

COUNCIL WORK SESSION OCTOBER 5, 2009

CALL TO ORDER

The October 5, 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 (arrived at 5:55 P.M.), Harvey, Klindt, Medin, Penfold, Pope, Scrivner and Struempf

Absent: Koon

DISCUSSION OF AGENDA ITEMS

Mayor John Landwehr asked if the Council would allow him to present a proclamation for Elderly Care Week at the first part of the meeting. There were no objections voiced.

Council Liaison Reports: Councilman Jim Penfold stated he would be making a brief report under "Ad Hoc" reports on the recent Millbottom Site Committee meeting.

2009-86 Councilman Bryan Pope stated he would be withdrawing this bill which was added to the agenda at the Brown Bag meeting to allow more time for discussion.

2009-52 (Contract with Wren for video surveillance equipment) - Councilman Jim Penfold stated this will be removed from the Informal Calendar tonight and then he will withdraw the bill.

2009-73 (Charter Changes) - Councilwoman Carrie Carroll stated she will place this item on the Informal Calendar tonight.

The meeting adjourned at 6:00 P.M.

REGULAR COUNCIL MEETING OCTOBER 5, 2009

CALL TO ORDER

The Regular Council Meeting of October 5, 2009, was convened at 6:02 P.M. by Mayor John Landwehr.

ROLL CALL

The following Council Members were present for the roll call:

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

ITEMS TAKEN UP OUT OF ORDER

Mayor John Landwehr stated that the Council wished to take up a proclamation tonight early in the meeting under the first part of the meeting to accommodate some citizens present for those issues.

Miscellaneous Agenda Items:

- a. Proclamation - Long Term Care for the Elderly

Mayor John Landwehr asked representatives who were present to come forward and make any announcements they might have regarding this issue. Ms. Carol Scott, Ombudsman for the elderly, introduced Mr. B. W. Robinson who made a presentation, followed by the acceptance of a proclamation presented to them by Mayor John Landwehr.

Mayor John Landwehr recognized some Boy Scouts present in the audience tonight and asked that they identify themselves. Two members of Troop 11 from First Baptist Church stated they were attending the meeting to earn their Communications Merit badge.

MINUTES AND REPORTS RECEIVED AND FILED

REGULAR COUNCIL MEETING OCTOBER 5, 2009

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

- a. Administrative Mural Permit Hearing, September 22, 2009
- b. CAMPO Technical Committee, August 6, 2009
- c. Cultural Arts Commission, August 25, 2009

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

PRESENTATIONS FROM STAFF, CONSULTANTS, AND INVITED GUESTS

There were no presentations made at this time.

COUNCIL LIAISON REPORTS

Administration Committee - Councilwoman Carrie Carroll announced that the next meeting will be held at 8:00 A.M. on October 7.

Finance Committee - Councilman Ron Medin reported that next meeting will be held following the October 16 Brown Bag work session.

Public Safety Committee - Councilman Dan Klindt reported that the Committee met on October 2 following the Brown Bag meeting.

Public Works & Planning Committee - Councilman Jim Penfold reported that the next meeting will be held on Thursday, October 22 at 7:30 A.M.

Ad Hoc Committees, if any: Councilman Jim Penfold reported that the Ad Hoc Millbottom Site Committee had met on September to hear a presentation by a developer regarding a visitor's center.

ANNOUNCEMENTS OF OTHER UPCOMING MEETINGS AND EVENTS

The following meetings were announced by City Administrator Steve Rasmussen.

- a. Oct. 12 or 13 – City Council Work Session on JCTV
- b. Nov. 19 – City Council Work Session on Transit

REGULAR COUNCIL MEETING OCTOBER 5, 2009

APPOINTMENTS BY THE MAYOR

There were no appointments recommended for approval at this time.

PRESENTATIONS FROM THE GALLERY ON SPECIFIC BILLS OR RESOLUTIONS

Cindy Layton of the Cultural Arts Commission made a presentation regarding proposed expenditures of the funds budgeted by the Council for a website which will be used by the community to “communicate and coordinate” artistic events of interest to the public. Following her presentation, several questions were asked by the Council. Mayor John Landwehr asked City Administrator Steve Rasmussen and Finance Director Steve Schlueter to advise the Council about how to move into the direction of having a commission that has a budget. He suggested that they advise on issues like how or when to write the checks when funds are expended, etc.

Charlie Lansford gave a report on the single stream trash / recycling program. He stated that the delivery of the carts has begun, on the west part of the city, and would continue for up to three weeks as they progress to the east end of the city. The actual utilization of those carts is not scheduled to begin until November 1, and indicated that the public should continue using their current 90-gallon carts or the printed trash bags until that date. He stated that Allied Waste will begin buying back any leftover printed trash bags in the next few weeks, and that the public will be informed of that fact. Mr. Lansford stated that Mr. Rick Graham from Allied Waste will be at the November 2 City Council meeting to make a report and answer any questions the Council may have at that time. Following his presentation, a lengthy discussion was held and several questions asked regarding the issue.

