

COUNCIL WORK SESSION SEPTEMBER 8, 2009

CALL TO ORDER

The September 8, 2009, "Pre-Meeting" Work Session was convened at 5:50 P.M. by Mayor John Landwehr.

ATTENDANCE

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

Present: Ferguson, Klindt, Koon, Medin, Penfold, Scrivner

Absent: Carroll, Harvey, Pope, and Struempf

DISCUSSION OF AGENDA ITEMS

2009-70 (MoDOT greenway extension agreement) - Councilman Jim Penfold stated that originally staff indicated they would like to have the rules suspended, but since the packet was distributed, they have determined that will not be necessary. Therefore, he will no request suspension of the rules tonight.

2009-52 (Contract with Wren for video surveillance equipment) - Councilman Jim Penfold stated this will remain on the Informal Calendar.

2009-61 (Namesake for Hartsfield Blvd.) - Mayor John Landwehr stated that the sponsor, Councilwoman Carrie Carroll, had requested that this remain on the Informal Calendar until she can be present to vote on it. He stated that unless the Council wishes to do otherwise, he would anticipate this to remain on the Informal Calendar tonight in Councilwoman Carroll's absence.

2000-56 (Adoption of 2009-2010 Budget) - Councilman Rich Koon stated this will be ready to vote on tonight.

The meeting adjourned at 5:59 P.M.

REGULAR COUNCIL MEETING SEPTEMBER 8, 2009

CALL TO ORDER

The Regular Council Meeting of September 8, 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, Klindt, Koon, Medin, Penfold, and Scrivner

Absent: Carroll, Harvey, Pope, and Struempf

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.

MISCELLANEOUS AGENDA ITEMS

- a. Proclamation - United Way of Central Missouri Campaign Kickoff Week

Mayor John Landwehr asked United Way representatives who were present to come forward and make any announcements they might have regarding this year's campaign. **Mr. Mike Kehoe, Mr. Warren Krech, and Ms. Teresa Verslues** made a brief presentation, followed by the acceptance of a proclamation presented to them by Mayor John Landwehr.

- b. Proclamation - Constitution Week

Ms. Dorris Olson and Ms. Donna Medley were present to accept the proclamation presented by Mayor John Landwehr.

Mayor John Landwehr asked if the Council would object if he allowed Presentations from Staff, Consultants and Invited Guests to be made at this point on the agenda to allow those presenters to leave if they need to. No objections were received.

PRESENTATIONS FROM STAFF, CONSULTANTS, AND INVITED GUESTS

REGULAR COUNCIL MEETING SEPTEMBER 8, 2009

Ms. Sarah Stroesser and Mr. Phil Stiles made a presentation regarding the Tour of Missouri event which will occur this week in Jefferson City. Several events have been scheduled in connection with that event and the public was encouraged to participate.

Ms. Jane Hubbs, Cole County Health Nurse, made a presentation on the status of H1N1 flu cases in our area. Following her presentation, she answered questions asked by the Council. Mayor John Landwehr asked that she come back at some point in the future to continue updating the public on this important issue.

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. Plumbing Board of Review & Examiners, June 16, 2009
- b. Airport Advisory Committee, August 3, 2009
- c. Planning & Zoning Commission, July 9, 2009
- d. CAMPO Board of Directors, July 15, 2009
- e. Transit Focus Group, July 28, 2009
- f. Housing Authority Board of Commissioners, July 28, 2009
- g. July Finance Report
- h. CVB Minutes & Reports, July 2009 (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 - Councilman Jim Penfold, Vice-Chairman, reported that the Committee will meet tomorrow, September 9, at 8:00 A.M.

Finance Committee - Councilman Rich Koon reported that the Council will be voting to approve the Mayor's budget later in tonight's meeting and thanked the Council for their input during the past several weeks during the budget process. The next meeting of the Finance Committee will be Friday, September 18, immediately following the Brown Bag Work Session.

Public Safety Committee - Councilman Dan Klindt reported that the Committee will meet again in one month, and will probably meet next at Fire Station 3, but that final details will be distributed before the meeting.

Public Works & Planning Committee - Councilman Jim Penfold reported that the next

REGULAR COUNCIL MEETING SEPTEMBER 8, 2009

meeting will be held on Thursday, September 24 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

No announcements were made at this time.

APPOINTMENTS BY THE MAYOR

The following Jefferson City Police Appointments were recommended by Mayor John Landwehr:

Appointments for Planning & Zoning Commission:

- | | | | |
|----|--------------|-----------|------------------|
| 1. | Jack Deeken | Full Term | Expires May 2014 |
| 2. | Chris Jordan | Full Term | Expires May 2014 |
| 3. | Dean Dutoi | Full Term | Expires May 2010 |

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

PRESENTATIONS FROM THE GALLERY ON SPECIFIC BILLS OR RESOLUTIONS

Mr. Leonard Steinman, Jefferson City, made a presentation regarding Bill 2009-70 (contract with MoDOT for Greenway Extension across Missouri River Bridge). Mr. Steinman stated he believed MoDOT funds should be expended on roads and highways rather than greenway trails.

