

[REDACTED]

The Council "Pre-Meeting" Work Session of July 19, 2004, was convened at 5:45 P.M. by Mayor John Landwehr.

[REDACTED]

The following Council Members were present when the meeting convened:

Present: Berry, Brown, Crane, Harvey, Martin, Viessman, and Weber
Absent: Ferguson and Vogel

A quorum was present.

[REDACTED]

Items were not necessarily discussed in order that they appeared on the agenda.

Bills Pending:

2004-31 - Councilman Michael Berry stated he plans to withdraw this because he does not believe he has enough votes for it to pass. He plans to re-introduce it at a later date.

No official actions were taken since this was a work session only.

The meeting adjourned at 5:50 P.M.

The Regular Council Meeting of July 19, 2004, was convened at 6:00 P.M. by Mayor John Landwehr.

Prayer was offered by Councilman Michael Berry, followed by the Pledge of Allegiance.

The following Council Members were present for the roll call:

Present: Berry, Brown, Crane, Harvey, Martin, Viessman, and Weber

Absent: Ferguson and Vogel

A quorum was declared present.

Three Boy Scouts in the audience were asked to stand and introduce themselves. Mayor John Landwehr welcomed the scouts to the meeting.

- a. **Voluntary Annexation of Land in the 1700 to 2000 Block of Highway 179 for St. Mary's Health Center:** City Planner Janice McMillan gave a brief report outlining the background of the annexation. Following her presentation, no persons present requested to speak in favor of, or opposition to, the annexation. Mayor John Landwehr declared the evidentiary portion of the public hearing concluded.

The council took up the associated Pending Bill (2004-33) at this time.

Bill 2004-33, sponsored by Councilmen Berry and Brown, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI PROVIDING FOR THE VOLUNTARY ANNEXATION OF 130 ACRES ADJACENT TO AND CONTIGUOUS WITH THE CITY BOUNDARY, INCLUDING 108 ACRES OF REAL PROPERTY AND 22 ACRES OF RIGHT-OF-WAY LYING IN SECTIONS 14, 15 AND 22, TOWNSHIP 44 NORTH, RANGE 12 WEST, IN COLE COUNTY, STATE OF MISSOURI, AND REPEALING SECTION 1-17 OF THE CODE OF THE CITY OF JEFFERSON, MISSOURI, DEFINING

THE EXISTING CITY BOUNDARY AND ENACTING A NEW SECTION PERTAINING TO THE SAME SUBJECT.

Bill 2004-33 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 13741**:

Aye: Berry, Brown, Crane, Harvey, Martin, Viessman, and Weber

Nay: None

- b. **Zoning Plan and Associated Comprehensive Plan Amendment in the 1700 to 2000 Block of Highway 179 for St. Mary's Health Center:** City Planner Janice McMillan gave a brief report outlining the background of the annexation. Following her presentation, no persons present requested to speak in favor of, or opposition to, the annexation. Mayor John Landwehr declared the evidentiary portion of the public hearing concluded.

The council took up the associated Pending Bill (2004-34) at this time.

Bill 2004-34, sponsored by Councilman Brown, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, CHANGING, AMENDING, AND MODIFYING THE ZONING MAP OF THE ZONING CODE OF THE CITY OF JEFFERSON, BY REZONING 106.28 ACRES LOCATED ON THE EAST SIDE OF HIGHWAY 179 IN THE 1700 TO 2000 BLOCKS, IN SECTIONS 14, 15, AND 22, TOWNSHIP 44 NORTH, RANGE 12 WEST, JEFFERSON CITY, COLE COUNTY, MISSOURI FROM RU RURAL USE DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT AND ENDORSING AN AMENDMENT ON THE DEVELOPMENT PLAN MAP OF THE COMPREHENSIVE PLAN TO REFLECT SUCH CHANGE.

