess Fisher, Flaherty & Collins, who heads up the internal architecture and engineering for the company; and Darren Lazan, who is the planner, civil engineer, and landscape architect for this project.

While showing a Power Point presentation, Mr. Cronk stated that the Heights at Linden Square is a 222 residential units, mixed use project, with 10,000 square feet of retail space.

Mr. Cronk pointed out on the Power Point the location of various aspects of the project. Of the 222 units, 11 will be studio units, 113 will be one-bedroom units, and 40 units will be two-level town home units. Those units would be on the entire perimeter, with walkouts to the front of those units. There will be an additional 58 two-bedroom units. There are a total of 387 parking spaces in the project, which is inclusive of 272 internal spaces, specifically for the apartments. Eighty of those are "tuck under" parking spaces, underneath the town homes, so there are 40 garage spaces for the town homes, and 40 additional spaces for the residents. Public parking is being provided in the perimeter of the project.

Mr. Cronk continued by saying that on 70th Street, there are 6,000 square feet of amenities space. That includes the sales office, the fitness area, which offers 24-hour access to a treadmill and weights. There is an area with a resort style salt water pool. There is a pool deck, and an aqua lounge where people can hang out in an indoor and outdoor space by the pool. It has garage type doors where people can sit indoors or outdoors. There will be stainless steel appliances, wood style flooring going throughout the kitchen and living areas, granite counter tops, carpet in the bedrooms, and the bathrooms all have tile. Mr. Cronk said when they open, they are confident they will be the best apartment complex in the North Metro area.

Mr. Cronk introduced David Parrish, who would provide an overview of the building architecture, and then Darren Lazan would provide an overview of the civil engineering.

David Parrish, RDL Architects, said they were very excited to be here and part of all the energy, which can be felt when coming into this town. While continuing with the Power Point presentation, Mr. Parrish said it was great to see all the fruits of the labor starting to come into play. Mr. Parrish said Mr. Cronk provided a great opener, and he would try to provide a taste of the architectural components. The building is two "C" shaped buildings that are separated to the south, by a pool, and to the north, the amenities center. The perimeter is two story apartment town house type units, and the commercial space is on the corner. All of Gladstone has significant topography, but the site from a low point on 69th Street, goes up about 30 feet to the high point at the clock tower. The units are wrapped around in various combinations of ones and twos and studios, as it makes sense, as the project is configured.

Mr. Parrish said looking from 69th Street, the center of the building would be the pool, and one would be looking at a wall and a nice attractive railing where the pool will be. To the left and right would be the apartment building. To the north, the entrance to the amenities center would be in line to the clock tower. It will be a one-story structure, with a very tall ceiling, with a lot of glass. The apartment building will be to the left and to the right. The apartment building to the left is a little bit taller than the building to the right, because they would be building into the hillside, as they slope from low to high. The apartments would wrap around the commercial space. Mr. Parrish pointed out the greenways on the Power Point slide.

Mr. Parrish continued by saying that from a material standpoint, they are trying to keep it very simple. The building happens to be very long, so it is important to change the materials periodically and to change some of the color. Mr. Parrish pointed out the display board,

which showed a range of colors, which would be placed strategically in the building. Starting at the bottom would be a cultured stone material, which is similar to what is used in the Community Center. Above that would be different colors of brick, depending on where one was in the perimeter of the building – colors range from beige to a red to a gray. Above that would be a cement board panel, which comes in lots of different colors, from a cream color, to beige, to tan, and maybe a nice tone of brown. Scattered throughout the project would be accent materials, including the possible use of corrugated metal paneling just in strategic locations throughout the elevation. A laminate rain screen panel would be used at the front door of the amenities center. Mr. Parrish showed a photo of what the exterior stairs would look like along the greenway.

Mr. Parrish said on the rendering, they had to draw in the office building under construction, as well as the Community Center. They took them off of *Google Earth*, and he checked their work when he showed up last week, and they were right on the money. Mr. Parrish introduced Darren Lazan, the Civil Engineer.

Darren Lazan, Landform Professional Services, said he represented Flaherty & Collins, the applicant. Mr. Lazan said this is about a five-acre site with a fair amount of topography that presented a fair amount of challenge. From a site design perspective, they tried to accommodate all of the components of the Downtown Village Center Master Plan, with a very urban street front, while providing a more traditional courtyard, and providing surface and garage parking. With 387 stalls on site, 272 of those are surface stalls, and 40 of those are “tuck under” and covered parking stalls under the building, and about 40 more individual garages are for the town home-style units. The street front on all four sides are two story town home style units, with their own front door. It will be a very urban product on the outside.

Mr. Lazan reported that part of the project includes redevelopment of portions of City streets. On 70th Street, they would build in parallel parking along the entire edge, and dedicate some additional right-of-way, as well. The project includes the redevelopment of North Locust, including parking on the east side. Mr. Lazan said they were working with staff on redeveloping Northeast 69th Street, to configure the north edge of 69th Street to include more parking. The interior of the site is accessed from three points - through the building or under the building. First and second floors are open, so one could drive through those portions of the building into the center courtyard. There is access for some of the loading facilities for the commercial space. Mr. Lazan continued to point out on the Power Point elements of the topography.

Mr. Lazan stated that details regarding utility service were included in the Council's meeting packet. Stormwater in general is collected internally through a piping system. Roof drains are drained internally to that same stormwater system, and is outletted to the south. Mr. Lazan said they have been working with Assistant City Manager Scott Wingerson to collectively quantify the stormwater requirements for this project, and to work with staff to contribute to the improvement on the south side of 69th Street – the regional detention system. There was not a lot of space left to landscape – this is a very urban site, but they did manage to get about 200 trees, 350 shrubs, and 700 native grasses in the project, which is 85 percent

impervious. There will be a fair amount of shade trees in the center to reduce the reflective heat that comes off the pavement.

Mr. Lazan said their request includes a Final Plat, as well as rezoning everything to MXD, which is conducive with the Downtown Master Plan. Part of the request tonight is to vacate portions of right-of-way on Cherry Street. The westerly half is proposed to be part of this project. Mr. Lazan again pointed out the parking areas.

Mayor Suter asked Mr. Wingerson to bring the Council up to date on any issues that arose from the Planning Commission.

Mr. Wingerson pointed out that there were 18 separate conditions in the Staff Report for this project. Condition Number 2, is that the parking area in front of 70th Street and the leasing office will be reduced to allow larger configuration of the round-about around the clock tower. That will create in front of the leasing office an amenity space that is a more public space for the community to gather around the clock tower, that signifies the center of the Village Center. Entry points to the building will be secured 24 hours per day, 7 days per week. A fire sprinkler system will be installed in the building, and the landscaped areas will be irrigated and maintained in perpetuity, which is an important part to this project.

Mr. Wingerson reported that at the Planning Commission Public Hearing, a representative of the building owner to the east of the project, the Gladstone Office Building, presented testimony to the Planning Commission that Cherry Lane had been previously vacated. At the time it was thought it might have been in the 1950's. The Planning Commission forwarded their recommendation for approval subject to these issues being resolved. As it turns out, with the help of the adjoining land owner and their representatives, Cherry Lane had been vacated; so the eastern half of the right-of-way, where the walking trail is located, is owned by the Gladstone Office Building property owner, while the western half is transferred to the other adjoining owner, which is the City of Gladstone. There is still some work to be done in that respect. Staff is very sure that what he has said is accurate; that is that the right-of-way has been split between the two property owners, Gladstone and Vision Investment/Gladstone Office Building; however, there are some documents that need to catch up, and there has not been the time to allow that to happen before the Council takes final action.

Mr. Wingerson said the staff's recommendation to the City Council this evening, if they chose to move forward, was to take every action except the final action, which is the final vote on the three separate applications. That will allow the documents to catch up, and the City Council could take their final action in two weeks. There are three things for the Council to consider; the first is the vacation of Cherry Street. Several weeks ago the City Council passed a Resolution authorizing the City to move forward with vacating Cherry Street and Cherry Lane. Cherry Lane has been completely removed from that request, and is not now a part of Council's consideration tonight. The second action, which builds on the vacation of Cherry Street, is the Plat. We cannot have the Plat, until we vacate Cherry Street. The final item is the zoning change and the Development Plan, which together are one item, which builds on the Plat, which builds on the vacation. Staff is requesting a couple of more weeks to tie up a couple of loose ends and move forward accordingly.

Mr. Lazan thanked the City staff for their work on this project. They were a delightful group with whom to work, very energetic, and tremendously helpful in moving this project through so quickly. Mr. Lazan said they reviewed the staff recommendations that were outlined, and they have accommodated all of those components, and they have no outstanding issues of which he is aware.

Comments from those in Favor of the Application

Amy Harlin stated she represented the Gladstone Area Chamber of Commerce at 6913 North Cherry Street. Ms. Harlin said on behalf of the Gladstone Area Chamber Board of Directors, she came before the City Council fully in support of the Heights at Linden Square development. They are excited about the project, and look forward to seeing it come to fruition for a number of different reasons; a few of which include the simple density. There will be many residents within that attraction, who will shop, drink, use entertainment venues, and support the businesses within the area. This will not only help local businesses, but also add to the tax revenues. This will also provide a broader base of employees. Simple math shows that the residents would allow our local businesses to have other employees to choose from when they are hiring. It is also hopeful that by building such an attractive development in the area, some of the other businesses in the area would be encouraged to maintain and upgrade their properties, so they do maintain a competitive edge.

Ms. Harlin concluded by saying there is a retail and commercial component of the Heights that provides options for businesses looking to move into the area - competitive, attractive, cutting edge new locations into which businesses might consider moving their businesses. Ms. Harlin said for these reasons, the Gladstone Area Chamber of Commerce is fully in support of the Heights, and they certainly commend the City Council and the City staff for their vision in this project.

Carol Rudi, 6709 North Agnes, said she wished to congratulate the City Council and staff on this project. It is something we have been working towards for more than 10 years, and it is very exciting to see it come into fruition, and she is excited about being able to welcome this organization and these people to our community.

Mayor Suter informed the audience that Ms. Rudi is a former Mayor, and part of those visionaries who saw the need for this project.

Comments from those in Opposition to the Application

Kevin Rotert, attorney in Gladstone, whose client is Gladstone Food Products, said he was not present to speak against this application. Gladstone Food Products has the manufacturing plant immediately to the south of this proposal on 69th Street. Mr. Rotert said one of the things that they see as a potential problem is being able to get the semi trucks that do deliveries in on 69th Street on a regular basis. Mr. Rotert said he has had meetings with Mr. Wingerson, but there is a potential problem if people park on 69th Street. Trucks will not be able to back into the loading docks. Mr. Rotert said they do not know yet if this would be a

problem, but they do have a problem now with the Community Center. When they have large programs, people are parking on 69th Street. At some point they may be asking that there be "no parking" or certain "no parking" allowed in certain areas of that part of 69th Street, so that they can have trucks get in and out on a daily basis. This is one of the major concerns. The other concern they have is potentially people coming on to their property, with that many people living across the street. Mr. Wingerson has been talking to the developer about possibly putting up fencing or some type of decorative fence to keep them off of the property. Mr. Rotert said they are not against this project, but wished to voice their concerns about potential impact on their business.

Mayor Suter thanked Mr. Rotert for bringing these concerns to the Council's attention, and said she knows they will be taken into consideration by staff, and the Council members trust that all of the neighborhood would be able to be accommodated.

Mayor Suter closed the Public Hearing.

Item 11. on the Agenda. **FIRST READING BILL NO. 13-10**, vacating that section of North Cherry Street from Northeast 70th Street on the north, to Northeast 69th Street to the south, located in Gladstone, Clay County, Missouri.

Councilman Barry McCullough moved to place **BILL NO. 13-10** on its First Reading. Mayor Pro Tem Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the First Reading of **BILL NO. 13-10**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to postpone the final vote on this matter until the regularly scheduled March 25, 2013, City Council meeting, at 7:30 PM, to allow the paperwork to catch up as was mentioned by Mr. Wingerson. Councilman Bill Garnos seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0).

Item 12. on the Agenda. **FIRST READING BILL NO. 13-11**, approving the Final Plat of The Heights at Linden Square, Lot 1, Gladstone, Clay County, Missouri, and directing the appropriate officials to affix their signatures to said Plat for recording. Applicant: Flaherty & Collins Properties. Owner: City of Gladstone. File No. 1378.

Mayor Pro Tem Jean Moore moved to place **BILL NO. 13-11** on its First Reading. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos,

Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Mayor Pro Tem Jean Moore moved to accept the First Reading of **BILL NO. 13-11**, 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, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to postpone the final vote on this matter until the regularly scheduled March 25, 2013, City Council meeting, at 7:30 PM, to allow the paperwork to be finalized. Councilman Bill Garnos seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0).

Item 13. on the Agenda. **FIRST READING BILL NO. 13-12**, amending Ordinance No. 3.973 and being an Ordinance and Final Development Plan relating to Zoning Ordinance regulations and the establishment of Use Districts within the City of Gladstone, Missouri, for property located in the area commonly known as The Downtown Village Center. Applicant: Flaherty & Collins Properties. Owner: City of Gladstone.
File No. 1377.

Councilman Brian Hill moved to place **BILL NO. 13-12** on its First Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the First Reading of **BILL NO. 13-12**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to postpone the final vote on this matter until the regularly scheduled March 25, 2013, City Council meeting, at 7:30 PM, to allow the paperwork to be finalized. Councilman Bill Garnos seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0).

Item 14. on the Agenda. **OTHER BUSINESS.**
There was no other business.

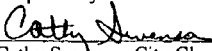
Item 15. on the Agenda. **QUESTIONS FROM THE NEWS MEDIA.**

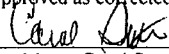
There were no questions from the News Media.

Item 16. on the Agenda. **ADJOURNMENT.**

There being no further business to come before the March 11, 2013, Gladstone Regular City Council Meeting, Mayor Carol Suter adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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

Mayor Carol Suter



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MARCH 25, 2013**

The City Council will meet in Closed Executive Session at 6:15 PM, on Monday, March 25, 2013, 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.

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 March 11, 2013, City Council Meeting Minutes.**
- 5. PROCLAMATION:** designating April 5, 2013, as **ARBOR DAY** in Gladstone, Missouri, and urging residents to support efforts that focus on environmental betterment and the planting of trees.
- 6. PROCLAMATION:** recognizing April 7-13, 2013, 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.

7. **PROCLAMATION:** recognizing **MARCH FOR MEALS** and the generous work of **Senior Nutrition Programs** in providing nutritious meals for our community's senior citizens.

8. **CONSENT AGENDA**

RESOLUTION R-13-13, adopting a Public Art Acquisition, Funding, and Placement Policy for the City of Gladstone, Missouri.

RESOLUTION R-13-14, authorizing acceptance of work under contract with SAK Construction LLC, for the 2011 Sanitary Sewer Rehabilitation – Cured-In-Place Pipe Project; and authorizing final payment in the amount of \$500.00 for Project SB1189.

RESOLUTION R-13-15, granting Permanent Easements to Kansas City Power & Light to operate and maintain buried electrical lines in the vicinity of Linden Square and Northeast 70th Street.

RESOLUTION R-13-16, vacating a Water Line Easement previously used to carry raw water through property now owned by the Briarcliff Development Company.

RESOLUTION R-13-17, authorizing Change Order No. 7 in the amount of \$350,767.90 to the contract with Lan-tel, for addition of the 2013 quantities, as part of the 2012 Curb, Gutter and Sidewalk project.

RESOLUTION R-13-18, authorizing the City Manager to amend the 457 Deferred Compensation Plan and Trust Agreement to include the associated Roth Amendments through ICMA Retirement Corporation.

APPROVAL OF A TEMPORARY CATERING LICENSE for Embrace the Grape Beverage Catering, 616 SW 3rd, Lee's Summit, Missouri 64063, for a wedding reception event to be held June 22, 2013, from 6:00 PM to 11:30 PM, in the Gladstone Community Center. Managing Officer: Jane Monroe.

APPROVAL OF THE FEBRUARY 2013 FINANCIAL REPORT.

REGULAR AGENDA

9. **Communications from the Audience.**
10. **Communications from the City Council.**
11. **Communications from the City Manager.**
12. **ROLL CALL VOTE FOR BILL NO. 13-10**, vacating that section of North Cherry Street from Northeast 70th Street on the north, to Northeast 69th Street to the south, located in Gladstone, Clay County, Missouri.
13. **ROLL CALL VOTE FOR BILL NO. 13-11**, approving the Final Plat of The Heights at Linden Square, Lot 1, Gladstone, Clay County, Missouri, and directing the appropriate officials to affix their signatures to said Plat for recording. Applicant: Flaherty & Collins Properties. Owner: City of Gladstone. File No. 1378.
14. **ROLL CALL VOTE FOR BILL NO. 13-12**, amending Ordinance No. 3.973 and being an Ordinance and Final Development Plan relating to Zoning Ordinance regulations and the establishment of Use Districts within the City of Gladstone, Missouri, for property located in the area commonly known as The Downtown Village Center. Applicant: Flaherty & Collins Properties. Owner: City of Gladstone. File No. 1377.
15. **FIRST READING BILL NO. 13-13**, to maintain the Business License Tax on gross receipts of utility corporations notwithstanding tariff increases by the Public Service Commission.
16. **RESOLUTION R-13-19**, authorizing execution of a contract with Margaritas North, Inc. for food and alcohol concessions for 2013 at Linden Square.
17. **Other Business.**
18. **Questions from the News Media.**
19. **Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MARCH 25, 2013**

Mayor Carol Suter opened the City Council Meeting to adjourn to a Closed Executive Session on March 25, 2013, at 6:15 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. Mayor Pro Tem Jean Moore seconded.

Roll Call Vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0).

Councilman Brian Hill was absent from the meeting.

Mayor Carol Suter adjourned the Closed Executive Session.

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

PRESENT: Mayor Carol Suter
Mayor Pro Tem Jean Moore
Councilman Barry McCullough
Councilman Bill Garnos

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

ABSENT: Councilman Brian Hill

Item 2. on the Agenda. ROLL CALL.

Mayor Carol Suter opened the Regular March 25, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present, except for Councilman Brian Hill. Mayor Suter welcomed everyone in the audience, and also those people joining the meeting live, on-line. Mayor Suter said the City Council appreciates everyone's interest in City government.

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

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

Item 4. on the Agenda. **APPROVAL OF THE MARCH 11, 2013, REGULAR CITY COUNCIL MEETING MINUTES.**

Councilman Barry McCullough moved to approve the **MARCH 11, 2013, REGULAR CITY COUNCIL MEETING MINUTES** as presented. Mayor Pro Tem Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0)

Item 5. on the Agenda. **PROCLAMATION:** designating April 5, 2013, as **ARBOR DAY** in Gladstone, Missouri, and urging residents to support efforts that focus on environmental betterment and the planting of trees.

Mayor Suter read and presented the Proclamation to Parks and Recreation Director Sheila Lillis, who thanked the Mayor and City Council.

Director Lillis invited everyone to the Arbor Day celebration at 10:00 AM, Friday, April 5, in Meadowbrook Park. It will hopefully be our City's eleventh year as a designated Tree City USA city. The Parks and Recreation Advisory Board serve as the Tree Board.

Item 6. on the Agenda. **PROCLAMATION:** recognizing April 7-13, 2013, 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.

Mayor Suter read and presented the Proclamation to Animal Control Supervisor Angie Deras, who thanked the Mayor and City Council.

Ms. Deras said she and her staff were very excited because they would be moving dogs into the new kennel area tomorrow. They were very excited and appreciative of the support of the City Council, and the Animal Control Officers invite the Mayor and Council to stop by to visit the new renovations at the Animal Control facility.

Mayor Suter said she appreciated the Animal Control officers who reported to her house to remove a giant unidentified snake from her yard.

Item 7. on the Agenda. **PROCLAMATION:** recognizing **MARCH FOR MEALS** and the generous work of **SENIOR NUTRITION PROGRAMS** in providing nutritious meals for our community's senior citizens.

Mayor Suter read and presented the Proclamation to Patte Bahl, of Northland Meals on Wheels, who thanked the Mayor and City Council.

Ms. Bahl stated that when we talk about aging in place, this is exactly what this program does, it assists people who wish to age in place in their own home. Ms. Bahl said she wished to remain in her home as she aged, if she can. Having people in their homes is good for the community, and it leaves homes occupied. There have been studies that have shown that people, who volunteer, live longer and are happier and healthier. The volunteers often say they get more out of their work than they feel they are giving. Ms. Bahl said that Meals on Wheels is a great organization, and she has been with them as an unpaid volunteer for 18 years.

Mayor Suter thanked Ms. Bahl for her service to the community.

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

Following the Clerk's reading, Councilman Barry McCullough moved to approve the Consent Agenda as presented. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0)

Councilman Barry McCullough moved to adopt **RESOLUTION R-13-13**, adopting a Public Art Acquisition, Funding, and Placement Policy for the City of Gladstone, Missouri. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0)

Councilman Barry McCullough moved to adopt **RESOLUTION R-13-14**, authorizing acceptance of work under contract with SAK Construction LLC, for the 2011 Sanitary Sewer Rehabilitation – Cured-In-Place Pipe Project; and authorizing final payment in the amount of \$500.00 for Project SB1189. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0)

Councilman Barry McCullough moved to adopt **RESOLUTION R-13-15**, granting Permanent Easements to Kansas City Power & Light to operate and maintain buried electrical lines in the vicinity of Linden Square and Northeast 70th Street. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0)

Councilman Barry McCullough moved to adopt **RESOLUTION R-13-16**, vacating a Water Line Easement previously used to carry raw water through property now owned by the Briarcliff Development Company. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0)

Councilman Barry McCullough moved to adopt **RESOLUTION R-13-17**, authorizing Change Order No. 7 in the amount of \$350,767.90 to the contract with Lan-tel, for addition of the 2013 quantities, as part of the 2012 Curb, Gutter and Sidewalk project. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0)

Councilman Barry McCullough moved to adopt **RESOLUTION R-13-18**, 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 Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0)

Councilman Barry McCullough moved to approve a **TEMPORARY CATERING LICENSE** for Embrace the Grape Beverage Catering, 616 SW 3rd, Lee's Summit, Missouri 64063, for a wedding reception event to be held June 22, 2013, from 6:00 PM to 11:30 PM, in the Gladstone Community Center. Managing Officer: Jane Monroe. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0)

Councilman Barry McCullough moved to approve the **FEBRUARY 2013 FINANCIAL REPORT**. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0)

REGULAR AGENDA

Item 9. on the Agenda.

COMMUNICATIONS FROM THE AUDIENCE.

John Garner, 111 North Heatherton Court, stated that this morning he noticed between 64th Street and Englewood Road (on North Oak Trafficway) that there were four people walking in the street against traffic, because the sidewalks had not been cleared of snow. Mr. Garner said he noticed this evening that there were three people walking in the street, with the traffic, between 64th Street and 70th Street, on North Oak Trafficway. Mr. Garner said the same thing does happen on Antioch Road. Mr. Garner suggested an Ordinance making the businesses clean their sidewalks of snow, on at least North Oak Trafficway and Northeast Antioch Road, and including their parking lots. During the last two snowstorms, sidewalks were blocked with piles of snow. Mr. Garner said he did not feel such an Ordinance would hurt the businesses, but the Ordinance should say that if a business does not have their snow cleared within about 12 hours after a snowfall, then the City would either fine the business, or step in, clean it, and charge them big bucks.

Mayor Suter replied that the Council appreciates Mr. Garner's concern, and it is shared by others. Kansas City said in the last storm that they were going to begin citing people, but they did not actually cite anyone, but the threat of the citing may have helped.

Mr. Garner suggested that Gladstone should pass such an Ordinance, maybe not for all the citizens who live on the side streets, but at least those on major thoroughfares or any new development, like the new apartment complex being developed.

Mayor Suter thanked Mr. Garner for his comments.

Item 10. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Councilman Bill Garnos thanked Public Works Director Tim Nebergall for the snow plowing. It was even better this time. The crews were able to do curb to curb snow removal this time much quicker. Councilman Garnos said he had a plow go through his area faster than last time, and he was well pleased.

Councilman Barry McCullough stated that although he did have to use the four-wheel drive to get out of his cul-de-sac, it was still a wonderful job of snow removal. Councilman McCullough thanked Director Nebergall and Parks and Recreation Director Lillis for their crews' hard work. It is a lot of work in a short period of time.

Mayor Pro Tem Jean Moore stated, "hear, hear" to the comments from Councilmen Garnos and McCullough.

Mayor Carol Suter said Directors Nebergall and Lillis and the snow removal crews have the Council's deepest sympathy and great appreciation. They are thought of every time there is a storm, and all the long hours of work involved. The Council may joke, but they know that at the end of the day, our City has the best streets anywhere around, and our citizens always appreciate that.

Mayor Suter reported that the Gladstone Area Chamber of Commerce business meeting would be held at the Gladstone Community Center on March 28, and said the City is always pleased to host them in the Community Center. Mayor Suter encouraged everyone to vote in the City election on April 2, 2013. There is one open seat on the City Council and it is a contested race.

Mayor Suter stated that if Agenda Items 12, 13, and 14 are approved tonight, it is planned for the City to hold a press conference on April 2, to announce the details of the Linden Heights project. Fanfare on the Square, the dedication and grand opening of Linden Square, will be held April 5, 6, and 7. A really big shindig is planned. Mayor Suter encouraged everyone to tell everyone they know to be sure to arrive early, because it is not known how big of a crowd to expect, but it is expected to exceed the capacity of the facility, so parking may be a challenge. In order to be on time for the dedication and for the concert, people should allow extra time. Mayor Suter said she is looking forward to a really fun event. The dedication will begin at 6:30 PM, on Friday, April 5. There will be a plaque dedicated and appreciation extended to all the people who participated in the construction of the facility. The group "Liverpool" will be in concert at 7:00 PM. On Saturday night, beginning at 7:30 PM, Ida McBeth will be in concert. During the day on Saturday, April 6 and Sunday, April 7, there will be all kinds of family activities.

Mayor Suter reported that Arbor Day will be held on April 5, and the Atkins-Johnson Farm open house will also be in April. It is certainly a busy time.

Item 11. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis had no comments at this time.

Mayor Suter addressed Agenda Items 12, 13 and 14, by saying at the last meeting Bill Nos. 13-10, 13-11, and 13-12 were all introduced, approved for their first reading, first readings were accepted, and a motion was made to place the Bills on their second and final reading, those were read, and there was a motion to approve the second and final reading, and to enact the Bills as Ordinances, and then a motion was made to postpone the vote. Mayor Suter stated tonight, action on the Bills would be picked up after the motion to approve the second and final reading, and to enact the Ordinance.

Item 12. on the Agenda. **ROLL CALL VOTE FOR BILL NO. 13-10**, vacating that section of North Cherry Street from Northeast 70th Street on the north, to Northeast 69th Street to the south, located in Gladstone, Clay County, Missouri.

Mayor Suter asked if there was any discussion on Bill No. 13-10.

As there was no discussion, Mayor Suter called for a Roll Call Vote to consider enacting **Bill No. 13-10 as Ordinance No. 4.232.**

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0).

Item 13. on the Agenda. **ROLL CALL VOTE FOR BILL NO. 13-11**, approving the Final Plat of The Heights at Linden Square, Lot 1, Gladstone, Clay County, Missouri, and directing the appropriate officials to affix their signatures to said Plat for recording. Applicant: Flaherty & Collins Properties. Owner: City of Gladstone. File No. 1378.

Mayor Suter asked if there was any discussion on Bill No. 13-11.

Mayor Suter stated this is one of the most exciting things to happen in Gladstone in a long time, and she was very pleased that our City Council had the opportunity to support this project tonight, and she trusts that is what the Council will do. As there was no further discussion, Mayor Suter called for a Roll Call Vote to consider enacting **Bill No. 13-11 as Ordinance No. 4.233.**

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0).

Item 14. on the Agenda. **ROLL CALL VOTE FOR BILL NO. 13-12**, amending Ordinance No. 3.973 and being an Ordinance and Final Development Plan relating to Zoning Ordinance regulations and the establishment of Use Districts within the City of Gladstone, Missouri, for property located in the area commonly known as The Downtown Village Center. Applicant: Flaherty & Collins Properties. Owner: City of Gladstone. File No. 1377.

Mayor Suter asked if there was any discussion on Bill No. 13-12.

Councilman Garnos offered his appreciation to City staff for all their work that went into getting the City to this place. Councilman Garnos said he, too, was very excited about the prospect of the re-development of the area. Councilman Garnos thanked Flaherty and Collins for bringing a quality product to the City Council, consistent with the vision held for the Village Center. This development is a very good fit, and Flaherty and Collins deserve credit for the product they brought forth. Councilman Garnos thanked the Planning Commission. Many of the Council members had served on the Planning Commission. There has been years worth of work with the Village Center concept, all the land use planning, the many hours discussing the Comprehensive Plan, the mixed use zoning regulations, and when this development was brought to the Planning Commission recently, the citizens on the Planning Commission did a super job and had very good questions. They had all done their homework, and they also deserve credit for getting this project to this place.

Mayor Suter said she, too, was excited that this project is our City's first mixed use project. It was interesting to hear the report from the Senior Study saying that Seniors want the same thing as the younger demographics, which is what this project is aimed at, and that is to live in walkable communities, which are street front, and with things to do within walking distance. The mixed use zoning concept has been tested with citizen group after citizen group for as long as she has been on the City Council. It is really exciting to see something that the community wants and has made a priority come to fruition, and right here in the downtown center area.

As there was no further discussion, Mayor Suter called for a Roll Call Vote to consider enacting **Bill No. 13-12 as Ordinance No. 4.234.**

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0).

Item 15. on the Agenda. **FIRST READING BILL NO. 13-13**, to maintain the Business License Tax on gross receipts of utility corporations notwithstanding tariff increases by the Public Service Commission.

Mayor Suter asked City Counselor Randall Thompson to provide background on this action.

Counselor Thompson stated a little bit of background was all he could provide, but in instances where the Public Service Commission sees fit to increase a utility rate greater than seven percent, the Public Service Commission has to notify all municipalities that would be affected by the rate hike. By Statute, the municipalities can roll back their gross receipts tax

to equal what it was the previous twelve months, the ensuing twelve months, or the municipality can vote to not roll back and accept whatever increase in revenues might come from the Public Service Commission's rate hike. If we decide not to roll back, which is what the Ordinance tonight would do, we would not roll back, but we would accept any increase in rates as a result of the Public Service Commission's action. If we do that, it is not just with respect to this one rate hike, it would affect all future rate hikes by any other utility from which we collect a gross receipts sales tax.

Mayor Suter said this is extremely important to the ongoing viability of the City, and it is a very volatile funding environment nationally and state-wide, because when everything changes above us it makes it so much more important that we are able to deliver more services in the future as State and Federal governments cut back, so this is an important source of revenue for us.

Mayor Pro Tem Jean Moore moved to place **BILL NO. 13-13** on its First Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0). The Clerk read the Bill.

Mayor Pro Tem Jean Moore moved to accept the First Reading of **BILL NO. 13-13**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0). The Clerk read the Bill.

Mayor Pro Tem Jean Moore moved to accept the Second and Final Reading of **BILL NO. 13-13**, and to enact the Bill as **Ordinance 4.235**. Councilman Barry McCullough seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0).

Item 16. on the Agenda. **RESOLUTION R-13-19**, authorizing execution of a contract with Margaritas North, Inc. for food and alcohol concessions for 2013 at Linden Square.

Councilman Barry McCullough moved to adopt **RESOLUTION R-13-19**, authorizing execution of a contract with Margaritas North, Inc. for food and alcohol concessions for 2013 at Linden Square. Mayor Pro Tem Jean Moore seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (4-0)

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 questions from the News Media.

Mayor Suter thanked the News Media who were present, and said their participation was appreciated.

Item 19. on the Agenda. ADJOURNMENT.

There being no further business to come before the March 25, 2013, Gladstone Regular City Council Meeting, Mayor Carol Suter adjourned the meeting.

Respectfully submitted:

Cathy Swenson
Cathy Swenson, City Clerk

Approved as submitted: ____
Approved as corrected/amended: ____
Carol Suter
Mayor Carol Suter



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, APRIL 8, 2013**

The City Council will meet in Closed Executive Session at 7:00 PM, on Monday, April 8, 2013, 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(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion.

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 25, 2013, City Council Meeting Minutes.
5. **MAYOR'S STATE OF THE CITY ADDRESS.**
6. **FIRST READING BILL NO. 13-14**, declaring the results of the Tuesday, April 2, 2013, Gladstone General Municipal Election as certified by the Clay County Board of Election Commissioners that City Council Candidate Bill Garnos has been elected to a three-year term on the Gladstone City Council.

7. CITY COUNCIL OATH OF OFFICE: BILL GARNOS.
8. ELECTION OF MAYOR AND OATH OF OFFICE.
9. ELECTION OF MAYOR PRO TEM.

REGULAR AGENDA.

10. Communications from the Audience.
11. Communications from the City Council.
12. Introduction of the Past Mayors and City Council members.
13. Communications from the City Manager.
14. **RESOLUTION R-13-20**, authorizing execution of a contract with Hettinger Excavating LLC, in the total amount not to exceed \$455,716.45 for the 2013 Small Water Main Replacement Project.
15. **APPROVAL OF A CHANGE IN LOCATION ONLY** for TNT Two, Inc., dba Tanner's Bar & Grill, which holds a Class AR&B Liquor by the Drink License. The address change is from 6024 Northeast Antioch Road to 6221 North Chestnut (formerly Tommy's). Managing Officer: Penni L. Hanebuth.
16. Other Business.
17. Questions from the News Media.
18. 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 8, 2013**

Mayor Carol Suter opened the City Council Meeting to adjourn to a Closed Executive Session on April 8, 2013, at 7:00 PM. Mayor Pro Tem Jean Moore made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 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 Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0).

Mayor Carol Suter adjourned the Closed Executive Session.

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

PRESENT: Mayor Carol Suter
Mayor Pro Tem Jean Moore
Councilman Barry McCullough
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 Carol Suter opened the Regular April 8, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present. Mayor Suter welcomed everyone in the audience, and also those people joining the meeting live, on-line. Mayor Suter said the City Council appreciates everyone's interest in City government.

Item 3. on the Agenda.

PLEDGE OF ALLEGIANCE.

Mayor Suter stated it was an honor to have present this evening an Honor Guard from Boy Scout Troop 447, who would be presenting the colors, and leading the Pledge of Allegiance.

Following the Pledge of Allegiance, Mayor Suter invited the Honor Guard to introduce themselves as follows: Scout Ian Collins, Scout Brodie Rowald, Scout Ryan Loftis, and Boy Scout Leader Russ Collins, who is a Recreation Programs Specialist with the City of Gladstone.

Item 4. on the Agenda.

APPROVAL OF THE MARCH 25, 2013, REGULAR CITY COUNCIL MEETING MINUTES.

Councilman Barry McCullough moved to approve the **MARCH 25, 2013, REGULAR CITY COUNCIL MEETING MINUTES** as presented. Mayor Pro Tem Jean Moore seconded. The vote: "Aye" – Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. "Abstain" – Councilman Brian Hill. Councilman Brian Hill stated he would abstain from the vote, as he was not present at the March 25, 2013, City Council meeting. (4-0-1)

Item 5. on the Agenda.

MAYOR'S STATE OF THE CITY ADDRESS

Mayor Suter's began the Mayor's State of the City Address, which was accompanied by a Power Point presentation, by saying it is the privilege of the Mayor, at the last Council meeting of their term, to give an update on the State of the City. Mayor Suter said it was her pleasure to provide some highlights of the past year, during the time it has been her honor to serve the City as Mayor. It has been an exciting year, and it starts with a great group of people, and this has been a wonderful Council with whom to work. In 2011, we had an extremely unusual situation of having a majority of the City Council turn over, and that can be a challenging situation for a city. This is a group of Council members who "get it"; who share a common vision, and "gets" the long term plans and visions that the City has been working on for the last decade. This Council has come together to become a really dynamic group, who works together cooperatively and professionally. Mayor Suter said she has really appreciated that this past year. There is a lot of vision and great experience represented at this table, and that will continue for the next year and beyond.

Mayor Suter said the City has had several special new businesses this past year that were recognized for their contributions to the community. The Mosaic Health Care Center was a 2012 Keystone winner, as was Headrush Roasters, which is located on North Oak Trafficway, close to City Hall. Many folks have been excited about the opening of Mi Ranchito restaurant on North Oak Trafficway. They have several restaurants in the area, and they bring a cadre of fans with them, so it was great to have them in our City. We anticipate more, new and better businesses will come in the upcoming years, and a lot of what has been going on in the City in the last few weeks will set the stage for that.

Mayor Suter said the City implemented Stage One of the Parks Comprehensive Plan. Many participated in the focus groups and surveys. The City involved the citizenry in many ways to receive input for this plan. There was a new play structure installed in Central Park, as well as new picnic tables, and so forth, which have been a big hit already. Children are always looking for new and exciting places to play in Gladstone. There will be lots of work to come on the Parks Master Plan, because it is a long-term plan, with a lot of big ideas in it. It will take some special effort and special funding, as we go forward to accomplish the goals, but we got off to a great start this year.

Mayor Suter continued by saying the City continued stormwater and sewer improvements, finishing some of the last projects from the 2010 Bond Issue. Tightening up our entire system is what the City has been working on, to make sure there is no inflow that should not be in the system. The City spent another \$20 million on capital improvement projects over the past year, so it has been a very busy year for water, sewer, and also road improvements. The City has an ongoing plan to assess the condition of roads every year, and rank them, and that is the priority that keeps us moving forward. There are several levels of repair, from doing slurry seals, mill and overlay, or full depth replacement, in an effort to keep roads in the best shape possible. The City spent \$1 million in street maintenance this last year, and the 69th Street project is one of the ones that people may be focused on at this time. It continues to be under construction, and it will be completed. Northeast 76th Street was the last of the bonds projects from the 2010 bond issue. It was a complete rebuild. Ribbon cuttings on this street have been canceled twice due to snow, but it is hoped that people are enjoying the new road. It was a great improvement and will eliminate the flooding that stopped traffic in the spring. Mayor Suter encouraged everyone to drive down Northeast 76th Street to see the improvements.

Mayor Suter reported a new fire truck was purchased. This fire truck is state of the art, and our City has raised the bar on our own facilities, and challenged fire departments all over the state to join us in investing in things that are energy efficient and technologically advanced. The savings on fuel for this engine is quite astounding, because 80 percent of the time our emergency vehicles are in service, they are in idle. A lot of other governmental entities have visited our City to see our new fire truck, and it has been taken on a tour to show other cities the advantages of spending a little more money to save more money in the long run. Much of this project was designed by our own Public Safety employees, even down to the insignias, which is another great element of this project. It doesn't happen very often where employees have the opportunity for that kind of input, so there was a lot of pride with this project.

Mayor Suter stated that during this past year, our tradition in Gladstone for private/public partnerships has been paying off "to beat the band". People are talking all over the region about Gladstone. It started with the natatorium and community center, and our unique partnership with the North Kansas City Schools. That set the stage for the next phase. Our City has invested in the amphitheatre and improvements in this area, and the park, and that has brought along private investments; the new building with Dr. Pollina is one of the most recent examples. Dr. Pollina had a vision for his own business, and we had a vision for what we wanted to see in the downtown area, and they were not exactly the same. When we got together and talked, planned, and shared our dreams, what we ended up with was that Dr. Pollina had a much bigger vision for his own property, and it helped us to achieve a bigger

vision for Gladstone. This was a unique partnership that allowed our City to make sure our downtown vision was realized - that is for multi story, urban architecture for our downtown center. Dr. Pollina's fabulous building incorporates public art, as well as what he is doing with the windows, architecture, and children's space, which will be fabulous. They should be ready to move into the new building in June. It was the key to doing Linden Square the way we wanted. As it came up out of the ground, it became more evident that working together was the key to getting the kind of facility that was wanted for Linden Square. Having the concession stand in the basement of Dr. Pollina's building worked great this last weekend. Mayor Suter said when a little performance pavilion was discussed, she did not have something this grand pictured in her mind, so it was exciting to see it built.

Mayor Suter reported that the Linden Square artificial ice rink was installed in November, which kicked off the new entertainment venue. It was a fun night, and was part of the Mayor's Christmas Tree event, as the Mayor's Christmas Tree was moved to Linden Square this past year, in order to take advantage of the new facility. After the Mayor's Christmas Tree lighting event, there was a Winter Carnival celebration in Linden Square in December. Santa Clause was on hand, and over 2,000 people skated on the synthetic ice, which has become quite a conversation piece, not only here, but also all over the area. It was an eco friendly investment, which allowed us to use the facility in more than one way; so it is more than just an ice skating rink. A lot of rental groups have been attracted, especially area schools, who brought their entire classes, and in some cases incorporated ice skating into their physical education programs. This was a key partnership with the community that benefits the children and helped the City ensure the rink was utilized as fully as possible. First years are always "getting started" years, and it was determined that most people in the City do not know how to ice skate. Some people who have come from other places, have ice skated all their lives, but lots of folks and children have not had that experience. Instructions were given on Saturday afternoons, and that program will be expanded next season, so that more and more people may enjoy the ice skating rink.

Mayor Suter said the Linden Square development has turned out both to be exactly what we hoped for, and more than what we hoped for in a lot of ways. When the lights went on for the Christmas Tree lighting event, and all the white lights went on, people called in the next day to schedule weddings in the facility. This last weekend about 20 people asked her if weddings would be allowed in the pavilion and for use of the Linden suite space above it, so there are lots of different kinds of ideas that were not on the list when the City started the process, but have evolved as people want to make this area their own.

Mayor Suter reported that Arbor Day was just celebrated recently, which was a fun event with a bunch of first graders at Meadowbrook Park. There was an opportunity talk about trees and how important they are to the environment, to us, and what good friends they can be. A Black Gum tree was planted. For the last several years, trees have been planted in this park, so there are about four trees there now growing and becoming worthy of attention. The children helped in planting the tree, and every single child who attended got to shovel dirt into the hole with the new tree. It was a beautiful day with the first graders singing a great song about friends at schools.

Mayor Suter stated when it finally stopped snowing, we did get on to the official Linden Square dedication this past weekend, and it was as much fun or more as the Mayor's Christmas Tree lighting event. There was a great turnout. It is official, although, the building behind the square is not yet completed. We started with the band *Liverpool*; there was a great turnout and great energy on Friday night. People were rocking and rolling and dancing. There was great weather; we thank God for that. It was really a stretch to get everything done in time. Mayor Suter said we have learned a lot in Gladstone this past year about "just in time" construction, finishing, program planning, and implementation. Two days before the Christmas Tree lighting, there was not yet an ice rink – it was still on a truck, traveling here. This past week was similar, with Parks and Recreation Director Sheila Lillis and her staff, with envisioning happening, but there were still things being installed in the concession stand, and yet, it was pulled off, and the people who attended our events this past year had no idea that the projects were that close to the wire to being finished, because they all ended up looking so great. There is an entire season of outdoor entertainment planned for Linden Square, and it is hoped that this is something that Gladstone residents incorporate into their daily life, where they take a chair and enjoy a concert.

Mayor Suter continued by saying a lot of work with the Atkins Johnson Farm has happened since she has been on the City Council. The next Mayor will have the opportunity to cut the ribbon for what is happening with the Big Shoal Heritage Area, which is the whole area that encompasses the Atkins Johnson Farm and the historic cemetery on the property. We own 22 acres there. Walking trails have been installed, as well as restrooms. It is a great facility, and a great place for entertainment venues. There will most likely be requests for weddings. The front portico would be a great place for a country wedding. The City is working with the local school districts on curriculum, because the whole point of this development is to help future generations to understand and appreciate what farm life was like, and how important it was for the development of America, and hopefully, to help children better understand where their food comes from. As more and more of us are urban, some have no idea where food comes from or how food is processed and produced. Mayor Suter said, as a family farmer herself, a long time ago, she has an interest in seeing this project move forward. Heritage gardening is going in, and orchards and greenery will be refurbished. April 27, 2013, is the grand opening for that event. It is a curated museum, which means the City has professionally curated exhibits in the house, so it is more than just a general area for recreation and education. It is a really sophisticated display and exhibit area. Our City will have our own exhibits and there will be rotating exhibits, much as there is with art in the Community Center, where we have our own public art investment, as well as rotating art.