CONSENT AGENDA

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

- Minutes of August 14 and August 17, 2009 City Council Meetings
- Minutes of August 24, 2009 Special City Council Meeting

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

BILLS INTRODUCED

REGULAR COUNCIL MEETING SEPTEMBER 8, 2009

Bill 2009-63, sponsored by Councilman Struemph, 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 18.44 ACRES IN THE 2600 BLOCK OF DREW PERRY ROAD FROM RS-1 LOW DENSITY RESIDENTIAL TO PUD PLANNED UNIT DEVELOPMENT, DESCRIBED AS LOTS 1 THROUGH 20 OF SCHELLRIDGE NORTH SUBDIVISION, BEING A PART OF SECTION 2, 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.

*Councilman Ron Medin stated that he will recuse himself in both 2009-63 and 2009-64 due to a conflict of interest.

Questions were asked of City Planner Janice McMillan by the Council and Councilman Dan Klindt requested that the Council receive prior subdivision restrictions in case the current restrictions should revert back to the original ones.

Bill 2009-64, sponsored by Councilman Struemph, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, APPROVING A PRELIMINARY PUD PLAN FOR 18.44 ACRES LOCATED IN THE 2600 BLOCK OF DREW PERRY ROAD, CONSISTING OF LOTS 1 THROUGH 20 OF SCHELLRIDGE NORTH SUBDIVISION, BEING A PART OF SECTION 2, TOWNSHIP 44 NORTH, RANGE 12 WEST, JEFFERSON CITY, COLE COUNTY, MISSOURI.

*see 2009-63 above

Bill 2009-65, 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 A PORTION OF ADAMS STREET.

Bill 2009-66, sponsored by Councilman Klindt, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A LAND LEASE AGREEMENT WITH AT&T FOR SPACE AT FIRE STATION ONE.

Bill 2009-67, sponsored by Councilman Carroll, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING CHAPTER 12 (ELECTIONS), SECTION 18, (VACANCIES, HOW FILLED), OF THE CODE OF THE CITY

REGULAR COUNCIL MEETING SEPTEMBER 8, 2009

OF JEFFERSON PERTAINING TO THE PROCEDURE TO FILL COUNCIL VACANCIES.

Bill 2009-68, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH DON SCHNIEDERS EXCAVATING COMPANY, INC. FOR THE CONCRETE STREET CRACK SEALING PROJECT.

Councilman Penfold requested that the rules be suspended and Bill 2009-68 placed on final passage. There were no objections to the request for suspension of the rules. Bill 2009-68 was then read second and third times by title, placed on final passage, and passed by the following vote as **Ordinance No. 14576**:

Aye: Ferguson, Klindt, Koon, Medin, Penfold, and Scrivner

Nay: None

Bill 2009-69, sponsored by Councilman Klindt, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH PREMIER BANK FOR THE ACQUISITION OF REAL ESTATE.

Bill 2009-70, sponsored by Councilman Scrivner and Medin, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A COST APPORTIONMENT AGREEMENT ON BEHALF OF THE CITY OF JEFFERSON PARKS AND RECREATION COMMISSION WITH THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION FOR PEDESTRIAN AND BICYCLE FACILITIES AS A PART OF THE JEFFERSON CITY GREENWAY SYSTEM.

Bill 2009-71, sponsored by Councilman Harvey, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH JOE R. WILSON FOR THE ACQUISITION OF REAL ESTATE.

Councilman Scrivner requested that the rules be suspended and Bill 2009-71 placed on final passage. There were no objections to the request for suspension of the rules. Bill 2009-71 was then read second and third times by title, placed on final passage, and passed by the following vote as **Ordinance No. 14577**:

Aye: Ferguson, Klindt, Koon, Medin, Penfold, and Scrivner

Nay: None

REGULAR COUNCIL MEETING SEPTEMBER 8, 2009

BILLS PENDING

Bill 2009-60, sponsored by Councilman Carroll, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, ESTABLISHING PRIMARY AND GENERAL ELECTION DATES IN THE CITY OF JEFFERSON, MISSOURI, FOR 2010.

Bill 2009-60 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14574**:

Aye: Ferguson, Klindt, Koon, Medin, Penfold, and Scrivner

Nay: None

Bill 2009-62, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR TRANSPORTATION ENHANCEMENT FUNDS.

Bill 2009-62 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14575**:

Aye: Ferguson, Klindt, Koon, Medin, Penfold, and Scrivner

Nay: None

INFORMAL CALENDAR

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.

Councilman Jim Penfold requested that Bill 2009-52 remain on the Informal Calendar at this time.

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

REGULAR COUNCIL MEETING SEPTEMBER 8, 2009

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.

Councilman Rich Koon requested that Bill 2009-56 be removed from the Informal Calendar and placed on third reading and final passage at this time.

