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, March 11, 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 (mtgs attended-mtgs absent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor Bill McMurray</td>
<td>(30-01)</td>
</tr>
<tr>
<td>Councilmember Brenda Blessing</td>
<td>(29-02)</td>
</tr>
<tr>
<td>Councilmember Madison Davis</td>
<td>(30-01)</td>
</tr>
<tr>
<td>Councilmember PJ Kovac</td>
<td>(28-03)</td>
</tr>
<tr>
<td>Councilmember Russell Moore</td>
<td>(31-00)</td>
</tr>
<tr>
<td>Councilmember Brian Myers</td>
<td>(28-03)</td>
</tr>
<tr>
<td>Councilmember Marty Novak</td>
<td>(30-01)</td>
</tr>
<tr>
<td>Councilmember Kent O’Dell</td>
<td>(26-05)</td>
</tr>
<tr>
<td>Councilmember Gary Roach</td>
<td>(30-01)</td>
</tr>
</tbody>
</table>

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, Parks, Recreation & Civic Facilities Director Chuck Kempf, Health Director Debra Bradley, Planning & Community Development Director Clint Thompson, Public Works & Transportation Director Andrew Clements, 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.

PLEDGE OF ALLEGIANCE:

MINUTES:

44216  By general consent, the minutes of the regular meeting held February 25, 2019, at 7:00 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

None.

(Continued on next page)
(March 11, 2019, Council Meeting, Continued)

**Agenda Number**

44217

**ACCEPTANCE OF AGENDA:**

It was moved by Councilmember Davis and seconded by Councilmember Blessing that the Agenda be accepted as published with the addition of one Resolution for Adoption (Bill #349-18) being placed on the Agenda. Motion carried. Ayes, O’Dell, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak--9.

**CONSENT AGENDA:**

44218

It was moved by Councilmember Roach and seconded by Councilmember Davis that Agenda Numbers 44219 through 44235 be passed by Consent Agenda. Motion carried. Ayes, O’Dell, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak--9.

**Nominations and Appointments:**

44219

Filed 2/25/19: The nomination by Mayor McMurray was approved, appointing Gary Westcott, Jr., 1225 N. 10th Street, as a member of the Tourism Commission for a term expiring March 13, 2022; he is replacing Michelle Margulies, whose term will expire on March 13, 2019.

44220

Filed 2/28/19: The nomination by Councilmember Novak was approved, appointing Charles Davis, 6508 S. 14th Street, as a member of the Community Police Advisory Committee for a term expiring March 11, 2022; he is replacing Jennifer Hamm, whose term has expired.

44221

Filed 2/28/19: The nomination by Councilmember Novak was approved, appointing Dennis L. Adams, 3501 N. 7th Street, as a member of the Community Police Advisory Committee for a term expiring March 26, 2022; he is being reappointed.

44222

Filed 3/4/19: The nomination by Mayor McMurray was approved, appointing James Lehr, #2 Antilles Drive, as a member of the Tourism Commission for a term expiring March 13, 2022; he is replacing Ron Allen, whose term will expire on March 13, 2019.

**Bills for Passage:**

44223

(S.O. 9559) 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, having been read the first time on February 25, 2019, was read the second time and passed.

44224

(S.O. 9560) 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, having been read the first time on February 25, 2019, was read the second time and passed.

44225

(S.O. 9561) 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, having been read the first time on February 25, 2019, was read the second time and passed.

**Resolutions for Adoption:**

44226

(Resolution No. 44226 -- 4309) A Resolution (#333-18) designating David Peppard as a Substitute Judge and confirming the continued designation of David Schmitt as Substitute Judge of the Municipal Division of the Buchanan County Circuit Court, was read and adopted.

(Continued on next page)
(Resolution No. 44227 – 4310) A Resolution (#334-18) authorizing the execution of a Work Order with Blackstone Environmental, Inc. to provide environmental and engineering services for the Construction Quality Assurance (CQA) of the East Berm of Cell 7A at the St. Joseph Sanitary Landfill in the amount of $42,573.00, was read and adopted.

