

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

June 1, 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 Tuesday, June 1, 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., except when it falls on a legal holiday then it shall be held the following day. 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, 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:

Agenda
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MINUTES:

36700 By general consent, the minutes of the special meeting held May 17, 2010, at 6:00 p.m. and the regular meeting held May 17, 2010, at 7:00 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

None.

ACCEPTANCE OF AGENDA:

36701 It was moved by Councilmember Boyer and seconded by Councilmember Starr that the Agenda be accepted as published. Motion carried. Ayes, Kovac, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones--9.

PUBLIC HEARING ON 2010/2011 FISCAL YEAR BUDGET:

36702 The City Council held a public hearing on the proposed 2010/2011 Fiscal Year Budget on June 1, 2010, at 7:00 p.m., in the Council Chamber at City Hall.

The following is a general summary of the proposed budget:

<u>OPERATING FUND</u>	<u>EXPENDITURE</u>
General	\$ 46,947,000
Streets Maintenance	\$ 7,248,000
Parks Maintenance	\$ 1,954,000
Community Development	\$ 2,985,000
Special Allocation (TIF)	\$ 7,867,000
Riverboat Gaming	\$ 955,000
Museum	\$ 654,000
Aviation	\$ 626,000
Public Parking	\$ 472,000
Sewer	\$ 12,891,000
Municipal Golf	\$ 614,000
Mass Transit	\$ 5,424,000
Landfill	<u>\$ 3,296,000</u>
	\$ 91,933,000
<u>CAPITAL FUND</u>	<u>\$ 56,000,000</u>
TOTAL	\$147,933,000

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

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

36703 There being no further persons appearing to be heard, the Mayor declared the public hearing closed.

PUBLIC HEARING ON THE PROPOSED 2011/2012 – 2015/2016 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM:

36704 The City Council held a public hearing on June 1, 2010, at 7:00 p.m., in the Council Chamber at City Hall on the proposed Five Year Capital Improvement Program for Fiscal Years 2011/2012 – 2015/2016, a summary of which follows.

Project	<u>2010/11</u>	<u>2011/12</u>	<u>2012/13</u>	<u>2013/14</u>	<u>2014/15</u>	<u>2015/16</u>	<u>Total</u>
Equipment Acquisition/ Upgrade/ Replacement	789,600	106,020	26,000	26,000	26,000	26,000	\$999,620
Vehicle Acquisition/ Upgrade/ Replacement	860,544	0	0	0	0	0	\$860,544
Public Buildings Renovations/ Construction	4,344,545	801,020	8,956,990	0	0	0	\$14,102,555

Agenda

Number PUBLIC HEARING ON THE PROPOSED 2011/2012 – 2015/2016 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM: (Cont'd)

Summary continued:

<u>Project</u>	<u>2010/11</u>	<u>2011/12</u>	<u>2012/13</u>	<u>2013/14</u>	<u>2014/15</u>	<u>2015/16</u>	<u>Total</u>
Other Public Facility Improvements	485,963	5,330,000	80,000	50,000	50,000	50,000	\$6,045,963
Community & Economic Development	636,744	150,000	150,000	0	0	0	\$936,744
Roads, Bridges, Hike & Bike Trails	2,997,603	300,000	1,200,000	12,250,000	11,450,000	0	\$28,197,603
Water Protection & Sewer Mtce.	45,760,970	6,930,000	84,980,900	8,809,415	6,493,500	1,811,000	\$154,785,785
Project Costs (adv., transfers & prof. services)	<u>124,031</u>	<u>103,000</u>	<u>110,315</u>	<u>3,000</u>	<u>3,000</u>	<u>2,000</u>	<u>\$345,346</u>
Total	\$56,000,000	\$13,720,040	\$95,504,205	\$21,138,415	\$18,022,500	\$1,889,000	\$206,274,160

Residents were given an opportunity to express their views on the proposed program at this time.

