

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

November 1, 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, November 1, 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	(133-02)
	Councilmember Madison Davis	(129-06)
	Councilmember PJ Kovac	(114-21)
	Councilmember Russell Moore	(132-03)
	Councilmember Brian Myers	(123-12)
	Councilmember Marty Novak	(130-05)
	Councilmember Kent O'Dell	(122-13)
	Councilmember Gary Roach	(118-17)
Members absent:	Councilmember Brenda Blessing	(129-06)

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, Health Director Debra Bradley, Planning & Community Development Director Clint Thompson, Public Works & Transportation Director Andrew Clements, Human Resources Director/Interim Administrative Services 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.

Agenda
Number

MINUTES:

46591 By general consent, the minutes of the regular meeting held October 18, 2021, at 5:30 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

None.

(Continued on next page)

(November 1, 2021, Council Meeting, Continued)

Agenda
Number

ACCEPTANCE OF AGENDA:

- 46592 It was moved by Councilmember Novak and seconded by Councilmember O'Dell that the Agenda be accepted as published. Motion carried. Ayes, Roach, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell--8. Absent, Blessing--1.

PUBLIC HEARING ON THE CDBG AND HOME INVESTMENT PARTNERSHIPS PROGRAMS CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT:

- 46593 The City Council held a public hearing on November 1, 2021, at 5:30 p.m., at City Hall, on the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs Consolidated Annual Performance and Evaluation Report for the period July 1, 2020 through June 30, 2021. The Report describes each activity for which CDBG and HOME funds were budgeted in the Community Partnership Strategy and Consolidated Plan – Annual Plan for Program Year 2020/2021. The Report provides a summary of programmatic accomplishments and the City's assessment of its progress in addressing the priority needs and the specific goals and objectives identified in the strategic plan and action plan.

Residents were given an opportunity to express their views regarding the City's use of available resources and its accomplishments in addressing the identified needs.

- 46594 There being no persons appearing to be heard, the Mayor declared the public hearing closed.

PUBLIC HEARING ON ORDINANCES FOR REZONING AND CONDITIONAL USE PERMITS:

- 46595 (G.O. 3011) 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 and 3702 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, having been read the first time on October 4, 2021, was read the second time and passed. Ayes, Roach, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell--8. Absent, Blessing--1.
- 46596 (G.O. 3012) 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., having been read the first time on October 18, 2021, was read the second time and passed. Ayes, Roach, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell--8. Absent, Blessing--1.

CONSENT AGENDA:

- 46597 It was moved by Councilmember Roach and seconded by Councilmember Novak that Agenda Numbers 46598 through 46613 be passed by Consent Agenda. Motion carried. Ayes, Roach, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell--8. Absent, Blessing--1.

(Continued on next page)

(November 1, 2021, Council Meeting, Continued)

Agenda
Number

CONSENT AGENDA: (Cont'd)

Nominations and Appointments:

- 46598 Filed 10/25/21: The nomination by Mayor McMurray was approved, appointing Kirby Brooner, 4409 Hunter Drive, as a member of the Industrial Development Authority for a term expiring November 1, 2027; he is filling a vacancy on the board.

Bills for Passage:

- 46599 (S.O. 9999) 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, having been read the first time on October 18, 2021, was read the second time and passed.
- 46600 (S.O. 10000) 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, having been read the first time on October 18, 2021, was read the second time and passed.
- 46601 (S.O. 10001) 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, having been read the first time on October 18, 2021, was read the second time and passed.
- 46602 (S.O. 10002) 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, having been read the first time on October 18, 2021, was read the second time and passed.
- 46603 (S.O. 10003) 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, having been read the first time on October 18, 2021, was read the second time and passed.
- 46604 (S.O. 10004) 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, having been read the first time on October 18, 2021, was read the second time and passed.
- 46605 (S.O. 10005) 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, having been read the first time on October 18, 2021, was read the second time and passed.
- 46606 (S.O. 10006) A Bill (#1334-18) sponsored by Councilmember Davis authorizing an amendment to the Aviation Fund budget and the purchase and delivery of one (1) Bush Hog mower to be used at Rosecrans Memorial Airport from St. Joseph Tractor in the total amount of \$32,867.80, having been read the first time on October 18, 2021, was read the second time and passed.

(Continued on next page)

(November 1, 2021, Council Meeting, Continued)

Agenda
Number

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

46607 (S.O. 10007) 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, having been read the first time on October 18, 2021, was read the second time and passed.

46608 (S.O. 10008) 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, having been read the first time on October 18, 2021, was read the second time and passed.

46609 (S.O. 10009) 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, having been read the first time on October 18, 2021, was read the second time and passed.

