

**BILL NO. 16-48**

**ORDINANCE NO. 4.376**

**AN ORDINANCE AMENDING ORDINANCE 4.046, TO CLARIFY THE PROCESS FOR DESIGNATING THE CHAIRMAN OF THE ARTS COMMISSION.**

**LEGISLATIVE FINDINGS**

1. The Gladstone City Council is empowered to establish boards, commissions, and the committees of citizens as required by Missouri State Statute or for assistance and advice to the City Council in furtherance of the objective to provide the most open, comprehensive, and informed governance for the City that is possible.
2. The City established the Arts Commission with a five member board and the City Council recognizes that the provision for five members is not sufficient to achieve the goals of the Arts Commission. In addition, the original board criteria specified that the board secretary should be elected from board members.
3. The City Council has determined that various sections of the Code of City Ordinances should be amended to expand the number of board members to nine members and to designate that the board secretary should be a member of the City staff.

**SECTION 1 –AMENDMENT OF ORDINANCE NUMBER 4.046 AND ENACTING A NEW SECTION 4.046 AND ENACTING A NEW SECTION 1, THEREOF:** Section 4 of Ordinance Number 4.046 is hereby amended to provide as follows:

1. **Appointment of members.** The Arts Commission shall consist of up to nine (9) members of the public, a majority of whom shall be residents of the City of Gladstone, who shall be appointed by the Mayor, with the approval of the City Council. The members of the Arts Commission shall elect a Chairman and Vice Chairman, each to serve a one-year term. The Chairman and other officers may serve up to three consecutive terms in a specific office, and thereafter, may be re-elected to their previous position after a lapse of one year.

Each member shall (a) possess acknowledged expertise in one or more of the following fields: architecture, arts criticism, arts education, history, dance, communicative arts, crafts, theater, heritage arts, landscape architecture, literature, music, painting, photography, planning, sculpture, or ethnic arts; or (b) have publicly demonstrated a deep interest in and appreciation for cultural and artistic activities. In considering candidates for appointment, the Mayor will seek suggestions from the current member of the Arts Commission and City staff.

2. **Terms.** The members of the Arts Commission shall serve terms of three years each, which shall begin on January 1 and terminate on December 31 of their terms. Beginning January 1, 2017, terms of the newly appointed Arts Commission members shall be staggered as follows: one member to serve until December 31, 2017, one member to serve until December 31, 2018, and two members to serve until December 31, 2019. At the expiration of each of these initial terms, members thereafter appointed shall serve three-year terms.

**SECTION 2 – EFFECTIVE DATE** This ordinance shall be effective from and after the date of its passage.

**PASSED, SIGNED AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 12TH DAY OF DECEMBER 2016.**

  
Jean B. Moore, Mayor

ATTEST:

  
Ruth Bocchino, City Clerk

1<sup>st</sup> Reading: December 12, 2016

2<sup>nd</sup> Reading: December 12, 2016



***Department of Parks, Recreation, & Cultural Arts***  
***Memorandum***

**DATE:** December 7, 2016

**TO:** Scott Wingerson, City Manager

**FROM:** Justin Merkey, Director of Parks, Recreation and Cultural Arts

**RE:** Arts Commission Bill No. 16-48

Attached please find the Arts Commission Bill No. 16-48. We propose to amend the Arts Commission Ordinance #4.046 because it specifies that the Arts Commission be limited to five members, which is not sufficient to achieve the goals of this Commission. In addition the ordinance states that a secretary should be selected from among the Commission members. Staff believes that the preparation of minutes and agendas for the Commission is a task best suited to clerical staff so the proposed ordinance is altered to allow this practice.

Please contact me if you have any questions about this matter.

**AN ORDINANCE AMENDING THOSE SECTIONS OF THE CODE OF CITY ORDINANCES CONCERNING THE APPOINTMENT OF MEMBERS TO THE CITY'S VARIOUS BOARDS AND COMMISSIONS, AND THE ELECTION OF CHAIRMEN AND OTHER OFFICERS BY THOSE BOARDS AND COMMISSIONS.**

**LEGISLATIVE FINDINGS**

1. The Gladstone City Council is empowered to establish boards, commissions, and committees of citizens as required by Missouri State Statute or for assistance and advice to the City Council in furtherance of the objective to provided the most open, comprehensive, and informed governance for the City that is possible.

