

NOTICE OF MEETING

CITY COUNCIL

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

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.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

CALL TO ORDER:

MINUTES:

1. Approval of the minutes of the special meeting held September 16, 2019, at 4:45 p.m. and the regular meeting held September 23, 2019, at 7:00 p.m., as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

None.

ACCEPTANCE OF AGENDA:

PUBLIC HEARING ON PROPOSED REVISIONS TO SEWER CHARGES:

2. In accordance with RSMo. Section 250.233, a public hearing will be held on Monday, October 7, 2019, at 7:00 p.m., in the Council Chamber at City Hall, 1100 Frederick Avenue, St. Joseph, Missouri, regarding proposed revisions to sewer charges established by the City of St. Joseph, Missouri.

All those present will be given an opportunity to be heard on this issue at this time (see Agenda Item #31, Bill #536-18).

PUBLIC HEARING ON ORDINANCES FOR REZONING AND CONDITIONAL USE PERMITS:

3. 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.
4. 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.

PUBLIC HEARING ON AMENDMENTS TO THE ZONING CODE:

5. 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.

CONSENT AGENDA:

Nominations and Appointments:

6. Filed 9/19/19: Mayor McMurray nominates Faith Ann Williams, 2306 Sycamore Street, to serve as a member of the Human Rights Commission for a term expiring October 8, 2022; she is replacing Sharon Luce, whose term will expire October 8, 2019.
7. Filed 9/26/19: Mayor McMurray nominates Jennifer Jackson, 1906 N. 42nd Street Place, Apartment 5C, to serve as a member of the Human Rights Commission for a term expiring October 8, 2022; she is replacing Dr. Kay Siebler, whose term will expire October 8, 2019.
8. Filed 9/27/19: Mayor McMurray nominates Kathy Hill Bahner, 3504 E. Colony Square, to serve as a member of the Land Bank Advisory Committee for a term expiring October 7, 2020.
9. Filed 9/27/19: Councilmember Davis nominates Jenny Gann, 3607 E. Colony Square, to serve as a member of the Land Bank Advisory Committee for a term expiring October 7, 2020.
10. Filed 9/27/19: Councilmember Kovac nominates David Bezona, 401 S. 12th Street, to serve as a member of the Land Bank Advisory Committee for a term expiring October 7, 2020.
11. Filed 9/27/19: Councilmember Moore nominates Joni Westcott, 1225 N. 10th Street, to serve as a member of the Land Bank Advisory Committee for a term expiring October 7, 2021.

CONSENT AGENDA: Nominations and Appointments: (Cont'd)

12. Filed 9/27/19: Councilmember Novak nominates Mike Korte, 5628 SE Easton Road, to serve as a member of the Land Bank Advisory Committee for a term expiring October 7, 2021.
13. Filed 9/27/19: Councilmember O'Dell nominates Nikki Poirier, 2101 Faraon Street, to serve as a member of the Land Bank Advisory Committee for a term expiring October 7, 2021.
14. Filed 9/27/19: Councilmember Blessing nominates Margaret Elder, 1905 N. Leonard Road, to serve as a member of the Land Bank Advisory Committee for a term expiring October 7, 2022.
15. Filed 9/27/19: Councilmember Myers nominates Kimberly Schutte, 1923 Francis Street, to serve as a member of the Land Bank Advisory Committee for a term expiring October 7, 2022.
16. Filed 9/27/19: Councilmember Roach nominates Ali Kamali, 4807 Lakewood Drive, to serve as a member of the Land Bank Advisory Committee for a term expiring October 7, 2022.

Bills for Passage:

17. 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.
18. 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.
19. 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.

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

20. 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.

21. 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.

22. 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.

23. 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.

24. 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.

25. 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.

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

26. 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.

27. 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.

Resolutions for Adoption:

28. A Resolution (#550-18) authorizing the issuance of a purchase order in an amount not to exceed \$29,365.00 to repair a ten-inch sewer main utilizing the Master Agreement with Lewis Backhoe and Excavating.

29. A Resolution (#551-18) authorizing the donation of a traffic signal control box to the South St. Joseph Progressive Association for a public art project display.

