

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

September 19, 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, September 19, 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, Kovac, LaBass, Myers, Penland, Roach, Starr--8. Absent, Jones—1. Total membership--9. Five members constitute a quorum.

Also present were Acting City Manager/Financial Services Director Carolyn Harrison, City Attorney Lisa M. Robertson, Police Chief Chris Connally, Human Resources Director Diana Slater, Parks, Recreation & Civic Facilities Director Bill R. McKinney, Health Director Debra Bradley, Planning & Community Development/Interim Customer Assistance Director Clint Thompson, Property Maintenance & Technology Services Director Steve Hofferber, Asst. Public Works & Transportation Director Andrew Clements, Associate Director of Technology Services Mark Townsend, Battalion Chief Russell Moore, Communications Manager Mary Robertson, City Clerk Paula Heyde and Deputy City Clerk Rita K. Domini.

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

PLEDGE OF ALLEGIANCE:

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MINUTES:

38054 By general consent, the minutes of the special meeting held September 6, 2011, at 5:45 p.m. and the regular meeting held September 6, 2011, at 7:00 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

38055 Special Recognition Award – Adam Le and Andrew Le

ACCEPTANCE OF AGENDA:

38056 It was moved by Councilmember Boyer and seconded by Councilmember Roach that the Agenda be accepted as published with the addition of one resolution for adoption (Bill #607-10) being placed on the agenda. Motion carried. Ayes, Kovac, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner—8. Absent, Jones—1.

PUBLIC HEARING ON THE CONSOLIDATED ANNUAL PLAN:

38057 The City Council held a public hearing on Monday, September 19, 2011, at 7:00 p.m., in the Council Chamber at City Hall, on the Consolidated Annual Performance and Evaluation Report on the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs for the

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PUBLIC HEARING ON THE CONSOLIDATED ANNUAL PLAN: (Cont'd)

period July 1, 2010 through June 30, 2011. The Performance Report describes each activity for which CDBG and HOME funds were budgeted in the Community Partnership Strategy and Consolidated Plan – First Year Annual Plan for Program Year 2011. The Report provides a summary of programmatic accomplishments and the city's assessment of its progress in addressing the priority needs and the specific goals and objectives identified in the strategic plan and action plan.

Residents were given an opportunity to express their views regarding the city's use of available resources and its accomplishments in addressing the identified needs.

See under "Notes" for comments from persons appearing to be heard.

38058 There being no further persons appearing to be heard, the Mayor declared the public hearing closed.

CONSENT AGENDA:

38059 It was moved by Councilmember Myers and seconded by Councilmember Penland that Agenda Numbers 38060 through 38065 be passed by Consent Agenda. Motion carried. Ayes, Kovac, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner—8. Absent, Jones—1.

Bills for Passage:

38060 (G.O. 2443) A Bill (#584-10) sponsored by Councilmember Jones amending Section 2-834 of the Code of Ordinances entitled "Meetings" to change the frequency of meetings of the Fire & Emergency Services Advisory Board, having been read the first time on September 6, 2011, was read the second time and passed.

38061 (S.O. 8286) A Bill (#579-10) amending the Aviation Fund budget in the amount of \$296,420.00 for Fiscal Year 2010-2011, having been read the first time on September 6, 2011, was read the second time and passed.

38062 (S.O. 8287) A Bill (#588-10) to amend the Police Department budget in the General Fund and to enter into a contract with the Missouri Safety Center to accept \$750.00 to provide funding to conduct a Child Passenger Safety Enforcement Campaign, having been read the first time on September 6, 2011, was read the second time and passed.

38063 (S.O. 8288) A Bill (#594-10) amending the Mass Transit Fund budget in the amount of \$9,000.00 and approving an agreement with Houck Transit Advertising for the sale of advertising space on St. Joseph Transit buses, having been read the first time on September 6, 2011, was read the second time and passed.

