

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

October 18, 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, October 18, 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	(132-02)
	Councilmember Brenda Blessing	(129-05)
	Councilmember Madison Davis	(128-06)
	Councilmember PJ Kovac	(113-21)
	Councilmember Russell Moore	(131-03)
	Councilmember Brian Myers	(122-12)
	Councilmember Marty Novak	(129-05)
	Councilmember Kent O'Dell	(121-13)
	Councilmember Gary Roach	(117-17)

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

Also present were City Manager Bryan Carter, City Attorney Lisa Robertson, Police Chief Chris Connally, Interim Fire Chief Kenny Cordonnier, Parks, Recreation & Civic Facilities Director Chuck Kempf, Planning & Community Development Director Clint Thompson, Human Resources Director/Interim Administrative Services Director Amy Cohorst, Emergency Manager Bill Lamar, Nursing Services Clinic Supervisor Connie Werner, Aviation Manager Abe Forney, Asst. to City Manager/Communications & Public Relations Manager Mary Robertson, Multimedia Planner Ed Schilling, City Clerk Paula Heyde and Deputy City Clerk Rita K. Domini.

Under the Council voting rotation system, Councilmember O'Dell voted first.

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MINUTES:

46558 By general consent, the minutes of the regular meeting held October 4, 2021, at 5:30 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

46559 Proclamation - American Association of Code Enforcement National Code Compliance Month

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ACCEPTANCE OF AGENDA:

- 46560 It was moved by Councilmember Novak and seconded by Councilmember Blessing that the Agenda be approved as published. Motion carried. Ayes, O'Dell, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak--9.

PUBLIC HEARING ON ORDINANCES FOR REZONING AND CONDITIONAL USE PERMITS:

- 46561 It was moved by Councilmember Davis and seconded by Councilmember Myers that a Bill (#1318-18) sponsored by Councilmember O'Dell redistricting the properties located at 1001 Autumn Street, 1119 Bellevue Street, 1401 Broadway Street, 1001, 1005, 1012, 1015, 1024 and 1025 Euclid Avenue, 1001, 1007, 1013, 1015 and 1021 West Highland Avenue, 4101, 4201, 4302, 4320 and 4325 Huntoon Road, 1001, 1002, 1016 and 1020 Luverne Street, 1502 and 1802 MacArthur Drive, 2210, 2404, 2410 and 2420 Maiden Lane, 1001, 1002, 1005, 1009, 1010, 1015 and 1021 Mokaska Street, 3806 and 3908 River Road, 1002, 1010, 1014 and 1016 Summer Street, 1415 Tyrone Street, 1101, 2201, 2202, 2304, 3101, 3512, 3602, 3604, 3702 and 4022 Waterworks Road, 777 Winners Circle, 1002 and 1007 Winter Street and certain unaddressed parcels of record on Autumn Street, Belmont Street, Cook Road, Euclid Avenue, Francis Street, Highland Avenue, West Highland Avenue, Isabelle Street, West I-229, Luverne Street, Maiden Lane, Missouri River, East Missouri River, Mokaska Street, West Rosine Street, Summer Street, Tyrone Street, Waterworks Road and Winter Street from several zoning districts to P-12, Riverfront Precise Plan District, as requested by the City of St. Joseph, be postponed and the public hearing continued to the November 1, 2021, Council meeting. Motion carried. Ayes, O'Dell, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak--9.

CONSENT AGENDA:

- 46562 It was moved by Councilmember Moore and seconded by Councilmember Novak that Agenda Numbers 46563 through 46572 be passed by Consent Agenda. Motion carried. Ayes, O'Dell, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak--9.

Bills for Passage:

- 46563 (G.O. 3009) A Bill (#1320-18) sponsored by Councilmember O'Dell amending "Maintenance of property – weeds and rank growth of vegetation" of Chapter 15 "Exterior property maintenance" of the Code of Ordinances to add classifications of "prairie" and "wetlands" to be maintained only within 50 feet of all private or public property lines, having been read the first time on October 4, 2021, was read the second time and passed.
- 46564 (G.O. 3010) A Bill (#1319-18) sponsored by Councilmember Myers amending Section 23-27 "License" of Chapter 23 "Secondhand goods" of the Code of Ordinances to allow citizens to have a garage sale without purchasing a license the first Thursday through Sunday of August on an annual basis, having been read the first time on October 4, 2021, was read the second time and passed.
- 46565 (S.O. 9991) A Bill (#1310-18) sponsored by Councilmember Moore amending the Fire Department budget in the General Fund to accept a grant from the Office of Homeland Security in the amount of \$9,900.00 for the purchase of emergency lights, having been read the first time on October 4, 2021, was read the second time and passed.
- 46566 (S.O. 9992) A Bill (#1312-18) sponsored by Councilmember Moore authorizing an amendment to the Police Department budget in the General Fund to budget insurance proceeds received for a damaged police vehicle in the amount of \$20,600.50, having been read the first time on October 4, 2021, was read the second time and passed.