30. A Resolution (#555-18) 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.

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

NOMINATIONS AND APPOINTMENTS:

None.

BILLS FOR PASSAGE:

31. 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.

EMERGENCY BILLS FOR PASSAGE:

None.

RESOLUTIONS FOR ADOPTION:

32. 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.

BILLS FOR FIRST READING:

33. A Bill (#549-18) sponsored by Councilmember Roach approving execution of an Abatement Order on Consent with the Missouri Department of Natural Resources under the authority of Sections 640.130, 640.131, 644.056, and 644.079, revised Statutes of Missouri, concerning the St. Joseph Sanitary Landfill's compliance with the Missouri Clean Water Law in the operation of the landfill.
34. A Bill (#552-18) sponsored by Mayor McMurray repealing Special Ordinance 7998 and rescinding a Reimbursement Agreement with Timothy and Lindsay Minson due to nonperformance in the easement acquisition and construction of off-site sewers to serve the Timber Creek Subdivision.
35. A Bill (#553-18) sponsored by Mayor McMurray authorizing execution of a Reimbursement Agreement with Nodaway Valley Bank and an amendment to the Water Protection Fund budget both in the amount of \$216,303.00 to provide funds for a portion of the costs associated with upgrading the design and construction of the Ajax Road sewer.
36. A Bill (#554-18) sponsored by Mayor McMurray abating administrative penalties totaling \$3,225.00 on the property located at 709 South 9th Street.

BILLS FOR FIRST READING: (Cont'd)

37. A Bill (#556-18) sponsored by Councilmember Blessing renaming the Joyce Raye Patterson Senior Citizens Center, located at 100 South 10th Street, to “Joyce Raye Patterson 50+ Activity Center”.
38. A Bill (#557-18) sponsored by Mayor McMurray enacting a new Article XIII of Chapter 17 “Health and Sanitation” of the City of St. Joseph, Missouri Code of Ordinances to be entitled “Electronic cigarettes, e-cigarettes, e-vaporizers, or electronic nicotine delivery systems (ENDS)” to prohibit the use of vapor products in indoor public places.
39. A Bill (#558-18) sponsored by Councilmember Moore amending Sections 20-321, 20-323, 20-324, and 20-326 of Chapter 20, Offenses and miscellaneous provisions” of the Code of Ordinances to exchange the term “drug” or “drugs” with “controlled substances,” and making possession or distribution of a controlled substance a violation of the City’s Code of Ordinances.
40. A Bill (#559-18) sponsored by Mayor McMurray to authorize the execution of a contract with the Missouri Department of Health and Senior Services to provide a Nutrition Program for women, infants and children and an amendment to the Public Health Department budget in the General Fund in the amount of \$78,921.00 to budget revenue anticipated through said contract.
41. A Bill (#560-18) sponsored by Mayor McMurray authorizing approval of a purchase order with St, Joseph Plumbing and Heating for emergency replacement of the HVAC system in the dog kennel area at the Animal Control and Rescue facility and authorizing an amendment to the Public Health Department budget in the General Fund to transfer funds in the amount of \$47,500.00 from various Health Department budget line items to provide funds to furnish and install a Greenheck make up air unit.
42. A Bill (#561-18) sponsored by Councilmember Moore authorizing an amendment to the Capital Projects Fund budget in the amount of \$11,572.00 to provide funds for final costs associated with design services, landscaping and stormwater control, and backflow vault drain line repairs for Fire Stations 9 and 11.
43. A Bill (#562-18) sponsored by Councilmember Moore authorizing an amendment to the Police Department budget in the General Fund and acceptance of the Edward Byrne Memorial Justice Assistance Grant both in the amount of \$29,936.00 to be used to purchase supplies and equipment for the Police Department and Buchanan County Sheriff Department.
44. A Bill (#563-18) sponsored by Councilmember Moore authorizing acceptance of a Bulletproof Vest Partnership Grant in the amount of \$6,145.00 from the U.S. Bureau of Justice, an amendment to the Police Department budget in the General Fund in the amount of \$12,290.00 to budget the grant funds received and appropriation of the matching funds from fund balance to provide the funds to purchase bulletproof vests for the Police Department.