Mayor Suter reported that this past week the City received a lot of great publicity about the Heights at Linden Square. The City has been working on the downtown center idea for almost a decade, and what Gladstone residents said over and over, every time asked, is that they want more housing opportunities that are upscale, with high quality and higher density. What we are getting is exactly that – a mixed use, residential retail project, with 222 luxury apartments and 10,000 square feet of retail on the first floor. It will be a four story complex, going up right across the street, and it will take up two entire city blocks. It is going to "change the game" for Gladstone and for this area. It is a unique partnership, and an interesting fluke. Economic Development Administrator Melinda McHaffy ran some national

ads about our downtown center idea, and a national publication ran the ad in the wrong issue, but someone from Flaherty & Collins in Indianapolis happened to pick up that issue, saw our ad, were intrigued, and called us. This is what started this relationship that has turned into the Heights at Linden Square. It will be a full amenities type of property, and it will attract all kinds of other retail and development to this area. If we make a public investment, it brings along a private investment; make a little more public investment, it brings even bigger private investment. This would not be here if the Pollina building had not happened, and it would not be here if the amphitheatre had not happened, and none of it would have happened without the Community Center.

Mayor Suter concluded by saying that lots of exciting things have happened, and it has been a blessing to be on the City Council for the last six years. Mayor Suter said that the City Council agreed that they all feel so blessed to be here at this time, not because they did all that much, but because many in the room did a lot to help get to this place, and this Council has had the fun opportunity to see a lot of the dreams coming true. Mayor Suter said it has been a great year in terms of the state of the City, and the Council leaves it in better shape than they found it a year ago. With all the exciting development and activity in the City, we are fiscally sound. Our City still has its 20 percent cash reserve, and very little debt, and that is because we have one the most fabulous City staff anywhere in the country. The City Council is well aware of that every single day as they do their work, because the staff makes it easy to govern well. That kind of taking care of the basics everyday pays off when we have the opportunity to invest when others are cutting back, and to create and innovate, when others are having to eliminate. Mayor Suter thanked everyone for a great year, and said she was excited to turn over a great city in great hands to the next Mayor, as we move forward.

Mayor Suter's remarks were followed by applause from the audience.

Item 6. on the Agenda. **FIRST READING BILL NO. 13-14**, declaring the results of the Tuesday, April 2, 2013, Gladstone General Municipal Election as certified by the Clay County Board of Election Commissioners that City Council Candidate Bill Garnos has been elected to a three-year term on the Gladstone City Council.

Mayor Pro Tem Jean Moore moved to place **BILL NO. 13-14** on its First Reading. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Mayor Pro Tem Jean Moore moved to accept the First Reading of **BILL NO. 13-14**, 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, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Mayor Pro Tem Jean Moore moved to accept the Second and Final Reading of **BILL NO. 13-14**, and to enact the Bill as **Ordinance 4.236**. Councilman Brian Hill seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0).

Item 7. on the Agenda. CITY COUNCIL OATH OF OFFICE: BILL GARNOS.

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

Mayor Suter welcomed Councilman Garnos and said it was good to have him back on the City Council.

Item 8. on the Agenda. ELECTION OF MAYOR AND OATH OF OFFICE.

Mayor Carol Suter presided and opened nominations for the office of Mayor of the City of Gladstone.

Councilman Barry McCullough moved to place in nomination the name of **Mayor Pro Tem Jean Moore** as Mayor of the City of Gladstone, Missouri. Councilman Brian Hill seconded.

As there were no further nominations for the office of Mayor to come before the City Council, Mayor Suter called for a vote.

The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore and Mayor Carol Suter. (5-0).

Mayor Suter congratulated Mayor Jean Moore.

Following 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 Jean Moore**. The audience applauded the newly elected Mayor.

Following applause from the audience, Mayor Jean Moore took her place at the City Council dais.

Mayor Suter stated that this was a historic evening for the City of Gladstone for two reasons, as she passed the gavel; number one, this is the first time in the history of Gladstone that an outgoing woman Mayor has passed to an incoming woman Mayor, and secondly, Mayor Moore is the second Mayor Moore in the history of Gladstone. This is the first time in the history of Gladstone that an incoming Mayor is the spouse of a person who served as Mayor previously. Her husband, Rick Moore, served as Mayor some years ago when he was a very young man, so this is the first husband/wife team.

Applause from the audience followed.

Mayor Jean Moore thanked the City Council for their confidence they showed her in their vote for her as Mayor. Mayor Moore said she was honored and very excited for the upcoming year, and she pledged her energy, efforts, and passion for this City. Mayor Moore said the title of Mayor is singular, but she does not look upon the job as that; she looks upon it as a completely collaborative effort. It is certainly not a job that one person could handle solo. Mayor Moore said if she considered the most recent Mayors – Mayor Les Smith, Mayor Barry McCullough, and Mayor Carol Suter, the bar for Mayor in Gladstone is set really high. That does not even count all the people that are seated in the audience who faithfully served in that position before all of the current Council. Mayor Moore said she would be looking to each Council member, staff, and the citizens of our City for input and support as we continue to work together to make Gladstone an even better place for residents and businesses.

Mayor Moore's comments were followed by applause from the audience.

Item 9. on the Agenda. ELECTION OF MAYOR PRO TEM.

Mayor Jean Moore presided and opened nominations for the office of Mayor Pro Tem of the City of Gladstone.

Councilman Garnos said he was happy to be the first to formally refer to the Mayor as Mayor Moore.

Councilman Bill Garnos moved to nominate Councilman Brian Hill as Mayor Pro Tem of the City of Gladstone, Missouri. Councilmember Carol Suter seconded.

As there were no further nominations for the office of Mayor Pro Tem to come before the City Council, Mayor Moore called for a vote.

The vote: All "aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Councilmember Carol Suter, and Mayor Jean Moore. (5-0).

Mayor Moore announced that Councilman Brian Hill had been elected as Mayor Pro Tem, which was followed with applause from the audience.

Mayor Pro Tem Brian Hill offered his thanks, and said he looked forward to working with Mayor Moore, and he looked forward to her leadership.

Mayor Moore thanked Mayor Pro Tem Hill.

REGULAR AGENDA

Item 10. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

C. Milton Wallace (former Mayor of Gladstone), 3101 NE 69 Street, said Mayor Suter mentioned earlier that this is a dynamic Council, and he believed everyone in the City has been very pleased with the City Council's efforts over the last two years, and with all of the

things that have happened. Mr. Wallace said he did wish to mention something this evening; although, he did not want any research or answers, but he did wish to have added to the City's priority list, as he has a concern as he looks at our country and what is happening, and what we are headed into, and the cities that are on the verge of bankruptcy and already are bankrupt, he believes we have an unfunded liability. Mr. Wallace said he is not sure that is prevalent in any information that is put out, but he would like to include on a priority list the elimination of our City's unfunded liability, as well as our indebtedness as a city, so we can say no matter what comes, we won't have a problem. Mr. Wallace said he thought it was etched in stone a hundred years ago, but it wasn't, and he would like for the City Council to consider this, and add it to the City's priorities.

Mayor Moore thanked Mr. Wallace.

Steve Roling, 11920 Summit, Kansas City, Missouri, stated the current Mayor and he had the opportunity to work together for a gentleman named Tom Eagleton when they were both in their 20's, and he was the standard for what public service is all about. He taught all of them that public service is a good thing. Mr. Roling said, "He would be so proud of you, Jean". Mr. Roling congratulated Mayor Moore.

Mayor Moore thanked Mr. Roling.

Item 11, on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Councilman Bill Garnos stated it was an honor and privilege to be able to return to the City Council, and he was very pleased to be back, having now served his probationary period, he can now fulfill a full term this time. Councilman Garnos reported that the North Oak Corridor Stakeholders' meeting final report would be tomorrow (April 9, 2013), and it might be worth while to have a summary of that report brought before the City Council, perhaps in an Open Study Session, since the North Oak corridor is such a critical issue for the City. Councilman Garnos reported that Thursday, April 11, 2013, would be the next meeting of the Building Commission.

Councilman Barry McCullough congratulated Councilman Garnos, and said he was glad he was still sitting beside him. Councilman McCullough said to former Mayor Suter that it was a pleasure. Former Mayor Suter did a great job leading the City Council, and handed off the baton very well. Councilman McCullough said he appreciated everything former Mayor Suter did for the City and her leadership with this Council; she did an amazing job, and it is greatly appreciated.

Councilman McCullough said to Mayor Moore that he was excited for the upcoming year, and he looked forward to her leadership, and he looked forward to supporting her any way necessary.

Councilmember Carol Suter reported that the Home Show is coming up April 12 and 13, Friday night and Saturday. This is the fourth year for the "green" Home Show, and she encouraged everyone to participate in this event. On April 27, 2013, will be the opening of

the Atkins Johnson Museum, so that is another special date to keep in mind. It is better to be busy than not, and we are at a crescendo with a lot of things going on.

Councilmember Suter offered congratulations to Councilman Garnos, and said she was glad he was back with the City Council. Councilmember Suter offered congratulations to both Mayor Moore and Mayor Pro Tem Hill, and said she appreciated the camaraderie of this group and she looks forward to working together again this next year.

Mayor Pro Tem Brian Hill offered congratulations to Councilman Garnos, and said he looked forward to working with him and the other Council members and Mayor Moore. Mayor Pro Tem Hill expressed his appreciation to former Mayor Suter for her tremendous leadership, and her hard work. The bar just keeps going up and up, and former Mayor Suter definitely set a very high standard. Mayor Pro Tem Hill said he has heard lots of good things about our Mayor, so there have been lots of comments from the public about her involvement, and appearances, and they are much appreciated.

Mayor Pro Tem Hill thanked the Parks and Recreation Department, staff and GEMA (Gladstone Emergency Management Agency) for their hard work with the production over the last weekend. It was an amazing coordination of effort over the past weekend on all involved, and he knew that Parks and Recreation Director Sheila Lillis headed up this effort, so he wanted to express his thanks to her.

Mayor Pro Tem Hill said to Mayor Moore that he looked forward to working with her and the rest of the Council in the next year.

Mayor Jean Moore extended her congratulations to Councilman Garnos, and jokingly said she was glad he was "off probation"! Mayor Moore offered congratulations to Mayor Pro Tem Hill, and said she looks forward to working with him.

Mayor Moore said she could not say enough wonderful things about Mayor Suter's term. She did an amazing job for the City, and beyond. With all former Mayor Suter's regional touches, and all her involvement, she really has brought Gladstone to the table, where we did not formerly have a seat, and we are all very grateful for that. Mayor Moore said she hoped former Mayor Suter would continue with those efforts, because we still want her there. Mayor Moore thanked former Mayor Suter.

Councilmember Suter thanked Mayor Moore.

Mayor Moore said she hoped that everyone talks about Linden Square and all the excitement there, and she believes that everyone who lives in Gladstone are ambassadors for the City, and it is our obligation and responsibility to talk up all the great things that are going on. Mayor Moore said she has heard people say they did not know where Linden Square was located or what was going on there, so she encouraged everyone to tell folks about it, and to bring their friends and neighbors to events. Mayor Moore said the City has a marketing plan, but it is up to all of us to keep pushing and talking to people. We have been called the Jewel of the Northland, so let's polish off that jewel and really make it shine, and we have an opportunity

to do that with all events and excitement that will be happening at Linden Square now and through the fall.

Mayor Moore moved to Item 13. on the Agenda.

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

City Manager Kirk Davis encouraged everyone to visit Linden Square on Friday and Saturday night, throughout the summer, for some the programmed events. City Manager Davis thanked Assistant City Manager Scott Wingerson for his work on this project. Mr. Wingerson came up with the idea of synthetic ice, and he "drove the ship" on this project. It was a multi departmental approach with this project, and he was responsible for it and for bringing that ship to dock. He did a great job. City Manager Davis said that Anthony Sands in Public Works, is another person who spent a lot of time on this project, behind the scenes, making sure that everything worked right, and he did a great job. The keys will now be turned over to Parks and Recreation, and Parks and Recreation Director Sheila Lillis and her staff did a good job in coordinating the event the other night and will do a good job on upcoming events. City Manager Davis said he would like to see much bigger crowds, especially when the weather warms up.

City Manager Davis offered congratulations on the behalf of staff to Councilman Garnos, Mayor Moore, Mayor Pro Tem Hill, and a special thank you to former Mayor Suter, and offered "well done" to former Mayor Suter.

Item 12. on the Agenda. INTRODUCTION OF THE PAST MAYORS AND CITY COUNCIL MEMBERS.

Mayor Moore said she skipped Item 12. on the agenda, and said how bad is that, because this is really an exciting time for us, when she looks at the audience and sees the faces of people she knows have spent energy, efforts, devotion, caring, and untold hours of work for the City. It is the Council's great opportunity to welcome them tonight and introduce them. Mayor Moore introduced past Council members and Mayors as follows:

Jim Butler
Larry Whitton
Carmelina Smith, the widow of Everett Smith and Mother of Les Smith
Anita Newsom
Milton Wallace
Carol Rudi
Wayne Beer
and Mayor Moore's husband, Rick Moore.

Item 14. on the Agenda. RESOLUTION R-13-20, authorizing execution of a contract with Hettinger Excavating LLC, in the total amount not to exceed \$455,716.45 for the 2013 Small Water Main Replacement Project.

Councilman Barry McCullough moved to adopt **RESOLUTION R-13-20**, authorizing execution of a contract with Hettinger Excavating LLC, in the total amount not to exceed \$455,716.45 for the 2013 Small Water Main Replacement Project. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 15. on the Agenda. **APPROVAL OF A CHANGE IN LOCATION ONLY** for TNT Two, Inc., dba Tanner's Bar & Grill, which holds a Class AR&B Liquor by the Drink License. The address change is from 6024 Northeast Antioch Road to 6221 North Chestnut (formerly Tommy's). Managing Officer: Penni L. Hanebuth.

Mayor Pro Tem Brian Hill moved to approve a **CHANGE IN LOCATION ONLY** for TNT Two, Inc., dba Tanner's Bar & Grill, which holds a Class AR&B Liquor by the Drink License. The address change is from 6024 Northeast Antioch Road to 6221 North Chestnut (formerly Tommy's). Managing Officer: Penni L. Hanebuth. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (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.

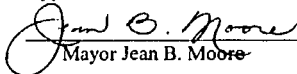
Item 18. on the Agenda. **ADJOURNMENT.**

Mayor Moore invited everyone to attend a reception in the North and South Conference Rooms after the adjournment of this meeting. There being no further business to come before the April 8, 2013, Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: X
Approved as corrected/amended:


Mayor Jean B. Moore



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, APRIL 22, 2013**

The City Council will meet in Closed Executive Session at 5:45 PM, on Monday, April 22, 2013, 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(2) for Real Estate Acquisition Discussion.

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 April 8, 2013, City Council Meeting Minutes.**
- 5. PROCLAMATION: recognizing May 2013, as BUILDING SAFETY MONTH in the City of Gladstone, Missouri.**
- 6. PROCLAMATION: recognizing the week of May 12-18, 2013, as POLICE WEEK, and May 15, 2013, as PEACE OFFICERS MEMORIAL DAY in Gladstone, Missouri.**
- 7. PROCLAMATION: recognizing May 2013, as OLDER AMERICANS MONTH in the City of Gladstone, Missouri.**

8. CONSENT AGENDA

APPROVAL OF A NEW CLASS "A-E" SIX DAY LIQUOR BY THE DRINK LICENSE for The Lost Bar & Grill, LLC, dba Lost Bar & Grill, 7632 North Oak Trafficway. Managing Officer/Owner: Donald Ray Gibson, Jr.

APPROVAL OF PARK FESTIVAL USE PERMITS for the 17th Annual Gladstone Summertime Bluesfest in Oak Grove Park, 76th & North Troost, Friday and Saturday, June 7-8, 2013, including approval of designated smoking areas; and the 34th Annual Gladfest Celebration on Friday, Saturday and Sunday, October 4-6, 2013, 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.

APPROVAL OF BEER LICENSE for the Gladstone Summertime Bluesfest in Oak Grove Park, 76th & North Troost, (2-day license), June 7-8, 2013, Managing Officer: Amy Harlin; and the Gladfest Celebration in the Gladstone Central Park area, near 69th & N Holmes, (3-day license) October 4-6, 2013, Managing Officer: Amy Harlin.

APPROVAL OF THE MARCH 2013 FINANCIAL REPORT.

REGULAR AGENDA

- 9. Communications from the Audience.**
- 10. Communications from the City Council.**
- 11. Communications from the City Manager.**
- 12. FIRST READING BILL NO. 13-15**, approving the Final Plat of Johnson Farm – First Plat, Lot 1, Gladstone, Clay County, Missouri, and directing the appropriate officials to affix their signatures to said plat for recording.

13. **RESOLUTION R-13-21**, authorizing acceptance of work under contract with Superior Bowen Asphalt Company, LLC, for the 2012 Mill and Overlay Project; and authorizing final payment in the amount of \$500.00 for Project TP1206.
14. **RESOLUTION R-13-22**, ratifying agreements for fire protection and emergency medical services between the City of Gladstone and Villages of Oakview, Oakwood, Oakwood Park and the Oaks with provisions for automatic twelve-month renewals allowing for ninety days notice of termination.
15. **RESOLUTION R-13-23**, authorizing the City Manager to execute a third amendment to the antenna site lease with Sprint Spectrum Realty Company, L.P., for the Linden Water Tower Site.
16. **RESOLUTION R-13-24**, authorizing the City Manager to execute a third amendment to the antenna site lease with Sprint Spectrum Realty Company, L.P., for the Antioch Water Tower site.
17. Other Business.
18. Questions from the News Media.
19. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, APRIL 22, 2013**

Mayor Jean Moore opened the City Council Meeting to adjourn to a Closed Executive Session on April 22, 2013, at 5:45 PM. Councilman Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(2) for Real Estate Acquisition Discussion. Councilman Bill Gamos seconded.

Roll Call Vote: All "aye" – Councilman Bill Gamos, Councilman Barry McCullough, and Mayor Jean Moore. (3-0).

Mayor Pro Tem Brian Hill and Councilmember Carol Suter were also present at the Closed Executive Session.

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

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
Councilman Barry McCullough
Councilman Bill Gamos

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 Jean Moore opened the Regular April 22, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Moore stated that the City had the honor this evening of having Boy Scout Troop 203 and Cub Scout Pack 203, from Independence, Missouri, in attendance, who were going to

present the Colors and lead the Pledge of Allegiance. Following the Pledge of Allegiance, in which all joined, Mayor Moore invited the Scouts to introduce themselves as follows:

Eagle Scout Troy Morris
Cub Scout Tavion Pinks
Boy Scout Sebastian Gonzalez
Cub Scout James Baker
Cub Scout Sterling Turner
Eagle Scout Ian Clark
Scout Leader with both the Pack and the Troop, Annette Clark, who is the City of Gladstone Human Resources Assistant
Cub Scout mother Amber Baker
Cub Scout mother Kristina Turner

Mayor Moore thanked the group and said it was very special having them in attendance at this meeting.

Mayor Moore reported that there was sad news over the weekend about the death of Shirley Smith, who served as a member of the Gladstone City Council from April 2000 to April 2003. She lived in Gladstone over 50 years, and dearly loved this City. Shirley served on VIPS, Volunteers in Police Service, since its inception three years ago. Mayor Moore said she remembered how excited Shirley was that she had finally received her uniform. Shirley was involved with the Gladstone Seniors, and was a supporter of the Gladstone Theatre in the Park, in which her nieces were involved. Shirley was a long time member and elder of Gashland Presbyterian Church, and an active member of the Clay County Democrats. Mayor Moore said that Shirley would be greatly missed by all her friends and family. The funeral services will be held on April 23, 2013, at 10:00 AM, at Gashland Presbyterian Church. Mayor Moore asked that everyone observe a moment of silence in honor of former Councilmember Shirley Smith.

Item 4. on the Agenda. **APPROVAL OF THE APRIL 8, 2013, REGULAR CITY COUNCIL MEETING MINUTES.**

Councilman Barry McCullough moved to approve the **APRIL 8, 2013, REGULAR CITY COUNCIL MEETING MINUTES** as presented. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 5. on the Agenda. **PROCLAMATION: recognizing May 2013, as BUILDING SAFETY MONTH in the City of Gladstone, Missouri.**

Mayor Moore read and presented the **PROCLAMATION: recognizing May 2013, as BUILDING SAFETY MONTH in the City of Gladstone, Missouri** to Building Official Alan Napoli, who thanked the Mayor and City Council.

Item 6. on the Agenda.

PROCLAMATION: recognizing the week of May 12 -18, 2013, as **POLICE WEEK**, and May 15, 2013, as **PEACE OFFICERS MEMORIAL DAY** in Gladstone, Missouri.

Mayor Moore read and presented the **PROCLAMATION:** recognizing the week of May 12 -18, 2013, as **POLICE WEEK**, and May 15, 2013, as **PEACE OFFICERS MEMORIAL DAY** in Gladstone, Missouri to Public Safety Sergeant Chris Smith.

Sergeant Chris Smith said he was in the Law Enforcement Division of the Public Safety Department, and he also introduced Officer Nick Parker, Officer Beth Park, and Detective Cheena Simpson. Sergeant Smith said on behalf of the Law Enforcement Division, he wished to say thank you to the Mayor, City Council and the citizens of Gladstone for the recognition, and it is also important for Law Enforcement in general, so this was very much appreciated.

Item 7. on the Agenda.

PROCLAMATION: recognizing May 2013, as **OLDER AMERICANS MONTH** in the City of Gladstone, Missouri.

Mayor Moore stated the **PROCLAMATION:** recognizing May 2013, as **OLDER AMERICANS MONTH** in the City of Gladstone, Missouri, would not be read tonight, and it would be mailed to Clay County Senior Services.

Item 8. on the Agenda.

CONSENT AGENDA

Councilmember Carol Suter moved to approve a **NEW CLASS "A-E" SIX DAY LIQUOR BY THE DRINK LICENSE** for The Lost Bar & Grill, LLC, dba Lost Bar & Grill, 7632 North Oak Trafficway. Managing Officer/Owner: Donald Ray Gibson, Jr. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" - Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to approve **PARK FESTIVAL USE PERMITS** for the 17th Annual Gladstone Summertime Bluesfest in Oak Grove Park, 76th & North Troost, Friday and Saturday, June 7-8, 2013, including approval of designated smoking areas; and the 34th Annual Gladfest Celebration on Friday, Saturday and Sunday, October 4-6, 2013, 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 Brian Hill seconded. The vote: All "aye" - Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to approve a **BEER LICENSE** for the Gladstone Summertime Bluesfest in Oak Grove Park, 76th & North Troost, (2-day license), June 7-8, 2013, Managing Officer: Amy Harlin; and the Gladfest Celebration in the Gladstone Central Park area, near 69th & N Holmes, (3-day license) October 4-6, 2013, Managing Officer: Amy Harlin. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" - Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to approve the **MARCH 2013 FINANCIAL REPORT**. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Gamos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

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.

Councilman Bill Gamos had no comments at this time.

Councilman Barry McCullough thanked Public Works Director Tim Nebergall and his crews for all the long hours they have been working in his neighborhood, repairing all the water mains that have broken in the last two weeks. The crews have been putting in hours overnight. It was a lot of work, and even last Friday night they were working for a very long time. Councilman McCullough said he appreciates all their work in going above and beyond.

Councilmember Carol Suter said it has been a very busy month, and the City has had a lot of activities. Councilmember Suter reminded everyone that this weekend is the grand opening of the Atkins-Johnson Farm and Museum. That event will be on Saturday, April 27, 2013. The ribbon cutting will be Friday afternoon, April 26, 2013. Councilmember Suter expressed appreciation to Richard King for the great job he has done with publicity. Our City is being seen in places that we often are not seen, both in the print media and the electronic media, as well as the television. Councilmember Suter said she has appreciated all of his efforts.

Councilmember Suter expressed her thanks and appreciation to those who remembered her husband, Eugene, with their thoughts, cards, and prayers as he recovered from his successful surgery last week. He is recovering very well.

Mayor Pro Tem Brian Hill said he wished to echo Councilman McCullough's thanks to Public Works for the long hours they have put in with the water main breaks, for restoring water service, and making roads passable over the past few days.

Mayor Jean Moore reported that she had the opportunity yesterday to go Antioch Bible Baptist Church, and present a Proclamation on the occasion of their 50th anniversary celebration. Director Hasty and his wife were also there, and it was a big celebration, with a packed house. The Church was deeply appreciative of the relationship that the Church has

with the City, and all the good things back and forth between the City and the Church. It was a great event and celebration, and she was honored to present her first Proclamation as Mayor to them.

Mayor Moore said she also wished to thank Director Nebergall. She was approached in Starbucks last week by a couple she has known for a long time, who had experienced lots of water main breaks, they felt, in their neighborhood. Mayor Moore said she sent an e-mail to Director Nebergall and to the City Manager, and that afternoon they had an answer. The couple were very pleased that action was being taken, and more importantly, that we had addressed their issues so promptly. Mayor Moore said that was deeply appreciated.

Item 11. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis said the Public Works crews were out until 2:30 AM at Brooktree and Buttonwood, and were back out at 5:00 AM on 67th Street on another break, so they did not get a lot of sleep. They were called again to a third break over the weekend. They do not get a lot of credit, and it can sometimes be a nasty job. They work hard and do a good job.

City Manager Davis said the hours for the Atkins-Johnson Farm and Museum event this weekend is 11:00 AM to 4:00 PM, on Saturday, and the admission is free. On May 4, 2013, the Big Shoal Bonnet Festival is scheduled on the grounds at the Atkins-Johnson Farm and Museum. There will be a scrap bookers' sale, a fundraiser for the Farm. City Manager Davis invited everyone to attend these events.

City Manager Davis invited everyone to visit Linden Square to enjoy the band, *Hazard County* on Friday and *River Town* on Saturday; if people like Country Western, this would be the right spot. City Manager Davis reported that the North Oak Corridor Study open house would be April 23. from 5:00 to 7:00 PM, at Harmony Vineyard Church, and he encouraged anyone interested in providing input or learning more about this to attend.

Item 12. on the Agenda. **FIRST READING BILL NO. 13-15**, approving the Final Plat of Johnson Farm – First Plat, Lot 1, Gladstone, Clay County, Missouri, and directing the appropriate officials to affix their signatures to said plat for recording.

Councilman Barry McCullough moved to place **BILL NO. 13-15** on its First Reading. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the First Reading of **BILL NO. 13-15**, 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 Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the Second and Final Reading of **BILL NO. 13-15**, and to enact the Bill as **Ordinance 4.237**. Councilman Brian Hill seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 13. on the Agenda. **RESOLUTION R-13-21**, authorizing acceptance of work under contract with Superior Bowen Asphalt Company, LLC, for the 2012 Mill and Overlay Project; and authorizing final payment in the amount of \$500.00 for Project TP1206.

Mayor Pro Tem Brian Hill moved to adopt **RESOLUTION R-13-21**, authorizing acceptance of work under contract with Superior Bowen Asphalt Company, LLC, for the 2012 Mill and Overlay Project; and authorizing final payment in the amount of \$500.00 for Project TP1206. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore.

Item 14. on the Agenda. **RESOLUTION R-13-22**, ratifying agreements for fire protection and emergency medical services between the City of Gladstone and Villages of Oakview, Oakwood, Oakwood Park and the Oaks with provisions for automatic twelve-month renewals allowing for ninety days notice of termination.

Councilman Barry McCullough moved to adopt **RESOLUTION R-13-22**, ratifying agreements for fire protection and emergency medical services between the City of Gladstone and Villages of Oakview, Oakwood, Oakwood Park and the Oaks with provisions for automatic twelve-month renewals allowing for ninety days notice of termination. Councilman Bill Garnos seconded.

Councilman Barry McCullough thanked Public Safety Director Hasty for all the time he spent trying to balance everyone's interest in getting these agreements to come together. Councilman McCullough said he knew Counselor Thompson also had a fair amount to do with this effort. Councilman McCullough offered "good work", and said he was glad this was finally all put together.

Councilman Bill Garnos asked if the agreements included the forgiveness of ambulance costs that Gladstone residents enjoy.

City Manager Davis replied the agreements do not give them the same benefits as Gladstone residents. It does provide them EMS coverage.

The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 15. on the Agenda. **RESOLUTION R-13-23**, authorizing the City Manager to execute a third amendment to the antenna site lease with Sprint Spectrum Realty Company, L.P., for the Linden Water Tower Site.

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-23**, authorizing the City Manager to execute a third amendment to the antenna site lease with Sprint Spectrum Realty Company, L.P., for the Linden Water Tower Site. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 16. on the Agenda. **RESOLUTION R-13-24**, authorizing the City Manager to execute a third amendment to the antenna site lease with Sprint Spectrum Realty Company, L.P., for the Antioch Water Tower site.

Councilman Bill Garnos moved to adopt **RESOLUTION R-13-24**, authorizing the City Manager to execute a third amendment to the antenna site lease with Sprint Spectrum Realty Company, L.P., for the Antioch Water Tower site. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 17. on the Agenda. **OTHER BUSINESS.**
There was no other business.

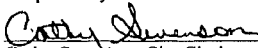
Item 18. on the Agenda. **QUESTIONS FROM THE NEWS MEDIA.**

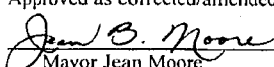
There were no questions from the News Media.

Item 19. on the Agenda. **ADJOURNMENT.**

There being no further business to come before the April 22, 2013. Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the meeting, and said the Open Study Session that was begun earlier would be reconvened.

Respectfully submitted:


Cathy Swenson, City Clerk

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

Mayor Jean Moore



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MAY 13, 2013**

The City Council will meet in Closed Executive Session at 5:15 PM, on Monday, May 13, 2013, 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.

OPEN STUDY SESSION: 6:00 PM

REGULAR MEETING: 7:30 PM

AMENDED AGENDA

- 1. Meeting Called to Order.**
- 2. Roll Call.**
- 3. Pledge of Allegiance.**
- 4. Approval of the April 22, 2013, REGULAR CITY COUNCIL MEETING MINUTES.**
- 5. PROCLAMATION:** recognizing the week of May 19 - 25, 2013, as **EMERGENCY MEDICAL SERVICES WEEK** in Gladstone, Missouri.

REGULAR AGENDA

- 6. Communications from the Audience.**
- 7. Communications from the City Council.**
- 8. Communications from the City Manager.**
- 9. RESOLUTION R-13-25**, authorizing execution of a contract with Superior Bowen Asphalt Company, LLC, in the total amount not to exceed \$537,590.25 for the 2013 Mill and Overlay Program; Project TP1306.
- 10. RESOLUTION R-13-26**, accepting Permanent Construction Easements and a Temporary Easement in conjunction with the Northeast 68th Street and North Woodland Avenue Storm Drainage Improvement Project.
- 11. RESOLUTION R-13-27**, authorizing the City Manager to execute an Office Sublease Agreement, Shared Conference Room Agreement, Shared Parking Lot Agreement and Parking Lot Lease between Oakhill Day School ("OHDS") and the City of Gladstone, Missouri.
- 12. FIRST READING BILL NO. 13-16**, repealing Ordinance No. 4.187, and enacting a new Ordinance levying sewer service charges and commodity rate charges in the City of Gladstone, Missouri.
- 13. FIRST READING BILL NO. 13-17** authorizing Google Fiber Missouri, LLC to operate within the right of ways of the City of Gladstone to construct, install, and operate video service, and to authorize the City Manager to execute agreements therewith.
- 14. Other Business.**
- 15. Questions from the News Media.**
- 16. Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MAY 13, 2013**

Mayor Jean Moore opened the City Council Meeting to adjourn to a Closed Executive Session on May 13, 2013, at 5:15 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. Councilman Bill Garnos seconded.

Roll Call Vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, and Mayor Jean Moore. (3-0).

Mayor Pro Tem Brian Hill and Councilmember Carol Suter were also present at the Closed Executive Session.

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

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
Councilman Barry McCullough
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 Jean Moore opened the Regular May 13, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present.

Mayor Jean Moore welcomed everyone who attended the meeting in person and also those watching the meeting on-line.

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

Mayor Moore introduced Battalion Chief Curtis Norris, who led the Pledge of Allegiance in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE APRIL 22, 2013, REGULAR CITY COUNCIL MEETING MINUTES.**

Councilman Barry McCullough moved to approve the **APRIL 22, 2013, REGULAR CITY COUNCIL MEETING MINUTES** as presented. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 5. on the Agenda. **PROCLAMATION: recognizing the week of May 19-25, 2013, as EMERGENCY MEDICAL SERVICES WEEK in Gladstone, Missouri.**

Mayor Moore read and presented the **PROCLAMATION** recognizing the week of May 19-25, 2013, as **EMERGENCY MEDICAL SERVICES WEEK** in Gladstone, Missouri to Battalion Chief Curtis Norris and members of the Fire/Emergency Medical Services Division as follows: Fire Captain Brad Myers; EMT (Emergency Medical Technician)/Firefighter Adam Namanny; EMT/Firefighter Chris Cox; Paramedic/Firefighter Bryan Tisdale; Paramedic/Firefighter Travis Wessel; Paramedic/Firefighter Craig Richey; Paramedic/Firefighter Jacob Brown; and Paramedic/Firefighter Nathan Zabka.

Mayor Moore said the City is so proud of the service these employees provide to the City and all the residents. Mayor Moore said she knows they are not thanked enough all the time, so she and the City Council wished to extend special thanks to them this evening.

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.**

Councilman Bill Garnos stated that as a former user of emergency medical services, he wished to join with the Mayor in recognizing Emergency Medical Services Week. Councilman Garnos said on Tuesday, last week, which was a gorgeous day, he rode his bike through Happy Rock Park. Every soccer field was packed with little children and surrounded by parents. Tennis was being played in the tennis courts. The basketball courts were active, and there were softball games taking place on the softball fields. Councilman Garnos said he had never seen so many people in Happy Rock Park, and he rode his bike through the park with a big smile on his face. Councilman Garnos said bringing those kinds of activities and

services takes the work of a lot of City staff, and it may get tiresome to hear at every Council meeting the work of City staff applauded, but from the top of the Parks and Recreation Department down to those who mowed the fields and chalked the outlines, it was a terrific day for hundreds of Gladstone residents and children. This is what we all do this for.

Councilman Barry McCullough had no comments at this time.

Councilmember Carol Suter thanked the City staff and all the volunteers who made the opening of the Atkins Johnson Farm and Museum a success. It was crazy weather, but there were approximately 350 people in attendance for the grand opening day, which was amazing given the weather, and the way some of the schedule was changed. That facility cannot be run without a lot of great volunteers doing their thing, and a lot of our staff working above and beyond the call of duty. It is an exciting facility, and it will be exciting to see what all it does not only for the City, but for the region, as far as putting us on the map as a tourism location. Councilmember Suter said that a lot of energy went into the event, and she really appreciated that.

Councilmember Suter reported that she did not believe she had seen as many dead trees in her life. The City took down dead pine trees, and still there are dead pine trees. Coming out of last year's drought, it is amazing how many dead trees there are in the community. Councilmember Suter said her concern is that she knows a lot of people cannot afford to get the trees taken down. It will hurt property values, and it is a danger because the trees will start to fall apart and break apart in storms. Councilmember Suter said she wished there was something we could do, or some way the City could offer assistance, or match citizens with other sources of funding to assist them in getting trees taken down. Councilmember Suter said she just had her properties done, and she knows many people cannot afford what it costs to take down the trees or remove all the dead branches.

Mayor Pro Tem Brian Hill had no comments at this time.

Mayor Jean Moore had no comments at this time.

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

City Manager Kirk Davis reported that the Clay County Commission would be meeting in our City's Council Chambers on Thursday, May 16, at 1:30 PM, and invited everyone to attend and participate in that meeting. City Manager Davis said he did not recall a time when they have utilized our facility for a meeting.

City Manager Davis stated that the next City Council meeting would be on Tuesday, May 28, 2013, due to the Memorial Day holiday on Monday.

City Manager Davis invited everyone to the open house for the Animal Control renovations, which is scheduled for 11:00 AM, on Thursday, May 13, 2013.

Item 9. on the Agenda. **RESOLUTION R-13-25**, authorizing execution of a contract with Superior Bowen Asphalt Company, LLC, in the total amount not to exceed \$537,590.25 for the 2013 Mill and Overlay Program; Project TP1306.

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-25**, authorizing execution of a contract with Superior Bowen Asphalt Company, LLC, in the total amount not to exceed \$537,590.25 for the 2013 Mill and Overlay Program; Project TP1306. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 10. on the Agenda. **RESOLUTION R-13-26**, accepting Permanent Construction Easements and a Temporary Easement in conjunction with the Northeast 68th Street and North Woodland Avenue Storm Drainage Improvement Project.

Mayor Pro Tem Brian Hill moved to adopt **RESOLUTION R-13-26**, accepting Permanent Construction Easements and a Temporary Easement in conjunction with the Northeast 68th Street and North Woodland Avenue Storm Drainage Improvement Project. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 11. on the Agenda. **RESOLUTION R-13-27**, authorizing the City Manager to execute an Office Sublease Agreement, Shared Conference Room Agreement, Shared Parking Lot Agreement and Parking Lot Lease between Oakhill Day School ("OHDS") and the City of Gladstone, Missouri.

Councilman Barry McCullough moved to adopt **RESOLUTION R-13-27**, authorizing the City Manager to execute an Office Sublease Agreement, Shared Conference Room Agreement, Shared Parking Lot Agreement and Parking Lot Lease between Oakhill Day School ("OHDS") and the City of Gladstone, Missouri. Councilman Bill Garnos seconded.

Councilmember Suter expressed her support for this Resolution, and her delight with the arrangements that have been worked out with Oakhill Day School for the use of the top floor of the Pollina office building, for which the City is responsible. This is a great way to serve the community, and develop the downtown area. It is a great partnership.

The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 12. on the Agenda. **FIRST READING BILL NO. 13-16**, repealing Ordinance No. 4.187, and enacting a new Ordinance levying sewer service charges and commodity rate charges in the City of Gladstone, Missouri.

Councilman Barry McCullough moved to place **BILL NO. 13-16** on its First Reading. Councilmember Carol Suter seconded.

The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the First Reading of **BILL NO. 13-16**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the Second and Final Reading of **BILL NO. 13-16**, and to enact the Bill as **Ordinance 4.238**. Councilmember Carol Suter seconded.

Councilmember Carol Suter stated, for the record, this action pains her, because we can manage the rates that are charged for water in the City of Gladstone, but we have no control over sewer rates, because our sewage goes to Kansas City for treatment, and we must endure the substantial rate increases that they pass on to us, that must then be passed on to our citizens. Councilmember Suter said that while she will support the reading of this Bill, it pains her to do so.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 13. on the Agenda. **FIRST READING BILL NO. 13-17** authorizing Google Fiber Missouri, LLC to operate within the right of ways of the City of Gladstone to construct, install, and operate video service, and to authorize the City Manager to execute agreements therewith.

Mayor Pro Tem Brian Hill moved to place **BILL NO. 13-17** on its First Reading. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the First Reading of **BILL NO. 13-17**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the Second and Final Reading of **BILL NO. 13-17**, and to enact the Bill as **Ordinance 4.239**. Councilman Bill Garnos seconded.

Mayor Moore said she felt this action was very exciting for the City of Gladstone. She had the opportunity to visit and see what this will mean for the City, and it was extremely exciting, so we are very happy to be included in this exciting event for the City.

Roll call vote: All "aye" - Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 14. on the Agenda. OTHER BUSINESS.

There was no other business.

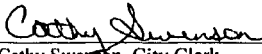
Item 15. on the Agenda. QUESTIONS FROM THE NEWS MEDIA.

There were no questions from the News Media.

Item 16. on the Agenda. ADJOURNMENT.

There being no further business to come before the May 13, 2013, Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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


Mayor Jean Moore



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
TUESDAY, MAY 28, 2013**

The City Council will meet in Closed Executive Session at 6:15 PM, on Tuesday, May 28, 2013, 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(2) for Real Estate Acquisition 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 May 13, 2013, City Council Meeting Minutes.
5. RECOGNITION OF LEADERSHIP ACADEMY GRADUATES.

6. CONSENT AGENDA

RESOLUTION R-13-28, authorizing execution of two professional services agreements with Hollis Miller Architects, in the total amount not to exceed \$35,000.00 for architectural services relative to the design of tenant finishes for the 2nd floor of the Dentistry for Children Building, located at 7001 North Cherry Street.

APPROVAL OF ANNUAL LIQUOR LICENSE APPROVALS:

- Aldi #62, 7604 North Oak Trafficway; Seven-Day Package Liquor License.
- Bubbles Wines & Spirits, 7407 North Oak Trafficway, 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 and Wine Tasting.
- Dollar General Store #2610, 6026 North Antioch Road, Six-Day Package Liquor License.
- Dollar General Store #3241, 6577 North Oak Trafficway, Six-Day Package Liquor License.
- Trex Mart #7, 5810 North Antioch Road; Seven Day Package Liquor License.
- Wal-Mart #1120, 7207 North M-1 Highway; Seven-Day Package Liquor License.
- XO Corporation, dba Worlds Liquors, 6833 North Oak Trafficway; Seven Day Package Liquor License with Wine Tasting.

APPROVAL OF THE APRIL 2013 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 NO. 13-18,** adopting a new Emergency Operations Plan for the City of Gladstone, Missouri.
- 11. PUBLIC HEARING:** on the proposed Fiscal Year 2014 Annual Operating Budget for the City of Gladstone, Missouri.
- 12. Other Business.**
- 13. Questions from the News Media.**
- 14. Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
TUESDAY, MAY 28, 2013**

Mayor Jean Moore opened the City Council Meeting to adjourn to a Closed Executive Session on May 28, 2013, at 6:15 PM. Mayor Pro Tem Brian Hill made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(2) for Real Estate Acquisition Discussion. Councilman Bill Garnos seconded.

Roll Call Vote: All "aye" – Councilman Bill Garnos, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (3-0).

Councilmember Carol Suter and Councilman Barry McCullough were also present at the Closed Executive Session.

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

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
Councilman Barry McCullough
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 Jean Moore opened the Regular May 28, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present.

Mayor Jean Moore thanked everyone who attended the meeting in person and also those watching the meeting on-line. Mayor Moore said she and the City Council appreciated everyone's interest in government, as well as everyone's interest in being with them this evening.

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

Mayor Moore announced that the graduates of the Leadership Academy would lead the Pledge of Allegiance in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE MAY 13, 2013, REGULAR CITY COUNCIL MEETING MINUTES.**

Councilman Barry McCullough moved to approve the **MAY 13, 2013, REGULAR CITY COUNCIL MEETING MINUTES** as presented. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Bill Gurnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 5. on the Agenda. **RECOGNITION OF LEADERSHIP ACADEMY GRADUATES.**

Mayor Moore said that she and the City Council were so glad to recognize the graduates this evening, and stated that the members of City Council would assist her in presenting certificates to the graduates.

As the graduates joined the City Council in front of the Council Chambers, Mayor Moore reported that the Leadership Academy began in 2007, and the graduates present this evening represented the seventh class. One hundred and thirty seven graduates have gone through the program. This was an initiative started by Gladstone on the Move to engage more people in our City government, so the City Council is very proud of each of the graduates. Some of the members of the current City Council have also gone through the academy. This program is recognized as a great benefit to the City. When citizens interview for Boards and Commissions appointments, the Council always asks if they have attended the Leadership Academy, so the City Council places a high value on the program, and it is hoped that the graduates enjoyed themselves and learned a lot about our City government. Mayor Moore said she and the City Council hoped that the graduates would be interested in serving our City in other areas, as well.

Mayor Moore and City Council members presented certificates to Leadership Academy graduates as follows:

Paula Berry
Ginny Hemphill
Nicholas Ensign (not present this evening)
Paul Rufo
Jeffrey King
Kenny Williams
Cheryl Williams
Nic Riesenber (not present this evening)

Dan Gray
Brian Blake
Shelly True (not present this evening)
Mike Reinsch
Bill Ploth (not present this evening)
Sarah Van Duser
Wesley Biggs (not present this evening)

The presentations were followed by applause from the audience.

Kenny Williams expressed his appreciation to Public Information Officer Richard King for "putting up with them" since January!

