

## COUNCIL WORK SESSION JUNE 15, 2009

### CALL TO ORDER

The June 15, 2009, "Pre-Meeting" Work Session was convened at 5:45 P.M. by Mayor John Landwehr.

### ATTENDANCE

The following Council Members were present at the time the meeting convened:

Present: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struempf

Absent: Klindt

### DISCUSSION OF AGENDA ITEMS

**2009-20 (Supplemental Appropriation in Parking Fund)** - A "Substitute2" of the bill was emailed following Friday's Brown Bag and also distributed in hard copy format at the pre-meeting. It shows the correct fund in Section 1 as well as the title.

**2009-23 (Sewer Rate Change)** - Councilman Jim Penfold stated he will be placing this on the Informal Calendar so the public hearing can occur on June 30.

**2009-38 and 2009-39 (SSM Hwy. 179 Interchange)** - Councilman Jim Penfold stated these will be placed on the Informal Calendar to allow for final details to be completed.

**RS2009-7 (trash and recycling carts)** - Councilman Jim Penfold stated he will be offering a motion to amend to clarify who will be receiving the small carts.

**RS2009-8 (Sidewalk Waiver at Command Web)** - Councilman Jim Penfold stated he will be offering a motion to amend by removal of the 4<sup>th</sup> "Whereas" clause which states, in essence, that "The Council has determined sidewalks are not needed" at the Command Web location.

The meeting adjourned at 5:55 P.M.

## REGULAR COUNCIL MEETING JUNE 15, 2009

### CALL TO ORDER

The Regular Council Meeting of June 15, 2009, was convened at 6:00 P.M. by Mayor John Landwehr.

### ROLL CALL

The following Council Members were present for the roll call:

Present: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struempf  
Absent: Klindt

A quorum was declared present.

Mayor Landwehr asked if anyone present wished to be added to the list of those who would like to make a presentation to the Council tonight, and added those names to the list.

### PUBLIC HEARINGS

- (a) Amended Preliminary and Final PUD Plan for New Medical Building at 1241 W. Stadium, Jefferson City Medical Group

City Planner Janice McMillan made a staff presentation regarding the background of the proposed PUD plan and answered questions asked by the Council.

The following persons came forward to speak on the issues:

**Mr. Lyle Rosburg**, Chief Financial Officer of Jefferson City Medical Group, stated his support of the issue and offered to answer any questions the Council might have.

At the conclusion of all public testimony, Mayor John Landwehr declared the evidentiary portion of the public hearing concluded and announced that the Council will now take up the associated pending bill:

**Bill 2009-34**, sponsored by Councilman Struempf, entitled:

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AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, APPROVING AN AMENDED PRELIMINARY AND FINAL PUD PLAN FOR PROPERTY ADDRESSED AS 1241 WEST STADIUM BOULEVARD; DESCRIBED AS PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 44 NORTH, RANGE 12 WEST, JEFFERSON CITY, COLE COUNTY, MISSOURI.

Bill 2009-34 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14550**:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struempf

Nay: None

- (b) Special Exception Use Permit to Operate Neighborhood Center / Community Activity Building for 1212 E. High Street

City Planner Janice McMillan gave a staff presentation regarding the background of the request for the Special Use Permit. She stated that a group of neighboring residents had filed a petition on Friday afternoon stating their opposition to the issue based on ADA issues, parking, noise, trash, and other possible code violations. She stated that after conferring with City Counselor Nathan Nickolaus regarding the signatures on the petition, a determination was reached that it did not meet the criteria needed to require a two-thirds super majority vote to approve the issue. At the conclusion of her presentation, she answered several questions asked by the Council.

The following members of the public came forward to speak on the issue:

**Mr. Charles Stone**, owner of the building in question, stated his reasons for asking for the Special Exception Use Permit, and also addressed concerns mentioned in the document which he indicated he saw for the first time a few minutes before the meeting convened. He answered questions asked by the Council, and urged them to support his efforts to make the building available as a community center to be used to give swing dance classes, and possibly make available to other youth-oriented organizations such as Boys and Girls Club.

**Mr. Michael Hughes**, a property owner in the neighborhood of the building in question, spoke on behalf of several other neighbors to state their opposition to the issue. He stated his chief issue was parking.

**Ms. Myrna Hoyle**, a participant of the swing dance classes before they were discontinued, stated her support for the issue, and urged the Council to approve the requested Special Exception Use Permit.

