

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE CITY OF ST. JOSEPH, MISSOURI

February 22, 2021 - 5:30 p.m.
Office of the City Clerk

PLEDGE OF ALLEGIANCE:CALL TO ORDER:

The Council of the City of St. Joseph, Missouri, met in regular meeting in the Council Chamber at City Hall, on Monday, February 22, 2021, at 5:30 p.m. The meeting was called to order at 5:30 p.m. by Mayor McMurray. Notice of said meeting had been established as every other Monday at 5:30 p.m. Further notice was provided by posting the regular meeting date and time in the City Clerk's office at City Hall, and by written notice (together with a tentative agenda) three days in advance in the City Clerk's office.

ROLL CALL:

	<u>Name</u>	<u>Term Attendance</u> (mtgs attended-mtgs absent)
Members present:	Mayor Bill McMurray	(105-02)
	Councilmember Brenda Blessing	(102-05)
	Councilmember Madison Davis	(102-05)
	Councilmember PJ Kovac	(91-16)
	Councilmember Russell Moore	(104-03)
	Councilmember Brian Myers	(100-07)
	Councilmember Marty Novak	(102-05)
	Councilmember Kent O'Dell	(95-12)
	Councilmember Gary Roach	(92-15)

Total membership--9. Five members constitute a quorum.

Also present were Interim City Manager/City Attorney Bryan Carter, Police Chief Chris Connally, Interim Administrative Services Director Tom Mahoney, Fire Chief Michael L. Dalsing, Health Director Debra Bradley, Planning & Community Development Director Clint Thompson, Public Works & Transportation Director Andrew Clements, Human Resources Director Amy Cohorst, Asst. Parks, Recreation & Civic Facilities Director Jeff Atkins, Asst. to City Manager/Communications & Public Relations Manager Mary Robertson, Multimedia Planner Ed Schilling and City Clerk Paula Heyde.

Under the Council voting rotation system, Councilmember Roach voted first.

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MINUTES:

45854 By general consent, the minutes of the special meeting held February 3, 2021, at 4:30 p.m. and the regular meeting held February 8, 2021, at 5:30 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

45855 Proclamation – Missouri Farm Bureau Celebrate Agriculture: Thank a Farmer Week

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ACCEPTANCE OF AGENDA:

45856 It was moved by Councilmember Myers and seconded by Councilmember Blessing that the agenda be accepted as published with the addition of one bill for first reading (Bill #1035-18) being placed on the agenda. Motion carried. Ayes, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell--9.

CONSENT AGENDA:

45857 It was moved by Councilmember Roach and seconded by Councilmember Blessing that Agenda Numbers 45858 through 45871 be passed by Consent Agenda. Motion carried. Ayes, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell--9.

Bills for Passage:

45858 (G.O. 2975) A Bill (#1012-18) sponsored by Councilmember Davis amending Section 28-1592 of Chapter 28 "Traffic and Vehicles" of the Code of Ordinances entitled "Parking time limits on certain streets" to provide for two-hour parking along the west side of Fifth Street between Angelique and Sylvania Streets from 8:00 a.m. to 6:00 p.m., having been read the first time on February 8, 2021, was read the second time and passed.

45859 (S.O. 9852) A Bill (#1017-18) sponsored by Councilmember O'Dell approving the final plat entitled "North Village Plat 10" a major commercial subdivision consisting of three (3) lots located west of Interstate 29 and north of North Village Drive, as requested by Lee Sawyer on behalf of Buchanan County, Missouri, having been read the first time on February 8, 2021, was read the second time and passed.

45860 (S.O. 9853) A Bill (#1014-18) sponsored by Councilmember Davis authorizing the execution of a Master Agreement for Professional Transportation Planning Services with AECOM for a period of five years, having been read the first time on February 8, 2021, was read the second time and passed.

