

# NOTICE OF MEETING

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## CITY COUNCIL

*Regular Meeting – Monday, September 23, 2019 – 7:00 p.m.*  
Council Chamber – City Hall – 1100 Frederick Avenue

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## AGENDA

### COUNCIL SEATING ARRANGEMENT

J. Bruce Woody  
City Manager

Bill McMurray  
Mayor

Paula Heyde  
City Clerk

#### MANAGER'S STAFF\*

#### COUNCILMEMBERS

#### COUNCILMEMBERS

Brian Myers (At Large)

Brenda Blessing (At Large)

Marty Novak (2nd District)

Madison Davis (1st District)

Kent O'Dell (At Large)

PJ Kovac (3rd District)

Gary Roach (4th District)

Russell Moore (5th District)

\*City Attorney Bryan Carter, Interim Administrative Services Director Tom Mahoney, Fire Chief Michael L. Dalsing, Police Chief Chris Connally, Health Director Debra Bradley, Parks, Recreation & Civic Facilities Director and Interim Human Resources Director Chuck Kempf, Planning & Community Development Director Clint Thompson, and Public Works & Transportation Director Andrew Clements.

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PLEDGE OF ALLEGIANCE:

ROLL CALL:

CALL TO ORDER:

MINUTES:

1. Approval of the minutes of the special meetings held August 19, 2019, at 4:00 p.m. and August 26, 2019, at 4:00 p.m. and the regular meeting held August 26 at 7:00 p.m., as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

2. Proclamation – National Arts and Humanities Month

ACCEPTANCE OF AGENDA:

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

3. The City Council will hold a public hearing on Monday, September 23, 2019 , at 7:00 p.m., in the Council Chamber at City Hall, on the Consolidated Annual Performance and Evaluation Report on the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs for the period July 1, 2018 through June 30, 2019. The Performance Report describes each activity for which CDBG and HOME funds were budgeted in the Community Partnership Strategy and Consolidated Plan – Fourth Year Annual Plan for Program Year 2018/2019. 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.

At this time, residents will be given an opportunity to express their views regarding the city’s use of available resources and its accomplishments in addressing the identified needs (See Agenda Item #19, Bill #525-18).

PUBLIC HEARING ON ORDINANCES FOR REZONING AND CONDITIONAL USE PERMITS:

4. A Bill (#507-18) sponsored by Councilmember Myers redistricting the property located at 224 East Missouri Avenue from R1-B, Detached Single Family Residential District to R-1SH, Single Family/Small House Residential District, as requested by William Glover.

CONSENT AGENDA:

Nominations and Appointments:

5. Filed 9/5/19: Mayor McMurray nominates Rev. Brian S. Kirk, 3501 Beck Road, to serve as a member of the Library Board for a term expiring June 30, 2020; he is filling a vacancy created by the resignation of Daniel Mefford.
6. Filed 9/12/19: Mayor McMurray nominates Rosetta Jennings, 2530 Pacific Street, to serve as a member of the Library Board for a term expiring June 30, 2021; she is filling the vacancy created by the resignation of Bradley Weil.
7. Filed 9/12/19: Councilmember Myers nominates Jackson Connors, 2015 E. Highland Avenue, to serve as a member of the Downtown Review Board for a term expiring September 23, 2022; he is filling a vacancy on the board.
8. Filed 9/12/19: Councilmember Myers nominates Lonnie Bass, 3713 Robin Lane, to serve as a member of the Downtown Review Board for a term expiring August 31, 2021; he is filling a vacancy on the board.
9. Filed 9/13/19: Mayor McMurray nominates Michael Jasper, 2119 N. 32nd Street, to serve as a member of the Human Rights Commission for a term expiring October 8, 2022; he is being reappointed.
10. Filed 9/16/19: Councilmember Novak nominates Michael Grimm, 1810 S. 40th Street, to serve as a member of the Zoning Board of Adjustment for a term expiring May 12, 2024; he is filling a vacancy on the board created by the resignation of Larry Douglas.

