

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

August 23, 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, August 23, 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 Director Samuel T. Barber, Property Maintenance & Technology Services Director Steve Hofferber, Associate Director of Technology Services Mark Townsend, Project Manager Chuck Kempf, Communications Manager Mary Robertson, Animal Control & Rescue Manager Rick Smith, Multi-media Coordinator Chris Clark, City Clerk Paula Heyde, Deputy City Clerk Rita K. Domini and Intern Justin Peacock.

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

PLEDGE OF ALLEGIANCE:

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MINUTES:

36985 By general consent, the minutes of the special meeting held August 9, 2010, at 6:30 p.m., and the regular meeting held August 9, 2010, at 7:00 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

None.

ACCEPTANCE OF AGENDA:

36986 It was moved by Councilmember Penland and seconded by Councilmember Jones that the Agenda be accepted as published with the addition of one resolution for adoption (#190-10) and one bill for first reading (Bill #189-10) being placed on the Agenda. Motion carried. Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9.

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PUBLIC HEARING ON PROPOSED CITY TAX LEVY:

36987 The City Council held a public hearing on Monday, August 23, 2010, at 7:00 p.m. in the Council Chamber at City Hall on the proposed City tax levy to produce revenues for the budget for the Fiscal Year beginning July 1, 2010. The proposed tax rates have been developed pursuant to the provision of Missouri Revised Statutes, Section 137.073, and the Missouri Constitution Article X, Section 22.

Assessed Valuations for tax year:	<u>2009</u>	<u>2010</u>
Real Estate	\$636,610,030	\$640,621,748
Personal Property	273,215,895	283,064,670
State Assessed		
Railroad & Utilities	<u>16,233,689</u>	<u>19,099,821</u>
Total	\$926,059,614	\$942,786,239

	<u>Proposed Tax Rates for Tax Year 2010 - per \$100</u>	<u>Estimated 2010 Tax Billing</u>
Function:		
General Government & Public Safety	\$.6700	\$ 6,316,668
Parks & Recreation	.1957	1,845,033
Public Health	.2104	1,983,622
Municipal Museums	<u>.0490</u>	<u>461,965</u>
Total	\$ 1.1251	\$10,607,288
Special Districts:		
Library	\$.4044	\$ 2,590,502
Special Park District	.5000	581,259
Special Business District	.7848	<u>52,781</u>
Total:		\$ 13,841,830

Residents were given an opportunity at this time to comment on the proposed tax levy.

36988 There being no persons appearing to be heard, the Mayor declared the public hearing closed.

PUBLIC HEARING ON ORDINANCES FOR REZONING & CONDITIONAL USE PERMITS:

36989 A Bill (#164-10) granting a Conditional Use Permit to Joanne Clawson, owner, for the operation of a dog kennel at 3402 Scott Street, having been read the first time on August 9, 2010, was read the second time and failed to pass. Nays, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9.

36990 (G.O. 2399) A Bill (#165-10) redistricting 4002 and 4006 South 40th Terrace from C-3 Commercial District to CP-3 Planned Commercial District as requested by Peter E. Burri, having been read the first time on August 9, 2010, was read the second time and passed. Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr—9.

PUBLIC HEARING ON APPROVING A CONCEPTUAL DEVELOPMENT PLAN:

36991 (S.O. 8043) A Bill (#166-10) approving a Conceptual Development Plan for the property located at 4002 and 4006 South 40th Terrace in a CP-3 Planned Commercial Zoning District, as requested by Peter E. Burri, having been read the first time on August 9, 2010, was read the second time and passed. Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr—9.

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CONSENT AGENDA:

36992 It was moved by Councilmember Myers and seconded by Councilmember Penland that Agenda Numbers 36993 through 37004 be passed by Consent Agenda. Motion carried. Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9.

Bills for Passage:

36993 (G.O. 2400) A Bill (#157-10) amending Section 2-1301 of the Code of Ordinances entitled "Meetings—notice, access and minutes," having been read the first time on August 9, 2010, was read the second time and passed.