Bill 2004-34 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 13742**:

Aye: Berry, Brown, Crane, Harvey, Martin, Viessman, and Weber

Nay: None

- c. **Rezoning and Associated Comprehensive Plan Amendment for 68.08 acres located southwest of the intersection of West Stadium Boulevard and West Edgewood Drive:** City Planner Janice McMillan gave a brief report outlining the background of the annexation. Following her presentation, no persons present requested to speak in favor of, or opposition to, the annexation. Mayor John Landwehr declared the evidentiary portion of the public hearing concluded.

The council took up the associated Pending Bill (2004-35) at this time.

Bill 2004-35, sponsored by Councilman Brown, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, CHANGING, AMENDING, AND MODIFYING THE ZONING MAP OF THE ZONING CODE OF THE CITY OF JEFFERSON, BY REZONING 68.08 ACRES FROM RS-2 SINGLE-FAMILY RESIDENTIAL TO A COMBINATION OF RD ONE AND TWO FAMILY RESIDENTIAL, AND C-O OFFICE COMMERCIAL, SUCH PROPERTY BEING LOCATED SOUTHWEST OF THE INTERSECTION OF WEST STADIUM BOULEVARD AND WEST EDGEWOOD DRIVE, IN SECTION 14, TOWNSHIP 44 NORTH, RANGE 12 WEST, JEFFERSON CITY, COLE COUNTY, MISSOURI AND ENDORSING AN AMENDMENT ON THE DEVELOPMENT PLAN MAP OF THE COMPREHENSIVE PLAN TO REFLECT SUCH CHANGE.

Bill 2004-35 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 13743**:

Aye: Berry, Brown, Crane, Harvey, Martin, Viessman, and Weber

Nay: None

- d. **Preliminary and Final PUD Plan for 2130 Schotthill Woods Drive** City Planner Janice McMillan gave a brief report outlining the background of the annexation. Following her presentation, no persons present requested to speak in favor of, or opposition to, the annexation. Mayor John Landwehr declared the evidentiary portion of the public hearing concluded.

The council took up the associated Pending Bill (2004-36) at this time.

Bill 2004-36, sponsored by Councilman Brown, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, ACCEPTING AND APPROVING A PRELIMINARY AND FINAL PUD PLAN FOR 2130 SCHOTTHILL WOODS DRIVE, LOCATED UPON A TRACT OF 4.38 ACRES IN SECTION 21, TOWNSHIP 44 NORTH, RANGE 11 WEST, COLE COUNTY MISSOURI, INCLUDING PARTS OF LOTS 99 AND 100 IN SCHOTTHILL WOODS SUBDIVISION, SECTION FOUR.

Bill 2004-36 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 13744**:

Aye: Berry, Brown, Crane, Harvey, Martin, Viessman, and Weber

Nay: None

MINUTES AND REPORTS RECEIVED AND FILED

Mayor John Landwehr announced that the following minutes and reports have been received and are on file and may be reviewed in the City Clerk's office:

- a. Planning & Zoning Commission, June 10, 2004

- b. June 2004 Finance Report
- c. Transportation & Traffic Commission, July 3, 2004
- d. Economic Development Advisory Board, May 26, 2004
- e. Environmental Quality Commission, March 4, 2004
- f. Public Works & Planning Committee, May 20, 2004
- g. Parks & Recreation Commission, June 14, 2004
- h. Human Relations Commission, June 8 and June 22, 2004

COUNCIL MEMBER REPORTS

There were no reports made at this time.

ANNOUNCEMENTS

There were no announcements made at this time.

APPOINTMENTS

There were no appointments recommended at this time.

PRESENTATIONS FROM CITY COMMISSIONS & INVITED GUESTS

Mr. Larry Schepers, Chairman of the Economic Development Advisory Board, gave a report of that Board's activities since its creation in November 2003. He briefed the Council on their goals to work with the Chamber of Commerce, the City, the County, and other entities to further economic development in the area. He introduced Missy Bonnot, Director of Economic Development for the Chamber of Commerce, as well as Mike Kehoe, President of the Board of Directors of the Chamber of Commerce. Following Mr. Schepers' report, several questions were asked by the Council, and Mr. Schepers was commended by the Mayor and Council for the Board's outstanding efforts toward improving the community of Jefferson City.

