

## COUNCIL WORK SESSION AUGUST 3, 2009

### CALL TO ORDER

The August 3, 2009, "Pre-Meeting" Work Session was convened at 5:48 P.M. by Mayor John Landwehr.

### ATTENDANCE

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

Present: Ferguson (arrived at 5:50 P.M.), Harvey, Klindt, Medin (arrived at 5:52 P.M.), Penfold, Pope, Scrivner, and Struempfler

Absent: Carroll and Koon

### DISCUSSION OF AGENDA ITEMS

**2009-54 (parking near new roundabout)** - Councilman Ron Medin stated he will request suspension of the rules so this can be passed before school opens on August 19.

**2009-58 (roundabout rules codified)** - Councilman Dan Klindt stated he will be requesting suspension of the rules so this can be also be passed tonight due to the August 19 start of school.

**2009-48 (bow hunting inside city limits)** - Councilman Dan Klindt announced that Mr. John George will be attending tonight's meeting in case any questions arise on this issue which Mr. George would be able to answer.

The meeting adjourned at 5:58 P.M.

## REGULAR COUNCIL MEETING AUGUST 3, 2009

### CALL TO ORDER

The Regular Council Meeting of August 3, 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: Ferguson, Harvey, Klindt, Medin, Penfold, Pope, Scrivner, and Struempf  
Absent: Carroll and Koon

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) 2009-2010 City Budget
- (b) 2009 Gross Receipts Utility Tax (GRUT) Rate
- (c) 2009 Tax Levy Rate

Finance Director Steve Schlueter gave a presentation regarding all three issues since they are all related. Following his presentation, the following persons came forward to testify on the matters:

**Mr. Clifford Olsen**, Jefferson City, regarding the tax levy rate. He commended Mayor John Landwehr for rolling back the eight-cent property tax levy rate which would have been for the ambulance district, and encouraged the city to place money in reserves for economic downturns.

**Mr. Bob Randolph**, Jefferson City, stated he believes the City should in some way “roll back” the \$640,000 collected last year in the event the City needed it to operate an ambulance service since the ambulance service is now going to be operated by the Cole County Commission. Mayor John Landwehr explained new state legislation that prohibited

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the City from changing the tax levy rate more frequently than every two years.

### 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. MoDOT 2009 City County Book (available for review in City Clerk's office)
- b. June Finance Reports
- c. Transit Focus Group, April 27, 2009
- d. USS Jefferson City Submarine Committee, July 2, 2009
- e. Housing Authority Board of Commissioners, June 23, 2009
- f. Public Works & Planning Committee, March 19, April 23, May 21, and June 18, 2009
- g. CVB Minutes and Reports (available for review in City Clerk's office)

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

### COUNCIL LIAISON REPORTS

**Administration Committee** - Vice-Chairman, Councilman Jim Penfold, reported in the absence of Chairwoman, Councilwoman Carrie Carroll, that the next Committee meeting will occur at 8:00 A.M. on Wednesday, August 12.

**Finance Committee** - Vice-Chairman Councilman Ron Medin reported in the absence of Chairman, Councilman Rich Koon, reported the Budget Committee will meet next Monday, August 10 at 5:30 P.M. to discuss the tax levy rate and budget issues.

**Public Safety Committee** - Councilman Dan Klindt reported that the Committee met last Friday, August 31, immediately following the Brown Bag work session.

**Public Works & Planning Committee** - Councilman Jim Penfold reported that the next meeting will be held on Thursday, August 20 at 7:30 A.M.

**Ad Hoc Committees, if any:** No ad hoc reports were given at this time.

### ANNOUNCEMENTS OF OTHER UPCOMING MEETINGS AND EVENTS

Parks & Recreation Director Bill Lockwood announced that the Missouri River MR340 race

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will begin in Kansas City on Tuesday morning, and the boats should begin coming through Jefferson City at the Noren River Access sometime during the day on Wednesday. He encouraged citizens to go see the boats as they come in as it is a unique event.

### APPOINTMENTS BY THE MAYOR

There were no appointments recommended at this time.

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

**Mr. Ralph Bray**, Historic Preservation Commission, presented the Commission's annual report to the City Council and answered questions at the conclusion. Mayor John Landwehr thanked Mr. Bray and the Commission for their valuable contribution to our community.

**Mr. Frank Rycyk**, Chairman of the newly-formed Airport Advisory Committee, made a presentation regarding the Airport's economic impact to the City.

**Mr. Greg Gaffke**, Embarq, made a report regarding the impending availability of IPTV to citizens of Jefferson City through Embarq's telephone lines. Mr. Ken McMann of Embarq also assisted with the presentation which involved Century Link, the name of the company connected to Embarq which will be offering this service. He also answered questions asked by the City Council.