36994 (G.O. 2401) A Bill (#160-10) amending Section 7-406 entitled "Permit exempt work" of the Code of Ordinances, having been read the first time on August 9, 2010, was read the second time and passed.

36995 (S.O. 8044) A Bill (#155-10) amending the Mass Transit Fund budget to recognize an insurance payment for damages to a transit bus in the amount of \$2,297.00, having been read the first time on August 9, 2010, was read the second time and passed.

36996 (S.O. 8045) A Bill (#159-10) to amend the Police Department budget in the General Fund in the amount of \$26,059.00 to be used for the purchase of equipment to upgrade the Livescan Fingerprint System used by the Police Department, having been read the first time on August 9, 2010, was read the second time and passed.

36997 (S.O. 8046) A Bill (#161-10) approving a Settlement Agreement and Binding Unilateral Agreement with T-Mobile relating to payment of business license taxes, having been read the first time on August 9, 2010, was read the second time and passed.

36998 (S.O. 8047) A Bill (#162-10) approving a Settlement Agreement and Binding Unilateral Agreement with Cricket Communications, Inc., and related entities relating to payment of business license taxes, having been read the first time on August 9, 2010, was read the second time and passed.

36999 (S.O. 8048) A Bill (#168-10) to authorize a master agreement for professional engineering services with Aquaterra Environmental, Inc. for landfill engineering services, having been read the first time on August 9, 2010, was read the second time and passed.

37000 (S.O. 8049) A Bill (#171-10) accepting an STP Grant in the amount of \$11,765.80; approving Change Order Number 2 to the 18th Street Bridge replacement contract in the amount of \$14,707.00 with Loch Sand Construction for additional sidewalks; and, amending the Capital Projects Fund budget in the amount of \$14,707.00, having been read the first time on August 9, 2010, was read the second time and passed.

37001 (S.O. 8050A Bill (#175-10) accepting deeds for 2710, 2714 and 2716 Mary Street, transferring ownership of said properties to Community Action Partnership, and abating demolition and weed and trash liens for 2714 Mary Street up to \$6,990.00, plus penalty and interest, and abating trash liens on 2710 Mary Street in the amount of \$352.00, plus penalty and interest, having been read the first time on August 9, 2010, was read the second time and passed.

37002 (S.O. 8051) A Bill (#178-10) authorizing the acceptance of Special Warranty Deeds to 2612 Patee Street, 3226 Renick Street, 3121 Renick Street, 1317 South 24th Street, 2219 Jackson Street, 1503 Pacific Street, 1919 South 20th Street, 1611 South 17th Street and 1703 Sacramento Street that have been purchased using Neighborhood Stabilization Program funds, having been read the first time on August 9, 2010, was read the second time and passed.

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CONSENT AGENDA: (Cont'd)

Resolutions for Adoption:

- 37003 (Resolution No. 37003 – 3123) A Resolution (#181-10) authorizing the purchase of two program cars for the Police Department; one from Greg Chevrolet for the amount of \$14,375.00 and one from Landmark Dodge for the amount of \$15,465.00, for a total cost of \$29,840.00, was read and adopted.
- 37004 (Resolution No. 37004 – 3124) A Resolution (#186-10) authorizing the execution of a grant agreement with Community Action Partnership of Greater St. Joseph (CAP) in the amount of \$700,000.00 in Neighborhood Stabilization Program Funds for the construction of four single family homes at 3308, 3310, 3402 and 3404 North 9th Street, was read and adopted.