PRESENTATIONS FROM THE COUNCIL

There were no presentations made at this time.

The following items were on the agenda for Council approval by Consent:

- a. Minutes of Council Meetings: July 6 Pre-Meeting and Regular Meeting
- b. Bid 2152 - Sewer Pipe, Community Development, Collections Systems Maint.

A motion was made by Councilman Michael Berry for approval of the Consent Agenda as presented, seconded by Councilman Kevin Brown and approved unanimously.

Bill 2004-44, sponsored by Councilman Berry and Brown, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING THE CODE PERTAINING TO APPOINTMENT OF COMMITTEES.

Bill 2004-45, sponsored by Councilman Brown, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH ARTHUR J. GALLAGHER FOR PROFESSIONAL BROKER SERVICES.

Bill 2004-46, sponsored by Councilman Harvey, Ferguson, and Brown, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING SCHEDULE A OF THE CITY CODE PERTAINING TO SPEED LIMITS ON HIGHWAY 50/63 (WHITTON EXPRESSWAY).

Bill 2004-47, sponsored by Councilman Martin, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH HORNER & SHIFRIN FOR HIGHWAY 54 PUMP STATION DESIGN AND CONSTRUCTION.

Following questions asked by Council Members regarding the fiscal note associated with this bill, Mayor John Landwehr asked staff to provide more information to the Council to answer these questions before the next Council meeting.

Bill 2004-33, sponsored by Councilmen Berry and Brown, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI PROVIDING FOR THE VOLUNTARY ANNEXATION OF 130 ACRES ADJACENT TO AND CONTIGUOUS WITH THE CITY BOUNDARY, INCLUDING 108 ACRES OF REAL PROPERTY AND 22 ACRES OF RIGHT-OF-WAY LYING IN SECTIONS 14, 15 AND 22, TOWNSHIP 44 NORTH, RANGE 12 WEST, IN COLE COUNTY, STATE OF MISSOURI, AND REPEALING SECTION 1-17 OF THE CODE OF THE CITY OF JEFFERSON, MISSOURI, DEFINING THE EXISTING CITY BOUNDARY AND ENACTING A NEW SECTION PERTAINING TO THE SAME SUBJECT.

*Passed during Public Hearings portion of meeting

Bill 2004-34, sponsored by Councilman Brown, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, CHANGING, AMENDING, AND MODIFYING THE ZONING MAP OF THE ZONING CODE OF THE CITY OF JEFFERSON, BY REZONING 106.28 ACRES LOCATED ON THE EAST SIDE OF HIGHWAY 179 IN THE 1700 TO 2000 BLOCKS, IN SECTIONS 14, 15, AND 22, TOWNSHIP 44 NORTH, RANGE 12 WEST, JEFFERSON CITY, COLE COUNTY, MISSOURI FROM RU RURAL USE DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT AND ENDORSING AN AMENDMENT ON THE DEVELOPMENT PLAN MAP OF THE COMPREHENSIVE PLAN TO REFLECT SUCH CHANGE.

*Passed during Public Hearings portion of meeting

Bill 2004-35, sponsored by Councilman Brown, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, CHANGING, AMENDING, AND MODIFYING THE ZONING MAP OF THE ZONING CODE OF THE CITY OF JEFFERSON, BY REZONING 68.08 ACRES FROM RS-2 SINGLE-FAMILY RESIDENTIAL TO A COMBINATION OF RD ONE AND TWO FAMILY RESIDENTIAL, AND C-O OFFICE COMMERCIAL, SUCH PROPERTY BEING LOCATED SOUTHWEST OF THE INTERSECTION OF WEST STADIUM BOULEVARD AND WEST EDGEWOOD DRIVE, IN SECTION 14, TOWNSHIP 44 NORTH, RANGE 12 WEST, JEFFERSON CITY, COLE COUNTY, MISSOURI AND ENDORSING AN AMENDMENT ON THE DEVELOPMENT PLAN MAP OF THE COMPREHENSIVE PLAN TO REFLECT SUCH CHANGE.

