

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

April 19, 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, April 19, 2010, at 7:00 p.m. The meeting was called to order at 7:00 p.m. by Mayor Falkner. Notice of said meeting had been established as every other Monday at 7:00 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 Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9. Total membership--9. Five members constitute a quorum.

Also present were City Manager Vincent J. Capell, City Attorney Lisa M. Robertson, Public Works & Transportation Director J. Bruce Woody, Police Chief Christopher Connally, Financial Services Director Carolyn Harrison, Human Resources Director Diana Slater, Fire Chief Michael L. Dalsing, Parks, Recreation & Civic Facilities Director Bill R. McKinney, Health Director Debra Bradley, Planning & Community Development Director Clint Thompson, Customer Assistance Center Manager Sandy Brooks, Property Maintenance & Technology Services Director Steve Hofferber, 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 Boyer voted first.

PLEDGE OF ALLEGIANCE:

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MINUTES:

36566 By general consent, the minutes of the regular meeting April 5, 2010, at 7:00 p.m., and the special meetings held April 7, 2010, at 4:00 p.m., and April 13, 2010, at 4:00 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

36567 Proclamations -- Fair Housing Month  
Administrative Professionals Week

ACCEPTANCE OF AGENDA:

36568 It was moved by Councilmember Boyer and seconded by Councilmember LaBass that the Agenda be accepted as published. Motion carried. Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9.

CONSENT AGENDA:

36569 It was moved by Councilmember Roach and seconded by Councilmember Boyer that Agenda Numbers 36570 through 36586 be passed by Consent Agenda. Motion carried. Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9.

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CONSENT AGENDA: (Cont'd)

Bills for Passage:

- 36570 (G.O. 2379) A Bill (#1643-06) amending Section 13-48 of the Code of Ordinances entitled "Costs, assessment, disposition" relating to Municipal Court, having been read the first time on April 5, 2010, was read the second time and passed.
- 36571 (S.O. 7935) A Bill (#1640-06) amending the Municipal Golf Fund budget to accept a donation in the amount of \$378.00 received from the Fairview Men's Club to assist with the purchase of greens flags at Fairview Golf Course, having been read the first time on April 5, 2010, was read the second time and passed.
- 36572 (S.O. 7936) A Bill (#1639-06) to amend the Parks, Recreation and Civic Facilities Fund budget in the amount of \$12,052.00 to accept a grant from South St. Joseph Progressive Association to be used to renovate shelters at Hyde Park, having been read the first time on April 5, 2010, was read the second time and passed.
- 36573 (S.O. 7937) A Bill (#1641-06) amending the Parks, Recreation and Civic Facilities Fund in the amount of \$8,859.00 to recognize monies received from insurance proceeds to be used to purchase materials to repair the columns at Corby Parkway and the tunnels at Krug Park, having been read the first time on April 5, 2010, was read the second time and passed.
- 36574 (S.O. 7938) A Bill (#1645-06) amending the CIP Sales Tax Fund budget to accept a donation from the George Bode, Jr. Benevolent Trust in the amount of \$30,000.00 to be used to assist with the purchase of playground equipment for Hochman Park and Leonard Road Acres, having been read the first time on April 5, 2010, was read the second time and passed.
- 36575 (S.O. 7939) A Bill (#1646-06) amending the CIP Sales Tax Fund budget to accept a donation from the George Bode, Jr. Benevolent Trust in the amount of \$40,000.00 to be used to assist with the purchase of playground equipment for Hyde Park, having been read the first time on April 5, 2010, was read the second time and passed.
- 36576 (S.O. 7940) A Bill (#1648-06) amending the Mass Transit Fund budget to recognize revenue in the amount of \$1,258.90 received from an insurance company for damage to a transit bus, having been read the first time on April 5, 2010, was read the second time and passed.
- 36577 (S.O. 7941) A Bill (#1650-06) authorizing the acceptance of the proposal from CIGNA for group long term disability insurance coverage for city employees, having been read the first time on April 5, 2010, was read the second time and passed.
- 36578 (S.O. 7942) A Bill (#1651-06) authorizing the acceptance of the proposal from EMC National Life Company for group term life and accidental death & dismemberment (AD&D) insurance coverage for city employees, having been read the first time on April 5, 2010, was read the second time and passed.
- 36579 (S.O. 7943) A Bill (#1655-06) authorizing the acceptance of the proposal from Ameritas Group for group dental insurance coverage for city employees, having been read the first time on April 5, 2010, was read the second time and passed.