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

BILLS FOR PASSAGE:

- 37005 It was moved by Councilmember Kovac and seconded by Councilmember LaBass that a Bill (#158-10) adopting the annual revisions to the City's Personnel Manual, which sets forth the policies and procedures pertaining to employees of the City of St. Joseph, Missouri, be postponed for two weeks to the September 7, 2010, Council meeting. Motion carried. Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9.
- 37006 It was moved by Councilmember Starr and seconded by Councilmember Roach that a Bill (#177-10) submitting a proposition to the qualified voters of the City of St. Joseph, Missouri to increase the current three percent (3%) Transient Guest (Hotel/Motel) Tax by five percent (5%) for the purpose of funding the promotion of tourism and convention facilities, including capital expenditures therefore, at an election to be held on November 2, 2010, be postponed to a special meeting to be held August 30, 2010. Motion carried. Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9.
- 37007 (S.O. 8052) A Bill (#163-10) entering into a Federal Aid Program Agreement with the Missouri Highways and Transportation Commission for funding improvements to the Uptown St. Joseph Transportation District in the amount of \$1,470,000, having been read the first time on August 9, 2010, was read the second time and passed. Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9.
- 37008 (S.O. 8053) A Bill (#173-10) providing for the rate of taxation and the levy and collection of taxes for the Fiscal Year commencing July 1, 2010, having been read the first time on August 9, 2010, was read the second time and passed. Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9.
- 37009 (S.O. 8054) A Bill (#174-10) levying a special assessment for the Fiscal Year commencing July 1, 2010 for the Park District, having been read the first time on August 9, 2010, was read the second time and passed. Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9.
- 37010 It was moved by Councilmember Penland and seconded by Councilmember Starr that a Bill (#1636-06) sponsored by Councilmember Falkner authorizing a contract with the International Association of Fire Fighters (IAFF), Local #77, be postponed for four weeks to the September 20, 2010, Council meeting. Motion carried. Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9.

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BILLS FOR PASSAGE: (Cont'd)

- 37011 It was moved by Councilmember Boyer and seconded by Councilmember Jones that Bill #151-10 be amended before consideration for passage by attaching the First Amended and Restated Billing and Collection Agreement to the ordinance. Motion carried. Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9.
- 37012 (S.O. 8055) A Bill (#151-10) authorizing a First Amended and Restated Billing and Collection Agreement with Buchanan County, Missouri to perform tax billing and collection services for the City of St. Joseph, Missouri, having been read the first time on July 26, 2010, was read the second time and passed. Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9.

EMERGENCY BILLS FOR PASSAGE:

- 37013 (S.O. 8056) An Emergency Bill (#187-10) amending the Parks Maintenance Fund and Gaming Initiatives Fund budgets in the amount of \$16,539.00 and accepting a bid from M.T.I. Security to replace and update the existing fire alarm system at the Horace Mann Building in the amount of \$16,538.45, was introduced, read and passed. Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9.

RESOLUTIONS FOR ADOPTION:

- 37014 It was moved by Councilmember Myers and seconded by Councilmember Kovac that a Resolution (#188-10) authorizing a Memorandum of Understanding (MOU) with Buchanan County, Young Men's Christian Association (YMCA) and the City of St. Joseph for the joint development of a city park and family YMCA facility on land presently owned by the County, be postponed to the September 7, 2010, Council meeting. Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9.
- 37015 (Resolution No. 37015 – 3125) A Resolution (#190-10) sponsored by Mayor Falkner appointing individuals to serve as members of the Citizens Campaign Committee for the November 2, 2010, Transient Guest (Hotel/Motel) Tax Election, was read and adopted. Ayes, Boyer, Falkner, Jones, Kovac, LaBass, Myers, Penland, Roach, Starr--9.

BILLS FOR FIRST READING:

- 37016 A Bill (#180-10) amending the Police Department budget in the General Fund in the amount of \$13,000.00 to be used for the maintenance and repair of the radio system shared by the City of St. Joseph, Buchanan County and Heartland Health Systems, was introduced and read the first time.
- 37017 A Bill (#182-10) amending the Police Department budget in the General Fund to roll over unspent POST Training Commission funds received in 2009 in the amount of \$4,496.00, was introduced and read the first time.
- 37018 A Bill (#183-10) amending Section 28-1579 of the Code of Ordinances entitled "Speed limit in school zones," was introduced and read the first time.
- 37019 A Bill (#184-10) authorizing a Contract for Sale and accepting a General Warranty Deed for the purchase of park property for construction of the 2008 Urban Trail Project in the amount of \$5,000.00, was introduced and read the first time.
- 37020 A Bill (#185-10) amending the Police Department budget in the General Fund in the amount of \$422,693.00 to budget funds received from the 2009 COPS Technology Grant, was introduced and read the first time.

