

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE CITY OF ST. JOSEPH, MISSOURI

January 11, 2010 - 7:00 p.m.
Office of the City Clerk

CALL TO ORDER:

The Council of the City of St. Joseph, Missouri, met in regular meeting in the Council Chamber at City Hall, on Monday, January 11, 2010, at 7:00 p.m. The meeting was called to order at 7:00 p.m. by Mayor Shearin. Notice of said meeting had been established as every other Monday at 7:03 p.m. Further notice was provided by posting the regular meeting date and time in the City Clerk's office at City Hall, and by written notice (together with a tentative agenda) three days in advance in the City Clerk's office.

ROLL CALL:

Present were Councilmembers Baker, Boyer, Bozarth, Falkner, LaBass, Penland, Roach, Shearin, Starr--9. Total membership--9. Five members constitute a quorum.

Also present were City Manager Vincent J. Capell, City Attorney Lisa M. Robertson, Police Chief Christopher Connally, Financial Services Director Carolyn Harrison, Human Resources Director Diana Slater, Health Director Debra Bradley, Planning & Community Development Director Clint Thompson, Customer Assistance Director Samuel T. Barber, Asst. Public Works & Transportation Director Andrew Clements, Asst. Parks, Recreation & Civic Facilities Director Bill France, Battalion Chief Russell Moore, Airport Manager Mike Hurst, Communications Manager Mary Robertson, Multi-media Coordinator Chris Clark, City Clerk Paula Heyde and Deputy City Clerk Rita K. Domini.

Under the Council voting rotation system, Councilmember Bozarth voted first.

PLEDGE OF ALLEGIANCE:

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MINUTES:

36315 By general consent, the minutes of the special meetings held December 21, 2009 at 4:00 p.m. and December 28, 2009, at 6:00 p.m. and the regular meeting held December 28, 2009, at 7:00 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

36316 Special Recognition Award - Gary Leftin & the SIM&R Division

ACCEPTANCE OF AGENDA:

36317 It was moved by Councilmember Boyer and seconded by Councilmember LaBass that the Agenda be accepted as published. Motion carried. Ayes, Bozarth, Falkner, LaBass, Penland, Roach, Shearin, Starr, Baker, Boyer--9.

CONSENT AGENDA:

36318 It was moved by Councilmember Roach and seconded by Councilmember Penland that Agenda Numbers 36319 through 36328 be passed by Consent Agenda. Motion carried. Ayes, Bozarth, Falkner, LaBass, Penland, Roach, Shearin, Starr, Baker, Boyer--9.

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CONSENT AGENDA: (Cont'd)

Nominations and Appointments:

- 36319 Filed 12/28/09: The nomination by Councilmember Penland was approved, appointing Lawrence A. Weigum, 5113 Mockingbird Lane, to serve as a member of the Tree Board for a term expiring December 18, 2012; he is being reappointed.
- 36320 Filed 1/4/10: The nomination by Mayor Shearin was approved, appointing Maureen Boyle, 4806 S. Cove Drive, to serve as a member of the Social Welfare Board of Buchanan County for a term expiring January 11, 2013; she is replacing Judge Frank D. Connett, Jr., whose term has expired.
- 36321 Filed 1/4/10: The nomination by Mayor Shearin was approved, appointing Sheryl A. Gossett, #1 Hundley Drive, to serve as a member of the Social Welfare Board of Buchanan County for a term expiring January 11, 2013; she is filling the vacancy created by the resignation of Karen Woodbury.
- 36322 Filed 1/4/10: The nomination by Mayor Shearin was approved, appointing Jo Anne Eyberg 4507 Kensington Drive, to serve as a member of the Social Welfare Board of Buchanan County for a term expiring December 11, 2012; she is being reappointed.
- 36323 Filed 1/4/10: The nomination by Councilmember Bozarth was approved, appointing Jerome Goolsby, 2706 Monterey Street, to serve as a member of the Museum Oversight Board for a term expiring January 1, 2013; he is replacing David R. Stevenson, whose term has expired.