*Passed during Public Hearings portion of meeting

Bill 2004-36, sponsored by Councilman Brown, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, ACCEPTING AND APPROVING A PRELIMINARY AND FINAL PUD PLAN FOR 2130 SCHOTTHILL WOODS DRIVE, LOCATED UPON A TRACT OF 4.38 ACRES IN SECTION 21, TOWNSHIP 44 NORTH, RANGE 11 WEST, COLE COUNTY MISSOURI, INCLUDING PARTS OF LOTS 99 AND 100 IN SCHOTTHILL WOODS SUBDIVISION, SECTION FOUR.

*Passed during Public Hearings' portion of meeting

Bill 2004-37, sponsored by Councilman Berry, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING THE CODE PERTAINING TO WEAPONS.

Bill 2004-37 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 13745**:

Aye: Berry, Brown, Crane, Harvey, Martin, Viessman, and Weber

Nay: None

Bill 2004-38, sponsored by Councilman Brown, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A PUBLIC TRANSIT OPERATING GRANT AGREEMENT WITH THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION.

Bill 2004-38 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 13746**:

Aye: Berry, Brown, Crane, Harvey, Martin, Viessman, and Weber

Nay: None

Bill 2004-39, sponsored by Councilman Weber, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING AN AGREEMENT WITH THE MISSOURI DEPARTMENT OF PUBLIC SAFETY FOR A NARCOTICS CONTROL ASSISTANCE PROGRAM GRANT AND AUTHORIZING SUPPLEMENTAL APPROPRIATION OF FUNDS, AMENDING THE 2003-2004 ANNUAL BUDGET WITHIN THE GENERAL FUND.

Bill 2004-39 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 13747**:

Aye: Berry, Brown, Crane, Harvey, Martin, Viessman, and Weber

Nay: None

Bill 2004-40, sponsored by Councilman Martin, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING SECTION 19-401, SCHEDULE Z, OF THE CODE OF THE CITY OF JEFFERSON, BY THE ADDITION OF PORTIONS OF THE 1000 BLOCK OF MARSHALL STREET.

Bill 2004-40 was read third time by title, placed on final passage and passed by the

following roll-call vote as **Ordinance 13748**:

Aye: Berry, Brown, Crane, Harvey, Martin, Viessman, and Weber

Nay: None

Bill 2004-41, sponsored by Councilman Vogel, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING SECTION 19-401, SCHEDULE S, (LOADING ZONES), SUBPARAGRAPH C, OF THE CODE OF THE CITY OF JEFFERSON, BY THE ADDITION OF PORTIONS OF THE 300 BLOCK OF BROADWAY STREET.

Bill 2004-41 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 13749**:

Aye: Berry, Brown, Crane, Harvey, Martin, Viessman, and Weber

Nay: None

Bill 2004-42, sponsored by Councilman Weber, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING THE HIGH STREET TAX INCREMENT FINANCING PLAN TO INCREASE THE REIMBURSABLE PROJECT COSTS FOR PRIVATE IMPROVEMENTS

Bill 2004-42 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 13750**:

Aye: Berry, Brown, Crane, Harvey, Martin, Viessman, and Weber

Nay: None

Bill 2004-43, sponsored by Councilman Weber, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMEND THE CURRENT YEAR BUDGET WITHIN THE GENERAL FUND BY SUPPLEMENTALLY APPROPRIATING FUNDS TO THE STREET DIVISION, CENTRAL MAINTENANCE, AND ANIMAL RESCUE.