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BILLS FOR FIRST READING: (Cont'd)

37021 A Bill (#189-10) sponsored by Councilmember Penland approving an agreement with Jefferson Partners L.P. for Mass Transit to be a commissioned ticket agent for the Jefferson Lines, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 8/5/10: Minutes of the Landmark Commission meeting held July 6, 2010, at 7:00 p.m., in the Council Chamber at City Hall.

Filed 8/6/10: Minutes of the Downtown Review Board meeting held August 4, 2010, at 5:30 p.m. in the Council Chamber at City Hall.

Filed 8/10/10: Minutes of the Electrical Examining and Appeals Board meeting held June 21, 2010, at 5:00 p.m., in the 1st Floor Conference Room at City Hall.

Filed 8/10/10: Minutes of the Mechanical Standards and Appeals Board meeting held June 9, 2010, at 3:30 p.m., in the 4th Floor Conference Room at City Hall.

Filed 8/10/10: Minutes of the Disability Services Board meeting held August 4, 2010, at 3:30 p.m., in the Council Chamber at City Hall.

Filed 8/11/10: Minutes of the Mechanical Standards and Appeals Board meeting held June 30, 2010, at 3:30 p.m., in the 4th Floor Conference Room at City Hall.

Filed 8/12/10: Minutes of the Traffic Commission meeting held August 10, 2010, at 10:00 a.m., in the Council Chamber at City Hall.

Filed 8/13/10: Minutes of the Advisory Commission on Aging meeting held July 14, 2010, at 12:00 p.m., at Living Community of St. Joseph, 1202 Heartland Road.

Filed 8/16/10: Minutes of the Plumbers Examining and Appeals Board meeting held April 29, 2010, at 4:00 p.m., in the 1st Floor Conference Room at City Hall.

Filed 8/17/10: Minutes of the Board of Operating Engineers meeting held August 11, 2010, at 4:00 p.m., in the 1st Floor Conference Room at City Hall.

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

Filed 8/5/10: Minutes of the Work Session held August 2, 2010, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 8/9/10: Minutes of the Council Public Safety Committee meeting held August 2, 2010, at 5:20 p.m., in the 4th Floor Conference Room at City Hall.

Filed 8/12/10: Minutes of the Council Personnel Committee meeting held August 5, 2010, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

Filed 8/6/10: Mayor and City Council Update, August 6, 2010.

Filed 8/9/10: Memorandum in re: Acting City Manager (August 10-13, 2010).

Filed 8/13/10: Mayor and City Council Update, August 13, 2010.

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 8/4/10: Memorandum from Clint Thompson, Planning & Community Development Director, in re: Land Clearance for Redevelopment Board.

Filed 8/4/10: Memorandum from Clint Thompson, Planning & Community Development Director, in re: Downtown Redevelopment – Community Survey.

Filed 8/5/10: Minutes of the St Joseph Gateway Transportation Development District Board of Directors teleconference meeting held March 3, 2010, at 2:04 p.m.

Filed 8/5/10: City Weekly, August 5, 2010.

Filed 8/5/10: Municipal Division Reporting Form, July, 2010.

Filed 8/5/10: Letter to George S. Murray. Attorney-At-Law, 507 Francis St., Suite 222, in re: First Amended and Restated Billing and Collection Agreement.

Filed 8/8/10: Letter from Melody Prawitz, Northwest Area Director, Special Olympics Missouri, in re: Contribution amount: \$40.00.

Filed 8/9/10: Article from the Wall Street Journal entitled “*Focus on city pay widens*” by Tamara Audi.

Filed 8/9/10: Article from the County Press entitled “*Imlay city officials at odds over hiring procedure*” by Phil Foley.

Filed 8/9/10: Letter from Larry Tourangeau, P.O. Box 6008, in re: Inquiring why there has been no response to his letter from June 29, 2010.

