

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

August 10, 2020 - 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, August 10, 2020, 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	(82-02)
	Councilmember Brenda Blessing	(80-04)
	Councilmember Madison Davis	(81-03)
	Councilmember PJ Kovac	(68-16)
	Councilmember Russell Moore	(83-01)
	Councilmember Brian Myers	(79-05)
	Councilmember Marty Novak	(81-03)
	Councilmember Kent O'Dell	(72-12)
Members absent:	Councilmember Gary Roach	(74-10)

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

Also present were Interim City Manager Chris Connally, City Attorney Bryan Carter, Interim 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, Human Resources Director Amy Cohorst, Interim Police Chief Eric Protzman, Supt. of Streets/Sewer Division Keven Schneider, City Engineer Reed Schwartzkopf, Aviation Manager Abe Forney, Asst. City Attorney Ted Elo, 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, Mayor McMurray voted first.

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MINUTES:

45407 By general consent, minutes of the regular meeting held July 27, 2020, at 5:30 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

45408 Proclamation – National Health Center Week

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ACCEPTANCE OF AGENDA:

- 45409 It was moved by Councilmember Myers and seconded by Councilmember Novak that the Agenda be accepted as published. Motion carried. Ayes, McMurray, Moore, Myers, Novak, O'Dell, Blessing, Davis, Kovac—8. Absent, Roach—1.

CONSENT AGENDA:

- 45410 It was moved by Councilmember Davis and seconded by Councilmember Moore that Agenda Numbers 45411 through 45428 be passed by Consent Agenda. Motion carried. Ayes, McMurray, Moore, Myers, Novak, O'Dell, Blessing, Davis, Kovac—8. Absent, Roach—1.

Nominations and Appointments:

- 45411 Filed 7/23/20: The nomination by Mayor McMurray was approved, appointing John Spencer, 4805 Corinth Drive, as a member of the Land Bank Board for a term expiring August 26, 2021; he is filling a vacancy on the board.
- 45412 Filed 7/28/20: The nomination by Councilmember Blessing was approved, appointing Gracia Pinzino, 809 N. 25th Street, as a member of the Landmark Commission for a term expiring August 10, 2023; she is replacing Nigh Johnson whose term expires on August 4, 2020.
- 45413 Filed 7/31/20: The nomination by Councilmember Davis was approved, appointing Jimmy Lee Payne, 10423 SW Spruce Road, Stewartsville, Missouri, as a member of the Board of Operating Engineers for a term expiring August 10, 2025; he is filling a vacancy on the board.

Bills for Passage:

- 45414 (G.O. 2958) A Bill (#817-18) sponsored by Mayor McMurray amending Article V "Boards and Commissions" of Chapter 2 "Administrative Code," of the Code of Ordinances by repealing Division 20 titled "Downtown Economic Stimulus Authority of St. Joseph, Missouri," having been read the first time on July 27, 2020, was read the second time and passed.
- 45415 (G.O. 2959) A Bill (#819-18) sponsored by Councilmember Davis amending Section 28-1588 of the Code of Ordinances entitled "One-way streets" to provide for two-way traffic on Third Street, from Faraon Street to Jules Street, having been read the first time on July 27, 2020, was read the second time and passed.
- 45416 (S.O. 9766) A Bill (#818-18) sponsored by Councilmember Kovac authorizing execution of a Use Agreement with the St. Joseph School District for the use of various athletic facilities for a term of three years, having been read the first time on July 27, 2020, was read the second time and passed.
- 45417 (S.O. 9767) A Bill (#820-18) sponsored by Councilmember Novak authorizing an amendment to the Community Development Block Grant (CDBG) budget in the amount of \$936,740.00 to roll forward unspent CDBG CARES Act grant funding from the prior Fiscal Year, having been read the first time on July 27, 2020, was read the second time and passed.
- 45418 (S.O. 9768) A Bill (#824-18) sponsored by Mayor McMurray authorizing the issuance of General Obligation Bonds, Series 2020, in the aggregate principal amount of not to exceed \$6,000,000.00, of the City of St. Joseph, Missouri; prescribing the form and details of said bonds; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; and authorizing certain other documents and actions in connection therewith, having been read the first time on July 27, 2020, was read the second time and passed.