45861 (S.O. 9854) A Bill (#1015-18) sponsored by Councilmember Roach authorizing an amendment to the Water Protection Fund budget and the acceptance of a Water Quality Management Planning (WQMP) Grant from the Missouri Department of Natural Resources (MDNR) through Mo-Kan Regional Council in the amount of \$17,084.00 to fund the Whitehead Watershed Stormwater Facility GPS Mapping Project, having been read the first time on February 8, 2021, was read the second time and passed.

45862 (S.O. 9855) A Bill (#1016-18) sponsored by Councilmember Davis authorizing the submittal and execution of the Federal Transit Administration (FTA) Federal Fiscal Year 2021 Certifications and Assurances and the Section 5307 Grant to provide transit operating assistance in the approximate amount of \$1,564,347.00 for Fiscal Year 2022, having been read the first time on February 8, 2021, was read the second time and passed.

Resolutions for Adoption:

45863 (Resolution No. 45863 - 4700) A Resolution (#1019-18) authorizing the filing of an application with the Missouri Department of Transportation, Traffic Safety Division, and the execution of a City Council authorization, for obtaining a Hazardous Moving Violation Grant in the amount of \$11,040.00; a Special Regional DWI Enforcement Program in the amount of \$6,372.40; a Youth Alcohol Enforcement Grant in the amount of \$46,140.00; and a DWI Saturation Patrol Enforcement in the amount of \$2,760.00 for a total grant amount of \$66,312.40, was read and adopted.

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CONSENT AGENDA: Resolutions for Adoption: (Cont'd)

- 45864 (Resolution No. 45864 - 4701) A Resolution (#1020-18) authorizing execution of a contract with Community Action Partnership of Greater St. Joseph in the total amount of \$250,000.00 to provide rent, mortgage and utility assistance as provided in the Amendment to the Fifth Year Annual Plan for use of Community Development Block Grant CARES Act funds, was read and adopted. (Mayor McMurray abstained on this bill.)

- 45865 (Resolution No. 45865 - 4702) A Resolution (#1021-18) authorizing renewal of the agreement with the St. Joseph Umpires and Scorekeepers Association to provide officiating services for all parks, recreation and civic facilities softball and kickball leagues for an additional one-year term in an amount not to exceed \$30,000.00, was read and adopted.

- 45866 (Resolution No. 45866 - 4703) A Resolution (#1022-18) accepting the donation of 13 hydraulic resistance circuit training fitness equipment valued at \$6,500.00 from MERIL to be used at the Joyce Patterson 50+ Activity Center, was read and adopted.

- 45867 (Resolution No. 45867 - 4704) A Resolution (#1025-18) authorizing the execution of a Housing Rehabilitation Contract with Ruth G. McCoy, a single person (owner), and Superior Exteriors of Northwest Missouri LLC (Contractor) for a housing rehabilitation project at 2521 Essex Street for a total amount not to exceed \$45,666.50, was read and adopted.

- 45868 (Resolution No. 45868 - 4705) A Resolution (#1026-18) authorizing the execution of a Housing Rehabilitation Contract with Deborah F. Milichichi, a single person (owner), and Superior Exteriors of Northwest Missouri LLC (Contractor) for a housing rehabilitation project at 203 South 21st Street for a total amount not to exceed \$41,610.80, was read and adopted.

- 45869 (Resolution No. 45869 - 4706) A Resolution (#1028-18) authorizing the execution of Work Order Number 1 in an amount not to exceed \$111,613.00 for transportation planning services for the St. Joseph Metropolitan Planning Organization (MPO) utilizing the Master Agreement for Professional Transportation Planning Services with AECOM, was read and adopted.

- 45870 (Resolution No. 45870 - 4707) A Resolution (#1029-18) authorizing the purchase of one (1) Ford F250 four-wheel drive extended cab pickup to be used by the sewer maintenance division in the amount of \$31,100.56 from Anderson Automotive Group, was read and adopted.

- 45871 (Resolution No. 45871 - 4708) A Resolution (#1030-18) authorizing execution of a contract with Catholic Charities in the total amount of \$250,000.00 to provide rent, mortgage and utility assistance as provided in the Amendment to the Fifth Year Annual Plan for use of Community Development Block Grant CARES Act funds, was read and adopted.