(Resolution No. 44228 – 4311) A Resolution (#335-18) authorizing the execution of a Lump Sum Contract with Business Logistics Inc. (DBA Veritas Systems Construction) and the issuance of purchase orders toward said contract in the amount of $49,987.00 for the construction of a City Yards truck and storage building, was read and adopted.

(Resolution No. 44229 – 4312) A Resolution (#337-18) authorizing execution of a contract with the Missouri Department of Health and Senior Services in the amount of $92,000.00 to provide HIV service coordination, was read and adopted.

(Resolution No. 44230 – 4313) A Resolution (#338-18) authorizing the purchase of entry and storm doors from Duranotic Door Inc. for the 150 public housing units owned and managed by the Housing Authority of the City of St. Joseph using Community Development Block Grant (CDBG) funds in the amount of $194,321.00, was read and adopted.

(Resolution No. 44231 – 4314) A Resolution (#339-18) authorizing the purchase and installation of three (3) Weir Washers from Gill Trading, Inc. for the final clarifiers at the Water Protection facility for the amount of $81,810.00, was read and adopted.

(Resolution No. 44232 – 4315) A Resolution (#342-18) authorizing the purchase of playground equipment from Playcraft Systems, LLC for Seitz Park, located at 6800 Esther, in the amount of $61,749.00 and Rest Square Park, located at 2200 Pacific Street, in the amount of $54,426.00 using Community Development Block Grant (CDBG) funds in the total amount of $116,175.00, was read and adopted.

(Resolution No. 44233 – 4316) A Resolution (#343-18) authorizing the purchase of playground equipment from Playcore Wisconsin, Inc., DBA Gametime for Hochman Park, located at 4700 Pickett Road using Community Development Block Grant (CDBG) funds in the amount of $69,438.12, was read and adopted.

(Resolution No. 44234 – 4317) A Resolution (#344-18) authorizing the purchase of playground equipment from ABCreative, Inc. for Mary Park, located at 28th Street and Parkway A, in the amount of $78,017.00 and College Hill Park, located at 12th and Henry Streets, in the amount of $76,740.00 using Community Development Block Grant (CDBG) funds in the total amount of $154,757.00, was read and adopted.

(Resolution No. 44235 – 4318) A Resolution (#345-18) authorizing the purchase of playground equipment from Play by Design, Inc. for Patee Park, located at 10th and Penn Streets using Community Development Block Grant (CDBG) funds in the amount of $79,987.00, was read and adopted.

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

NOMINATIONS AND APPOINTMENTS:

None.

(Continued on next page)
Agenda
Number

BILLS FOR PASSAGE:

44236
It was moved by Councilmember Davis and seconded by Councilmember Novak that Bill #311-18 be amended before consideration for passage by substituting a new ordinance and explanation letter in place of the ones originally filed. Motion carried. Ayes, O’Dell, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak--9.

44237
(S.O. 2903) 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, having been read the first time on February 11, 2019, was read the second time and passed. Ayes, O’Dell, Roach, Blessing, McMurray, Moore, Myers, Novak--7. Nays, Davis, Kovac--2.

44238
It was moved by Councilmember O’Dell and seconded by Councilmember Davis that 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, be postponed for four weeks to the April 8, 2019, Council Meeting to have a work session. Motion carried. Ayes, O’Dell, Roach, Kovac, McMurray, Moore--5. Nays, Blessing, Davis, Myers, Novak--4.

44239
It was moved by Councilmember Roach and seconded by Councilmember O’Dell that Bill #331-18 be postponed for four weeks to the April 8, 2019, Council Meeting to have a work session. Motion failed to carry. Ayes, O’Dell, Roach, Kovac, McMurray--4. Nays, Blessing, Davis, Moore Myers, Novak--5.