38064 (S.O. 8289) A Bill (#593-10) authorizing a contract with Boone Valley Cooperative Processing Association, known as Ag Processing Inc., to purchase a Temporary Construction Easement and a Temporary Access Easement located on their property at 900 Lower Lake Road for the amount of \$1,200.00 for the Disinfection and Effluent Pump Station Project and accepting said easements, having been read the first time on September 6, 2011, was read the second time and passed.

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CONSENT AGENDA: (Cont'd)

Resolutions for Adoption:

38065 (Resolution No. 38065 – 3261) A Resolution (#603-10) granting approval to dispose of surplus police vehicles, was read and adopted.

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

BILLS FOR PASSAGE:

38066 (S.O. 8290) A Bill (#567-10) approving a Consent to Assignment of Tax Increment Financing (TIF) Interest and Security Agreement relating to the TIF revenues generated by the Tuscany Village Tax Increment Financing Project and authorizing the city manager to execute the consent, having been read the first time on September 6, 2011, was read the second time and passed. Ayes, Kovac, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner—8. Absent, Jones—1.

38067 (S.O. 8291) A Bill (#595-10) sponsored by Councilmember Starr waiving building permit fees for permits associated with repairs to existing structures for the St. Joe Serve Community Outreach Workday on September 25, 2011 for a period of time ending October 31, 2011, having been read the first time on September 6, 2011, was read the second time and passed. Ayes, Kovac, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner—8. Absent, Jones—1.

EMERGENCY BILL FOR PASSAGE:

38068 (S.O. 8292) An Emergency Bill (#600-10) authorizing a five year lease agreement with Michelle McMillian, D.B.A. Airport Café, for the operation of the restaurant at Rosecrans Memorial Airport, was introduced, read and passed. Ayes, Kovac, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner—8. Absent, Jones—1.

RESOLUTIONS FOR ADOPTION:

38069 (Resolution No. 38069 – 3262) A Resolution (#601-10) authorizing a contract with the Missouri Department of Health and Senior Services in the amount of \$3,009.28 to provide child care health and safety consultation services, was read and adopted. Ayes, Kovac, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner—8. Absent, Jones—1.

38070 (Resolution No. 38070 – 3263) A Resolution (#590-10) authorizing the submission of the Fiscal Year 2010/2011 Consolidated Annual Performance and Evaluation Report to HUD, was read and adopted. Ayes, Kovac, Myers, Penland, Roach, Starr, Boyer, Falkner—8. Nay, LaBass—1. Absent, Jones—1.

38071 (Resolution No. 38071 – 3264) A Resolution (#607-10) sponsored by Councilmember LaBass authorizing the purchase of five (5) 2012 Chevrolet Impalas for the Police Department for the amount of \$107,400.00 from Roberts Auto Plaza, was read and adopted. Ayes, Kovac, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner—8. Absent, Jones—1.

BILLS FOR FIRST READING:

38072 A Bill (#597-10) redistricting 101-194 Countryside Lane from R-1A Single Family Residential District, C-3 Commercial District and M-2 Heavy Manufacturing District to R-5 Mobile Home Park and Mobile Home Subdivision District as requested by Louis Natenshon, was introduced and read the first time.

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BILLS FOR FIRST READING: (Cont'd)