Resolutions for Adoption:

46610 (Resolution No. 46610 – 4825) A Resolution (#1341-18) authorizing the execution of a Consultant/Services Agreement with Bryan E. Vignery, LPC, LCPC to provide employee assistance program-related services primarily to Police and Fire Department employees, was read and adopted.

46611 (Resolution No. 46611 – 4826) A Resolution (#1342-18) authorizing the submission of the Fiscal Year 2020/2021 Consolidated Annual Performance and Evaluation Report to the Department of Housing and Urban Development (HUD), was read and adopted.

46612 (Resolution No. 46612 – 4827) A Resolution (#1343-18) of official intent of the City Council of the City of St. Joseph, Missouri, for the issuance of the City’s Taxable Industrial Development Revenue Bonds in a principal amount of approximately \$55,000,000 to finance a project for the benefit of the Hillshire Brands Company and authorizing certain actions relating thereto, was read and adopted.

46613 (Resolution No. 46613 – 4828) A Resolution (#1348-18) authorizing the acceptance of a sale agreement with Masek Golf Car Company and a financing agreement with Kansas State Bank for the purchase of forty-five (45) golf cars and one (1) utility golf car in the amount of \$35,952.00 per year for four (4) years, for use at Fairview Golf Course, was read and adopted.

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

NOMINATIONS AND APPOINTMENTS:

None.

(Continued on next page)

(November 1, 2021, Council Meeting, Continued)

Agenda
Number

BILLS FOR PASSAGE:

- 46614 (S.O. 10010) 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, having been read the first time on October 18, 2021, was read the second time and passed. Ayes, Roach, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell--8. Absent, Blessing--1.

EMERGENCY BILLS FOR PASSAGE:

None.

RESOLUTIONS FOR ADOPTION:

- 46615 It was moved by Councilmember Moore and seconded by Councilmember Novak that a Resolution (#1340-18) sponsored by Councilmember Moore requesting the Governor of the State of Missouri to authorize the necessary majority vote referendum among the eligible employees of the Fire Department hired prior to August 1, 1986 covered by LAGERS as to whether a majority of such employees favors Medicare-Only coverage, be postponed to the January 10, 2022 Council meeting. Motion carried. Ayes, Roach, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell--8. Absent, Blessing--1.

BILLS FOR FIRST READING:

- 46616 A Bill (#1344-18) sponsored by Councilmember Myers authorizing amendments to the General Fund; Special Allocation Fund; Debt Service Fund; Capital Projects Fund; Aviation Fund; Municipal Golf Fund; and Landfill Fund budgets for Fiscal Year 2020-2021, was introduced and read the first time.
- 46617 A Bill (#1345-18) sponsored by Councilmember Moore authorizing an amendment to the Fire Department budget in the General Fund to accept an Assistance to Firefighters Grant from the Department of Homeland Security in the amount of \$367,272.73 and to appropriate matching funds in the amount of \$36,727.27 from fund balance; and authorizing the purchase of radios and equipment from Midwest Mobile Radio in the amount of \$404,000.00, was introduced and read the first time.
- 46618 A Bill (#1346-18) sponsored by Mayor McMurray authorizing execution of a Funding Agreement with Board of Directors Mo-Kan (d/b/a Mo-Kan Regional Council) and an amendment to the Gaming Initiatives Fund to appropriate \$3,500.00 for the cost of maintaining membership with Mo-Kan Regional Council, was introduced and read the first time.
- 46619 A Bill (#1347-18) sponsored by Councilmember Davis authorizing a new lease agreement with Herzog Contracting, Corp., to provide storage of aircraft and corporate office space at Rosecrans Memorial Airport, was introduced and read the first time.
- 46620 A Bill (#1349-18) sponsored by Mayor McMurray authorizing an amendment to the budget to transfer the amount of \$1,000,000.00 from the American Rescue Plan Act Fund to the General Fund to be used for repairs and the purchase of equipment for the Civic Arena, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 10/14/21: Minutes of the Museum Oversight Board meeting held September 18, 2021, at 9:03 a.m., at St. Joseph Museums, 3406 Frederick Avenue.

(Continued on next page)

(November 1, 2021, Council Meeting, Continued)

REPORTS OF BOARDS & COMMISSIONS: (Cont'd)

Filed 10/18/21: Minutes of the Land Bank Advisory Committee meeting held April 19, 2021, at 1:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 10/18/21: Minutes of the Museum Oversight Board meeting held October 15, 2021, at 9:34 p.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 10/22/21: Minutes of the Administrative Violation Review Board meeting held August 4, 2021, at 2:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 10/22/21: Minutes of the Tree Board meeting held January 7, 2020, at 6:00 p.m., in the 1st Floor Conference Room at City Hall.

Filed 10/22/21: Minutes of the Tree Board meeting held July 16, 2021, at 6:30 p.m., in the 1st Floor Conference Room at City Hall.