Bills for Passage:

- 36324 (S.O. 7871) A Bill (1554-06) to authorize Change Order Number One with E.L. Crawford Construction, Inc. to make structural changes to the existing roof support system of the Fairview Golf Course Clubhouse in the amount of \$41,846.00, having been read the first time on December 28, 2009, was read the second time and passed.
- 36325 (S.O. 7872) A Bill (#1558-06) amending the Sewer Fund budget and authorizing Work Order No. 2010-05 to the Master Agreement with Goldberg, Sullivan & McCreery, Inc. to provide professional design services for the wastewater treatment plant septage building in the amount of \$28,000.00, having been read the first time on December 28, 2009, was read the second time and passed.
- 36326 (S.O. 7873) A Bill (#1557-06) authorizing the submission and execution of a Federal Transit Administration Livability Initiative Program Grant to provide transit capital assistance in the approximate amount of \$988,000.00, having been read the first time on December 28, 2009, was read the second time and passed.
- 36327 (S.O. 7874) A Bill (#1559-06) submitting a proposed City Charter amendment to the voters of the City of St. Joseph, Missouri, at an election to be held April 6, 2010, having been read the first time on December 28, 2009, was read the second time and passed.

Resolutions for Adoption:

- 36328 (Resolution No. 36328 - 3057) A Resolution (#1574-06) thanking and commending the members of the Charter Review Task Force for their commitment and many hours of work in developing their recommendations to the City Council on possible changes to the City Charter, was read and adopted.

***** END OF CONSENT AGENDA *****

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BILLS FOR PASSAGE:

36329 (S.O. 7875) A Bill (#1551-06) amending the CIP Sales Tax Fund budget in the amount of \$10,000.00 to provide funds for the service contract on the 911 system from Commenco, having been read the first time on December 28, 2009, was read the second time and passed. Ayes, Bozarth, Falkner, LaBass, Penland, Roach, Shearin, Starr, Baker, Boyer--9.

EMERGENCY BILL FOR PASSAGE:

36330 (S.O. 7876) An Emergency Bill (#1571-06) to accept a bid from M & M Golf Cars, LLC for a 48 month lease of 45 golf carts, 1 beverage cart and 1 range cart in the amount of \$2,681.55 per month for a four-year lease total of \$128,714.40, was introduced, read and passed. Ayes, Bozarth, Falkner, LaBass, Penland, Roach, Shearin, Starr, Baker, Boyer--9.

36331 (S.O. 7877) An Emergency Bill (#1573-06) to enter into a land lease with the United States of America for the use of 190 acres, located at Rosecrans Memorial Airport, to be used as a drop zone by the Missouri Air National Guard, was introduced, read and passed. Ayes, Bozarth, Falkner, LaBass, Penland, Roach, Shearin, Starr, Baker, Boyer--9.

RESOLUTIONS FOR ADOPTION:

None.

BILLS FOR FIRST READING:

36332 A Bill (#1561-06) to amend the Police Department budget in the General Fund and to enter into a contract with the St. Joseph Youth Alliance in the amount of \$13,020.00 for alcohol compliance checks, was introduced and read the first time.

36333 A Bill (#1562-06) to amend the Public Health Fund budget in the amount of \$2,999.00 for the purpose of implementing the Missouri Department of Health and Senior Services Tuberculosis Case Management Enablers and Incentive Program, was introduced and read the first time.

36334 A Bill (#1563-06) to enter into a Housing Rehabilitation Contract with Martha L. Ferguson, a single person, (owner) and Davenport Contracting (contractor) for a housing rehabilitation project at 812 Powell Street in a total amount not to exceed \$43,210.50, was introduced and read the first time.

36335 A Bill (#1564-06) calling for a General Municipal (Regular) Election to be held in the City of St. Joseph, Missouri on Tuesday, April 6, 2010, to nominate candidates for certain city offices, was introduced and read the first time.