***** END OF CONSENT AGENDA *****

NOMINATIONS AND APPOINTMENTS:

None.

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BILLS FOR PASSAGE:

- 45872 (G.O. 2976) A Bill (#1011-18) sponsored by Councilmember Davis amending Section 28-1590 "Parking prohibited at any time" of Chapter 28 "Traffic and Vehicles" of the Code of Ordinances to prohibit parking on the east side of Leonard Road from Hunter Drive south 423 feet, having been read the first time on February 8, 2021, was read the second time and passed. Ayes, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell--9.
- 45873 It was moved by Councilmember O'Dell and seconded by Councilmember Moore that Bill #1008-18 be amended before consideration for passage by changing the amount of "\$30,000.00" to "\$10,000.00" in the caption and Section 1 of the ordinance. Motion carried. Ayes, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell--9.
- 45874 (S.O. 9856) A Bill (#1008-18) sponsored by Mayor McMurray authorizing an amendment to the City Manager budget in the General Fund to provide funds in the amount of \$10,000.00 for the recruitment costs of the city manager position, having been read the first time on February 8, 2021, was read the second time and passed. Ayes, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell--9.
- 45875 It was moved by Councilmember Davis and seconded by Councilmember Myers that the debate be closed and the question in Bill #1009-18 be put. Motion carried. Ayes, Roach, Blessing, Davis, McMurray, Moore, Myers, Novak, O'Dell--8. Nay, Kovac--1.
- 45876 (S.O. 9857) A Bill (#1009-18) sponsored by Mayor McMurray authorizing an amendment to the Gaming Initiatives Fund to appropriate the amount of \$3,042.00 for the City's portion of costs associated with conducting the 2020 Community Survey through St. Joseph Community Alliance, having been read the first time on February 8, 2021, was read the second time and passed. Ayes, Blessing, Davis, McMurray, Moore, Myers, O'Dell--6. Nays, Roach, Kovac, Novak--3.
- 45877 It was moved by Councilmember Myers and seconded by Councilmember Blessing that Bill #1004-18 be amended before consideration for passage by substituting a new ordinance and explanation letter in place of the ones originally filed. Motion carried. Ayes, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell--9.
- 45878 (G.O. 2977) A Bill (#1004-18) sponsored by Councilmember Myers amending Section 2-10, titled "Credit card processing fees," of Chapter 2, titled "Administrative Code," of the Code of Ordinances to allow processing fees to be charged for electronic payments made to the City of St. Joseph, having been read the first time on January 25, 2021, was read the second time and passed. Ayes, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell--9.

EMERGENCY BILLS FOR PASSAGE:

None.

RESOLUTIONS FOR ADOPTION:

None.

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BILLS FOR FIRST READING:

- 45879 A Bill (#1023-18) sponsored by Councilmember Kovac authorizing an amendment to the Joyce Raye Patterson 50+ Activity Center Program budget in the General Fund to appropriate funds from fund balance in the amount of \$7,272.00 to purchase fitness equipment to replace old equipment in the fitness room, was introduced and read the first time.
- 45880 A Bill (#1024-18) sponsored by Councilmember Kovac authorizing an amendment to the Capital Projects Fund budget and acceptance of a donation from Friends of the Park both in the amount of \$20,000.00 to be used for the Hyde Park splash park, was introduced and read the first time.
- 45881 A Bill (#1027-18) sponsored by Councilmember Moore authorizing an amendment to the Health Department budget in the General Fund in the amount of \$1,000.00 to recognize funds from Pets for the Elderly Foundation, was introduced and read the first time.
- 45882 A Bill (#1031-18) sponsored by Councilmember O'Dell authorizing an amendment to Section 31-203 titled "Lands to which article applies" of Chapter 31 "Zoning" of the Code of Ordinances to clarify floodplain management code language and areas affected, was introduced and read the first time.
- 45883 A Bill (#1032-18) sponsored by Councilmember O'Dell approving the preliminary plat entitled "L & L Subdivision," a major commercial subdivision consisting of one (1) lot proposed for the property located at 2803 South 759 Highway, as requested by Bud Calloway, was introduced and read the first time.
- 45884 A Bill (#1033-18) sponsored by Councilmember Moore authorizing execution of a Funding Agreement with Albrecht-Kemper Museum of Art and an amendment to the Gaming Initiatives Fund all in the amount of \$15,000.00 to be used to contribute to the construction of a new driveway to the Museum, was introduced and read the first time.
- 45885 A Bill (#1034-18) sponsored by Councilmember Kovac authorizing the execution of a Concession and Facility License Agreement with Pony Express Baseball, Inc. (PEB) in the amount of \$500.00 per season to operate concessions and associated areas at Eagles Field and Hyde Park Complex for the 2021 and 2022 PEB season, was introduced and read the first time.
- 45886 A Bill (#1035-18) sponsored by Mayor McMurray authorizing an amendment to the Capital Projects Fund budget to appropriate \$275,000.00 for expenses related to the development of the Krug Park Amphitheater, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 2/3/21: Minutes of the Board of Operating Engineers meeting held February 2, 2021, at 3:30 p.m., in the 4th Floor Conference Room at City Hall.

Filed 2/10/21: Minutes of the Land Bank Advisory Committee meeting held January 21, 2021, at 1:00 p.m., at City Hall via video conferencing.

Filed 2/10/21: Minutes of the Library Board Budget/Personnel Committee meeting held February 8, 2021, at 4:30 p.m., at the Downtown Library, 927 Felix Street, via video conferencing.

Filed 2/10/21: Minutes of the Building & Fire Prevention Code Board of Appeals meeting held February 9, 2021, at 3:30 p.m., in the 1st Floor Conference Room at City Hall.

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REPORTS OF BOARDS & COMMISSIONS: (Cont'd)

Filed 2/10/21: Minutes of the Traffic Commission meeting held February 10, 2021, at 10:00 a.m., in Room 204 at City Hall.

WORK SESSION MINUTES – CITY CLERK’S OFFICE:

Filed 2/11/21: Minutes of the Council Work Session held February 8, 2021, at 4:00 p.m., at City Hall via video conferencing.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

Filed 2/3/21: Memorandum in re: Krug Park Amphitheater Project.

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 2/3/21: Municipal Division Summary Reporting, January 2021.

Filed 2/4/21: City Link, February 4, 2021.

Filed 2/4/21: Minutes of the St. Joseph Museums Membership Committee meeting held December 10, 2020, at 3:05 p.m., at St. Joseph Museums, 3406 Frederick Avenue via video conferencing.

Filed 2/5/21: Memorandum from Wanda Burks, Supervisor, Police Records Division, in re: Disposition List.

Filed 2/5/21: Minutes of the St. Joseph Museums Fundraising Committee meeting held January 14, 2021, at 4:00 p.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 2/5/21: Email from Dennis Weiser, 4601 Lexington Court, in re: Resignation from the Landmark Commission.

Filed 2/5/21: Social Welfare Board Activities for the month of January 2021.

Filed 2/8/21: Social Welfare Board The Clinic Beat newsletter, January 2021.

Filed 2/8/21: Minutes of the St. Joseph Museums Collections Committee meeting held December 9, 2020, at 9:00 a.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 2/8/21: Parks, Recreation and Civic Facilities Department Annual Report 2020.

Filed 2/8/21: Memorandum from Andrew Clements, Public Works and Transportation Director, in re: Chicago Great Western Branch Trail.

Filed 2/9/21: St. Joseph Transit, September 2020.

Filed 2/9/21: St. Joseph Transit, October 2020.

Filed 2/9/21: St. Joseph Transit, November 2020.

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COMMUNICATIONS: (Cont'd)

Filed 2/9/21: Parks, Recreation and Civic Facilities Department Monthly Update, January 2021.