Bills for Passage:

11. A Bill (#506-18) sponsored by Councilmember Myers amending Chapter 2, “Administrative Code,” of the Code of Ordinances to enact a new Section 2-8 titled “General fees and interest” authorizing fees to be established for goods and services provided by the City and authorizing interest to be collected on delinquent fees for which no interest rate is otherwise proscribed by ordinance.

CONSENT AGENDA: (Cont'd)

12. A Bill (#515-18) sponsored by Councilmember Moore amending Chapter 24, "Solid Waste" of the Code of Ordinances to modify Section 28-12 titled "Burning solid waste" and establish recurring open burning periods as allowed under revised state regulations.
  
13. A Bill (#505-18) sponsored by Councilmember Moore amending the Fire Department budget in the General Fund to recognize funds received from the sale of one surplus 65' Telesqurt fire truck in the amount of \$15,000.00.
  
14. A Bill (#511-18) sponsored by Councilmember Myers authorizing an amendment to the budget to transfer the amount of \$15,000.00 from the General Fund 2011 Transient Guest Tax Program to the Parks Maintenance Fund to provide funds for holiday decoration activities in downtown St. Joseph.
  
15. A Bill (#514-18) sponsored by Councilmember Novak authorizing an amendment to the Community Development Block Grant (CDBG) Fund in the amount of \$19,000.00 and the execution of contracts with twelve social service agencies totaling \$396,200.00 as provided in the Fifth Year Annual Plan for the use of Community Development Block Grant funds.
  
16. A Bill (#517-18) sponsored by Councilmember Roach authorizing the execution of a Purchase Agreement and acceptance of a Warranty Deed for real property located at 2204 South 5th Street, from Corey Buskey and Angie Buskey in the total amount of \$39,660.00 to purchase land to be used to relocate the Water Protection Line Maintenance Division.
  
17. A Bill (#518-18) sponsored by Councilmember Davis authorizing an amendment to the Capital Projects Fund and the execution of a Transportation Alternatives Fund Supplemental Agreement amendment and the increase in Surface Transportation Program (STP) Small Urban funding both in an amount not to exceed \$53,618.00; approval of a City contribution of \$13,404.00, and the execution of Change Order No. 1 with K and M Concrete in an amount not to exceed \$67,022.00 for the Urban Trail Maintenance Project.

CONSENT AGENDA: (Cont'd)

Resolutions for Adoption:

18. A Resolution (#520-18) authorizing the purchase of thirty-eight (38) APX 8000 all band portable radios and accessories for a total cost of \$214,287.00 from Motorola Solutions to be used by the Police Department.
  
19. A Resolution (#525-18) authorizing the submission of the Fiscal Year 2018/2019 Consolidated Annual Performance and Evaluation Report to the Department of Housing and Urban development (HUD).
  
20. A Resolution (#527-18) authorizing the execution of a Housing Rehabilitation Contract with John Joseph Jr., a single person, (owner) and Superior Exteriors of Northwest Missouri LLC (contractor) for a housing rehabilitation project at 3702 West Nickell Terrace for a total amount not to exceed \$36,351.00.
  
21. A Resolution (#528-18) authorizing the execution of a Housing Rehabilitation Contract with Fortune General Contracting (contractor) for a housing rehabilitation project at 3004 Angelique Street for a total amount not to exceed \$68,640.00.
  
22. A Resolution (#529-18) canceling the regularly scheduled meeting of the St. Joseph City Council on December 30, 2019 at 7:00 p.m.
  
23. A Resolution (#530-18) authorizing the execution of Work Order No. 9540-07 with Midland GIS Solutions, LLC, to identify and map stormwater structures in the Mitchell Watershed for the City's Water Protection Division in an amount not to exceed \$67,030.00.
  
24. A Resolution (#534-18) accepting the donation of artifacts valued at \$21,896.41 from the Friends of the Park to be used by the Remington Nature Center for display.

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

25. A Resolution (#538-18) authorizing the issuance of Work Order Number HDR20-02 with HDR Engineering, Inc. for Biogas collection and facilities improvements in the amount of \$176,145.00.
  
26. A Resolution (#545-18) stating support for St. Joe 47, Inc's application to receive funds from the Governor's Transportation Cost Share Program for improvements to Cook Road between Village Drive and Interstate 29.
  
