

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

July 12, 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, July 12, 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	(120-02)
	Councilmember Brenda Blessing	(117-05)
	Councilmember Madison Davis	(117-05)
	Councilmember PJ Kovac	(102-20)
	Councilmember Russell Moore	(119-03)
	Councilmember Brian Myers	(113-09)
	Councilmember Marty Novak	(117-05)
	Councilmember Kent O'Dell	(110-12)
	Councilmember Gary Roach	(106-16)

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

Also present were Acting City Manager/Planning & Community Development Director Clint Thompson, Asst. City Attorney Ted Elo, Police Chief Chris Connally, Interim Administrative Services Director Tom Mahoney, Interim Fire Chief Kenny Cordonnier, Health Director Debra Bradley, Human Resources Director Amy Cohorst, Asst. Parks, Recreation & Civic Facilities Director Jeff Atkins, Aviation Manager Abe Forney, Fire Prevention Inspector Mindy Andrasevits, Asst. to City Manager/Communications & Public Relations Manager Mary Robertson, Communications Coordinator Emily Wearing and City Clerk Paula Heyde.

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

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MINUTES:

46268 By general consent, the minutes of the regular meeting held June 28, 2021, at 5:30 p.m. and the special meeting held June 24, 2021, at 4:00 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

None.

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ACCEPTANCE OF AGENDA:

- 46269 It was moved by Councilmember O'Dell and seconded by Councilmember Blessing that the agenda be accepted as published with the addition of one resolution for adoption (Bill #1220-18) being placed on the Agenda. Motion carried. Ayes, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell, Roach--9.

PUBLIC HEARING ON NEW AND REVISED PLAN OF REDISTRICTING (COUNCIL DISTRICTS):

- 46270 A Bill (#1188-18) sponsored by Mayor McMurray providing for a new and revised plan of redistricting based upon the 2019 American Community Survey data and population estimations; providing for the dissolution of the existing five council districts; providing for the establishment of four new council districts; and adopting an official council district map, having been read the first time on June 28, 2021, was read the second time and failed to pass. Ayes, Davis, McMurray, Myers, Novak--4. Nays, Blessing, Kovac, Moore, O'Dell, Roach--5.

CONSENT AGENDA:

- 46271 It was moved by Councilmember Moore and seconded by Councilmember Myers that Agenda Numbers 46272 through 46276 be passed by Consent Agenda. Motion carried. Ayes, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell, Roach--9.

Bills for Passage:

- 46272 (S.O. 9943) A Bill (#1183-18) sponsored by Councilmember Davis authorizing the execution of a Security Service Agreement with Vets Securing America in the amount of \$55,076.94 to provide security at the Mass Transit 6th Street and Angelique Street Transfer Center, having been read the first time on June 28, 2021, was read the second time and passed.
- 46273 (S.O. 9944) A Bill (#1196-18) sponsored by Councilmember Davis authorizing the acceptance of a Permanent Drainage Easement and the execution of an Agreement for Sale of Permanent Drainage Easement with Connie G. Hale and Daniel E. Lee for the Bonds for Bridges Huntoon Road Project in the amount of \$470.34, having been read the first time on June 28, 2021, was read the second time and passed.

Resolutions for Adoption:

- 46274 (Resolution No. 46274 – 4771) A Resolution (#1200-18) reaffirming the 1990 designation of the Allied Arts Council of St. Joseph, Missouri Inc. as the official community arts agency for the City of St. Joseph, Missouri, was read and adopted.
- 46275 (Resolution No. 46275 – 4772) A Resolution (#1201-18) authorizing the purchase of one (1) CAT 740GC haul truck in the amount of \$455,385.00 from Foley Equipment Company to be used at the St. Joseph Sanitary Landfill, was read and adopted.
- 46276 (Resolution No. 46276 – 4773) A Resolution (#1214-18) removing Theo Williams as a member of the Human Rights Commission, was read and adopted.

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

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NOMINATIONS AND APPOINTMENTS:

None.

