

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

February 7, 2011 - 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, February 7, 2011, 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, Customer Assistance Director Samuel T. Barber, Property Maintenance & Technology Services Director Steve Hofferber, Associate Director of Technology Services Mark Townsend, Communications Manager Mary Robertson, Historic Preservation Planner Scott Des Planques, Multi-media Coordinator Chris Clark, City Clerk Paula Heyde and Deputy City Clerk Rita K. Domini.

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

PLEDGE OF ALLEGIANCE:

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MINUTES:

37415 By general consent, the minutes of the special meeting held January 19, 2011, at 4:30 p.m.; and the regular meeting held January 24, 2011, at 7:00 p.m., were approved as transcribed in the office of the City Clerk.

37416 SPECIAL RECOGNITIONS:

Special Recognition Award – Steve Holdenried

Proclamation – Boy Scout Anniversary Week

ACCEPTANCE OF AGENDA:

37417 It was moved by Councilmember Penland and seconded by Councilmember Boyer that the Agenda be accepted as published with the addition of one bill for first reading (Bill #352-10) being placed on the agenda. Motion carried. Ayes, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones, Kovac—9.

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CONSENT AGENDA:

37418 It was moved by Councilmember Myers and seconded by Councilmember LaBass that Agenda Numbers 37419 through 37432 be accepted as published with the addition of one bill for first reading (Bill #352-10) being placed on the agenda. Motion carried. Ayes, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones, Kovac—9.

Bills for Passage:

37419 (S.O. 8142) A Bill (#328-10) amending the Police Department Budget in the General Fund and accepting a refund from the Commission on Accreditation for Law Enforcement Agencies (CALEA) in the amount of \$2,899.00, having been read the first time on January 24, 2011, was read the second time and passed.

37420 (S.O. 8143) A Bill (#333-10) amending the Mass Transit Fund budget and to recognize revenue in the amount of \$946.00 received from an insurance company for damage to a transit bus, having been read the first time on January 24, 2011, was read the second time and passed.

37421 (S.O. 8144) A Bill (#336-10) amending the General Fund Fire Department budget to accept a grant from the Missouri-American Water Company in the amount of \$1,200.00 to be used to purchase training materials for firefighter training, having been read the first time on January 24, 2011, was read the second time and passed.

37422 (S.O. 8145) A Bill (#341-10) to approve expenditures from the Special Business District Fund in the amount of \$11,750.00 for expenses related to a service contract with the St. Joseph Downtown Partnership, having been read the first time on January 24, 2011, was read the second time and passed.

37423 (S.O. 8146) A Bill (#338-10) authorizing the acceptance of Permanent Sewer and Temporary Construction Easements from three property owners on Orchard Road for the extension of a sanitary sewer, having been read the first time on January 24, 2011, was read the second time and passed.

37424 (S.O. 8147) A Bill (#339-10) authorizing the acceptance of a Permanent Utility Easement and a Permanent Sewer Easement from Boehringer Ingelheim Vetmedica, Inc. (BIVI) for Lot 2, Boehringer-Ingelheim First Plat, having been read the first time on January 24, 2011, was read the second time and passed.

37425 (S.O. 8148) A Bill (#340-10) accepting two Permanent Sewer Easements and two Deeds of Gift from Fritz Ambrozi, Sr. and Ambrozi Rentals, Inc. for sewer improvements at 3712 and 3818 North Belt Highway, having been read the first time on January 24, 2011, was read the second time and passed.

37426 (S.O. 8149) A Bill (#327-10) to enter into an agreement with Interfaith Community Services (InterServ) for the operation of the Summer Jam Basketball League at the Bode Sports Complex, having been read the first time on January 24, 2011, was read the second time and passed.

37427 (S.O. 8150) A Bill (#332-10) authorizing the execution of a contract to provide a Save Our Heritage Grant in the amount of \$40,000.00 to rehabilitate the First Baptist Church located at 1225 Francis Street, having been read the first time on January 24, 2011, was read the second time and passed.