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CONSENT AGENDA: Bills for Passage: (Cont'd)

- 46567 (S.O. 9993) A Bill (#1313-18) sponsored by Mayor McMurray authorizing an amendment to the Property Maintenance Program budget in the General Fund and execution of an Agreement for Professional Services with SAM, LLC in the amount of \$5,000.00 for the development of a mobile application to track citizens' litter cleanup efforts, having been read the first time on October 4, 2021, was read the second time and passed.
- 46568 (S.O. 9994) A Bill (#1314-18) sponsored by Councilmember Davis authorizing an amendment to the Aviation Fund budget and the purchase and delivery of one (1) Jacobsen mower with cab to be used at Rosecrans Memorial Airport from Kansas Golf and Turf in the total amount of \$84,390.00, having been read the first time on October 4, 2021, was read the second time and passed.
- 46569 (S.O. 9995) A Bill (#1315-18) sponsored by Councilmember Davis authorizing the execution of Change Order No. 4 to the Missouri Air National Guard Box Culvert Extension Contract with M-Con, LLC, for additional erosion control measures and an amendment to the Aviation Fund budget in an amount not to exceed \$12,900.00, having been read the first time on October 4, 2021, was read the second time and passed.
- 46570 (S.O. 9996) A Bill (#1321-18) sponsored by Councilmember O'Dell abating liens and administrative penalties totaling \$5,892.43, and any interest and penalties, on the property located at 1407 Beattie Street, having been read the first time on October 4, 2021, was read the second time and passed.
- 46571 (S.O. 9997) A Bill (#1322-18) sponsored by Councilmember Novak authorizing the sale of real estate located at 405 South 15th Street to Shamrock Capital, LLC, (buyer) for the amount of \$35,000.00 and other good and valuable consideration, having been read the first time on October 4, 2021, was read the second time and passed.

Resolutions for Adoption:

- 46572 (Resolution No. 46572 – 4823) A Resolution (#1324-18) authorizing a contract with the Missouri Department of Health and Senior Services to provide a nutrition program through the Women, Infants and Children Program in the amount of \$452,572.00, was read and adopted.

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

NOMINATIONS AND APPOINTMENTS:

None.

BILLS FOR PASSAGE:

None.

EMERGENCY BILLS FOR PASSAGE:

- 46573 (S.O. 9998) An Emergency Bill (#1339-18) sponsored by Councilmember Roach authorizing the execution of Change Order No. 4 with Scott Gann Construction in the amount of \$150,000.00 and an amendment to the budget to transfer \$68,904.73 of the remaining unallocated money from the American Rescue Plan Act Fund to the Water Protection Fund for additional work on the Corby Pond Restoration Project, was introduced, read and passed. Ayes, O'Dell, Roach, Blessing, Kovac, McMurray, Myers, Novak--7. Nays, Davis, Moore--2.

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RESOLUTIONS FOR ADOPTION:

- 46574 It was moved by Councilmember Novak and seconded by Councilmember Roach that Bill #1338-18 be amended before consideration for adoption by removing the words “top” and “and priority” in the first line of Section 3 in the body of the ordinance. Motion carried. Ayes, O’Dell, Roach, Davis, Kovac, McMurray, Novak--6. Nays Blessing, Moore, Myers--3.
- 46575 (Resolution No. 46575 – 4824) A Resolution (#1338-18) encouraging practices by the City of St. Joseph and by all residents, businesses, and other organizations to reduce greenhouse emissions, was read and adopted. Ayes, O’Dell, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak--9.