27. A Resolution (#546-18) authorizing submission of an application to receive funds from the Governor's Transportation Cost Share Program for the Pickett Road Reconstruction Project.
  
28. A Resolution (#548-18) establishing a Downtown Parking Committee and appointing citizens to serve on the committee for the purpose of recommending proposed downtown parking amendments to the City Council.

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

NOMINATIONS AND APPOINTMENTS:

None.

BILLS FOR PASSAGE:

None.

EMERGENCY BILLS FOR PASSAGE:

29. An Emergency Bill (#532-18) sponsored by Councilmember Davis authorizing an amendment to the Aviation Fund budget in the net amount of \$2,809,275.00; the execution of a Missouri Air National Guard Box Culvert Extension Contract in the amount of \$2,390,082.00 with M-CON, LLC; and a contract for water facility relocation with the Missouri American Water Co. in the amount of \$419,193.00 for the installation of a box culvert and waterline relocation on the Missouri Air National Guard leased property at Rosecrans Memorial Airport for its Communications Facility Project.
  
30. An Emergency Bill (#533-18) sponsored by Councilmember Novak waiving building permit fees, dumpster permit fees and tipping fees associated with repairs to existing structures and for trash and debris cleanup for St Joe Serve Community Outreach Workday 2019 for a period of time ending on November 1, 2019.
  
31. An Emergency Bill (#543-18) sponsored by Councilmember Moore authorizing an amendment to the Public Health budget of the General Fund to recognize funds from Mosaic Life Care in the amount of \$96,378.00 for the purpose of reimbursing off-duty officers of the St. Joseph Police Department working as contractors to provide security and policing as part of the Urban Mission Project.

RESOLUTIONS FOR ADOPTION:

None.

BILLS FOR FIRST READING:

32. A Bill (#521-18) sponsored by Mayor McMurray amending Chapter 20, "Offenses and miscellaneous provisions," of the Code of Ordinances to enact a new Section 20-166 titled "Unlawful transfer of weapons; parental or guardian consent for delivery of a firearm to minors" prohibiting the reckless transfer of firearms to minors without the consent of the minor's parent or guardian.
  
33. A Bill (#522-18) sponsored by Mayor McMurray amending Chapter 20, "Offenses and miscellaneous provisions," of the Code of Ordinances to enact a new Section 20-167 titled "Unlawful possession of a handgun by a minor" prohibiting minors from possessing a handgun or ammunition except when allowed by state and federal law.

BILLS FOR FIRST READING: (Cont'd)

34. A Bill (#523-18) sponsored by Councilmember Moore authorizing an amendment to the budget to transfer the amount of \$60,967.00 from the Capital Projects Fund to the General Fund Fire Department Program and authorizing payment for repairs to Ladder 5 and Truck 7 to Sutphen in the amount of \$60,966.24.
35. A Bill (#524-18) sponsored by Councilmember Moore authorizing an amendment to the Public Health Department budget in the General Fund to roll over unspent funds in the amount of \$179,985.02 from a variety of grants and contracts.
36. A Bill (#526-18) sponsored by Councilmember Novak filed at the request of Countryside Mobile Home Estates waiving \$7,783.00 in sewer user fees as a result of water supplied to the user leaking from the system and to the ground rather than entering the sewer system.
37. A Bill (#531-18) sponsored by Mayor McMurray amending Chapter 2, "Administrative Code", of the Code of Ordinances to enact a new Section 2-9 titled "Failure to obtain required permits (Chapters 25 and 29)", authorizing fees to be charged and municipal tickets to be issued upon failure to obtain permits required by Chapters 25 and 29 of the Code of Ordinances.
38. A Bill (#535-18) sponsored by Councilmember O'Dell amending Section 31-190 "Historic Landmarks" of Chapter 31, "Zoning" of the Code of Ordinances to add the McNeely House located at 701 South 11th Street, as requested by Kimberly Schutte on behalf of Steven C. and Christine E. Squires, and 809 Hall Street, the Nathan Phipps Ogden Mansion (aka Cummings Ogden House, aka The Shakespeare Chateau Inn and Gardens) as requested by Isobel McGowan, as historic landmarks in the City.
39. A Bill (#536-18) sponsored by Councilmember Roach amending Section 29-237 of the Code of Ordinances entitled "Schedule and application of user charges" to remove the requirement to round flow usage to the nearest 100 cubic feet.
40. A Bill (#537-18) sponsored by Councilmember Myers authorizing an amendment to the Community Development Block Grant Fund, Special Allocation Fund, Water Protection Fund, Municipal Golf Fund and Landfill Fund budgets for Fiscal Year 2018-2019.
41. A Bill (#539-18) sponsored by Councilmember O'Dell authorizing an amendment to the Gaming Initiatives Fund budget in the amount of \$12,254.00 to roll forward Save Our Heritage Grant (SOHG) funds unspent in the previous fiscal year in order to fully fund projects approved this fiscal year by the Landmark Commission.
42. A Bill (#540-18) sponsored by Councilmember Myers authorizing an amendment to the General Fund - 2011 Transient Guest Tax Program budget in the amount of \$50,000.00 to provide matching funds to the Buchanan County Tourism Board for the design phase of enhancing wayfinding signage throughout St. Joseph.