37428 (S.O. 8151) A Bill (#343-10) amending the Capital Projects Fund budget and approving Change Order Number 1 with Brooner Construction & Crane for the Fire Station Twelve (12) Construction Project in the amount of \$41,994.00, having been read the first time on January 24, 2011, was read the second time and passed.

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

37429 (S.O. 8152) A Bill (#344-10) amending the Capital Projects Fund budget and approving Change Order Number 2 with Brooner Construction & Crane for the Fire Station Twelve (12) Construction Project in the amount of \$133,809.00, having been read the first time on January 24, 2011, was read the second time and passed.

Resolutions for Adoption:

37430 (Resolution No. 37430 – 3175) A Resolution (#346-10) authorizing execution of an Airport Aid Agreement with the Missouri Highways and Transportation Commission (MHTC) to accept State Aviation Trust funds in the amount of \$90,000.00 to supplement federal funding for the Alpha Taxiway Rehabilitation Project at Rosecrans Memorial Airport, was read and adopted.

37431 (Resolution No. 37431 – 3176) A Resolution (#347-10) authorizing execution of Amendment No. 2 to the State Block Grant Agreement with the Missouri Highways and Transportation Commission (MHTC) to accept additional grant funds in the amount of \$2,825,000.00 for Taxiway Alpha Rehabilitation Design and Construction and the Pavement Management Study at Rosecrans Memorial Airport, was read and adopted.

37432 (Resolution No. 37432 – 3177) A Resolution (#349-10) authorizing a contract with Irvinbilt Company for construction of the South St. Joseph Industrial Sewer District Wet Well and the Rosecrans Lagoon Improvements in the amount of \$1,193,400.00, was read and adopted.

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

BILLS FOR PASSAGE:

37433 It was moved by Councilmember Boyer and seconded by Councilmember Jones that Bill #335-10 be amended before consideration for passage by substituting a new contract with the one originally attached to the ordinance. Motion carried. Ayes, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones, Kovac—9.

37434 (S.O. 8153) A Bill (#335-10) amending the Health Department budget in the General Fund in the amount of \$2,400.00 and entering into a contract with Dr. Robert Stuber, MD in the amount of \$12,000.00 for the purpose of providing medical oversight for public health, having been read the first time on January 24, 2011, was read the second time and passed. Ayes, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones, Kovac—9.

EMERGENCY BILL FOR PASSAGE:

None.

RESOLUTIONS FOR ADOPTION:

None.

BILLS FOR FIRST READING:

37435 A Bill (#348-10) amending Section 5-86 “Definitions” and Section 5-92 “Kennels” of Chapter 5 “Animals”, Article IV “Dogs and Cats” of the Code of Ordinances relating to kennel regulations, was introduced and read the first time.

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BILLS FOR FIRST READING: (Cont')

- 38436 A Bill (#350-10) granting a Conditional Use Permit for operation of a day nursery center at 5003 South 50th Street requested by Enchanted Learning Childcare, Jennifer Jaques, agent, was introduced and read the first time.
- 37437 A Bill (#351-10) amending the Non-Departmental budget in the General Fund in the amount of \$10,200.00 in order to provide funding for maintenance of the Geiger Mansion at 2501 Frederick Avenue, was introduced and read the first time.
- 37438 A Bill (#352-10) declaring a public necessity for acquisition through the exercise of the power of eminent domain for a certain tract of real estate located at 500 Lower Lake Road for the Disinfection Facility and Effluent Pumping Station Project and authorizing the City Attorney to commence an action to obtain said tract, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 1/20/11: Minutes of the Plumbers Examining and Appeals Board meeting held January 11, 2011, at 5:00 p.m., in the 1st Floor Conference Room at City Hall.

Filed 1/24/11: Minutes of the Housing Authority meeting held November 18, 2010, at 4:00 p.m., at 2902 South 36th St.