**Ms. Kathy Gangwisch**, a neighboring resident, stated she is opposed to the issue and urged the Council not to approve the Special Exception Use Permit until the owner has completed the promised improvements.

**Mr. Bruce Schoenebach**, a participant of the swing dance classes, stated his support for the issue.

**Ms. Mary Russell**, a student of the swing dance classes, stated her reasons for supporting

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approval of the requested Special Exception Use Permit and stated she does not believe the issues brought forward in the petition accurately reflect the actual use of the building and those who participate in the activities there.

**Mr. Mark Russell**, a student of the swing class dances, stated he agrees with his daughter who spoke immediately before him and stated his support for Mr. Stone's request.

**Ms. Mary Williams**, a resident near the building in question, stated she is opposed due to some past occurrences involving the use of the building which included trash, parking, and noise which she indicated she had documented until 6:00 a.m. on one occasion. She stated it was the past events which had caused the neighborhood to oppose granting use of the building again.

At the conclusion of the public testimony, a lengthy discussion was held by the Council, including asking several questions of staff. City Counselor Nathan Nickolaus stated that if the Council grants a Special Exception Use Permit, if the conditions of the granting of said permit are not met, the Council may revoke that permit at any time.

There being no further testimony brought forward on the issue at this time, Mayor John Landwehr declared the evidentiary portion of the public hearing concluded and stated the Council will now take up the associated pending bill.

**Bill 2009-35**, sponsored by Councilman Struemph, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, APPROVING A SPECIAL EXCEPTION USE PERMIT TO OPERATE A NEIGHBORHOOD CENTER/COMMUNITY ACTIVITY BUILDING LOCATED AT 1212 E. HIGH STREET, DESCRIBED AS PART OF LOT 9 OF OWEN'S SUBDIVISION OF OUTLOTS 55 AND 56, JEFFERSON CITY, COLE COUNTY, MISSOURI.

Bill 2009-35 was read third time by title and placed on final passage.

A motion was made by Councilman Eric Struemph to accept the substitute Bill 2009-35 previously distributed to the Council, seconded by Councilman Rich Koon, and approved unanimously by the following roll-call vote:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struemph

Nay: None

A motion was then made by Councilman Ron Medin to amend the Substitute Bill 200935 to add to Section 2 a "Condition #6" to read as follows:

- 6. No activities shall be conducted on the property that results in a final, non-appealable conviction of nuisance as defined by Chapter 21 of the Code of the City of Jefferson, Missouri.**

The motion to amend was seconded by Councilman Mike Harvey, and approved unanimously by the following roll-call vote:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and

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Struempf

Nay: None

Councilman Jim Penfold then made a motion to further amend by changing Condition #3 by decreasing the number of persons allowed to use the building from 56 persons to 50 persons. The motion died for lack of a second.

Councilman Ron Medin then made a motion to further amend the Substitute Bill 2009-35, as previously amended, by adding a Condition #7, which would read as follows:

7. **The property shall at all times be posted with “No Trespassing” signs in compliance with Section 18-72 of the Code of the City of Jefferson, Missouri.**

The motion to amend was seconded by Councilman Mike Harvey, and approved unanimously by the following roll-call vote:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struempf

Nay: None

At the conclusion of discussion, Substitute Bill 2009-35 was then passed, as amended above, by the following roll-call vote as **Ordinance 14551**:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struempf

Nay: None

- (c) Rezoning 2.03 Acres at 3143 and 3149 Algoa Road and Endorsing Associated Comprehensive Plan Amendment

City Planner Janice McMillan made a staff presentation regarding the requested rezoning.

No one came forward to speak on the issue. Mayor John Landwehr declared the evidentiary portion of the public hearing concluded and stated the Council will now take up the associated pending bill.

**Bill 2009-36**, sponsored by Councilman Struempf, 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 2.03 ACRES FROM RS-1 LOW DENSITY RESIDENTIAL TO RA-1 HIGH DENSITY RESIDENTIAL, FOR LAND ADDRESSED AS 3143 AND 3149 ALGOA ROAD, DESCRIBED AS LOTS 14 AND 15 OF SCOTTANIA SUBDIVISION, SECTION TWO, JEFFERSON CITY, COLE COUNTY, MISSOURI, AND ENDORSING AN AMENDMENT ON THE DEVELOPMENT PLAN MAP OF THE COMPREHENSIVE PLAN

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TO REFLECT SUCH CHANGE.

