

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

August 24, 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 24, 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	(85-02)
	Councilmember Brenda Blessing	(83-04)
	Councilmember Madison Davis	(84-03)
	Councilmember PJ Kovac	(71-16)
	Councilmember Russell Moore	(86-01)
	Councilmember Brian Myers	(82-05)
	Councilmember Marty Novak	(84-03)
	Councilmember Kent O'Dell	(75-12)
	Councilmember Gary Roach	(76-11)

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

Also present were Interim City Manager Chris Connally, City Attorney Bryan Carter, 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, Human Resources Director Amy Cohorst, Interim Administrative Services Director Tom Mahoney, Acting Police Chief Eric Protzman, Chief of Fire Prevention Kenny Cordonnier, Nature Center Manager Sarah Elder, 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 Moore voted first.

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MINUTES:

45453 By general consent, the minutes of the special meetings held August 5, 2020 and August 11, 2020 at 4:00 p.m., and the regular meeting held August 10, 2020, at 5:30 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

45454 Proclamation – International Overdose Awareness Day

45455 Proclamation – Now is the Time to Shop Small

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(August 24, 2020, Council Meeting, Continued)

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ACCEPTANCE OF AGENDA:

- 45456 It was moved by Councilmember Novak and seconded by Councilmember Moore that the Agenda be accepted as published. Motion carried. Ayes, Moore, Myers, Novak, O'Dell, Roach, Blessing, Davis, Kovac, McMurray--9.

PUBLIC HEARING ON PROPOSED CITY TAX LEVY:

- 45457 The City Council of the City of St. Joseph, Missouri, held a public hearing on Monday, August 24, 2020, at 5:30 p.m. in the Council Chamber at City Hall on the proposed City tax levy to produce revenues for the budget for the Fiscal Year beginning July 1, 2020. The proposed tax rates have been developed pursuant to the provision of Missouri Revised Statutes, Sec. 137.073, and the Missouri Constitution Article X, Sec. 22.

Assessed Valuations for tax year:	<u>2019</u>	<u>2020</u>
Real Estate	\$ 754,443,440	\$ 748,402,300
Personal Property	266,340,653	286,926,536
State Assessed		
Railroad & Utilities	<u>43,766,515</u>	<u>46,784,481</u>
Total	\$1,064,550,608	\$1,082,113,317
	<u>Proposed Tax Rates</u>	<u>Estimated 2020</u>
	<u>for Tax Year 2020 - per \$100</u>	<u>Tax Billing</u>
Fund:		
General Fund & Public Safety	\$.6700	\$ 7,250,159
Parks & Recreation	.2000	2,164,227
Public Health	.2232	2,415,277
Museum	<u>.0500</u>	<u>541,057</u>
Total	\$ 1.1432	\$ 12,370,720
Special Purpose General Obligation Bonds		
Road & Bridge	\$ <u>.1210</u>	\$ <u>1,309,357</u>
Total Levy	\$ 1.2642	\$13,680,077

Residents were given an opportunity at this time to comment on the proposed tax levy.

- 45458 There being no persons appearing to be heard, the Mayor declared the public hearing closed.

PUBLIC HEARING ON ORDINANCES FOR REZONING AND CONDITIONAL USE PERMITS:

- 45459 (G.O. 2960) 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, having been read the first time on August 10, 2020, was read the second time and passed. Ayes, Moore, Myers, Novak, O'Dell, Roach, Blessing, Davis, Kovac, McMurray--9.
- 45460 (G.O. 2961) 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, having been read the first time on August 10, 2020, was read the second time and passed. Ayes, Moore, Myers, Novak, O'Dell, Roach, Blessing, Davis, Kovac, McMurray--9.

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PUBLIC HEARING ON ORDINANCES FOR REZONING AND CONDITIONAL USE PERMITS: (Cont'd)

- 45461 (G.O. 2962) 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, having been read the first time on August 10, 2020, was read the second time and passed. Ayes, Moore, Myers, Novak, O'Dell, Roach, Blessing, Davis, Kovac, McMurray--9.

CONSENT AGENDA:

- 45462 It was moved by Councilmember Moore and seconded by Councilmember Roach that Agenda Numbers 45463 through 45479 be passed by Consent Agenda. Motion carried. Ayes, Moore, Myers, Novak, O'Dell, Roach, Blessing, Davis, Kovac, McMurray--9.

Nominations and Appointments:

- 45463 Filed 8/14/20: The nomination by Councilmember Kovac was approved, appointing Patti Luedtke, 2105 N. 31st Terrace, as a member of the Parks and Recreation Board for a term expiring August 31, 2025; she is replacing Wonda Berry, whose term will expire on August 31, 2020.