Filed 8/9/10: Letter to George S. Murray. Attorney-At-Law, 507 Francis St., Suite 222, in re: First Amended and Restated Billing and Collection Agreement.

Filed 8/10/10: Letter from Nadine Williams, 1405 Sylvania, in re: The poor being able to afford a pet.

Filed 8/12/10: Letter from Paula Heyde, City Clerk, to Laurie Salanski, Humane Society of St. Joseph & Buchanan County, in re: Thank you for donation of \$1,500.00 to purchase supplies for the St. Joseph Police Department K-9 Unit.

COMMUNICATIONS: (Cont'd)

Filed 8/12/10: Letter from Roger Stottlemyre, Executive Director, Missouri Gaming Commission, in re: State/Local Allocation of Gaming Revenues for the period 7/1/10 through 7/31/10.

Filed 8/12/10: City Weekly, August 12, 2010.

Filed 8/16/10: Memorandum from J. Bruce Woody, Public Works & Transportation Director, in re: Requested waiver of sewer user fees.

Filed 8/16/10: Minutes of the St. Joseph Museums, Inc. Collections Committee meeting held August 10, 2010, at 8:00 a.m., at 3406 Frederick Blvd.

Filed 8/16/10: Minutes of the St. Joseph Museums, Inc. Civil War Medicine Exhibit Advisory Committee meeting held August 9, 2010, at 11:00 a.m., at 3406 Frederick Blvd.

OTHER BUSINESS:

City Manager's Report – None.

PUBLIC COMMENT:

Barbara Braswell, resident of the Wesley Towers, 1002 Francis St., talked about the condition of the building which is filthy and infested with bedbugs and other insects. The manager does not do his job and allows anyone to come in off the street. The residents do not feel safe there. She would like, if possible, to have the occupancy permit pulled until some of these issues can be resolved. She would like to discuss this at a further date. A meeting is scheduled there on August 31, 2010, at 5:00 p.m. City Manager Vincent J. Capell suggested that city staff meet with the residents and talk to the manager first. Mayor Falkner said the city is limited in what it can do but city staff can inspect the property and see what violations exist. Another resident said there is evidence of black mold in the building.

Virginia Wiegum, 5113 Mockingbird Lane, said the residents have gone through the channels of going to the manager, then the Community Housing board and calling an 800 hot line. Now HUD is involved. She has called the US senators and representative about the situation. People are allowed in the building and there have been break ins, etc. There is no other facility the residents are eligible to live at. Most of the residents have no one.

Steve Holdenried, 2125 S. 11th St., said he was in the process of setting up a meeting between residents and the director of Community Housing Management so the residents could air their grievances when he found out that it was an open meeting.

Councilmember Starr said she got a call from Charlie Babcock about a sewer drainage problem at 27th & Clay Streets. Mayor Falkner asked the Public Works & Transportation Director to provide the Council with an update on this situation within the week.

A Wesley Tower's resident said he has lots of pictures that he could provide to the city showing the kinds of violations, etc. that the others have been talking about.

Another Wesley Towers' resident thanked the St. Joseph Police Department because it has done a wonderful job cleaning up Wesley Towers. She said if it wasn't for them they would be in worse shape. St. Joseph does have a good police department and fire department.

PUBLIC COMMENT: (Cont'd)

Scott Johnson, 1812 Buckingham St., Chairman of the Trails West! Festival Steering Committee, thanked the City Council, city staff, Communications Manager Mary Robertson and City Hall Mtce. Technician Scott Barnard. He said this is a great partnership between the city and Allied Arts Council. They get lots of comments every year from the entertainers and the artists about what a wonderful setting Civic Center Park is. They appreciate the partnership and the money the city has donated and especially the services and people that are involved in the festival.

