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, February 25, 2019, at 7:00 p.m. The meeting was called to order at 7:00 p.m. by Mayor McMurray. Notice of said meeting had been established as every other Monday at 7:00 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:

<table>
<thead>
<tr>
<th>Name</th>
<th>Term Attendance</th>
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<tbody>
<tr>
<td>Mayor Bill McMurray</td>
<td>(28-01)</td>
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<tr>
<td>Councilmember Brenda Blessing</td>
<td>(27-02)</td>
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<td>Councilmember Madison Davis</td>
<td>(28-01)</td>
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<tr>
<td>Councilmember PJ Kovac</td>
<td>(26-03)</td>
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<tr>
<td>Councilmember Russell Moore</td>
<td>(29-00)</td>
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<tr>
<td>Councilmember Brian Myers</td>
<td>(26-03)</td>
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<tr>
<td>Councilmember Marty Novak</td>
<td>(28-01)</td>
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<tr>
<td>Councilmember Kent O’Dell</td>
<td>(24-05)</td>
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<tr>
<td>Councilmember Gary Roach</td>
<td>(28-01)</td>
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Members absent: None.

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

Also present were City Manager J. Bruce Woody, City Attorney Bryan Carter, Police Chief Chris Connally, Administrative Services Director Tom Mahoney, Fire Chief Michael L. Dalsing, Planning & Community Development Director Clint Thompson, Public Works & Transportation Director Andrew Clements, Human Resources Director Alicia Nolan, Asst. Health Director Kendra Bundy, 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 Novak voted first.

PLEDGE OF ALLEGIANCE:

MINUTES:

By general consent, the minutes of the regular meeting held February 11, 2019, at 7:00 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

None.

(Continued on next page)
(February 25, 2019, Council Meeting, Continued)

Agenda Number

ACCEPTANCE OF AGENDA:

44178 It was moved by Councilmember O’Dell and seconded by Councilmember Davis that the Agenda be accepted as published. Motion carried. Ayes, Novak, O’Dell, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers---9.

PUBLIC HEARING ON ORDINANCES FOR REZONING & CONDITIONAL USE PERMITS:

44179 It was moved by Councilmember Blessing and seconded by Councilmember Kovac that the debate be closed and the question on Bill #317-18 be put. Motion carried. Ayes, Novak, Blessing, Davis, Kovac, McMurray, Moore, Myers---7. Nays, O’Dell, Roach--2.

44180 A Bill (#317-18) granting a Conditional Use Permit for the operation of an asphalt plant and associated storage at 224 West Iowa Street, as requested by Stephen Craig Strong, having been read the first time on February 11, 2019, was read the second time and failed to pass. Ayes, O’Dell--1. Nays, Novak, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers---8.

PUBLIC HEARING ON AMENDMENTS TO THE ZONING CODE:

44181 (G.O. 2899) A Bill (#319-18) authorizing an amendment to Section 31-054 of Chapter 31 “Zoning” of the Code of Ordinances entitled “Fences and hedges” to clarify fence height between two primary adjacent residential structures, having been read the first time on February 11, 2019, was read the second time and passed. Ayes, Novak, O’Dell, Roach, Blessing, Davis, Kovac, McMurray, Moore--8. Nay, Myers--1.

CONSENT AGENDA:

44182 It was moved by Councilmember Moore and seconded by Councilmember Blessing that Agenda Numbers 44183 through 44199, be passed by Consent Agenda. Motion carried.

Nominations and Appointments:

44183 Filed 2/7/19: The nomination by Mayor McMurray was approved, appointing Benjamin Fliegel, 2508 Duncan Street, as a member of the Tourism Commission for a term expiring March 13, 2020; he is replacing Travis Perkins, who has moved from the city.

44184 Filed 2/11/19: The nomination by Councilmember Novak was approved, appointing Eric Harris, 2713 Blackwell Road, as a member of the Community Police Advisory Committee for a term expiring on February 19, 2022; he is being reappointed.

44185 Filed 2/11/19: The nomination by Councilmember Myers was approved, appointing Rebecca Thacker, 624 N. 7th Street, as a member of the Downtown Review Board for a term expiring February 25, 2022; she is replacing Scott Sollars, whose term has expired.

44186 Filed 1/28/19: The nomination by Councilmember Roach was approved, appointing Don F. Daffron, 35 Stonecrest, as a member of the Administrative Violation Review Board for a term expiring April 29, 2021; he is filling a vacancy on the board.