BILLS FOR PASSAGE:

- 46277 (S.O. 9945) A Bill (#1181-18) sponsored by Councilmember Myers abating administrative penalties totaling \$5,803.55 on the property located at 601 Hall Street to allow Mark and Cindy Beems to acquire the property for redevelopment, having been read the first time on June 28, 2021, was read the second time and passed. Ayes, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell, Roach--9.
- 46278 (S.O. 9946) A Bill (#1182-18) sponsored by Councilmember Davis authorizing an amendment to the Gaming Initiatives Fund to appropriate \$7,500.00 to contribute to the rental costs of additional bleachers at Missouri Western State University for the Kansas City Chiefs Training Camp, having been read the first time on June 28, 2021, was read the second time and passed. Ayes, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell--8. Nay, Roach--1.
- 46279 It was moved by Councilmember Myers and seconded by Councilmember Novak that the debate be closed and the question on Bill #1199-18 be put. Motion carried. Ayes, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak--7. Nays, O'Dell, Roach--2.
- 46280 (S.O. 9947) A Bill (#1199-18) sponsored by Mayor McMurray authorizing execution of a Mutual Release and Settlement Agreement between the City of St. Joseph, Missouri, and HLB Properties St Jo, LLC (RNR Tire) at a cost not to exceed \$30,000 and to settle claims asserted against the City related to the Belt Highway sidewalk construction located at 519 South Belt Highway, having been read the first time on June 28, 2021, was read the second time and passed. Ayes, Blessing, Davis, McMurray, Moore, Myers, Novak--6. Nays, Kovac, O'Dell, Roach--3.
- 46281 By general consent, Bill #1220-18 under "Resolutions for Adoption" was taken out of order and considered at this time (see Agenda No. 46285).
- 46282 It was moved by Councilmember Blessing and seconded by Councilmember Moore that Bill #1178-18 be amended before consideration by attaching the document entitled "Findings of Fact and Conclusion of Law" to the ordinance. Motion carried. Ayes, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell--8. Nay, Roach--1.
- 46283 A Bill (#1178-18) sponsored by Councilmember O'Dell granting a Conditional Use Permit for the construction of a telecommunications tower at 3802 Karnes Road, as requested by Glen Klocke on behalf of Network Real Estate LLC., having been read the first time on June 14, 2021, was read the second time and failed to pass. Nays, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell, Roach--8. Pass, Blessing--1.
- 46284 It was moved by Councilmember Davis and seconded by Councilmember O'Dell that a Bill (#1165-18) sponsored by Councilmember O'Dell approving the preliminary plat entitled "Tall Timber Subdivision," a major subdivision consisting of one (1) lot proposed for the property located at 3802 Karnes Road, as requested by Glenn Klocke, be postponed to the July 26, 2021, Council Meeting. Motion carried. Ayes, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell, Roach--9

EMERGENCY BILLS FOR PASSAGE:

None.

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RESOLUTIONS FOR ADOPTION:

46285 (Resolution No. 46285 – 4774) A Resolution (#1220-18) sponsored by Mayor McMurray to approve Findings of Fact and Conclusions of Law on an application for a Conditional Use Permit located at 3802 Karnes Road as requested by Network Real Estate LLC c/o AT&T as part of the conditional use process a public hearing was conducted on Monday June 28, 2021 in compliance with City Code Section 31-306, was read and passed. Ayes, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell, Roach--9.

BILLS FOR FIRST READING:

46286 A Bill (#1202-18) sponsored by Councilmember Davis authorizing the submittal and execution of a Missouri Highways and Transportation Commission (MHTC) State Block Grant Agreement in the amount of \$412,410.00 for state assistance in financing a preliminary design report for the reconstruction of Runway 17/35 at Rosecrans Memorial Airport, was introduced and read the first time.

46287 A Bill (#1203-18) sponsored by Councilmember O'Dell repealing the Riverside Business Park Precise Plan attached to Special Ordinance Number 6648 and adopting a revised Riverside Business Park Precise Plan, was introduced and read the first time.

46288 A Bill (#1204-18) sponsored by Councilmember O'Dell approving the final plat entitled "Triumph Foods" a major subdivision consisting of one (1) lot located at 5302 Stockyards Expressway, as requested by Mark Campbell, was introduced and read the first time.

46289 A Bill (#1205-18) sponsored by Councilmember O'Dell approving the final plat entitled "Community of Christ Plat 2" a major subdivision consisting of two (2) lots located at 5130 Faraon Street, as requested by Lynn Wilson, was introduced and read the first time.

46290 A Bill (#1206-18) sponsored by Councilmember O'Dell approving the final plat entitled "Ideker, Inc.," a major commercial subdivision consisting of one (1) lot proposed for the property located at 4614 South 40th Street, as requested by Paul Ideker, was introduced and read the first time.

46291 A Bill (#1207-18) sponsored by Councilmember O'Dell approving the preliminary plat entitled "Biozyme East," a major subdivision consisting of one (1) lot proposed for the property located at 4621 Easton Road, as requested by Robert Norton, was introduced and read the first time.