2. The City has established various boards and commissions from time to time and the City Council recognizes that the provisions for appointment of members to such boards and commissions and the election of the chairmen and other officers for each of the boards and commissions are not consistent for all of the boards and commissions.

3 The City Council has determined that the various sections of the Code of City Ordinances should be amended to clarify the process for appointing the members of each of the boards and commissions and for designating the chairmen and other officers for each of the boards and commissions so as to serve the best interests of the citizens of Gladstone.

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

**SECTION 1 - AMENDMENT OF CITY CODE SECTION 1.110.010 RELATING TO BOARDS, COMMISSIONS AND COMMITTEES, BY REPEALING SUCH SECTION AND ENACTING A NEW SECTION 1.110.010, AS FOLLOWS:**

**Sec. 1.110.010. Certain boards, commissions and committees authorized; general qualifications for appointment; terms; selection of chairmen and other officers.**

(a) The following boards, commissions, and committees are hereby authorized:

- (1) Arts Commission.
- (2) Board of Zoning Adjustment.
- (3) Capital Improvements Program Committee.
- (4) Code Board of Appeals.

- (5) Environmental Management Advisory Committee.
- (6) Neighborhood Commission.
- (7) Parks and Recreation Advisory Board.
- (8) Planning Commission.
- (9) Tax Increment Financing (TIF) Commission.
- (10) Telecommunications Advisory Board.

(b) All members appointed to boards, commissions, or committees of the City shall be residents of the City, unless specifically provided otherwise in this Code.

(c) No individual shall be simultaneously appointed to, nor shall simultaneously serve on, two or more of the following boards, commissions, or committees: the Planning Commission, the Board of Zoning Adjustment, and/or the Tax Increment Finance Commission.

(d) All members of the City's boards, commissions, and committees shall be appointed by the Mayor with the approval of the City Council.

(e) The Chairman and other officers of each board, commission, and committee shall be elected by the members of such board, commission, and committee for one-year terms. Each such chairman and other officers may serve up to three consecutive terms in a specific office, and thereafter, may be re-elected to their previous position after a lapse of one year.

**SECTION 2 - AMENDMENT OF CITY CODE SECTION 7.190.010 RELATING TO THE BOARD OF ZONING ADJUSTMENT BY REPEALING SUCH SECTION AND ENACTING A NEW SECTION 7.190.010, AS FOLLOWS:**

**Sec. 7.190.010      Continued; composition; appointment of members; terms; vacancies; chairman and other officers**

- (a) The Board of Zoning Adjustment is hereby continued and is also herein referred to as the "Board." The Board shall consist of five (5) regular members and three (3) alternative members, who may serve in the absence of or disqualification of regular members. All Board members shall be appointed by the Mayor with the approval of the City Council. Each member shall serve for five (5) years, commencing on January 1 of the year that begins each member's term.

Members are removable by the City Council for cause, upon written charges and after a public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

(b) The Board members shall elect a chair, vice-chair and secretary to terms of one year. The Chairman and other officers may serve up to three consecutive terms in a specific office, and thereafter, may be re-elected to their previous position after a lapse of one year

**SECTION 3 - AMENDMENT OF CITY CODE SECTION 1.110.080 RELATING TO THE PLANNING COMMISSION BY REPEALING SUCH SECTION AND ENACTING A NEW SECTION 1.110.080, AS FOLLOWS:**

**Sec. 1.110.080. Officers; meetings; rules and records, expenditures.**

The planning commission shall elect a chair, vice-chair and secretary from among its citizen members. The terms of the chair, vice-chair and secretary of the planning commission shall be for one year. The Chairman and other officers may serve up to three consecutive terms in a specific office, and thereafter, may be re-elected to their previous position after a lapse of one year. The planning commission shall hold regular meetings and special meetings as they may provide and rules for the transaction of business shall be adopted and a record of proceedings shall be kept. The records of the planning commission shall be public records.