NOTES:

Agenda No. 36989 – Joanne Glawson, 3402 Scott St., requested that her request for a conditional use permit be postponed until next month until she can get everything set up per a conversation she had with representatives from Animal Control on Friday to alter her situation and improve the size and area that the dogs have in the basement of her house. She said she breeds puppies to show not to sell. She is happy to have stipulations added to the permit. She is not planning puppy milling out of her house. She wants to have a select number of dogs to choose from to show. She distributed pictures showing some of the improvements she is making to her basement where the puppies will be kept.

Rick Smith, Animal Control & Rescue Manager, said when he was at Ms. Glawson's house Friday he counted 26 dogs, some belonged to other people and were there for breeding purposes. He has made no guarantees to her that if she comes into compliance with them that she will be approved by the City Council.

Ann Rhoades, 3333 Pacific St., said she owns the home directly behind the petitioner's at 3401 Pacific St. There is a very distinct odor on certain days that is very offensive. The neighbors have tolerated this situation; they would have liked to have complained. Then they received a letter from the city saying she wants a kennel and they assume more dogs. That's kind of the straw that broke the camels back. Some of their concerns include the number of dogs and cats running around, barking dogs, potential for more dogs because people aren't buying dogs in this slow economy and devaluing properties in the neighborhood.

Lonnie Taylor, 3401 Pacific St., said this is a puppy mill. The smell is nauseating and she hopes the Council stops her.

Jerry Johnson, 3409 Pacific St., said his concern is that there is too many dogs and he is worried about his property value. He agrees with the previous two speakers.

Larry Jones, 3407 Pacific St., said he sent the Council a letter which explains his views. This is a clearly a dog business. This neighborhood has always been well maintained and property values have remained good and they don't need something like this in their neighborhood or anywhere in a residential neighborhood. He hopes the Council turns this down.

Dr. Caroline Merrigan, 609 N. 25th St., said she is on the St. Joseph Humane Society's Board of Directors and the Board supports a denial of this ordinance based on a lack of kennel space for the dogs, concern about sanitation and waste removal and the debarking procedures.

Gloria Hoehn, 1210 Powell St., asked the petitioner how many puppies are in the average litter of a Papillion and how many show dogs has she gotten out of the ones that she has bred so far. She said it takes many years to raise a dog for "show quality" and not every puppy from a litter qualifies as "show quality." You have to get rid of them or sell them to someone and that is the first step towards a puppy mill.

NOTES: (Cont'd)

Virginia Wiegum, 5113 Mockingbird Lane, said she cannot fathom one of her neighbors having that number of dogs. It would devalue her property, the noise and uncleanliness just blows her mind. She asked the Council to not do this to the residents of St. Joseph.

Ms. Glawson said the average Papillion has three to four puppies per litter. In the last two years she has bred seven that she has taken to the show ring and she finished three of them. She is not a puppy mill.

Janet Lucas, 2011 Eugene Field Avenue, said having this many dogs and or cats in a residential neighborhood is unfathomable to do to your neighbors. She is appalled this person wants to do this to herself and her neighbors. This situation sounds very much like a puppy mill type of situation or if not it can grow into it. She thinks this is wrong and hopes the Council will deny this permit.

Councilmember LaBass urged city staff to suggest to applicants that they consult their neighbors before going to any expense. Planning & Community Development Director Clint Thompson said that is the current practice.

Agenda No. 37005 – Travis Owens, 2711 Mulberry St., said they haven't received a copy of the proposed changes to the Personnel Manual. City Manager Vincent J. Capell said they were sent to Mr. Owens. Mr. Owens said he never received it.

Agenda No. 37006 – Allan Clark, said he was present representing Stoney Creek Inn. He hopes the Council takes a little time to understand what this will do to their visitors. 65% of Stoney Creek's business is local companies that bring people in and are paying the bill. Raising it from 3% to 8% seems like quite a leap. That will put St. Joseph as the highest in the region if he's not mistaken and he hates for this to be a deterrent for large groups to come to town when they are bidding on several cities and also for new businesses coming to town. He hopes the Council doesn't think this is all out-of-towners coming for the three weeks of Chief's training camp. He is also concerned about where the money will be spent.