Mayor Moore stated that Mr. King has successfully guided this program from the beginning, which is very much appreciated. Mayor Moore offered a huge thanks to the City staff who has a big part in this program, and they spend a lot of time making their presentations and devoting time to this process. Mayor Moore said she and the City Council appreciate all the efforts involved.

Mike Reinsch stated he wished to commend the City Manager and the City Council for keeping this program operating. This is the first time he had participated, and as a former Councilman he felt it was a tremendous benefit. It opened his eyes, and he thought he knew quite a bit about the City, yet he learned quite a bit more. The one thing participants kept hearing in all the meetings was how much the staff loves working for the City of Gladstone, and participants were impressed with the high caliber of employees who the City has retained. The program participants kept hearing over and over from the employees how much they loved working with the City Council and each other. This is a testament to how much this City has accomplished in the last several years during dire fiscal strains. We have been in bad financial times and this Council and this staff has kept our City on the move, and we have kept prospering. It is a great testament to the caliber of employees hired and retained. Mr. Reinsch said he was very pleased with what has been accomplished, and especially City Manager Davis, who has been our City Manager since 1998, and has accomplished a lot.

City Manager Davis offered his thanks to Mr. Reinsch.

Mayor Moore thanked each of the Leadership Academy graduates, and said their participation was very much appreciated.

Mayor Moore introduced Boy Scouts from Troop 303, sponsored by King of Kings Lutheran Church as follows: Ethan Murphy, Aaron Samuels, and Boy Scout leader Mark Samuels. Mayor Moore thanked them for attending this evening, and said she understood that they promised to return some night to lead the Pledge of Allegiance, and they would be held to that promise!

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 Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-28**, authorizing execution of two professional services agreements with Hollis Miller Architects, in the total amount not to exceed \$35,000.00 for architectural services relative to the design of tenant finishes for the 2nd floor of the Dentistry for Children Building, located at 7001 North Cherry Street. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to approve the following **ANNUAL LIQUOR LICENSE RENEWALS:**

- Aldi #62, 7604 North Oak Trafficway; Seven-Day Package Liquor License.
- Bubbles Wines & Spirits, 7407 North Oak Trafficway, 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 and Wine Tasting.
- Dollar General Store #2610, 6026 North Antioch Road, Six-Day Package Liquor License.
- Dollar General Store #3241, 6577 North Oak Trafficway, Six-Day Package Liquor License.
- Trex Mart #7, 5810 North Antioch Road; Seven Day Package Liquor License.
- Wal-Mart #1120, 7207 North M-1 Highway; Seven-Day Package Liquor License.
- XO Corporation, dba Worlds Liquors, 6833 North Oak Trafficway; Seven Day Package Liquor License with Wine Tasting.

Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to approve the **APRIL 2013 FINANCIAL REPORT**. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (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.

Councilman Bill Garnos had no comments at this time.

Councilman Barry McCullough stated that it was with mixed emotions that he announced that his wife and he have bought a house and are moving, and, unfortunately, that is outside of the City limits of Gladstone, so he has tendered his resignation to be effective August 1, 2013. Councilman McCullough said he looked forward to getting someone highly qualified and who will do a better job to replace him. Councilman McCullough said it had been an honor to work with the City Council, and he appreciated the leadership of our City. We have a fantastic group, and it has been a real blessing to be a part of it. Councilman McCullough thanked everyone.

Councilmember Carol Suter stated that Councilman McCullough was breaking her heart. Councilmember Suter said it had been amazing in the years that she had been on the Council at how much turnover there has been. There has been an unusual amount of turnover, especially in the last couple of years. It has been so gratifying to have a group of people be able to congeal and "get it", and to move forward through lots of change. A lot of that has been because of the leadership of Councilman McCullough, and she has really appreciated that and she has appreciated working with him.

Councilmember Suter offered her congratulations to the Public Safety Department and the Animal Control Division, as well as all the contractors and architects who worked on the Animal Shelter expansion and renovation. It is now a fabulous facility, and it finally does us proud and will serve the community well.

Mayor Pro Tem Brian Hill said he wished to echo Councilmember Suter's regret; he regrets to hear that Councilman McCullough will be leaving the City Council. It has been a pleasure working with him. Mayor Pro Tem Hill jokingly said he was not certain he understood correctly that Councilman McCullough told his wife, Anita, that he would buy her that house, if it went for sale, but he had not heard anything about Councilman McCullough moving with her, and he had not asked Anita if she intended for him to move with her! This was followed with laughter from the audience.

Mayor Jean Moore stated she felt the same, in that the City Council would be missing a real cog in the wheel, and it has been such a pleasure working with Councilman McCullough, and he will definitely be missed.

Mayor Moore reported that Bluesfest is coming up on June 7 and 8, and also each Tuesday in June at Oak Grove Park at 7:30 PM, we have June Tunes. Hopefully, the weather will

cooperate, and everyone can get out and participate in these great events that the City offers for free, and also all the activities at Linden Square. Mayor Moore said she and the City Council hope everyone can finally get out and enjoy some of the good opportunities that we have for recreation and entertainment in the City of Gladstone.

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

City Manager Kirk Davis reported that on every Wednesday, from 2:00 PM to 6:00 PM, the Farmer's Market would be held at Northeast 70th Street and North Locust, and he encouraged everyone to take advantage of all the products sold at the market. On Friday, May 31, there would be the rotating art exhibit at the Community Center. Deanna Dikeman will be the featured artist. City Manager Davis encouraged folks to visit the Community Center to enjoy this artist's work. At Linden Square on Friday, May 31, there will be featured the Friends and Family band; on Saturday, June 1, there will be featured an Eagles tribute band; and also on Saturday, there would be a remote - 102.1 will do a remote before the concert to promote Linden Square. The City wide garage sales will be held June 7 and 8. There are a lot of things going on in our City.

Item 10. on the Agenda. **FIRST READING BILL NO. 13-18**, adopting a new Emergency Operations Plan for the City of Gladstone, Missouri.

Councilman Barry McCullough moved to place **BILL NO. 13-18** on its First Reading. Councilman Bill Garnos seconded.

The vote: All "aye" - Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the First Reading of **BILL NO. 13-18**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Bill Garnos seconded. The vote: All "aye" - Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the Second and Final Reading of **BILL NO. 13-18**, and to enact the Bill as **Ordinance 4.240**. Councilman Bill Garnos seconded.

Roll call vote: All "aye" - Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 11. on the Agenda. **PUBLIC HEARING:** on the proposed Fiscal Year 2014 Annual Operating Budget for the City of Gladstone, Missouri.

Mayor Jean Moore opened the Public Hearing and asked City Manager Kirk Davis to begin the discussion.

City Manager Davis said that members of the Leadership Academy just talked about the fiscal concerns over the past few years, and how well our City has done, and he appreciated those fine comments. It could not be done without a lot of people participating, and without a lot of good and responsible budgets. City Manager Davis said that hopefully he was presenting at this meeting another chapter in terms of responsible budgets.

City Manager Davis stated that submitted herewith is the Fiscal Year 2014 budget and program of services for the City of Gladstone. The annual budget, as proposed, represents the strategic, administrative and financial plan for the City. It is the product of a comprehensive team effort from every level of our municipal organization, supervisors, employees, department heads, and the City Council, in terms of goals and approval. A lot of people have had their fingers attached to this document. The budget is intended to serve as a policy document, a financial plan, an operations guide and a communication device. The FY 2014 budget revenue projections reflect an improving economy and maintain the required commitment to outstanding services for all Gladstone citizens, as well as to the employees who provide those services. This budget continues the emphasis on achievement of budget team goals that include Council goals, strategic planning initiatives, economic development initiatives, funding personnel merit and benefit increases, continuing the fleet maintenance program, and funding a classification and compensation study.

City Manager Davis reported that the total budgeted revenues are projected to be \$17,526,653. Expenditures in the General Fund are projected to be \$17,526,616. Highlighting the General Fund Budget is a two percent merit pay increase for employees. A one-time lump sum benefit of \$800 to employees who make less than \$40,000, \$400 to employees who make between \$40,000 and \$70,000, and those above \$70,000 benefit from larger percentage increases in their salaries, so there is no lump sum available for them. Part of the reason for this is because the employees are being asked to absorb large increases in their health care benefits this year, and if not being wholly responsible for those increases, we are asking them to absorb substantial increases in health care costs that are being passed through to them. This is a way to help offset some of that burden, especially for our newer employees, and employees who do not make as much money. City Manager Davis said he was very proud of the personnel package.

City Manager Davis said that other highlights in the General Fund include in Public Safety, two motorcycles that will be replaced; two patrol vehicles with all the necessary lighting and equipment are funded; a Thermal Imaging Camera is going to be acquired; and a new ambulance chassis is funded in the Fire Department. A Ford Escape was recommended for funding for the Multi-Family Building Inspector in Community Development. Three utility vehicles (gators) were recommended for funding in Parks and Recreation. In General Administration, a part time Human Resource Clerk is suggested. Funding for that clerk would be split between three funds, including the Water Fund, the General Fund and the Community Center Fund. There is technology in Finance funded at about \$40,000. In Public Works, \$15,500 is included in the budget to increase the budget for brush grinding and mowing; \$8,000 to increase the communications line item; and \$2,000 to increase the garage maintenance budget. In Community Development, in addition to the Ford Escape previously mentioned, there is \$30,000 for the Multi-Family Building Inspector training and equipment,

and \$52,000 for consulting contracts for multi-family inspections. Parks and Recreation items include approximately \$52,000 to extend the event planner contract, i.e. Linden Square; helping with the Atkins Johnson Farm, and utilizing the property there; doing some more things at Happy Rock and Oak Grove Parks, with the thought that will be a good addition to our resources, to make as many programs available to as many citizens as possible, and try to hold the costs. Funds in the amount of \$50,000 is budgeted for the Arts and Cultural Strategic Plan; \$4,000 for additional Christmas lighting in the Linden Square area; approximately \$11,000 to upgrade the information technology HVAC system; as well as about \$18,000 for three gators mentioned previously. City Manager Davis said these are the highlights of the General Fund. It is a balanced budget, and it takes care of our obligations not only in terms of staffing, but also in terms of our existing programs, Council goals, and all of our debt service requirements.

City Manager Davis continued by reporting that in the Combined Waterworks and Sewerage System Fund, total revenues are estimated to be \$8,783,328, and total expenses are estimated at \$8,772,581. Highlights of this fund include continuation of the two percent merit pay; the one-time stipend to help offset health care costs; and this fund is absorbing one third of the costs for the part time Human Resources Clerk. In addition, the budget is being increased for lime sludge removal by about \$9,000; \$30,000 for chemicals; and \$55,000 to repair a column pipe for Well #1. There are small increases suggested in the rock, asphalt, and cement budgets in both Water Operations and the Sewer Division, hopefully allowing us to continue to maintain the repair and maintenance of properties that are affected by breaks and so forth.

City Manager Davis said in the Capital Improvement Program Fund there is about \$3 million. Some highlights of projects include the Rock Creek Greenway Trail; the Pleasant Valley Road Project; the North Locust and 71st Terrace Project; the 68th Terrace at Bellefontaine Stabilization Project; the Mill Creek at Floral Channel Project; and the Mill Creek at Antioch Road Bridge Stabilization Project.

City Manager Davis reported that in the Community Center and City Parks Fund, the total revenues are estimated at \$3,216,200, and the expenditures are estimated at \$3,216,042. Highlighted in this budget is the two percent increase for employees, plus the one-time stipend, there is also funded a cardio equipment replacement in the amount of \$33,000. The Council's guidance was to move that amount from \$28,000 to \$33,000. There will be some utility work done with thermal imaging panels to try to reduce utility costs. The Community Center will pay one third of the Human Resource Clerk costs, and there is about \$5,400 in computer replacements at the Community Center.

City Manager Davis continued by saying in the Public Safety Sales Tax Fund, revenues are estimated to be \$773,600. Expenditures are estimated at \$842,403, with a projected \$31,197 fund balance at the end of FY 2014. Highlighting this Fund is the two percent increase and stipend for employees, and about \$184,000 worth of equipment will be acquired, which includes \$17,435 for bullet proof vests; \$12,000 for bike patrol; \$70,000 for forty-six Tasers, \$62,000 for two patrol vehicles with emergency equipment; \$2,000 for an increase in tuition reimbursements; and some technology improvements total approximately \$18,000.

City Manager Davis said the Special Parks and Playground Fund has not received a lot of attention the last few years, because there has not been a lot going on, but this year it is suggested with the advent Linden Square, three commercial propane heaters for \$700 and two heat lamps for \$778. One thing that was learned last winter was that people still like to be comfortable while ice skating, and we have certainly had a cool spring this year, so we are trying to address that. The fund balance will still be \$4,151.

City Manager Davis reported that the Capital Equipment Replacement Fund has a pretty significant impact on the budget this year with approximately \$350,000 going from this fund into the General Fund. Expenditures include the cost of a code enforcement vehicle mentioned earlier; the two patrol vehicles in the General Fund; a third of the cost of the ambulance chassis; the three gators earlier mentioned; the thermal imaging camera; the arts and entertainment plan; the Multi Family Inspections Program; and the Compensation and Classification study. City Manager Davis said if it were not for the contribution from this fund to the General Fund, those items would probably not be funded. This is a significant impact from the Capital Equipment Replacement Fund, and that is what it is designed for, so it works pretty well.

City Manager Davis concluded by saying the City management team, along with the City staff would like to thank the City Council for reviewing all the documentation submitted to justify the adoption of the FY 14 budget. The budget reflects a great deal of work by many people within the City organization. Special thanks go to the Finance Department for all of their work, and to the budget team that included this year Assistant City Manager Scott Wingerson, Finance Director Debra Daily, Public Works Director Tim Nebergall, Human Resources Administrator Charlene Leslie, and Financial Analyst Beth Saluzzi. City Manager Davis asked if the City Council had any questions relative to the proposed budget.

There were no questions from the City Council.

There were no comments from those in Favor or in Opposition to the budget recommendation.

Mayor Moore stated that no action would be taken on the budget this evening. The Resolution adopting the budget will be on the City Council meeting agenda for June 10, 2013.

Mayor Moore closed the Public Hearing.

Item 12. on the Agenda. Other Business.

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

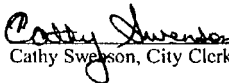
Item 13. on the Agenda. Questions from the News Media.

There were no questions from the News Media.

Item 14. on the Agenda. Adjournment.

There being no further business to come before the May 28, 2013, Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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


Mayor Jean B. Moore



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JUNE 10, 2013**

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 May 28, 2013, Regular City Council Meeting Minutes.

5. CONSENT AGENDA

APPROVAL OF ANNUAL LIQUOR LICENSE RENEWALS:

- 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.
- Mi Ranchito #2, LLC, 5708 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Wasahi, LLC, 328 NE 72nd Street; Class AR&B Liquor by the Drink License.
- Gasmart USA, 7303 North Oak Trafficway; Seven Day Package Liquor License.
- Gladstone Mart & Liquors, 7020 North Oak Trafficway, Seven-Day Package Liquor License.
- Hy-Vee Gas, 7121 North Prospect, Seven-Day Package Liquor License.
- Price Chopper, 6475 North Prospect, Seven-Day Package Liquor License and Wine Tasting.

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 an application by Arcobasso Restaurant Management, LLC dba Arcobasso's Restaurant for a Class AR (six day) Liquor by the Drink License for the sale of alcoholic beverages consumed on the premises on property located at 6433 North Prospect Avenue, in Prospect Plaza Shopping Center.
10. **CONSIDERATION OF A NEW CLASS AR (six day) LIQUOR BY THE DRINK LICENSE** for Arcobasso Restaurant Management, LLC dba Arcobasso's Restaurant on property located at 6433 North Prospect Avenue, Managing Officer: Ava D. Arcobasso.
11. **RESOLUTION R-13-29**, declaring the intent of the City of Gladstone, Missouri to obtain tax exempt financing for capital projects of the City.
12. **RESOLUTION R- 13-30**, adopting the 2014 annual operating budget for the City of Gladstone, Missouri, and authorizing the expenditures of funds for municipal services.
13. **FIRST READING BILL NO. 13-19**, 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 10, 2013**

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
Councilman Barry McCullough
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 Jean Moore opened the Regular June 10, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present.

Mayor Jean Moore thanked everyone who attended the meeting in person and also those watching the meeting on-line. Mayor Moore said she and the City Council always valued input from the audience and appreciated everyone's interest in government.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Moore introduced Boy Scout Cullan Miller, from Troop 288, sponsored by Northminster Presbyterian Church, and announced that he would be leading the Pledge of Allegiance this evening, in which all joined.

Mayor Moore thanked Mr. Miller.

Item 4. on the Agenda. **APPROVAL OF THE MAY 28, 2013, REGULAR CITY COUNCIL MEETING MINUTES.**

Mayor Pro Tem Brian Hill moved to approve the May 28, 2013, Regular City Council Meeting Minutes. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 5. on the Agenda. **CONSENT AGENDA.**

Following the Clerk's reading, Councilmember Carol Suter moved to approve the Consent Agenda as presented. Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to approve the following **ANNUAL LIQUOR LICENSE RENEWALS:**

APPROVAL OF ANNUAL LIQUOR LICENSE RENEWALS:

- 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.
- Mi Ranchito #2, LLC, 5708 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Wasahi, LLC, 328 NE 72nd Street; Class AR&B Liquor by the Drink License.
- Gasmart USA, 7303 North Oak Trafficway; Seven Day Package Liquor License.
- Gladstone Mart & Liquors, 7020 North Oak Trafficway, Seven-Day Package Liquor License.
- Hy-Vee Gas, 7121 North Prospect, Seven-Day Package Liquor License.
- Price Chopper, 6475 North Prospect, Seven-Day Package Liquor License and Wine Tasting.

Councilman Barry McCullough seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

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.

Councilman Bill Garnos stated that during the time he was present at Bluesfest this year, it was a terrific event.

Councilman Barry McCullough stated that it was a beautiful weekend for Bluesfest, and he had a great time, there was a fantastic crowd, and there was a lot of talent. Councilman McCullough addressed Boy Scout Cullan Miller by thanking him for being present this evening, and said it was great having Troop 288 present. Councilman McCullough said he also was a member of the troop, once upon a time.

Councilmember Carol Suter said she wished to echo the Bluesfest comments, and extended thanks to all the volunteers and staff who worked really hard on that event. Councilmember Suter said she hoped it was financially successful, as it seemed to be a good time.

Councilmember Suter said she wished to put on another hat for an advertisement for the Clay County Constitution Commission, who will be holding Public Hearings this month. An outline has been drafted for a proposed new constitution for Clay County. A Public Hearing would be held at the Gladstone Community Center, at 7:00 PM, on Thursday, June 13, 2013. Folks may go on the Commission's website, which is claycoconstitution.info, and find a summary, or summaries of the proposals that are hoped to be brought forward in November and they would also be handed out at the meetings. Councilmember Suter said the Constitution Commission is eager for the community to let them know if they are headed in the right direction. Nothing is cast in stone yet, so they are trying to get public feedback. A meeting will be held in Kearney at the City Hall, on Tuesday, June 11, 2013, at 7:00 PM. On June 19, 2013, a meeting will be held in Liberty, and on June 25, in North Kansas City.

Councilmember Suter reported that a week ago, she and her husband attended Linden Square, where an Eagles tribute band was performing. It was a wonderful event. It was one of those times, as a Council member, where you sit back and say this is what makes it all worth it - to see a vision realized. There were about 250 people in the crowd. It was a lovely night, and people were really enjoying themselves. More than just sitting around and enjoying entertainment, part of the idea for the Downtown Center was to be a gathering place, and she and her husband were amazed all evening. What with everything they have attended such as Gladfest, Bluesfest, and Theatre in the Park over the years, they had never seen an event where so many people were interacting with other people. People were getting up to see other people, and there was so much contact going on. Councilmember Suter said it must have been the setting, where the music becomes the background for the interaction. It was very exciting to see. Councilmember Suter said it was one of those times when one thanks the Lord for the chance to be able to have an influence in the community as a Councilmember, and she wished to take an opportunity, before this Council changed to thank all the Council members, because it took vision and

perseverance for Linden Square to happen. It will change our community in a great way, and she wished to thank the Council for their leadership.

Mayor Pro Tem Brian Hill stated he was glad to see that the numbers and attendance are up at Linden Square, and he hopes that continues. Mayor Pro Tem Hill said he noticed in the Council's newsletter that there may be issues with smoking at Linden Square, and he wished to suggest that perhaps, somehow, those people need to be accommodated similar to what is done at Bluesfest, as his thought is that we want to foster this and promote it as much as possible, and make it a positive experience for everyone. Mayor Pro Tem Hill said he did not want to tell people that they have to stand in the middle of 70th Street if they want to smoke. Mayor Pro Tem Hill said he realized that it is a much smaller area than we what we have for Bluesfest, so it is more confined, and more limited in options, but somehow, he would like to see smokers accommodated.

Mayor Pro Tem Hill said he wished to echo the Council's comments on Bluesfest. It was a tremendous event, with good music, wonderful weather, and he has always been told that the Mayor is responsible for the weather at City events, so he wished to congratulate the Mayor on a job well done! Mayor Pro Tem Hill thanked the City staff and volunteers for all their hard work, and the Gladstone Area Chamber of Commerce for the event being so successful that it has become a tradition in Gladstone. It was a great event.

Mayor Jean Moore began by saying that she had the opportunity to volunteer at Bluesfest, and she said she always forgets how much fun it is. People were having a good time, and the weather was wonderful. It was a great event, and it has become a metro-wide event, and she hopes we continue to encourage that, because it is a great showcase for the City.

Mayor Moore reported that the Parks and Recreation Department was doing a new thing. On Saturday, June 15 through June 23, there is an event called the Storybook Trail. It is actually a book that will be illustrated in different pieces along the trail in Oak Grove Park, and is a way to encourage children to go from one station to the next station, to the next station. The pieces from the book will be put up in the morning, and taken down in the evening. It will be a fun thing, and she would encourage anyone with young children, grandchildren or children of all ages to go out and take advantage of this, as it promises to be a fun opportunity in cooperation with the Mid Continent Library, the Clay County Health Department, and the North Kansas City Schools.

Item 8. on the Agenda.

COMMUNICATIONS FROM THE CITY MANAGER.

City Manager Kirk Davis reported that Kansas City Councilman Dick Davis is going to receive the Rosa Parks Hall of Fame award in a couple of weeks, and our Council will receive invitations. This award is from the Kansas City Area Transportation Authority, and it will be a nice event for Councilman Davis. City Manager Davis said he attended the National Homeland Security Conference in Los Angeles, which was fascinating, and he

would report to the Council everything that he learned at the conference. It was a great experience.

Item 9. on the Agenda. **PUBLIC HEARING:** for consideration of an application by Arcobasso Restaurant Management, LLC dba Arcobasso's Restaurant for a Class AR (six day) Liquor by the Drink License for the sale of alcoholic beverages consumed on the premises on property located at 6433 North Prospect Avenue, in Prospect Plaza Shopping Center.

Mayor Moore stated that first comments would be heard from City staff, then from the applicant, and then comments from anyone in Favor or in Opposition to the application.

Mayor Moore opened the Public Hearing.

Staff Report

Economic Development Administrator Melinda Mehaffy began by saying that this application is for a Class AR, Six Day Liquor by the Drink License. Typically there would not be a Public Hearing for such an application; however, in this case, there is some historical documentation which shows this has been done when there is a Liquor by the Drink request for this site, because this site is located within 87 feet of a church. Staff has contacted the church Pastor and the Chairman of the Board for Meadowbrook United Methodist Church. They have both indicated that the Church has no problem with the applicant receiving this license. Brixmore Properties, which is the owner of the shopping center, is the other property owner who is within 100 feet, and they obviously do not have a problem with the applicant receiving the license.

The restaurant owners have received their Occupation License, their background approvals have been completed successfully, and they have met all the City's requirements for a liquor license. Ms. Mehaffy introduced Diane and Joe Arcobasso, the owners of the restaurant.

Comments from the Applicant

Diane Arcobasso stated that she and her husband were ecstatic about locating in Gladstone. The people here have been so warm and welcoming, and although, they have only been here for three months, it already feels like home. Ms. Arcobasso said they have had so much support from Melinda (Mehaffy, Economic Development Administrator), Cathy (Swenson, City Clerk), Kay (Dobbs, Accounting Supervisor), and Carole (McGuire, Community Development Customer Service Clerk). They have been so helpful during this very complicated process.

Ms. Arcobasso said they do plan to be open in early July, and she invited everyone to join them at their restaurant, which will offer basically Italian food. They will have pizzas,

sandwiches, salads, appetizers, and some chicken dishes. It is planned to have specialties in the evenings, such as steaks and seafood. It will be a very family oriented restaurant where people can bring their kids and come in after a ball game. Ms. Arcobasso said they very much look forward to opening their business.

Mayor Moore thanked Ms. Arcobasso.

There was no one to speak in **Favor** or in **Opposition** to the application.

There being no further questions or comments from the City Council or the audience, Mayor Moore closed the Public Hearing.

Item 10. on the Agenda. **CONSIDERATION OF A NEW CLASS AR (six day) LIQUOR BY THE DRINK LICENSE** for Arcobasso Restaurant Management, LLC dba Arcobasso's Restaurant on property located at 6433 North Prospect Avenue, Managing Officer: Ava D. Arcobasso.

Councilman Barry McCullough moved to approve a **NEW CLASS AR (six day) LIQUOR BY THE DRINK LICENSE** for Arcobasso Restaurant Management, LLC dba Arcobasso's Restaurant on property located at 6433 North Prospect Avenue, Managing Officer: Ava D. Arcobasso. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Gamos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 11. on the Agenda. **RESOLUTION R-13-29**, declaring the intent of the City of Gladstone, Missouri to obtain tax exempt financing for capital projects of the City.

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-29**, declaring the intent of the City of Gladstone, Missouri to obtain tax exempt financing for capital projects of the City. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Gamos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 12. on the Agenda. **RESOLUTION R-13-30**, adopting the 2014 annual operating budget for the City of Gladstone, Missouri, and authorizing the expenditures of funds for municipal services.

Mayor Pro Tem Brian Hill moved to adopt **RESOLUTION R-13-30**, adopting the 2014 annual operating budget for the City of Gladstone, Missouri, and authorizing the expenditures of funds for municipal services. Councilman Barry McCullough seconded.

Councilmember Suter said the budget capsulizes the philosophy of this City. It is the reason for the success of this City, and it is a wonderful example of creativity, vision, and fiscal discipline. This is what makes us a successful City. Councilmember Suter said it is

always a delight to her to see the great work that the City staff does in stretching the dollars. Having worked through a tough economy, it is great to start to see things turning around a little bit now, and still maintaining a conservative approach in how we manage the tax funds that are entrusted to us.

Councilman Garnos said he wished to echo Councilmember Suter's comments. Passing the budget is one of the most important things we do on the City Council, and he has been amazed to watch the amount of staff work that goes into the actual process, from the departments prioritizing their needs, the budget team going through the requests, and then it goes to the City Council for review in a couple of meetings. Councilman Garnos said it's the process that he respects so much to get to that final budget for the City, and he is always amazed at the amount of work and the difficult work of the budget team in getting the budget to this point. Councilman Garnos said he wished to echo the comments about the budget always being conservative and within conservative revenue projections, and he was particularly pleased that there is so much consideration given to the Council goals and objectives that are set in the fall each year. There are a number of items in the budget this year that he has felt very strongly about for some time, and it is very gratifying to see those things included in the budget. A year from now the City Council will be praising staff for having accomplished things that we were talking about last fall. Councilman Garnos said he was always pleased with this part.

The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 13. on the Agenda. **FIRST READING BILL NO. 13-19**, 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 Barry McCullough moved to place **BILL NO. 13-19** on its First Reading. Councilmember Carol Suter seconded.

The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the First Reading of **BILL NO. 13-19**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the Second and Final Reading of **BILL NO. 13-19**, and to enact the Bill as **Ordinance 4.241**. Councilmember Carol Suter seconded.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 14. on the Agenda. OTHER BUSINESS.

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

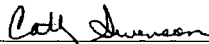
Item 15. on the Agenda. QUESTIONS FROM THE NEWS MEDIA.

There were no questions from the News Media.

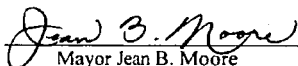
Item 16. on the Agenda. ADJOURNMENT.

There being no further business to come before the June 10, 2013, Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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


Mayor Jean B. Moore



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
TUESDAY, JUNE 18, 2013**

SPECIAL MEETING: 4:30 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. **PUBLIC HEARING:** for consideration of a Plan for an Industrial Development Project for The Heights at Linden Square, and the intent of the City of Gladstone, Missouri to issue its Industrial Development Revenue Bonds, The Heights at Linden Square Project, Series 2013, in the principal amount not to exceed \$25,500,00 to finance the costs of such project. Applicant: F&C Gladstone Apartments, LLC.

8. **FIRST READING BILL NO. 13-20**, approving a Plan for an Industrial Development Project for F&C Gladstone Apartments, LLC, an Indiana Limited Liability Company, consisting of the construction and improvement of a commercial facility; declaring the intent of the City of Gladstone, Missouri to issue its Industrial Development Revenue Bonds (The Heights at Linden Square Project), Series 2013, in a principal amount not to exceed \$25,500,000 to finance the costs of such project; and authorizing certain actions relating thereto.
9. Other Business.
10. Questions from the News Media.
11. Adjournment.



**MINUTES
SPECIAL CITY COUNCIL MEETING
GLADSTONE, MISSOURI
TUESDAY, JUNE 18, 2013**

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
Councilman Barry McCullough
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 Jean Moore opened the Special June 18, 2013, City Council Meeting at 4:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present.

Mayor Jean Moore welcomed everyone in the audience and those viewing the meeting online, and said she and the City Council appreciates everyone's interest in City government.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Moore lead 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.

Councilman Bill Garnos had no comments at this time.

Councilman Barry McCullough had no comments at this time.

Councilmember Carol Suter reported that she attended the Northland Chamber lunch, and it was a fun table, with a lot of people from the Northland, who were not from Gladstone, who were so excited about Gladstone. People had been to Linden Square and to the Farm. There were lots of kudos, and comments about the exciting things going on in Gladstone.

Mayor Pro Tem Brian Hill had no comments at this time.

Mayor Jean Moore had no comments at this time.

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.

PUBLIC HEARING: for consideration of a Plan for an Industrial Development Project for The Heights at Linden Square, and the intent of the City of Gladstone, Missouri to issue its Industrial Development Revenue Bonds, The Heights at Linden Square Project, Series 2013, in the principal amount not to exceed \$25,500,000 to finance the costs of such project. Applicant: F&C Gladstone Apartments, LLC.

Mayor Moore explained the process of the Public Hearing by saying first there would be a report from staff, followed by comments from the applicant, and finally comments from anyone in favor of the application and anyone opposed to the application.

Mayor Moore opened the Public Hearing.

Staff Report

Assistant City Manager Scott Wingerson began by saying that the City Council would first hear from Ryan Cronk, representing the developer Flaherty & Collins. Mr. Cronk would talk about the project scope, the project demographics, and the physical nature of the project itself. Following Mr. Cronk's report, Mr. Wingerson would provide a report on the history of the project internally, and how we moved forward up until today. There would be discussion on some impact analyses that has been done, the current status of the land, and the pilot schedule to the taxing jurisdictions. Following that discussion comments would be heard from Rick McConnell and Rich Wood from Gilmore and Bell, who would talk about the industrial development plan, the cost benefit analysis, the action pending on

the agenda this evening, and future actions moving forward over the next couple of meetings.

Comments from the Applicant

Ryan Cronk began by saying he would provide an update on the project scope. The Heights at Linden Square is a 222 multi-family residential luxury apartment facility. There is included 10,000 square feet of commercial/retail space located in the project. There is 10,000 square feet of amenity space in the project. The layout of the space still consists of the same amenities as discussed before. There will be a club room. There will be two extra lounge areas that were not planned on before. There will be more of a private lounge, and a common area lounge, where residents may hang-out, work on their laptops, and relax and watch TV. Overall, there will be more space for people to go. There will be a game room, a coffee bar, a fitness area, but the tanning bed has been eliminated from the project. There will be a salt water pool, a pool deck, outdoor kitchens, two and possibly three grilling areas, and an outdoor fireplace.

Mr. Cronk said the unit finishes are consistent with what has been discussed in the past. There will be granite counter tops, wood style flooring, stainless steel appliances, and washers and dryers. A lender has been identified for the project and they are ready to make a substantial investment in Gladstone, and are very happy to be here, so he was excited to close in the near future. One question that is frequently asked is where are the renters going to come from, and the demographics of the area. Mr. Cronk said they continue to reply, and feel very strongly, that they will pull not just from the Gladstone market but also from outside this market, and the Northland entirely. They will try to grab the market from downtown and pull people out to Gladstone. The plan is to draw people who would not otherwise live in Gladstone to this apartment product of this great quality, which will exist here. It is believed the project will draw people who live in Zona Rosa or a lot of other apartment communities that are demanding the higher dollar rent and advertise luxury living.

Mr. Cronk reported that in a lot of communities they have like this, that they lease to, there would most likely be 25 to 35 to 40 year old young professionals. There should be empty nesters. There should be newlyweds moving in, before they start families. With the market being in the Northland, there should be a lot of young people interested in this market. The project has been designed to meet the demographic of this renter base. Fifty five percent of the project is one bedroom units. Eleven of those units are studios, and are less than 500 square feet. The demographics are demanding smaller units. Based on the lifestyles of this generation, apartment developers and apartment units are being adjusted to accommodate that demographic. There are about 114 one-bedroom units that will be about 748 square feet on average, and the balance of 97 two-bedroom units will be about 1,000 square feet. The project is 100 percent parked internal to the project, and 40 of the units will have their own parking garage. If all goes well, hopefully, construction will

begin in the next 30 days. Mr. Cronk said his firm was very excited and there was a lot of energy in his company to get this going.

Mr. Wingerson stated he wished to begin with a history of this project. Staff began talking with Flaherty & Collins in October 2011. It looked like they were bringing forward a project that could fit in the Village Center concept. There was a lot of public comment, and the Comprehensive Plan said that Gladstone needs a real downtown, with people living in it to support the businesses in the community. Based on that premise of the Comprehensive Plan, and subsequent actions for mixed use zoning districts that the Council approved a few months after that, it seemed that this project worked. There was analyses done, such as an impact analysis for how this project would benefit the local economy, and there was also a "but for" test to make sure that the project required public involvement in the first place. All of those things happened in October, November, and December, and it resulted in a Letter of Intent to move forward and to continue discussions in December 2012. In March 2012, the City Council approved a zoning change, a site plan, and a final plat for the project. Also in March, a development agreement was approved, which outlines the financial terms and the performance terms for the Heights project.

Mr. Wingerson reported that today the City Council is hearing an industrial development plan, which is the first step in making the Heights at Linden Square a reality, and construction in the ground. At the next meeting or subsequent meeting, there will be all the technical documents related to the Chapter 100 Bonds. The groundbreaking is tentatively scheduled for July 15, and it is hoped that Phase I of the project will be completed and it will start to be occupied in the summer of 2014, with the entire project completed in the winter of 2015.

Mr. Wingerson said he wished to discuss the economic impact analysis that Springstead did back in October 2012. They made a series of assumptions that Mr. Cronk just discussed. The common age for a tenant in the complex would be between 24 and 35. There would be approximately 200 new units added to the local economy. The median income of the people living there, based on the rental rates, would be \$53,000 per year. The median income for the census tract in which the project is located is \$43,000 per year, so there would be significant growth in the median income for that census tract. They also made the assumption that 42 percent of the income these people make would be spent on taxable goods, such as groceries and so forth. Taking these assumptions there are some very rough calculations and conclusions that can be made. The first one is the residents of the Heights, when fully occupied, will contribute more than \$5 million to the local economy in Gladstone, Clay County and other areas in the first year that the Heights is fully occupied. If that is taken over approximately 25 years, that is about \$106 million in the local economy on taxable goods, all generating sales tax and supporting the local businesses. That doesn't even talk about the preservation of real estate values for businesses and the neighborhoods surrounding the area. That is not even part of the analysis; however, one can imagine with the \$26 million investment, \$100 million in the

economy, and viable businesses, nothing can happen except that property values would increase in the general vicinity.

Mr. Wingerson continued by saying Springstead provided a "but for" analysis, and he felt it was important for the Council to understand a "but for" analysis was not required for the discussion at this meeting. Tax Increment Financing (TIF) was one of the tools evaluated, and if that tool had been selected as the right tool to help move this project forward, then a "but for" analysis would be required. It was also important to understand that it reaches several conclusions about public involvement in a project of this type. First, the Springstead analysis indicates that the site is blighted. It was blighted because of a couple of reasons; it had outdated zoning and platting, it had outdated infrastructure that needs to be improved, but more importantly, it was economically blighted because it was creating no real estate taxes for any taxing jurisdiction, because it is under the City's ownership.

Mr. Wingerson stated it is important to note that in the Chapter 100 Bonds, as well as in many forms of TIF analysis, that the risk is the developer's, and because of that risk, there is a rate of return that is expected from the development team. Flaherty & Collins has been very fair on their rate of return, and staff has been able to negotiate a rate that's below many other projects of this type in the Kansas City area. The area has not grown to date without incentive. The area is stagnant, and a quote from the study says, "the proposed project would not occur on this site without public subsidy", so they have done the financial analysis and the physical analysis, and came to that conclusion.

Mr. Wingerson reported on the history of incentives in Gladstone, and said this would be the first implemented incentive for which the City has asked public support. However, the City of Gladstone has had a philosophy that we benefit from the economic development; therefore, we help to fund those projects that are important to us. Examples of projects where the City of Gladstone, without the support of other taxing jurisdictions, has provided public incentives are Home Depot on Old Pike Road; Prospect Plaza at 64th and Northeast Antioch Road; Walmart at 72nd and North Prospect; the Pollina building behind City Hall; and Gladstone Plaza, where the City approved a TIF that was never implemented, because the private sector stepped to the plate to make it happen. These are all real estate tax improvements, as well as sales taxes in many of those cases, where the City made those projects happen without support of Tax Increment Financing or other benefits that involved all of the other taxing jurisdictions. As it relates to the Heights, this was important, as it is a big project at \$25 million. It is a very transformative project, not only for the City, but for the Northland. There won't be a product type like this that exists, so it is fair that we request the support and we thank the taxing jurisdictions for that, as we go through the Chapter 100 process.

Mr. Wingerson said the last thing he wished to talk about is the PILOTs (payment-in-lieu-of-tax) schedule that is in the industrial development plan. PILOTs are payments in lieu of taxes made by the developer to the taxing jurisdictions in lieu of taxes paid. For the first two years, while the project is being constructed, there are no PILOTs, so the taxing

jurisdictions would not receive any revenue at all. In years 3-25, the approximate totals for each taxing jurisdiction are as follows:

Clay County	\$ 19,600
Gladstone	\$ 70,000
Handicap Tax Levy	\$ 8,900
Health Department	\$ 17,600
Metropolitan Community Colleges	\$ 17,600
Library District	\$ 24,000
Mental Health	\$ 7,200
North Kansas City Schools	\$444,000
State of Missouri	\$ 2,200

Over the course of 25 years, those are total PILOTs in the approximate amount of \$601,000. It is the very best we could do in the negotiation to allow the PILOTs to move forward, and respect the revenues of the other taxing jurisdictions.

Rick McConnell, Gilmore and Bell, introduced Rich Wood, an attorney in his office, who has worked a lot on this project to this point. Mr. McConnell said the City Council has heard a lot of what is in the plan itself from Mr. Wingerson and Mr. Cronk. Mr. McConnell said he would talk a little bit about what the Council would be considering this evening, and what is coming next. After the Public Hearing is concluded, the City Council would have an Ordinance approving the plan document, which is several pages long, and has a lot of spreadsheets in it showing different scenarios, such as what if nothing happened out there, or what if we had development with no tax abatement, and with development with tax abatement, what do the numbers show. It shows all those things, and it describes the project itself. It talks about the PILOT payments that will be made and all those types of things. It is a relatively short document in some respects for a project of this complexity, but it does say a lot. The Ordinance does approve the plan, and it also signals the City's intent to issue its Industrial Development Revenue Bonds, which are revenue bonds that are payable only from the revenues of the project, not from the City's General Fund, or from any other source. This is a tax abatement mechanism that is widely used in Missouri, and has been used quite a bit in the metro area, both in Kansas City and St. Louis, as well as other parts of the State. This is a well-established way to accomplish the type of incentive the City is trying to provide to make the project go forward.

Mr. McConnell said his company is working on the documents, and he knows that some of the Council have seen COPs (Certificates of Participation) issues and things with the City, and the stack of documents that were sent for the Council to look at, and, unfortunately, there will be a similar stack for this project as well. Mr. McConnell said they are working with the developer's counsel and their lender, and the lender's counsel. With this size of project, and the amount of equity they are going to put in, they will be very interested in what those documents say. That is going well, and the goal is to have this to the City

Council at the next meeting, or very shortly thereafter to keep on the schedule that Mr. Cronk outlined.

Mr. Wingerson said this concluded the staff presentation and he would be happy to answer any questions, and he thanked the Council for their attention.

There was no one in the audience who spoke in Favor or in Opposition to the application.

Mayor Moore closed the Public Hearing.

Item 8. on the Agenda. **FIRST READING BILL NO. 13-20**, approving a Plan for an Industrial Development Project for F&C Gladstone Apartments, LLC, an Indiana Limited Liability Company, consisting of the construction and improvement of a commercial facility; declaring the intent of the City of Gladstone, Missouri to issue its Industrial Development Revenue Bonds (The Heights at Linden Square Project), Series 2013, in a principal amount not to exceed \$25,500,000 to finance the costs of such project; and authorizing certain actions relating thereto.

Councilman Barry McCullough moved to place **BILL NO. 13-20** on its First Reading. Councilmember Carol Suter seconded.

The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the First Reading of **BILL NO. 13-20**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the Second and Final Reading of **BILL NO. 13-20**, and to enact the Bill as **Ordinance 4.242**. Councilmember Carol Suter seconded.

Councilmember Carol Suter stated she was at a presentation last week where the Kansas City Realtors Association and the Homebuilders Association were talking about the changes in the housing industry, the economy coming back, and what the challenges and opportunities were. Out of that conversation, both entities agreed that the "sweet spot" in the housing picture today is small luxury apartments. It was additional confirmation that this is the right project at the right time. Councilmember Suter offered thanks and appreciation to the City's creative staff for coming up with this Chapter 100 idea, and for pushing themselves to always be thinking innovatively as we approach new public projects.

Councilman Barry McCullough said he wished to echo Councilmember Suter's note that staff deserves an awful lot of credit for their creativity in making this project happen. Councilman McCullough offered kudos to Assistant City Manager Wingerson. Councilman McCullough said this project would not have gotten where it is today without an awful lot of creativity and diligent work.

Mayor Jean Moore said she was so amazed, impressed and overwhelmed by how much effort this has taken. It may seem today for people who are watching that this was an easy thing, but it represents an enormous amount of work. Mayor Moore said the Council is very blessed for all the efforts of the staff and all the professionals, who have done such a wonderful job. Mayor Moore thanked the staff and all the professionals who helped with this effort.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 9. on the Agenda. OTHER BUSINESS.

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


Item 10. on the Agenda. QUESTIONS FROM THE NEWS MEDIA.

There were no questions from the News Media.

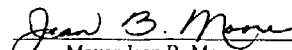
Item 11. on the Agenda. ADJOURNMENT.

There being no further business to come before the June 18, 2013, Gladstone Special City Council Meeting, Mayor Jean Moore adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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


Mayor Jean B. Moore



PUBLIC MEETING NOTICE

CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JUNE 24, 2013

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 June 10, 2013, Regular City Council Meeting Minutes.
5. PROCLAMATION: recognizing the month of July 2012, as "NATIONAL PARKS AND RECREATION MONTH".

6. CONSENT AGENDA

RESOLUTION R-13-31, authorizing the City Manager to execute a sign use agreement with the Evanston Place Neighborhood group to use existing City street signs for sign toppers in Evanston Place.