BILLS FOR FIRST READING: (Cont'd)

43. A Bill (#541-18) sponsored by Councilmember O'Dell redistricting the property located at 402 South Fifth Street from CP-3, Planned Commercial District to M-2, Heavy Manufacturing District, as requested by Lonnie Bass.
44. A Bill (#542-18) sponsored by Councilmember O'Dell redistricting the property located at 3411 Gene Field Road from R-1A, Single Family Residential District to C-3, Commercial District, as requested by Jeffrey Hughes.
45. A Bill (#544-18) sponsored by Councilmember Davis authorizing the execution of an Abandonment and Termination of Permanent Hike and Bike Trail Easement, and the acceptance of a Revised Permanent Hike and Bike Trail Easement from Second Harvest Community Food Bank (as successor in interest to the Mo-Kan Regional Food Bank), located at 915 Douglas Street, for the Blacksnake Creek Stormwater Improvement Project.
46. A Bill (#547-18) sponsored by Councilmember Moore authorizing execution of a Long-Term Ground Lease Agreement with Missouri Western State University for the 99-year lease of property for the construction of a new Fire Station Number 8 and an amendment to the Capital Projects Fund budget to appropriate \$275,000.00 to be used to construct a university police station as consideration for use of University property.

REPORTS OF BOARDS & COMMISSIONS:

47. Filed 8/22/19: St. Joseph Public Library Annual Report 2018-2019.
48. Filed 8/26/19: Final Amended Minutes of the Planning Commission meeting held July 25, 2019, at 7:00 p.m., in the Council Chamber at City Hall.
49. Filed 8/27/19: Minutes of the Planning Commission meeting held August 22, 2019, at 7:00 p.m., in the Council Chamber at City Hall.
50. Filed 8/27/19: St. Joseph Museums, Inc. 2018/2019 Annual Report.
51. Filed 8/29/19: Minutes of the Housing Authority meeting held August 1, 2019, at 3:00 p.m., at the Housing Authority, 2902 South 36th Street.
52. Filed 8/30/19: Minutes of the Library Board of Trustees meeting held August 27, 2019, at 5:00 p.m., at the Downtown Library, 927 Felix Street.
53. Filed 8/30/19: Minutes of the Social Welfare Board meeting held June 25, 2019, at 2:30 p.m., at Patee Market Health Center, 904 South 10th Street.