(Continued on next page)
CONSENT AGENDA: (Cont’d)

Bills for Passage:

44187 (G.O. 2900) A Bill (#310-18) amending Section 4-104 of the Code of Ordinances entitled “Temporary location permit for caterers and other persons licensed to sell intoxicating liquor by the drink” to increase the number of caterers licenses that can be obtained for events held outside designated zones from two to six and allowing for the denial of caterers permit applications for failure to comply with the requirements of the ”Alcoholic beverages” chapter in the year preceding application for a caterers permit, having been read the first time on February 11, 2019, was read the second time and passed.

44188 (G.O. 2901) A Bill (#318-18) authorizing an amendment to Section 15-29 “Maintenance of property – prohibited vehicles; private parking” of the Code of Ordinances to allow only one unlicensed vehicle on a hard surface per property, having been read the first time on February 11, 2019, was read the second time and passed.

44189 (G.O. 2902) A Bill (#309-18) sponsored by Councilmember Roach repealing Article VI “Smoke free air in certain areas in public places” of Chapter 17 “Health and sanitation” of the Code of Ordinances, having been read the first time on February 11, 2019, was read the second time and passed.

44190 (S.O. 9550) A Bill (#313-18) authorizing the acceptance of $7,072.00 from the Missouri Department of Public Safety to be used for police officer training and an amendment to the Police Department budget in the General Fund for a decrease in the amount of $928.00 to reflect the actual revenues received and to move prior year funds in the amount of $3,440.00 to the current budget, having been read the first time on February 11, 2019, was read the second time and passed.

44191 (S.O. 9551) A Bill (#307-18) authorizing an amendment to the Community Development Block Grant Fund budget and execution of a grant agreement with Mo-Kan Development Inc. (owner) to provide Downtown Commercial Façade Improvement funds in the amount of $55,720.00 to Mo-Kan Development Inc. (owner) to rehabilitate the façade of the building located at 224 North 7th Street, having been read the first time on February 11, 2019, was read the second time and passed.

44192 (S.O. 9552) A Bill (#308-18) authorizing the execution of Master Agreements for Professional On-Call Engineering Services with Barr Engineering Co., Wilson & Company, Inc. and Snyder & Associates, Inc., having been read the first time on February 11, 2019, was read the second time and passed.

44193 (S.O. 9553) A Bill (#315-18) authorizing the execution of a Master Agreement for On-Call Maintenance of the Supervisory Control and Data Acquisition (SCADA) System with R/S Electric Corp., having been read the first time on February 11, 2019, was read the second time and passed.

44194 (S.O. 9554) A Bill (#321-18) authorizing the execution of an Agreement for Professional Engineering Services with Carollo Engineering, Inc., having been read the first time on February 11, 2019, was read the second time and passed.

44195 (S.O. 9555) A Bill (#316-18) authorizing the execution of an Agreement for Services with the County of Buchanan for the provision of City Communication Center Services for dispatch of county personnel in the amount of $412,908.24 for a one-year term beginning January 1, 2019, having been read the first time on February 11, 2019, was read the second time and passed.

(Continued on next page)
CONSENT AGENDA: Bills for Passage: (Cont’d)

44196
(S.O. 9556) A Bill (#322-18) authorizing the execution of a Funding Agreement with the St. Joseph Youth Alliance in the amount of $27,173.00 for the purpose of prevention programing and outreach services to address the opioid crisis, having been read the first time on February 11, 2019, was read the second time and passed.

Resolutions for Adoption:

44197
(Resolution No. 44197 – 4306) A Resolution (#325-18) authorizing the execution of a Housing Rehabilitation Contract with Larry D. Justus and Melba J. Justus, a married couple, (owners) and Superior Exteriors of Northwest Missouri LLC (contractor) for a housing rehabilitation project at 1909 North 3rd Street for a total amount not to exceed $43,500.00. was read and adopted.

44198
(Resolution No. 44198 – 4307) A Resolution (#326-18) authorizing the execution of a Housing Rehabilitation Contract with Leslie Dee Seek, a single person (owner) and Superior Exteriors of Northwest Missouri LLC (contractor) for a housing rehabilitation project at 3012 Locust Street for a total amount not to exceed $43,500.00, was read and adopted.