APPROVAL OF ANNUAL LIQUOR LICENSE RENEWALS:

- El Patio, LLC dba Senor Tequila, 6502 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Smokehouse BBQ, 6304 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Gladstone Bowl, 300 Northwest 72nd Street; Class AA&B Liquor by the Drink License.
- End Zone II, 6583 North Oak Trafficway, Class AE Liquor by the Drink License.
- Blue Falcon, LLC, dba Gladstone Discount Smoke and Convenience Store, 6034 Northeast Antioch Road; Seven Day Package Liquor License.
- Kwik Shoppe, 7603 North Oak Trafficway; Six-Day Package Liquor License.
- Moran Foods, LLC, dba Save-A-Lot, 6599 North Oak Trafficway, Seven-Day Package Liquor License.
- Walgreens #1244, 6320 North Oak Trafficway; Seven-Day Package Liquor License.

APPROVAL OF A NEW RESTAURANT BAR (AR &B) LIQUOR BY THE DRINK LICENSE, WITH A SIX MONTH PROBATIONARY PERIOD for Lost Assets, LLC dba No. 9 Saloon, 6609 North Oak Trafficway. Managing Officer: Richard L. Sims.

APPROVAL OF THE MAY 2013 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 NO. 13-21**, authorizing the City of Gladstone, Missouri, to enter into a State and Municipal Lease/Purchase Agreement with Commerce Bank for certain public improvements for the City of Gladstone, Missouri; authorizing and approving certain actions in connection with the execution and delivery of said State and Municipal Lease/Purchase Agreement; and adopting a tax and securities compliance procedure for the City.

A copy of the Ordinance referred to above will be available for public inspection prior to the meeting in the office of the City Clerk.

- 11. RESOLUTION R-13-32**, authorizing the City Manager to execute an agreement for Audit Services for the City of Gladstone, Missouri with Berberich Trahan & CO. P.A.
- 12. Other Business.**
- 13. Questions from the News Media.**
- 14. Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JUNE 24, 2013**

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
Councilman Barry McCullough
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 Jean Moore opened the Regular June 24, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present.

Mayor Jean Moore welcomed everyone who attended the meeting in person and also those watching the meeting on-line.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

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

Item 4. on the Agenda. APPROVAL OF THE JUNE 10, 2013, REGULAR CITY COUNCIL MEETING MINUTES.

Councilman Bill Garnos moved to approve the June 10, 2013, Regular City Council Meeting Minutes. Councilman Barry McCullough seconded. The vote: All "aye" –

Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 5. on the Agenda. **PROCLAMATION: recognizing the month of July 2013, as "NATIONAL PARKS AND RECREATION MONTH".**

Mayor Moore read and presented the Proclamation to Community Center Administrator Justin Merkey, who thanked Mayor Moore and the City Council on behalf of the Parks and Recreation Department.

Mayor Moore said the Council appreciates all the good work of the Parks and Recreation Department.

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 Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-31**, authorizing the City Manager to execute a sign use agreement with the Evanston Place Neighborhood group to use existing City street signs for sign toppers in Evanston Place. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

APPROVAL OF ANNUAL LIQUOR LICENSE RENEWALS:

Councilmember Carol Suter moved to approve the following **ANNUAL LIQUOR LICENSE RENEWALS**:

- El Patio, LLC dba Senor Tequila, 6502 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Smokehouse BBQ, 6304 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Gladstone Bowl, 300 Northwest 72nd Street; Class AA&B Liquor by the Drink License.
- End Zone II, 6583 North Oak Trafficway, Class AE Liquor by the Drink License.
- Blue Falcon, LLC, dba Gladstone Discount Smoke and Convenience Store, 6034 Northeast Antioch Road; Seven Day Package Liquor License.
- Kwik Shoppe, 7603 North Oak Trafficway; Six-Day Package Liquor License.

- Moran Foods, LLC, dba Save-A-Lot, 6599 North Oak Trafficway, Seven-Day Package Liquor License.
- Walgreens #1244, 6320 North Oak Trafficway; Seven-Day Package Liquor License.

Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to approve a **NEW RESTAURANT BAR (AR &B) LIQUOR BY THE DRINK LICENSE, WITH A SIX MONTH PROBATIONARY PERIOD** for Lost Assets, LLC dba No. 9 Saloon, 6609 North Oak Trafficway. Managing Officer: Richard L. Sims. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to approve the **MAY 2013 FINANCIAL REPORT**. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (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.

Councilman Bill Garnos stated he had the privilege of riding his bicycle today on the City's trails, and noticed that the City of Kansas City was pouring concrete on the north end of a trail to extend it. That was very exciting, as he had not seen a lot of progress on the north end extension for a while, probably because of the wet weather. This work has been highly anticipated, and will be a big asset to our community.

Councilman Garnos reported that he sat in on the Clay County Constitution Commission meeting, which was a public meeting, held at the Community Center. Councilman Garnos said he was impressed with the framework they were discussing, and he was very impressed with the Commission members and their dedication to trying to fix and improve Clay County government. Councilman Garnos commended Councilmember Suter for her leadership as Co-Chair of the group, and said he wished to applaud the work she was doing on the Commission.

Councilmember Suter thanked Councilman Garnos.

Councilman Barry McCullough thanked City staff for everything they do, and said he has given them an awfully lot of homework lately, and they have done an amazing job in keeping that current and getting through all of it. Councilman McCullough invited everyone to attend the July 4th celebration, next Thursday. It will be an exciting night!

Councilmember Carol Suter stated she and her husband enjoyed the performance at Linden Square on Saturday night. It was nice weather, which really helped with the crowd. It was a fun and interactive crowd. Councilmember Suter reported that the Clay County Constitution Commission would be holding its last public hearing June 25, 2013, at 7:00 PM, in North Kansas City at the City Hall. The Commission will be back in Gladstone the entire month of July for their regular meetings. When members of the Commission were asked where they wished to meet, they all agreed to meet in Gladstone, so the last three meetings will be in Gladstone.

Councilmember Suter reported that today marked the end of the application period for people interested in filling the vacant seat on the City Council. Councilmember Suter thanked all the people who applied. They make the job hard for Council to make their choice, but it is always great to see so much interest in public service.

Mayor Pro Tem Brian Hill had no comments at this time.

Mayor Jean Moore remarked on how beautiful the City looks. The plantings that City Gardener Beth Houlihan has done, along with her staff and the Parks and Recreation Department, has made such a difference in our City. Ms. Houlihan's aching back and the dirt under her nails show that she expends a lot of hard work, and it really makes a difference in this City. Mayor Moore said she was very proud of that effort.

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

City Manager Kirk Davis offered kudos to Beth Houlihan, who does a great job. We have come such a long way in the last ten years in terms of our public areas and making sure they are landscaped and planted. It was not a cheap endeavor, but Ms. Houlihan works hard and they do a nice job. City Manager Davis invited everyone to the Linden Square concerts this Friday and Saturday. The weather is supposed to be really nice this weekend. City Manager Davis invited everyone to the July 4th celebration in Oak Grove Park. The North Star Community Band will begin their performance at 8:30 PM. Around 10:00 PM, there would be the fireworks display. City Manager Davis said he hoped everyone stayed safe on the July 4th holiday. City Manager Davis said our City is hosting the Corporate Challenge this weekend at the Community Center. There are several thousand participants. The swimming portion of the challenge is in our natatorium, and it always draws a big crowd. City Manager Davis offered kudos to the staff for handling this event.

Mayor Moore reported that also on July 4th, there would also be a concert at 7:00 PM, that is a makeup concert from Linden Square, so we have a bonus of an additional concert at the July 4th celebration this year.

Item 10. on the Agenda. **FIRST READING BILL NO. 13-21**, authorizing the City of Gladstone, Missouri, to enter into a State and Municipal Lease/Purchase Agreement with Commerce Bank for certain public improvements for the City of Gladstone, Missouri; authorizing and approving certain actions in connection with the execution and delivery of said State and Municipal Lease/Purchase Agreement; and adopting a tax and securities compliance procedure for the City.

A copy of the Ordinance referred to above was available for public inspection prior to the meeting in the office of the City Clerk.

Councilman Barry McCullough moved to place **BILL NO. 13-21** on its First Reading. Mayor Pro Tem Brian Hill seconded.

The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the First Reading of **BILL NO. 13-21**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the Second and Final Reading of **BILL NO. 13-21**, and to enact the Bill as **Ordinance 4.243**. Mayor Pro Tem Brian Hill seconded.

City Manager Davis stated, for the audience, this is a financing tool that allows the City to move forward with the automated meter reading system and some minor improvements at City Hall, but, primarily, a \$2.5 million bond issue for the automated meter reading project, which will make improvements to the City's water billing system.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 11. On the Agenda. **RESOLUTION R-13-32**, authorizing the City Manager to execute an agreement for Audit Services for the City of Gladstone, Missouri with Berberich Trahan & CO. P.A.

Mayor Pro Tem Brian Hill moved to adopt **RESOLUTION R-13-32**, authorizing the City Manager to execute an agreement for Audit Services for the City of Gladstone, Missouri with Berberich Trahan & CO. P.A. Councilmember Carol Suter seconded.

City Manager Davis thanked Councilman McCullough for participating with City staff in this selection process. There were a lot of good firms who applied. Three were interviewed, as spelled out in Council's packet.

The vote: All "aye" - Councilman Bill Gamos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 12. on the Agenda. OTHER BUSINESS.

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

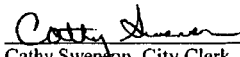
Item 13. on the Agenda. QUESTIONS FROM THE NEWS MEDIA.

There were no questions from the News Media.

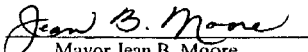
Item 14. on the Agenda. ADJOURNMENT.

There being no further business to come before the June 24, 2013, Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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


Mayor Jean B. Moore



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JULY 8, 2013**

OPEN STUDY SESSION: 7:20 PM

REGULAR MEETING: 7:30 PM

AGENDA

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of the June 18, 2013, Special City Council Meeting Minutes.
5. Approval of the June 24, 2013, Regular City Council Meeting Minutes.
6. **CONSENT AGENDA**

RESOLUTION R-13-33, authorizing execution of a contract with Vance Brothers, Incorporated, in the total amount not to exceed \$98,208.00 for the 2013 Intermediate Maintenance Program.

RESOLUTION R-13-34, authorizing acceptance of a proposal from Northland Neighborhoods, Inc. in the amount of \$36,390.00 for neighborhood development consulting services for the organization of three new neighborhoods, neighborhood strategic planning for three select existing neighborhoods and the development of an all ages community resource and services guide.

BUILDING PERMIT: for construction of The Heights at Linden Square on property located at 601 NE 70th Street.

Owner/Applicant: F&C Gladstone Apartments, LLC.

APPROVAL OF A NEW RESTAURANT BAR (AR &B) LIQUOR BY THE DRINK LICENSE for Diegos, LLC dba Diegos, 6024 North Antioch. Managing Officer: Jose Ivan Marquez Monroy.

APPROVAL OF ANNUAL LIQUOR LICENSE RENEWALS:

- The Hide Out Blues Club, 6948 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Latin Bistro & Culinary Center, LLC, 6924 North Oak Trafficway; Class AR Liquor by the Drink License.
- Margarita's, 7013 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.
- TNT Two, LLC dba Tanner's Bar & Grill, 6221 North Chestnut; Class AR&B Liquor by the Drink License.
- Tortilla Flats, 5716 Northeast Antioch Road; Class AR Liquor by the Drink License.
- Quiktrip #181, 2590 Northeast 72nd Street; Seven Day Package Liquor License.
- Quiktrip #237, 6309 Northeast Antioch Road; Seven Day Package Liquor License.
- Snappy Store, 4901 North Old Pike Road; Seven-Day Package Liquor License.

REGULAR AGENDA

- 7. Communications from the Audience.**
- 8. Communications from the City Council.**
- 9. Communications from the City Manager.**
- 10. FIRST READING BILL NO. 13-22, authorizing the City of Gladstone, Missouri, to issue its Industrial Development Revenue Bonds (The Heights at Linden Square project), Series 2013, in a principal amount not to exceed \$25,500,000 to finance the costs of a project for F&C Gladstone Apartments, LLC, an Indiana Limited Liability Company, consisting of the construction and improvement of a commercial facility; ratifying the previous approval of a plan for industrial development for the project; authorizing and approving certain documents; and authorizing certain other actions in connection with the issuance of the bonds.**
- 11. Other Business.**
- 12. Questions from the News Media.**
- 13. Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JULY 8, 2013**

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
Councilman Barry McCullough
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 Jean Moore opened the Regular July 8, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present.

Mayor Jean Moore welcomed everyone who attended the meeting in person and also those watching the meeting on-line. Mayor Moore said she and the City Council value everyone's interest and participation.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

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

Item 4. on the Agenda. APPROVAL OF THE JUNE 18, 2013, SPECIAL CITY COUNCIL MEETING MINUTES.

Mayor Pro Tem Brian Hill moved to approve the June 18, 2013, Special City Council Meeting Minutes, as presented. Councilman Barry McCullough seconded. The vote: All

"aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 5. on the Agenda. **APPROVAL OF THE JUNE 24, 2013, REGULAR CITY COUNCIL MEETING MINUTES.**

Councilman Barry McCullough moved to approve the **JUNE 24, 2013, REGULAR CITY COUNCIL MEETING MINUTES** as presented. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

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

Following the Clerk's reading, Councilman Barry McCullough asked that Resolution R-13-34 be removed from the Consent Agenda for additional discussion.

Mayor Moore stated that Resolution R-13-34 would be removed from the Consent Agenda for consideration under the Regular Agenda, as Item No. 6a.

Councilmember Carol Suter moved to approve the Consent Agenda as amended. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-33**, authorizing execution of a contract with Vance Brothers, Incorporated, in the total amount not to exceed \$98,208.00 for the 2013 Intermediate Maintenance Program. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to approve a **BUILDING PERMIT** for construction of The Heights at Linden Square on property located at 601 NE 70th Street. Owner/Applicant: F&C Gladstone Apartments, LLC. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to approve a **NEW RESTAURANT BAR (AR & B) LIQUOR BY THE DRINK LICENSE** for Diegos, LLC dba Diegos, 6024 North Antioch. Managing Officer: Jose Ivan Marquez Monroy. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to approve the following annual Liquor License Renewals:

- The Hide Out Blues Club, 6948 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Latin Bistro & Culinary Center, LLC, 6924 North Oak Trafficway; Class AR Liquor by the Drink License.
- Margarita's, 7013 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.
- TNT Two, LLC dba Tanner's Bar & Grill, 6221 North Chestnut; Class AR&B Liquor by the Drink License.
- Tortilla Flats, 5716 Northeast Antioch Road; Class AR Liquor by the Drink License.
- Quiktrip #181, 2590 Northeast 72nd Street; Seven Day Package Liquor License.
- Quiktrip #237, 6309 Northeast Antioch Road; Seven Day Package Liquor License.
- Snappy Store, 4901 North Old Pike Road; Seven-Day Package Liquor License.

Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

REGULAR AGENDA

Item 6a. on the Agenda. **RESOLUTION R-13-34**, authorizing acceptance of a proposal from Northland Neighborhoods, Inc. in the amount of \$36,390.00 for neighborhood development consulting services for the organization of three new neighborhoods, neighborhood strategic planning for three select existing neighborhoods and the development of an all ages community resource and services guide.

Councilman McCullough requested that staff provide clarification on Resolution R-13-34, in the context of how the award was made and how the bids were received.

Building Official Alan Napoli reported that every fourth year staff goes out to bid for neighborhood services work, which is the development of the neighborhoods. A Request for a Quote (RFQ) was sent to four consulting firms this year, and two bids were received. One was from Vellar Consulting and one was from Northland Neighborhoods Incorporated. In the RFQ, they were asked to give an annual price for each individual neighborhood. When bids came back, Vellar Consulting was \$15,000.00 per neighborhood, and Northland Neighborhoods, Inc. was \$9,630.00 per neighborhood. Staff

is planning on working with three neighborhoods this year, so that would be a total cost \$45,000 with Vellar Consulting, and \$28,890.00 with Northland Neighborhoods, Inc. In addition, last year, Northland Neighborhoods provided the template for strategic planning. The strategic planning template was designed last year, so staff could work with the existing neighborhoods to revitalize their neighborhood. This year staff will use that same template, and utilize Northland Neighborhoods, Inc. for three years, and then once again go out to bid in the fourth year, as is typically done. It was \$2,500.000 per neighborhood, which has been the City's typical price per neighborhood to do a strategic planning, and with the three neighborhoods, that totals \$7,500.00. That brought the total for Northland Neighborhoods to \$36,390.00. That was a savings of over \$15,000.00 had the bid gone to Vellar Consulting.

Mr. Napoli said staff is talking to Vellar Consulting about working on the multi-family neighborhood program, which staff is hoping to move forward in the next few weeks. Vellar Consulting will be working with the City with the apartment complexes and organizing them.

Councilman McCullough thanked Mr. Napoli, and said that answered all of his questions.

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-34**, authorizing acceptance of a proposal from Northland Neighborhoods, Inc. in the amount of \$36,390.00 for neighborhood development consulting services for the organization of three new neighborhoods, neighborhood strategic planning for three select existing neighborhoods and the development of an all ages community resource and services guide. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

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

Larry Newport, 2002 NE 69 Terrace, thanked Recreation Programmer Paige Robbins and the Parks and Recreation staff for the nice luncheon that was held on June 27, 2013.

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

Councilman Bill Garnos stated he appreciated all the fine work of the City staff on the July 4th activities at Oak Grove Park. There are few things he enjoys more than seeing the town sitting at the park in lawn chairs, listening to patriotic music, and great fireworks. Councilman Garnos said he knew it took a lot of work on the Parks and Recreation and Public Safety staff and others. It was one of those great community events of the year here in Gladstone.

Councilman Garnos said that at the last City Council meeting, he mentioned that concrete was being poured at the north end of the trail, and he was pleased to see that work was

done, and those trails are now extended all the way up to Maplewoods Community College. He did not believe the concrete was dry before people were walking, biking, walking their dogs, and running on it. It is beyond our City limits, but it is a huge resource and amenity for the people of Gladstone. There is a little more work to be done on the second fork over the creek, that will be going up to Barry Road, but work was about half done, the last time he saw it. Councilman Carnos said he was riding his bike, when a little tiny girl on a little tiny bike was biking along on the trail with her father behind. The father was beaming watching his little girl pedaling, and as they crossed paths, the little girl looked up and said she was biking too! There were smiles all around which was great.

Councilman Barry McCullough thanked City staff and the community on a whole for a wonderful event on July 4th. It was great to be out amongst everyone. The crowd was amazing. It was a beautiful night with a fantastic fireworks show. Councilman McCullough offered his thanks to everyone.

Councilmember Carol Suter stated that she had a lot of extended family in town for the holiday, and they managed to get everyone out the door and orchestrated for the fireworks. People from coast to coast were absolutely impressed with the quality of the fireworks. They were not expecting it to be that good. It was one of those proud times to be in Gladstone, and to be part of what makes it all work, on some days.

Councilmember Suter reported that one of the City's long time staff members, Recreation Supervisor Tina Spallo, had received a wonderful career opportunity outside of Gladstone, and it broke her heart because she has been such a fabulous addition to our staff for such a long time. She was such a joy to work with on projects like the Mayor's Christmas Tree Lighting, and those kinds of things. She will be sorely missed.

Mayor Pro Tem Brian Hill said he wished to echo what was said about the fireworks display on July 4th, and offered his thanks to staff for all their hard work. Parks and Recreation puts a lot into that event, as does Public Works and Public Safety. Mayor Pro Tem Hill said he wished to thank the same people plus some more for Theatre in the Park, which he understood was very successful all three nights. It was an excellent production. Mayor Pro Tem Hill said there is a ton of work that goes into this, and not just what is seen on stage, but much of what is behind the scenes. Mayor Pro Tem Hill thanked everyone involved with these events.

Mayor Jean Moore said she wished to echo everything that everyone has said. The 4th of July was amazing, and made us all feel proud. Mayor Moore said she had the opportunity to see a portion of the production "Guys and Dolls", and it was an amazing production, that was really professionally done. The director and all the cast members, as well as City staff need to be thanked profusely. It is an enormous effort, and we have wonderful partners with Van and Susie Ibsen and everyone who just pours their heart and soul into Theatre in the Park. It is a great treasure for the City of Gladstone, and we are very proud of that.

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

City Manager Kirk Davis congratulated Tina Spallo, and thanked her for her years of service, working with Parks and Recreation Director Sheila Lillis and the Parks and Recreation Department. They have made a good team. City Manager Davis invited City Council members to Tina's reception, which would be Friday, July 12. City Manager Davis said he wished Tina well, and said she had done a good job for her 19 years with the City.

City Manager Davis reported that Finance Director Debra Daily had her surgery on July 2nd, and is now in recovery. It was a pretty major surgery on her knee, so she will struggle for a while in getting around. She began her rehab today, and he believed she was doing well.

City Manager Davis reported that the ground breaking for the Flaherty & Collins Linden Heights project would be held on July 15 at 10:30 AM. City Manager Davis said he hoped that all the Council would be able to attend and to participate.

Item 10. on the Agenda. **FIRST READING BILL NO. 13-22**, authorizing the City of Gladstone, Missouri, to issue its Industrial Development Revenue Bonds (The Heights at Linden Square project), Series 2013, in a principal amount not to exceed \$25,500,000 to finance the costs of a project for F&C Gladstone Apartments, LLC, an Indiana Limited Liability Company, consisting of the construction and improvement of a commercial facility; ratifying the previous approval of a plan for industrial development for the project; authorizing and approving certain documents; and authorizing certain other actions in connection with the issuance of the bonds.

Mayor Pro Tem Brian Hill moved to place **BILL NO. 13-22** on its First Reading. Councilmember Carol Suter seconded.

The vote: All "aye" – Councilman Bill Gamos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the First Reading of **BILL NO. 13-22**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Bill Gamos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the Second and Final Reading of **BILL NO. 13-22**, and to enact the Bill as **Ordinance 4.244**. Councilmember Carol Suter seconded.

Councilmember Suter said there have been lots of issues handled around this project that is going up just down the street, but she knew that it was hard for the public to follow just what all those steps are, so she wanted to remind people that this strategy for financing was chosen instead of doing Tax Increment Financing (TIF), and it saved hundreds of thousands of dollars on the project, and saved months and months of time on the project. It was all due to the creativity and ingenuity of the City staff, which she really appreciated, as has everyone connected to this project. It is a delight to approve this kind of financing.

Mayor Pro Tem Brian Hill said he wished to make a note that as Councilmember Suter mentioned, not everyone may understand exactly what is going on. The City is not generally obligated for the payment of the \$25,500,000, so it is not as if the City is taking on a general obligation debt for this amount; it is tied to this project, and the City is not really incurring \$25,500,000 in debt that would be something that the City would otherwise be liable for, and he wished for people to understand that.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 11. on the Agenda. OTHER BUSINESS.

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

Item 12. on the Agenda. QUESTIONS FROM THE NEWS MEDIA.

There were no questions from the News Media.

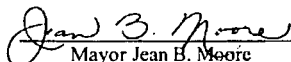
Item 13. on the Agenda. ADJOURNMENT.

There being no further business to come before the July 8, 2013, Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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


Mayor Jean B. Moore



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JULY 22, 2013**

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 July 8, 2013, Regular City Council Meeting Minutes.
5. **CONSENT AGENDA**

RESOLUTION R-13-35, authorizing the City Manager to purchase one 2013 (or newer) Ford F450 XL ambulance chassis from U.S. Coach Works and to remount an ambulance body/module onto the chassis, with specified equipment for the total amount of \$89,870.00.

RESOLUTION R-13-36, authorizing execution of a transfer agreement between the City of Gladstone and Mid-America Regional Council for the Smart Lights for the Smart Cities Program.

APPROVAL OF A BUILDING PERMIT: for installation of Solar Panels on the Snowden Building, located at 6505 North Prospect Avenue. Applicant: Kevin Snyder. Owner: Phil Snowden.

APPROVAL OF THE JUNE 2013 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 Special Use Permit subject to certain conditions to the Kansas City Landsmen, LLC dba Budget Car and Rental for operation of car and truck rental services on property at 7412 North Oak Trafficway.
Applicant: Budget Car and Truck Rental. Owner: Tom and Maryann Simms.
10. **FIRST READING BILL NO. 13-23**, granting a Special Use Permit subject to certain conditions to the Kansas City Landsmen, LLC dba Budget Car and Rental for operation of car and truck rental services on property at 7412 North Oak Trafficway.
11. **FIRST READING BILL NO. 13-24**, authorizing the City Manager to execute a multi-agency cooperative agreement for creation of a Northland Traffic Safety Task Force.
12. **RESOLUTION R-13-37**, authorizing the City Manager to purchase fifty Electronic Control/Immobilization Devices with specified equipment, including training police officers as instructors, from Karbon Arms, for the total amount of \$41,023.92.
13. **RESOLUTION R-13-38**, ratifying and approving Change Order No. 14 in the amount of \$329,210.00 to the contract with Fleshman Construction, Incorporated, for construction of additional tenant improvements at 7001 North Cherry as part of the Linden Square – Village Center Project.
14. **SPECIAL PRESENTATION TO FORMER MAYOR BARRY McCULLOUGH.**
15. Other Business.
16. Questions from the News Media.
17. 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 former Mayor Barry McCullough



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JULY 22, 2013**

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
Councilman Barry McCullough
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 Jean Moore opened the Regular July 22, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present.

Mayor Jean Moore welcomed everyone who attended the meeting in person and also those watching the meeting on-line. Mayor Moore said she and the City Council thanks everyone for their interest in government.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Moore said it was a very great honor this evening, to have the the Missouri State VFW Honor Guard, Gladstone Post 10906, at this meeting to Present the Colors and lead the Pledge of Allegiance.

Following the Presenting of the Colors and the Pledge of Allegiance, Mayor Moore asked the Honor Guard to introduce themselves as follows:

Bill Driscoll, who stated he is the Senior Commander of Gladstone Post 10906, said the Post meets in the IOF building near City Hall. The Post has been there for quite a few years, and it has been their honor to be a member of the Gladstone community. Members of the Post provide military honors at funerals, which is their main function, and is how they keep their Post surviving. They do not have a club room or anything of that nature. This is another way that they honor their veterans. This Post does a lot of things to honor veterans, and this Post is very active, even though it is a small Post. Mr. Driscoll said it was their honor to be present at this meeting tonight, and they really appreciated the invitation.

Thomas Garrett introduced himself as: United States Army, Airborne, First Airborne/Air Assault - Desert Shield, Desert Storm, and the Liberation of Kuwait.

Larry Lewis stated he was in the Fifth Special Forces Group, which many knew as the Green Beret, and he served in Vietnam from 1967 to 1968, and he is now the Guard Commander at the Post. Mr. Lewis said the Honor Team provides the honors at funerals. They do the firing, play taps, and in some cases, they fold the flag. They are so good at this they have now been elected as the State VFW Color Guard. They also have a mounted Color Guard, of which there are only two in the United States. They have been in several parades, and they led the Gladfest Parade last year. Mr. Lewis said they were proud to be at this meeting.

Stanley Stoner, Warrant Officer, Retired Army, said he served his first two years in Vietnam, and the next 20 years in a variety of stateside and foreign assignments. Mr. Stoner said his entire career was active duty - Army Criminal Investigations Command, CID Special Agent. Mr. Stoner said with the VFW Post, he is the Service Officer, and assists the veterans with obtaining their benefits. Mr. Stoner asked if anyone knows of any veterans who need assistance to please contact him, as working with the VA can be difficult, and it is better to work through the VFW or another organization as a bridge. Mr. Stoner said he would be happy to assist any veteran with getting their benefits, even World War II veterans, who he has assisted in the past.

Mayor Moore stated it was such an honor to have the Honor Guard present this evening, and said she wished to thank them so much. Mayor Moore asked the audience to help her thank the Honor Guard, which was followed by applause.

Item 4. on the Agenda. APPROVAL OF THE JULY 8, 2013, REGULAR CITY COUNCIL MEETING MINUTES.

Councilman Barry McCullough moved to approve the July 8, 2013, Regular City Council Meeting Minutes, as presented. Councilmember Carol Suter seconded. The vote: All "aye" - Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 5, on the Agenda.

CONSENT AGENDA.

Following the Clerk's reading, Councilmember Carol Suter moved to approve the Consent Agenda as presented. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-35**, authorizing the City Manager to purchase one 2013 (or newer) Ford F450 XL ambulance chassis from U.S. Coach Works and to remount an ambulance body/module onto the chassis, with specified equipment for the total amount of \$89,870.00. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-36**, authorizing execution of a transfer agreement between the City of Gladstone and Mid-America Regional Council for the Smart Lights for the Smart Cities Program. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to approve a **BUILDING PERMIT** for installation of Solar Panels on the Snowden Building, located at 6505 North Prospect Avenue. Applicant: Kevin Snyder. Owner: Phil Snowden. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to approve the **JUNE 2013 FINANCIAL REPORT**. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

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.

Councilman Bill Garnos stated regarding the end of the year Financial Report, which was just approved, he feels one of the most important things the City Council and staff do is to make sure the City continues to live within its means, and the report pleased him a great deal. The General Fund had revenues of approximately \$17.5 million and expenditures of about \$16.7 million; the Water Fund had revenues of approximately \$8.3 million, and expenditures of about \$7.3 million; and the Community Center and Parks Tax Fund had revenues of approximately \$3.2 million, and expenditures of about \$3.1 million. Councilman Garnos said he believed one of the most important things we do in this City is to live within our means, and as much as he would like to take credit for that, the real credit goes to City staff, the budget team, the department heads, and our City Manager. Councilman Garnos said he wished to acknowledge that we did have a good year end financial report.

Councilman Garnos said purchase of a chassis for the ambulance was one of those examples of innovative "outside of the box" thinking that keeps us in budget. We have an ambulance that apparently has a lot of miles on it, but instead of going out and buying an all new ambulance, we realized that it was a combination of a chassis and a box, and while the vehicle needed upgrading, the box on the back of the ambulance did not. Instead of spending a huge amount of money for a new ambulance, we are taking the box off the old one and putting it on a new chassis, and we will get a good "bang for our buck", while taking care of a need in a fiscally conservative manner. Councilman Garnos said he was very pleased to see the City take that route. Councilman Garnos said he knew that Councilman McCullough was involved with that.

Councilman Barry McCullough stated he wished to piggy back on the remarks by Councilman Garnos, and said it was great that we were able to work with a local company, U.S. Coach Works, who does that work here in the Northland. That is really a perk to be able to work with them.

Councilman McCullough offered his thanks to everyone in Gladstone, and his thanks to the City staff. Councilman McCullough said it had been an honor to work with all of the City Council, and it was bitter sweet to leave the Council, but it has been a lot of fun, and he looks forward to finding new ways to work with everyone.

Councilmember Carol Suter jokingly commented that the "roasting" of Councilman McCullough would be saved for a few minutes.

Councilmember Suter said she wished to echo what most said at the Open Study Session, in that it was an absolute delight to turn ground for the Heights at Linden Square. It was one of the most exciting things to happen in Gladstone in a long time. It was not without its ups and downs, but she is looking forward to something going up there very soon.

Councilmember Suter said she wished to remind people the Clay County EDC would be hosting their Strategic Initiatives, July meeting, here in Gladstone on July 30, in the

Gladstone Community Center. The topic will be Lifestyle, and they specifically wanted to do this meeting in Gladstone, because of things like the Heights and the whole downtown center. Councilmember Suter said she felt that was appropriate, and encouraged those who were available that day to attend the meeting, which will be held 3:00 to 5:00 PM.

Mayor Pro Tem Brian Hill said he had no comments at this time, and would save his remarks until the "roasting".

Mayor Jean Moore said she would save her comments for later, as well.

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

City Manager Kirk Davis stated, on behalf of City staff, he would like to thank Councilman Barry McCullough for his service on the City Council, and as Mayor. City Manager Davis congratulated Councilman McCullough on receiving the Council's award, the Missouri Municipal League Civic Leadership Award, which was well deserved.

City Manager Davis offered congratulations to Gary Markenson, who the Council has selected to take Councilman McCullough's place on the City Council. He is looking forward to working with Gary, and believes he will do a great job.

City Manager Davis encouraged everyone to go out to Linden Square. Theatre in the Park is coming up on August 2 - 4, in Oak Grove Park, with the production of "The Music Man". City Manager Davis said he hoped everyone had the opportunity to support these activities.

Item 9. on the Agenda. **PUBLIC HEARING:** for consideration of a Special Use Permit subject to certain conditions to the Kansas City Landmen, LLC dba Budget Car and Rental for operation of car and truck rental services on property at 7412 North Oak Trafficway.
Applicant: Budget Car and Truck Rental. Owner: Tom and Maryann Simms.

Mayor Moore opened and immediately closed the Public Hearing until the next regularly scheduled City Council meeting at the request of the applicant.

Item 10. on the Agenda. **FIRST READING BILL NO. 13-23,** granting a Special Use Permit subject to certain conditions to the Kansas City Landmen, LLC dba Budget Car and Rental for operation of car and truck rental services on property at 7412 North Oak Trafficway.

Mayor Moore stated that as the Public Hearing for this application was continued, Council's consideration of Item No. 10 is also continued until the next regularly scheduled City Council meeting on August 12, 2013.

Item 11. on the Agenda. **FIRST READING BILL NO. 13-24**, authorizing the City Manager to execute a multi-agency cooperative agreement for creation of a Northland Traffic Safety Task Force.

Mayor Moore stated this item was being withdrawn at this time from the agenda at the request of staff.

Item 12. on the Agenda. **RESOLUTION R-13-37**, authorizing the City Manager to purchase fifty Electronic Control/Immobilization Devices with specified equipment, including training police officers as instructors, from Karbon Arms, for the total amount of \$41,023.92.

Councilman Bill Garnos moved to adopt **RESOLUTION R-13-37**, authorizing the City Manager to purchase fifty Electronic Control/Immobilization Devices with specified equipment, including training police officers as instructors, from Karbon Arms, for the total amount of \$41,023.92. Councilman Barry McCullough seconded.

Councilmember Suter said, for the sake of the audience, Councilman Garnos has had a particular interest in this, and for those who do not know, this means Tasers.

The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 13. on the Agenda. **RESOLUTION R-13-38**, ratifying and approving Change Order No. 14 in the amount of \$329,210.00 to the contract with Fleshman Construction, Incorporated, for construction of additional tenant improvements at 7001 North Cherry as part of the Linden Square – Village Center Project.

Mayor Pro Tem Brian Hill moved to adopt **RESOLUTION R-13-38**, ratifying and approving Change Order No. 14 in the amount of \$329,210.00 to the contract with Fleshman Construction, Incorporated, for construction of additional tenant improvements at 7001 North Cherry as part of the Linden Square – Village Center Project. Councilmember Carol Suter seconded.

Mayor Moore said, for the benefit of the audience, that this Resolution was for improvements to the second floor of the Dentistry for Children building for the City's sublease of that space by Oakhill Day School. This will prepare the space for Oakhill before school starts.

The vote: All "aye" – Councilman Bill Garnos, Councilman Barry McCullough, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 14. on the Agenda. SPECIAL PRESENTATION TO FORMER MAYOR BARRY McCULLOUGH.

Mayor Moore invited Councilman McCullough to join her and the rest of the City Council in front of the Council dais. Mayor Moore said on behalf of the entire City Council and the residents of the City of Gladstone, it was her honor to present him with the Key to the City and a flag that was flown over the City during his term as Mayor and Councilman.

Councilman McCullough offered his thanks, which was followed by applause from the audience.

Mayor Moore offered the following comments to Councilman and former Mayor Barry McCullough:

This is an evening of conflicting emotions. First of all, it is a joy to salute you for the many talents and contributions you have made to the City and to this Council. You studied the issues, asked tough questions, held Council's feet to the fire, and helped the Council do a better job, and they are grateful for that. You have been an incredible role model and advocate for the City, both on the Council and in your work with the Rotary, Missouri Municipal League, and with all the positions you have had, with Hillcrest Transitional Housing, and the Chamber; you have done amazing things.

It is with enormous sadness that we bid you farewell. We will miss your leadership and your voice on the challenges that this Council faces. We are also sad that you cannot be with us to share in some of the joys and successes that you have worked so hard to achieve. We will miss your smile and we will miss having you as our colleague. As you leave your seat on the Council, you leave behind huge footsteps to fill – and that has nothing to do with your shoe size!

We extend our sincere thanks and deep appreciation for all that you have done for this City and all the residents.

Mayor Moore asked everyone to join in saluting Councilman McCullough for his service on the Gladstone City Council, which was followed with a standing applause from the audience.

Councilman McCullough offered his thanks to Mayor Moore, the City Council, and to everyone, and said it had been a real honor to get to serve the residents of Gladstone, and work with such a professional staff and incredible City Council, current and past. Councilman McCullough said he had been very lucky to be a part the City Council, and he has benefitted from the knowledge he has gained from this experience, which was followed by applause from the audience.

Mayor Moore said it was her understanding that there were some comments that needed to be made by members of the Council, so invited comments at this time.

Councilman Bill Garnos jokingly said he did not realize that this was going to be a roast; he was told to keep it short, because it is an important night on "The Bachelorette", and for that, Barry needs to get home to see how Desiree is going to make out!

Councilman Garnos said Barry was Mayor when he had the privilege of joining the City Council. Barry has been very important in his mentoring to him on the City Council from the very beginning, and he has appreciated that. Councilman Garnos said he had appreciated Barry's wise counsel through two campaigns, and he has always admired his dedication, his time he put in so unselfishly, and he believes everyone in the City has benefitted from it. Councilman Garnos said he wished Councilman McCullough the best of luck, but he knows we will see him often.

Councilman McCullough thanked Councilman Garnos.

Councilmember Carol Suter stated she and Councilman McCullough served together longer than anyone else on this Council, but considering all the turn over, that isn't saying a whole lot! Councilmember Suter said she first got to know Barry as an opponent in a political campaign, because he was crazy enough to take on an incumbent, and got Council's attention. Councilmember Suter said it was that campaign that really did get Council's attention, and helped the City Council to see him as an up and coming leader in the community. Barry conducted himself with integrity, dignity, and honesty, and he was motivated by what was best for the City. That really impressed the City Council; so much so, that those who were on the opposite side became supporters on his side to make sure that he was elected to this Council.

Councilmember Suter said it had been a pleasure to serve with Barry, and stated they did not always see "eye to eye", and sometimes "got into each other's hair", and that was a challenge. At the end of the day, they always did what was in the best interest of the City. Councilmember Suter said she always appreciated that Councilman McCullough came from a slightly different philosophical perspective than she, and sometimes other members of the Council, and it was a perspective that was important and needed to be represented. Mayor Suter said she had always respected Councilman McCullough for expressing his opinions with dignity and respect for those on the City Council who did not always agree, and that really helped them to make better decisions, and she will miss that perspective, and she will miss his smile and twinkling eyes along the way.

Councilmember Suter said she looked forward to Councilman McCullough finding ways to serve the area, even though he will be only across the street from Gladstone. There will be others ways to serve this region and she looks forward to seeing him in leadership again.

Councilman McCullough thanked Councilmember Suter.

Mayor Pro Tem Brian Hill said he had to follow with Councilmember Suter's comments in that his first knowledge of Barry was on the other side of a political campaign. The next thing that he knew after Barry lost was that the Council "stuck" Barry with him on the Planning Commission! Mayor Pro Tem Hill said he got to know Barry better, and he served for a short term on the Planning Commission before he came back to run for the City Council again. Mayor Pro Tem Hill said once Barry was on the City Council, Barry wanted to get to know him better and jokingly said he did not know why, and so Barry helped him serve on the Gladfest Committee in distributing Pepsi products and ice. That was pretty interesting and he got to know Barry pretty well. Mayor Pro Tem Hill jokingly said he believed it was eye opening for Barry as well, because when they went down to the old maintenance shed, opened the garage door, and he backed up the Gator and started to load Pepsi products, Barry picked up one bottle of Pepsi, as if to ask why the Gator was needed. Mayor Pro Tem Hill said he believed it brought him around to the logistics of Gladfest.

Mayor Pro Tem Hill said he would miss Councilman McCullough's guidance and his input on the City Council, and he would have to find someone else to pick on, so he suggested City Manager Davis get ready! Mayor Pro Tem Hill jokingly said there should not be as much difficulty in the lighting in photos with the shine from over there, but maybe those pictures may be taken from up here in the future. Mayor Pro Tem Hill thanked Councilman McCullough for his many years of service to the City, and said he will be missed, but he looks forward to his continued involvement.

Councilman McCullough thanked Mayor Pro Tem Hill.

Councilman McCullough introduced his mother and father, Dale and Linda McCullough; his lovely wife, Anita, who made all this possible, her folks, Doreen and Dave Metter; his oldest daughter, Megan, his son-in-law Jason, and his granddaughter, Scarlet. Councilman McCullough said he appreciated having his family present this evening.

Mayor Moore invited anyone in the audience who would like to make comments about Councilman McCullough to please approach the microphone.

Former Mayor and Councilman Les Smith, 13110 West 74th Street; Shawnee, Kansas, began by jokingly saying he did not much like it on the audience side of the podium! Mr. Smith said to Councilman McCullough that he debated long and hard whether or not to stand up and visit, but he and Barry had some special circumstances. Barry and he first were acquainted in 2007, maybe technically 2006, but he had a feeling they would get to know each other better as they worked through a campaign in the spring of 2007. Barry's timing was not very good. Barry took on an incumbent when we had a lot of feel good things going on in Gladstone. We had built a community center, we had a lot of master planning and visioning, building 70th Street, and doing other things, and it was a tough time to take on an incumbent. Barry lost, but it was a good time in Gladstone's history,

and the reason why is because sometimes when a candidate loses he may get resentful and may become a negative influence in the community. Not Barry, Barry dug in and said maybe I should learn a little bit more about our community, the governance of our community, because this is something I really want to do. On the flip side, years ago, in the 60s, 70s, 80s, and 90s, if you ran against an incumbent and they beat you, those people buried that candidate, and they were never to be heard or seen again. Councilmember Suter was correct. We learned very early that Barry was a good guy. Mr. Smith said his own litmus test is that you have to be willing to do the right things for the right reasons, and it was evident that Barry wanted to do the right things for the right reasons. He had some concerns about our community, and we now know that he usually jumps in with both feet, and he wanted to become a part of it. There are two things you do not want to happen during a campaign. You don't want to learn that your opponent is a really good guy, because it takes some of the edge off, and you lose some aggressiveness, but worse than that is you do not want your campaign volunteers to realize that your opponent is a good guy. Mr. Smith said he knew Barry was a good guy, but he couldn't tell anyone!

Mr. Smith said their time on the Council was great. Barry was there the evening that Mr. Smith left, and that meant a lot to him, because Barry really is a good guy. Barry worked hard when he succeeded him as Mayor in 2011, when there was, again, a lot on the plate. There was the ridiculous settlement discussion with the County on the Road District. There were a million other things going. There was the Village Center that had been talked about for 40 years, but finally, we were gaining some traction. Barry and the rest of the Council did not skip a beat. The Council picked it right up and gave it everything that it needed and this community is better for it.

Mr. Smith said to Barry "serving with you - it was an honor - from Gladstone, my home town, thank you. Job well done. You left it better than you found it".

Mayor Moore thanked Councilman McCullough and said she and the Council so appreciate him.

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.

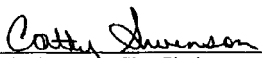
There were no questions from the News Media.

Item 17. on the Agenda. ADJOURNMENT.

There being no further business to come before the July 22, 2013, Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the meeting.

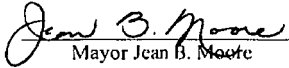
Mayor Moore invited everyone to the North and South Conference Rooms for a reception honoring Councilman McCullough.

Respectfully submitted:



Cathy Swenson, City Clerk

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



Mayor Jean B. Moore



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, AUGUST 12, 2013**

The City Council will meet in Closed Executive Session at 6:15 PM, on Monday, August 12, 2013, 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.

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 July 22, 2013, Regular City Council Meeting Minutes.**
- 5. FIRST READING BILL NO. 13-25, appointing Gary Markenson to fill the City Council seat left vacant by the resignation of former Councilman Barry McCullough.**
- 6. CITY COUNCIL OATH OF OFFICE TO GARY MARKENSON.**

7. CONSENT AGENDA

RESOLUTION R-13-39, authorizing acceptance of proposal from Builders Development Corporation in the amount of \$20,000.00 for neighborhood preservation and sustainability as it relates to Gladstone 2050.