REPORTS OF BOARDS & COMMISSIONS: (Cont'd)

54. Filed 8/30/19: Minutes of the Housing Authority meeting held July 18, 2019, at 4:00 p.m., at the Housing Authority, 2902 South 36th Street.
55. Filed 9/4/19: Minutes of the Human Rights Commission meeting held August 20, 2019, at 6:00 p.m., in the 4th Floor Conference Room at City Hall.
56. Filed 9/4/19: Minutes of the Landmark Commission Work Session held August 6, 2019, at 6:00 p.m., in the Council Chamber at City Hall.
57. Filed 9/4/19: Minutes of the Landmark Commission meeting held August 6, 2019, at 7:00 p.m., in the Council Chamber at City Hall.
58. Filed 9/5/19: Minutes of the Museum Oversight Board meeting held August 19, 2019, at 11:32 a.m., at St. Joseph Museums, Inc., 3406 Frederick Avenue.
59. Filed 9/5/19: Minutes of the Downtown Review Board meeting held September 4, 2019, at 5:30 p.m., in the Council Chamber at City Hall.
60. Filed 9/6/19: Minutes of the Administrative Violation Review Board meeting held July 17, 2019, at 2:00 p.m., in the 4th Floor Conference Room at City Hall.
61. Filed 9/9/19: Minutes of the Community Police Advisory Committee meeting held September 3, 2019, at 7:00 p.m., at the Law Enforcement Center, 501 Faraon St.
62. Filed 9/11/19: Minutes of the Senior Citizen Foundation, Inc. Board meeting held August 20, 2019, at 3:00 p.m., at the Joyce Rate Patterson Senior Center, 100 South 10th Street.
63. Filed 9/18/19: Minutes of the Traffic Commission meeting held September 11, 2019, at 10:00 a.m., in the Council Chamber at City Hall.

WORK SESSION MINUTES – CITY CLERK’S OFFICE:

64. Filed 9/18/19: Minutes of the Council Work Session held September 12, 2019, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

65. Filed 9/9/19: Memorandum in re: Acting City Manager (September 8-11, 2019).
66. Filed 9/13/19: Memorandum in re: Acting City Manager (September 16 through 21, 2019).

DELEGATIONS, PETITIONS:

None.

## COMMUNICATIONS:

67. Filed 8/21/19: Minutes of the 2019 Charter Review Committee meeting held July 30, 2019, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.
68. Filed 8/21/19: Minutes of the Police Pension Board meeting held July 17, 2019, at 4:00 p.m., in the 1st Floor Conference Room at City Hall.
69. Filed 8/22/19: City Link, August 22, 2019.
70. Filed 8/23/19: St. Louis County Prescription Drug Monitoring Program 2018 Annual Report.
71. Filed 8/26/19: Email from Bradley M. Weil, 3415 South 11th Street, in re: Resignation from the Library Board.
72. Filed 8/26/19: Parks, Recreation and Civic Facilities Department Monthly Update, July 2019.
73. Filed 8/26/19: Minutes of the St. Joseph Museums, Inc. Black Archives Museum Committee meeting held August 5, 2019, at 5:00 p.m., at St. Joseph Museums, Inc., 3406 Frederick Avenue.
74. Filed 8/26/19: Health Department Monthly Statistical Report, July 2019.
75. Filed 8/26/19: Vendor Service Contracts, July 2019.
76. Filed 8/26/19: Non-Ordinance Budget Amendments Report, July 2019.
77. Filed 8/26/19: Memorandum from Andrew Clements, Public Works & Transportation Director, in re: Emerging pollutants of concern.
78. Filed 8/26/19: Encumbrances \$5,000 - \$25,000 Report, July 2019.
79. Filed 8/27/19: Minutes of the St. Joseph Museums, Inc. Membership Committee meeting held August 8, 2019, at 11:09 a.m., at St. Joseph Museums, Inc., 3406 Frederick Avenue.
80. Filed 8/27/19: Letter from Pat Dillon, Chairman of the Board of Directors, St. Joseph Downtown Partnership, Inc., in re: The dissolution of the Downtown Partnership effective December 31, 2019.
81. Filed 8/28/19: Minutes of the St. Joseph Museums Inc. Fundraising Committee meeting held August 8, 2019, at 10:00 a.m., at St. Joseph Museums, Inc., 3406 Frederick Avenue.
82. Filed 8/29/19: City Link, August 29, 2019.
83. Filed 8/29/19: Commendations regarding the Police Department.
84. Filed 8/30/19: Buchanan County Commission appointment of Terry McClatchey to the Land Bank Board.
85. Filed 8/30/19: Human Resources Department Monthly Activity Report, July 2019.
86. Filed 9/3/19: Email from Sidney Breese, 606 Woodcrest Drive, in re: Resignation from the Downtown Review Board.