44199
(Resolution No. 44199 – 4308) A Resolution (#328-18) authorizing the filing of an application with the Missouri Department of Transportation, Traffic and Highway Safety Division, and the execution of a City Council Authorization, for obtaining a Hazardous Moving Violation Grant in the amount of $9,535.00; a Special Regional DWI Enforcement Program in the amount $5,106.00; a Youth Alcohol Enforcement Grant in the amount of $40,620.00; and a DWI Saturation Patrol Enforcement in the amount of $2,980.00 for a total grant amount of $58,241.00, was read and adopted.

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

NOMINATIONS AND APPOINTMENTS:

None.

BILLS FOR PASSAGE:

44200
It was moved by Councilmember O’Dell and seconded by Councilmember Roach that a Bill (#311-18) amending Section 7-317 of the Code of Ordinances entitled “Amendments and changes to the property maintenance code” to require carbon monoxide alarms in dwelling units that contain a fuel-fired appliance or that have an attached garage, be postponed for two weeks to the March 11, 2019, Council Meeting. Motion carried. Ayes, Novak, O’Dell, Roach, Kovac, McMurray---5. Nays, Blessing, Davis, Moore, Myers---4.

44201
It was moved by Councilmember Myers and seconded by Councilmember Moore that a Bill (#320-18) amending Section 29-218 of the Code of Ordinances entitled “Enforcement action” to grant the Director of Public Works and Transportation authority to negotiate settlements of administrative fines issued for violations of sewer use requirements and rules, be postponed for four weeks to the March 25, 2019, Council Meeting. Motion carried. Ayes, Novak, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers---8. Nay, O’Dell—1.

(Continued on next page)
(February 25, 2019, Council Meeting, Continued)

Agenda Number

BILLS FOR PASSAGE: (Cont’d)

44202  (S.O. 9557) A Bill (#314-18) authorizing an amendment to the Community Development Block Grant Fund budget and execution of a grant agreement with Benton Club of St. Joseph, Mo (owner) both in the amount of $46,150.00 to provide downtown commercial façade improvement funds to rehabilitate the façade of the building located at 402 North 7th Street, having been read the first time on February 11, 2019, was read the second time and passed. Ayes, Novak, O’Dell, Roach, Blessing, Davis, Kovac, Moore---7. Abstention, McMurray, Myers--2.

44203  It was moved by Councilmember Davis and seconded by Councilmember Blessing that Bill #306-18 be amended before consideration for passage by attaching a Purchase Agreement and Quit Claim Deed to the ordinance. Motion carried. Ayes, Novak, O’Dell, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers---9.

44204  (S.O. 9558) A Bill (#306-18) authorizing the execution of a Purchase Agreement and the acceptance of a Quit Claim Deed for tracts of real property located adjacent to and crossing Locust Street from approximately 22nd Street to 28th Street, in St. Joseph, Buchanan County, Missouri, from BNSF Railway Company for the 2018 Urban Trail Patee Branch Phase 2 Project and possible use for the Odor Control Project in the total amount of $14,000.00, having been read the first time on January 28, 2019, was read the second time and passed. Ayes, Novak, O’Dell, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers---9.

EMERGENCY BILLS FOR PASSAGE:

None.

RESOLUTIONS FOR ADOPTION:

None.

BILLS FOR FIRST READING:

44205  A Bill (#324-18) authorizing an amendment to the Police Department budget in the General Fund to allocate funds in the amount of $3,000.00 previously received from the Humane Society of St. Joseph and Buchanan County, Missouri, was introduced and read the first time.

44206  A Bill (#327-18) authorizing an amendment to the General Fund, Parks Designated Funds Program budget and acceptance of a donation from the William D. Morgan Charitable Foundation both in the amount of $100,000.00 to be used for a future public art project, was introduced and read the first time.

44207  A Bill (#329-18) authorizing an amendment to the Community Development Block Grant Fund in the amount of $615,000.00 to provide funding for the purchase of doors for the St. Joseph Housing Authority apartments (Pleasant Heights) and playground equipment for six (6) City-owned parks, was introduced and read the first time.

44208  A Bill (#330-18) sponsored by Councilmember Myers authorizing an amendment to Chapter 7 of the Code of Ordinances to enact a new Article XI titled “Residential Rental Property” establishing a rental unit certificate program that implements a rental inspection based, in part, on recommendations of a Voluntary Rental Inspection Committee formed by the City Council, was introduced and read the first time.

(Continued on next page)
A Bill (#331-18) sponsored by Councilmember Myers amending Section 8-36 “Definitions” of Chapter 8 “Businesses” of the Code of Ordinances to define “apartment house” to clarify the requirement that a business license be obtained for all residential rental units, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 2/7/19: Minutes of the Museum Oversight Board meeting held January 21, 2019, at 11:35 a.m., at St. Joseph Museums, Inc., 3406 Frederick Avenue.