**SECTION 4 - AMENDMENT OF SECTION 1 OF ORDINANCE NO. 4.016, RELATING TO THE ARTS COMMISSION BY REPEALING SUCH SECTION AND ENACTING A NEW SECTION 1, AS FOLLOWS:**

**1. Appointment of Members.** The Arts Commission shall consist of up to ~~five~~ nine (59) members of the public, a majority of whom shall be residents of the City of Gladstone, who shall be appointed by the Mayor, with the approval of the City Council. The members of the Arts Commission shall elect a Chairman ~~and~~ Vice-Chairman ~~and~~ Secretary, each to serve a one-year term. The Chairman and other officers may serve up to three consecutive terms in a specific office, and thereafter, may be re-elected to their previous position after a lapse of one year.

Each member shall (a) possess acknowledged expertise in one or more of the following fields: architecture, arts criticism, arts education, history, dance, communicative arts, crafts, theater, heritage arts, landscape architecture, literature, music, painting, photography, planning, sculpture, or ethnic arts; or (b) have publicly demonstrated a deep interest in and appreciation for cultural and artistic activities. In

considering candidates for appointment, the Mayor will seek suggestions from the current members of the Arts Commission and City staff.

2. Terms. The members of the Arts Commission shall serve terms of three years each, which shall begin on January 1 and terminate on December 31 of their terms. Beginning January 1, 2017, terms of the newly appointed Arts Commission members shall be staggered as follows: one member to serve until December 31, 2017, one member to serve until December 31, 2018, and two members to serve until December 31, 2019. At the expiration of each of these initial terms, members thereafter appointed shall serve three year terms.

**SECTION 5 -AMENDMENT OF CITY CODE SECTIONS 1.110.080(a) AND 1.110.290 RELATING TO THE CAPITAL IMPROVEMENTS PROGRAM COMMITTEE BY REPEALING SUCH SECTION AND ENACTING A NEW SECTION 1.110.290, AS FOLLOWS:**

**Sec. 1.110.280.**

(a) The Capital Improvement Program Committee shall consist of fourteen (14) members, including two (2) nonvoting City Councilmembers to serve as liaisons to the Council, who shall be residents of the City and who shall be appointed by the Mayor with the approval of the City Council. The composition of the 14-member Committee shall be as follows:

- (1) Six citizen members.
- (2) Two Parks and Recreations Advisory Board members.
- (3) Three Planning Commission members.
- (4) One Gladstone Special Road District #3 Commissioner.
- (5) Two City Council liaison members.

**Sec. 1.110.290.      Appointment and term of chair.**

The members of the Capital Improvements Program Committee shall elect a Chairman, Vice-chairman, and Secretary to serve for a term of one year each. The Chairman and other officers may serve up to three consecutive terms in a specific office, and thereafter, may be re-elected to their previous position after a lapse of one year.

**SECTION 6 -AMENDMENT OF CITY CODE SECTIONS 1.110.220 and 1.110.230  
RELATING TO THE UNIFORM CODES BOARD OF APPEALS BY REPEALING  
SECTIONS 1.110.220 AND 1.110.230 AND ENACTING NEW SECTIONS 1.110.220 AND  
1.110.230 AS FOLLOWS:**

**Sec. 1.110.220. Qualifications and appointment of members; term; ex officio member.**

(a) The Uniform Codes Board of Appeals shall consist of three members who shall be appointed by the mayor with the approval of the City Council, to serve terms of three years each.

(b) Members of the Uniform Codes Board of Appeals shall be residents of the City, qualified by experience and training to pass upon matters pertaining to fire, building, electrical, plumbing, and mechanical construction and shall not be employees of the City.

(c) The City Building Official shall be an ex officio member of the Uniform Codes Board of Appeals and act as secretary to such board.

**Section 1.110.230. Appointment and term of chair and other officers.**

The members of the Uniform Codes Board of Appeals shall elect a Chairman, and Vice-chairman to serve for a term of one year each. The Chairman and Vice-Chairman may serve up to three consecutive terms in a specific office, and thereafter, may be re-elected to their previous position after a lapse of one year.