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Resolutions for Adoption:

- 45419 (Resolution No. 45419 – 4623) A Resolution (#831-18) authorizing the execution of an agreement with Schneider Electric Buildings Americas, Inc., in the total amount of \$335,775.00 for the completion of an investment grade audit of the Wastewater Treatment Plant, was read and adopted.
- 45420 (Resolution No. 45420 – 4624) A Resolution (#832-18) affirming authorization of the filing of an application for the 2020 Edward Byrne Memorial Justice Assistance Grant in the amount of \$29,940.00 to be used to purchase equipment for the St. Joseph Police and Buchanan County Sheriff’s Departments, was read and adopted.
- 45421 (Resolution No. 45421 – 4625) A Resolution (#833-18) confirming and ratifying an agreement with Citizen’s Bank and Trust to provide commercial banking and depository services for an additional one-year term, was read and adopted.
- 45422 (Resolution No. 45422 – 4626) A Resolution (#834-18) confirming and ratifying an agreement with Citizen’s Bank and Trust to provide lockbox processing services for an additional one-year term, was read and adopted.
- 45423 (Resolution No. 45423 – 4627) A Resolution (#841-18) authorizing the purchase of a CAT 938M wheel loader in the total amount of \$165,858.00 from Foley Equipment Company to be used at the St. Joseph Sanitary Landfill, was read and adopted.
- 45424 (Resolution No. 45424 – 4628) A Resolution (#842-18) authorizing the purchase of one CAT 740GC haul truck in the total amount of \$461,775.00 from Foley Equipment Company to be used at the St. Joseph Sanitary Landfill, was read and adopted.
- 45425 (Resolution No. 45425 – 4629) A Resolution (#843-18) authorizing the purchase of one Kubota RTV-X1100CWL-H in the total amount of \$18,210.20 from Coleman Equipment Company to be used at the St. Joseph Sanitary Landfill, was read and adopted.
- 45426 (Resolution No. 45426 – 4630) A Resolution (#844-18) authorizing the execution of a Lump Sum Contract with Auxier Construction Company in an amount of \$127,500.00 for the 2020 Transit Bus Stop Shelter Replacement Project, was read and adopted.
- 45427 (Resolution No. 45427 – 4631) A Resolution (#845-18) authorizing the execution of Work Order Number EAA21-01 with Ellison-Auxier Architects, Inc. in the amount of \$30,676.00 for the design of additional restrooms for the Missouri Theater, utilizing the Master Agreement with Ellison-Auxier Architects, Inc., was read and adopted.
- 45428 (Resolution No. 45428 – 4632) A Resolution (#846-18) authorizing the execution of Work Order Number SNY21-01 with Snyder & Associates, Inc. in the amount of \$72,300.00 to provide engineering services for the mass grading plan at the Eastowne Business Park utilizing the Master Agreement with Snyder & Associates, Inc., was read and adopted.

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

NOMINATIONS AND APPOINTMENTS:

None.

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BILLS FOR PASSAGE:

None.

EMERGENCY BILLS FOR PASSAGE:

None.

RESOLUTIONS FOR ADOPTION:

None.

BILLS FOR FIRST READING:

- 45429 A Bill (#826-18) sponsored by Councilmember Moore amending Chapter 28 titled "Traffic and vehicles" of the Code of Ordinances by repealing Section 28-189 titled "Headgear for operator, passenger of motorcycle, motor tricycle or motorized bicycle," was introduced and read the first time.
- 45430 A Bill (#827-18) sponsored by Mayor McMurray authorizing an amendment to the 2011 Transient Guest Tax Program budget in the General Fund and execution of a Funding Agreement with Midwest Motor Rama LLC both in the amount of \$15,000.00 to provide funds to support the 4th Annual Midwest Motor-Rama Indoor Car, Truck and Motorcycle Show, was introduced and read the first time.
- 45431 A Bill (#828-18) sponsored by Councilmember Myers providing for the rate of taxation and the levy and collection of taxes for the Fiscal Year commencing July 1, 2020, was introduced and read the first time.
- 45432 A Bill (#829-18) sponsored by Councilmember Myers levying a special assessment for the Fiscal Year commencing July 1, 2020 for the Park District, was introduced and read the first time.
- 45433 A Bill (#830-18) sponsored by Councilmember Moore authorizing an amendment to the "City of St. Joseph, Missouri Police Pension Plan" in the form approved by Resolution of the City Council on June 3, 2019, was introduced and read the first time.
- 45434 A Bill (#835-18) sponsored by Councilmember Moore authorizing execution of a Memorandum of Understanding with the U.S. Department of Justice, United States Marshals Service, Joint Law Enforcement Operations Task Force and an amendment to the Police Department budget in the General Fund to accept funds for overtime in the amount of \$10,000.00 to assist the agency when they are looking for fugitives, was introduced and read the first time.
- 45435 A Bill (#836-18) sponsored by Councilmember O'Dell redistricting the property located at 2717 Locust from R-1B, Detached Single Family Residential District to C-3, Commercial District, as requested by John Rowe, was introduced and read the first time.
- 45436 A Bill (#837-18) sponsored by Councilmember O'Dell redistricting the property located at 600 South 28th St. from C-1, Neighborhood Shopping District to C-3, Commercial District, as requested by John Rowe, was introduced and read the first time.
- 45437 A Bill (#838-18) sponsored by Councilmember O'Dell redistricting the property located at 3002 Pear Street from R-1A, Single Family Residential District to C-1, Neighborhood Shopping District, as requested by Jerome Wheeler, was introduced and read the first time.

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BILLS FOR FIRST READING: (Cont'd)

- 45438 A Bill (#839-18) sponsored by Councilmember O'Dell approving the preliminary plat entitled "UHAUL of St. Joseph," a major commercial subdivision consisting of two (2) lots proposed for the property located at 903 North 36th Street, as requested by Alicia McKay, was introduced and read the first time.
- 45439 A Bill (#840-18) 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 \$200,875.92 from a variety of grants and contracts, was introduced and read the first time.
- 45440 A Bill (#847-18) sponsored by Councilmember Kovac granting a driveway access onto Lovers Lane on the Parkway System for the residence at 2801 Lovers Lane as requested by Bruce Kneib to allow for the construction of a driveway on his property, was introduced and read the first time.
- 45441 A Bill (#848-18) sponsored by Councilmember Kovac granting a driveway access onto Noyes Boulevard on the Parkway System for the residence at 2731 Frederick Avenue as requested by Pat Dillon to allow for the construction of a driveway on his property, was introduced and read the first time.
- 45442 A Bill (#849-18) sponsored by Councilmember Kovac authorizing an amendment to Section 21-72 titled "Remington Nature Center of St Joseph" of the Code of Ordinances to add additional membership categories at the Remington Nature Center, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 7/23/20: Minutes of the Board of Operating Engineers meeting held July 22, 2020, at 3:30 p.m., in the 4th Floor Conference Room at City Hall.

Filed 7/24/20: Minutes of the Planning Commission meeting held July 23, 2020, at 7:00 p.m., in the Council Chamber at City Hall.

Filed 7/24/20: Minutes of the Museum Oversight Board meeting held May 18, 2020, at 11:30 a.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 7/27/20: Minutes of the Human Rights Commission meeting held July 21, 2020, at 5:30 p.m., in the 4th Floor Conference Room at City Hall.

Filed 7/28/20: Minutes of the Land Bank Board meeting held July 27, 2020, at 1:00 p.m., in the Council Chamber at City Hall.

Filed 7/29/20: Minutes of the Library Board Budget/Personnel Committee meeting held July 27, 2020, at 4:45 p.m. at the Downtown Library, 927 Felix Street via Zoom.

Filed 7/29/20: Minutes of the Library Board of Trustees meeting held July 27, 2020, at 5:05 p.m., at the Downtown Library, 927 Felix Street via Zoom.

Filed 7/29/20: Minutes of the Library Board of Trustees annual meeting held July 27, 2020, at 5:00 p.m., at the Downtown Library, 927 Felix Street via Zoom.

Filed 8/4/20: Minutes of the Zoning Board of Adjustment meeting held July 28, 2020, at 4:00 p.m., in the Council Chamber at City Hall.

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WORK SESSION MINUTES – CITY CLERK’S OFFICE:

Filed 7/24/20: Minutes of the Council Work Session held July 23, 2020, at 4:00 p.m., at City Hall via video conferencing.