44240
It was moved by Councilmember Davis and seconded by Councilmember Blessing that the debate be closed and the question on Bill #331-18 be put. Motion failed to carry. Ayes, O’Dell, Blessing, Davis, Myers--4. Nays, Roach, Kovac, McMurray, Moore, Novak--5.

44241

EMERGENCY BILLS FOR PASSAGE:

None.

RESOLUTIONS FOR ADOPTION:

44242
It was moved by Councilmember Blessing and seconded by Councilmember Moore that the debate be closed and the question on Bill #347-18 be put. Motion carried. Ayes, O’Dell, Blessing, Davis, McMurray, Moore, Myers--6. Nays, Roach, Kovac, Novak--3.

44243
(Resolution No. 44243 – 4319) A Resolution (#347-18) stating the City Council’s support for authorizing an amendment to Sections 31-010 “Definitions,” 31-029 “C-1 Neighborhood Shopping District” and 31-034 “M-1 Light Manufacturing District” and enacting a new Section 31-012 “Medical Marijuana Facilities,” all in Chapter 31 “Zoning” of the Code of Ordinances to provide land use regulations related to the cultivation, dispensing, and testing of medical marijuana, was read and adopted. Ayes, O’Dell, Blessing, McMurray, Moore, Myers--5. Nays, Roach, Davis, Kovac, Novak--4.

(Continued on next page)
RESOLUTIONS FOR ADOPTION: (Cont’d)

44244  (Resolution No. 44244 – 4320) A Resolution (#349-18) sponsored by Mayor McMurray to encourage citizens to educate themselves on the St. Joseph School District’s needs and its 61-Cent Levy proposal and exercise their right to vote on the proposal on April 2, 2019, was read and adopted. Ayes, O’Dell, Roach, Blessing, Davis, Kovac, McMurray, Moore, Myers, Novak--9.

BILLS FOR FIRST READING:

44245  A Bill (#332-18) authorizing the execution of Amendment Number Two (2) to a State Block Grant Agreement with the Missouri Highway and Transportation Commission (MHTC) to extend the original project time period for the Airport Master Plan at Rosecrans Memorial Airport to December 31, 2019, was introduced and read the first time.

44246  A Bill (#336-18) to commit to the Missouri Department of Natural Resources a total Financial Assurance Instrument (FAI) of $15,719,844.00 for closure and post-closure costs for the St. Joseph Sanitary Landfill Permit Number 102104 which includes the Free property, was introduced and read the first time.

44247  A Bill (#340-18) authorizing the execution of a Lease Agreement with Moonlight Leather for use of office/retail space in the Missouri Theater Office Complex at 112 South Eighth Street, was introduced and read the first time.

44248  A Bill (#341-18) authorizing the execution of a Lease Agreement with Café Pony Expresso for use of office/retail space in the Missouri Theater Office Complex at 114 South Eighth Street, was introduced and read the first time.

44249  A Bill (#346-18) approving an Amended Plan for an Industrial Development Project for 302 North 3rd St, LLC, a Missouri limited liability company, consisting of the acquisition of certain personal property and acquisition and construction of certain real property improvements for the American Electric Lofts Project; authorizing the City of St. Joseph, Missouri, to issue its taxable industrial revenue bonds (American Electric Lofts Project), Series 2019, in a principal amount not to exceed $30,000,000 to finance the costs of such project; authorizing and approving certain other actions in connection with the issuance of the bonds, was introduced and read the first time.

44250  A Bill (#348-18) 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, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 2/21/19: Minutes of the Library Board Budget/Personnel Committee meeting held February 19, 2019, at 4:45 p.m., at the Downtown Library, 927 Felix Street.

Filed 2/21/19: Minutes of the Library Board of Trustees meeting held February 19, 2019, at 5:00 p.m., at the Downtown Library, 927 Felix Street.

Filed 2/22/19: Minutes of the Tree Board meeting held October 9, 2018, at 6:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 2/27/19: Museum Oversight Board Third Quarter 2018 Report.