COMMUNICATIONS: (Cont'd)

87. Filed 9/5/19: Minutes of the St. Joseph Museums, Inc. Exhibits Committee meeting held August 14, 2019, at St. Joseph Museums, Inc., 3406 Frederick Avenue.
88. Filed 9/5/19: Human Resources Department Monthly Activity Report, August 2019.
89. Filed 9/5/19: City Link, September 5, 2019.
90. Filed 9/6/19: Minutes of the St. Joseph Museums, Inc. Programming Committee meeting held August 6, 2019, at 1:30 p.m., at St. Joseph Museums, Inc., 3406 Frederick Avenue.
91. Filed 9/9/19: Municipal Division Summary Reporting, August 2019.
92. Filed 9/9/19: Memorandum from Mayor Bill McMurray in re: Absent from the City (September 9-11, 2019).
93. Filed 9/9/19: Social Welfare Board The Clinic Beat newsletter, August 2019.
94. Filed 9/10/19: Health Department Monthly Statistical Report, August 2019.
95. Filed 9/11/19: Minutes of the Mayor's Blue Ribbon Audit Advisory Committee meeting held September 4, 2019, at 12:00 p.m., in the 4th Floor Conference Room at City Hall.
96. Filed 9/12/19: City Link, September 12, 2019.
97. Filed 9/13/19: Letter from David M. Grothaus, Executive Director, Missouri Gaming Commission, in re: State/Local Allocation of Gaming Revenues for the period 8/1/19 through 8/31/19.
98. Filed 9/13/19: Employee Suggestion Boxes Report, July/August 2019.
99. Filed 9/13/19: Property Maintenance Activity Report, August 2019.
100. Filed 9/13/19: Property Maintenance Invoices Report, August 2019.
101. Filed 9/13/19: Memorandum from James R. McQuerrey, Supt. of Solid Waste/Recycling, in re: Recycling Center Report for August 2019.
102. Filed 9/13/19: Duplex Residential Rental Property Licenses, August 2019.
103. Filed 9/13/19: Single Family Residential Rental Property Licenses, August 2019.
104. Filed 9/13/19: St. Joseph Transit Report, June 2019.
105. Filed 9/13/19: St. Joseph Transit Report, July 2019.
106. Filed 9/13/19: Police Department Monthly Activity Report Highlights, August 2019.

COMMUNICATIONS: (Cont'd)

107. Filed 9/13/19: New Business Listing Report, August 2019.
108. Filed 9/13/19: Commendations regarding Police Department staff.
109. Filed 9/16/19: Minutes of the St. Joseph Museums Inc. Executive/Financial meeting held August 22, 2019, at 4:00 p.m., at St. Joseph Museums, Inc., 3406 Frederick Avenue.
110. Filed 9/16/19: Letter from Matthew R. Fulson, Missouri Housing Partners, LLC, in re: Oakridge Apartments, 1205 Angeliq Street (submission of application to MHDC to rehabilitate 98 family units).
111. Filed 9/17/19: Minutes of the St. Joseph Museums, Inc. Programming Committee meeting held September 3, 2019, at 1:35 p.m., at St. Joseph Museums, Inc., 3406 Frederick Avenue.
112. Filed 9/18/19: Minutes of the 2019 Charter Review Committee meeting held August 20, 2019, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.

OTHER BUSINESS:

113. City Manager's Report.

PUBLIC COMMENT:

ADJOURN:

Paula Heyde, CMC, City Clerk

It is the intention of the City of St. Joseph to comply in all aspects with the Americans with Disabilities Act (ADA). If you plan on attending a meeting to participate or to observe and need special assistance beyond what is routinely provided, the city will attempt to accommodate you in every reasonable manner. Please contact the ADA Coordinator, 816-271-5500, or TODD# 816-271-4898 at least two business days prior to the meeting to inform the City of your specific needs and to determine if accommodation is feasible.