Filed 2/13/19: Minutes of the Senior Citizen Foundation, Inc. Board meeting held January 15, 2019, at 3:00 p.m., at the Joyce Raye Patterson Senior Center, 100 South 10th Street.

Filed 2/13/19: Minutes of the Administrative Violation Review Board meeting held January 8, 2019, at 1:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 2/19/19: Minutes of the Board of Operating Engineers meeting held February 12, 2019, at 3:30 p.m., in the 1st Floor Conference Room at City Hall.

Filed 2/19/19: Minutes of the Mechanical Standards and Appeals Board meeting held February 13, 2019, at 3:30 p.m., in the 1st Floor Conference Room at City Hall.

Filed 2/19/19: Minutes of the Museum Oversight Board meeting held February 18, 2019, at 11:32 a.m., at St. Joseph Museums, Inc., 3406 Frederick Avenue.

WORK SESSION MINUTES – CITY CLERK’S OFFICE:

None.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

Filed 2/11/19: Memorandum in re: Acting City Manager (February 12 and 13, 2019).

Filed 2/19/19: Letter to Dr. Robert A. Vartabedian, President, Missouri Western State University, in re: Proposal for combined City fire station and Missouri Western State University police station.

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 2/7/19: Note from Travis Perkins, 5610 Valley View Drive, in re: Resignation from the Tourism Commission.

Filed 2/7/19: List of the Citizens Public Service Activities Committee Members – FY2019-2020.

Filed 2/7/19: Minutes of the St. Joseph Museums, Inc. Bi-Monthly Board meeting held January 17, 2019, at 6:00 p.m., at St. Joseph Museums, Inc., 3406 Frederick Avenue.

Filed 2/8/19: City Link, February 7, 2019.

(Continued on next page)
COMMUNICATIONS: (Cont’d)

Filed 2/11/19: Memorandum from Bryan Carter, City Attorney, and Clint Thompson, Planning & Community Development Director, in re: Rental inspection ordinance.

Filed 2/12/19: Municipal Division Summary Reporting, January 2019.

Filed 12/13/19: Letter from William K. Seibert, Jr., Executive Director, Missouri Gaming Commission, in re: State/Local Allocation of Gaming Revenues for the period 1/1/19 through 1/31/19.

Filed 2/14/19: Minutes of the Voluntary Rental Inspection Citizens Committee meeting held January 16, 2019, at 3:00 p.m., in the 4th Floor Conference Room at City Hall.


Filed 2/15/19: City Link, February 14, 2019.

Filed 2/19/19: Commendation regarding the Police Department.

Filed 2/19/19: Letter from Jody L. Carlson, P.E., Senior Manager, NW Missouri, Missouri American Water, in re: Expressing gratitude towards the City of St. Joseph for keeping the roadways safe.

Filed 2/19/19: Minutes of the Sustainable Environment Advisory Committee meeting held January 16, 2019, at 5:00 p.m., in the 1st Floor Conference Room at City Hall.

Filed 2/19/19: Information from Ron and Sandy Anthony, 701 South 15th Street, in re: Smart meters.

OTHER BUSINESS:

44210

City Manager’s Report – City Manager J. Bruce Woody said the Police Department is taking applications for the joint Police and Buchanan County Sheriff Departments Academy, which will last eight weeks from March 2 through May 14. Two Engineering Division employees recently received certifications—Alan Dewey received a certification as a flood plain manager and Bob Todd received his advanced concrete technical certificate. The Hyde Park pool demolition has begun by City staff. Buchanan County will also assist by hauling away the materials and using it as fill in erosion control. This is being done in preparation for the new aquatic feature that will include a spray park at a nearby location. The Planning & Community Development Department has a Housing Rehab Program. A picture of a recent project at 3117 Felix St. was displayed. He said that income eligible residents can apply for help with similar projects by contacting Community Development Division staff. Six of the new City Transit buses have arrived. Over the next 30 days staff will be installing radio equipment, fare boxes and other equipment and providing staff training and going through warranty procedures with the maintenance staff prior to putting them into service. A work session will be held on March 6 to make recommendations to the City Council on the Riverfront Master Plan.