- 38073 A Bill (#598-10) authorizing the issuance of the city's Industrial Development Revenue Bonds (Boehringer Ingelheim Vetmedica, Inc. Project) Series 2011B, in a principal amount not to exceed \$5,000,000.00 to pay the costs of a portion of a project for Boehringer Ingelheim Vetmedica, Inc., a Delaware corporation, consisting of the purchase, acquisition, equipping and installation of certain personal property and equipment in the company's administrative office building located on the company's campus in St. Joseph, Missouri; authorizing and approving certain documents; and authorizing certain other actions in connection with the issuance of the bonds, was introduced and read the first time.
- 38074 A Bill (#599-10) amending the Police Department budget in the General Fund and accepting the Edward Byrne Memorial Justice Assistance Grant in the amount of \$33,207.00 to be used to purchase supplies and equipment for the Police Department and Buchanan County Sheriff Dept, was introduced and read the first time.
- 38075 A Bill (#602-10) amending the General Fund budget in the amount of \$8,784.00 for the purpose of recording the capital lease on city-wide copiers in the General Fund capital asset group and allocating charges through interfund transfers from the Aviation, Mass Transit and Water Protection Funds, was introduced and read the first time.
- 38076 A Bill (#604-10) to amend the Capital Project Fund budget in the amount of \$116,242.00 and to authorize a contract with RS Electric Utility Services Corporation in the amount of \$116,241.24 for the Traffic Signal LED Replacement Project, was introduced and read the first time.
- 38077 A Bill (#605-10) amending the Capital Projects Fund and accepting a donation from the George Bode, Jr. Benevolent Trust both in an amount not to exceed \$200,000.00 to be used for the Bode Sports Complex roof renovation and authorizing the amount of \$4,865.00 for the removal of the HVAC units from the roof by Brooner Construction and Crane, was introduced and read the first time.
- 38078 A Bill (#606-10) accepting temporary construction easements from KCP&L located on their property at 1413 Lower Lake Road at no cost to the city for the construction of the Disinfection and Effluent Pump Station Project, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 9/6/11: Minutes of the Planning Commission meeting held August 25, 2011, at 7:00 p.m., in the Council Chamber at City Hall.

Filed 9/6/11: Minutes of the Aviation Board meeting held August 10, 2011, at 7:00 p.m. in the conference room at Rosecrans Memorial Airport.

Filed 9/7/11: Minutes of the Disability Services Board meeting held August 3, 2011, at 3:30 p.m., in the Council Chamber at City Hall.

Filed 9/14/11: Minutes of the Advisory Commission on Aging meeting held May 11, 2011, at 12:00 p.m., at the Joyce Raye Patterson Senior Citizens Center, 100 South 10th St.

Filed 9/14/11: Minutes of the Advisory Commission on Aging meeting held June 8, 2011, at 12:00 p.m., at the Joyce Raye Patterson Senior Citizens Center, 100 South 10th St.

Filed 9/14/11: Minutes of the Downtown Review Board meeting held September 7, 2011, at 5:30 p.m., in the Council Chamber at City Hall.

REPORTS OF BOARDS & COMMISSIONS: (Cont'd)

Filed 9/14/11: Minutes of the Landmark Commission meeting held August 2, 2011, at 7:00 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 9/2/11: Mayor and City Council Update, September 2, 2011.

Filed 9/8/11: Memorandum in re: Acting City Manager (September 9-14, 2011).

Filed 9/9/11: Memorandum in re: September 14th Work Session, Redistricting and Public Works fall work schedule.

Filed 9/9/11: Mayor and City Council Update, September 9, 2011.

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 9/1/11: Memorandum from Mary Robertson, Communications Manager, in re: Missouri Theater fire update.

Filed 9/1/11: City Weekly, September 1, 2011.

Filed 9/1/11: Memorandum from Mayor Falkner in re: St. Joseph Museums, Inc. Council representative.

Filed 9/1/11: Municipal Division Reporting Form, August, 2011.

Filed 9/2/11: Memorandum from Mayor Falkner in re: Absent from the City (September 2-5, 2011).

Filed 9/2/11: Thank you letter to Scott Marquess, General Manager, Sam's Club, in re: Donation of \$250.00 to be used for playground improvements at Krug Park.

Filed 9/6/11: Minutes of the Geiger Mansion Committee meeting held August 31, 2011, at 4:00 p.m., at 2501 Frederick Ave.

Filed 9/8/11: City Weekly, September 8, 2011.

Filed 9/8/11: Memorandum from Mayor Falkner in re: Absent from the City (September 11-14, 2011).

Filed 9/9/11: Letter from Paula Heyde, City Clerk, to Jackie Lewin, Executive Director, St. Joseph Museums, Inc., in re: Councilmember Joyce A. Starr volunteered to serve as non-voting member of the "Manager's Board".

COMMUNICATIONS: (Cont'd)

Filed 9/9/11: Memorandum from Paula Heyde, City Clerk, in re: LAGERS Election, September 21, 2011.