CONSENT AGENDA

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

Minutes of September 18 and September 21, 2009 City Council Meetings

A motion was made by Councilman Dan Klindt to approve the minutes as presented, seconded by Councilman Mike Harvey, and approved unanimously.

BILLS INTRODUCED

Bill 2009-75, sponsored by Councilman Struempf, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, APPROVING AN AMENDED PUD PLAN FOR PROPERTY ADDRESSED AS 2106 JEFFERSON STREET; DESCRIBED AS PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF

REGULAR COUNCIL MEETING OCTOBER 5, 2009

SECTION 24 AND PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 44 NORTH, RANGE 12 WEST, AND PART OF LOT 5 OF OAK LEAF ACRES, SECTION 1, JEFFERSON CITY, COLE COUNTY, MISSOURI.

Bill 2009-76, 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 1.42 ACRES FROM RA-2 HIGH DENSITY RESIDENTIAL TO C-1 NEIGHBORHOOD COMMERCIAL, FOR LAND ADDRESSED AS 118 WEST ASHLEY STREET AND 713 WASHINGTON STREET, DESCRIBED AS INLOTS 909, 910 AND 911, CITY OF JEFFERSON, COLE COUNTY, MISSOURI, AND ENDORSING AN AMENDMENT ON THE DEVELOPMENT PLAN MAP OF THE COMPREHENSIVE PLAN TO REFLECT SUCH CHANGE.

Bill 2009-77, 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 6.02 ACRES FROM M-1 LIGHT INDUSTRIAL TO RS-3 MEDIUM DENSITY DETACHED RESIDENTIAL, FOR LAND LOCATED IN THE 1700 BLOCK OF LONDON WAY, DESCRIBED AS PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 44 NORTH, RANGE 12 WEST, COLE COUNTY, MISSOURI, AND ENDORSING AN AMENDMENT ON THE DEVELOPMENT PLAN MAP OF THE COMPREHENSIVE PLAN TO REFLECT SUCH CHANGE.

Bill 2009-78, sponsored by Councilman Struemph, 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 1700 BLOCK OF LONDON WAY; DESCRIBED AS PART OF THE SOUTHEAST QUARTER 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 2009-79, sponsored by Councilman Ferguson, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION FOR METROPOLITAN TRANSPORTATION PLANNING SERVICES FOR THE PERIOD OF NOVEMBER 1, 2009 TO OCTOBER 31, 2010, REFLECTING FUNDS AS APPROVED IN THE FY 2010 UNIFIED PLANNING WORK PROGRAM.

REGULAR COUNCIL MEETING OCTOBER 5, 2009

Councilman Kenneth Ferguson requested that the rules be suspended and Bill 2009-79 placed on third reading and final passage at this time. There were no objections to the request to suspend the rules.

Bill 2009-79 was read second and third times by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14588**:

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

Nay: None

Bill 2009-80, sponsored by Councilman Penfold, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH DONOHUE & ASSOCIATES FOR RIVERSIDE PUMP STATION UPGRADE DESIGN SERVICES .

Bill 2009-81, sponsored by Councilman Medin, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING SECTION 19-401 (STREETS AND HIGHWAYS), SCHEDULE (O), (PARKING TIME LIMIT ZONES) OF THE CODE OF THE CITY OF JEFFERSON, BY MODIFYING PORTIONS OF DUNKLIN STREET AND JEFFERSON STREET; AND SCHEDULE (N), (PARKING METER ZONES AND MONTHLY PARKING FEES) PERTAINING TO LOT #31.

Bill 2009-82, 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 SALES TAX "E" FUND.

Bill 2009-83, sponsored by Councilman Klindt, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH OZARK HARLEY DAVIDSON, INC. FOR LEASE OF HARLEY DAVIDSON, MODEL FLHP, POLICE MOTORCYCLES.

Bill 2009-84, sponsored by Councilman Klindt, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, AMENDING THE CODE OF THE CITY OF JEFFERSON PERTAINING TO STORAGE REQUIREMENT FOR TOWED VEHICLES.

REGULAR COUNCIL MEETING OCTOBER 5, 2009

Bill 2009-85, 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.

Councilman Ron Medin requested that the rules be suspended and Bill 2009-79 placed on third reading and final passage at this time. There were no objections to the request to suspend the rules.

Bill 2009-85 was read second and third times by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14589**:

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

Nay: None

Bill 2009-86, sponsored by Councilman Pope, entitled:

Councilman Pope stated he wished to withdraw Bill 2009-86 before introduction.

BILLS PENDING

Bill 2009-73, sponsored by Councilwoman Carroll, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, SUBMITTING SEVERAL PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF JEFFERSON TO A VOTE OF THE CITIZENS OF THE CITY OF JEFFERSON.