Bill 2009-36 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14552**:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struempf

Nay: None

- (d) Voluntary Annexation of 3.45 Acres in 1500-1700 Block of London Way, and Zoning Plan for Light Industrial District

City Planner Janice McMillan made a staff presentation explaining the location and need for the rezoning of the city-owned property. Following her presentation, the following persons came forward to speak on the issue:

**Mr. Scott Wolstenholme** stated he owns the property near the property in question and asked for further clarification of the exact location of the property being annexed. Following an explanation by staff, he indicated he understood where the property is located and had no objections to the annexation.

At the conclusion of the public testimony, Mayor John Landwehr declared the evidentiary portion of the public hearing concluded, and stated the Council will now take up the associated pending bill.

**Bill 2009-37**, sponsored by Councilman Struempf, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI PROVIDING FOR THE VOLUNTARY ANNEXATION OF REAL PROPERTY CONTIGUOUS TO THE PRESENT CITY LIMITS, INTO THE CITY OF JEFFERSON, MISSOURI, LOCATED IN THE 1500-1700 BLOCK OF LONDON WAY; DESCRIBED AS PART OF LOT 7 OF CAPITAL CITY INDUSTRIAL PARK AND PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 44 NORTH, RANGE 12 WEST, IN THE COUNTY OF COLE, STATE OF MISSOURI; AND AMENDING SECTION 1-17 OF THE CODE OF THE CITY OF JEFFERSON, MISSOURI, DEFINING THE EXISTING CITY BOUNDARY BY ADDING ONE NEW SUB-SECTION PERTAINING TO THE SAME SUBJECT.

Bill 2009-37 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14553**:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struempf

Nay: None

Mayor John Landwehr stated that since the public hearings had taken up so much time that

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he would ask the Council to consider allowing other persons present who wished to make presentations from the gallery to do so at this time so they could leave if they wished to. The Council did not object to allowing those presentations at this time.

### PRESENTATIONS FROM THE GALLERY ON SPECIFIC BILLS & RESOLUTIONS

**Ms. Harriet Waldo** made a presentation regarding Resolution RS2009-7, trash and recycling carts. She stated that she is opposed to the contract as it was approved by the Council because she believes that not everyone can afford the increased cost.

### RECESS

Mayor John Landwehr called for a brief recess at this time (7:55 P.M.) and asked if the Council would consent to allowing some of the Presentations from Invited Guests to occur immediately after the meeting reconvenes so those presenters could leave. The Council did not object.

### RECONVENING

The meeting was reconvened by Mayor John Landwehr at 8:05 P.M. with the following Council Members present:

Present: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struempf

Absent: Klindt

### ITEMS TAKEN UP OUT OF ORDER:

### PRESENTATIONS FROM STAFF, CONSULTANTS, AND INVITED GUESTS

(a) City Administrator Steve Rasmussen introduced the summer interns as follow, after which the Council welcomed them:

Eric Falter- Central Maintenance

Matthew Fuller- Planning Division

Lauren Hershey- Human Resources

Marcus Warren- I.T. Department

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- (b) Steve Picker, Convention and Visitors Bureau, gave a presentation regarding the "Hard Hat Tours" which are currently being conducted of the old Missouri State Penitentiary site. He stated that the popularity of the tours continues to grow and that many persons from other states are now coming to take the tours. He stated there is also possibility of the site being used by the Missouri Film Commission as a location for future movies.

### MISCELLANEOUS AGENDA ITEMS

There were no Miscellaneous agenda items brought forward at this time.

### MINUTES AND REPORTS RECEIVED AND FILED

Mayor John Landwehr stated the following minutes have been received and are on file for review in the City Clerk's office:

- a. CAMPO Technical Committee, May 7, and May 11, 2009
- b. Public Safety Committee, May 1, 2009
- c. Parks & Recreation Commission, May 19, 2009
- d. Historic Preservation Commission, May 12, 2009

Mayor Landwehr thanked the volunteers who serve on these Boards and Commissions for their vital contribution to our community.

### COUNCIL LIAISON REPORTS

**Administration Committee** - Councilwoman Carrie Carroll stated that the next meeting will be held Wednesday, July 8 at 8:00 A.M.

**Public Safety Committee** - No report was given at this time.

**Public Works & Planning Committee** - Councilman Jim Penfold reported that the next meeting will be held on Thursday, June 18 at 7:30 A.M.