36336 A Bill (#1565-06) granting a Conditional Use Permit to the Islamic Center of Greater St. Joseph for construction of a multipurpose religious/charitable Islamic Community Center at 2325 Messanie Street by Ahmad Safi, agent, was introduced and read the first time.

36337 A Bill (#1566-06) vacating a north/south portion of Bellevue Street from Antoine Street to sixty feet north of Louis Street as requested by the City of St. Joseph, Missouri, was introduced and read the first time.

36338 A Bill (#1567-06) vacating two east/west portions of Bellevue Street as requested by the City of St. Joseph, Missouri, was introduced and read the first time.

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BILLS FOR FIRST READING: (Cont'd)

- 36339 A Bill (#1568-06) approving the preliminary plat entitled "Fountain Creek Plat 2", a major subdivision consisting of 17 lots by SDG Developments, L.L.C. by Scott Gann, agent located at 2100 Fountain Creek Drive, was introduced and read the first time.
- 36340 A Bill (#1569-06) approving the preliminary plat entitled "Greens of Ashland Plat 1", a major subdivision consisting of 17 lots requested by Don Clark, located at 3130 Karnes Road, was introduced and read the first time.
- 36341 A Bill (#1570-06) approving the Center Building Redevelopment Project in Redevelopment Project Area One of the Downtown St. Joseph Tax Increment Financing Plan as a redevelopment project, adopting tax increment financing therein; designating Mid-City Partnership, Inc. as the developer of the redevelopment project, approving a Tax Increment Financing Redevelopment Agreement between the City of St. Joseph, Missouri and Mid-City Partnership, Inc., and authorizing the City Manager of the City of St. Joseph, Missouri to execute the agreement, was introduced and read the first time.
- 36342 A Bill (#1572-06) amending the CIP Sales Tax Fund budget in the amount of \$7,250.00 to provide funds for the purchase and installation of a computer for use by the Fire Department, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 12/28/09: Minutes of the Planning Commission meeting held December 17, 2009, at 7:00 p.m., in the Council Chamber at City Hall.

Filed 12/29/09: Minutes of the Plumber's Examining and Appeals Board meeting held October 8, 2009, at 4:00 p.m., in the 1st Floor Conference Room at City Hall.

Filed 1/4/10: Minutes of the Museum Oversight Board meeting held December 14, 2009, at 6:45 p.m., at 3406 Frederick Blvd.

Filed 1/5/10: Minutes of the Tax Increment Financing Commission Hearing on the Center Building Project held December 17, 2009, at 5:15 p.m., in the Council Chamber at City Hall.

COUNCIL WORK SESSIONS & COMMITTEE MEETINGS – CITY CLERK'S OFFICE:

None.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

Filed 12/28/09: Memorandum to Councilmember Falkner in re: Alley Maintenance Program information request.

Filed 12/29/09: Memorandum to Mayor Shearin in re: Questions about the City's intervention in the Missouri American Water Company rate case.

Filed 12/30/09: Memorandum in re: Citations to Metalworks Unlimited, Inc. and Steve Roberts for Roberts Roofing for business located at 1714 Buchanan Avenue.

Filed 12/31/09: Mayor and City Council Update, December 31, 2009.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER: (Cont'd)

Filed 1/5/10: Response to Mayor Shearin's memorandum dated January 4, 2010, in re: Washington, D.C. Fly In and lobbying questions.

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 12/28/09: Memorandum from Andrew Clements, Public Works & Transportation Assistant Director, in re: Mayor Shearin's December 21st questions regarding transit.

Filed 12/29/09: Letter from Pete K. Rahn, Director, Missouri Department of Transportation (MoDOT), in re: Annual list of accomplishments.

Filed 12/29/09: Letter from Karen Woodbury, 3 Lindenwood Lane, in re: Resignation from Social Welfare Board.

Filed 12/29/09: Letter from Kristina Roe, 5325 Sawyer Street, in re: Alley behind her house.

Filed 12/29/09: Memorandum from Councilmember Falkner in re: Request for specific information regarding alley maintenance program.