36705 There being no persons appearing to be heard, the Mayor declared the public hearing closed.

PUBLIC HEARING ON ORDINANCES FOR REZONING & CONDITIONAL USE PERMITS:

36706 (G.O. 2382) A Bill (#39-10) granting a Conditional Use Permit for operation of a day nursery center at 3132 St. Joseph Avenue requested by Sharon Tracy, having been read the first time on May 17, 2010, was read the second time and passed. Ayes, Kovac, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones--9.

CONSENT AGENDA:

36707 It was moved by Councilmember Myers and seconded by Councilmember LaBass that Agenda Numbers 36708 through 36722 be passed by Consent Agenda. Motion carried. Ayes, Kovac, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones--9.

Nominations and Appointments:

36708 Filed 5/12/10: The nomination by Councilmember Starr was approved, appointing Mike R. Manganaro, 4806 S. Cove Drive, as a member of the Downtown Review Board for a term expiring May 21, 2013; he is being reappointed.

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Number CONSENT AGENDA: Nominations and Appointments: (Cont'd)

36709 Filed 5/24/10: The nomination by Mayor Falkner was approved, appointing Steve Hofferber, 1602 Brookside Street, to serve as a member of the ABCD Regional Planning Commission for a term expiring April 30, 2012; he is being reappointed.

36710 Filed 5/24/10: The nomination by Councilmember Boyer was approved, appointing Douglas Burkert, 14611 County Road 316, Savannah, Missouri, to serve as a member of the Plumbers Examining & Appeals Board for a term expiring September 12, 2012; he is filling the vacancy caused by the resignation of Rex Jones.

Bills for Passage:

36711 (S.O. 7979) A Bill (#34-10) amending the Police Department Budget in the General Fund to transfer overtime funds in the amount of \$1,160.00 to be used for conference training and travel for the St. Joseph Police Department, having been read the first time on May 17, 2010, was read the second time and passed.

36712 (S.O. 7980) A Bill (#54-10) amending the Museum Fund budget in the amount of \$34,109.00 to provide for expenditures at the Wyeth-Tootle Mansion by the St. Joseph Museums, Inc., having been read the first time on May 17, 2010, was read the second time and passed.

36713 (S.O. 7981) A Bill (#33-10) accepting proceeds from the sale of property and abating demolition and weed and trash liens up to \$426.00, plus penalty and interest, on the property located at 318-324 South 4th Street, having been read the first time on May 17, 2010, was read the second time and passed.

36714 (S.O. 7982) A Bill (#32-10) authorizing a lawn and lot care services agreement with Mark's Lawn Mowing for Lawn Mowing Services for Mass Transit in the amount of \$1,932.00 per year, having been read the first time on May 17, 2010, was read the second time and passed.

36715 (S.O. 7983) A Bill (#35-10) to enter into a contract with the Missouri Department of Corrections to participate in the Puppies for Parolees Program, having been read the first time on May 17, 2010, was read the second time and passed.

36716 (S.O. 7984) A Bill (#36-10) to enter into a contract with the Missouri Department of Health and Senior Services in the amount of \$139,697.00 for the purpose of providing core public health functions within the community, having been read the first time on May 17, 2010, was read the second time and passed.

36717 (S.O. 7985) A Bill (#38-10) authorizing a contract with Lee Grover Construction in the amount of \$94,804.00 for concrete replacement at Patee Market Health Center, having been read the first time on May 17, 2010, was read the second time and passed.

36718 (S.O. 7986) A Bill (#40-10) authorizing the execution of a Missouri Highways and Transportation Commission Sidewalk Improvements Agreement to allow installation and maintenance of sidewalks along both east and west sides of Route 759 (Stockyards Expressway) , having been read the first time on May 17, 2010, was read the second time and passed.

36719 (S.O. 7987) A Bill (#44-10) amending the General Fund and CIP Sales Tax Fund budgets and authorizing Change Order Number One (1) with Hausman Metal Works & Roofing, Inc. to perform additional work related to the City Hall roof replacement in the amount of \$13,614.00, having been read the first time on May 17, 2010, was read the second time and passed.