**SECTION 7 - AMENDMENT OF ORDANANCE NUMBER 4.032 RELATING TO THE  
NEIGHBORHOOD COMMISSION BY REPEALING SECTION 1 THEREOF, AND  
ENACTING A NEW SECTIONS 1 AND 1a, AS FOLLOWS:**

**1. Appointment of Members.** The City of Gladstone Neighborhood Commission shall consist of nine (9) members who shall be appointed by the Mayor with the approval of the City Council. The Neighborhood Commission shall include the Mayor of the City of Gladstone, the Chairperson of the Gladstone Economic Betterment Council (GEBC), and the GEBC Neighbors Helping Neighbors Executive Director. In addition, the Neighborhood Commission shall include the officers of six (6) geographically representative neighborhood organizations. The Mayor, with approval of City Council, may appoint up to five (5) advisors to the Commission.



**1a. Appointment of Officers.** The members of the Neighborhood Commission shall elect a Chairman, Vice-chairman, and Secretary to serve for a term of one year each. The Chairman and other officers may serve up to three consecutive terms in a specific office, and thereafter, may be re-elected to their previous position after a lapse of one year.

**SECTION 8 - AMENDMENT OF CITY CODE SECTION 1.110.050 RELATING TO THE PARKS AND RECREATION ADVISORY BOARD BY REPEALING AND ENACTING A NEW SECTION 1.110.050, AS FOLLOWS:**

**Sec. 1.110.050. Officers.**

The Parks and Recreation Advisory Board shall elect a Chairman, Vice-chairman and Secretary to serve for a term of one year each. The Chairman, Vice-Chairman and Secretary may serve up to three consecutive terms in a specific office, and thereafter, may be re-elected to their previous position after a lapse of one year.

**SECTION 9 -AMENDMENT OF CITY CODE SECTION 8.125.020 RELATING TO THE TAX INCREMENT FINANCING (TIF) COMMISSION BY AMENDING SUBSECTIONS (b) and (b) (3) OF SUCH SECTION, AND ENACTING A NEW SUBSECTION (d), AS FOLLOWS:**

(b) Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the City shall create the Tax Increment Financing (TIF) Commission of 11 persons to be appointed as follows:

\* \* \* \* \*

(3) Six members shall be appointed by the Mayor with the approval of the City Council.

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(d) The Six members appointed by the Mayor under subsection (3), shall elect a Chairman, Vice-Chairman, and Secretary for the Commission, to serve for a term of one year each. The Chairman, Vice-Chairman and Secretary may serve up to three consecutive terms in a specific office, and thereafter, may be re-elected to their previous position after a lapse of one year.

**SECTION 10 - AMENDMENT OF CITY CODE TITLE I BY ADDING A NEW ARTICLE  
6 RELATING TO THE TELECOMMUNICATIONS ADVISORY BOARD AS  
FOLLOWS:**

**ARTICLE 6. TELECOMMUNICATIONS ADVISORY BOARD**

**Sec. 1.110.330.      Established.**

The Telecommunications Advisory Board, previously known as the Cable TV Advisory Board, is continued as set forth herein.

**Sec. 1.110.340.      Appointment and terms of members.**

The Telecommunications Advisory Board shall continue to consist of five (5) members serving staggered three-year terms, appointed by the Mayor with the approval of the City Council. The current Board members shall continue in their positions for the remainder of their individual terms.

**Sec. 1.110.350.      Appointment and term of chair and other officers.**

The members of the Telecommunications Advisory Board shall elect a Chairman, Vice-chairman, and Secretary to serve for a term of one year each. The Chairman and other officers may serve up to three consecutive terms in a specific office, and thereafter, may be re-elected to their previous position after a lapse of one year.

**Sec. 1.110.360.      Duties of the Telecommunications Board.**

The Telecommunications Board shall consider those issues that relate to the provision of all types of telecommunications services within the City of Gladstone, and shall make recommendations to the City Council concerning telecommunications issues as requested by the City Council or as determined to be appropriate by the members of the Board.

The Telecommunications Board shall also hear complaints by citizens as to the quality of service received from telecommunications services providers and shall determine and recommend corrective action, as deemed appropriate, to the City Council.

**SECTION 11 - EFFECTIVE DATE"** This ordinance shall be effective from and after the date of its passage.

**PASSED, SIGNED AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF  
GLADSTONE, MISSOURI THIS 24th DAY OF SEPTEMBER, 2007.**

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Les Smith, Mayor

ATTEST:

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Cathy Swenson, City Clerk

**1<sup>st</sup> Reading:**

**2<sup>nd</sup> Reading:**