RESOLUTION R-13-40, authorizing acceptance of a proposal from Dick Smith Ford, Inc., Raytown, Missouri, for the purchase of two (2) Ford Police Interceptor all-wheel drive (AWD) utility vehicles for the total purchase amount of \$52,052.00.

RESOLUTION R-13-41, authorizing execution of a contract with Agua Fina Irrigation and Landscape, LLC, in the total amount not to exceed \$165,974.60 for the 6800 Block North Woodland Drainage Improvements.

RESOLUTION R-13-42, authorizing acceptance of a proposal from Independent Salt Company for the purchase of snow removal salt.

RESOLUTION R-13-43, authorizing the execution of a utility easement for the east side of the Heights at Linden Square site.

RESOLUTION R-13-44, expressing the City of Gladstone Missouri's support for bringing the Republican National Convention to the Kansas City region in 2016.

APPROVAL OF AN ANNUAL LIQUOR LICENSE RENEWAL FOR:
The Lost Bar & Grill, LLC, 7632 North Oak Trafficway; Class AE Liquor by the Drink License.

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 the Kansas City Landsmen, LLC, dba Budget Car and Rental for operation of car and truck rental services on property located at 7412 North Oak Trafficway.
Applicant: Budget Car and Truck Rental. Owner Tom and Maryann Simms.
- 12. FIRST READING CONTINUED BILL NO. 13-23,** granting a Special Use Permit subject to certain conditions to the Kansas City Landsmen, LLC, dba Budget Car and Rental for operation of car and truck rental services on property located at 7412 North Oak Trafficway.
- 13. FIRST READING BILL NO. 13-24,** authorizing the City Manager to execute a multi-agency cooperative agreement for creation of a Northland Traffic Safety Task Force.
- 14. FIRST READING BILL NO. 13-26,** directing the City Manager to execute a cooperative agreement with the North Kansas City School District No. 74 for a school resource officer at Antioch Middle School.
- 15. Other Business.**
- 16. Questions from the News Media.**
- 17. Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, AUGUST 12, 2013**

Mayor Jean Moore opened the City Council Meeting to adjourn to a Closed Executive Session on August 12, 2013, at 6:15 PM. Mayor Pro Tem 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. Councilman Bill Garnos seconded.

Roll Call Vote: All "aye" – Councilman Bill Garnos, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (3-0).

Councilmember Carol Suter was also present at the Closed Executive Session.

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
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 Jean Moore opened the Regular August 12, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present.

Mayor Jean Moore welcomed everyone who attended the meeting in person and also those watching the meeting on-line. Mayor Moore said she and the City Council thanked everyone for their interest and involvement in City government.

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

Mayor Moore stated it was an honor to have Public Safety Director Mike Hasty lead the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE JULY 22, 2013, REGULAR CITY COUNCIL MEETING MINUTES.**

Mayor Pro Tem Brian Hill moved to approve the July 22, 2013, Regular City Council Meeting Minutes, as presented. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (4-0)

Item 5. on the Agenda. **FIRST READING BILL NO. 13-25**, appointing Gary Markenson to fill the City Council seat left vacant by the resignation of former Councilman Barry McCullough.

Mayor Pro Tem Brian Hill moved to place **BILL NO. 13-25** on its First Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (4-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the First Reading of **BILL NO. 13-25**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (4-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the Second and Final Reading of **BILL NO. 13-25**, and to enact the Bill as **Ordinance 4.245**. Councilmember Carol Suter seconded.

Councilmember Suter thanked all who applied for the Council position. It is a wonderful situation in Gladstone that we have had for several years, where, most of the time, a lot more people want to serve than there are openings. There were wonderful people who applied who had a great history of public service, and it was a difficult job for the City Council to make their selection. Councilmember Suter said she was very excited about the professional background of Gary Markenson, and the connections he has around the State will be very helpful to the City of Gladstone.

Mayor Pro Tem Hill stated he agreed with Councilmember Suter's remarks.

Roll call vote: All "aye" – Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (4-0).

Item 6. on the Agenda.

CITY COUNCIL OATH OF OFFICE TO GARY MARKENSON.

Mayor Moore invited Mr. Gary Markenson 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 Markenson took his seat at the Council dais.

Mayor Moore invited Councilman Markenson to make comments at this time, or if he preferred, wait until the Communications from the City Council item on the Agenda.

Councilman Markenson thanked the City Council for selecting him, and said he hoped he would fulfill their expectations. Councilman Markenson said he was really excited to work with the City Council to improve the City of Gladstone.

Item 7. on the Agenda.

CONSENT AGENDA.

Following the Clerk's reading, Councilmember Carol Suter moved to approve the Consent Agenda as presented. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-39**, authorizing acceptance of proposal from Builders Development Corporation in the amount of \$20,000.00 for neighborhood preservation and sustainability as it relates to Gladstone 2050. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-40**, authorizing acceptance of a proposal from Dick Smith Ford, Inc., Raytown, Missouri, for the purchase of two (2) Ford Police Interceptor all-wheel drive (AWD) utility vehicles for the total purchase amount of \$52,052.00. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-41**, authorizing execution of a contract with Agua Fina Irrigation and Landscape, LLC, in the total amount not to exceed \$165,974.60 for the 6800 Block North Woodland Drainage Improvements. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-42**, authorizing acceptance of a proposal from Independent Salt Company for the purchase of snow removal salt. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-43**, authorizing the execution of a utility easement for the east side of the Heights at Linden Square site. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-44**, expressing the City of Gladstone Missouri's support for bringing the Republican National Convention to the Kansas City region in 2016. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to approve the **ANNUAL LIQUOR LICENSE RENEWAL FOR** The Lost Bar & Grill, LLC, 7632 North Oak Trafficway; Class AE Liquor by the Drink License. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (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.

Councilman Bill Garnos had no comments at this time.

Councilmember Carol Suter stated the real estate development on M-1 Highway, which is called The Parkway, or a similar name, now has houses being sold. She and her husband visited the development to see how things were going, and had an interesting conversation with the realtor, who is handling most of the houses there. The realtor said an interesting thing about that development is that almost everyone who comes in thinks it is in Gladstone. Almost everyone is disappointed when they find out it is not. The realtor said they could sell the houses faster if the development was in Gladstone. Councilmember Suter said they found that interesting, and it was nice to know there is prestige attached to being in the City of Gladstone. Councilmember Suter said people recognized that they would not have the snow removed from their streets by Gladstone.

Councilmember Suter stated, on a sober note, she recalled this afternoon, that this was the fourth time since she had been on the City Council where members of a public body were shot and killed in the performance of their duties at a meeting. It occurred to her that there had not been an update regarding safety training, since the other members of the Council had been in office, as they had been in office for less time than she, so she asked City Manager Davis and Public Safety Director Hasty if they would arrange a safety briefing to provide an update on safety procedures, in light of the risk that comes with one serving their community.

Mayor Pro Tem Brian Hill welcomed Councilman Markenson and said he looked forward to working with him on the City Council, and the knowledge he brings with him from the Missouri Municipal League.

Mayor Jean Moore said she had no comments at this time.

Item 10. on the Agenda. COMMUNICATIONS FROM THE CITY MANAGER.

City Manager Kirk Davis reported that on August 21, 2013, a bus will be leaving City Hall for the Google offices in Westport. Google has extended an invitation for a tour to see what their product will look like and to see some of their technology. The bus will leave at 4:45 PM. City Council members and members of the public are invited. Folks would need to contact Public Information Officer Richard King to sign up for the bus.

City Manager Davis encouraged everyone to visit Linden Square every week. There were good crowds last weekend and good crowds are anticipated this weekend. City Manager Davis said he was pleased the attendance is doing better, and he encouraged everyone to come out and enjoy themselves.

City Manager Davis reported at 4:00 PM, August 29, 2013, Dentistry for Children would be holding a ribbon cutting. This is the Dr. Pollina building.

Item 11. on the Agenda. PUBLIC HEARING; for consideration of a Special Use Permit subject to certain conditions to the Kansas City Landsmen, LLC dba Budget Car and Rental for operation of car and truck rental services on property at 7412 North Oak Trafficway.
Applicant: Budget Car and Truck Rental. Owner: Tom and Maryann Simms.

Mayor Moore opened the Public Hearing, and said that first comments would be heard from staff, followed by comments from the applicant, and finally comments would be heard from anyone in favor or in opposition to the application.

Staff Presentation

Planning Specialist Chris Helmer provided a brief overview of the process for the staff's report this evening, and began by stating that members of staff have a lot of day-to-day interaction with people at the beginning stages of an application. This particular case was not exempt from that. Staff had been in communication with Budget Corporation for quite some time, as far as their intent and desire to locate in Gladstone. During the course of the Planning Commission's Public Hearing process, there was a unanimous recommendation for approval to move forward to the City Council.

Mr. Helmer said in regard to the history of Special Use Permit applications that the Commission and the Council have heard over time, there have been a lot of renewals; predominately being at-home day cares, and hair or nail salons. This meant that in many times the underlying zoning was not sufficient or was not compatible or adequate for the type of use that was being proposed. That is not to say that use is not unique. In most cases, most all communities have those types of uses in them. Mr. Helmer said that is not to say that we do not have other more substantial or larger Special Use Permit applications. One example in our most recent history was approval of a Special Use Permit application for Gladstone Gardens, where there was a combination of zoning classifications that did not all meet the underlying zoning, but in the end preserved that underlying zoning along with a series of land use conditions that are often times unique to that particular application.

Mr. Helmer stated the City Council has been provided a lot of information by staff for this application. Some of the information was initially presented to the Commission. The previous City Council Public Hearing was continued, which allowed staff additional time to understand any issues that arose, as well as to have additional conversations with the applicant and the property owner. In this particular application, the underlying zoning is not the overall issue. It does support many aspects of the application in the technical aspects that staff often works with on a day-to-day basis, and the technical performance requirements that are associated with the Zoning Ordinance that has been adopted and approved by the Commission and the City Council. In this particular case, in going beyond the underlying zoning classification, there is a significant outdoor component to this application, which then triggers a number of approaches, either a Site Plan revision or at a minimum a Public Hearing process, such as this one this evening that addresses additional land use guidelines, or in this particular case, conditions that are associated with the Special Use Permit application.

Mr. Helmer continued by saying in addition to some of the comments that were provided by the Commission, the meeting minutes of their Public Hearing indicate there was not a lot of significant changes in any of the conditions, but he did wish to point out the hours of operation time frame in condition Number 8. were tightened up from the initial time frame to 7:30 AM until 6:00 PM, and some additional clarification was made on the outdoor display of items on Number 11., with some minor tweaking on that condition to avoid

displays that start to get into an ingress or egress or entryway of the business. Mr. Helmer said when the Site Plan initially came to staff, they had highly recommended that the applicant get someone on board to work on a conceptual plan to identify their intent of the overall outdoor component of this application. Mr. Helmer indicated on Exhibit "A", the Site Plan, an area on the Site Plan that indicates smaller use vehicles, being economy type vehicles that most people use during the day. The second area of the Site Plan identifies the outdoor component of goods for this application, which is immediately south of the site layout plan, and is identified for the larger box trucks. The City Council received a memorandum from Mr. Helmer with additional clarification as to what the vehicles would look like, and why the images were added to the Site Plan to hopefully illustrate a little better where the outdoor component is to be.

Mr. Helmer said there was some additional conversation by the Commission on the other future intent of this site layout. In the middle component of this proposal is an additional tenant space where there is an opportunity for the property owner to utilize roughly about 3,000 square feet immediately behind the primary area of Budget Car and Rental, who will be using the most frontage area to North Oak Trafficway, which is roughly 1,600 square feet. Mr. Helmer said these are the major components of the Site Development Plan, and in addition, the City Council has received a comprehensive package of what the exterior signage should be. That was one of the primary items that staff had recommended to the applicant to comply with as quickly and efficiently as possible. Moving this application forward, staff always advises applicants when it comes to these types of applications to have all of those aspects bundled together, allowing the City Council to make their recommendation. In this particular case, if the Council were to approve this application, this sign package and development plan would be ready for the next stages of permit approval in the Community Development Department.

Mr. Helmer stated staff is recommending approval of this application based on the conditions and recommendations provided by the Planning Commission.

Councilman Markenson asked, in regard to Condition No. 11., "All materials, products, or other items offered for sale or lease shall not be displayed in any drive area", what does any drive area mean? Is that the driveway to the street?

Mr. Helmer pointed out that in the area, which is immediately to the west of the southernmost drive going into the site, there is an area that is about 38 feet, and it is the beginning point of where the small vehicles would be displayed. The intent of this condition was to eliminate or impede the use of putting signage in these areas, which in a lot of cases was an issue along our major corridors, and why we have additional regulations for things like temporary business signage that is only allowed within a certain time frame. Mr. Helmer said this provides some additional leverage through the Ordinance so if staff starts to notice some things that are not issued or labeled on the conceptual Site Plan, those would be in violation of this particular application.

Mayor Pro Tem Hill said it appeared from the Site Plan shown on the screen in the Council Chambers that the southern drive would be closed off, as it has the "hatched" area all the way across.

Mr. Helmer replied there was no identification of any drive being closed on this Site Plan. Within the Development Plan, the "hatched" area on the southern portion directly south of the building is identifying where the predominate outdoor display would be; which, in this case, is vehicles. Right above that it states "Existing Parking for Standard Sized Vehicles Hatched".

Assistant City Manager Scott Wingerson suggested that Mayor Pro Tem Hill might be referring to the "hatched" area from the building south towards the parking lot. That is a striped walkway.

Mayor Pro Tem Hill asked if the large rectangle at the northerly part that becomes a narrower rectangle, and then a triangle – is that the walkway?

Mr. Helmer replied that was correct. As Mr. Wingerson stated, that is a marking on the existing site, but in this particular case, it is not identified for any type of infrastructure change.

Mayor Pro Tem Hill stated in the Open Study Session, there was discussion on extending a lane of traffic farther south, just to the north of this property, and asked if there would be a future need by the City to have a wider right-of-way here, and should that be addressed as part of this Site Plan.

Mr. Helmer replied not to his knowledge, but staff could certainly look into it, but he did not know.

Assistant City Manager Scott Wingerson began by saying that Mr. Helmer's remarks brought us through the Planning Commission hearing, and his role tonight was to provide information from the Planning Commission meeting forward to tonight. In the Council's packet was additional information that was not provided to the Planning Commission, and it primarily consists of excerpts and explanation of the Comprehensive Plan, and he hopes Council members had an opportunity to review that information. The concerns heard since the Planning Commission were really three-fold. Number one is what is the relationship of this Special Use Permit request to the City's adopted Comprehensive Plan. The reason that is important is because the Comprehensive Plan had an enormous amount of public participation, and we want to make sure decisions are consistent with the goal of the Comprehensive Plan. Number two is that it is a guide way. It is a desired feature that we are all working to get to, so it is supposed to be a unifying document. One downside to the Comprehensive Plan is that it has no regulatory authority, so decision making based solely on the contents of the Comprehensive Plan is not appropriate. What is appropriate is consideration of our current Zoning Ordinance. How the Council implements the

Comprehensive Plan is through a series of amendments to the existing Zoning Ordinance to make it say what the future should say. In the case of this Special Use Permit, what the Comprehensive Plan called for was an area study, and to give an example of what an area study is, it was some of the documents the Council saw related to the Village Center eighteen months to two years ago, up until five years ago, evolving the concept for a new development pattern on that section of North Oak, from 72nd Street to 76th Street.

Mr. Wingerson stated another concern heard was that the Special Use Permit could hamper future redevelopment opportunities. That was a good and valid point, and people can disagree on that subject. Mr. Wingerson said he would suggest that in the course of a redevelopment, it is very complex and there are so many factors; one of which is the current tenancy or vacancy rate within the area to be developed. Mr. Wingerson said he would suggest that there are 50 other equal conditions, including a willing owner, which this owner has submitted a letter for the packet explaining his willingness to redevelop in the future. It takes a willing developer, a willing bank, a willing city, the right project, and it takes a lot of things to make that happen. The biggest thing it takes is time. If a redevelopment opportunity were to present itself this week, we would be looking at approximately two, three, or four years for all the ducks to be in a row before redevelopment would begin.

Mr. Wingerson said the last concern heard since the Planning Commission was the location of the trucks in the lower lot. Mr. Helmer described it well – on the southern end, between an existing car lot and the Merry Maids office. Mr. Wingerson pointed out the final two documents, a revised proposed Ordinance, and a revised Exhibit "A", both of which were at Council's places this evening. Mr. Wingerson stated beginning with revised Exhibit "A", the applicant has agreed to some changes to the Special Use Permit application. The first is to remove the lower south lot from the request entirely. So that would not be part of the consideration. As Mr. Helmer said, that area was planned for truck and trailer storage, and those sorts of things. Those are proposed to be located along the north property line on the west end of the property, near the dumpster. There is an existing privacy fence on the north property line, plus or minus, so it is envisioned an additional screening fence projecting into the parking lot to further screen those types of vehicles from North Oak Trafficway travelers.

Mr. Wingerson continued by saying the applicant has also agreed to two other things that are reflected in the revised Ordinance that was at Council's places this evening. The first is that the Planning Commission recommended for the Council's consideration a five year term. The applicant has agreed to reduce that to four years, to complement the redevelopment timing consideration that was raised. They have agreed to change their hours from 7:00 AM to 7:30 AM for the protection of any residents who live nearby. Condition Number 12. was changed in regard to the storage of trucks, as referenced on the Site Plan marked Exhibit "A". If the Council moves forward with this request, the Site Plan would be redrawn to reflect the approval.

Mr. Wingerson said, finally, as always, the Council has choices to make. It can be approved as it was brought from the Planning Commission; it can be approved as revised as just discussed; it can be approved with any additional considerations that the Council might like to add; of course, it can be denied; and the last option is to remand it to the Planning Commission for additional study. Part of the discussion is being crystal clear as to what this application is. Fundamentally, the business operation that happens within the building is allowed under the current zoning of the property. The Special Use Permit is simply to allow outdoor product to be stored in defined areas as discussed. That is the only purpose for the Special Use Permit. Staff tried to attach conditions to that use of the property that protected the neighbors and traveling public on North Oak Trafficway by screening the vehicles and things like that.

Councilman Markenson indicated the southern piece that is no longer a part of the permit application, and asked if it would remain an empty parking lot?

Mr. Wingerson replied yes.

Councilmember Suter asked if the applicant or property owners been provided with a copy of the Comprehensive Plan or relevant sections of the Comprehensive Plan.

Mr. Wingerson replied he would have to check with them; he did not know for sure.

Councilmember Suter asked if that would be something staff would normally provide.

Mr. Wingerson replied, usually not.

Mayor Pro Tem Hill inquired into the 24-foot or 26-foot trucks that would be parked at this location, and asked what the height would be of the trucks. They would be above the six-foot privacy fence. Mayor Pro Tem Hill asked if there were trees to the north that would screen from the north, and would it be possible to have trees planted with some height on them in front of the new fence to further screen, so the box trucks would not stick out.

Mr. Wingerson replied yes, and Mr. Collins with Budget could answer the question regarding the height of the vehicles in his presentation. In regard to the vegetation on the north side of the fence, he believes it is just grass, so the Council could add a condition to add trees.

Mayor Pro Tem Hill stated if this is a four year deal, the trees would not have time to grow, which is a consideration, and he also did not want a wood fence higher than six feet, but he would be more comfortable if there were something to break up the box trucks sticking up.

Applicant Presentation

Joe Collins, General Manager of Budget Car and Truck Rental, Kansas City, said they were excited about the opportunity to come to Gladstone, and they have appreciated the work and the help from the Community Development Department and the Planning Commission, and they appreciated the Planning Commission's approval of their permit at their last meeting. Mr. Collins said he was present to answer any questions about anything – their business or this application.

Mayor Pro Tem Hill asked if there were some type of vegetation that could be planted in front and to the north of the trucks to screen them further.

Mr. Collins replied he was not sure at this point if there is. There is a lot of vegetation and trees in back of the trucks, and the fence, he is told, will block them from the front. Mr. Collins said they would do what it takes, but he would like to say they are primarily a car rental company, and they do not expect to rent a lot of trucks. Their projections are that they will probably rent one or two trucks per day, so they do not expect this to be a big truck rental operation. People would be renting them to move from point A to point B in town, and they do some occasional one way rentals. There would not be a lot of trucks at this location, and since they are going towards the rear of the lot, he does not think they would be a big issue from the street going north or south. Mr. Collins said they would be willing to consider anything that would help.

Councilman Markenson noted that the revised Site Plan really reduces the size of the business operation, and asked the applicant if he were OK with that and would it work for them.

Mr. Collins replied yes, and from what had been explained to them, it seems that it would work for them.

Mayor Moore asked how many trucks would be on site most of the time.

Mr. Collins replied it was anticipated on average four to five trucks. The "24s" are about 25 percent, so it would probably be one or two. They would be kept as far back as possible. They do not want them up front. They come and they go, so they were not talking about many at all, which is a projection as of right now. The majority of the trucks are 15 feet, which is not a whole lot bigger than a SUV.

Comments from those in Favor of the Application

Larry LeFever said he is a business and property owner in Gladstone. Mr. LeFever said he was President and CEO of the Northtown Automotive Group, and has multiple properties up and down North Oak Trafficway. Mr. LeFever said he was present to speak in favor of immediate approval of this Special Use Permit for Budget Rental for a variety

of reasons. First and foremost, if there is any sector of the North Oak Trafficway that is in dire need of attracting a major national franchise to send the message that a major business can operate here and pay the bills, it is this section of North Oak. He would encourage the Council to drive up North Oak and look at both sides of the street, east and west. The City of Gladstone needs this type of business. A Budget Rental Car – a national franchise – we are blessed to have them even consider this city as a place to locate their business.

Mr. LeFever said he owns a substantial number of properties up and down North Oak, and when he sees a franchise like this coming in, he knows what that means to the City. There would be sales and use tax revenues off everything they rent. There would be jobs in the City. The property owner, Tom Sims, owns many properties in the City, and he takes very good care of his property. The business owner, Mr. Cooper, is a customer of his, and he buys brand new first class vehicles from him to rent. Mr. LeFever said he in turn uses the services of Budget for substitute transportation for his body shop customers. This is an important part of making a robust business community.

Mr. LeFever, said, speaking candidly, he could not believe the business agreed to some of the conditions in this Special Use Permit. He would never have agreed to them. Restriction of operating hours – he does not know what the purpose of that is, but he believes it would be a huge inconvenience to the operation of this kind of business to shut it down at 6:00 PM, when you have people returning rental vehicles after that hour. People would be getting off work and those sorts of things. Mr. LeFever said he would recommend immediate approval based on Mr. Cooper's agreement to the conditions set forth.

Mr. LeFever said Mayor Pro Tem Hill brought up concerns about the visibility of these trucks which will set way back from North Oak. Mr. LeFever suggested the Council drive by some of his properties - he is at 68th and North Oak, and take a look at the rental trucks that are parked right to the street. We are talking about storage rental vehicles in this application that are way back from the street that don't really need the trees and those sort of things to screen them. They won't even be seen by the traffic driving by. The Community Development members have done a tremendous job wringing out every concession from a business that wants to come into the community, and try to find a way to pay the bills to operate. It is the highest use of the property; it is the perfect property for this type of use. There already are rental operations from Enterprise and Hertz in the City. More competition would drive down prices for the citizens of Gladstone. Having this major national rental company here will get reservations from all over, and some customer might think he is getting a better deal from outside the airport and Kansas City, and go right into Gladstone to rent his car for his visit, and Gladstone would get the benefit of the sales and use tax.

Mr. LeFever said this is a great thing for this City, and the Community Development could not have done a better job of eeking out and tweeking out this proposal. Mr. LeFever said he had several properties in Gladstone, and he was all for the Comprehensive Plan, but

what the Plan needs to succeed is robust business already in place. Without that the City would not draw any investors to come into this area. This major national company coming into our City is one of the first pieces to that puzzle. As Mr. Wingerson pointed out, if there were a developer to come in today, it would be three or four years down the road. Let's get three or four years of visibility with this major business here. Let it be successful, and the City will draw others. This is a great opportunity for Gladstone. Mr. LeFever said when the Council votes, let's get it done for these guys, so they can get busy and get their business in here.

Jim Rucker, said he was present to talk in favor of this application being considered. For many years, he was in the banking business in and around Gladstone. Several knew him when he was in that career path. He retired and now he is a real estate investor. He represents a lot of real estate investors, and owns a ReMax franchise, and he is in Gladstone most every day. One of the things he would say before the Council casts their vote is if one were in the car with him for one day with a real estate investor, or someone considering buying a home in Gladstone, these folks say, gosh, North Oak could be more vibrant. There are a lot of vacant buildings, and this particular application being considered is another vacant building, and it is a large one.

Mr. Rucker said Mr. and Mrs. Sims own a lot of property in Gladstone, up and down North Oak. Their properties are always well maintained. He is always delighted to show people what it could be if they started their business in Gladstone, because he can use their property as a prime example. They have been in Gladstone for as long as he can remember. Their taxes are always paid, and the City has an opportunity to get a national concern, Budget, in the City. Mr. Rucker said he urged the City Council's consideration and approval.

Comments from those in Opposition to the Application

There was no one to speak in opposition to the application.

Mayor Moore closed the Public Hearing.

Item 12. on the Agenda. **FIRST READING CONTINUED BILL NO. 13-23**, granting a Special Use Permit subject to certain conditions to the Kansas City Landsmen, LLC dba Budget Car and Rental for operation of car and truck rental services on property at 7412 North Oak Trafficway.

Mayor Pro Tem Brian Hill moved to place **BILL NO. 13-23** on its First Reading. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the First Reading of **BILL NO. 13-23**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the Second and Final Reading of **BILL NO. 13-23**, and to enact the Bill as **Ordinance 4.246**. Councilman Bill Garnos seconded.

Mayor Pro Tem Hill said this first came within his radar when it was presented to the Planning Commission, and he realized the Planning Commission had a unanimous recommendation. He had some concerns, mostly with the issues that Mr. Wingerson discussed in the Public Hearing. The trucks being parked along North Oak, its effect on the long term implementation of the Comprehensive Plan, potential noise from the trucks and effects they might have on the residences to the west of the site. Mayor Pro Tem Hill said he knew that City staff had worked with the applicant, and he had been contacted outside of the meeting by Mr. Rucker to address this. Mayor Pro Tem Hill said it was his impression at this point that with the revisions that have been made in moving the trucks and limiting the number, and the efforts to screen them to a certain extent, and he realized the trucks would be stored pretty far back on the north fence line; that coupled with the reduction in time period for the Special Use Permit to four years, his impression is that this is an acceptable intervening use towards a long term development. Yes, there is some appreciation of having a national franchise, as Mr. LeFever and Mr. Rucker mentioned, and that presence on North Oak Trafficway.

Mayor Pro Tem Hill cautioned that this is a four year Special Use Permit, and he plans to vote for it tonight, but he would not plan on it being continued beyond this initial four year term, because of the desire to have North Oak and the whole section be redeveloped as part of an overall Comprehensive Plan. This, in its current proposed form, is an acceptable relatively short term use of the property, and not a long term use. Mayor Pro Tem Hill encouraged that even if this were to be approved this evening that the owners still look toward long term redevelopment of the area as an option for when this Special Use Permit expires.

Councilmember Suter said there was no one on the Council or in the City who was a stronger advocate for the improvement or redevelopment of North Oak. It has been one of her "hot buttons" ever since she had been on the City Council, so she takes these opportunities seriously, and really has given this a lot of thought. Councilmember Suter said she really appreciated the Sims as property owners, and agreed that not all the owners in Gladstone with commercial property take good care of their property, but they do, and she appreciated that. Councilmember Suter said she appreciated that businesses need to make a profit on the investments they all have made. She is a real estate investor, herself, in Gladstone, and so she understands it all very well.

Councilmember Suter said she disagreed with the proposition that this is the highest and best use or appropriate use of this property. It really boils down to the outdoor product display issue. The original Site Plan for this site was a restaurant where all product was inside. This is a 180 degree opposite, with all the product outside. The reason this is a Special Use Permit application is because this project would otherwise not comply with zoning. It would not meet the requirements for outdoor product display, and she knows because she served with Council members ahead of her, in the not too distant past. Gladstone City Council, City staff, and Planning Commission all made a very concerted effort to research, analyze, process, be creative, and innovate around how to regulate the appropriate use of outdoor product display. That was because the community at large, as well as those elected officials, perceived that there was too much outdoor product display in Gladstone. That is why we have really quite stringent zoning around outdoor product display. That is her concern with this.

Councilmember Suter said she hoped the Sims could find a great use for this property, but she does not think that outdoor product display is the best use for the property. It is 180 degrees opposite from the original Site Plan, and there is no other way this kind of a business could ever meet the requirements of Gladstone for outdoor product display. It is next to a property that already has been grandfathered in to the outdoor product display, and so the density of the outdoor product display is magnified in this proposal. That magnifies her opposition to this application. The proliferation of outdoor product display is not desired by Gladstone residents, which is clear from every planning document we have done, every development plan that has been done, and every leadership exercise that has been done since she has been involved with the City. Councilmember Suter said she would be voting in opposition to this application.

Councilman Markenson stated this was an interesting situation. It was almost the classic issue of is a bird in the hand worth two in the bush. If you are optimistic, you tend to want the two in the bush, and if you are pessimistic, you take the one in your hand. He tends to be optimistic, but his problem was that he was not sure there were two birds in the bush. Councilman Markenson said he felt the City would be better off with one bird in hand. This is a property that has been vacant for two years, and its use as a McDonalds is not much different from its use as a car rental. The same number of cars would be parked there; they just would not be going in and out, and there would not be all the litter that is often associated with fast food places.

Councilman Markenson said it seemed to him that this would be the best use of this property for a four year period, but he agreed it would be really nice to redevelop the area in a much more appropriate manner, but he did not see that coming in the near future, and he did not want to wake up two years from now and find that empty McDonald's building still standing there, because it is not useful for very much. This would be one of the few uses that could be made for that building.

Mayor Moore said she appreciated the willingness of the property owner to negotiate with the City and to partner with the City and make some changes and concessions in this application. That has made a big difference to a number of the members of Council, who have struggled with this vote. Although, she is philosophically opposed to this Special Use Permit, just because of the long view of North Oak as Councilmember Suter said, she can find no justification in the zoning on this property to vote no, so she would be voting in support of this application.

Roll call vote: "Aye" – Councilman Gary Markenson, Councilman Bill Garnos, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. "Nay" - Councilmember Carol Suter, (4-1).

Item 13. on the Agenda. **FIRST READING BILL NO. 13-24**, authorizing the City Manager to execute a Multi-Agency Cooperative Agreement for creation of a Northland Traffic Safety Task Force.

Mayor Moore explained for the benefit of the audience that this was a cooperative arrangement with a number of law enforcement agencies in the Platte and Clay County area. The Multi-Agency Task Force is for the purpose of enhancing public safety in the Northland, and specifically, for sharing the burden of staffing DUI checkpoints. When one unit does this, it is very expensive, so when there is a partnership, it makes a big difference. This allows departments to participate more effectively and hopefully, deter drunk driving in and around our community.

Councilman Bill Garnos moved to place **BILL NO. 13-24** on its First Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Bill Garnos moved to accept the First Reading of **BILL NO. 13-24**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Bill Garnos moved to accept the Second and Final Reading of **BILL NO. 13-24**, and to enact the Bill as **Ordinance 4.247**. Councilmember Carol Suter seconded.

Roll call vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 14. on the Agenda. **FIRST READING BILL NO. 13-26**, directing the City Manager to execute a cooperative agreement with the North Kansas City School District No. 74 for a school resource officer at Antioch Middle School.

Councilmember Carol Suter moved to place **BILL NO. 13-26** on its First Reading. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of **BILL NO. 13-26**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of **BILL NO. 13-26**, and to enact the Bill as **Ordinance 4.248**. Councilman Gary Markenson seconded.

Roll call vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 15. on the Agenda. OTHER BUSINESS.

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

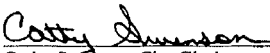
Item 16. on the Agenda. QUESTIONS FROM THE NEWS MEDIA.

There were no questions from the News Media.

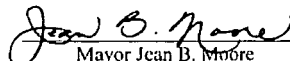
Item 17. on the Agenda. ADJOURNMENT.

There being no further business to come before the August 12, 2013, Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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


Mayor Jean B. Moore



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, AUGUST 26, 2013**

The City Council will meet in Closed Executive Session at 6:00 PM, on Monday, August 26, 2013, in the City Manager's office, Gladstone City Hall, 7010 North Holmes. The Closed Executive Session is closed pursuant to Missouri Open Meeting Act Exemptions 610.021(2) for Real Estate Acquisition Discussion; and 610.021(18) the disclosure of information provided under this exception would impair the City Council's ability to protect the security or safety of persons and real property, and non-disclosure of this information outweighs the public interest in disclosure.

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 August 12, 2013, Regular City Council Meeting Minutes.

5. **SPECIAL PRESENTATION:** of a Gladstone Public Safety Citizen Commendation and the Mid-America Regional Council "9-1-1 Hero" Award to Jady N Higgins.

6. **PROCLAMATION:** recognizing Gladstone Veterans of Foreign Wars Post 10906, who won the prestigious All State and All American Hat Award from the national headquarters of the Veterans of Foreign Wars.

7. **CONSENT AGENDA**

RESOLUTION R-13-45, authorizing execution of a contract with Redford Construction, Incorporated in the total amount not to exceed \$494,292.00 for the Old Maid's Creek Sanitary Sewer Interceptor Replacement and Regional Detention Basin Project.

RESOLUTION R-13-46, authorizing Change Order No. 1 in the amount of \$85,150.00 to the contract with Ace Pipe Cleaning, Incorporated, for the 2013 Sanitary Sewer Cleaning and Televising Project.

RESOLUTION R-13-47, accepting Temporary Construction Easements in conjunction with the Old Maids Creek Sanitary Sewer Interceptor Replacement and Linden Detention Basin.

RESOLUTION R-13-48, authorizing the City Manager to purchase nine copy machines, software drivers, and annual maintenance from Datamax, Incorporated.

APPROVAL OF THE JULY 2013 FINANCIAL REPORT.

REGULAR AGENDA

8. **Communications from the Audience.**

9. **Communications from the City Council.**

10. **Communications from the City Manager.**

11. **PUBLIC HEARING:** on setting the annual rate of levy for the 2013 Real Estate and Personal Property Taxes within the corporate limits of the City of Gladstone, Missouri.
12. **FIRST READING BILL NO. 13-27**, enacted pursuant to Missouri Revised Statutes Section 94.030 fixing the annual rate of levy for the 2013 Real Estate and Personal Property Taxes within the corporate limits of the City of Gladstone, Missouri.
13. Other Business.
14. Questions from the News Media.
15. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, AUGUST 26, 2013**

Mayor Jean Moore opened the City Council Meeting to adjourn to a Closed Executive Session on August 26, 2013, at 6:00 PM. Mayor Pro Tem Brian Hill made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemptions 610.021(2) for Real Estate Acquisition Discussion; and 610.021(18) the disclosure of information provided under this exception would impair the City Council's ability to protect the security or safety of persons and real property, and non-disclosure of this information outweighs the public interest in disclosure. Councilman Bill Garnos seconded.

Roll Call Vote: All "aye" – Councilman Bill Garnos, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (3-0).

Councilmember Carol Suter and Councilman Gary Markenson were also present at the Closed Executive Session.

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
Councilman Bill Garnos
Councilman Gary Markenson

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 Jean Moore opened the Regular August 26, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present.

Mayor Jean Moore welcomed everyone who attended the meeting in person and also those watching the meeting on-line. Mayor Moore said she and the City Council thanked everyone for their interest and involvement in City government.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Moore introduced Gladstone Veterans of Foreign Wars (VFW) Post 10906, and said it was an honor to have them lead the Pledge of Allegiance this evening. Members of the Post presented the Colors and led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. APPROVAL OF THE AUGUST 12, 2013, REGULAR CITY COUNCIL MEETING MINUTES.

Mayor Pro Tem Brian Hill moved to approve the August 12, 2013, Regular City Council Meeting Minutes, as presented. Councilmember Carol Suter seconded. The vote: All "aye" - Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 5. on the Agenda. SPECIAL PRESENTATION: of a Gladstone Public Safety Citizen Commendation and the Mid-America Regional Council "9-1-1 Hero" Award to Jadyne Higgins.

Public Safety Director Mike Hasty welcomed honoree Jadyne Higgins and her family, Gladstone Public Safety Sergeant Bryan Boydston, and Keith Faddis, from the Mid-America Regional Council. Director Hasty said they wished to recognize the efforts of Jadyne and the Gladstone Public Safety Dispatcher who assisted her during her mother's time of need. Director Hasty invited Mr. Faddis to join him at the podium to begin the recognition ceremony, and stated Mr. Faddis would talk about the 9-1-1 Heroes Program and the criteria to receive the award.

Mr. Faddis explained that the primary purposes of the Kansas City Regional 9-1-1 Hero Award Program are to recognize and reward children who demonstrate knowledge of the proper use of 9-1-1 by performing some heroic action during an emergency and to promote public education and awareness of 9-1-1. In order to receive the award, the hero must have initiated the 9-1-1 call and performed a heroic action during the course of the emergency that resulted in saving a life, significantly reducing property loss, or stopping a crime.

Mr. Faddis said on behalf of the Mid-America Regional Council, he wished to congratulate Jadyn Higgins and Dispatcher Robin Benitz for their heroic efforts during this emergency.

Director Hasty read the description of the 9-1-1 call Jadyn placed as follows:

On July 8 of this year, six-year old Jadyn and her family were swimming at the pool at their apartment complex. Jadyn and her brother, Jaxon, asked their mother, Tiffany, to get in the pool to play with them. As she did, Tiffany slipped, hit her head, and slipped into the water. Jadyn acted quickly; jumped out of the pool and dialed 9-1-1.

Dispatcher Robin Benitz answered the call from Jadyn. Jadyn quickly stated that her mother had fallen into the pool. Jadyn knew her location and let Robin know they were at the apartment pool. Robin reassured Jadyn that help was on the way.

Director Hasty stated Jadyn's heroic effort during her mother's time of need was commendable, and said he was pleased to present the Mid-America Regional Council 9-1-1 Hero Award to Jadyn Higgins. Director Hasty placed a medal on a ribbon around Jadyn's neck, and presented her with a tote bag filled with "goodies" from the Mid-America Regional Council.

Director Hasty said Dispatcher Robin Benitz could not be present at this meeting, but Sergeant Bryan Boydston was present to accept a certificate in her absence for her excellent performance during this lifesaving 9-1-1 call. Director Hasty presented the certificate to Sergeant Boydston.

Director Hasty continued by saying the Gladstone Public Safety Department wished to present a framed Certificate of Citizen Commendation to Jadyn Higgins in recognition of her courageous actions on the afternoon of July 8, 2013, when she observed her mother fall unconscious in the swimming pool after hitting her head, and immediately called 9-1-1 to summon help. Director Hasty presented the framed Certificate to Jadyn.

Following applause from the audience, the family of Jadyn Higgins offered their thanks for the recognitions.

Mayor Moore stated she and the City Council were very proud of Jadyn and knew her mother was also very proud and happy. Mayor Moore noted Jadyn had a large fan club with her this evening.

Item 6. on the Agenda. **PROCLAMATION:** recognizing **Gladstone Veterans of Foreign Wars Post 10906**, who won the prestigious **All State and All American Hat Award** from the national headquarters of the Veterans of Foreign Wars.

Mayor Moore read and presented the Proclamation to Bill Driscoll, Senior Vice Commander of Gladstone Veterans of Foreign Wars Post 10906. Mayor Moore thanked him and members of the Post for their service to the community.

Mr. Driscoll said it was a great honor to receive this Proclamation on behalf of all the members of Post 10906. Mr. Driscoll said he was deeply proud of the Post and all the Veterans of Foreign Wars members, and this recognition was deeply appreciated.

Item 7. on the Agenda. **CONSENT AGENDA.**

Following the Clerk's reading, Councilman Gary Markenson moved to approve the Consent Agenda as presented. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilman Gary Markenson moved to adopt **RESOLUTION R-13-45**, authorizing execution of a contract with Redford Construction, Incorporated in the total amount not to exceed \$494,292.00 for the Old Maid's Creek Sanitary Sewer Interceptor Replacement and Regional Detention Basin Project. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilman Gary Markenson moved to adopt **RESOLUTION R-13-46**, authorizing Change Order No. 1 in the amount of \$85,150.00 to the contract with Ace Pipe Cleaning, Incorporated, for the 2013 Sanitary Sewer Cleaning and Televising Project. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilman Gary Markenson moved to adopt **RESOLUTION R-13-47**, accepting Temporary Construction Easements in conjunction with the Old Maids Creek Sanitary Sewer Interceptor Replacement and Linden Detention Basin. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilman Gary Markenson moved to adopt **RESOLUTION R-13-48**, authorizing the City Manager to purchase nine copy machines, software drivers, and annual maintenance from Datamax, Incorporated. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilman Gary Markenson moved to approve the **JULY 2013 FINANCIAL REPORT**. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

REGULAR AGENDA

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

Don Mason, 3700 NE 76 Terrace, asked if anyone knew what happened in late July and early August 20 years ago – this was the 20th anniversary of this event.

Councilmember Suter replied the 100 year flood in Gladstone occurred 20 years ago, which was when she moved into Gladstone.

Mr. Mason replied that was correct. Gladstone's water wells were 1.5 feet from being underwater 20 year ago. Electrical power was lost to every well, and row boats were used to access the wells. Mr. Mason provided pictures for staff to make copies for the City's historical archives.

Mayor Moore thanked Mr. Mason.

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

Councilman Gary Markenson stated folks from Google wanted to meet us, and he had the opportunity, along with others from Gladstone, to visit the Google offices. He has been asked when Google is coming to Gladstone, and he wanted to let people know that folks from Google have no idea at this time as to when Google would be in Gladstone, but it would be some day.

Councilman Bill Garnos reported that he would miss the September 9, City Council meeting. He will be out of town on business, and was unable to reschedule. Councilman Garnos stated it was with regret that he would miss the meeting.

Councilmember Carol Suter reported that last weekend there was a great night for Blues at Linden Square. The weather and music were great, and it is a great facility that will serve our City well for years to come. Councilmember Suter said she was happy to report that she drove down the newly renovated 69th Street, which was very nice, and she was glad to see it open for traffic.

Mayor Pro Tem Brian Hill invited everyone to the Big Shoal Country Fair at the Atkins-Johnson Farm and Museum on September 7, from 10:00 AM to 4:00 PM.

Mayor Pro Tem Hill said he had the opportunity to visit with the owners of The Wheel Cyclery, who may be interested in working with our Parks and Recreation Department on some cycling events.

Mayor Jean Moore reported last week she had the wonderful opportunity to take a CPR course through our City. Mayor Moore said she wanted to be prepared if the need should arise. The classes are held the third Thursday of each month. This is a great service that our Public Safety team offers. Even for folks who have already taken a class, things may change over time, and she encouraged everyone to take a class.

Item 10. on the Agenda. COMMUNICATIONS FROM THE CITY MANAGER.

City Manager Kirk Davis reported City Hall would be closed on Monday, September 2, 2013, for the Labor Day Holiday. City Manager Davis also reported that the Linden Square concerts starting time would be moving from 6:00 PM to 7:00 PM for the rest of the season.

Item 11. on the Agenda. PUBLIC HEARING: on setting the annual rate of levy for the 2013 Real Estate and Personal Property Taxes within the corporate limits of the City of Gladstone, Missouri.

Mayor Moore opened the Public Hearing, and said that first comments would be heard from staff, followed by comments from anyone in favor or in opposition.

Staff Presentation

Finance Director Debra Daily stated she would provide information about the 2013 property tax levy. The tax levy is set based on property values. The real estate values are reassessed every two years, with 2013 being an assessment year. Upon receipt of the City of Gladstone's assessed property valuation from Clay County, the 2013 tax levy was calculated pursuant to Section 137.115(16) that incorporates the ability to have multiple and separate tax rates for each class of real and personal

property. Tonight's Bill would set the property tax levy at \$0.9290 for all classes of property, and is recommended for Council's approval.