**Mr. Kevin Thompson**, Jefferson City Cultural Arts Commission, made a presentation regarding the upcoming "Art Inside the Park" event and asked the Council to consider whether the event could be funded if it is held outside the City limits. Following the conclusion of Mr. Thompson's presentation, a motion was made by Councilman Mike Harvey to refer the issue to the Committee on Administration to review and see if the event can be funded if it is held outside the City. The motion was seconded by Councilman Bob Scrivner and approved unanimously.

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

There were no presentations made at this time.

### MISCELLANEOUS AGENDA ITEMS

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

### CONSENT AGENDA

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

Minutes of July 13, 17, 20, and 21, 2009 City Council Meetings

A motion was made by Councilman Dan Klindt for approval of the Consent Agenda as presented, seconded by Councilman Jim Penfold, and approved unanimously.

### BILLS INTRODUCED

**Bill 2009-49**, 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 0.15 ACRES FROM RA-2 HIGH DENSITY RESIDENTIAL TO C-1 NEIGHBORHOOD COMMERCIAL, FOR LAND ADDRESSED AS 801 WEST HIGH STREET, DESCRIBED AS PART OF INLOT NO. 407, JEFFERSON CITY, COLE COUNTY, MISSOURI.

**Bill 2009-50**, sponsored by Councilman Penfold, 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 2009-51**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH SAK CONSTRUCTION, LLC FOR BASIN 16 SANITARY SEWER REHABILITATION.

**Bill 2009-52**, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH WREN SOLUTIONS FOR INSTALLATION OF SECURITY CAMERAS AT TRANSIT AND CENTRAL MAINTENANCE.

Mayor John Landwehr disclosed that Wren Solutions is a client of his, and if any discussion or action will be required by the Mayor concerning this issue, he will recuse himself and allow President Pro Tempore Mike Harvey to assume the chair.

**Bill 2009-53**, sponsored by Councilman Penfold, entitled:

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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 2009-54**, sponsored by Councilman Medin, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING SECTION 19-401, (STREETS AND HIGHWAYS), SCHEDULE (J), (PARKING PROHIBITED), SUBPARAGRAPH (A), OF THE CODE OF THE CITY OF JEFFERSON, PERTAINING TO PORTIONS OF STADIUM BOULEVARD, LESLIE BOULEVARD AND LAFAYETTE STREET AND AMENDING SECTION 19-401, (STREET AND HIGHWAYS), AND SCHEDULE (G), (STOP INTERSECTIONS), SUBPARAGRAPH (B), PERTAINING TO LAFAYETTE STREET AND LESLIE BOULEVARD.

Councilman Medin requested that the rules be suspended and Bill 2009-54 be placed on third reading and final passage because school begins on August 19 and the Council believes the parking needs to be in place before that time. There were no objections to the request for suspension of the rules. Bill 2009-54 was then read second and third times by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14566**:

Aye: Ferguson, Harvey, Klindt, Medin, Penfold, Pope, Scrivner, and Struempfh  
Nay: None

**Bill 2009-55**, sponsored by Councilman Koon, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, DECLARING CERTAIN PROPERTY TO BE SURPLUS AND AUTHORIZING THE DISPOSAL OF SAID PROPERTY.

**Bill 2009-56**, sponsored by Councilman Koon, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, ADOPTING A BUDGET AND PERSONNEL CLASSIFICATION PLAN FOR THE CITY FOR THE PERIOD OF NOVEMBER 1, 2009, TO OCTOBER 31, 2010, AND APPROPRIATING MONEY IN THE CITY TREASURY TO PAY THE COST OF OPERATING THE CITY GOVERNMENT DURING THAT PERIOD IN ACCORDANCE WITH THE BUDGET.

**Bill 2009-57**, sponsored by Councilman Koon, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, PROVIDING FOR THE LEVY OF CITY TAXES AND ESTABLISHING THE RATE OF TAXATION FOR THE CITY OF JEFFERSON, MISSOURI FOR THE YEAR 2009.

**Bill 2009-58**, sponsored by Councilman Klindt, entitled:

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AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING THE CITY CODE, CHAPTER 19, REGARDING ROUNDABOUTS .