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CONSENT AGENDA: (Cont'd)

Resolutions for Adoption:

- 36720 (Resolution No. 36720 - 3087) A Resolution (#63-10) authorizing a five-year lease renewal to the original Lease Amendment #1 with Express Flight, Inc. for the operation of a self-service fueling station at Rosecrans Memorial Airport, was read and adopted.
- 36721 (Resolution No. 36721 - 3088) A Resolution (#64-10) authorizing the submission of a Federal Transit Administration State of Good Repair Initiative Grant to provide transit capital assistance in the approximate amount of \$987,200.00, was read and adopted.
- 36722 (Resolution No. 36722 - 3089) A Resolution (#75-10) authorizing a Modification of Agreement to be made part of the Amended and Restated Law Enforcement Center Agreement dated November 15, 2004, was read and adopted.

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

BILLS FOR PASSAGE:

- 36723 (G.O. 2383) A Bill (#53-10) amending Section 2-58 of the Code of Ordinances entitled "Order of business," having been read the first time on May 17, 2010, was read the second time and passed. Ayes, Kovac, Myers, Penland, Roach, Starr, Boyer, Falkner--7. Nays, LaBass, Jones--2.
- 36724 It was moved by Councilmember Roach and seconded by Councilmember LaBass that a Bill (#37-10) amending Section 2-1318 of the Code of Ordinances entitled "Sanctions," be postponed for four weeks to the June 28, 2010, Council meeting. Motion carried. Ayes, Kovac, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones--9.
- 36725 (S.O. 7988) A Bill (#43-10) amending the General Fund and CIP Sales Tax Fund budgets in the amount of \$176,000.00 and authorizing the City Manager to enter into a contract for purchase of real estate from the St. Joseph Riverboat Partners for the purchase of two parcels of property along the riverfront using one time cell phone settlement proceeds in the amount not to exceed \$175,000.00 plus closing costs not to exceed \$1,000.00, having been read the first time on May 17, 2010, was read the second time and passed. Ayes, Kovac, Myers, Penland, Starr, Boyer, Falkner, Jones--7. Nays, LaBass, Roach--2.
- 36726 It was moved by Councilmember Penland and seconded by Councilmember LaBass that Bill (#41-10) amending Section 29-237 of the Code of Ordinances entitled "Schedule of user charges" related to sanitary sewer user fees, be postponed to the June 14, 2010, Council meeting. Motion carried. Ayes, Kovac, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones--9.
- 36727 It was moved by Councilmember Myers and seconded by Councilmember Penland that Bill #57-10 be amended before consideration for passage by attaching the Settlement Agreement with Oak Mill Inc. to the ordinance. Motion carried. Ayes, Kovac, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones--9.
- 36728 (S.O. 7989) A Bill (#57-10) sponsored by Councilmember LaBass entering into a settlement with Oak Mill Inc. to settle pending litigation in Buchanan County Circuit Court Case No. 10BU-CV00553 and accepting the amount of \$100,000.00 as full payment of a disputed obligation, having been read the first time on May 17, 2010, was read the second time and passed. Ayes, Kovac, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones--9.

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EMERGENCY BILLS FOR PASSAGE:

None.

RESOLUTION FOR ADOPTION:

- 36729 (Resolution No. 36729 - 3090) A Resolution (#72-10) of intent of the City Council of the City Council of the City of St. Joseph, Missouri, for the issuance of the City's Industrial Development Revenue Bonds in a principal amount not to exceed \$30,000.00 to finance a project for the benefit of National Beef Leathers, LLC, designating a Recovery Zone pursuant to the American Recovery and Reinvestment Tax Act of 2009, and authorizing certain actions relating thereto, was read and adopted. Ayes, Kovac, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones--9.