Filed 8/4/20: Minutes of the Council Work Session held July 30, 2020, at 4:00 p.m., at City Hall via video conferencing.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

None.

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 7/22/20: Letter from Duty K., 922 South 17th Street, in re: A bar called Jim and Jo’s on South 6th Street and a salvage yard operated by Gary Hazelwood.

Filed 7/22/20: Letter from Martha L. Ellison, 130 N. Ryans Way, in re: Wearing masks.

Filed 7/23/20: Email from Joshua Simpson in re: Resignation from the Board of Operating Engineers.

Filed 7/24/20: City Link, July 23, 2020.

Filed 7/24/20: St. Kolbe-Puckett Center for Healing 2019 Funding Agreement Report Requirement.

Filed 7/27/20: Social Welfare Board “The Clinic Beat” newsletter, June 2020.

Filed 7/27/20: St. Joseph Transit report, May 2020.

Filed 7/27/20: St. Joseph Transit report, June 2020.

Filed 7/28/20: Minutes of the St. Joseph Museums Programming Committee meeting held July 7, 2020, at 1:30 p.m., at St. Joseph Museums, 3406 Frederick Avenue, via Zoom.

Filed 7/28/20: Memorandum from Chuck Kempf, Parks, Recreation & Civic Facilities Director, in re: “Show Me Your Roots” Participation.

Filed 7/28/20: Memorandum from Chuck Kempf, Parks, Recreation & Civic Facilities Director, in re: Bartlett Park Shelter Donation.

Filed 7/29/20: Commendations regarding City employees.

Filed 7/29/20: Minutes of the St. Joseph Museums Collections Committee meeting held June 9, 2020, at 9:00 a.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 7/30/20: City Link, July 30, 2020.

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COMMUNICATIONS: (Cont'd)

Filed 7/31/20: Memorandum from Mayor McMurray in re: Mayor's Blue Ribbon Citizens Homeless Advisory Committee.

Filed 8/4/20: Minutes of the St. Joseph Museums Black Archives Museum Committee meeting held July 7, 2020, at 5:00 p.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 8/4/20: Business Licenses Report, July 2020.

Filed 8/4/20: Duplex Housing Rental Property Licenses Report, July 2020.

Filed 8/4/20: Single Family Rental Property Licenses Report, July 2020.

Filed 8/4/20: Building Permits Issued Report, July 2020.

Filed 8/4/20: Apartment House Rental Property Licenses Report, July 2020.

Filed 8/4/20: Property Maintenance Invoices Report, July 2020.

Filed 8/4/20: Property Maintenance Activity Report, July 2020.

OTHER BUSINESS:

45443 City Manager's Report – Interim City Manager Chris Connally spoke about the tragedy of the murder of a child yesterday as a result of a drive-by shooting. He thanked the Police Department investigators who are working extremely hard to resolve it.

Councilmember Myers said it is important that we know the victim's name—Raelynn and she was not quite three years old. There are people who know who did this and it's important that if you know anything, it's okay to go to the Police Department; you're not a snitch to come forward. When you don't report a shooting and come forward with information that you have, it gives other people a chance to retaliate.

Interim Police Chief Eric Protzman spoke about the new P-3tips phone app. He urged anyone who knows anything about the murder to use the app or call the Tips hotline. He said the Police Department needs the community's help and support in solving this crime that they believe is in retaliation for other recent shooting events in the area.

PUBLIC COMMENT:

Shannon Hutcherson, 1002 W. Cliff St., asked questions about getting flood insurance, waiving stipulations to allow people to install modular homes if their homes cannot be rebuilt and if there is any assistance to help people get mud out of the basements. She appreciates everyone that has come and helped them and it's made a difference for the Councilmembers to be there and show their support.

Mayor McMurray asked her to get an idea of how many need assistance with the mud in the basement so they know the scope and can try to figure out some way to help them.

NOTES:

Agenda No. 45408 – Mayor McMurray read the “National Health Center Week” proclamation.

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ADJOURNMENT:

45444 By general consent, the Council adjourned.

The meeting adjourned at 6:00 p.m.

A handwritten signature in cursive script that reads "Paula Heyde". The signature is written in black ink and is positioned centrally on the page.

Minutes transcribed by Paula Heyde, CMC, City Clerk.