Filed 1/24/11: Minutes of the Parks & Recreation Board meeting held January 20, 2011, at 4:10 p.m., at the Fairview Golf Course Clubhouse, 3302 Pacific St.

Filed 1/24/11: Minutes of the Community Police Advisory Committee meeting held January 4, 2011, at 7:00 p.m., at the Rolling Hills Public Library, 1904 North Belt.

Filed 1/24/11: Minutes of the Social Welfare Board of Directors meeting held November 29, 2010, at 3:40 p.m., at 904 South 10th St., Suite A.

Filed 1/25/11: Minutes of the Aviation Board meeting held January 5, 2011, at 7:01 p.m., in the conference room at Rosecrans Memorial Airport.

Filed 1/28/11: Minutes of the Mechanical Standards and Appeals Board meeting held January 26, 2011, at 4:00 p.m., in the 1st Floor Conference Room at City Hall.

Filed 1/31/11: Minutes of the Planning Commission meeting held January 27, 2011, at 7:00 p.m., in the Council Chamber at City Hall.

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

Filed 1/21/11: Minutes of the Council Work Session held January 19, 2011, at 4:40 p.m., in the 4th Floor Conference Room at City Hall.

Filed 1/31/11: Minutes of the Work Session held January 26, 2011, at 4:00 p.m., in the Council Chamber at City Hall.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

Filed 1/21/11: Mayor and City Council Update, January 21, 2011.

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

Filed 1/24/11: Memorandum in re: Acting City Manager (January 26, 2011).

Filed 1/28/11: Mayor and City Council Update, January 28, 2011.

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 1/20/11: Minutes of the Police Pension Board meeting held December 15, 2010, at 4:00 p.m., in the 1st Floor Conference Room at City Hall.

Filed 1/20/11: City Weekly, January 20, 2011.

Filed 1/21/11: Articles filed by Councilmember LaBass entitled "Midwest Travel – Sweet Savannah", by *Kendra L. Williams*, Travel Editor, Midwest Living, February, 2011 and "Southern Revival", by Steve Garbarino, Wall Street Journal.

Filed 1/25/11: Minutes of the St. Joseph Museums, Inc. Annual Membership meeting held January 28, 2010, at 5:39 p.m., at 3406 Frederick Blvd.

Filed 1/25/11: Article from Lawyers' Weekly entitled "*Westboro sues over St. Charles funeral ordinance*".

Filed 1/26/11: Sample copy of letter sent to Geiger Mansion Citizens Committee with packet for further information.

Filed 1/27/11: City Weekly, January 27, 2011.

Filed 1/28/11: Letter from Mayor Falkner to the federal representatives in re: Supporting the Safe Highways & Infrastructure Preservation Act.

Filed 1/28/11: Memorandum from Mayor Falkner in re: Absent from the City (January 28 – February 2, 2011).

Filed 1/31/11: Memorandum from Debra Bradley, Health Director, in re: Clinic Supervisor of the Health Department named.

Filed 2/1/11: Municipal Division Reporting Form, January, 2011.

OTHER BUSINESS:

City Manager's Report – None.

PUBLIC COMMENT:

None.

NOTES:

Agenda No. 37416 – Mayor Falkner read the contents of the special recognition award and presented it to Steve Holdenried.

Mayor Falkner read the contents of the Boy Scout Anniversary Week Proclamation and presented it to Clark Hampton.

Agenda No. 37435 – Donald Sherwood, 415 N. 10th St., asked how much the kennel regulations will cost, does the city have the money to do this and if any employees will be laid off as a result of this next year? Health Director Debra Bradley said they do not anticipate there being a cost because these type of inspections are things they already do and the staff can do this as part of their normal business routine and there shouldn't be a need to lay anybody else off to cover this type of activity.

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ADJOURNMENT:

37439 By general consent, the Council adjourned.

The meeting adjourned at 7:25 p.m.

Paula Heyde, CMC, City Clerk