(Continued on next page)
REPRESENTATION OF BOARDS & COMMISSIONS: (Cont’d)

Filed 2/28/19: Minutes of the Zoning Board of Adjustment meeting held February 26, 2019, at 4:00 p.m., in the Council Chamber at City Hall.

Filed 3/1/19: Minutes of the Administrative Violation Review Board meeting held September 18, 2018, at 1:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 3/6/19: Minutes of the Parks and Recreation Board meeting held February 21, 2019, at 4:00 p.m., at the Parks Administration building, 1920 Grand Avenue.

Filed 3/6/19: Minutes of the Landmark Commission meeting held January 9, 2019, at 7:00 p.m., in the Council Chamber at City Hall.

WORK SESSION MINUTES – CITY CLERK’S OFFICE:

Filed 3/5/19: Minutes of the Council Work Session held February 25, 2019, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

Filed 2/25/19: Memorandum in re: Acting City Manager (February 26, 2019).

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 2/20/19: Minutes of the Police Pension Board meeting held January 16, 2019, in the 1st Floor Conference Room at City Hall.

Filed 2/21/19: Mayor McMurray’s State of the City Address, February 15, 2019.

Filed 2/22/19: Minutes of the St. Joseph Museums, Inc. Capital Campaign Committee meeting held February 12, 2019, at St. Joseph Museums, Inc., 3406 Frederick Avenue.


Filed 2/22/19: City Link, February 21, 2019.

Filed 2/25/19: Minutes of the St. Joseph Museums, Inc. Programming Committee meeting held February 8, 2019, at 1:30 p.m., at St. Joseph Museums, Inc., 3406 Frederick Avenue.

Filed 2/27/19: Letter from Debra Bradley, Health Director, to Michael A. Cunningham, Jr., Air Pollution Unit Chief, Department of Natural Resources, in re: Establishing dates for burning of dry yard wastes.

Filed 2/28/19: City Link, February 28, 2019.

Filed 3/1/19: Municipal Division Summary Reporting, February 2019.

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

Filed 3/4/19: Thank you letter from Paula Heyde, City Clerk, to Ameripac, 745 S. 4th St., in re: Donation of $5,000.00 to be used to purchase outdoor dog housing equipment for the “Digs” for Dogs Program.

Filed 3/4/19: Thank you letter from Paula Heyde, City Clerk, to PetSmart Charities, Phoenix, Arizona, in re: Donation of $63,500.00 to provide spay/neuter surgeries for dogs and cats being adopted from the Animal Shelter.


Filed 3/5/19: St. Joseph Chamber of Commerce President’s Perspective from the March 2019 Connections newsletter.


OTHER BUSINESS:

City Manager’s Report – City Manager J. Bruce Woody said last Friday the Police Department held a promotional ceremony recognizing the achievements of several officers who were promoted to sergeant, captain, and commander positions. Early in the morning on February 6, a woman pulled into the parking lot of Station No. 9 with a passenger who was in cardiac arrest. The crews were in the middle of a shift change so both A and B shift crews were on the scene. They started CPR and administered two shocks from the AED prior to the arrival of the ambulance. The individual was shocked two more times in route to the hospital. After a month of recovery, on March 5th, the man met with the crews and ambulance personnel who saved his life that morning. Mr. Woody expressed a very sincere thank you to the Fire Department crew members: Mike Wacker, Casey Garwood, Jake Lilly, Robert Parrett, Alex Quinn, Colton Reed and Mike Bangerter. The City Council is pursuing many items to address blight in the community. One of them is to convert court ordered judgements. Last week, the City successfully converted a property maintenance administrative penalty to a court ordered judgment. This was a unique accomplishment because it was the first time the Buchanan County Court has granted a judgment in this manner. This process was pursued as part of an initiative by Property Maintenance Manager Justin Carr who was instrumental in identifying an appropriate case to present to the court and provide the necessary information to persuade the court to grant said judgement. Now that a local precedence has been established, City staff will be identifying a list of additional cases in which conversion to a judgement will likely result in either a collection, or preferably, increased compliance with the maintenance codes. There is a Council Work Session on March 13 at 4:00 p.m. at City Hall as a follow up to the work session held on the topic of the Fiscal Year 2019 budget and introduction to the Fiscal Year 2020 budget. The next City Talk will be held on March 18 at the Community Missions 8th Street Drop-in Center at 629 S. 8th St. beginning at 6:30 p.m.