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CONSENT AGENDA: Bill for Passage: (Cont'd)

- 36580 (S.O. 7944) A Bill (#1647-06) amending the Aviation Fund budget and entering into Amendment Number One (#1) to the State Block Grant Agreement to accept the 2009 Non-Primary Entitlement (NPE) Block Grant funds in the amount of \$150,000.00 from the Missouri Highway and Transportation Commission (MHTC) and to extend the deadlines for completing the Taxiway Alpha Rehabilitation Design and the Pavement Management Study at Rosecrans Memorial Airport, having been read the first time on April 5, 2010, was read the second time and passed.
- 36581 (S.O. 7945) A Bill (#1658-06) amending the Parks, Recreation and Civic Facilities Fund budget to accept a donation from the Senior Citizens Foundation, Inc. in an amount not to exceed \$273,765.00 and authorizing a contract with Brooner & Associates Construction, Inc. for the building addition to the Joyce Raye Patterson Senior Center, having been read the first time on April 5, 2010, was read the second time and passed.
- 36582 (S.O. 7946) A Bill (#1663-06) sponsored by Councilmember Roach amending the General Fund and CIP Sales Tax Fund budgets and approving Change Order Number 1 for electrical additions for the Phil Welch Stadium Renovations – Phase 2 in the amount of \$12,223.00 with Brooner Construction & Crane, having been read the first time on April 5, 2010, was read the second time and passed.
- 36583 (S.O. 7947) A Bill (#1653-06) authorizing Work Order Number 2010-08 with Midland GIS Solutions to provide surveying work for the Water Protection Division of the Public Works & Transportation Department in the amount of \$41,855.50, having been read the first time on April 5, 2010, was read the second time and passed.
- 36584 (S.O. 7948) A Bill (#1657-06) approving a Settlement Agreement and Binding Unilateral Agreement with Alltel Communications, LLC, and related entities regarding payment of business license taxes, having been read the first time on April 5, 2010, was read the second time and passed.

Resolutions for Adoption:

- 36585 (Resolution No. 36585 - 3074) A Resolution (#8-10) requesting \$75,000 of Emergency Shelter Grant Assistance from the Missouri Department of Social Services on behalf of providers of homeless services, was read and adopted.
- 36586 (Resolution No. 36586 - 3075) A Resolution (#10-10) renewing the agreement with St. Joseph Bantam League Football for the use of, and concession rights connected with, certain football fields and facilities situated at the Northside Complex for an additional one-year term, was read and adopted.

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

BILLS FOR PASSAGE:

- 36587 (S.O. 7949) A Bill (#1642-06) amending the Parks, Recreation and Civic Facilities Fund budget in the amount of \$4,971.00 for the purpose of purchasing equipment to be used for maintenance of the Outdoor Nature Center (old Sister's Hospital lot) at 9<sup>th</sup> and Powell Streets, having been read the first time on April 5, 2010, was read the second time and passed.

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BILLS FOR PASSAGE: (Cont'd)

- 36588 (S.O. 7950) A Bill (#1654-06) authorizing the purchase of foreclosed properties located at 1611 South 17th Street, 1919 South 20th Street, 1503 Pacific Street and 2612 Patee Street using Neighborhood Stabilization Program (NSP) Grant funds in the amount of \$240,000.00 received from the Missouri Department of Economic Development, having been read the first time on April 5, 2010, was read the second time and passed.
- 36589 (S.O. 7951) A Bill (#1652-06) authorizing master agreements with Ellison-Auxier Architects, Inc.; Goldberg, Sullivan & McCreary, Inc.; Creal Clark & Seifert A/E, Inc. and River Bluff Architects, Inc. for on call professional design services, having been read the first time on April 5, 2010, was read the second time and passed.
- 36590 (S.O. 7952) A Bill (#1661-06) authorizing a Settlement Agreement with the Missouri Department of Natural Resources and Attorney General's Office for landfill gas migration for the sum of \$2,500.00 and other considerations, having been read the first time on April 5, 2010, was read the second time and passed.

EMERGENCY BILLS FOR PASSAGE:

None.

RESOLUTIONS FOR ADOPTION:

None.

BILLS FOR FIRST READING:

- 36591 A Bill (#1-10) to amend the Police Department budget in the General Fund and to enter into a contract with the Missouri Department of Public Safety to accept \$8,263.00 for enforcement of underage drinking, was introduced and read the first time.
- 36592 A Bill (#2-10) amending the Community Development Block Grant Fund in the amount of \$210,577.00 to provide additional funding for the city's Housing Rehabilitation Program, was introduced and read the first time.
- 36593 A Bill (#3-10) adopting the Community Partnership Strategy and Consolidated Plan, 2010-2015, and the First Year Annual Plan for the use of FY2010/2011 Community Development Block Grant and HOME Program Funds, was introduced and read the first time.
- 36594 A Bill (#4-10) accepting the 2009 Supportive Housing Program Renewal Grant in the amount of \$44,924.00 from the Department of Housing and Urban Development for the continuation of the Continuum of Care Homeless Management Information System (HMIS), was introduced and read the first time.
- 36595 A Bill (#5-10) approving the final plat entitled "Timber Creek Plat 2A", a major subdivision consisting of seven lots located at 3002 Ajax Road as requested by Tim Minson, was introduced and read the first time.
- 36596 A Bill (#6-10) granting a Conditional Use Permit to Jim D. Masoner, property owner, for operation of an auction house at 5518 Miller Road, was introduced and read the first time.