BILLS FOR FIRST READING:

- 36730 A Bill (#58-10) to enter into a contract amendment with the Missouri Department of Health & Senior Services in the amount of \$9,572.00 to provide childhood lead poisoning prevention services within the community, was introduced and read the first time.
- 36731 A Bill (#59-10) amending Section 28-1590 of the Code of Ordinances entitled "Parking prohibited at any time," was introduced and read the first time.
- 36732 A Bill (#60-10) to purchase one (1) 4x4 three quarter ton regular cab truck with utility bed and lift gate for the amount of \$26,367.00 from Shawnee Mission Ford for the Water Protection Division of the Public Works & Transportation Department, was introduced and read the first time.
- 36733 A Bill (#61-10) authorizing a contract with the St. Joseph Area Chamber of Commerce for economic development services for the total sum of \$165,000.00, was introduced and read the first time.
- 36734 A Bill (#62-10) amending the Aviation Fund budget in the amount of \$2,095.00 to provide for overtime expenses, was introduced and read the first time.
- 36735 A Bill (#65-10) amending Section 7-259 entitled "Amendments to the 2006 UPC (Uniform Plumbing Code)" of the Code of Ordinances, was introduced and read the first time.
- 36736 A Bill (#66-10) to repeal Special Ordinance 7952 and enact in lieu thereof an ordinance to authorize 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, was introduced and read the first time.
- 36737 A Bill (#67-10) accepting the proposal from CBIZ, brokers for Blue Cross Blue Shield of Kansas City (BCBSKC), for health insurance coverage for St. Joseph Mass Transit (Transit) employees in the amount of \$1,436,741.00, was introduced and read the first time.
- 36738 A Bill (#68-10) to amend the General Fund and CIP Sales Tax Fund budgets and authorize a contract with the Amino Brothers in the amount of \$1,315,447.86 for the Felix Streetscape Phase II Project, was introduced and read the first time.
- 36739 A Bill (#69-10) authorizing the purchase of services from SAK Construction, LLC to install cured-in-place pipe in various sewer lines in the amount of \$559,329.13, was introduced and read the first time.

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BILLS FOR FIRST READING: (Cont'd)

- 36740 A Bill (#70-10) authorizing an Intergovernmental Agreement with Buchanan County, Missouri, the Airport Levee District, the South St. Joseph Drainage and Levee District, and the Elwood-Gladden Levee District, for the purpose of providing funds necessary for the design of Missouri River Levee System L455 and R460-471, was introduced and read the first time.
- 36741 A Bill (#71-10) to authorize a contract with Brooner & Associates Construction, Inc. in the amount of \$1,632,328 for the St. Joseph Fire Station No. 12 Project, was introduced and read the first time.
- 36742 A Bill (#73-10) amending the Police Department budget in the General Fund to budget funds received from an insurance company for damage to a police car in the amount of \$943.00 to the Maintenance and Repair of Motor Vehicles Account, was introduced and read the first time.
- 36743 A Bill (#74-10) amending the Aviation Fund budget in the amount of \$400,000.00 and authorizing execution of Modification Number P10001 to the existing Military Construction Cooperative Agreement (MCCA) (Number W912NS-09-2-2102) with the National Guard Bureau, on behalf of the Missouri Air National Guard, to provide additional funding for the installation of taxiway access roads for the Fire Crash/Rescue Station Project – Phase I and II located at Rosecrans Memorial Airport, was introduced and read the first time.
- 36744 A Bill (#76-10) amending the Sewer Fund budget and authorizing a Reimbursement Agreement with Timothy and Lindsay Minson in an amount not to exceed \$216,303.00 for the reimbursable cost associated with the upgrade design and construction of off-site sewers to serve the Timber Creek Subdivision, was introduced and read the first time.
- 36745 It was moved by Councilmember Roach and seconded by Councilmember Star that Bill #77-10 be amended before first reading by attaching “Exhibits ‘A’ and ‘B’” to the ordinance. Motion carried. Ayes, Kovac, LaBass, Myers, Penland, Roach, Starr, Boyer, Falkner, Jones--9.
- 36746 A Bill (#77-10) adopting the Fiscal Year 2010-2011 budget for the City of St. Joseph, Missouri, as set forth in Exhibits “A” and “B,” was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 5/12/10: Minutes of the Downtown Review Board meeting held May 5, 2010, at 5:30 p.m., in the Council Chamber at City Hall.