Director Daily continued by reporting the City's 2013 valuation for total assessed property in this re-assessment year is \$337,273,540. This includes \$111,110 in new residential construction. This is an overall decrease in valuation of \$13,262,848 over 2012; \$15,667,641 or 5.24% decrease in real property, and \$2,404,793 or 4.66% increase in personal property. The decrease in real estate value may reflect the number of home sales sold at reduced market prices and possible foreclosures following the correction related to the housing bubble. The increase in personal property valuation is attributed to the improving economy and motor vehicle sales and equipment. Collectively the 2013 assessed valuation represents a 3.78% decrease over the previous year. The valuation decrease results in a projected revenue of \$3,133,271.

Due to State Article X, Section 22 and Section 137.073, the City is limited to the lesser of actual growth which was 0%, the Consumer Price Index of 1.7%, or 5%. The lesser amount this year is the actual growth. The actual rate permitted did not change this year and is \$0.9290 for all classes of property. The City's property tax revenue for FY13 is projected at \$3,133,271 compared to budgeted revenue of \$3,205,000.

Director Daily concluded by saying the Bill on tonight's agenda would set the property tax levy at \$0.9290 for all classes of property, and is recommended for Council's approval.

Councilman Markenson inquired into the tax rate ceiling.

City Manager Davis replied he believed it was \$1.00, but the \$0.9290 rate was approved by our City voters. Since 2008, we have lost valuation, but we have the ability to make that up.

There was no one to speak in Favor or in Opposition.

Mayor Moore closed the Public Hearing.

Item 12. on the Agenda. **FIRST READING BILL NO. 13-27**, enacted pursuant to Missouri Revised Statutes Section 94.030 fixing the annual rate of levy for the 2013 Real Estate and Personal Property Taxes within the corporate limits of the City of Gladstone, Missouri.

Mayor Pro Tem Brian Hill moved to place **BILL NO. 13-27** on its First Reading. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the First Reading of **BILL NO. 13-27**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the Second and Final Reading of **BILL NO. 13-27**, and to enact the Bill as **Ordinance 4.249**. Councilman Bill Garnos seconded.

Roll call vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 13. on the Agenda. OTHER BUSINESS.

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

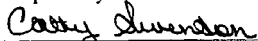
Item 14. on the Agenda. QUESTIONS FROM THE NEWS MEDIA.

There were no questions from the News Media.

Item 15. on the Agenda. ADJOURNMENT.

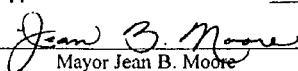
There being no further business to come before the August 26, 2013, Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the regular meeting, and stated the City Council would be continuing the Closed Executive Session that had started earlier this evening.

Respectfully submitted:



Cathy Swenson, City Clerk

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


Mayor Jean B. Moore



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, SEPTEMBER 9, 2013**

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 August 26, 2013, Regular City Council Meeting Minutes.**

REGULAR AGENDA

- 5. Communications from the Audience.**
- 6. Communications from the City Council.**
- 7. Communications from the City Manager.**
- 8. FIRST READING BILL NO. 13-28, enacting a new title to the City of Gladstone, Clay County, Missouri, Code of Ordinances, entitled Title X, "Neighborhood Preservation Ordinance", and associated chapters within, pertaining to the preservation of residential neighborhoods.**
- 9. Other Business.**
- 10. Questions from the News Media.**
- 11. Adjournment.**



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, SEPTEMBER 9, 2013**

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
Councilman Gary Markenson

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

ABSENT: Councilman Bill Garnos

Item 2. on the Agenda. ROLL CALL.

Mayor Jean Moore opened the Regular September 9, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present, with the exception of Councilman Garnos, who was out of town due to a business trip.

Mayor Jean Moore welcomed everyone who attended the meeting in person and also those watching the meeting on-line. Mayor Moore said she and the City Council thanked everyone for being interested in participating in their City government, which is very much appreciated.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Moore stated it was a very special honor this evening to have Cub Scout Pack 299 present the Colors and lead the Pledge of Allegiance, in which all joined.

Mayor Moore invited Pack 299 members to introduce themselves as follows:

Cameron Guidry stated he attends Oakhill Day School, and his father is Mike Guidry, who owns Pizza Street.

David Conkling stated he attends Oakhill Day School, and his father is David Conkling, who works at ProQuest.

Owen Riddle stated he attends Oakhill Day School, and his father is Jim Riddle, who owns Gladstone Auto Trim.

Graham Carter, stated he attends Oakhill Day School, and his father is Dennis Carter, who owns Pour Boys, and is a member of the Liberty Hospital Board.

Cole Johnson stated he attends Oakhill Day School, and his mother and father are Kelsey and Tim Johnson, both of whom are doctors.

Jackie Conkling introduced herself as the Webelos leader, and said she has had the pleasure of watching these boys grow up since they were two years old. Ms. Conkling said her plan was to have them work with their Eagle Scout projects by helping out with Gladstone. Ms. Conkling said the City would be seeing a lot of them, and asked that the City's needs and wants be considered, because they would certainly take care of them for the City. Ms. Conkling said she was an educational specialist, and she works for a small company called Delaney Educational out of San Diego, but her passion is day trading. Ms. Conkling said she may not be that great at it, as she is not living on an island anywhere, but hopefully, that will happen someday.

Mayor Moore offered thanks to Cub Scout Pack 299 from Oakhill Day School, who are sponsored by the Odd Fellows, and said she and the City Council are so grateful that they shared their talents by presenting the Colors and leading the Pledge this evening, which made the evening very special. Mayor Moore's comments were followed by applause from the audience.

Item 4. on the Agenda. **APPROVAL OF THE AUGUST 26, 2013, REGULAR CITY COUNCIL MEETING MINUTES.**

Mayor Pro Tem Brian Hill moved to approve the August 26, 2013, Regular City Council Meeting Minutes, as presented. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (4-0)

REGULAR AGENDA

Item 5. on the Agenda.

COMMUNICATIONS FROM THE AUDIENCE.

Anne Alexander stated she wished to say thank you to the City Council and to the police. It only took three years with five court cases and finally, the dog is gone, and there is firewood on the concrete bottom where the former pen was located. There are several people, who have talked to her about their neighbors' dogs, and she informed them they could complain, but they say they do not want to make their neighbors mad. Ms. Alexander said she tells them – then, live with it. She has no sympathy for them. Ms. Alexander offered thanks to everyone who made this possible.

John Garner, 111 North Heatherton Court, said in regard to information from the Open Study Session this evening, it seemed to him that the City is giving up a lot to the apartment complexes. Mr. Garner suggested the apartment complexes should have a padlock on the swimming pools, where they would have to pay \$5.00 to get the code, and would require that they lock it back up to get their \$5.00 back from the manager. That way no child could probably remember the combination. Mr. Garner suggested that to avoid a used car lot, each apartment complex could be allowed to have three car spaces that would be designated for used vehicles, the spaces could be outlined in yellow, and they must change every 30 days. Mr. Garner suggested that trash cans should have four sides, and a gate that is one piece, where it swings open and can be latched back by the manager the night before the trash hauler comes. Then it could be latched back. Mr. Garner said he did not like looking at all the trash piled in front of all the trash containers, even at the ones on North Oak. It could be a yellow area that is big enough to swing the gate open and closed, and if someone parks there, the City parking can ticket them or have them towed. This might be a little of an inconvenience for some of the apartment complexes, but it would seem to be common sense not to give everything up to them.

Item 6. on the Agenda.

COMMUNICATIONS FROM THE CITY COUNCIL.

Councilman Gary Markenson reported that this was a momentous weekend that may never happen again in our lives. The University of Missouri won; Kansas University won; the Cardinals took four from the Pirates; the Royals won; the Chiefs won; and the St. Louis Rams won. This will never happen again in our life time!

Councilmember Carol Suter stated that the Clay County Constitution Commission would be holding a meeting on Wednesday, September 11, 2013, at the Gladstone Community Center, at 7:00 PM. This would be an opportunity for people to ask questions or receive clarification, and to hear what is actually in the proposed

Constitution. It turns out to be very timely, because the Clay County Commissioners declared war last week on this, and have filed for an injunction to prevent anything coming to the vote in November. There are office holders attending public meetings and sending out announcements. Councilmember Suter said one of our City employees was on an e-mail list she saw today, where office holders were saying that if this passes, they would not conduct their business, they would not collect taxes, and they won't do anything between the time the thing passes and the new government takes place. There are all kinds of shenanigans going on to try to prevent the citizens of Clay County from being able to exercise their constitutional right to vote for a new form of government. Councilmember Suter encouraged everyone to attend the meeting to learn more about it.

Mayor Pro Tem Brian Hill had no comments at this time.

Mayor Jean Moore reported that at the Atkins-Johnson Farm Big Shoal Country Fair on Saturday, she had the opportunity to look at the new exhibit on the Homestead Act, and it was very interesting. Mayor Moore encouraged everyone to visit the exhibit. Mayor Moore reminded everyone of the Farmers' Market every Wednesday at the Hy-Vee parking lot. Mayor Moore invited everyone to attend the Gladfest Car & Truck Show, this Saturday, September 14, from 9:00 AM to 3:00 PM, in the Antioch Bible Baptist Church parking lot. Mayor Moore encouraged everyone to take advantage of this fun event, as well as the concerts at Linden Square. This time of the year the concerts begin at 7:00 PM.

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

City Manager Kirk Davis reported a lot of good comments were received at the Big Shoal Country Fair. One comment was received after the fair from a husband and wife who went out of their way to be sure that staff passed along their thanks to the Council. They stated they realized that not all communities would take on a project of this nature, and they live in Gladstone because this community reaches out to do new things that are exciting. They apparently had a good time that day. City Manager Davis said he wished to congratulate the staff on a good event, and he agreed that it is a very interesting exhibit, and he hopes everyone supports the Atkins-Johnson Farm & Museum.

Item 8. on the Agenda. FIRST READING BILL NO. 13-28, enacting a new title to the City of Gladstone, Clay County, Missouri, Code of Ordinances, entitled Title X, "Neighborhood Preservation Ordinance", and associated chapters within, pertaining to the preservation of residential neighborhoods.

Assistant City Manager Scott Wingerson stated he wished to clarify a few things that were discussed in the Open Study Session. Mr. Wingerson said in regard to Mr. Garner's comments, tonight was the fourth Study Session on this issue. The pool enclosure is a swimming pool code provision that is reflected here for convenience. The motor vehicle, as discussed in the Study Session, is the same as in the residential codes. Staff is trying to be consistent in those two areas. In terms of the Council's concerns from tonight, he would suggest three changes to the Code itself, not the Ordinance the Council is voting on, but the supporting Code. Section 10.200.104.2.1, titled Public Use Areas, the first sentence would be changed to read *All public use areas will be inspected once every three years or upon complaint.* In Section 10.200.104.2.2, titled Change of Occupancy, the following sentence will be added to the end of the section as follows: *The City reserves the right to inspect units that have received verbal consent after occupancy has occurred.* Section 10.200.302.8.3, titled Motor Vehicles for Sale, there is an exception that reads: A resident of an apartment community may have a motor vehicle for sale on said premises; but only one (1) motor vehicle per apartment. The change would add *per year.* One vehicle, per apartment, per year is how that would read.

Councilmember Suter asked, for clarification, if the schedule for the public space inspections is every three years, or upon complaint. Can it be sooner if there should be a problem property.

Mr. Wingerson replied yes to both questions, and if there is a visible concern there can be an inspection. A complaint could be someone within the apartment complex, someone outside the apartment complex, or it could be an internal referral from another department in the City to Community Development for an inspection.

Mayor Pro Tem Brian Hill stated it was mentioned in the Open Study Session that the public use areas would be inspected every three years or more frequently as deemed necessary by the Building Official, not only upon complaint.

Mr. Wingerson replied the concern he heard was regarding the discretion of the Building Official - to eliminate or reduce that discretion. For clarity's sake, every three years, which increases the frequency between three and five, to simply three, and upon complaint, so that staff can do it more frequently where conditions warrant that action.

Mayor Pro Tem Hill asked if there was any reason not to make it every three years or upon complaint, or more frequently as deemed necessary by the Building Official.

Mr. Wingerson replied he must have misunderstood; what he thought he heard was a reduction in the Building Official's discretion, not maintaining the Building Official's discretion.

Mayor Pro Tem Hill stated he believed the intent was not to take away the ability of the Building Official in his/her discretion to inspect, but to require that it be more frequent.

Councilmember Suter stated her concern was that *upon discretion* could be five years or more before a particular property was inspected. If it is reduced to everything will be inspected every three years, but could be more frequently if there were a complaint, or if the Building Official had an issue, which would seem to qualify as a complaint, that would be fine. Councilmember Suter said she was concerned with both ends; that is that the "good" guys get off scott free, because there is enough discretion to let them go for a long time, and the other side is that we need to make sure it is frequent enough that the "bad" guys get looked at.

Mr. Wingerson suggested: *All public use areas will be inspected once every three years, or more frequently as deemed necessary by the Building Official.*

Mayor Moore suggested adding: *or upon complaint.*

Councilmember Suter agreed, and said if a resident made a complaint and if it was totally at the discretion of the Building Officer, who may not believe the complaint is worthwhile, then there would be too much discretion with the Building Officer, and not responsive to residents, which is supposed to be part of this whole thing. To ensure residents that the City is on their side, not just on the side of the building owners.

Mr. Wingerson suggested the following: in Section 10.200.104.2.1 Public Use Areas, first sentence: *All public use areas will be inspected once every three years, or upon complaint, or more frequently as deemed necessary by the Building Official.*

Councilmember Suter and Mayor Pro Tem Hill agreed with the language as stated.

Mayor Moore thanked Mr. Wingerson.

Councilmember Carol Suter moved to place **BILL NO. 13-28** on its First Reading. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (4-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of **BILL NO. 13-28**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (4-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of **BILL NO. 13-28**, and to enact the Bill as **Ordinance 4.250**. Mayor Pro Tem Brian Hill seconded.

Mayor Pro Tem Brian Hill offered his thanks for the efforts of the City staff in preparing this Ordinance. It has been a ton of work, and has taken a lot of dedication. Mayor Pro Tem Hill said he would not mention any names, because he was afraid he would leave someone out, but he believes this represents a tremendous step forward towards dealing with the issues the City has experienced in our apartment communities. Mayor Pro Tem Hill said he recognized there may be some shortcomings, but it is also apparently on the cutting edge of Ordinances and regulations. There is not anything like this elsewhere in the State of Missouri, so to a certain extent, we need to try it on and see how things go, and maybe make some modifications to react to what we learn needs to be fixed. It is a good Ordinance, a good set of Ordinances, and it will be very helpful to staff in improving the apartment communities.

Councilmember Carol Suter stated she wished to express her appreciation to staff. She remembered the Council planning retreat where the Council first started talking about what can be done with apartment complexes to treat them more like neighborhoods. Now we have figured out some things we can do, and she appreciates that this is progressive, and we are leading the charge in Missouri for some creative approaches in making sure that all the residents of our community live in safe and appropriate places. Councilmember Suter said she appreciated all the work that staff had done, and it will be figured out as we go along what needs to be tweaked if necessary, but this is certainly an exciting start.

Mayor Moore said she wished to echo those comments. This has been an enormous effort by those sitting in the audience and others behind the scenes. It is much needed, and, hopefully, will be a wonderful step towards where we want to go. Mayor Moore said she was very pleased with everyone's efforts, and offered her thanks to everyone.

Councilman Gary Markenson stated he was in wholehearted agreement.

Roll call vote: All "aye" – Councilman Gary Markenson, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (4-0)

Item 9. on the Agenda. **OTHER BUSINESS.**

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


Item 10. on the Agenda. **QUESTIONS FROM THE NEWS MEDIA.**

There were no questions from the News Media.

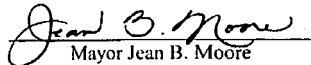
Item 11. on the Agenda. **ADJOURNMENT.**

There being no further business to come before the September 9, 2013, Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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


Mayor Jean B. Moore



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, SEPTEMBER 23, 2013**

The City Council will meet in Closed Executive Session at 6:20 PM, on Monday, September 23, 2013, 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(2) for Real Estate Acquisition Discussion.

OPEN STUDY SESSION: 6:40 PM

REGULAR MEETING: 7:30 PM

AGENDA

- 1. Meeting Called to Order.**
- 2. Roll Call.**
- 3. Pledge of Allegiance.**
- 4. Approval of the September 9, 2013, Regular City Council Meeting Minutes.**
- 5. PROCLAMATION:** Designating October 6-12, 2013, as "FIRE PREVENTION WEEK" in Gladstone, Missouri.
- 6. DISTINGUISHED SERVICE AWARDS** to Luke Newport and Lois Domsch and the Antioch Middle School SAGE Class for their commitment to the success of the Atkins-Johnson Farm and Museum.

7. CONSENT AGENDA

RESOLUTION R-13-49, declaring certain City property as surplus and authorizing the sale of such property held by the City to the highest bidder at auction or by sealed bid; and authorizing the donation of surplus items to the Surplus Exchange.

RESOLUTION R-13-50, authorizing acceptance of a proposal from Landmark Dodge Chrysler Jeep, Independence, Missouri for the purchase of one (1) Dodge Charger Police vehicle for the total purchase amount of \$22,796.57.

RESOLUTION R-13-51, authorizing acceptance of work under contract with Linaweaver Construction, Incorporated, for the North Broadway Reconstruction – Northwest 76th Street to 250 Feet Beyond the City Limits Project, and authorizing final payment in the amount of \$500.00 for Project TB1114.

RESOLUTION R-13-52, authorizing Change Order No. 3 in the amount of \$158,704.88 to the contract with Hettinger Excavating LLC, for addition of 2014 quantities, as part of the 2013 Small Water Main Replacement Project.

APPROVAL OF THE AUGUST 2013 FINANCIAL REPORT.

REGULAR AGENDA

- 8. Communications from the Audience.**
- 9. Communications from the City Council.**
- 10. Communications from the City Manager.**
- 11. RESOLUTION R-13-53**, authorizing the City Manager to execute a Special Warranty Deed conveying property to the Northaven Gardens Homes Association.

12. **FIRST READING BILL NO. 13-29**, providing for the assessment of an additional court cost by the Gladstone Municipal Court for the Sheriffs' Retirement Fund pursuant to Section 57.955 of the Revised Statutes of Missouri.
13. **FIRST READING BILL NO. 13-30**, adopting Article 4, Sections 2.110.160 through 2.110.270 under Title II, Chapter 110, of the Code of City Ordinances establishing nuisance restrictions for apartment buildings.
14. Other Business.
15. Questions from the News Media.
16. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, SEPTEMBER 23, 2013**

Mayor Jean Moore opened the City Council Meeting to adjourn to a Closed Executive Session on September 23, 2013, at 6:20 PM. Councilmember Carol Suter made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemptions 610.021(2) for Real Estate Acquisition Discussion. Councilman Bill Garnos seconded.

Roll Call Vote: All "aye" – Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (4-0).

Councilman Gary Markenson was also present at the Closed Executive Session.

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
Councilman Bill Garnos
Councilman Gary Markenson

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 Jean Moore opened the Regular September 23, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present.

Mayor Jean Moore welcomed everyone who attended the meeting in person and also those watching the meeting on-line. Mayor Moore said it was not often that there was a full

house as there was this evening, so this was a big treat for everyone. Mayor Moore said she and the City Council thanked everyone for their interest and involvement in City government.

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

Mayor Moore introduced Gladstone Veterans of Foreign Wars (VFW) Post 10906, and said it was a privilege to have them present the Colors and lead the Pledge of Allegiance this evening. Members of the Post presented the Colors and led the Pledge of Allegiance, in which all joined.

Mayor Moore stated it was an honor for the City to have the State Color Guard present at this meeting. It was a joy having them and their efforts are deeply appreciated.

Item 4. on the Agenda. **APPROVAL OF THE SEPTEMBER 9, 2013, REGULAR CITY COUNCIL MEETING MINUTES.**

Mayor Pro Tem Brian Hill moved to approve the September 9, 2013, Regular City Council Meeting Minutes, as presented. Councilman Gary Markenson seconded.

The vote: "Aye" – Councilman Gary Markenson, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. "Abstain" – Councilman Bill Garnos. (4-0-1).

Mayor Moore stated Councilman Garnos was absent from the September 9, 2013, Regular City Council meeting, so he abstained from this vote.

Item 5. on the Agenda. **PROCLAMATION: Designating October 6-12, 2013, as "FIRE PREVENTION WEEK" in Gladstone, Missouri.**

Mayor Moore invited the City firefighters who were present to please join her in front of the Council dais, where she read and presented to them the Proclamation. Mayor Moore invited the firefighters to introduce themselves as follows: Battalion Chief Sean Daugherty, Fire Captain Larry Kipping, Paramedic/Firefighter Barry Huff, Paramedic/Firefighter Tyler Rawley, Paramedic/Firefighter Mike Rogers, Paramedic/Firefighter Rachel Barker, Paramedic Firefighter Justin Perez, EMT/Firefighter Shawn Rulon, Paramedic/Firefighter Kim Shook, and Paramedic/Firefighter Tyler McCommins.

Following applause from the audience, Mayor Moore said whether it was Fire Prevention Week or the other 365 days of the year, the City thanks the firefighters for all they do to keep our City safe.

The firefighters thanked the Mayor and City Council.

Item 6. on the Agenda. DISTINGUISHED SERVICE AWARDS to Luke Newport and Lois Domsch and the Antioch Middle School SAGE Class for their commitment to the success of the Atkins-Johnson Farm and Museum.

Mayor Moore stated this was the first time a Distinguished Service Award had been presented. It is a brand new award that has been developed in the City of Gladstone, and tonight, Luke Newport and Lois Domsch and the Antioch Middle School were being honored for their commitment to the success of the Atkins-Johnson Farm and Museum.

Mayor Moore reported that these individuals received the Best Friends Award from the Atkins-Johnson Farm. This is an award that is given every year to people who have gone above and beyond to really make a difference in the Atkins-Johnson Farm. These individuals have done that. Mayor Moore said the City Council felt they deserved a little extra measure of thanks from them as well. Mayor Moore invited Mrs. Domsch and her SAGE class and Luke Newport to join her at the Council dais.

Mayor Moore stated Mrs. Domsch turned an idea about the barn at Atkins-Johnson Farm into an entire quarter's lesson plan about planning, marketing and community service. Initially, they had planned to just raise funds for the barn, and they successfully did that by pizza and t-shirt sales, and so they began another effort. Mayor Moore asked Mrs. Domsch to talk about that effort.

Mrs. Domsch said a friend, Dee Clemente, gave them parts for old fashioned dolls, so she figured out the process of making the dolls, and they began the process of manufacturing and selling the dolls.

Mayor Moore said this was an amazing story and she knew the students had a good time with the projects.

Mayor Moore invited the students to introduce themselves. The SAGE class students who were honored were: Dakota Ake; Madelaine Bailey; Jacob Bartz; Asa Biggs; Caitlynn Bohanon; Sydney Brogdon; Darrell Cawley; Abigail Clapham; Luci Conkling; Charlie Cunningham; Kaden Evans; Hannah Hernandez; Alexander Hulsey; Jorji Kellog; Harper Ross; Richard Sander; Liam Schrader; Timothy Upschulte; and Zack Watson.

Mayor Moore presented the Distinguished Service Award to Mrs. Domsch, and also one to the Antioch Middle School SAGE class for display at the school.

Mayor Moore said she and the City Council were so touched by the efforts of these young people for the Atkins-Johnson Farm, and she hoped that they continue their efforts, which are remarkable, and the City was so grateful for all they have done.

Mayor Moore said it was the Council's understanding that Luke Newport has gone way above and beyond, and if he could drive, he would be at the Atkins-Johnson Farm and Muscum every day! Mayor Moore said she and the Council wished to honor him as well, as he has made a difference and really shone. Mayor Moore thanked Luke for everything he has done – it has been a great effort.

The presentations were followed by applause from the audience.

Mrs. Domsch explained that community service is part of the SAGE program. The parents and the school offer their support for this program.

Mayor Moore stated it "takes a village", so it takes a big effort from parents and other teachers as well. Mayor Moore invited Luke to talk about his award and what he did, and asked him about the favorite thing that he did.

Luke Newport replied that his favorite project was the garage sale, where he helped a lot with setting up, and he also donated a lot of things to the sale. It was fun and he liked it.

Mayor Moore stated Luke's energy was something that everyone could take as a model for an outstanding effort.

Mayor Moore's comments were followed with applause from the audience.

Item 7. on the Agenda. **CONSENT AGENDA**

Councilmember Carol Suter moved to accept the Consent Agenda as presented. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-49**, declaring certain City property as surplus and authorizing the sale of such property held by the City to the highest bidder at auction or by sealed bid; and authorizing the donation of surplus items to the Surplus Exchange. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-50**, authorizing acceptance of a proposal from Landmark Dodge Chrysler Jeep, Independence, Missouri for the purchase of one (1) Dodge Charger Police vehicle for the total purchase amount of \$22,796.57. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-51**, authorizing acceptance of work under contract with Linaweaver Construction, Incorporated, for the North Broadway Reconstruction – Northwest 76th Street to 250 Feet Beyond the City Limits Project, and authorizing final payment in the amount of \$500.00 for Project TB1114. Mayor Pro Tem Brian Hill seconded. The vote: All “aye” – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-52**, authorizing Change Order No. 3 in the amount of \$158,704.88 to the contract with Hettinger Excavating LLC, for addition of 2014 quantities, as part of the 2013 Small Water Main Replacement Project. Mayor Pro Tem Brian Hill seconded. The vote: All “aye” – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt the **AUGUST 2013 FINANCIAL REPORT**. Mayor Pro Tem Brian Hill seconded. The vote: All “aye” – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

REGULAR AGENDA

Item 8. on the Agenda.

COMMUNICATIONS FROM THE AUDIENCE.

Pete Hall, 5621 North Clinton Place, Gladstone, Missouri, began by saying that he came before the Mayor and City Council this evening for the purpose of talking a little bit about the Clay County Constitution. Approximately 175 years ago the form of government that is used to govern Clay County was established. Back then there were about 5,000 people. Mr. Hall said he was confident that what was established was pretty good 175 years ago. That form is still with us today. Some Statutes have changed, but, generally, the same form is in place. The voters of Clay County have asked the Charter be drawn this last year. Mr. Hall said he was very impressed with the group the Court appointed. One of our City Council members is on the Commission. There were fourteen people on the Commission, seven Democrats and seven Republicans, who held fourteen public hearings. It was very unusual to hold that many public hearings, but they were very sincere about their efforts in putting together a document that could govern the County.

Mr. Hall said he read the Constitution many times, and attended several of the meetings, and he wished to briefly talk about the facts of that document. On November 5, 2013, there will be a vote of the people of Clay County to see if that is the kind of government we would like to have. A lot of misunderstanding and unique things have happened. Historically, the facts get distorted the closer to the election that we get. Mr. Hall said the

current elected officials had his respect because all elected officials do. The Constitution would be chosen by the voters, so they are going to do all that they can do to try to keep their form of government going.

Mr. Hall reported that it would be a seven member Council, which would mirror the Gladstone City Council, except that there are seven members and not five. There would be six members from districts that will be chosen. Right now, we have two members, who represent 120,000 people in each district. This would pare that down to 38,000 to 39,000 people, but they would be equal districts. They would have one at-large individual, who would chair the group to make seven members. They would all have a vote, and there would be no veto power. It would be a non-partisan group. That would be very interesting, because 100 percent of the people who attended the public hearings voted that they wanted a non-partisan government in Clay County, and the attendees were asked at each public hearing. This would be similar to Gladstone. There are no other partisan City governments in Clay County at this point in time.

Mr. Hall stated that the elected officials of Clay County average about \$85,000 per year in salary and benefits, and they are not required to have any qualifications to do the job they have. They are protected because there is no way to recall them, or take them out of their jobs for a period of four years, which is how long their term is. The term would be the same with the new Commission. There would be the opportunity for people to do referendums, to recall them if there is something the voters do not like, or to change some of the government that the voters may not agree with that does not exist today.

Mr. Hall said one of the most unique things is that right now the County Commission has the ability to tax the people of Clay County up to 80 cents per \$100 of assessed valuation. Mr. Hall said currently, it is 21 cents. Two people can increase by an excess of 300 percent that tax for any reason or no reason at all. There are no criteria and it takes two people of the three to be able to do that. Mr. Hall said that scared him a little bit. The Constitution basically caps the 21 cents at 14 cents. There would be a 14 cent levy, and it would only be able to be increased by a vote of the people, so the Commissioners would not be able to increase the tax on the people without their approval. They can certainly work hard to get it passed if there is a good reason to do that. All of the elected positions, with the exception of the Sheriff and Prosecuting Attorney would be done away with, and discontinued, and a new form, which would be a County Administrator, similar to what we have in Gladstone, would be hired and they would have the ability, with the approval of the Council, to consolidate departments and hire qualified people for the different entities. Mr. Hall said that vote is November 5th. Mr. Hall said he had found, as he has gone around the County and to the City Councils, that there are a lot of questions. Mr. Hall asked the Mayor and Council if they had any questions about this issue.

Councilman Gary Markenson said, as a point of information, there is only one city in Missouri that has partisan elections, and that is the City of St. Louis. All the other 1,000 are non-partisan elections.

Mr. Hall stated there are none on this side of the state and none in Clay County for sure.

Councilman Markenson agreed that was correct.

Mr. Hall said the Commission members were very qualified and distinguished. There were six attorneys and a prior Commissioner. It was a very qualified group. They were originally pretty well split on partisan versus nonpartisan, but when there were 100 percent of the people who were asked the question if they preferred their County government to be partisan or nonpartisan, it was really hard for them to stick by their guns if they thought it should be partisan. The Commission had done an extraordinary job and it is unanimous. When that many strong Democrats and Republicans agree 100 percent in support of the document that was done, is amazing. What we do now is very antiquated and is full of very expensive mistakes. It is not a good system, and this would allow us to come into the 21st century.

Mr. Hall stated that when one goes to national Municipal League meetings, they will hear that when counties form constitutions, they seem to begin to grow and prosper. They find additional money to get other things done, so it is a rather exciting time that we are in right now. There are five large counties in Missouri that do have Charters. They are all a little different. Here, locally, we know that Jackson County and Johnson County both have Charters. This Charter was not copied from Johnson County, but when they are compared, it is very similar, and they are not doing too badly over there.

Mr. Hall said it was his sincere belief that the Mayor and City Council lead the City of Gladstone. The people in our community look to them to help provide direction. Mr. Hall said he wished to ask this evening that the Mayor and Council consider a Resolution in support of the new Constitution that would come before the voters in November. This is necessary for the growth of the County and it would save the citizens an awfully lot of money. The new County Council members would make \$1,000 per month as opposed to the \$85,000 mentioned earlier. We would not have paid politicians. We would have a little more citizen participation than we do in some of our cities. Mr. Hall said he knew that the existing government would love to continue on like it is – it is a pretty good deal. Mr. Hall said he believed that we need to stand up for what we believe is right; he knows he does.

Mayor Moore thanked Mr. Hall.

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

Councilman Gary Markenson had no comments at this time.

Councilman Bill Garnos thanked Mr. Garner and everyone else who worked so hard to put on the car show the weekend before last. He missed it when we went a year or two without the car show as a part of Gladfest. He thought this year's show was terrific. The cars and trucks were terrific. The attendance was great. There were a lot of people there, and it could not have been a nicer day. It was one of those City activities where you see all your neighbors and parents taking their kids out to show them classic cars. It was a really nice event.

Councilman Garnos said each week the Kansas City Star newspaper has a *Northland Neighborhood News* section that has always been a very weak section. He does not know how sections for other parts of the town are, but the *Northland* section is pretty weak. They were advertising, starting this week, a new expanded Northland section called *816 North*, and he believes it will give Public Information Officer Richard King and staff some new opportunities to help tell the story here in Gladstone, and to promote some of the positive things in our City. Councilman Garnos said he was looking forward to the new section.

Councilmember Carol Suter said to follow-up with the remarks by Councilman Garnos, the reporter who was covering a story with which she was involved was commenting last week that now it would be a bigger version, he has to write a bigger story. Councilmember Suter thanked the City of Gladstone for allowing the Constitution Commission to hold one of their public meetings at the Community Center last week. It was very well attended and a very nicely hosted event. Councilmember Suter said she was always delighted when public meetings are held, how often Gladstone residents appear. Our model for citizen engagement applies for things beyond the City of Gladstone, because people have become used to getting out to participate. Councilmember Suter noted that people from Gladstone are often seen, whether the meetings are here or somewhere else, and she has appreciated that.

Councilmember Suter said she had just returned today from a vacation in the Rocky Mountains. It was supposed to be in a house that they rented on the Big Thompson River just above Estes Park. Obviously, their vacation plans were changed, and they found some great accommodations elsewhere. Going to a city and state that is engulfed in so much destruction, and their reliance on so many emergency services reminded her again how absolutely critical to life in America are local city governments. The first responders are always the people from the city. Whether it is a big or little city, whether it is Boulder or a little town in the mountains that only has 50 people and maybe a Constable, everyone looks to city government first. That is who is there first in time, and then state and regional people pitch in, and FEMA starts to come in at the end.

Councilmember Suter said she wished to reiterate to City staff and to all who volunteer and work for the City how much citizens appreciate the work that we do and the role that we play in everyday life. It is nice to be recognized and appreciated in good times, but it is really the bad times that make people truly understand the role and importance of local government. Councilmember Suter said her heart went out to all the people who are struggling. They are saying that many of the roads will never be rebuilt, and some of the little towns will never be rebuilt. That is a sad situation.

Mayor Pro Tem Brian Hill stated he wished to thank Mr. Garner for all the work he did in putting together the Car Show. It was a wonderful event, and he was amazed at the number of entries, and the turnout. Mayor Pro Tem Hill said he had not set up one himself, but he knew from past experience with the Chamber of Commerce, that the auto show is a tremendous amount of work to coordinate. Mayor Pro Tem Hill thanked Mr. Garner, and said it was a great event and a great lead-up to Gladfest. Mayor Pro Tem Hill encouraged everyone to attend Gladfest beginning October 4. It sounds like it will be a much improved festival, and he has been told by the Mayor that there will be good weather. Ever since Bill Reynolds was Mayor, he always took credit for the weather, so it is the Mayor's job to have good weather.

Mayor Pro Tem Hill thanked Mr. Hall for addressing the Council on the Constitution, and for a factual presentation, contradicting some of the erroneous information that had been placed out there by certain parties with other than the public as their best interest.

Mayor Jean Moore had no comments at this time.

Item 10. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

Assistant City Manager Scott Wingerson began by saying the real City Manager sent his regrets. He was enjoying Clam Chowder in Boston and learning all the innovative techniques to keep us busy for the next year or so. He will be welcomed back later this week.

Assistant City Manager Wingerson reported there would be a double bill Friday night at Linden Square - Landslide, which is a Fleetwood Mac tribute band, and Killer Queen, which is a Queen tribute band. This should be pretty exciting. On Saturday night at 7:00 PM, the Nace Brothers would perform.

Item 11. on the Agenda. **RESOLUTION R-13-53**, authorizing the City Manager to execute a Special Warranty Deed conveying property to the Northaven Gardens Homes Association.

Councilman Markenson stated he had a conflict of interest because he serves on the Northaven Gardens Homeowners Board of Trustees, so he would be abstaining from the discussion and vote on this Resolution.

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-53**, authorizing the City Manager to execute a Special Warranty Deed conveying property to the Northaven Gardens Homes Association. Mayor Pro Tem Brian Hill seconded. The vote: "Aye" - Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. "Abstain" - Councilman Gary Markenson. (4-0-1)

Item 12. on the Agenda. FIRST READING BILL NO. 13-29, providing for the assessment of an additional court cost by the Gladstone Municipal Court for the Sheriffs' Retirement Fund pursuant to Section 57.955 of the Revised Statutes of Missouri.

Mayor Pro Tem Brian Hill moved to place **BILL NO. 13-29** on its First Reading. Councilman Bill Garnos seconded.

Councilman Markenson stated Sheriffs are covered by LAGERS, Social Security, and they have a retirement system that was adopted about fifteen years ago by the legislature, which is a third retirement benefit. For fifteen years it has been an official policy in the state of Missouri that municipal court costs are not covered by the \$3.00 fee. The Sheriff has nothing to do with the administration of justice in our municipal courts. The Attorney General has reversed himself, and now says we need to collect this. Lawsuits have been filed by a very prominent municipal judge in St. Louis, and the Supreme Court is holding hearings to determine if this in fact is the way it should be and should it be changed. If we do not collect it and the fee is upheld by the courts, we may be stuck with paying the \$3.00 for all the cases. If it is thrown out, our citizens lose their \$3.00, because it has already been turned in to the courts. Councilman Markenson asked if we could collect the money and escrow it until this issue is resolved - could something be done of that nature. This is so unfair to the people of Gladstone, to have to pay this \$3.00, when they receive nothing for the \$3.00.

City Counselor Randall Thompson replied he attended the hearing that the ad hoc committee on court costs held. This group was appointed by the Supreme Court. It was chaired by Judge Gary Witt, who is now on the Western District Court of Appeals, and he used to be a Circuit Judge in Platte County. Counselor Thompson said he attended their second meeting; apparently, they had already had a meeting. They were not going to discuss the \$3.00 Sheriffs' retirement fee, but he asked to be heard, so they allowed him to speak. The message he received was that they had already dealt with it. The Attorney General opinion said it should be enforced, and that litigation has been filed, and since litigation was filed, they were going to wait until the result of that litigation to do anything further with respect to the \$3.00 Sheriffs' fee.

Counselor Thompson said it would be probably a "first" if we were to collect and not pay out the fee, and he was concerned about that because he believes the office of State Court Administrators would probably bring some sort of action against the City of Gladstone, if we collected the fee and did not pay it to them. However, he could certainly look into that further, if the Council would want, before going forward with the Ordinance. Counselor Thompson said he had discussed this with Judge Rose and Judge Kloppenstein, who are our Municipal Court Judges, before the latest Attorney General opinion, and Judge Rose had entered an order directing the Court Clerk not to collect the \$3.00. We received another order from the office of State Court Administrators that the Supreme Court had created a new schedule of costs, and the \$3.00 was on that schedule of costs. In conjunction with the fact that the Attorney General issued another opinion saying that we had to collect the \$3.00 fee, Judge Rose authorized the Clerk to begin collecting it. There was a period of two days where we did not collect it between when we made that decision and when we received the updated information. Counselor Thompson said he would not want to place our Municipal Court Clerk in that position again. If we don't start collecting it, we would be subject to criticism from the Supreme Court for failing to collect it. Counselor Thompson said he could research the issue of holding it in reserve if that is what the Council would like to do; meaning, holding it in reserve until the judicial decision is made.

Councilmember Suter inquired into what other litigation had been filed, and asked if the Missouri Municipal League was involved, or specific cities involved.

Counselor Thompson replied Judge Frank Vatterott, who is a Municipal Court Judge in St. Louis County, filed a suit, and asked for injunctive relief. That was denied. It was placed on the docket in Cole County for trial in January 2014. Nothing further will happen until then in this regard.

Councilmember Suter asked if the Missouri Municipal League was doing anything in regard to this issue with cities.

Counselor Thompson replied they were supporting the litigation by Judge Vatterott, but he did not know to what degree. They were receiving some counsel from an attorney named Alan Garner. Counselor Thompson said he spoke to Mr. Garner during the Missouri bar meeting, and he said he was assisting in that litigation and he believed he was doing that at the behest of the Missouri Municipal League.

Councilmember Suter asked if it was known what the other cities in Clay County were doing.

Counselor Thompson replied the majority of cities were collecting the fee, and they were going to regardless. We and probably Independence, and three other cities on the west side

of the State, like us, were not going to collect the fee. To his knowledge, everyone else was going to collect the fee.

Mayor Pro Tem Brian Hill said he did not see collecting the fee and withholding it as a resolution, because if you withhold it there would be the issues of OSCA (Office of State Courts Administrator) maybe doing something, also, what do you do with the fund in the event that you retain it. The cost of returning those funds to the people who paid them at \$3.00 is going to exceed on a per check basis the \$3.00. Mayor Pro Tem Hill said he agreed with Councilman Markenson that there are no services to municipal courts provided by the Sheriff, but he does not want to put our Court Clerk in the position of not being in compliance with what is the accepted law in the state, as the Attorney General has stated. If we go ahead and assess the court cost and submit it, and then, in January if there is a decision on this case that says we don't have to anymore, then we terminate doing it. In the interim, we are obligated to follow what is the acceptable law of the land, as stated by the Attorney General.

Counselor Thompson stated that was a very good point, and the practical side of it was if the \$3.00 fee is not allowed, that will not take effect until the judicial decision is rendered; meaning that, between now and then, he assumed they would expect us to collect it.

Councilman Markenson said this appears to be one of those things where you just have to grit your teeth and do it; however, he was wondering if in regard to Number 5 of the Legislative Findings - he had a hard time voting that the City Council finds it is in the best interest of the citizens of Gladstone to do this - could it state instead that the City Council finds that it is now required by the State Courts Administrator that citizens of Gladstone have to pay this fee.

Councilmember Suter said she agreed. This was clearly a political maneuver, because there was no reason for this to happen other than someone had a political interest in finding some more money for Sheriffs, and it should not be on the backs of citizens of cities. It is tough enough for people to face ever rising fines and penalties for small infractions of municipal law, but as it costs us more and more to provide court services that is the inevitable end of it. But to just unnecessarily burden citizens with in essence a tax that benefits them in no way, was horrendous. At the very least what we could do at this point was not put in writing something that we don't believe.

Councilmember Suter said she, too, did not think that this was in the best interest of the citizens of Gladstone, but it was in the best interest of the City to follow current State law, which is a slightly different thing. Councilmember Suter said she agreed with Mayor Pro Tem Hill, in that we need to follow the laws, unless there is some really outrageous principle that has to do with the City as a City entity. Our job is to represent the City as an entity, as well as the citizens. Councilmember Suter stated as a citizen, she was outraged,

as an elected official of this City, and looking out for the best interests of the City government, she believes we need to comply with State law.

Counselor Thompson asked if he might read some proposed language to amend Legislative Findings Number 5 to read: *The City Council finds that the Missouri Supreme Court and the Office of State Courts Administrator has directed the Municipal Court Clerk to collect the \$3.00 Sheriff Retirement Fee in accordance with Section 57.955 of the Revised Statutes of Missouri.*

Councilman Markenson said that saved his face and he thanked Counselor Thompson.

The City Councilmembers agreed with the language.

Counselor Thompson said that change would be made before the Mayor signs the Ordinance.

The vote: All "aye" - Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the First Reading of **BILL NO. 13-29**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Bill Garnos seconded. The vote: All "aye" - Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the Second and Final Reading of **BILL NO. 13-29**, and to enact the Bill as **Ordinance 4.251**. Councilman Bill Garnos seconded.

Roll call vote: All "aye" - Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 13. on the Agenda. **FIRST READING BILL NO. 13-30**, adopting Article 4, Sections 2.110.160 through 2.110.270 under Title II, Chapter 110, of the Code of City Ordinances establishing nuisance restrictions for apartment buildings.

Councilmember Carol Suter moved to place **BILL NO. 13-30** on its First Reading. Mayor Pro Tem Brian Hill seconded.

Councilman Markenson stated he had some comments regarding this action and noted under definitions of apartment buildings, it is more than four apartments. Many apartment buildings just have four units, and we are exempting them from the Ordinance, and he wondered why we are doing that.

Assistant City Manager Scott Wingerson replied that was consistent with the Ordinance passed two weeks ago by the City Council regarding occupancy inspections, and it was just a line between a larger multi-tenant property with usually 16-18 units per building, and the smaller one, two, three, and four family properties.

Councilman Markenson pointed out on the top of Page 4, in the second line, where it talks about Section 2.100.020, and asked if that could be a typo.

Counselor Thompson agreed it was a typo.

Councilman Markenson noted on Page 7, Section 230, the second line, where it says *any property on which aggravated nuisance activity, as defined in Section 2.110.170, occurs may be declared nuisance property*, and asked if that should read aggravated nuisance property, which is different from nuisance property.