46292 A Bill (#1208-18) sponsored by Councilmember O'Dell approving the preliminary plat entitled "KARS Addition," a major subdivision consisting of two (2) lots proposed for the property located at 6911 Memorial Highway, as requested by Richard and Kathy Shuster, was introduced and read the first time.

46293 A Bill (#1209-18) sponsored by Councilmember O'Dell approving the preliminary plat entitled "Heath," a major subdivision consisting of one (1) lot proposed for the property located at 5012 and 5102 South 169 Highway, as requested by Scott Gann, was introduced and read the first time.

46294 A Bill (#1210-18) sponsored by Councilmember O'Dell redistricting the property located at 1901 Saint Joseph Avenue from M-1, Heavy Manufacturing District to C-3, Commercial District, as requested by Haroun Alhambra, was introduced and read the first time.

46295 A Bill (#1211-18) sponsored by Councilmember O'Dell redistricting the property located at 904 South 22nd Street from C-1, Neighborhood Shopping District to C-3, Commercial District, as requested by Mike Spiking and Curtis Howard, was introduced and read the first time.

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BILLS FOR FIRST READING: (Cont'd)

- 46296 A Bill (#1212-18) sponsored by Councilmember O'Dell redistricting the property located at 2215 Garfield Avenue from M-2, Heavy Manufacturing District to R-1B, Detached Single Family Residential District, as requested by Marty Lyle on behalf of Lily and Sparky, LLC., was introduced and read the first time.
- 46297 A Bill (#1213-18) sponsored by Councilmember O'Dell redistricting the property located at 2103 Lafayette Street from R-2, Two-Family Residential District to C-3, Commercial District, as requested by the City of St. Joseph, was introduced and read the first time.
- 46298 A Bill (#1215-18) sponsored by Mayor McMurray authorizing an amendment to the budget to recognize American Rescue Plan Act (ARPA) funds received from the Department of Treasury in Fiscal Year 2020-2021, was introduced and read the first time.
- 46299 A Bill (#1216-18) sponsored by Mayor McMurray authorizing an amendment to the Fiscal Year 2021/2022 American Rescue Plan Act Fund budget to appropriate \$10,566,704.00 to the Special Contributions Account and to transfer the amount of \$1,285,700.00 to the General Fund and the amount of \$7,500,000.00 to the Water Protection Fund for a total amount of \$19,352,404.00, was introduced and read the first time.
- 46300 A Bill (#1217-18) sponsored by Councilmember Moore authorizing execution of a contract with the Missouri Department of Health and Senior Services and an amendment to the Public Health Department budget in the General Fund both in the amount of \$31,000.00 for the Overdose Data to Action (OD2A) contract, was introduced and read the first time.
- 46301 A Bill (#1218-18) sponsored by Councilmember Moore authorizing execution of a contract with the Missouri Department of Health and Senior Services and an amendment to the Clinic Services Program budget in the General Fund both in the amount of \$182,913.00 for the COVID-19 and Adult Vaccination Supplemental Contract, was introduced and read the first time.
- 46302 A Bill (#1219-18) sponsored by Councilmember Moore authorizing an amendment to the Public Health Department budget in the General Fund to budget carryover funding received from the Missouri Department of Health and Senior Services in the amount of \$19,279.00 for a supplement to the FY2021 Public Health Emergency Preparedness Grant, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 6/23/21: Amended minutes of the Zoning Board of Adjustment meeting held May 25, 2021, at 4:00 p.m., in the Council Chamber at City Hall.

Filed 6/23/21: Minutes of the Zoning Board of Adjustment meeting held June 22, 2021, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 6/24/21: Minutes of the Social Welfare Board meeting held May 25, 2021, at 3:00 p.m., at Rogers Pharmacy, 3705 N. Belt Highway.

Filed 6/25/21: Minutes of the Housing Authority meeting held May 20, 2021, at 4:00 p.m., via video conferencing at the Housing Authority office, 2902 South 36th Street.

Filed 7/1/21: Minutes of the Parks and Recreation Board meeting held June 17, 2021, at 4:00 p.m., at the Parks, Recreation and Civic Facilities office, 1920 Grand Avenue.

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REPORTS OF BOARDS AND COMMISSIONS: (Cont'd)

Filed 7/6/21: Minutes of the Library Board Budget Committee meeting held June 28, 2021, at 4:30 p.m., via video conferencing at the East Hills Library, 502 N. Woodbine Road.

Filed 7/6/21: Minutes of the Library Board of Trustees meeting held June 28, 2021, at 4:45 p.m., via video conferencing at the East Hills Library, 502 N. Woodbine Road.