Filed 5/13/10: Minutes of the Mechanical Standards and Appeals Board meeting held March 31, 2010, at 3:30 p.m., in the 1st Floor Conference Room at City Hall.

Filed 5/14/10: Minutes of the Senior Citizens Foundation, Inc. Board meeting held April 20, 2010, at 3:30 p.m., at the Joyce Raye Patterson Senior Center, 100 South 10th St.

Filed 5/18/10: Minutes of the Advisory Commission on Aging meeting held April 14, 2010, at 12:00 p.m., at the Joyce Raye Patterson Senior Center, 100 South 10th St.

Filed 5/19/10: Minutes of the Community Police Advisory Committee meeting held May 4, 2010, at 7:00 p.m., at the Rolling Hills Public Library, 1904 N. Belt Hwy.

Filed 5/19/10: Minutes of the Traffic Commission meeting held May 11, 2010, at 10:00 a.m., in the 1st Floor Conference Room at City Hall.

REPORTS OF BOARDS & COMMISSIONS: (Cont'd)

Filed 5/24/10: Minutes of the Parks & Recreation Board meeting held May 20, 2010, at 4:05 p.m., at the Fairview Golf Course Clubhouse, 3302 Pacific.

Filed 5/25/10: Minutes of the Aviation Board meeting held May 5, 2010, at 7:00 p.m., in the conference room at Rosecrans Memorial Airport.

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

Filed 5/14/10: Minutes of the Council Finance/Audit Committee meeting held May 10, 2010, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 5/17/10: Minutes of the Council Finance/Audit Committee meeting held May 11, 2010, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 5/21/10: Minutes of the Council Finance/Audit Committee meeting held May 12, 2010, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 5/21/10: Minutes of the Council Finance/Audit Committee meeting held May 13, 2010, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 5/24/10: Minutes of the Council Finance/Audit Committee meeting held May 18, 2010, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 5/24/10: Minutes of the Council Planning & Zoning Committee meeting held May 17, 2010, at 5:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 5/26/10: Minutes of the Council Public Safety Committee meeting held May 19, 2010, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 5/26/10: Minutes of the Council Finance/Audit Committee meeting held May 20, 2010, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

Filed 5/17/10: Mayor and City Council Update, May 14, 2010.

Filed 5/21/10: Mayor and City Council Update, May 21, 2010.

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 5/12/10: Letter from Gene McNary, Executive Director, Missouri Gaming Commission, in re: State/Local Allocation of Gaming Revenues for the period 4/1/10 through 4/30/10.

Filed 5/13/10: Memorandum from Graham Jura, Assistant City Attorney, in re: IAFF Local #77 Lawsuit (filed against the city on April 3, 2009).

COMMUNICATIONS: (Cont'd)

Filed 5/13/10: City Weekly, May 13, 2010.

Filed 5/14/10: Noyes News, Noyes Home for Children, Spring 2010.

Filed 5/14/10: St. Joseph Area Chamber of Commerce Weekly Board Report, May 14, 2010.

Filed 5/17/10: Memorandum from Chuck Kempf, Project Manager, in re: Phil Welch Stadium update – Phase II.

Filed 5/18/10: Letter from Lisa Robertson, City Attorney, to Stephen J. Briggs, Esq., Morton Reed Counts & Briggs, LLC, in re: MWSU Facility Use Agreement.

Filed 5/19/10: Minutes of the Police Pension Board meeting held April 21, 2010, at 4:00 p.m., in the 1st Floor Conference Room at City Hall.

Filed 5/20/10: City Weekly, May 20, 2010.

Filed 5/20/10: Municipal Courier, May 2010, Volume 8, Issue 5.

Filed 5/24/10: Memorandum from Mayor Falkner in re: Absent from city (May 26 - June 1, 2010).

Filed 5/24/10: E-mail from Anthony Mastrangelo in re: Message for Mayor and Council.