REPORTS OF BOARDS & COMMISSIONS:

45. Filed 9/18/19: Transcript of the Zoning Board of Adjustment meeting held August 27, 2019, at 4:00 p.m., in the Council Chamber at City Hall.
46. Filed 9/18/19: Minutes of the Library Board Materials & Services Committee meeting held September 17, 2019, at 5:00 p.m., at the Downtown Library, 927 Felix Street.
47. Filed 9/20/19: Minutes of the Parks and Recreation Board meeting held September 19, 2019, at 4:00 p.m., at the Remington Nature Center, 1502 MacArthur Drive.
48. Filed 9/25/19: Minutes of the Land Bank Board meeting held September 23, 2019, at 1:00 p.m., in the 1st Floor Conference Room at City Hall.
49. Filed 9/25/19: Minutes of the Social Welfare Board meeting held August 27, 2019, at 2:30 p.m., at the Social Welfare Board, 904 South 10th Street.
50. Filed 9/25/19: Minutes of the Zoning Board of Adjustment meeting held September 24, 2019, at 4:00 p.m., in the Council Chamber at City Hall.
51. Filed 9/26/19: Minutes of the Administrative Violation Review Board meeting held May 7, 2019, at 1:00 p.m., in the 4th Floor Conference Room at City Hall.
52. Filed 9/26/19: Minutes of the Library Board Budget/Personnel Committee meeting held September 24, 2019, at 4:45 p.m., at the Washington Park Library, 1821 N. 3rd Street.
53. Filed 9/26/19: Minutes of the Library Board of Trustees meeting held September 24, 2019, at 5:00 p.m., at the Washington Park Library, 1821 N. 3rd Street.
54. Filed 9/27/19: Minutes of the Administrative Violation Review Board meeting held June 5, 2019, at 1:00 p.m., in the 4th Floor Conference Room at City Hall.
55. Filed 10/1/19: Minutes of the Human Rights Commission meeting held September 17, 2019, at 6:00 p.m., in the 4th Floor Conference Room at City Hall.

WORK SESSION MINUTES – CITY CLERK’S OFFICE:

None.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

None.

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

56. Filed 9/18/19: Minutes of the Sustainable Environment Advisory Committee meeting held August 21, 2019, at 5:00 p.m., in the 1st Floor Conference Room at City Hall.
57. Filed 9/19/19: Minutes of the 2019 Charter Review Committee meeting held September 17, 2019, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.
58. Filed 9/19/19: Minutes of the Police Pension Board meeting held August 21, 2019, at 4:00 p.m., in the 1st Floor Conference Room at City Hall.
59. Filed 9/19/19: City Link, September 19, 2019.
60. Filed 9/19/19: Information submitted by the Joyce Raye Patterson Strategic Planning Committee for the Council Work Session to be held on September 23, 2019, in regard to the exterior sign replacement.
61. Filed 9/20/19: Letter from Meaghan Simpson, President, Bluegrass Bettering Our Community dba Bluegrass Battles Hunger, in re: Thanking the City Council for its continued support of Bluegrass Battles Hunger and the tenth event will be held September 27 and 28 in Coleman Hawkins Park.
62. Filed 9/25/19: Minutes of the St. Joseph Museums, Inc. Black Archives Museum Committee meeting held September 3, 2019, at 5:00 p.m., at St. Joseph Museums, Inc., 3406 Frederick Avenue.
63. Filed 9/26/19: Revised 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.
64. Filed 9/26/19: St. Joseph School District Board of Education nomination of Dr. Gabe Edgar to the Land Bank Board.
65. Filed 9/27/19: City Link, September 26, 2019.
66. Filed 9/27/19: Memorandum from Clint Thompson, Planning and Community Development Director, in re: Resolution 527-18.
67. Filed 10/1/19: Minutes of the St. Joseph Museums, Inc. Membership Committee meeting held September 12, 2019, at 11:06 a.m., at St. Joseph Museums, Inc., 3406 Frederick Avenue.
68. Filed 10/2/19: Municipal Division Summary Reporting, September 2019.

OTHER BUSINESS:

69. 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.