Filed 7/7/21: Minutes of the Landmark Commission meeting held June 1, 2021, at 5:30 p.m., at the Wyeth Tootle Mansion, 1100 Charles Street.

WORK SESSION MINUTES – CITY CLERK’S OFFICE:

Filed 6/24/21: Minutes of the Council Work Session held June 22, 2021, at 4:00 p.m., in the Council Chamber at City Hall.

Filed 7/7/21: Minutes of the Council Work Session held June 28, 2021, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

Filed 7/1/21: Memorandum in re: Acting City Manager (July 6 – 14, 2021).

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 6/23/21: Minutes of the American Rescue Plan Act Funding Committee meeting held June 22, 2021, at 11:30 a.m., at City Hall via video conferencing.

Filed 6/23/21: Memorandum from Tom Mahoney, Interim Director of Administrative Service, in re: May FY2021 Financial Report.

Filed 6/28/21: Email from Hannah Gavin (formerly Kleopfer), 726 S. 19th Street, in re: Resignation from the Library Board.

Filed 6/28/21: Memorandum from Wanda Burks, Supervisor/Police Records Division, in re: Disposition List.

Filed 6/29/21: City Link, June 24, 2021.

Filed 6/29/21: Minutes of the American Rescue Plan Act Funding Committee meeting held June 29, 2021, at 8:30 a.m., in the 4th Floor Conference Room at City Hall.

Filed 6/30/21: Commendations regarding Police Department staff.

Filed 6/30/21: Minutes of the Mayor’s Blue Ribbon Audit Advisory Committee meeting held June 23, 2021, at 12:30 p.m., in the 4th Floor Conference Room at City Hall.

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COMMUNICATIONS: (Cont'd)

Filed 7/1/21: Letter from Mayor Bill McMurray in re: Removal of Theo Williams from the Human Rights Commission.

Filed 7/2/21: City Link, July 1, 2021.

Filed 7/6/21: Encumbrances \$5,000.00 to \$25,000.00, June 2021.

Filed 7/6/21: Minutes of the St. Joseph Museums Programming Committee meeting held June 1, 2021, at 1:30 p.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 7/6/21: Municipal Division Reporting Form, June 2021.

Filed 7/7/21: Minutes of the St. Joseph Museums Black Archives meeting held June 1, 2021, at 3:00 p.m., at the St. Joseph Museums, 3406 Frederick Avenue.

Filed 7/7/21: Minutes of the American Rescue Plan Act Funding Committee meeting held July 6, 2021, at 8:30 a.m., in the 1st Floor Conference Room at City Hall.

OTHER BUSINESS:

- 46303 City Manager's Report – Acting City Manager Clint Thompson said due to the storm damage over the past weekend, residents can take their storm debris to the landfill during regular business hours from July 15-30 at no charge.

PUBLIC COMMENT:

Kenny Reeder, 4000 River Road, addressed Councilmembers Davis, Myers and Novak regarding their vote on the bill to establish revised Council districts boundaries.

NOTES:

Agenda No. 46270 – Tom Fanning, 1920 St. Joseph Ave. spoke in opposition to the proposed Council districts boundaries.

Lynn Liechti, 3007A Garden Gate North; spoke in opposition to the proposed Council districts boundaries and said she likes Plan 2.

Bertha Parker, 2909 S. 29th St. asked the City Council to support Plan 2.

Kenny Reeder, 4000 River Road, on behalf of Public Citizens Local & Associates, spoke in opposition to the proposed Council districts boundaries.

Jim Weidinger, 4614 Iris Ave., said he doesn't support the proposed boundaries and would like to go back to the option with the four quadrants.

Virginia Weigum, 5113 Mockingbird Lane, said she doesn't agree with anything.

Agenda No. 46282-3 - Bertha Parker, 2909 S. 29th St., said she contacted Midwest Mobile Radio Service which owns a tower at I-29 and 169 Hwy that is available for rent and could be used instead of locating one in a residential neighborhood.

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NOTES: (Cont'd)

Virginia Weigum, 5113 Mockingbird Lane, said she agrees with Mrs. Parker and can't imagine that anyone would allow this. If this goes through, she said she will work very hard to undo the entire Council.

ADJOURNMENT:

46304 By general consent, the City Council adjourned.

The meeting adjourned at 7:04 p.m.

A handwritten signature in cursive script that reads "Paula Heyde". The signature is written in black ink and is positioned above the text "Minutes transcribed by Paula Heyde, CMC, City Clerk."

Minutes transcribed by Paula Heyde, CMC, City Clerk.