Counselor Thompson agreed that change would be made.

Councilman Markenson pointed out on Page 10, Subsection 5, where it says we can *issue an order to close and secure any apartments against all use or occupancy for a period of not less than sixty (60) days, nor more than one (1) year*, and asked what if it can be fixed up in 30 days, why would it have to be closed for 60 days.

Counselor Thompson replied that change could be made, if Council would like. That had been in every version presented to City Council.

Councilmember Suter said she would like to be certain this is consistent with the previous Ordinances.

Counselor Thompson suggested this action could be tabled until the next City Council meeting, if Council would prefer.

Councilmember Suter stated the language being referred to referred to a defined term. The defined term is Nuisance Property, which means any property on which aggravated nuisance activity or nuisance activity has occurred. Councilmember Suter said she was not sure this was incorrect. The way it is written, she believed, was correct, because it refers to a defined term, which is Nuisance Property, not aggravated nuisance property. That was her understanding.

Counselor Thompson said that was true and Councilmember Suter made a good point.

Assistant City Manager Wingerson said, in listening to the conversation, it seemed the substantial point is on 30 or 60 days; the rest are things that can be cleaned up. If it was

the Council's desire for that closure to be 30 days, then let staff make that change and get this Ordinance on the books, so we can start moving forward. We have been on this for 18 months or longer, so we need the time.

Councilmember Suter requested clarity on the 30 days – what was the difference between the 30 and the 60 days. Why did we go with 60 days – does it comport with something else.

Counselor Thompson said he would need to check with the other Ordinance to know whether or not it comports with something else, but he did not believe that it did, and said he believed that it came from other jurisdictions where he found what they believed worked, but he had nothing more than that.

Councilmember Suter said she did not want the Council to do something that was contradictory or not in sync with what had already been passed.

Counselor Thompson said he did not believe there were any provisions in the other Ordinance having to do with the closure of a facility.

Councilman Markenson suggested he would withdraw his concern with the 30-60 days. He did not know that would cause a problem, and he would be fine if the other items could be fixed.

The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of **BILL NO. 13-30**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of **BILL NO. 13-30**, and to enact the Bill as **Ordinance 4.252**. Mayor Pro Tem Brian Hill seconded.

Mayor Pro Tem Hill thanked City staff for addressing this issue, and coming up with this comprehensive set of Ordinances. It has taken a lot of work. Our City has an extremely disproportionate amount of Public Safety time and crime that occurs in the apartment buildings, and he believes that this Ordinance goes a long way towards addressing that. In the long run, this is going to make a significant difference in the community.

Roll call vote: "Aye" – Councilman Gary Markenson, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. "No" – Councilman Bill Garnos. (4-1)

Item 14. on the Agenda. OTHER BUSINESS.

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

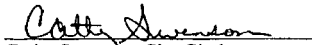
Item 15. on the Agenda. QUESTIONS FROM THE NEWS MEDIA.

There were no questions from the News Media.

Item 16. on the Agenda. ADJOURNMENT.

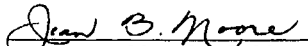
There being no further business to come before the September 23, 2013, Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: ☒

Approved as corrected/amended: ☐


Mayor Jean B. Moore



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, OCTOBER 14, 2013**

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 September 23, 2013, Regular City Council Meeting Minutes.
5. **PROCLAMATION:** recognizing **THE DAY OF THE GIRL CAMPAIGN**, and joining Girl Scouts of America Troops 1891 and 4002 in celebrating all girls' potential and the many contributions of our area youth.

6. CONSENT AGENDA

RESOLUTION R-13-54, authorizing acceptance of work under contract with Lan-Tel, for the 2012 Curb, Gutter and Sidewalk Program Project; and authorizing final payment in the amount of \$165,661.32.

RESOLUTION R-13-55, declaring certain City property as surplus and authorizing the sale of such property held by the City to Assisted Transportation of Kansas City, Kansas.

RESOLUTION R-13-56, authorizing acceptance of work under contract with Amino Brothers Company, Incorporated, for the 63rd and Kansas Storm Water Improvements; and authorizing final payment in the amount of \$22,823.91.

RESOLUTION R-13-57, accepting Temporary Construction Easements in conjunction with the Old Maids Creek Sanitary Sewer Interceptor Replacement and Linden Detention Basin Project.

REGULAR AGENDA

- 7. Communications from the Audience.**
- 8. Communications from the City Council.**
- 9. Communications from the City Manager.**
- 10. RESOLUTION R-13-58**, in support of the proposed Constitution, establishing a new form of government for Clay County, Missouri, to be voted upon by the citizens of Clay County on November 5, 2013.

11. **FIRST READING BILL NO. 13-31**, authorizing the City Manager to execute a cost apportionment agreement with the Missouri Department of Transportation (MoDOT) for funds relating to the construction of pedestrian improvements at Missouri Route 1 and Northeast 73rd Terrace.
12. **RESOLUTION R-13-59**, authorizing execution of a contract with Gunter Construction Company in the total amount not to exceed \$214,629.00 for the Missouri Route 1 and Northeast 73rd Terrace Pedestrian Improvements Project.
13. Other Business.
14. Questions from the News Media.
15. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, OCTOBER 14, 2013**

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
Councilman Bill Garnos
Councilman Gary Markenson

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 Jean Moore opened the Regular October 14, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present.

Mayor Jean Moore said it was a pleasure to welcome everyone in the audience and also those watching the meeting on-line. Mayor Moore said she and the City Council thanked everyone for their interest in City of Gladstone government.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Moore stated it was a very special honor this evening, and she believed it was a first, that there were actually girls who would lead the Pledge of Allegiance. Mayor Moore said she and the City Council were very pleased to welcome Girl Scout Troop 1891 and 4002, who led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. **APPROVAL OF THE SEPTEMBER 23, 2013, REGULAR CITY COUNCIL MEETING MINUTES.**

Mayor Pro Tem Brian Hill moved to approve the September 23, 2013, Regular City Council Meeting Minutes, as presented. Councilman Gary Markenson seconded.

The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. 5-0.

Item 5. On the Agenda. **PROCLAMATION:** recognizing **THE DAY OF THE GIRL CAMPAIGN**, and joining Girl Scouts of America Troops 1891 and 4002 in celebrating all girls' potential and the many contributions of our area youth.

Mayor Moore invited the Girl Scouts and their leaders to join her in the front of the Council dais, where she read and presented the Proclamation.

Mayor Moore invited the Scout leaders and Girl Scouts to introduce themselves as follows: Girl Scout leaders Amber and Jodi; and Girl Scouts Baily, Kennedy, Onika, Madeline, Gracen, Maddy Grace, Emily, and Elizabeth.

The Girl Scouts took turns reading a narrative about girls and Girl Scouting (please see attached). The Girl Scouts and their leaders received applause from the audience.

Mayor Moore thanked the Scouts and their leaders, and said she and the City Council were very proud of them, and she knew the Scouts learned a lot in their program, and she expected to see them sitting at the Council dais in the future.

The Scout leaders thanked the Mayor and City Council members.

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

Mayor Pro Tem Brian Hill moved to accept the Consent Agenda as presented. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Mayor Pro Tem Brian Hill moved to adopt **RESOLUTION R-13-54**, authorizing acceptance of work under contract with Lan-Tel, for the 2012 Curb, Gutter and Sidewalk Program Project; and authorizing final payment in the amount of \$165,661.32. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Mayor Pro Tem Brian Hill moved to adopt **RESOLUTION R-13-55**, declaring certain City property as surplus and authorizing the sale of such property held by the City to Assisted Transportation of Kansas City, Kansas. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Mayor Pro Tem Brian Hill moved to adopt **RESOLUTION R-13-56**, authorizing acceptance of work under contract with Amino Brothers Company, Incorporated, for the 63rd and Kansas Storm Water Improvements; and authorizing final payment in the amount of \$22,823.91. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Mayor Pro Tem Brian Hill moved to adopt **RESOLUTION R-13-57**, accepting Temporary Construction Easements in conjunction with the Old Maids Creek Sanitary Sewer Interceptor Replacement and Linden Detention Basin Project. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (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.

Councilman Gary Markenson stated our City was very fortunate this past weekend that one of our law enforcement officers were driving down North Oak Trafficway and noticed a fire at the Smokehouse Barbeque restaurant. He got everyone out of the restaurant before anyone suffered any serious injuries or worse. We were very fortunate that he was in the right place at the right time, and did the right thing.

Councilman Bill Garnos stated as a message to the Girl Scouts, the Boy Scouts that have been present at Council meetings in the past have never been able to do a skit like the girls did tonight, or given a speech, so the Girl Scouts are to be congratulated for that.

Councilman Garnos thanked City staff for all their fine work and dedication during Gladfest again this year. It was great.

Councilmember Carol Suter began by saying it was a great day for the Gladfest parade. There was decent weather, especially for the parade. Councilmember Suter expressed appreciation to all the volunteers, because it was a huge effort by a lot of people who gave their time, like Mayor Pro Tem Hill, who gave his time to make it happen, and for all the City staff who worked above and beyond the call of duty. It was very much appreciated. It was a great event for the community.

Mayor Pro Tem Brian Hill thanked the Mayor for doing such a good job with the weather for Gladfest.

Mayor Moore said she would take credit for it, and thanked Mayor Pro Tem Hill.

Mayor Pro Tem Hill said former Mayor Bill Reynolds was at Gladfest, and he visited with him, which was enjoyable. Mayor Pro Tem Hill jokingly said former Mayor Reynolds was the one who started controlling the weather for Gladfest.

Mayor Pro Tem Hill thanked City staff and all the volunteers who made Gladfest a success, especially Richard King, who was there longer than he was. It was much improved from an entertainment standpoint over last year. It was a big step forward. Mayor Pro Tem Hill jokingly said he was a little concerned Saturday night when he learned there would be a Kiss copy band, because that was not his speed, and he was concerned when he entered City Hall Saturday afternoon, and there were black feathers all over the hallway. Evidently, the band was in City Hall changing into their costumes.

Mayor Pro Tem Hill congratulated Public Safety on the bike patrol. They made some excellent contacts with the public over the weekend. Mayor Pro Tem Hill said he hoped to see them out quite a bit more on the trails and so forth. They were impressive, and he expected there were some pretty sore Public Safety Officers on Monday morning, after being out on bikes all weekend.

Mayor Jean Moore said she wished to add her kudos to everyone involved with Gladfest. It was an enormous amount of work for everyone, and it was certainly obvious this year that everything was stepped up a notch, and it was a great event.

Mayor Moore said she had the opportunity to talk to two of the female bike riders, who were our Police Officers, and they seemed to be really enjoying themselves, and indicated what good comments they had from the public, and they really enjoyed their interaction with Gladstone citizens and people who attended Gladfest. That was a really good opportunity for them to begin interacting with the public.

Item 9. on the Agenda.

COMMUNICATIONS FROM THE CITY MANAGER.

City Manager Kirk Davis began by saying the Council might note that behind City Hall at Linden Square there was a little bit of dirt work going on as staff prepares to install the ice rink this year. City Manager Davis said, for all the Girl Scouts present, in November the City would be offering free ice skating lessons, and everyone is encouraged to come out and learn how to ice skate, and enjoy the facility which will formally open to public following the Mayor's Christmas Tree Lighting ceremony in November.

City Manager Davis said he had an opportunity to participate in an interesting historic session at the Big Shoal Cemetery on Saturday. The staff and re-enactors, including Larry Newport in the audience, gave a living history of some of the folks who are interred there. It was fascinating to hear some of their history. City Manager Davis said he wished to extend his kudos to Assistant City Manager Scott Wingerson, Economic Development Administrator Melinda Mehaffy, Museum Manager Erica White, and staff for putting on a really fascinating and interesting session. There were about 30 people who showed up for the tour, which lasted about an hour and was very well done.

City Manager Davis reminded the City Council that on November 2, 2013, there would be a bus tour for the City's advisory boards and Council members. Folks will see a lot of the projects that Public Works Director Tim Nebergall referred to in an Open Study Session this evening, and some of the projects that are up coming. It will be a Capital Improvement Projects tour of the City, and we have not done it for a while, and it will be a good time to do it again. The date is Saturday, November 2, beginning at 8:00 AM. The bus will be at Happy Rock Park, where the tour will begin.

Item 10. on the Agenda. **RESOLUTION R-13-58**, in support of the proposed Constitution, establishing a new form of government for Clay County, Missouri, to be voted upon by the citizens of Clay County on November 5, 2013.

Mayor Pro Tem Brian Hill moved to adopt **RESOLUTION R-13-58**, in support of the proposed Constitution, establishing a new form of government for Clay County, Missouri, to be voted upon by the citizens of Clay County on November 5, 2013. Councilman Bill Garnos seconded.

Councilmember Carol Suter said she was proud to be part of an elected body that had the courage to do its job, and to help take a position that informed citizens. The County Commissioners of Clay County have waged the most vicious campaign of fear and intimidation, and it has been working for many public bodies or entities that are afraid of retaliation from the County Commissioners, if they express support for this new Constitution. Councilmember Suter said she was proud to be a member of this group of public servants, who are not intimidated or afraid to do what they felt was in the best interest of the community.

Councilmember Suter said she obviously would speak in support of this Resolution, and she believed that the proposed Constitution presents a viable, needed option for professional government in Clay County.

Councilman Gary Markenson stated in his career he had assisted about 20 cities draft City Charters, and this Constitution was very similar to a City Charter, and he found it extremely well written and probably, better, in many respects than many City Charters. The drafters did a very good job. It was very clear and concise, with a clear separation of powers between the legislative, executive, and judicial. Councilman Markenson offered his kudos.

Mayor Pro Tem Brian Hill stated he had been a resident of Clay County since 1984, and almost continuously during the time he had been a resident, the government of Clay County had been an embarrassment. In strong contrast, the City government of Gladstone had been a source of pride. As Councilman Markenson mentioned, the proposed Constitution very much parallels a City government in the way that it was structured. It was also very similar to the model that was used by Johnson County, Kansas. Mayor Pro Tem Hill said he wished to point out the difference since 1984 in the growth that had occurred in Johnson County, Kansas, as opposed to what had occurred in Clay County. It is time we moved forward and adopt a progressive form of government in Clay County that would serve its citizens well. Mayor Pro Tem Hill said he realized that it was the only item on the ballot for November 5, for the City of Gladstone, but he would strongly encourage residents to go out and vote for the Constitution, and it would be time and effort well spent to do so.

The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 11. on the Agenda. **FIRST READING BILL NO. 13-31**, authorizing the City Manager to execute a cost apportionment agreement with the Missouri Department of Transportation (MoDOT) for funds relating to the construction of pedestrian improvements at Missouri Route 1 and Northeast 73rd Terrace.

Councilman Bill Garnos moved to place **BILL NO. 13-31** on its First Reading. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Bill Garnos moved to accept the First Reading of **BILL NO. 13-31**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Bill Garnos moved to accept the Second and Final Reading of **BILL NO. 13-31**, and to enact the Bill as **Ordinance 4.253**. Councilman Gary Markenson seconded.

Roll call vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 12. on the Agenda. **RESOLUTION R-13-59**, authorizing execution of a contract with Gunter Construction Company in the total amount not to exceed \$214,629.00 for the Missouri Route 1 and Northeast 73rd Terrace Pedestrian Improvements Project.

Councilman Bill Garnos moved to adopt **RESOLUTION R-13-59**, authorizing execution of a contract with Gunter Construction Company in the total amount not to exceed \$214,629.00 for the Missouri Route 1 and Northeast 73rd Terrace Pedestrian Improvements Project. Councilmember Carol Suter seconded.

Mayor Pro Tem Hill jokingly said he wished to be sure there was somewhere a plaque involved that calls this the Bill Garnos Memorial Improvements.

Mayor Moore remarked, well stated, and thanked Mayor Pro Tem Hill.

Councilman Garnos stated Councilmember Suter had many times reminded the Council that those on City Council stand on the shoulders of those who have come before, and he believed former Mayor Wayne Beer was one of the first to identify the problems at this intersection, so he would suggest the plaque have former Mayor Beer's name on it, instead of his own, but jokingly said that could be worked out later.

The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (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 questions from the News Media.

Item 15. on the Agenda. ADJOURNMENT.

There being no further business to come before the October 14, 2013, Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the meeting.

Respectfully submitted:

Cathy Swenson
Cathy Swenson, City Clerk

Approved as submitted: ☒

Approved as corrected/amended: ☐

Jean B. Moore
Mayor Jean B. Moore

***Attachment to the October 14, 2013 City Council Meeting Minutes.
Narrative read by Girl Scout Troops 1891 and 4002**

How do you see me?

Am I just a kid that rides my bike up and down your street or am I a girl that can do anything I put my mind to?

Do you realize that only 30% of girls in the world are enrolled in high school. In America, the dropout rate is worse for boys but one in four girls does not finish high school, and the dropout rate is even higher for minorities.

Am I just a kid that is always under foot, always asking questions or do you see me as a curious young lady whose thirst for knowledge cannot be quenched.

- Fortune 500 Companies Chief Executive Officers – Only 3% are women.
- Top Positions in Media (entertainment, advertising, telecommunications) – Only 3%
- Hollywood Top Filmmakers – Only 5%
- US Senate – Out of 100 Senators, only 17 are women
- US House of Representatives – Out of 435 lawmakers, only 90 are women (13 African American, 7 Latinas and 4 Asian Congresswomen)
- Governors – Only 6 states are run by women
- State Lawmakers – 1,740 women out of 7,382 legislators nationwide
- County Council & Executives – Barely 14% of about 18,000 officials
- School Superintendents – Only 24%, even though most teachers are female
- Mayors – Only 8 women run the largest 100 cities

Do you realize that I worry about how my peers see me?

You may see me as a knobby kneed little girl but more than half (54%) of 3rd-5th grade girls worry about their appearance and 37% worry about their weight. More than half (57%) of music videos feature a female portrayed in an untasteful manner.

Did You Know ...

Girl Scouting reaches one in every nine girls age five through seventeen in the United States?

Did you know that for every 100 girls who join Girl Scouting ...

Four will earn the Girl Scout Gold Award--the highest award for girls.

Twelve will have their first contact with a church.

Five will earn their church religious award.

Only rarely will one be brought before juvenile court.

One will enter the clergy.

Eighteen will develop hobbies used during their adult life.

Eight will enter a vocation that was learned through the badge or patch program.

Seventeen will be future Girl Scout volunteers.

One will use her Girl Scouting skills to save a life.

One will use her Girl Scouting skills to save her own life.

A recent study proved that Girl Scouting positively impacts girls:

72% more Girl Scouts than non-Girl Scouts will resist negative peer pressure.

76% of girls try new things in Girl Scouting that otherwise they would not have experienced.

71% of Girl Scouts nationwide will achieve A's and B's as compared to 50% of girls nationwide.

81% of Girl Scouts are more likely to attend college.

61% of women who have been Girl Scouts believe their membership influenced their success.

64% of women in Who's Who of American Women were Girl Scouts.

Please help us proclaim that October 14 is Day of the Girl.



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, OCTOBER 28, 2013**

The City Council will meet in Closed Executive Session at 6:15 PM, on Monday, October 28, 2013, 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.

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 October 14, 2013, Regular City Council Meeting Minutes.

5. CONSENT AGENDA

RESOLUTION R-13-60, authorizing the destruction of certain records in accordance with RSMo Chapter 109 and applicable State Retention Schedules.

RESOLUTION R-13-61, authorizing the City Manager to execute a Quit-Claim Deed to CBK Properties, L.L.C. to remove a potential Cloud on Title.

RESOLUTION R-13-62, authorizing the City Manager to execute a Real Estate Purchase and Easement Agreement and accepting Quit-Claim Deeds, Permanent Easements and Temporary Construction Easements described therein in conjunction with the North Oak Trafficway and 76th Street Improvement Project.

RESOLUTION R-13-63, authorizing execution of a contract with Allied Fence and Security of Kansas Corporation in the total amount not to exceed \$23,406.62 for the Well Field Fencing and Security Cameras Project.

RESOLUTION R-13-64, authorizing acceptance of a proposal from Electronic Technology Inc., Merriam, Kansas, in the total amount not to exceed \$55,640.00 for the Well Field Fencing and Security Cameras Project.

RESOLUTION R-13-65, authorizing acceptance of a proposal from Shawnee Mission Ford for the purchase of a 4-wheel drive compact SUV for the purchase amount of \$22,532.

APPROVAL OF THE SEPTEMBER 2013 FINANCIAL REPORT.

REGULAR AGENDA

- 6. Communications from the Audience.**
- 7. Communications from the City Council.**
- 8. Communications from the City Manager.**

9. **FIRST READING BILL NO. 13-32**, amending Schedule VIII of the Model Traffic Code (Gladstone Municipal Code Section 4.100.020) to establish a "stop" sign location at the southwest corner of the intersection at Northeast 67th Street and North Garfield Avenue.
10. **FIRST READING BILL NO. 13-33**, amending Schedule VIII of the Model Traffic Code (Gladstone Municipal Code Section 4.100.020) to establish two (2) "stop" sign locations at the southeast and northwest corners of the intersection at North Wabash Avenue and Northeast 77th Street.
11. Other Business.
12. Questions from the News Media.
13. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, OCTOBER 28, 2013**

Mayor Jean Moore opened the City Council Meeting to adjourn to a Closed Executive Session on October 28, 2013, at 6:15 PM. Mayor Pro Tem Brian Hill made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemptions 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion. Councilman Bill Garnos seconded. Roll Call Vote: All "aye" – Councilman Bill Garnos, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (3-0).

Councilmember Carol Suter and Councilman Gary Markenson were also present at the Closed Executive Session.

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
Councilman Bill Garnos
Councilman Gary Markenson

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 Jean Moore opened the Regular October 28, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present.

Mayor Jean Moore welcomed everyone who attended in person, and said hello to those listening on-line. Mayor Moore said she and the City Council very much appreciated everyone's participation, involvement, and interest in Gladstone government.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Moore stated it was a privilege to have in attendance the Missouri State Honor Guard, VFW Post 10906, to present the Colors and lead the Pledge of Allegiance, in which all joined.

Following the Pledge of Allegiance, Mayor Moore said it was such an honor to have the VFW Post join the City Council meeting on a regular basis. It puts a lot of meaning to the meetings, and she and the City Council really appreciate it. Mayor Moore expressed her thanks to the members of VFW Post 10906.

Mayor Moore stated before moving forward with the meeting agenda, she wished to recognize the three Boy Scout Troops in attendance. Mayor Moore first invited members of Troop 992, sponsored by Gladstone Odd Fellows, to introduce themselves as follows: Sebastian Vaughn, Life Scout and Senior Patrol Leader; Connor Keough, Star Scout and Patrol Leader; Grant Donley, First Class Scout; and leaders Ed Vaughn and Jim Donley. Mayor Moore thanked them for being in attendance.

Mayor Moore invited members of Troop 303, sponsored by King of Kings Lutheran Church, to introduce themselves as follows: Mason Hilgenkamp, Star Scout, and his father Erik Hilgenkamp. Mayor Moore thanked them for being in attendance.

Mayor Moore invited members of Troop 354, sponsored by Meadowbrook United Methodist Church, to introduce themselves as follows: Brad Willis, Life Scout, and his mother Paula Willis. Mayor Moore thanked them for being in attendance.

Item 4. on the Agenda. APPROVAL OF THE OCTOBER 14, 2013, REGULAR CITY COUNCIL MEETING MINUTES.

Mayor Pro Tem Brian Hill moved to approve the October 14, 2013, Regular City Council Meeting Minutes, as presented. Councilman Gary Markenson seconded.

The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. 5-0.

Item 5. on the Agenda. **CONSENT AGENDA**

Councilmember Carol Suter moved to accept the Consent Agenda as presented. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-60**, authorizing the destruction of certain records in accordance with RSMo Chapter 109 and applicable State Retention Schedules. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-61**, authorizing the City Manager to execute a Quit-Claim Deed to CBK Properties, L.L.C. to remove a potential Cloud on Title. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-62**, authorizing the City Manager to execute a Real Estate Purchase and Easement Agreement and accepting Quit-Claim Deeds, Permanent Easements and Temporary Construction Easements described therein in conjunction with the North Oak Trafficway and 76th Street Improvement Project. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-63**, authorizing execution of a contract with Allied Fence and Security of Kansas Corporation in the total amount not to exceed \$23,406.62 for the Well Field Fencing and Security Cameras Project. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-64**, authorizing acceptance of a proposal from Electronic Technology Inc., Merriam, Kansas, in the total amount not to exceed \$55,640.00 for the Well Field Fencing and Security Cameras Project. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-65**, authorizing acceptance of a proposal from Shawnee Mission Ford for the purchase of a 4-wheel drive compact SUV for the purchase amount of \$22,532. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to approve the **SEPTEMBER 2013 FINANCIAL REPORT**. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

REGULAR AGENDA

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

Larry Newport, 2002 Northeast 69 Terrace, thanked Parks and Recreation Director Sheila Lillis, Recreation Programs Specialist Paige Robbins, and staff for the nice lunch that was held on Thursday. It was very neat.

Mayor Moore said she heard about the preparations for the luncheon and it sounded very nice. Mayor Moore thanked Mr. Newport for his remarks.

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

Councilman Gary Markenson had no comments at this time.

Councilman Bill Garnos reminded everyone of the upcoming election that would be held before the City Council would meet again. Councilman Garnos said it was important that everyone learn about the issues and vote on November 5.

Councilman Garnos said in regard to an item on the Consent Agenda concerning records management, he was very pleased to see that our City has a very orderly and defined process for records management. Councilman Garnos said he was in state government way back when, and records management did not mean anything. There were disagreements on what had to be kept, for how long, why, and who said you had to, so he was very pleased that, although, it is one of those boring functions of government, it is one of the other things that Gladstone does very well and does right with records management. Councilman Garnos thanked staff for their efforts.

Councilmember Carol Suter expressed her appreciation and delight to the City's Public Safety staff for participating in the regional raid on the K2 sales that have been going on in the region. It was a large regional effort, and it always was a pleasure to see our

professional staff involved in those kinds of things. It was also always good to see an illegal activity in Gladstone stymied.

Councilmember Suter thanked all the Gladstone Area Chamber of Commerce folks and local business people who put on the Friday Night Fright Night for kids. Councilmember Suter said her grandchildren were here from Houston, so they stood in line for trick or treating, hot dogs, and all the fun stuff that happened on Friday night. It took a lot of time, effort, and planning to pull those things off so successfully. Hundreds and hundreds of people were lined up to participate. They were expecting at least 800, but she would guess they exceeded that number, because people were lined up way before it started. It was another great family activity for the community, and it made use of our public park facilities in a different way from the City programming, so, Councilmember Suter said she appreciated that.

Councilmember Suter said as a land owner, she wished to offer a "tip of the hat" to the Public Works Department and Director Tim Nebergall. Councilmember Suter said she owned a piece of property that had one of those ditches that needed to be reworked, and she went by today and found the crew had done a super job. It was a redesign of a ditch that was not working anymore, and really wasn't attractive, and it has now been turned into a green swale that can be mowed. Councilmember Suter stated, as the property owner, she wish to offer her appreciation, and also appreciation from the whole neighborhood, who have been concerned about this for a while. It was a pleasure to deal with the City staff, who were diligent in their work, and flexible in their approach.

Councilmember Suter stated it was fun to watch the ice rink being installed, but she wished to offer sincere apologies to the staff who had to use sledge hammers on every single piece of artificial ice. Last year she watched the Canadian crew install it, and we knew that this year would be our turn. City staff worked really hard on the installation. Councilmember Suter said she was delighted to hear how well the ice skating classes were going. It is true that most people in the City do not know how to ice skate, so we need to provide the classes, and it was great that there was a response to that.

Councilmember Suter agreed with Councilman Garnos; there is an election on November 5, and she, too, wished to encourage Gladstone residents to get out and vote. It will be an opportunity for voters to express themselves on the issue of a new constitutional form of government for Clay County.

Mayor Pro Tem Brian Hill stated he, too, would emphasize the need for everyone to get out and vote next Tuesday on the constitution issue, and he asked everyone to be informed. There was a lot of misinformation and outright lies that were being published by some people on signs around town. It would be best if voters were educated as to what the actual constitution says before they go to the polls.

Mayor Jean Moore said it would be easy not to vote when there are not many items on the ballot. The constitution will be the only issue on the ballot for Gladstone voters. It would be very easy for any of us to say it doesn't really matter; it does matter. Every vote does matter. Mayor Moore encouraged everyone to be informed and to exercise their right to vote. It is crucially important.

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

City Manager Kirk Davis reminded the City Council and any Boards and Commissions members who might be interested, especially members of the Capital Improvements Committee, that there would be a Capital Improvements Projects bus tour Saturday morning at 8:00 AM, at Happy Rock Park, and it should run from 8:00 AM to 10:00 AM. There would be a lot of important projects for people to see, especially for Council members and Capital Improvements Committee members, relative to progress, need, and completion. It will be a big event.

City Manager Davis reported that the Community Center would be very busy this weekend, with a conference swim meet. There would be many schools at the North Kansas City Schools Natatorium.

Councilman Markenson asked how he would reserve a spot on the bus for the projects tour.

City Manager Davis replied that Assistant City Manager Scott Wingerson was writing down his name as he spoke.

Councilman Markenson thanked Mr. Wingerson.

Item 9. on the Agenda. FIRST READING BILL NO. 13-32, amending Schedule VIII of the Model Traffic Code (Gladstone Municipal Code Section 4.100.020) to establish a "stop" sign location at the southwest corner of the intersection at Northeast 67th Street and North Garfield Avenue.

Councilman Bill Garnos moved to place **BILL NO. 13-32** on its First Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Bill Garnos moved to accept the First Reading of **BILL NO. 13-32**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Bill Garnos moved to accept the Second and Final Reading of **BILL NO. 13-32**, and to enact the Bill as **Ordinance 4.254**. Councilmember Carol Suter seconded.

Roll call vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 10. on the Agenda. **FIRST READING BILL NO. 13-33**, amending Schedule VIII of the Model Traffic Code (Gladstone Municipal Code Section 4.100.020) to establish two (2) "stop" sign locations at the southeast and northwest corners of the intersection at North Wabash Avenue and Northeast 77th Street.

Councilman Gary Markenson moved to place **BILL NO. 13-33** on its First Reading. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Gary Markenson moved to accept the First Reading of **BILL NO. 13-33**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Gary Markenson moved to accept the Second and Final Reading of **BILL NO. 13-33**, and to enact the Bill as **Ordinance 4.255**. Mayor Pro Tem Brian Hill seconded.

Roll call vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 11. on the Agenda. **OTHER BUSINESS.**

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

Item 12. on the Agenda. **QUESTIONS FROM THE NEWS MEDIA.**

There were no questions from the News Media.

Item 13. on the Agenda. **ADJOURNMENT.**

There being no further business to come before the October 28, 2013, Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the meeting.

Respectfully submitted:

Cathy Swenson
Cathy Swenson, City Clerk

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

Jean B. Moore
Mayor Jean B. Moore



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, NOVEMBER 11, 2013**

The City Council will meet in Closed Executive Session at 6:30 PM, on Monday, November 11, 2013, 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(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 October 28, 2013, Regular City Council Meeting Minutes.

5. CONSENT AGENDA

RESOLUTION R-13-66, authorizing acceptance of work under contract with Fleshman Construction, Incorporated, for the Linden Square – Village Center Project; and authorizing final payment in the amount of \$37,123.72.

RESOLUTION R-13-67, authorizing acceptance of work under contract with Superior Bowen Asphalt Company, LLC, for the 2013 Mill and Overlay Project, and authorizing final payment in the amount of \$34,329.80.

RESOLUTION R-13-68, accepting a Temporary Construction Easement and a Quit-Claim Deed from certain property owners in conjunction with the North Oak Trafficway and Northeast 76th Street Improvement Project.

RESOLUTION R-13-69, 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, 2013 through June 30, 2014, and for transit shelter cleaning and maintenance at 72nd and North Prospect Streets and 70th Street and North Oak Trafficway.

RESOLUTION R-13-70, authorizing execution of a contract with Musselman and Hall Contractors, LLC, in the total amount not to exceed \$76,543.32 for the Oakhill – City Hall Parking Lot Project.

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 Special Use Permit subject to certain conditions to Alicia M. Hommon for operation of a bakery business on residential property at 5710 North Michigan Avenue. Applicant: Alicia M. Hommon. Owner: Trent and Sheree Shenefield.
10. **FIRST READING BILL NO. 13-34**, approving a Special Use Permit subject to certain conditions to Alicia M. Hommon for operation of a bakery business on residential property at 5710 North Michigan Avenue. Applicant: Alicia M. Hommon. Owner: Trent and Sheree Shenefield.
11. Other Business.
12. Questions from the News Media.
13. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, NOVEMBER 11, 2013**

Mayor Jean Moore opened the City Council Meeting to adjourn to a Closed Executive Session on November 11, 2013, at 6:30 PM. Mayor Pro Tem Brian Hill made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(3) for Personnel Discussion. Councilman Bill Garnos seconded. Roll Call Vote: All "aye" – Councilman Bill Garnos, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (3-0).

Councilmember Carol Suter and Councilman Gary Markenson were also present at the Closed Executive Session.

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
Councilman Bill Garnos
Councilman Gary Markenson

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 Jean Moore opened the Regular November 11, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present.

Mayor Jean Moore welcomed everyone who attended in person, and said hello to those listening on-line. Mayor Moore said she and the City Council very much appreciated everyone's interest in government.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Moore stated it was an honor to have Troop 247, sponsored by the Gashland Presbyterian Church, present this evening to present the Colors. Troop 247 members posted the Colors and led the Pledge of Allegiance, in which all joined.

Mayor Moore thanked all the Scouts who were present, and extended a welcome and thank you to their dedicated leaders, Frank Reinsch, Cathy Meritt, Suzanne Bergman, Randy Goering, and Roger Geary. Mayor Moore thanked the Scout leaders for all they do, and said she knew their efforts were sincerely appreciated by the Scouts. Mayor Moore offered to the leaders that they are doing a great job, and she thanked them for their efforts, which was followed with applause from the audience.

Note: The Boy Scouts in attendance were: Christian Leech; Timothy Goering; William Pellant; Nick Humston; Andrew Conaway; Xander DeCastro; Jackson Bibler; Hayden Geary; Ashton Manser; Justin Bergman; Alex Treat; Michael Merritt; Logan Palmer; Conlin Thacker; and Dominic Ayala.

Item 4. on the Agenda. APPROVAL OF THE OCTOBER 28, 2013, REGULAR CITY COUNCIL MEETING MINUTES.

Mayor Pro Tem Brian Hill moved to approve the October 28, 2013, Regular City Council Meeting Minutes, as presented. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Gamos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. 5-0.

Item 5. on the Agenda. CONSENT AGENDA

Councilmember Carol Suter moved to accept the Consent Agenda as presented. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Gamos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-66**, authorizing acceptance of work under contract with Fleshman Construction, Incorporated, for the Linden Square – Village Center Project; and authorizing final payment in the amount of \$37,123.72. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Gamos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-67**, authorizing acceptance of work under contract with Superior Bowen Asphalt Company, LLC, for the 2013 Mill and Overlay Project, and authorizing final payment in the amount of \$34,329.80. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Gamos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-68**, accepting a Temporary Construction Easement and a Quit-Claim Deed from certain property owners in conjunction with the North Oak Trafficway and Northeast 76th Street Improvement Project. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Gamos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-69**, 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, 2013 through June 30, 2014, and for transit shelter cleaning and maintenance at 72nd and North Prospect Streets and 70th Street and North Oak Trafficway. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Gamos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-70**, authorizing execution of a contract with Musselman and Hall Contractors, LLC, in the total amount not to exceed \$76,543.32 for the Oakhill – City Hall Parking Lot Project. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Gamos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (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.

Councilman Gary Markenson stated he wished to call the attention of the visitors in the audience and those viewing the meeting at home to the City's fabulous magazine, the Gladstone Magazine, and said it was one of the finest that he had ever seen, and he had seen a lot of city magazines. It tells what is happening in Gladstone, the history in Gladstone, and there are some world renowned authors – City Manager Davis has an

article in the magazine. It really is an interesting "read", with interesting articles. Councilman Markenson said Public Information Officer Richard King and others, who worked on the magazine, put together a top quality work.

Mayor Moore offered "hear, hear", in agreement.

Councilman Bill Garnos stated it being Veterans Day, he wished to extend a thank you for the service of all the veterans in Gladstone and in the audience. Councilman Garnos welcomed the Boy Scouts who were present this evening, as a former Scout himself. Councilman Garnos jokingly said he wished to remind the Scouts that, at least in the old days, to get a Citizenship Merit Badge, you had to be able to stay awake through an entire City Council meeting. This would be good practice for that.

Councilmember Carol Suter reminded the City Council that she would be representing Gladstone this week at the National League of Cities Convention.

Mayor Pro Tem Brian Hill had no comments at this time.

Mayor Jean Moore began by saying Councilman Markenson and Councilman Garnos "stole her thunder", because she was going to speak about the magazine as well. It is so impressive and such a bonus for a City like ours to have a magazine that is so noteworthy and something of which we can be so proud. It is something in which all the citizens can take great pride. Mayor Moore offered thanks and appreciation to all veterans, as this meeting was being held on Veterans Day. Service of all the veterans, current and past, is so appreciated.

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. **PUBLIC HEARING:** for consideration of a Special Use Permit subject to certain conditions to Alicia M. Hommon for operation of a bakery business on residential property at 5710 North Michigan Avenue. Applicant: Alicia M. Hommon. Owner: Trent and Sherce Shenefield.

Mayor Moore opened the Public Hearing, and said that during the Public Hearing, comments would first be heard from staff, then from the applicant, followed by comments from those in favor and anyone opposed to the application.

Staff Report

Planning Specialist Chris Helmer stated Ms. Hommon was not new to this process; she had been operating currently under a one-year Special Use Permit application, which was

standard for the beginning process of an applicant, as well as this type of business operation that would function under this type of request. The Special Use Permit was for a small bakery type business at Ms. Hommon's residence. In Council's packet, it was stated that this was a specialty, at-home type business. Ms. Hommon has been an excellent participant in the Gladstone Farmers' Market over the course of last year. She has requested an extension of her Special Use Permit to be granted for five years, and staff was requesting the Council to consider that five year duration.

Councilmember Suter stated she understood that the applicant was licensed under the State Health Department, and meets the requirement for food handling, and asked if there were any special certification or review required by Public Safety in terms of fire issues.

Mr. Helmer replied whenever a Special Use Permit comes before staff for review, it does go out to the full plan review body, so this does go out to the Fire Division so if there are any potential issues with ingress or egress, they would weigh in on that.

Comments from the Applicant

Alicia Hommon began by saying she was the owner and designer for Cake Whimzy. Ms. Hommon said she was requesting an extension tonight for her Special Use Permit. Ms. Hommon said she was asking for five years, because she and her husband have been so pleased with the community of Gladstone. She is from a state of New York small town, and her husband is from a middle of Kansas small town, and they love the atmosphere here. It feels like a small town, but they have access to everything "city".

Ms. Hommon said they hope to open a store front in Gladstone in the near future; however, they just found out they are expecting a baby so they need a little bit more time. Ms. Hommon said they were committed to building this business, and they want it to be a business that lasts, and they, as a family, have committed to building it without debt. That would take a little bit longer, which is why she was asking for five years.

Councilman Markenson inquired as to what Ms. Hommon bakes.

Ms. Hommon said she specialized in sculpted cakes, and cakes of any sort. Her favorite thing to do was to create new recipes and good tasting things. Mr. Helmer mentioned the Farmers' Market - that was actually her children's business. They made cookies, and they were very blessed to have their girls featured in the Gladstone Magazine, so she was a magazine fan.

Councilmember Suter said the photos included with the application were quite impressive. The cakes were amazing.

Mayor Moore agreed, and said Ms. Hommon's girls were darling. Every time she was at the market this summer she had to buy cookies, because how could she resist? Besides, they were delicious.

Ms. Hommon said she believed her girls were "keepers".

Mayor Moore replied – definitely.

There was no one to speak in **Favor** or in **Opposition** to the request.

Mayor Moore closed the Public Hearing.

Item 10. On the Agenda. FIRST READING BILL NO. 13-34, approving a Special Use Permit subject to certain conditions to Alicia M. Hommon for operation of a bakery business on residential property at 5710 North Michigan Avenue. Applicant: Alicia M. Hommon. Owner: Trent and Sheree Shenefield.

Mayor Pro Tem Brian Hill moved to place **BILL NO. 13-34** on its First Reading. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the First Reading of **BILL NO. 13-34**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the Second and Final Reading of **BILL NO. 13-34**, and to enact the Bill as **Ordinance 4.256**. Councilmember Gary Markenson seconded.

Mayor Pro Tem Brian Hill said his only comments would be to thank Richard King for improving the computers at the Council dias, so he could do this without having problems reading what was on his screen. It actually works.

Roll call vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0)

Item 11. on the Agenda. OTHER BUSINESS.

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

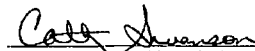
Item 12. on the Agenda. **QUESTIONS FROM THE NEWS MEDIA.**

There were no questions from the News Media.

Item 13. on the Agenda. **ADJOURNMENT.**

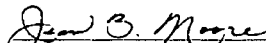
There being no further business to come before the November 11, 2013, Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the meeting.

Respectfully submitted:



Cathy Swenson, City Clerk

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



Mayor Jean B. Moore



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, NOVEMBER 25, 2013**

The City Council will meet in Closed Executive Session at 5:30 PM, on Monday, November 25, 2013, 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(2) for Real Estate Acquisition Discussion, and 610.021(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 November 11, 2013, Regular City Council Meeting Minutes.

5. CONSENT AGENDA

RESOLUTION R-13-71, authorizing acceptance of work under contract with Metro Asphalt, Incorporated, for the 69th Street Reconstruction – Oak to Holmes Project; and authorizing final payment in the amount of \$108,568.96.

RESOLUTION R-13-72, authorizing Change Order No. 5 in the amount of \$48,750.00 to the contract with Westland Construction, Incorporated for additional water meter pit upgrades as part of the 2013 Water Meter Pit Upgrades Project.

RESOLUTION R-13-73, authorizing Change Order No. 2 in the amount of \$190,844.20 to the contract with Schulte Supply, Incorporated for additional materials and equipment as part of the Automatic Meter Reading (AMR) Project.

APPROVAL OF THE OCTOBER 2013 FINANCIAL REPORT.

REGULAR AGENDA

- 6. Communications from the Audience.**
- 7. Communications from the City Council.**
- 8. Communications from the City Manager.**
- 9. RESOLUTION R-13-74**, authorizing the City Manager to execute an extension of a tow service agreement with Glad Rents, Incorporated, 6800 North Oak Trafficway, for vehicle towing and storage services for the two year period from January 1, 2014 to December 31, 2015.
- 10. RESOLUTION R-13-75**, ratifying and approving the purchase of real property located generally at Northeast 57th Terrace and Northeast Antioch Road.

11. **RESOLUTION R-13-76**, adopting a Mission Statement and Goals for the City of Gladstone, Missouri for 2013-2014.
12. **RESOLUTION R-13-77**, authorizing the City Manager to negotiate the purchase and annual maintenance for a phone system with Midwest Technology Connection.
13. **RESOLUTION R-13-78**, amending the 2014 annual General Fund, Public Safety Sales Tax Fund (PSST), and Combined Waterworks and Sewerage System Fund (CWSS) budgets for the City of Gladstone, Missouri and authorizing expenditures of funds.
14. Other Business.
15. Questions from the News Media.
16. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, NOVEMBER 25, 2013**

Mayor Jean Moore opened the City Council Meeting to adjourn to a Closed Executive Session on November 25, 2013, at 5:30 PM. Mayor Pro Tem Brian Hill made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemptions 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Councilman Bill Garnos seconded. Roll Call Vote: All "aye" – Councilman Bill Garnos, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (3-0).

Councilmember Carol Suter and Councilman Gary Markenson were also present at the Closed Executive Session.

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
Councilman Bill Garnos
Councilman Gary Markenson

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 Jean Moore opened the Regular November 25, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present.