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BILLS FOR FIRST READING: (Cont'd)

- 36597 A Bill (#7-10) vacating an east/west portion of Lafayette Street from South 4<sup>th</sup> Street east to the centerline of South 5th Street, varying in width from 33 feet to 60 feet and approximately 330 feet in length as requested by the City of St. Joseph, Missouri, was introduced and read the first time.
- 36598 A Bill (#9-10) authorizing a contract with Helsel Design & Construction Services for work associated with improvements to the recycling center and water protection line maintenance facility in the amount of \$292,195.00, was introduced and read the first time.
- 36599 A Bill (#11-10) entering into a settlement agreement with Amalgamated Transit Union, Local 847, was introduced and read the first time.
- 36600 A Bill (#13-10) authorizing a contract with Lee Grover Construction Company for the Hy-Vee Transfer Station repairs and the Transit Maintenance and Administrative Parking Lot replacement in the total amount of \$139,026.00, was introduced and read the first time.
- 36601 A Bill (#14-10) authorizing the amount of \$29,278.78 for the removal of roots in sewer lines at various locations in the City by Duke's Root Control, was introduced and read the first time.
- 36602 A Bill (#15-10) authorizing the acceptance of the proposal from Cintas Corp. for uniforms, uniform rental and laundry services for Mass Transit in the amount of \$9,079.00 per year, was introduced and read the first time.
- 36603 A Bill (#16-10) to amend the Public Health Fund budget in the amount of \$8,395.00 and to enter into a contract with the Missouri Department of Health and Senior Services for American Recovery and Reinvestment Act (ARRA) supplemental funding for reaching and immunizing more children and adults, was introduced and read the first time.
- 36604 A Bill (#17-10) authorizing the purchase of foreclosed property using Neighborhood Stabilization Program (NSP) funding and authorizing the City Manager to enter into rehabilitation contracts in the amount not to exceed \$350,000.00, was introduced and read the first time.
- 36605 A Bill (#18-10) authorizing the dedication of a KCP&L utility electric line easement across the city-owned property that contains the section of hike and bike trail located north of Pickett Road from 28<sup>th</sup> Street east to Riverside Road, in order to restore an easement that was inadvertently relinquished with donation of the land to the city, was introduced and read the first time.
- 36606 A Bill (#19-10) amending the Police Department budget in the General Fund to recognize monies received in the amount of \$311.00 from the sale of an old lawnmower by the Police Department to be budgeted in the weapons and ammo account, was introduced and read the first time.
- 36607 A Bill (#20-10) to amend the General Fund budget and to authorize a contract with Restoration & Waterproofing Contractor's Inc. in the amount of \$39,134.00 for the City Hall Exterior Steps and Stone Renovation Project-Phase One, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 4/1/10: Minutes of the Planning Commission meeting held March 25, 2010, at 7:00 p.m., in the Council Chamber at City Hall.

Filed 4/1/10: Minutes of the Museum Oversight Board meeting held March 8, 2010, at 6:45 p.m., at 3406 Frederick Blvd.

REPORTS OF BOARDS & COMMISSIONS: (Cont'd)

Filed 4/5/10: Minutes of the Advisory Commission on Aging meeting held February 10, 2010, at 12:00 p.m., at the Joyce Raye Patterson Senior Center, 100 South 10th St.

Filed 4/5/10: Minutes of the Advisory Commission on Aging meeting held March 10, 2010, at 12:00 p.m., at Vintage Senior Living, 3302 Woodbine.

Filed 4/12/10: Minutes of the Community Police Advisory Committee meeting held April 6, 2010, at 7:00 p.m., at the Rolling Hills Public Library, 1904 N. Belt Highway.

Filed 4/14/10: Minutes of the St. Joseph Public Library Board of Trustees meeting held April 12, 2010, at 5:00 p.m., at 927 Felix St.

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

Filed 4/14/10: Minutes of the joint meeting of the Council Finance/Audit Committee and Council Personnel Committee held April 1, 2010, at 4:00 p.m., in the Council Chamber at City Hall.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

Filed 3/31/10: Memorandum in re: Proposed IAFF and FOP labor contracts, proposed pension increases for general employees and related information.