Filed 10/22/21: Minutes of the Plumbers Examining and Appeals Board meeting held October 14, 2021, at 4:00 p.m., in the 1st Floor Conference Room at City Hall.

Filed 10/22/21: Minutes of the Senior Citizen Foundation, Inc. Board meeting held September 21, 2021, at 3:00 p.m., at the Joyce Raye Patterson 50+ Activity Center, 100 South 10th Street.

Filed 10/26/21: Minutes of the Land Bank Board meeting held October 25, 2021, at 1:00 p.m., in the Council Chamber at City Hall.

Filed 10/26/21: Minutes of the Library Board meeting held October 20, 2021, at 6:30 p.m., at the East Hills Library, 502 N. Woodbine Road, via video conferencing.

WORK SESSION MINUTES – CITY CLERK’S OFFICE:

Filed 10/15/21: Minutes of the Council Work Session held October 13, 2021, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 10/20/21: Minutes of the Council Work Session held October 18, 2021, at 4:30 p.m., in the 4th Floor Conference Room at City Hall.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

Filed 10/26/21: Memorandum in re: Acting City Manager (October 28 – November 1, 2021) and November 4 – November 9, 2021).

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 10/14/21: City Link, October 14, 2021.

Filed 10/15/21: Letter from Peggy D. Richardson, Executive Director, Missouri Gaming Commission, in re: State/Local Allocation of Gaming Revenues for the period 9/1/21 through 9/30/21.

(Continued on next page)

(November 1, 2021, Council Meeting, Continued)

Agenda
Number

COMMUNICATIONS: (Cont'd)

Filed 10/18/21: Monthly Police Department Activity Report Highlights, September 2021.

Filed 10/18/21: Parks, Recreation and Civic Facilities Department Monthly Update, September 2021.

Filed 10/18/21: Health Department Monthly Statistical Report, September 2021.

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

Filed 10/21/21: Minutes of the Police Pension Board meeting held September 15, 2021, at 4:00 p.m., in the 1st Floor Conference Room at City Hall.

Filed 10/22/21: Social Welfare Board The Clinic Beat newsletter, September 2021.

Filed 10/25/21: Commendations regarding Police Department staff.

OTHER BUSINESS:

- 46621 City Manager's Report – City Manager Bryan Carter gave an update on the ARPA (American Rescue Plan Act) proposals. City staff is still working on contract details and work sessions will be scheduled in November and December for the City Council to review them. They are also working on a contract for Tom Kaleko with Baker Tilly to review the projects to provide a subjective third-party analysis of the proposed uses, better insight as to how the city's proposed uses align with other clients proposed uses and to provide an avenue for shifting liability if we pursue a project that is ultimately determined by the auditor to be outside the eligibility requirements. COVID-19 update—the positivity rate is down for the third consecutive week to 5.01% and is also reflected in the average number of new cases per day. The 14-day average is 14.36; ten-day average is 14.1 and seven-day average is 13.57. The Health Department is continuing contact tracing. The vaccination rate is 36.2 for completed vaccinations and 395 for those initiating vaccinations. The FDA, CDC and DHSS have all approved boosters for Moderna and Johnson & Johnson. There are no plans to reopen the Civic Arena to administer vaccines.

Councilmember Novak thanked those who provided assistance and checked on him when he tripped outside the Missouri Theater last Saturday.

PUBLIC COMMENT:

Janna Trulsson, 8 Antilles Drive, spoke about the structure U-Haul is building at 36th and Frederick which she feels is an eyesore and belongs in an industrial park.

There was discussion about possibly revisiting design guidelines and City staff was asked to provide the landscaping plan for this development to the City Council.

NOTES:

Agenda No. 46595 – Dennis Ketchem, 2201 N. 42nd St., President of the Rifle & Pistol Club, said the executive board of the Rifle & Pistol Club met with City staff and voted to include the group's property in the proposed precise plan zone and have withdrawn their request to be excluded.

Kenny Reeder, 4000 River Road, asked questions about the rezoning to a precise plan district and spoke about some of the activities going on in the area contained in the rezoning.

(Continued on next page)

(November 1, 2021, Council Meeting, Continued)

Agenda
Number

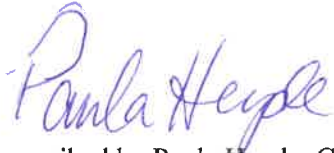
NOTES: (Cont'd)

Agenda No. 46596 – Michael Jackson, 2205 April Terrace, spoke about his request for a zoning change at this location.

46622 ADJOURNMENT:

By general consent, the City Council adjourned.

The meeting adjourned at 6:34 p.m.



Minutes transcribed by Paula Heyde, CMC, City Clerk.