Councilman Klindt requested that the rules be suspended and Bill 2009-58 be placed on third reading and final passage because school begins on August 19 and the Council believes the roundabout regulations need to be in place before that time. There were no objections to the request for suspension of the rules. Bill 2009-58 was then read second and third times by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14567:**

Aye: Ferguson, Harvey, Klindt, Medin, Penfold, Pope, Scrivner, and Struempfh  
Nay: None

**Bill 2009-59**, sponsored by Councilman Harvey, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH COLE COUNTY SETTING PROCEDURES FOR JOINT CITY AND COUNTY CAPITAL IMPROVEMENT SALES TAX PROJECTS.

### BILLS PENDING

**Bill 2009-46**, sponsored by Councilwoman Carroll, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING THE CODE OF THE CITY OF JEFFERSON, BY CREATING AN ANIMAL SHELTER ADVISORY COMMITTEE.

Bill 2009-46 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14561:**

Aye: Ferguson, Harvey, Klindt, Medin, Penfold, Pope, Scrivner, and Struempfh  
Nay: None

**Bill 2009-47**, 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.

Bill 2009-47 was read third time by title and placed on final passage. A motion was made by Councilman Ron Medin to accept Substitute #2 which had previously distributed to the Council, seconded by Councilman Kenneth Ferguson, and approved unanimously. Bill 2009-49 was then passed, as substituted, by the following roll-call vote as **Ordinance 14562:**

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Aye: Ferguson, Harvey, Klindt, Medin, Penfold, Pope, Scrivner, and Struempfh

Nay: None

**Bill 2009-48**, sponsored by Councilman Klindt, cosponsored by Councilman Struempfh, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING THE CODE OF THE CITY OF JEFFERSON, MISSOURI, PERTAINING TO THE PERMITTED USES OF A BOW AND ARROW.

Bill 2009-48 was read third time by title placed on final passage. Following a lengthy discussion, Bill 2009-48 was then passed by the following roll-call vote as **Ordinance 14563**:

Aye: Klindt, Medin, Penfold, Pope, Scrivner, and Struempfh

Nay: Ferguson and Harvey

### INFORMAL CALENDAR

**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 removed from the Informal Calendar and placed on third reading and final passage at this time.

Bill 2009-38 was read third time by title and placed on final passage. A motion was made by Councilman Jim Penfold to amend Bill 2009-38 as recently distributed and explained by staff pertaining to the associated contract, seconded by Councilman Dan Klindt, and approved unanimously.

Bill 2009-38 was then passed, as amended, by the following roll-call vote as **Ordinance 14564**:

Aye: Ferguson, Harvey, Klindt, Medin, Penfold, Pope, Scrivner, and Struempfh

Nay: None

**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.

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Bill 2009-39 was read third time by title and placed on final passage. A motion was made by Councilman Jim Penfold to amend Bill 2009-39 as recently distributed and explained by staff pertaining to the associated contract, seconded by Councilman Mike Harvey, and approved unanimously.

Bill 2009-39 was then passed, as amended, by the following roll-call vote as **Ordinance 14565**:

Aye: Ferguson, Harvey, Klindt, Medin, Penfold, Pope, Scrivner, and Struempfler

Nay: None

### RESOLUTIONS

RS2009-13 Excluding Participation in AT&T Lawsuit Settlement (Klindt)

A motion was made by Councilman Bob Scrivner for adoption of RS2009-13 as presented, seconded by Councilman Kenneth Ferguson, and approved unanimously by the following roll-call vote:

Aye: Ferguson, Harvey, Klindt, Medin, Penfold, Pope, Scrivner, and Struempfler

Nay: None

RS2009-14 Authorizing Change Order to Jefferson Street Parking Garage Rehabilitation Project (Penfold)

A motion was made by Councilman Jim Penfold for adoption of RS2009-14 as presented, seconded by Councilman Mike Harvey, and approved unanimously by the following roll-call vote:

Aye: Ferguson, Harvey, Klindt, Medin, Penfold, Pope, Scrivner, and Struempfler

Nay: None

### 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.

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### NEW BUSINESS

Councilman Bryan Pope asked if the Council could receive a report from our Cole County Health Nurse on the status of preparations for the H1N1 flu virus at the next Council meeting. City Administrator Steve Rasmussen stated staff would make arrangements for the requested report.

### APPROVAL OF CLOSED SESSION MINUTES

A motion was made by Councilman Mike Harvey to approve the July 20, 2009, Closed Session Minutes, seconded by Councilman Kenneth Ferguson, and approved unanimously by the following roll-call vote:

Aye: Ferguson, Harvey, Klindt, Medin, Penfold, Pope, Scrivner, and Struempfler

Nay: None

### ADJOURNMENT

A motion for adjournment was made by Councilman Bob Scrivner, seconded by Councilman Mike Harvey, and approved unanimously at 8:00 P.M.