BILLS FOR FIRST READING:

- 46576 A Bill (#1325-18) sponsored by Councilmember O’Dell approving the preliminary plat entitled “McBee’s Coffee N Carwash North Belt,” a major commercial subdivision consisting of one (1) lot proposed for the property located at 3016 North Belt Highway, as requested by Galyna Saltkovska, was introduced and read the first time.
- 46577 A Bill (#1326-18) sponsored by Councilmember O’Dell approving the preliminary plat entitled “Clarios Plat 1,” a major subdivision consisting of two (2) lots proposed for the property located at 4701 and 4722 Pear Street, as requested by Brett Hausman on behalf of Al J. Mueller Construction Company, was introduced and read the first time.
- 46578 A Bill (#1327-18) sponsored by Councilmember O’Dell approving the preliminary plat entitled “Dave’s Diesel,” a major subdivision consisting of one (1) lot proposed for the property located at 4702 South 169 Highway, as requested by Dave Gach, was introduced and read the first time.
- 46579 A Bill (#1328-18) sponsored by Councilmember O’Dell approving the preliminary plat entitled “Gateway Plaza Plat 3,” a major subdivision consisting of one (1) lot proposed for the property located at 4701 South Leonard Road, 4434 South 169 Highway and Parcel Number 06-7.0-25-003-000-018.005 located on South 169 Highway, as requested by Dave Gach on behalf of G & S Company, was introduced and read the first time.
- 46580 A Bill (#1329-18) sponsored by Councilmember O’Dell approving the preliminary plat entitled “Hope Landing,” a major subdivision consisting of two (2) lots proposed for the property located at 619 South Fifth Street, as requested by Aaron Stutterheim, was introduced and read the first time.
- 46581 A Bill (#1330-18) sponsored by Councilmember O’Dell approving the final 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.
- 46582 A Bill (#1331-18) sponsored by Councilmember O’Dell redistricting the property located at 2700 North Belt Highway from C-0, Non-Retail Commercial District to C-3, Commercial District, as requested by Michael Jackson on behalf of Missouri Real Estate Investments, LLC., was introduced and read the first time
- 46583 A Bill (#1332-18) sponsored by Councilmember Kovac authorizing an amendment to the Parks Maintenance Fund budget and acceptance of insurance reimbursement for damage to a one-ton dump truck in the amount of \$15,694.00, was introduced and read the first time.

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BILLS FOR FIRST READING: (Cont'd)

- 46584 A Bill (#1333-18) sponsored by Mayor McMurray authorizing a Memorandum of Understanding with HDDA expressing a desire to publicly assist a local company with the intent to redevelop property located at 102 South Third Street and authorizing an amendment to the General Fund to allocate funds received from HDDA in the amount of \$10,000.00 for future professional services costs, was introduced and read the first time.
- 46585 A Bill (#1334-18) sponsored by Councilmember Davis authorizing an amendment to the Aviation Fund budget and the purchase and delivery of one Bush Hog mower to be used at Rosecrans Memorial Airport from St. Joseph Tractor in the total amount of \$32,867.80, was introduced and read the first time.
- 46586 A Bill (#1335-18) sponsored by Councilmember Davis authorizing the execution of a Land Use Agreement with Evergy Missouri West, Inc., the granting of a Temporary Construction Easement from the City of St. Joseph to Evergy Missouri West, Inc., and an amendment to the Capital Projects Fund to budget monies received from Evergy Missouri West, Inc. in the amount of \$6,484.59 for the cost associated with the agreement for the use of city property, was introduced and read the first time.
- 46587 A Bill (#1336-18) sponsored by Councilmember Davis authorizing the execution of Master Agreements for on-call roofing and maintenance services with Roberts Roofing Co. and Delta Innovative Services, Inc., and authorizing the City Manager to issue purchase orders not exceeding \$50,000.00 associated with these master agreements, was introduced and read the first time.
- 46588 A Bill (#1337-18) sponsored by Councilmember Davis authorizing the submittal and execution of a Memorandum of Agreement (MOA) with the Missouri National Guard (MONG) and an amendment to the Aviation Fund budget in the amount of \$2,500,000.00 for capital improvements at the Rosecrans Airport Tower, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 10/1/21: Minutes of the Library Board of Trustees meeting held September 29, 2021, at 6:30 p.m., at Carnegie Library, 316 Massachusetts Street, via video conferencing.

Filed 10/1/21: Minutes of the Port Authority meeting held September 30, 2020, at 4:00 p.m., at the St. Joseph Chamber of Commerce, 3003 Frederick Avenue.

Filed 10/1/21: Minutes of the Port Authority special meeting held November 23, 2020, at 3:05 p.m., at the St. Joseph Chamber of Commerce, 3003 Frederick Avenue, via video conferencing.

Filed 10/1/21: Minutes of the Port Authority special meeting held April 15, 2021, at 3:00 p.m., at the St. Joseph Chamber of Commerce, 3003 Frederick Avenue.

Filed 10/1/21: Minutes of the Port Authority special meeting held April 28, 2021, at 11:00 a.m., at the St. Joseph Chamber of Commerce, 3003 Frederick Avenue.