Filed 9/9/11: Memorandum from Clint Thompson, Planning & Community Development Director, in re: Tuscany assignment of TIF Interest and Security Agreement.

Filed 9/9/11: Memorandum from Andrew Clements, Asst. Public Works & Transportation Director, in re: Street maintenance re-boot.

Filed 9/13/11: Letter from Michael L. Wood, Operations Manager, Missouri American Water, in re: Hydrant flushing schedule.

OTHER BUSINESS:

City Manager's Report – None.

Mayor Falkner said last weekend's South Side Fall Festival was a great venue and parade.

Councilmember Boyer explained to the public that the Council affectionately calls Sue Comley "Sweet Sue" for two reasons; one, she brings candy and the other is, after hearing her tonight, you can understand another aspect of that sweetness.

PUBLIC COMMENT:

William Weston, Jr., 714 S. 19th St., invited everyone to the Feed the People event on September 24, 2011, from 10 a.m. to 3:00 p.m. at John Lucas Park.

Donald Sherwood, 415 N. 10th St., said he noticed on the City's website that the Frank Sommer House, known as the "Cracker House," at 914 Main Street, is slated for a demolition hearing. Because of its historical significance, he asked if someone from the city could look into whether the building could possibly be saved. Mayor Falkner asked the Property Mgt. Director to provide the Council with some information on this building.

Jerome Williams, 2411 Angelique Street, said he wanted to make the Council aware that the redistricting of the 2nd council district affects him because he and his family will be taken out of the 2nd Council district and put into another district. He wants to know what the City Charter says about informing the people who it's going to affect. The County Clerk has stated that this will save some money but he has not been able to get those figures from her yet. The people in the affected areas should be informed about what is going on.

Steve Holdenried, 2125 S. 11th St., thanked Councilmember LaBass for buying a stove for a woman and her children who recently moved from Texas to St. Joseph. Keys Christian Fellowship Church will be renovating three homes in the south end next month. The NAACP Freedom Fund Banquet will be held Thursday, October 6, 2011 at the Mitchell Park Plaza ballroom. Dr. Alisa Warren, Executive Director of the Missouri Human Rights Commission, will be the keynote speaker. The cost is \$25.00 per ticket. Everyone is welcome to attend. He encouraged the City Council to read the article about redistricting in the May issue of the Missouri Municipal Review magazine. Bill Hedge pleaded with the Council not to break up the midtown area. He explained why he feels the proposal of splitting the midtown area between two districts matters to the people in the current district.

PUBLIC COMMENT: (Cont'd)

Sue Comley, 3513 Jackson St., thanked the Council for their service and due to a recent fall she took she realizes that something has to change and probably from now on she will not be handing out peppermints to the Councilmembers and city staff.

NOTES:

Agenda No. 38055 – Mayor Falkner read the contents of the Special Recognition Award and presented it to Adam and Andrew Le who were present along with their mother, father, brothers and baby sister.

Agenda No. 38057-8 - Jean Brown, Executive Director of YWCA, 304 N. 8th St., thanked the city for the allocation of CDBG dollars to public service activities. Those public service activity dollars do make a significant difference for low income persons in the community. Specifically, the YWCA uses its CDBG funding to provide protective shelter and support services to almost 800 women and children each year. Also, this year they were fortunate to receive \$500,000 in HOME funds which were used to purchase Bliss Manor at 2929 Lafayette. They are using this building for transitional housing for women and children impacted by domestic violence. Tomorrow is the official grand opening and ribbon cutting for that facility from 4:00 p.m. to 6:00 p.m. They are very pleased with their allocation of public service dollars and HOME funds. As a private citizen, she is very pleased with the process St. Joseph chooses to use for the allocation of those dollars.

Agenda No. 38066 – Scott Hausman, 3216 Harborview, partner in JSC Development, said there is good renewed interest on this site.

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ADJOURNMENT:

38079 By general consent, the Council adjourned.

The meeting adjourned at 8:15 p.m.

Paula Heyde, CMC, City Clerk