Bill 2009-56 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14578**:

Aye: Ferguson, Klindt, Koon, Medin, Penfold, and Scrivner

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.

City Counselor Nathan Nickolaus explained the amendments to the contract which had previously distributed to the Council. Following Mr. Nickolaus's presentation, Councilman Jim Penfold requested that Bill 2009-59 be removed from the Informal Calendar and be placed on third reading and final passage at this time. The request to remove from the Informal Calendar was approved by the following roll-call vote:

Aye: Ferguson, Klindt, Koon, Medin, Penfold, and Scrivner

Nay: None

Bill 2009-59 was read third time by title and placed on final passage. A motion was made by Councilman Dan Klindt, seconded by Councilman Jim Penfold, to amend Bill 2009-59 as described by Mr. Nickolaus previously. Motion to amend was approved unanimously.

Bill 2009-59 was then passed, as amended, by the following roll-call vote as **Ordinance 14579**:

Aye: Ferguson, Klindt, Koon, Medin, Penfold, and Scrivner

Nay: None

Bill 2009-61, sponsored by Councilman Carroll, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, APPLYING A NAMESAKE TO HIGHWAY 179 BETWEEN WEST EDGEWOOD DRIVE AND MISSOURI ROUTE C AS HARTSFIELD BOULEVARD.

REGULAR COUNCIL MEETING SEPTEMBER 8, 2009

Bill 2009-61 remained on the Informal Calendar in the absence of the sponsor, Councilwoman Carrie Carroll.

RESOLUTIONS

RS2009-16 Support of an Application for TIGER Discretionary Grant to Fund Improvements to Rex Whitton Expressway (Penfold) Staff: Janice McMillan

A motion was made by Councilman Jim Penfold for adoption of RS2009-16 as presented, seconded by Councilman Dan Klindt, and approved unanimously by the following roll-call vote:

Aye: Ferguson, Klindt, Koon, Medin, Penfold, and Scrivner

Nay: None

RS2009-17 Authorizing Renewal of the Contract with New World Recycling for Transportation & Recycling of Materials (Medin) Staff: Pat Sullivan

A motion was made by Councilman Ron Medin for adoption of RS2009-17 as presented, seconded by Councilman Jim Penfold, and approved unanimously by the following roll-call vote:

Aye: Ferguson, Klindt, Koon, Medin, Penfold, and Scrivner

Nay: None

RS2009-18 Authorizing Renewal of the Contract with Evers & Company CPA's, LLC for Audit Services (Koon) Staff: Steve Schlueter

A motion was made by Councilman Bob Scrivner for adoption of RS2009-18 as presented, seconded by Councilman Jim Penfold, and approved unanimously by the following roll-call vote:

Aye: Ferguson, Klindt, Koon, Medin, Penfold, and Scrivner

Nay: None

RS2009-19 Authorizing Extension of the Contract with Thomas P. Rackers, LLC for Lobbyist Services (Medin) Staff: Nathan Nickolaus

A motion was made by Councilman Ron Medin for adoption of RS2009-19 as presented, seconded by Councilman Dan Klindt, and approved unanimously by the following roll-call vote:

Aye: Ferguson, Klindt, Koon, Medin, Penfold, and Scrivner

Nay: None

REGULAR COUNCIL MEETING SEPTEMBER 8, 2009

PRESENTATIONS FROM THE GALLERY ON OTHER TOPICS

Mr. Leonard Steinman, Jefferson City, made a presentation regarding the recent publicity surrounding problems with the new Cole County jail facility currently under construction. He stated the City inspectors should have known about these problems.

COUNCIL AND STAFF DISCUSSION OF PRESENTATION TOPICS

City Counselor Nathan Nickolaus reported that the City is not inspecting the Cole County jail project since the County has its own staff of inspectors, and therefore, the problems mentioned by Mr. Steinman should be addressed to the County inspectors rather than to the City. He stated that the City also does not inspect state or federal construction projects for the same reasons.

NEW BUSINESS

No New Business was brought forward.

UNFINISHED BUSINESS

No Unfinished Business was brought forward.

APPROVAL OF CLOSED SESSION MINUTES

A motion was made by Councilman Dan Klindt, seconded by Councilman Bob Scrivner, to approve the August 17, 2009 Closed Session Minutes. Motion was approved unanimously.

GO INTO CLOSED SESSION

Mayor John Landwehr announced that, pursuant to Sec. 610.021 of the Revised Statutes of Missouri, the Council will go into Closed Session at this time to discuss the following:

Litigation [Sec. 610.021.(1)]

Real Estate [Sec. 610.021.(2)]

REGULAR COUNCIL MEETING SEPTEMBER 8, 2009

A motion was made by Councilman Bob Scrivner to go into closed session, seconded by Councilman Rich Koon, and approved unanimously by the following roll-call vote at 7:40 P.M.:

Aye: Ferguson, Klindt, Koon, Medin, Penfold, and Scrivner

Nay: None