Mayor Jean Moore welcomed everyone who attended in person, and those joining the meeting on-line. Mayor Moore said she and the City Council very much appreciated everyone's interest and involvement.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Moore stated it was an honor to have members of VFW Post 10906 present the Colors. VFW Post 10906 members posted the Colors and led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. APPROVAL OF THE NOVEMBER 11, 2013, REGULAR CITY COUNCIL MEETING MINUTES.

Mayor Pro Tem Brian Hill moved to approve the November 11, 2013, Regular City Council Meeting Minutes, as presented. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 5. on the Agenda. CONSENT AGENDA

Councilman Gary Markenson moved to accept the Consent Agenda as presented. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Councilman Gary Markenson moved to adopt **RESOLUTION R-13-71**, authorizing acceptance of work under contract with Metro Asphalt, Incorporated, for the 69th Street Reconstruction – Oak to Holmes Project; and authorizing final payment in the amount of \$108,568.96. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Councilman Gary Markenson moved to adopt **RESOLUTION R-13-72**, authorizing Change Order No. 5 in the amount of \$48,750.00 to the contract with Westland Construction, Incorporated for additional water meter pit upgrades as part of the 2013 Water Meter Pit Upgrades Project. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Councilman Gary Markenson moved to adopt **RESOLUTION R-13-73**, authorizing Change Order No. 2 in the amount of \$190,844.20 to the contract with Schulte Supply, Incorporated for additional materials and equipment as part of the Automatic Meter Reading (AMR) Project. Councilmember Carol Suter seconded. The vote: All "aye" –

Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Councilman Gary Markenson moved to approve the **OCTOBER 2013 FINANCIAL REPORT**. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

REGULAR AGENDA

Item 6. on the Agenda.

COMMUNICATIONS FROM THE AUDIENCE.

Brian Blake, 205 NW 63 Terrace, stated his concern was with the smoke shops, and he did have personal knowledge of at least one smoke shop in town that has ruined a marriage and caused some other problems for him. Mr. Blake said he tried to fight them on his own, but he did get hold of Gladstone Public Safety Officer Lowe, who worked with him. Mr. Blake said he also worked with a wrongful death attorney on a case involving Smoke and Mirrors. Mr. Blake said Smoke and Mirrors had shut down, and it had reopened as Voodoo and still sold the same stuff, and were part of the bust that was conducted about one month ago. Mr. Blake said they do still sell out of their other stores, but you have to know the people in order to buy it. They also have two stores in Vegas now, so unless they are stopped in Vegas, they will not stop.

Mr. Blake said in Iowa, whether it is a smoke shop or not, they suspend their license for a period of time. If they do let them open up, they monitor them on a monthly basis – they just pop in on them, and check the place out thoroughly. Mr. Blake said he did not know what the answer was, but he knew it was harmful. Mr. Blake said when it happened, there were several people he thought were friends of his, and several family members who when they found out he worked with Officer Lowe and the wrongful death attorney, they assumed that it was his fault that the bust went down in the entire Kansas City area. They were blaming him because they could not get their stuff – they should not be on it to start with. They act erratically and crazy, and lose their minds. The chemicals in that are obviously not to be trusted. Mr. Blake said hopefully, there is something the City of Gladstone can do to prevent people from selling this. They are selling all the paraphernalia, all the clean-outs, and that is obviously not what this City wants. Mr. Blake said he would rather see better businesses; in fact, he talked to someone in City Hall about getting a guy who does clock and watch repair in town. He had expressed an interest.

Mr. Blake said another thing is the apartment complexes. He knows there is an inspector for the multi housing; however, he does not feel there will be the result wanted as fast as it is wanted. Mr. Blake said he had a small home based handy man company, and he did some work for one of the apartment complexes. They have not paid him for at least thirty days. When he called today to find out whether or not they would pay him, they told him

they had to wait to find out whether or not they would get the rent for December, because they were broke. They have an office in southern Overland Park. They were too broke to pay him \$471.00.

Mayor Moore thanked Mr. Blake.

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

Councilman Gary Markenson wished audience members and fellow Council members a healthy and safe Thanksgiving. Councilman Markenson said on December 7, between 4:00 and 6:00 PM, if anyone happens to be at the Hy-Vee on M-1 Highway, and they should see someone ringing a bell outside, looking very cold, please have sympathy and put a couple of quarters or more in his kettle so he does not do it in vain!

Councilman Bill Garnos thanked City staff for finally getting the bench leveled at the bus stop at 70th and North Oak Trafficway. It took a concerted effort over six to nine months, and a lot of pressure, but he noticed the bench is now leveled. While we were very thankful to get the bus stop, he was glad that was completed. Councilman Garnos said he knew he had been a "pain" on this issue, so he did want to offer thanks for the excitement he had when driving by that location.

Councilman Garnos said he shared Councilman Markenson's best wishes for everyone for Thanksgiving, and wished to leave with the words of Dr. Seuss who said, "You ought to be thankful a whole heaping lot for the people and places you're lucky you're not."

Councilmember Carol Suter said she wished to publicly recognize and thank staff, City Council, volunteers, and all the people who participated in the purchase, renovation, and creation of Atkins Johnson Farm and Museum, which is being recognized by the Mid-America Regional Council on December 6, 2013, with an award for sustainability. Councilmember Suter said she was quite proud to be associated with the project, and it speaks well of Gladstone and to our philosophy of sustainability and everything that we do, and also to our continued investment in new amenities for the community.

Mayor Pro Tem Brian Hill offered everyone a happy and safe Thanksgiving.

Mayor Jean Moore invited everyone to the Mayor's Christmas Tree Lighting tomorrow evening, November 26. Mayor Moore jokingly said Mayor Pro Tem Hill has promised to be in charge of the weather tomorrow evening. Mayor Moore invited everyone to bundle up, and be at Linden Square at 6:00 PM, on November 26. Mayor Moore said she had the opportunity for a sneak preview of the lighting last Friday night, and it was just beautiful. So many people have been involved in making it happen, so she does hope everyone comes tomorrow night. It should be a very fun event.

Item 8. on the Agenda.

COMMUNICATIONS FROM THE CITY MANAGER.

City Manager Kirk Davis reported to the City Council that Meadowbrook Shopping Center will be undergoing a renovation, and we have received a Community Improvement District petition. City Council members may see a legal advertisement in the paper, and he wanted to let the Council know of the progress, and we are very pleased to see that progress.

City Manager Davis reported the Atkins-Johnson Farm and Museum received a very generous donation from First Bank of Missouri to the Atkins-Johnson Farm and Museum Endowment, managed by the Gladstone Economic Betterment Council (GEBC). City Manager Davis said Mr. Hollander, President of First Bank of Missouri, gave him a check in the amount of \$25,000.00 to start to fund that endowment. It was very much appreciated, and generous on the part of the bank. They recognize the value of the Museum and private investment. This is a start, and it is hopeful that others will recognize that contribution, match it, or exceed it, and we can build that endowment to make sure the Museum is sustainable in the future. City Manager Davis said he was very pleased and thankful, and he wished to recognize First Bank of Missouri for that benevolent gift.

Mayor Moore said she wished to introduce and acknowledge in the audience this evening, Drake Buccellato, who is a Northwest Missouri State student, attending our Council meeting for his law class, but he is actually pursuing a double major in Law and Broadcasting. Mayor Moore thanked Mr. Buccellato for being present, and wished him good luck in his studies.

Item 9. on the Agenda.

RESOLUTION R-13-74, authorizing the City Manager to execute an extension of a tow service agreement with Glad Rents, Incorporated, 6800 North Oak Trafficway, for vehicle towing and storage services for the two year period from January 1, 2014 to December 31, 2015.

Mayor Pro Tem Brian Hill moved to adopt **RESOLUTION R-13-74**, authorizing the City Manager to execute an extension of a tow service agreement with Glad Rents, Incorporated, 6800 North Oak Trafficway, for vehicle towing and storage services for the two year period from January 1, 2014 to December 31, 2015. Councilman Gary Markenson seconded.

Councilman Markenson stated he really appreciated the way the towing contract was handled, and that our City was utilizing a single source. Councilman Markenson said he knew several cities that rotate this around, and it is chaotic, and sometimes multiple tow trucks show up. This is by far the very best way to handle the situation.

Councilman Garnos said he concurred, and he was also pleased that we could keep this business locally. Councilman Garnos said he was glad our City is being well served by a Gladstone business.

Mayor Pro Tem Hill said he wished to echo the comments made, and also add that he believes the complaints have been very minimal with Glad Rents in the past. Generally, the service has been good. The vehicles are stored locally. It was not a circumstance where residents have to go out to Bannister Road, Front Street, or somewhere to retrieve their vehicle. This just seems to be efficient and a good way to handle these matters.

The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 10. on the Agenda. **RESOLUTION R-13-75**, ratifying and approving the purchase of real property located generally at Northeast 57th Terrace and Northeast Antioch Road.

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-75**, ratifying and approving the purchase of real property located generally at Northeast 57th Terrace and Northeast Antioch Road. Councilman Bill Garnos seconded.

Councilmember Suter said she wished to comment this purchase was part of the fulfillment of one of the Council's goals for the last couple of years, and as we move forward, one of our continuing goals, which is to invest in the redevelopment and continued creative use of the commercial corridors in Gladstone.

The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 11. on the Agenda. **RESOLUTION R-13-76**, adopting a Mission Statement and Goals for the City of Gladstone, Missouri for 2013-2014.

Councilman Bill Garnos moved to adopt **RESOLUTION R-13-76**, adopting a Mission Statement and Goals for the City of Gladstone, Missouri for 2013-2014. Councilmember Carol Suter seconded.

Councilmember Suter said in her years of being on this City Council, and attending things like the National League of Cities and the Missouri Municipal League, and getting to know lots of cities across the country, this process where our Council takes the time to plan goals that guide our staff in a business plan for the City, is one of the best practices in which any city can engage, and is one of the reasons for the continued success of the City of Gladstone. Councilmember Suter said she was delighted that the Council has gone through the process again recently and are ready to adopt new goals for the next eighteen months or so.

Mayor Moore said she wished to echo that comment. This gives a road map for the City, for the staff, and keeps the Council on track as well, so she was very proud of our goals for this year, and our mission statement continues, so she was very proud of this action.

The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 12. on the Agenda. **RESOLUTION R-13-77**, authorizing the City Manager to negotiate the purchase and annual maintenance for a phone system with Midwest Technology Connection.

Councilman Gary Markenson moved to adopt **RESOLUTION R-13-77**, authorizing the City Manager to negotiate the purchase and annual maintenance for a phone system with Midwest Technology Connection. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 13. on the Agenda. **RESOLUTION R-13-78**, amending the 2014 annual General Fund, Public Safety Sales Tax Fund (PSST), and Combined Waterworks and Sewerage System Fund (CWSS) budgets for the City of Gladstone, Missouri and authorizing expenditures of funds.

Mayor Pro Tem Brian Hill moved to adopt **RESOLUTION R-13-78**, amending the 2014 annual General Fund, Public Safety Sales Tax Fund (PSST), and Combined Waterworks and Sewerage System Fund (CWSS) budgets for the City of Gladstone, Missouri and authorizing expenditures of funds. Councilman Bill Garnos seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 14. on the Agenda. **OTHER BUSINESS.**

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

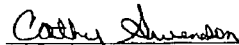
Item 15. on the Agenda. **QUESTIONS FROM THE NEWS MEDIA.**

There were no questions from the News Media.

Item 16. on the Agenda. **ADJOURNMENT.**

There being no further business to come before the November 25, 2013, Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the meeting.

Respectfully submitted:


Cathy Swenson, City Clerk

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


Mayor Jean B. Moore



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, DECEMBER 9, 2013**

The City Council will meet in Closed Executive Session at 5:00 PM, on Monday, December 9, 2013, 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(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 November 25, 2013, Regular City Council Meeting Minutes.
5. SPECIAL PRESENTATION by Veterans of Foreign Wars Post 10906.

6. CONSENT AGENDA

RESOLUTION R-13-79, authorizing acceptance of work under contract with Vance Brothers, Incorporated, for the 2013 Intermediate Maintenance Program; and authorizing final payment in the amount of \$10,944.09.

RESOLUTION R-13-80, authorizing acceptance of work under contract with Amino Brothers Company, Incorporated, for the Northeast 76th Street Reconstruction – North Brooklyn to City Limits, and authorizing final payment in the amount of \$111,619.89.

RESOLUTION R-13-81, authorizing acceptance of a proposal from Omni Entertainment to provide performance artists for the 2014 Sounds on the Square concert series at the Linden Square stage beginning May 24, 2014 through September 27, 2014, for an amount not to exceed \$41,050.00.

RESOLUTION R-13-82, authorizing the purchase of and the execution of a real estate contract to purchase property located at 7022 North Locust Street.

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 petition for and establishing the Meadowbrook Village Community Improvement District.

11. **FIRST READING BILL NO. 13-35**, approving the petition for and establishing the Meadowbrook Village Community Improvement District.
12. **RESOLUTION R-13-83**, 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.
13. Other Business.
14. Questions from the News Media.
15. Adjournment.



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, DECEMBER 9, 2013**

Mayor Jean Moore opened the City Council Meeting to adjourn to a Closed Executive Session on December 9, 2013, at 5:00 PM. Councilmember Carol Suter made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemptions 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Mayor Pro Tem Brian Hill seconded. Roll Call Vote: All "aye" – Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (3-0).

Councilman Bill Garnos and Councilman Gary Markenson were also present at the Closed Executive Session.

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
Councilman Bill Garnos
Councilman Gary Markenson

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 Jean Moore opened the Regular December 9, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present.

Mayor Jean Moore welcomed everyone who attended in person, and those joining the meeting on-line. Mayor Moore said she and the City Council very much appreciated everyone's interest and involvement.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Moore stated it was an honor to have members of VFW Post 10906 present the Colors. VFW Post 10906 members posted the Colors and led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. APPROVAL OF THE NOVEMBER 25, 2013, REGULAR CITY COUNCIL MEETING MINUTES.

Councilman Gary Markenson moved to approve the November 25, 2013, Regular City Council Meeting Minutes, as presented. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" - Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 5. on the Agenda. SPECIAL PRESENTATION by Veterans of Foreign Wars Post 10906.

Bill Driscoll and Joe Liles, of VFW Post 10906, presented a plaque to Mayor Moore and a plaque to the City of Gladstone and City Council members. Mr. Driscoll said it was their distinct pleasure and honor to be the Honor Guard for the City of Gladstone at City Council meetings.

Mayor Moore thanked Mr. Driscoll and Mr. Liles, and said it was an honor for the City of Gladstone to have Post 10906 at the City Council meetings, and the City Council is so proud to have the State Honor Guard as a part of the City Council meetings.

Mr. Driscoll stated, to go one step further, they provide the Color Guard at a number of funerals, which is an honor for them. The Color Guard is a fun thing for them to do, so it is a pleasure to be at the City Council meetings.

Both plaques included the same language, and Mr. Liles read the body of the plaques as follows: "In recognition of furthering the aims and ideals of the Veterans of Foreign Wars. Signed: Gladstone VFW Post 10906. 2013." Mr. Liles said he knew the Mayor could not do her job without the help of the City Council and the employees of the City

of Gladstone. Mr. Liles said it was their honor and pleasure to be at the City Council meetings, and they very much appreciated being a part of the City of Gladstone.

Following applause from the audience, Mayor Moore offered thanks to VFW Post 10906.

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

Following the Clerk's reading, Councilman Markenson asked that Resolution R-13-82 be removed from the Consent Agenda for consideration and discussion under the Regular Agenda.

Mayor Moore stated Resolution R-13-82 would be considered as Item 6a. under the Regular Agenda.

Councilmember Carol Suter moved to accept the Consent Agenda as amended. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-79**, authorizing acceptance of work under contract with Vance Brothers, Incorporated, for the 2013 Intermediate Maintenance Program; and authorizing final payment in the amount of \$10,944.09. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-80**, authorizing acceptance of work under contract with Amino Brothers Company, Incorporated, for the Northeast 76th Street Reconstruction – North Brooklyn to City Limits, and authorizing final payment in the amount of \$111,619.89. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-81**, authorizing acceptance of a proposal from Omni Entertainment to provide performance artists for the 2014 Sounds on the Square concert series at the Linden Square stage beginning May 24, 2014 through September 27, 2014, for an amount not to exceed \$41,050.00. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary

Markenson, Councilman Bill Gamos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

REGULAR AGENDA

Item 6a. on the Agenda. **RESOLUTION R-13-82**, authorizing the purchase of and the execution of a real estate contract to purchase property located at 7022 North Locust Street.

Councilman Markenson stated as this action is for a nearly one-half million dollar purchase, and as most of the discussion on this matter has been in Closed Executive Session, he asked City Manager Davis to please provide a two minute explanation for the benefit of the audience here this evening and for those watching at home.

City Manager Davis reported this property, at 7022 North Locust, was formerly the Fins and Foliage property. Several months ago staff discussed with the Council strategic acquisitions in furthering the downtown project development that has been on the City's plate. This property became available, and the City Council asked that the purchase be pursued. The purchase amount is \$280,000, and this Resolution closes that purchase. The hope is that the eventual use of the property should be consistent with the goal for furthering the arts in the community. How it looks and how it feels will be determined, but staff is hopeful there will be a couple of art functions at this location, certainly gallery space, and a place where people can be creative and make some additions to our community in many respects. Furthering the arts is a big part of our downtown strategy. This is consistent with what we are hearing from the developers of Linden Heights and some businesses that are entertaining options in our community. This furthers that thought process, and gives us a facility that should bring a cultural aspect to our community that we do not currently have. City Manager Davis concluded by saying along with being consistent with our downtown development strategy, this should be a positive addition to our community.

Mayor Pro Tem Brian Hill moved to adopt **RESOLUTION R-13-82**, authorizing the purchase of and the execution of a real estate contract to purchase property located at 7022 North Locust Street. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Gamos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

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

David Levendahl, 2000 NE Englewood Road, stated his understanding was the City had funding to repave, mill and resurface Englewood Road. Being one of the most heavily

traveled roads in town, he thinks it is not only bad for the citizenry, who use the road – Mr. Levendahl said he lives on the road - it has beaten the heck out of vehicles. It is crumbling away and the curbs are caving in. It sends the wrong message to people who come to the City, and think this is how this town is operated. It gives them a bad taste in their mouth, and they don't want to come here to spend money.

Mr. Levendahl said money was supposed to be there to do the milling and resurfacing. The holdup was to hold Kansas City hostage to get them to repair the three or four places where the water mains continue to break. Mr. Levendahl said he had measured it by hand, and he did not see the value in holding up the project to do this, as there are 325 lineal feet of Englewood Road where these breaks take place. It is the same ones over and over. When it does break, they repair it; however, the quality of their repairs may be in question. There is no out of pocket expense for the City of Gladstone. Mr. Levendahl said there are nine thousand lineal feet between Antioch and North Oak, so for three percent of the roadway that could have a water break, another 8,700 feet was being neglected. When Englewood Road was changed from a two lane to a three lane, he remembered driving on the dirt when the water mains were above ground level before they filled it all in, and everyone along the way got a new driveway, as part of the deal with the contractor. The aprons of those driveways, along with the curbs, are going away. They are just all beat up, and it is a combination of age, lack of repair, snow plows and so forth. Mr. Levendahl said there could be parts of this stuff caving in and going into the drainage system, and into the waste water system, and he believed it would cost more in the long run, and the paving job is not going to get any cheaper.

Mr. Levendahl continued by saying the position on this needed to be readdressed, and if Kansas City does not cooperate, it is nothing we are not used to. Mr. Levendahl said Kansas City treats the Northland like their stepchild anyway, and because he is driving on this road every day, it is causing him front end alignment issues, speeding up the struts, wearing out tires, and it's killing him.

Mr. Levendahl said the new development, with the park and the stage, people have done an awesome job with that. It looks great. Mr. Levendahl said he had his little one in the Miss Gladfest this year. She did not win, but she was really tickled to be a part of it, and every day she would ask to go up to the stage and practice. One night there was a rock band, and he did not know they were there when he brought her to practice, and he told her they could not interfere with the people, and she started having a fit. Mr. Levendahl asked if he could just sit her on the stage, while they were doing their sound checks so she could practice her "twinkle, twinkle little star". The girl in the band lowered the mike stand and let her sing through the PA system. She heard her voice come through the PA system, and she thought she was pretty good.

Mr. Levendahl suggested regarding the City's beautification, where citizens can get rid of their leaves and limbs in November, he would request that be moved back at least three weeks, because most of the trees that grow around here don't drop their leaves until mid-November to late November. The beautification is the first weekend in November, and a person has about eight bags to take up there at that time, and then a person later has about 20 some more bags to fend off themselves. People just chuck them anywhere, and they can get into the drainage system, and it's nasty and an eyesore. Mr. Levendahl said he would request this program be moved back at least a couple of weeks, so the bulk of the leaves can come down, and they can be cleaned up and put away properly.

Mayor Moore thanked Mr. Levendahl.

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

Councilman Gary Markenson had no comments at this time.

Councilman Bill Garnos stated in regard to the VFW Honor Guard, as a former Boy Scout member of an Honor Guard, he enjoyed having both the VFW members and the Scouts at the City Council meetings to lead the Pledge of Allegiance. Councilman Garnos said he believed it would be a good idea if the VFW worked with some of the Scout Troop Honor Guards on the history, rules, and duties that come with being an Honor Guard member.

Councilmember Carol Suter stated hopefully the heat would soon be fixed at the Atkins-Johnson Farm, and reminded everyone to please stop by the Farm on Saturday, at noon, for cookies with Mr. and Mrs. Claus. Hopefully, that activity would continue.

Councilmember Suter said this last week she had the opportunity to see City government from a perspective that most usually don't, as she was subpoenaed as a witness in Municipal Court. Members of the City Council do not usually have the opportunity to observe Municipal Court, but she did have the opportunity to hang out in the back in the lawyers' cadre, who were waiting to visit with the Prosecutor. In her case, the defendant did not show, so she did not have to stay, but she did stay for a while just to watch. It was the day for animal control, housing, traffic, and other issues. It was interesting to listen to the lawyers to see how they felt about our Municipal Court, and at the end, she was talking to a couple of them and she admitted who she was. It was really nice to hear from that group of people about their high esteem for our Court and our court system. There were great comments about the quality of our Judge. Councilmember Suter said she was amazed at the good humor and patience of the Judge

as he listened to the many very interesting stories. There was high praise for our Prosecutors. The lawyers said our City had really excellent City Prosecutors. Councilmember Suter said she wanted to pass this on, and she wished to offer Kudos to our wonderful staff. It was nice to know our Court's reputation in the community is one of fairness, efficiency, and effectiveness.

Mayor Pro Tem Brian Hill said he would like to address the comments regarding Englewood Road, and let everyone know here and at home that Englewood Road is very much within the Council's radar. There are a lot of issues there. We do want to resurface it; however, Kansas City is getting ready to dig up the entire road, and replace the water main. We have deferred maintenance on Englewood Road, but he does believe engineering is being done right now, so it may be another year or so before Kansas City actually does the water main replacement there. Gladstone has decided not to put down new pavement that would be totally dug up within a year or two. That road is terrible, and everyone on the City Council knows it, and it is a focus. However, the City does not want to waste all that money to have it dug up the full length of the road. A good part of it doesn't even border on the City of Gladstone. It borders on the villages and Kansas City, closer to North Oak, and a good part of that is the water main problem. Mayor Pro Tem Hill said he wanted everyone to know this issue is within the Council's radar, and very much a focus for City staff and the City Council. We are frustrated with it, but we don't want to throw a bunch of good money after it, just to have it dug up within a year or so.

Mayor Pro Tem Hill wished everyone a good holiday.

Mayor Jean Moore reported this is the time of the year the Santa calls are being made, and so back in the City offices right now there are a group of very dedicated gentlemen who are calling, like they do every year, to kids in our community, as Santa. During the course of this process, over the years since they have done it, over 5,000 kids have been called. They will make approximately 225 calls this year, and will talk to somewhere in the neighborhood of 400-500 kids. When they make a call, they may not just talk to one child, they often talk to multiple children. It is an amazing thing to see these men being so dedicated and so involved for the kids in our community. Mayor Moore said this is a wonderful program.

Mayor Moore said she recently had the occasion to go to Starbucks on the day a vehicle drove through Starbucks. When she got the call, she could not get there fast enough, because that is her coffee shop, and she is there nearly every day, and had been sitting in the spot where the SUV drove in, just the day before. Mayor Moore said her comments tonight had to do with our amazing EMS first responders. It was incredible. Mayor Moore said by the time she arrived, most of the victims had already been

transported. Fortunately, there were no really bad injuries, but there could have been. That was the shocking part. Mayor Moore said she had never seen such kindness, tenderness, and professionalism exhibited by our EMS, so Kudos to them. They were amazing, and she was really touched and impressed, and, she believes, so were the victims. Everyone was really encouraged and comforted by them. It was a great experience, not to be there in the sense of a disaster, but to see what our staff did – it was truly incredible. Mayor Moore said she wished to offer Kudos to all of them.

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

City Manager Kirk Davis encouraged everyone who was interested in learning to ice skate, to use the City's ice rink. It is open, and he hopes everyone enjoys it. City Manager Davis reported the Chamber coffee at the Atkins-Johnson Museum was cancelled tomorrow, December 10, 2013, because of heat issues in the building. City Manager Davis reminded everyone there would be no second Council meeting in December. City Manager Davis wished everyone Happy Holidays.

Item 10. on the Agenda. **PUBLIC HEARING:** for consideration of a petition for and establishing the Meadowbrook Village Community Improvement District.

Mayor Moore opened the Public Hearing, and said that during the Public Hearing, comments would first be heard from staff, then from the applicant, followed by comments from those in favor and anyone opposed to the application.

Staff Report

City Counselor Randall Thompson began by saying the City Council had received a packet of information, including the Ordinance that City Council would be considering this evening, a petition to establish the Community Improvement District (CID), and a Blight Study. Counselor Thompson said most of what he would say would be repetitive of the information in those documents.

Counselor Thompson reported a Community Improvement District was an economic development tool that has been approved by Statute in Missouri, in Chapter 67.1401. A Community Improvement District can either be formed as a separate political subdivision, such as we are – a municipality, or a county – or it can be formed as part of a not-for-profit corporation. If it were a political subdivision, there are various funding mechanisms available to the district in order to raise revenue, from real property tax to sales tax, and debt limitations. A non-profit corporation can assess special assessments on real estate to raise revenue. In the instance before the Council this evening the

Meadowbrook Village Community Improvement District was seeking to be designated as a separate political subdivision by Ordinance. They have filed a petition on their behalf.

Counselor Thompson posed the question, if granted, what can this Community Improvement District do so far as raising revenue. Counselor Thompson stated in this instance, the property involved has some needs for demolition, renovation, and rehabilitating. In order to do that, the Council must also find there is blight at that location, and that the property is blighted. If that finding is made, the revenue that would be raised by the District could be used to pay the cost of demolition, renovation, and rehabilitating the structure, and for any other general improvements they plan for the site. This whole process was initiated when the applicant, who is the property owner, made a petition to the City for designation of a Community Improvement District. Counselor Thompson said the Council has been provided a copy of the petition that was filed on behalf of the owner. In this case, there is only one owner for the property involved in the District. The petition was filed by that owner. Counselor Thompson said the petition has been reviewed by his office and by the Clerk, and it complies with the statutory requirements for a petition. There was a five year plan attached to the petition, which was required by Statute to give the Council some idea of what improvements were considered, and how the improvements would be paid.

Counselor Thompson reported because the applicant sought a blight designation, a Blight Study was prepared, and the Blight Study is attached to Council's packet. The Blight Study was performed by the Community Development Department here in Gladstone. It complies with the Statute for what must be found before the property can be designated as blighted. The applicant had agreed to the Blight Study. It is a specific finding that we have to make in light of the improvements that are going to be made at this location.

Counselor Thompson continued by saying once the petition was filed, the City Clerk had to file a notice of a Hearing to take up the petition. The City Clerk did so as required by law, and she has received an affidavit of publication from The Kansas City Star, which is where this Community Improvement District Petition Notice for Hearing was published. A copy of the Ordinance has been provided to the City Council for passage this evening. Another very important part of the District is the composition of the Board, and by law, the Board must be composed of from five to thirty people. In this instance the initial Board has been appointed by the petitioner. In agreement with the City, one of the Board members will be a representative from the City, and in this instance, that representative will be Melinda Mehaffy. Once the terms lapse that are provided in the petition, then the Mayor, with the consent of Council, makes

appointments to the Board. In this instance, the names for those appointments would probably be designated by the owner, as they have been in the petition.

Counselor Thompson stated, in this instance, the law provides that the sales tax can be from an eight cent to a one cent per \$100 assessed valuation. The petition is requesting a one cent sales tax. In this instance, that sales tax must be by election, and it can be by a mail-in election, so, in this instance, the mail-in election will consist of one party passing a vote, and that is the owner of the District.

Counselor Thompson explained that once the Ordinance is passed, there would be a laundry list of things to be done. Once this Community Improvement District is formed the City does not just wash its hands of what takes place with the District. The District will create by-laws, which will be submitted to the City for approval. The City and the owner of the Community Improvement District will enter into a contract, which is required by Statutes. There will be several requirements in the contract, but one of those is that the City will be paid 1.5 percent of the annual revenues of the sales tax collections for purposes of defraying the cost and expenses that the City incurs in monitoring the Community Improvement District. Contact will be made with the Missouri Department of Revenue, and they will begin the collection process of the taxes. Staff will submit a written report to the Missouri Economic Development office to keep them apprised of economic development activity in our city. There will most likely be amendments to the plan before the City Council, because it is now a best projection of what is going to happen at this point. If there are amendments to the plan, those would be approved by the City. The District is to prepare and provide to the City an annual audit of the incomes they received and the money they spent. The District will provide the City an annual receipt from the Department of Revenue for the sales tax distribution within the District. There will be an annual budget proposal provided to the City. The Board of Directors, of which the City will have a designated representative, will conduct an annual meeting. Because the District is within the confines of the City of Gladstone, and the City Council is creating it by Ordinance, the City will maintain involvement in the District, so that we feel comfortable that the revenues are being used as they were stipulated in the petition.

Councilman Markenson asked if this was the City's first experience with a CID, or are there other CIDs in Gladstone.

Counselor Thompson replied not to his knowledge. This is the first one he had been involved with in the City.

Councilman Markenson asked if there were any criteria for CIDs; can any commercial property owner blight his property and apply for a CID, a sales tax, and improve their property.

Counselor Thompson replied as far as the City of Gladstone is concerned, we do not have an economic development policy directly applied to a Community Improvement District, we only require that an applicant conform to what is required by Statutes.

Councilman Markenson stated for clarification the Council could turn down future applications even though this one is granted.

Counselor Thompson replied that was correct.

Councilman Markenson stated it was his understanding that CIDs can be financed either through sales tax, where the community pays for the improvements, or through business licenses and property taxes, where those who benefit from the improvements actually pay for them, but for clarification – in this case, it is only a sales tax.

Counselor Thompson replied that was correct.

Councilman Markenson asked if there were anything that prevents the owner of the commercial property from making improvements, enhancing the value of the property, and then selling the property, and making significant profits.

Counselor Thompson there is nothing as far as the Statutes are concerned in prohibiting someone from selling the property. It would still be a part of the Community Improvement District.

Councilman Markenson stated people would still be paying the sales tax – for a fifteen year period?

Counselor Thompson replied it would be a fifteen year period.

Councilman Markenson stated in the letter Counselor Thompson provided to the Council, it said that they would contract with the City for operation of the District, and asked if that would be just for oversight.

Counselor Thompson replied yes, and said as an example, if the City had an accountant look at the annual audit or an attorney did something on our behalf with respect to the property, that is just to offset any expenses the City might have.

Councilmember Suter stated the applicant is required to provide a five-year plan with the costs of the investment, and asked if the applicant is required to do any kind of projection on the sales tax income. What would be the income going towards this \$2 million of expenses.

Counselor Thompson replied in the five-year plan before the City Council, the amount represented that would be expended by the property owner is going to be in line with the collection of sales tax they anticipate.

Councilmember Suter said for clarification, they start with what they anticipate and then build the budget.

Counselor Thompson replied that was correct.

Councilmember Suter said it would be helpful if it included something about the expected income to show how close this comes to reality.

Counselor Thompson stated that is why the budget may be amended as they move forward. They will know more once they start getting collections, and see what their income is going to be, because at this point, they cannot project that.

Mayor Pro Tem Hill asked if there were a requirement that any sales tax collected be used on the property, or used to pay for the improvements.

Counselor Thompson replied yes, that is purpose of the collection, and one of the reasons why the City maintains some involvement to make that very determination.

Comments from the Applicant

Steve Osman introduced his son, Andrew, who was with him this evening. Mr. Osman reported that they were managing members of the ownership entity, called Meadowbrook Village Shopping Center. Mr. Osman said he appreciated the opportunity to stand before the City Council, and he was fully prepared to discuss any of the technical aspects of this, because this is a case of first impression. This is the first time the City Council has been through this, but he had been through this many times, as has his son. Mr. Osman said his son, Andrew, is on the City Council in Leawood, and is directly responsible for administering these programs for the City of Leawood, and they get a lot of these, and have been involved with a lot. Mr. Osman said he was the one who actually initiated the conversations with Assistant City Manager Scott Wingerson, and Economic Development Administrator Melinda Mehaffy, who acted in the most professional and highly efficient manner in getting this done, and he was very

complimentary of that, because he sees in interacting with other cities that is not always the case. Mr. Osman said the City Council should be proud of their work, because they have done a nice job.

Mr. Osman said this was an unusual CID in the sense that it is not a typical one in regard to revenue generation. Mr. Osman said when he had gone into projects as he had done in a couple of other cases – one of them the Council might be familiar with at 18th and I-70, in Kansas City, Kansas – that was a 20 acre development where there was an environmental disaster, an abandoned truck stop, and it was the poster child for blight. It had a rent by the minute motel among other things that was still active there, plus the crack houses, etc. Mr. Osman said the unified government worked with them, and they created a combination of acronyms that came together and provided a lot of revenue. For this particular project, the sales tax that will be generated what he would call a “pay as you go”. There would be no responsibility of the City and no obligation of the City in the event that this doesn’t work out. If it does not generate anywhere close to what they would like or need, there would be no fallback provision on the City. Mr. Osman said it would be strictly and purely something that his son and he would sign for personally. When one looks at the pro forma projections, and knows anything about what it costs just for interest, let alone principal reduction, this would not cover the interest on the project, let alone the principal reduction.

Mr. Osman said there would be a tremendous financial commitment on their part, and they are doing this because this would flip them over the finish line. Mr. Osman said they knew they wanted to do something with this property. They were not bad managers, and not people who typically let their properties slide, but one has to look at the context of the situation. When they started looking at this and saying it was now time to start giving it a face lift, it was 2008 – 2009. Everyone has a good recollection of what that meant in the economic environment, and what it meant to their poor tenants, who are still suffering. When they talk about economic recovery, it has not come back to Main Street. It hasn’t helped the people who really need the help. Mr. Osman said what they are doing is providing a little bit of a boost, and they also have a bank who has already pre-committed to assisting them. They have to do a couple more things to jump through the hoops, but it was not one of those things where they were hoping to get something done – they have it ready to go.

Mr. Osman reported Anderson McAdam was the architectural firm they have used on a lot of different projects. They are an award winning firm. Mr. Osman said they would be doing basically a façade. They would be tearing off the front of the building, tearing off the canopies, tearing off a lot of the things that were done very improperly and poorly, and they would be putting on a new façade and windows, and other things. The phases and the extent of the extra work will be based upon the success of the project.

Mr. Osman said they were currently sitting with a little over 20 percent vacancy. They are also underperforming with a couple of the tenants, but that is their market and environment. What they hope to do is to enhance the appearance of the property; to bring new tenants, who would be new to the area, that are going to bring employment, and sales tax revenue that is not a part of this. Any of the money for real estate tax that benefits the City and the County, and most importantly the schools, is not impacted at all. Any of the regular sales tax that would be typical for this project would not be impacted at all. This is only money extra or "on top of". It would allow their property to have the benefit of an improvement that would attract more people. Mr. Osman said Mr. Wingerson and Ms. Mehaffy have given him some good leads on people, and he has gone after them, but he is from Missouri, so when he sees it, he would be excited, and they hope it will happen. From a timing standpoint, he was hopeful that tonight would be the initial approval. It would take about six weeks to do actual architectural plans. It would take another two to three weeks to put them out for bid or to do value engineering. It would take another month to arrange for the general contractor, and to start getting bids from the subs. If everything were to go well, in a well-oiled situation, he would imagine in May or June they would begin the work.

Andrew Osman had with him two posters, and his father asked him to talk a bit about the posters. Andrew Osman said as his father stated, they are looking to improve not only the shopping center but the area. The purpose of this is to bring more businesses and more sales tax to the area, and raise the tide to a level to what Antioch Road should be. Mr. Osman indicated on the site plan that there is currently an asphalt parking lot; there is no landscaping or trees. As is seen with the beautification project of downtown and other areas, this is what they want to accomplish here. When they acquired this eleven years ago, the canopies and façade on the outside were not done properly; although they knew it, and they wanted to have a better goal, 2008 happened. They are hoping to achieve a 2010/2020 sort of look. Mr. Osman pointed out on one rendering a lot of glass on a façade, a lot of store fronts, and a lot of articulations between each individual store front. This allows retailers to come in and say that is my store front. It's new, there is new glass, energy efficiency on the inside, and with the improvements on the outside, they will bring new tenants.

Mr. Steve Osman reported there would be a couple of patio areas with the two restaurant locations. One of them just opened two days ago, which is Diego's. They are a class operation who is in other locations around the city. They have wonderful food and he has had them as a tenant. He asked them to join them, and based upon what they were doing here, is the reason they came in. Best Lighting is another example of bringing a business to this property with the hope that this would be approved, and with the encouragement of staff. They agreed to lease 9,000 square feet, and they are pleased that they are there. They have temporary signs up, as well as other

people, because there was no reason to spend thousands of dollars just to tear it out. Mr. Osman said they are hoping to provide a better environment and to also establish a policy for other landlords in the area to see what can be done and achieved. It would be a rising of the tide, with the Council's approval.

Mayor Pro Tem Hill stated in the materials the Council was provided it shows the pad site for the fast food restaurant included in the development district.

Mr. Steve Osman stated they are in the development district, but that is under a long term lease, and he does not have control of that building, per se. They are going to try to get control and work out an arrangement with them, because they have another potential tenant that he was sure the Mayor would like to know about that he could bring there, if they could get them out.

Mayor Pro Tem Hill stated for clarification there would not be improvements to the pad site area as part of this.

Mr. Steve Osman said if they are able to accomplish that, the answer is yes, they will. They are included in it for sales tax purposes, but they are not included for redevelopment purposes. He would like to make that change, but he does not have control over it.

Councilmember Suter inquired into the \$209,000 valuation for the property.

Mr. Steve Osman said that was the assessment the County put on it, not the City. The City had no role in it. That was a standard assessment, and is consistent with properties of this nature, and it was done by the County.

There was no one to speak in Favor or in Opposition of the application.

Mayor Moore closed the Public Hearing.

Item 11. on the Agenda. **FIRST READING BILL NO. 13-35**, approving the petition for and establishing the Meadowbrook Village Community Improvement District.

Mayor Pro Tem Brian Hill moved to place **BILL NO. 13-35** on its First Reading. Councilmember Carol Suter seconded.

Councilman Gary Markenson inquired into the City's current sales tax rate.

City Manager Davis replied he believed it was 7.445.

Councilman Markenson said there are several future sales tax issues the City may be faced with, whether it might be MoDOT (Missouri Department of Transportation) or possibly even a local sales tax, and he does not like sales taxes, and he believed they have reached about as high as they can get. Councilman Markenson said he loved the improvements they were talking about, and he would love to see those improvements, but he was not sure the constituents should be paying for it through sales tax. Councilman Markenson said he believed our sales tax is about maxed out.

Councilmember Suter said she would speak in favor of this idea. The CIDs were at the National League of Cities convention last month, in an economic development workshop that was the highest attended session there. Clearly, the professional word on the street is the most successful tools in economic development right now are BIDs (Business Improvement District) and CIDs. There are so many around the area, such as Zona Rosa, and people are paying a lot higher sales tax in all those areas to shop. This is not the first and it won't be the last. It is not a new idea, but it is new to Gladstone.

Councilmember Suter said she was interested that the applicant claims that making the improvements is part of the reason for why he has been able to attract some higher profile tenants, and she certainly agrees that this shopping center needs higher profile tenants. Councilmember Suter said she did not know the lighting shop was there, until she went to Diego's opening, but she really applauds the applicant for making an investment in the property, and whatever happens, she encouraged him to continue to do it. It sounds like this sales tax will not nearly reimburse for the cost of the improvements, but she trusts that the improvements would go ahead as planned, and that seemed to be what she was hearing.

Councilmember Suter said she shared the concern about increasing sales tax, because she did not feel it was a good strategy in terms of public policy in general, but our taxes are lower than all the shopping areas around, so she did not feel we were in danger yet of becoming non-competitive or putting a serious strain on the community.

Mayor Pro Tem Hill said he would echo Councilmember Suter's statements. He was not a big fan of sales taxes either, but this is not a general sales tax, it is only a sales tax for the people who actually use this site. There have been extensive discussions about blight along Antioch Road, and the need to somehow spur redevelopment. If this shopping center can be rejuvenated and brought back to life, it is a major part of the Antioch corridor, and he believed it would spur additional investment along Antioch Road, and it would be at basically no cost to the City. It is something that would only

be borne by the users of this particular development. It is something that is needed and should be encouraged.

The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the First Reading of **BILL NO. 13-35**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the Second and Final Reading of **BILL NO. 13-35**, and to enact the Bill as **Ordinance 4.257**. Councilmember Carol Suter seconded.

Roll call vote: "Aye" – Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. "Nay" – Councilman Gary Markenson. (4-1)

Item 12. on the Agenda. **RESOLUTION R-13-83**, 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 Bill Garnos moved to adopt **RESOLUTION R-13-83**, 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 Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Item 13. on the Agenda. **OTHER BUSINESS.**

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

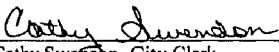
Item 14. on the Agenda. **QUESTIONS FROM THE NEWS MEDIA.**

There were no questions from the News Media.

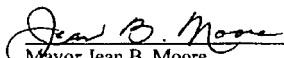
Item 15. on the Agenda. **ADJOURNMENT.**

There being no further business to come before the December 9, 2013, Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the Regular meeting to resume the Closed Executive Session that was begun earlier in the evening.

Respectfully submitted:


Cathy Swenson, City Clerk

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


Mayor Jean B. Moore



PUBLIC NOTICE

GLADSTONE CITY COUNCIL

CLOSED EXECUTIVE SESSION

FRIDAY, DECEMBER 20, 2013

TIME: 4:00 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 Friday, December 20, 2013, starting at 4:00 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(2) for Real Estate Acquisition Discussion.

Representatives of the News Media may obtain copies of this notice by contacting:

City Clerk Cathy Swenson
7010 N Holmes
Gladstone, MO 64118
816-423-4096

Posted at 8:00 AM
December 19, 2013
By City Clerk Cathy Swenson

Cathy Swenson



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

FRIDAY, DECEMBER 20, 2013

PRESENT: Mayor Jean Moore
Mayor Pro Tem Brian Hill
Councilmember Carol Suter
Councilman Bill Garnos
Councilman Gary Markenson

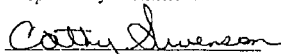
Mayor Jean Moore opened the City Council Meeting to adjourn to a Closed Executive Session on December 20, 2013, at 4:00 PM in the Gladstone City Council Chambers.


Councilmember Carol Suter made a motion to adjourn to Closed Executive Session pursuant to the Missouri Open Meeting Act Exemption 610.021(2) for Real Estate Acquisition Discussion. Councilman Bill Garnos seconded.

Roll Call Vote: All "aye" – Councilman Bill Garnos, Councilmember Carol Suter, and Mayor Jean Moore. (3-0).

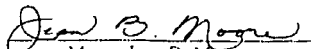
The Mayor and City Council entered into the Closed Executive Session.

Respectfully submitted:


Cathy Swenson, City Clerk

Approved as submitted: 

Approved as corrected/amended: _____


Mayor Jean B. Moore