(Continued on next page)
PUBLIC COMMENT:

The following individuals spoke about rental inspection: Darren Burnett, 2137 S. 11th St.; Drew Beatty, 809 N. 25th St.; Ron Findley, 1402 Faraon St.; Mark Alexander, 4008A Robin Hood Dr.; Sherry Schmitt, 17121 Co. Rd., Savannah, Missouri; Barbara Malott, 816 Lincoln St.; Fred Messner, 6120 S. 169 Hwy.;

Mike Kneib, 4028 Pickett Rd.; Tyler Clark, 13355 Jackie Lane; Robert Kilgore, 1512 Faraon St. on behalf of Community Action Partnership of St. Joseph; Jo Swearingen, 4631 Gene Field Rd.; Mike Laddish, 209 N. 18th St.; Vickie Utley, 209 N. 18th St.; Marta Green, 2021 Faraon St.; Kert Roller, 9300 SW Punzo Rd.; Greg Woods, 3910 NE St. Rt. W; Cindy Dvorak, 319 N. 20th St.; (unsure of name), 1810 N. 22nd St.; and Isobel McGowan, 809 Hall St.

NOTES:

Agenda No. 44179 – Jason Eslinger, 5641 S. 2nd St., said he is present on behalf of South St. Joseph Progressive Association, South St. Joseph Development Corp. and as a concerned south side resident. There are multiple residents within a block of the proposed asphalt plant and this kind of plant should not be around them. They want businesses in the south side but this is not the right one and this will kill any hopes for any south side revitalization that they have been working on.

Shawn Duke, Snyder & Associations, 802 Francis St., said he is a civil engineer working with the applicant and is present to answer any questions. He said this location was ideal because of the railroad tracks.

Stephen Craig Strong, 209 W. Iowa St., spoke about his plans for the project and said he is trying to clean up the town. He hopes the Council will let him do something.

Steve Washington, 4803 Lake Avenue, said he is totally against it; he doesn't want to live close to this plant and smell and breath it. The applicant does open burning on his property almost three times a week. He hopes the Council doesn't approve it.

Sabrina Davis Campbell said she owns 233 and 235 W. Nebraska Avenue which is directly affected by this. She is getting ready to buy the house next to the railroad tracks. This is not good for south St. Joseph.

Martha Clark, Project Manager for South St. Joseph Development Corp. (SSJDC), gave some background on SSJDC and its plans for the future. She said this is not a positive thing and asked the Council to take into consideration what they are trying to do there.

Dick Campbell, 2202 Cranberry Hill Lane, said he owns property next to this.

Agenda No. 44200 – Mike Grimm, 810 S. 40th St., Chairman of the Administrative Violation Review Board, said last year the Fire Department had 35 carbon monoxide calls, 25 of them had carbon monoxide detectors and there was one fatality from carbon monoxide. More and more cities in Missouri are requiring this in all dwellings. It is supported by the State and the Fire Department. This is very important and something we need to take care of.

Mike Laddish, 209 N. 18th St., said the batteries are built into new detectors and they last ten years. The Harris-Kemper neighborhood lost a resident about two years ago to carbon monoxide poisoning.

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Darren Burnett, 2137 S. 11th St., said if the issue is safety why is this law for all properties and the rental inspection law is only for rental properties.

Sherry Schmitt, 17121 Co. Rd., Savannah, Missouri, said there are different types of CO detectors it just depends on how much money you want to spend. She said if the city would buy them in bulk, then the residents could purchase them from the city at a cheaper rate.

Drew Beatty, 809 N. 25th St., said they are a good idea but he thinks people need to stand up and do some things for themselves.

David Giseburt, 2919 S. 40th Terr., said he has rental property and his concern is who is responsible. He feels it is a tough thing to enforce something like this. He thinks CO detectors are very important but the liability has to be figured out before an ordinance like this is put in force so that you are not making landlords responsible for somebody else’s negligence.

Dennis Adams, 3501 N. 7th St., said the City could provide a checklist on the operation of the detectors including who is responsible for replacing the batteries. The City would be better off working on a list on things to help landlords than to make landlords responsible for something they can’t control. He asked the Council not to pass this ordinance.

The ordinance was postponed for two weeks for City staff to prepare a substitute to delineate responsibility between owner and occupant.

Agenda No. 44201 – Jim Weidinger, 4614 Iris Avenue, asked some questions about the ordinance.

The ordinance was postponed for four weeks for City staff to prepare a substitute ordinance that would provide more clarity.

**ADJOURNMENT:**

By general consent, the Council adjourned.

The meeting adjourned at 9:42 p.m.

Minutes transcribed by Paula Heyde, CMC, City Clerk.