Filed 5/24/10: Memorandum from Mary Robertson, Communications Manager, in re: Purchase of microphones for Council Chamber.

Filed 5/24/10: St. Joseph Area Chamber of Commerce Weekly Board Report, May 21, 2010.

Filed 5/24/10: Memorandum from Gerald McCush, Community Development Manager, in re: RFPs for CDBG-R funding - \$150,000 available.

Filed 5/24/10: Documents filed by Darrell Meeker, 2702 Jackson St., in re: CSO Solution and the 10th Amendment.

Filed 5/25/10: Memorandum from Clint Thompson, Planning & Community Development Director, in re: Chapter 100 Bonds for National Beef Leathers, LLC.

OTHER BUSINESS:

City Manager's Report - None.

William Guenther, 1901 Lovers Lane, distributed and reviewed a handout containing some background on his objection to being required by the city and Missouri American Water Co. (MAWC) to install a backflow valve on the sprinkler system in the building he owns at 715 Charles St. Customer Assistance Director Sam Barber said the City's Code requires backflow preventers on any new sprinkler systems; it's not retroactive. MAWC on the other hand requires sprinkler systems to have backflow preventers installed regardless of what may be going on. The City has gotten involved with this because there are other things going on in Mr. Guenther's building that requires the system to be certified as compliant and serviceable. Mayor Falkner suggested that Mr. Guenther talk to the Water Co. and see what their position is on this particular installation. City Manager Vincent J. Capell proposed that the Council use

OTHER BUSINESS: (Cont'd)

some of the one time cell phone money and set up a pool to help offset some of the business owners' costs of following the code. He thinks the codes should be reasonable and city staff should compromise where it can. Mayor Falkner told Mr. Guenther that he would be contacted after the city found out how the Water Co. views these systems and what the city can do to make it a little more bearable. Mr. Barber said Mr. Guenther's tenant has been given a conditional certificate of occupancy that expires at the end of August, 2010.

Travis Owens, 2711 Mulberry St., asked where the settlement funds in the amount of \$100,000 (Agenda No. 36728) are going. Mr. Capell said it will be returned to the Sewer Fund. Mr. Travis said second, he would like for the Council to request that the Human Resources Dept. give a class to all city employees defining and detailing exactly what bullying is and what improper behavior, intimidation and harassment is. He thinks because of what's happened lately, it would be an excellent thing for all City employees to attend a class to try to prevent this from happening ever again. The third thing is he would like to request that the Council vote to go into a closed session whenever it's convenient so that he can present all this material because he thinks the Council's been kept in the dark on it and he wants to bring the Council up to speed. He has some former City employees that want to come and talk about it as well. Mayor Falkner suggested that the meeting be scheduled next Wednesday at 5:00 p.m. There was discussion on the appropriateness, under the City Charter, of conducting a meeting to discuss the Shaun Henderson personnel issue.

NOTES:

Agenda No. 36702-3 - Councilmember Jones held up the proposed budget and asked the people in the audience to take a look at it. She said it is unbelievable how confused people are about the budget and it is sad that people think that the City Council would "stab somebody in the back". It is wrong for people to have these attitudes towards the Council. None of them have done anything behind anybody's back. All the meetings that were held to discuss the proposed budget were open to the public and the public is welcome to attend them. Councilmember Penland is the Chairman of the Council Finance/Audit Committee and he's open to anyone to call and ask him questions. The Councilmembers are trying to hash through the document and do what's right and it's not easy. The figures in the budget are provided by the department directors and it is compiled by the Financial Services Director and her group. It is wrong to blame the Council because the public really doesn't understand what's going on because to be truthful, a lot of the Councilmembers don't understand all of this. She suggested that if the public wants to know anything to come to the meetings and ask questions.

Agenda No. 36729 - Jim Caldwell, Gilmore & Bell, 2405 Grand Blvd, Kansas City, Missouri, explained the reason for the rush on this project.

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ADJOURNMENT:

36747

By general consent, the Council adjourned.

The meeting adjourned at 8:23 p.m.

Paula Heyde, CMC, City Clerk