PUBLIC COMMENT:

Karen Planalp, 3518 Karnes Road, addressed the City Council in regard to revisiting drafting regulations for no smoking in vehicles when children are present that was brought to the City Council on May 23, 2013 by three students. She requested that the City Council ask City staff to work on a draft ordinance to be discussed at a work session. She looks forward to working together to get this matter to a reading with a goal of a vote. Mayor McMurray said we can have a work session.

Darren Burnett, 2137 S. 11th Street, addressed the City Council in regard to neighborhood clean-up/blighted property.

(Continued on next page)
Ron Allen, 3511 Nickell Terr., asked that work sessions be held with the public before voting on the riverfront plan because he thinks some things are questionable. He asked to see some documentation from the Corps of Engineers on the property they’ve chosen for the boat marina.

Ron Findley, 1402 Farao St., asked how many times the Property Maintenance staff has requested search warrants from the judge to inspect the inside of a rental property. Planning & Community Development Director said none. Mr. Findley said the City has the ability to request a search warrant from the judge if it presents probable cause evidence to justify the search warrant and it’s never been used by the City staff.

Kevin Comeau, 2517 S. 19th St., asked the City to take a look at the property at 1202 Walnut St.; it’s a dangerous situation.

Kenneth Reeder, 4000 River Road, on behalf of Public Citizens & Associates, asked what happens next on the riverfront master plan. Mr. Woody said a resolution will be brought to the Council to vote on to express their support of the proposed riverfront development master plan and other steps related to the planning and zoning and undertaking of the sanitary sewer extensions in the area.

Josh Giseburt, 5631 S. 2nd St., said he has a business license for a remodeling contractor. He asked if he would have to have a second business license if he purchased rental property. Mr. Woody said yes.

NOTES:

Agenda No. 44243 – The following spoke on the bill: Joyce A. Starr, 1604 S. 22nd St.; Virginia Weigum, 5113 Mockingbird Lane; Darin Pollard, 4100 N. 29th St. on behalf of St. Francis Xavier School; Andrew Hicks, 1224 Powell St.; Karen Planalp, 3518 Karnes Rd.; Larry Osborn, 1602 Wayne Dr.; Nancy Kelly, 2837 Renick St.; Sarah Hochschwender, 1114 N. 6th St.; Maggie Siegmund, 2802 Lafayette St.; Greg Woods, 3912 State Rt. W; and Ryan Hildebrand, 2626 Sacramento St.;

Agenda No. 44236-7 - Sarah Hochschwender, 1114 N. 6th St. and Mike Schmitt, 17121 Co. Rd. 308, Savannah, Missouri, spoke on the bill.

Agenda No. 44239-41 – David Giseburt, 2919 S. 40th Terr.; Ron Findley, 1402 Farao St.; Darren Burtnett, 2137 S. 11th St.; Mike Kneib, 4028 Pickett Rd.; Mike Laddish, 209 N. 8th St.; Robert Eggleston, 1403 Ashland Ave.; Dennis Adams, 3501 N. 7th St.; David Heinje, 4314 Hidden Valley Dr.; Michelle Schauf, 1102 Felix St.; Tad Binder, 3001 Felix St.; Clinton Shipp, 2612 Olive St., Pat Dillon, 2731 Frederick Ave.; (name unknown), 2715 Monterey St.; and Ryan Evans, 1903 Pat Dr.

ADJOURNMENT:

44254

By general consent, the Council adjourned.

The meeting adjourned at 9:30 p.m.

Minutes transcribed by Paula Heyde, CMC, City Clerk.