Filed 4/2/10: Mayor and City Council Update, April 2, 2010.

Filed 4/9/10: Memorandum in re: Acting City Manager (April 12-16, 2010).

Filed 4/9/10: Mayor and City Council Update, April 9, 2010.

Filed 4/12/10: Memorandum in re: Documents presented by Mr. Shawn Henderson during the April 7, 2010 City Council closed session.

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 3/31/10: Article from ydr.com (York Daily Record) in re: "*Father must pay Westboro Baptist Church \$16,500.00.*" by Tom Joyce.

Filed 3/31/10: Memorandum from Diana Slater, Human Resources Director, in re: Human Resources Annual Report.

Filed 3/31/10: E-mail from Anthony Mastrangelo in re: Message from City Manager's office.

Filed 4/1/10: Memorandum from J. Bruce Woody, Public Works & Transportation Director, in re: Bill #1618-06 – Black & Veatch Whitehead Creek Project.

Filed 4/1/10: City Weekly, April 1, 2010.

COMMUNICATIONS: (Cont'd)

Filed 4/2/10: St. Joseph Area Chamber of Commerce Weekly Board Report, April 2, 2010.

Filed 4/2/10: Memorandum from Gerald McCush, Community Development Manager, in re: Ad Hoc Committee recommendations for public service funding.

Filed 4/2/10: Memorandum from Steve Hofferber, Property Maintenance and Technology Services Director, in re: Abatement at 1116 Lafayette.

Filed 4/5/10: Memorandum from Chuck Kempf, Project Manager, in re: Phil Welch Stadium funding.

Filed 4/6/10: Letter from Roxanne Shanks, Service Leader Emergency Services, Heartland Regional Medical Center, in re: Expressing appreciation for the dedication shown by members of the Fire, Police and Public Works & Transportation Departments for their combined efforts helping get Heartland ambulances to where they needed to be during the intense adverse weather conditions in January and February.

Filed 4/6/10: Memorandum from Gerald McCush, Community Development Manager, in re: Jumbo Fox.

Filed 4/6/10: Municipal Division Reporting Form, March 2010.

Filed 4/7/10: Current Year Budget to Actual Detail report for the Mayor and City Council, City Clerk and City Manager programs dated 3/31/10.

Filed 4/8/10: City Weekly, April 8, 2010.

Filed 4/9/10: Memorandum from Ed Schilling, Risk Management Coordinator, in re: Sewer Backup Reimbursement Policy – Quarterly Report (3<sup>rd</sup> Quarter FY10).

Filed 4/9/10: Downtown Building Blocks newsletter, April 2010.

Filed 4/9/10: Memorandum from Councilmember & Mayor-elect Bill Falkner, Chairman, Council Finance/Audit Committee, in re: Request to research alternative sources for budget reduction.

Filed 4/12/10: St. Joseph Area Chamber of Commerce Weekly Board Report, April 9, 2010.

Filed 4/12/10: Memorandum from Debra Bradley, Health Director, in re: Assistant Director's resignation.

Filed 4/12/10: Memorandum from Chuck Kempf, Project Manager, in re: Phil Welch Stadium update – Phase II.

Filed 4/12/10: Letter from Gene McNary, Executive Director, Missouri Gaming Commission, in re: State/Local allocation of gaming revenues for the period 3/1/10 through 3/31/10.

Filed 4/13/10: Letter from Paula Heyde, City Clerk, to Chuck Kempf, President, Rotary Club of St. Joseph South Side, in re: Thank you for donation of \$2,000 to be used to purchase materials for the replacement of shelter #3 at Hyde Park.

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OTHER BUSINESS:

City Manager's Report - City Manager Vincent J. Capell welcomed and congratulated the returning and new councilmembers and mayor.

Councilmember Penland thanked the city staff who did a great job on the inauguration ceremonies and made the Council feel excited about it.

Councilmember Jones said the Council would like to thank the South St. Joseph Progressive Association for donating the money to renovate the shelters at Hyde Park.

36608 Vote on appointment of Councilmembers Myers and Penland as the City Council's representatives on the St. Joseph Museums, Inc. Board of Trustees: Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9.

NOTES:

Agenda No. 36567 - Mayor Falkner read the contents of the Fair Housing Month proclamation and presented it to Planning & Community Development Director Cling Thompson.

Mayor Falkner read the contents of the Administrative Professionals Week proclamation.

ADJOURNMENT:

36609 By general consent, the Council adjourned.

The meeting adjourned at 7:30 p.m.

Paula Heyde, CMC, City Clerk