**Finance Committee** - Councilman Rich Koon reported the last meeting was held on Friday, June 12 immediately following the Brown Bag Work Session.

**Ad Hoc Committees, if any:** Councilman Jim Penfold reported that the newly-formed Airport Advisory Committee held its first meeting on June 9 at which time they elected Frank Rycyk as Chairman, and Grant Shorthose as Vice-Chairman.

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### ANNOUNCEMENTS OF OTHER UPCOMING MEETINGS AND EVENTS

**Mr. Eric Seaman** announced that a public hearing will be held at 4:00 P.M. on Tuesday, June 30 in the Boone-Bancroft Room to present information and answer questions about sewer rates. He stated the meeting will continue until all questions have been answered.

**Nathan Nickolaus** announced recent changes to the local Mediacom cable system which affected the ability to receive the JCTV local public access channel. He stated the situation continues to change and that if anyone has problems or questions regarding JCTV they should contact Mediacom or the City, who could relay those to Mediacom. Mayor John Landwehr asked him to contact Mediacom and ask again for a report to be presented by the next Council meeting.

### APPOINTMENTS BY THE MAYOR

The following appointments to City Boards and Commissions were recommended for Council approval by Mayor John Landwehr:

Board / Commission	Appointee	Expires	Term
Housing Authority Board	Dora Washington	Nov 2012	Full
Parks & Recreation Commission:	Marty Miller	May 2012	Full
	Steve Duncan	May 2012	Full
Transportation & Traffic Commission:	Ron Fitzwater	June 2012	Full
	Rick Prather	June 2012	Full
	Jeff Ahlers	June 2012	Full

A motion was made by Councilman Bob Scrivner for approval of the appointments as recommended, seconded by Councilman Ron Medin, and approved unanimously.

### PRESENTATIONS FROM STAFF, CONSULTANTS, AND INVITED GUESTS

Assistant to the City Administrator Melva Fast gave a brief presentation on the recent "MORA" award presented to Jefferson City's Environmental Quality Commission in St. Louis for their participation in a curbside recycling pilot program several months ago. She stated the award would be displayed in City Hall.

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### CONSENT AGENDA

The following items were presented to the Council for their approval by Consent:

Minutes of May 29, June 1, and June 8, 2009 City Council Meetings

A motion was made by Councilman Jim Penfold for approval of the Consent Agenda which were corrected following the June 12 Brown Bag Work Session and re-distributed prior to this meeting. Motion was seconded by Councilman Mike Harvey, and approved unanimously.

### BILLS INTRODUCED

**Bill 2009-40**, sponsored by Councilwoman Carroll, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF JEFFERSON, MISSOURI PERTAINING TO COMMITTEES.

Councilwoman Carrie Carroll announced that this bill will be placed on the Informal Calendar at the July 6 Council meeting to allow more time for the Administration Committee to discuss the issue.

**Bill 2009-41**, sponsored by Councilman Koon, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING THE 2008-2009 BUDGET OF THE CITY OF JEFFERSON, MISSOURI, BY APPROPRIATING ADDITIONAL FUNDS WITHIN THE GENERAL FUND AND THE TRANSIT FUND.

**Bill 2009-42**, sponsored by Councilman Scrivner, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING THE 2008-2009 BUDGET OF THE CITY OF JEFFERSON, MISSOURI, BY APPROPRIATING ADDITIONAL FUNDS WITHIN THE GENERAL FUND AND THE PARK FUND.

### BILLS PENDING

**Bill 2009-19**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH MTS CONTRACTING, INC., FOR THE JEFFERSON STREET PARKING GARAGE REHABILITATION PROJECT.

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Bill 2009-19 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14538**:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struempf

Nay: None

**Bill 2009-20**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING THE 2008-2009 BUDGET OF THE CITY OF JEFFERSON, MISSOURI BY APPROPRIATING ADDITIONAL FUNDS WITHIN THE GENERAL FUND FOR PARKING GARAGE REPAIRS AND SIGNAGE.

Bill 2009-20 was read third time by title and placed on final passage. A motion was made by Councilman Jim Penfold to accept Substitute No. 2 to Bill 2009-20 which was previously distributed, seconded by Councilman Bob Scrivner, and approved unanimously. Substitute No. 2 to Bill 2009-20 was then and passed by the following roll-call vote as **Ordinance 14539**:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struempf

Nay: None

**Bill 2009-21**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH CDM, A/K/A CAMP DRESSER & MCKEE, FOR DESIGN, BIDDING ASSISTANCE AND CONSTRUCTION ENGINEERING SERVICES OF A DISINFECTION SYSTEM AT THE REGIONAL WATER RECLAMATION FACILITY.