Councilwoman Carrie Carroll stated she wished to place Bill 2009-73 on the Informal Calendar at this time.

Bill 2009-74, sponsored by Councilman Harvey, entitled:

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, APPROVING A PLAN FOR AN INDUSTRIAL DEVELOPMENT PROJECT FOR COMMAND WEB OFFSET COMPANY, INC. IN CONNECTION WITH THE PROPOSED ISSUANCE BY THE CITY OF JEFFERSON, MISSOURI OF ITS INDUSTRIAL DEVELOPMENT REVENUE BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$25,000,000 TO FINANCE THE COSTS OF SUCH PROJECT.

Bill 2009-74 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14590**:

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

REGULAR COUNCIL MEETING OCTOBER 5, 2009

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 be removed from the Informal Calendar, then stated he wished to withdraw the bill at this time.

Bill 2009-61, sponsored by Councilwoman 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.

Councilwoman Carrie Carroll requested that Bill 2009-61 be removed from the Informal Calendar and placed on final passage at this time.

Bill 2009-61 was read third time by title, placed on final passage and passed by the following roll-call vote as **Ordinance 14587**:

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

Nay: None

RESOLUTIONS

RS2009-23 Renewal (Year 4) of Agreement with Nick's Family Restaurant in Jefferson City Memorial Airport (Penfold)

A motion was made by Councilman Dan Klindt for adoption of RS2009-23 as presented, seconded by Councilman Mike Harvey, and approved unanimously by the following roll-call vote:

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

Nay: None

REGULAR COUNCIL MEETING OCTOBER 5, 2009

RS2009-24 Authorizing Change Order for Stadium, Lafayette, and Leslie Roundabout Project (Penfold)

A motion was made by Councilman Jim Penfold for adoption of RS2009-24 as presented, seconded by Councilman Eric Struempf, and approved unanimously by the following roll-call vote:

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

Nay: None

RS2009-25 Authorizing Change Order for Ellis and Hough Park Project (Penfold)

A motion was made by Councilman Jim Penfold for adoption of RS2009-25 as presented, seconded by Councilman Eric Struempf, and approved unanimously by the following roll-call vote:

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

Nay: None

PRESENTATIONS FROM THE GALLERY ON OTHER TOPICS

Mr. Leonard Steinman, Jefferson City, made a presentation regarding trees on Capitol Avenue which he believed needed attention. Mayor John Landwehr asked Parks & Recreation Director Bill Lockwood to check into the matter and report to the Council his findings.

Mayor John Landwehr and Councilman Ron Medin stated that they would recuse themselves before the next presentation due to a conflict of interest. They both left the Council Chambers at this time.

President Pro Tempore Mike Harvey assumed the Chair.

Mr. Joseph Bednar made a presentation regarding the issue with a sewer main over which his house had been built. Following his presentation, Councilman Bob Scrivner asked Mr. Bednar to clarify that he did state that if the City would move the sewer in question that he would pay for it. Mr. Bednar stated that was his intention.

COUNCIL AND STAFF DISCUSSION OF PRESENTATION TOPICS

Following several questions asked by the Council of City Counselor Nathan Nickolaus and City staff, City Engineer Matt Morasch stated staff from the Engineering Division would be

REGULAR COUNCIL MEETING OCTOBER 5, 2009

happy to meet with Mr. Bednar and come up with a more accurate cost. Councilman Jim Penfold asked staff to meet with Mr. Bednar's attorney and meet with the fifth neighbor whose easement would be required to perform the project.

At the conclusion of the discussion, Mayor John Landwehr and Councilman Ron Medin returned to the Council Chambers, and Mayor Landwehr assumed the Chair.

NEW BUSINESS

Councilman Dan Klindt made comments regarding sponsorship of bills and resolutions. He asked if staff would be sure to contact Council Members prior to bills or resolutions being sent out with their names on them as sponsors.

Mayor John Landwehr distributed proposed lease agreement for the facility for Amtrak volunteers. He stated it would be brought before the Council with an ordinance in the near future, but that he wanted to distribute it ahead of time to give everyone plenty of time to review it.

UNFINISHED BUSINESS

No Unfinished Business was brought forward.

APPROVAL OF CLOSED SESSION MINUTES

A motion was made by Councilman Bob Scrivner, seconded by Councilman Kenneth Ferguson, to approve the September 21, 2009 Closed Session Minutes. Motion was approved unanimously by the following roll-call vote:

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

Nay: None

ADJOURNMENT

REGULAR COUNCIL MEETING OCTOBER 5, 2009

There being no further business brought before the Council at this time, a motion was made by Councilman Ron Medin for adjournment, seconded by Councilman Eric Struempf, and approved unanimously at 8:02 P.M.