Filed 12/31/09: City Weekly, December 31, 2009.

Filed 1/4/10: Memorandum from Mayor Shearin in re: Request for information regarding Bill #1551-06.

Filed 1/4/10: Memorandum from Mayor Shearin in re: Washington, D.C. Fly In and lobbying questions.

Filed 1/4/10: Memorandum from Mayor Shearin in re: Request for information regarding Bill #1558-06.

Filed 1/4/10: E-mail from Beth Cobb, Advisory Commission on Aging member, in re: St. Joseph Advisory Commission on Aging (resignation of Georgetta Allen from the Advisory Commission on Aging).

Filed 1/4/10: Memorandum from Mayor Shearin in re: Mike Hirter Humanitarian Award.

Filed 1/4/10: Letter from Steve Roberts, President, Roberts Roofing Company, Inc., in re: Zoning discrepancy at 1714 Buchanan Ave.

Filed 1/5/10: Memorandum from J. Bruce Woody, Public Works & Transportation Director, in re: Emergency Ordinance explanation – Drop Zone Lease.

Filed 1/5/10: Letter from Paula Heyde, City Clerk, to Brenda Eaves, Sam's Club Foundation, in re: Thank you for donation of \$2,000.00 to purchase supplies for the St. Joseph Police Department's K-9 Unit.

Filed 1/5/10: Municipal Division Reporting Form, December, 2009.

COMMUNICATIONS: (Cont'd)

Filed 1/5/10: Memorandum from Bill France, Parks, Recreation & Civic Facilities Assistant Director, in re: Bid for golf cart leases.

Filed 1/5/10: Memorandum from Paula Heyde, City Clerk, in re: Citizens Public Service Activities Committee.

Filed 1/5/10: Minutes of the Downtown Parking Committee meeting held December 17, 2009, at 3:30 p.m., in the Community Room at Commerce Bank, 4th & Felix.

OTHER BUSINESS:

City Manager's Report - None.

Steven Briggs, Chairman of the Charter Review Task Force, thanked the Council for positively acting on the Task Force's recommendation with respect to the election revisions and also publicly thanked the members of the Task Force who gave of their time. He recognized the members present: Steve Holdenried, Sharon McKinney and Charles Lau. He thanked City Clerk Paula Heyde and her staff for their excellent work with helping him out with his job as chair with minutes and so on; City Attorney Lisa Robertson and her staff by providing resource material; and County Clerk Pat Conway who gave often of his time with respect to the election law. He said the change the Task Force recommended is simply to bring the city into compliance with various state and federal election laws to afford servicemen and women the opportunity to vote in our elections. He appreciates the Council's support and would ask everyone to help them educate the public on the importance of passing this on the April ballot.

Steve Holdenried, 2125 S. 11th St., wanted to remind everyone about the Martin Luther King, Jr. memorial march on Sunday at 2:45 p.m. beginning at Coleman Hawkins Park on Felix Street Square. The march will end at the Empowerment Campus at 6th and Messanie where refreshments will be served along with oratory presentations. He hopes everyone can get involved in the community service work throughout the city that is taking place on Monday, January 18. On Tuesday, the library is showing a movie and on the 21st there will be a banquet. All the activities will be listed in the newspaper and on the news.

Councilmember LaBass said she is holding a town hall meeting tomorrow on the downtown TIF at 7:00 p.m. at The Edge on South Belt Hwy. City staff will be making a presentation and if anyone has any questions on the project, this is your opportunity.

NOTES:

Agenda No. 36316 - Asst. Public Works & Transportation Director Andrew Clements read the contents of the Special Recognition Award and presented it to Supt. of Streets/Sewers Gary Leftin, Asst. Superintendent of Streets/Sewers Nate Gisebert, SIM&R Projects Facilitator John Bowser and Sr. Work Leader Steve Kendall.

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ADJOURNMENT:

36343 By general consent, the Council adjourned.

The meeting adjourned at 7:27 p.m.

Paula Heyde, CMC, City Clerk