Frank Flesher, 816 N. Noyes Blvd., said when he travels, the amount of tax doesn't make that much difference to him as an individual. A lot of this money is going to support the museums and the museums are the reasons tourist come to visit this city and you need to support them and so far the museums don't get very good support.

Virginia Weigum, 5113 Mockingbird Lane, said she thinks the amount of the increase should be lowered to two and a half percent because her vote is no. In this climate, this is a slap in the face and we should not be spending money on improvements.

Jim Roth, 12759 Lakeland Drive, said he is an officer of the Hillyard Companies and they bring in probably 500 rooms a year and they don't have a problem paying the extra tax because they know what it's going for and he doesn't think you want him to take their people to Kansas City which they could do.

Chris W. Reynolds, 1004 Randolph St., said he would probably vote yes on this issue.

Agenda No. 37010 - Kenny Cordonnier, Firefighters Union Local #77 member, said they will present the Council with the document with the three or four items that they have not been able to agree on at a future Council Public Safety Committee meeting. The Fire Chief has done a good job and he appreciates the time he's put in.

NOTES: (Cont'd)

Agenda No. 37014 – Chris W. Reynolds, 1004 Randolph St., wondered if there is any guarantees from the YMCA that the downtown facility won't end up vacant. He is affiliated with Pony Express Baseball (PEB) and Midland Empire Youth Football. He suggested before this issue comes up again in two weeks that each Councilmember go around to the existing parks and really look at the condition of the structures, fencing, etc. in them. Six months ago, he talked to the Parks, Recreation & Civic Facilities Director about losing kids to sports organizations in other cities because they have better facilities. They won't come back here to play. The private organizations are maintaining the ball fields in St. Joseph because the city won't do it. He is not against a park at that location; he is against the city building things when we need to take care of what we've got.

Angel Benner, Treasurer of the Northend Community Association, said she doesn't have a problem with people wanting a park in their neighborhood but she wants them to take care of the park in her neighborhood. Krug Park has no running water and there are no signs along St. Joseph Avenue to tell people where Krug Park is. It's not that they don't want someone else to have a park; they just don't understand where the money is coming from in the budget when they've been told there is no money to help them make the improvements to Krug Park that they've been asking for.

Mark Cartledge, 4708 Lake Ridge Court, said it does take a community effort to maintain the parks. The YMCA is 100% committed to its downtown branch. They serve so many people; they could never give up the downtown branch. He is excited about the potential collaboration with the county and city and he appreciates the community's support.

Sarah Hochschwender, 1114 N. 6th St., said she would be a lot more comfortable with this park if the city would revisit the idea of impact fees to cover the expenses for some of these things. She remembers when the YMCA had to seek assistance from the city to fix its elevator and it appears the YMCA has been able to accrue quite a bit of money to move forward with this project. They should have a park out there but future development should pay for them.

Virginia Wiegum, 5113 Mockingbird Lane, wondered if anyone had thought to go to the major businesses and ask each one to be responsible for the maintenance and upkeep of a certain park. Maintain what we have then when you can show her that what we have has been maintained, and then she will vote to go forward.

Tim Pruett, 4415 Green Acres Road, said this park is not needed, there are nice sidewalks going from Famous Dave's all the way to Jack Horner for people to walk on. He doesn't see how the city can spend money on anything; people are being cut off payroll. He very much agrees with those that say "you don't take care of what you have." There used to be a park at Blackwell & Savannah Roads and he thinks it's now on the list of the ones that the city would like to sell. There's nothing wrong with it and there's lots of kids in that neighborhood. If the city has money to spare, come out to a fire station and he can show you where money could be spent on a fire station and a fire truck. The condition of the Northside Complex infield is horrendous and that is a city-operated facility. He's upset with the County that they are giving away 26 acres of prime real estate. The park is not needed; the city doesn't have the money and he hopes the Council will keep this in mind.

Agenda
Number

ADJOURNMENT:

37022 By general consent, the Council adjourned.

The meeting adjourned at 10:00 p.m.

Paula Heyde, CMC, City Clerk