Bill 2009-21 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14540**:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Scrivner, and Struempf

Nay: Pope

**Bill 2009-22**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING THE 2008-2009 BUDGET OF THE CITY OF JEFFERSON, MISSOURI BY APPROPRIATING ADDITIONAL FUNDS WITHIN THE WASTEWATER FUND.

Bill 2009-22 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14541**:

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Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Scrivner, and Struempf  
Nay: Pope

**Bill 2009-23**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING CHAPTER 29, SEWERS AND SEWAGE DISPOSAL, OF THE CODE OF THE CITY OF JEFFERSON, PERTAINING TO SERVICE CHARGES.

Councilman Jim Penfold requested that Bill 2009-23 be placed on the Informal Calendar at this time.

**Bill 2009-25**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, VACATING AND DISCONTINUING AN UNNAMED ALLEY BETWEEN SUBDIVIDED LOTS 516 AND 517, AND BETWEEN NORTHERN RIGHT OF WAY LINE OF E. MCCARTY STREET AND THE SOUTHERN RIGHT OF WAY LINE OF E. WALL WAY

Bill 2009-25 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14542**:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struempf  
Nay: None

**Bill 2009-26**, sponsored by Councilman Medin, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING SECTION 19-401, (STREETS AND HIGHWAYS), SCHEDULE (V) (DISABLED PARKING SPACES), OF THE CODE OF THE CITY OF JEFFERSON, BY THE ADDITION OF A DISABLED PARKING SPACE ON A PORTION OF WEST HIGH STREET.

Bill 2009-26 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14543**:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struempf  
Nay: None

**Bill 2009-27**, sponsored by Councilman Medin, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING SECTION 19-401, SCHEDULE Z (RESIDENTIAL PARKING PERMIT ZONES) OF THE CODE OF THE CITY OF JEFFERSON, PERTAINING TO A PORTION OF JACKSON STREET.

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Bill 2009-27 was read third time by title and placed on final passage. A motion was made by Councilman Ron Medin to accept the Substitute Bill 2009-27 which was previously distributed, seconded by Councilman Mike Harvey, and approved unanimously. Councilman Eric Struempf asked Community Development Director Pat Sullivan if the School Board had been made aware of the application for a residential parking zone in front of a residence which would remove parking spaces available for parking by JCHS students. Mr. Sullivan replied he had not informed the School Board of the issue. Substitute Bill 2009-27 was then passed by the following roll-call vote as **Ordinance 14544**:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, and Scrivner  
Nay: Struempf

**Bill 2009-28**, sponsored by Councilman Medin, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING SECTION 19-401, (STREETS AND HIGHWAYS), SCHEDULE (S), (LOADING ZONES), SUBPARAGRAPH (A), OF THE CODE OF THE CITY OF JEFFERSON, BY THE REMOVAL OF A PORTION OF WEST MCCARTY STREET.

Bill 2009-28 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14545**:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struempf  
Nay: None

**Bill 2009-29**, sponsored by Councilman Medin, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING SECTION 19-401, (STREETS AND HIGHWAYS), SCHEDULE (R), (RESERVED PARKING AREAS), PARAGRAPH (A), (GENERALLY), SUBPARAGRAPH (3) (POLICE BUSINESS PARKING), OF THE CODE OF THE CITY OF JEFFERSON, PERTAINING TO A PORTION OF WEST ATCHISON STREET.

Bill 2009-29 was read third time by title and placed on final passage. A motion was made by Councilman Ron Medin to accept the Substitute Bill 2009-29 which was previously distributed, seconded by Councilman Bob Scrivner, and approved unanimously. Substitute Bill 2009-29 was then passed by the following roll-call vote as **Ordinance 14546**:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struempf  
Nay: None

**Bill 2009-30**, sponsored by Councilman Medin, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING SECTION

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19-401 (STREETS AND HIGHWAYS), SCHEDULE (N), (PARKING METER ZONES AND MONTHLY PARKING FEES), SUBPARAGRAPH (B), (ON STREET LOCATION), OF THE CODE OF THE CITY OF JEFFERSON, BY MODIFYING PORTIONS OF MCCARTY STREET.