Filed 10/1/21: Minutes of the Port Authority special meeting held September 2, 2021, at 3:32 p.m., at the St. Joseph Chamber of Commerce, 3003 Frederick Avenue.

Filed 10/6/21: Minutes of the Landmark Commission meeting held September 7, 2021, at 5:30 p.m., in the 4th Floor Conference Room at City Hall.

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WORK SESSION MINUTES – CITY CLERK’S OFFICE:

None.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

Filed 9/30/21: Memorandum in re: Acting City Manager (September 30, 2021).

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 9/30/21: City Link, September 30, 2021.

Filed 10/1/21: Anonymous letter regarding code enforcement issues.

Filed 10/1/21: Minutes of the St. Joseph Museums Membership Committee meeting held June 10, 2021, at 3:03 p.m. at St. Joseph Museums, 3406 Frederick Avenue.

Filed 10/1/21: Memorandum from Joanie Geesing, Court Administrator, in re: Destruction List.

Filed 10/4/21: Minutes of the Sustainable Environment Advisory Committee meeting held September 22, 2021, at 3:30 p.m., in the 1st Floor Conference Room at City Hall, via video conferencing.

Filed 10/4/21: Minutes of the St. Joseph Museums Collections Committee meeting held August 10, 2021, at 9:08 a.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 10/4/21: Parks, Recreation and Civic Facilities Department Monthly Update, August 2021.

Filed 10/4/21: Monthly Police Department Activity Report Highlights, August 2021.

Filed 10/5/21: Minutes of the St. Joseph Museums Membership Committee meeting held August 12, 2021, at 3:10 p.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 10/5/21: Letter from Gwen Stock, 905 Happiness, Longview Texas, in re: A recent trip to St. Joseph where she noticed an abundance of rehab and recovery facilities in the Museum District and the decline of the city and the district in the past 18 months.

Filed 10/6/21: Municipal Division Summary Reporting, September 2021.

Filed 10/7/21: Minutes of the St. Joseph Museums Bi-Monthly Board meeting held September 16, 2021, at 2:00 p.m., at St. Joseph Museums, 3406 Frederick Avenue, via video conferencing.

Filed 10/8/21: City Link, October 7, 2021.

Filed 10/12/21: Minutes of the St. Joseph Museums Fundraising Committee meeting held September 9, 2021, at 3:04 p.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 10/12/21: Commendations regarding the Police Department staff.

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COMMUNICATIONS:

Filed 10/12/21: Encumbrances \$5,000 to \$25,000, September 2021.

Filed 10/12/21: Letter from the AFL-CIO Community Services staff in re: Thanking all the supporters of the Soles for Christ Shoe Program.

Filed 10/12/21: Building Permits Issued, September 2021.

Filed 10/12/21: Property Maintenance Activity Report, September 2021.

Filed 10/12/21: Human Resources Department Monthly Activity Report, September 2021.

Filed 10/12/21: Single Family Rental Property Licenses Report, September 2021.

Filed 10/12/21: Duplex Housing Rental Property Licenses Report, September 2021.

Filed 10/12/21: Business Licenses Report, September 2021.

OTHER BUSINESS:

- 46589 City Manager's Report – City Manager Bryan Carter said the COVID-19 positivity rate was 5.42% which is a slight uptick of 4.73%. The 14-day average of new cases was 12.79, 10 days 13.3 and the seven-day average was 12.86. The vaccination rates are 33.8% for those who have completed vaccinations and 36.5% initiating vaccinations. The Health Department is averaging about eight vaccinations per day and provided 80 booster shots in conjunction with the annual flu clinic. The FDA has approved the Moderna and Johnson & Johnson booster shots. The annual flu clinic occurred last week and 194 vaccines were administered by the Health Department. City employee flu shots have started and will continue through October 19.

PUBLIC COMMENT:

None.

NOTES:

Agenda No. 46558 – Mayor McMurray read the proclamation and presented it to Planning & Community Development Director Clint Thompson.

Agenda No. 46561 – Dennis Adams, 3501 N. 7th St., speaking on behalf of the St. Joseph Rifle and Pistol Club said they had asked to have their property excluded from those being rezoned.

Agenda No. 46574-5 – Frederick Giorgi, 19224 Cherokee Court, spoke about climate change and moving away from fossil fuels.

ADJOURNMENT:

- 46590 By general consent, the City Council adjourned.

The Council adjourned at 6:14 p.m.

Minutes transcribed by Paula Heyde, CMC, City Clerk