Filed 2/9/21: Building Permits Issued, January 2021.

Filed 2/9/21: Single Family Rental Property Licenses, January 2021.

Filed 2/9/21: Apartment House Rental Property Licenses, January 2021.

Filed 2/9/21: Encumbrances \$5,000 to \$25,000, January 2021.

Filed 2/9/21: Business Licenses, January 2021.

Filed 2/9/21: Property Maintenance Activity, January 2021.

Filed 2/11/21: Human Resources Department Monthly Activity Report, January 2021.

Filed 2/11/21: City Link, February 11, 2021.

Filed 2/12/21: Commendations in re: Police Department staff.

Filed 2/12/21: Police Department Monthly Activity Report Highlights, January 2021.

Filed 2/12/21: Minutes of the St. Joseph Museums Bi-Monthly Board meeting held January 21, 2021, at 4:00 p.m., at St. Joseph Museums, 3406 Frederick Avenue, via video conferencing.

Filed 2/16/21: Health Department Monthly Statistical Report, January 2021.

Filed 2/17/21: Letter from Timothy P. McGrail, Deputy Director, Missouri Gaming Commission, in re: State/Local Allocation of Gaming Revenues for January 2021.

OTHER BUSINESS:

- 45887 City Manager's Report – Interim City Manager/City Attorney Bryan Carter said, in regard to the credit card fees, the percent was originally calculated to be 4%; staff has re-analyzed that and factored out the automatic payments that we do not pass through to customers and determined that the percentage is more accurately reflected 3.12% so beginning March 1, 2021, unless the City Council objects, that will be reduced to 3% and that will only be paid by customers making one-time payments. The cost to the City will be approximately \$36,500; however, there will still be \$267,000 in processing fees collected from customers. Last year the aquatic facilities were not open due to COVID-19. The Parks, Recreation & Civic Facilities Department staff is working on a plan to open the Aquatic Park seven days a week and the Krug Pool five days a week this summer from 11 a.m. to 6:00 p.m. They will have to implement some measures recommended by CDC. One of which is two-hour sessions to enter either facility with a 30-minute break for City staff to clean and sanitize the areas. Common areas will also be arranged to allow for distancing and modified as circumstances change and as CDC issues guidance and as the effect of COVID-19 changes. The Planning Commission will consider a zoning application for the riverfront property initiated by the City from M-2 Heavy Manufacturing to a precise plan zoning to allow for tourism related activities and conforms to the Riverfront Master Plan. The Police Department received a letter from the State Attorney General's office recognizing the efforts of the Department and thanking them for all they did during the human trafficking operation a few weeks ago. Even though the City Council is back to meeting in person, City Council work sessions will continue to be broadcast on the City's website and through Facebook and will continue

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OTHER BUSINESS: (Cont'd)

as long as the mask mandate and social distancing is in place. Public attendance will continue to be accommodated at City Council meetings at other locations throughout the building.

Councilmember Roach asked what happens to the old fitness equipment being replaced at the Joyce Raye Patterson 50+ Activity Center. Asst. Parks, Recreation & Civic Facilities Director Jeff Atkins said it will be used as a trade-in, sold at an auction or given away.

Councilmember O'Dell asked that a work session be scheduled to discuss Bill #1035-18. Mr. Carter said a work session can be scheduled if that is what the City Council wants to do. Some Councilmembers preferred to wait to have another work session on the issue until after the feasibility study has been completed.

PUBLIC COMMENT:

Al Purcell, 9803 SE State Rte. T, spoke about the reasons for investing in the Krug Park amphitheater feasibility study (Phase 1).

Kenny Reeder, 4000 River Road, spoke about the Community Alliance funding partners and the community survey.

NOTES:

Agenda No. 45855 – Mayor McMurray read the proclamation.

ADJOURNMENT:

45888 By general consent, the Council adjourned.

The meeting adjourned at 7:00 p.m.



Minutes transcribed by Paula Heyde, CMC, City Clerk.