Bill 2009-30 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14547**:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struempf

Nay: None

**Bill 2009-31**, sponsored by Councilman Medin, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING SECTION 19-401, (STREETS AND HIGHWAYS), SCHEDULE A (SPEED LIMITS), SUBPARAGRAPH (G), (TWENTY MILES PER HOUR) OF THE CODE OF THE CITY OF JEFFERSON, PERTAINING TO SPEED LIMITS ON A PORTION OF LAFAYETTE STREET.

Councilman Ron Medin withdrew Bill 2009-31 at this time.

**Bill 2009-32**, sponsored by Councilman Klindt, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING THE 2008-2009 BUDGET OF THE CITY OF JEFFERSON, MISSOURI BY APPROPRIATING ADDITIONAL FUNDS WITHIN THE GENERAL FUND.

Bill 2009-32 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14548**:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struempf

Nay: None

**Bill 2009-33**, sponsored by Councilman Koon, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING CHAPTER 2 OF THE CITY CODE REGARDING PURCHASING REQUIREMENTS.

Bill 2009-33 was read third time by title and placed on final passage. A motion was made by Councilman Rich Koon to accept the Substitute Bill 2009-33 previously distributed, seconded by Councilman Bob Scrivner, and approved unanimously. Substitute Bill 2009-33 was then passed by the following roll-call vote as **Ordinance 14549**:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, Penfold, Pope, Scrivner, and Struempf

Nay: None

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**Bill 2009-38**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A COST SHARE AGREEMENT WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION COMMISSION AND COLE COUNTY FOR AN INTERCHANGE ON HIGHWAY 179.

Councilman Jim Penfold requested that Bill 2009-38 be placed on the Informal Calendar at this time.

**Bill 2009-39**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A DEVELOPMENT AGREEMENT WITH SSM AND COLE COUNTY FOR THE HIGHWAY 179 INTERCHANGE.

Councilman Jim Penfold requested that Bill 2009-38 be placed on the Informal Calendar at this time.

## RESOLUTIONS

RS2009-7 Trash and Recycling Carts (Carroll)

A motion was made by Councilman Jim Penfold to amend RS2009-7 by deleting language from the first "Now Therefore" clause as follows:

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby elect to exercise its option under section 13.2.1 of the contract to have Allied provide 2000 small carts ~~and that these carts be distributed first to the low income applicants who have requested the same, secondly to those individuals who requested a small cart at the regular sized cart price, and last to those other individuals who have requested a small cart, and;~~

The motion to amend was seconded by Councilman Ron Medin and approved by the following roll-call vote:

Aye: Carroll, Ferguson, Koon, Medin, Penfold

Nay: Harvey, Pope, Scrivner, and Struempf

Following a lengthy discussion, Councilman Mike Harvey called for the question. Resolution RS2009-7 was then adopted, as amended, by the following roll-call vote:

Aye: Carroll, Ferguson, Harvey, Koon, Medin, and Penfold

Nay: Pope, Scrivner, and Struempf

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RS2009-8 Granting Sidewalk Waiver to Command Web (Klindt)

Councilman Bob Scrivner made a motion to adopt RS2009-8, seconded by Councilman Kenneth Ferguson.

A motion was made by Councilman Jim Penfold to amend Resolution RS2009-8 by deleting the fourth "Whereas" clause, as follows:

**WHEREAS,** ~~The City Council finds that sidewalks are not necessary at this location, and;~~

The motion was seconded by Councilman Ron Medin, and approved by the following roll-call vote:

Aye: Carroll, Ferguson, Koon, Medin, Penfold, and Pope

Nay: Harvey, Scrivner, and Struempf

RS2009-8 was then adopted, as amended, by the following roll-call vote:

Aye: Ferguson, Harvey, Koon, Medin, Penfold, Scrivner, and Struempf

Nay: Carroll and Pope

### NEW BUSINESS

Councilwoman Carrie Carroll announced the local phone book recycling program and urged citizens to take advantage of it.

### PRESENTATIONS FROM THE GALLERY ON OTHER TOPICS

There were no presentations made at this time.

### COUNCIL AND STAFF DISCUSSION OF PRESENTATION TOPICS

There was no discussion at this time.

### ADJOURNMENT

There being no further business brought before the Council, a motion for adjournment was

**REGULAR COUNCIL MEETING JUNE 15, 2009**

made by Councilman Jim Penfold, seconded by Councilman Rich Koon, and approved unanimously at 9:10 P.M.