Bill 2004-43 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 13751**:

Aye: Berry, Crane, Harvey, Martin, Viessman, and Weber

Nay: Brown



Bill 2004-29, sponsored by Councilmen FERGUSON, Martin, Berry, Crane, Harvey, Viessman, Vogel, and Weber, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, DECLARING THE OFFICIAL NAME OF STATE ROUTE B HIGHWAY BETWEEN TANNER BRIDGE ROAD AND ELLIS BOULEVARD TO BE "LORENZO GREENE DRIVE."

Councilman Michael Berry stated that this bill will remain on the Informal Calendar to fulfill notification requirements.

Bill 2004-31, sponsored by Councilmen BERRY and Ferguson, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING A MORATORIUM ON DEMOLITION, OR ALTERATION OF EXISTING STRUCTURES AND ZONING VARIANCES WITHIN THE CENTRAL EAST SIDE NEIGHBORHOOD PLAN AREA.

Councilman Michael Berry requested that Bill 2004-31 be withdrawn at this time. He stated that a new bill could be reintroduced at a later date after the committees and other entities have had more time to work on the prison redevelopment project.

There were no resolutions brought before the Council at this time.

July 19 - Report on Council rules (Councilmen Crane & Brown). Councilman Brian Crane reported that the Committee met and that bill 2004-44 is a result of that meeting. He announced that the Committee is scheduled to meet tomorrow night (July 20) and the topic of discussion will be "conflicts of interest." He invited other council members to attend that meeting to participate in that discussion. Councilman Crane stated that he believes it would be a good idea to invite someone from the Missouri Ethics Commission to address the issue. Mayor John Landwehr suggested that the Committee also look at the voting requirement and abstentions to help clarify that for Council Members. Mayor Landwehr requested that City Clerk Phyllis Powell place this back on the agenda for a follow-up report in 90 days.

Mayor John Landwehr asked City Administrator Rich Mays to do a "snapshot" of the city's current web site issue to see what we currently have. Mr. Mays suggested having the person who works most closely with the web site to appear at the next Council meeting to give a presentation.

Councilman Dean Martin announced a meeting of the purchasing committee for Wednesday, July 28 at 12:00 noon.

Councilman Dean Martin also announced the Public Works & Planning Committee will meet this Thursday night, July 22, 15 5:30 P.M.. Councilman Bob Weber stated he will be out of town and possibly Councilman Kenneth Ferguson will still be out of town, and encouraged any other Council members who know they will be gone to let staff know so they can determine if there will be a quorum or not.

Councilman Bob Weber commended the July 4 committee for the success of this year's event. He suggested bringing the Chairman of that committee to come to the next Council meeting and give a report. Mayor John Landwehr asked City Clerk Phyllis Powell to contact Dan Roling or Jill Snodgrass to see if that can be arranged.

Mayor John Landwehr suggested that the Council consider entertaining nominations for a new Council Member to occupy the seat left vacant by the death of Councilman Bill Patterson on June 30. Questions were asked of City Counselor Nathan Nickolaus regarding the procedure for filling vacant Council seats and subsequent elections following the filling of vacancies. Mr. Nickolaus clarified how the city is required to handle the issue according to the Charter and city code.

A motion was made by Councilman Dean Martin to approve the July 6 Closed Session minutes, seconded by Councilman Michael Berry and approved unanimously.

Mayor John Landwehr stated that, pursuant to Sec. 610.021 of the Revised Statutes of Missouri, the Chair would entertain a motion to go into Closed Session to discuss the following:

Legal Actions [Sec. 610.021.(1)]

Real Estate [Sec. 610.021.(2)]

A motion was made by Councilman Dean Martin to go into Closed Session, seconded by Councilman Roy Vlessman, and approved unanimously by the following roll-call vote at 7:05 P.M.:

Aye: Berry, Brown, Crane, Harvey, Martin, Vlessman, and Weber

Nay: None