Bills for Passage:

- 45464 (G.O. 2963) 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, having been read the first time on August 10, 2020, was read the second time and passed.
- 45465 (S.O. 9769) 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, having been read the first time on August 10, 2020, was read the second time and passed.
- 45466 (S.O. 9770) 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, having been read the first time on August 10, 2020, was read the second time and passed.
- 45467 (S.O. 9771) 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, having been read the first time on August 10, 2020, was read the second time and passed.
- 45468 (S.O. 9772) 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, having been read the first time on August 10, 2020, was read the second time and passed.
- 45469 (S.O. 9773) 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, having been read the first time on August 10, 2020, was read the second time and passed.

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

45470 (S.O. 9774) 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, having been read the first time on August 10, 2020, was read the second time and passed.

Resolutions for Adoption:

45471 (Resolution No. 45471 – 4633) A Resolution (#853-18) authorizing the renewal of a contract with the Social Welfare Board in the amount of \$540,743.00 for the purpose of providing medical and emergency relief and support for mental health services for qualified persons, was read and adopted.

45472 (Resolution No. 45472 – 4634) A Resolution (#854-18) authorizing the acceptance of the “Espiritu Libre” sculpture from the Allied Arts Council of St. Joseph, Missouri, was read and adopted.

45473 (Resolution No. 45473 – 4635) A Resolution (#858-18) authorizing the execution of a contract to provide a Save Our Heritage Grant in the amount of \$17,000.00 to Glenn and Nicole Poirier to rehabilitate the structures located at 2101 Faraon Street, was read and adopted.

45474 (Resolution No. 45474 – 4636) A Resolution (#859-18) authorizing the execution of a contract to provide a Save Our Heritage Grant in the amount of \$5,000.00 to Gilded Holdings, LLC to rehabilitate the structure located at 1201 Felix Street, was read and adopted.

45475 (Resolution No. 45475 – 4637) A Resolution (#860-18) authorizing the execution of a contract to provide a Save Our Heritage Grant in the amount of \$20,000.00 to Isobel McGowan to rehabilitate the structure located at 819 Hall Street, was read and adopted.

45476 (Resolution No. 45476 – 4638) A Resolution (#861-18) authorizing the execution of a contract to provide a Save Our Heritage Grant in the amount of \$5,000.00 to Beeman Development, LLC to rehabilitate the structure located at 1125 Charles Street, was read and adopted.

45477 (Resolution No. 45477 – 4639) A Resolution (#862-18) authorizing the execution of a contract to provide a Save Our Heritage Grant in the amount of \$10,000.00 to the Restoration Project, a 501(c)3, to rehabilitate the structure located at 101-117 Francis Street, was read and adopted.

45478 (Resolution No. 45478 – 4640) A Resolution (#864-18) authorizing the execution of a Housing Rehabilitation Contract with Deloris J. Beck, a single person (owner), and Rea Contracting LLC (contractor) for a housing rehabilitation project at 220 East Hyde Park Avenue for a total amount not to exceed \$28,545.00, was read and adopted.

45479 (Resolution No. 45479 – 4641) A Resolution (#869-18) authorizing the purchase of thirty-eight (38) APX 8000 all band portable radios and accessories for a total cost of \$214,766.00 from Motorola Solutions to be used by the Police Department, was read and adopted.

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

NOMINATIONS AND APPOINTMENTS:

None.

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BILLS FOR PASSAGE:

- 45480 (G.O. 2964) 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," having been read the first time on August 10, 2020, was read the second time and passed. Ayes, Moore, Myers, Novak, O'Dell, Roach, Blessing, Kovac, McMurray--8. Nay, Davis--1.
- 45481 (S.O. 9775) 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, having been read the first time on August 10, 2020, was read the second time and passed. Ayes, Moore, Myers, Novak, O'Dell, Roach, Blessing, Davis, Kovac, McMurray--9.
- 45482 (S.O. 9776) A Bill (#829-18) sponsored by Councilmember Myers levying a special assessment for the Fiscal Year commencing July 1, 2020 for the Park District, having been read the first time on August 10, 2020, was read the second time and passed. Ayes, Moore, Myers, Novak, O'Dell, Roach, Blessing, Davis, Kovac, McMurray--9.
- 45483 It was moved by Councilmember Myers and seconded by Councilmember Moore that 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, be postponed for two weeks to the September 8, 2020, City Council meeting. Motion carried. Ayes, Moore, Myers, Novak, O'Dell, Roach, Blessing, Kovac, McMurray--8. Nay, Davis--1.

EMERGENCY BILLS FOR PASSAGE:

- 45484 (S.O. 9777) An Emergency Bill (#863-18) sponsored by Mayor McMurray authorizing an amendment to the Cell Phone Program budget in the amount of \$30,000.00 to provide debris removal and portable restroom facilities to mitigate the effect of the Contrary Creek flood, was introduced, read and passed. Ayes, Moore, Myers, Novak, O'Dell, Roach, Blessing, Davis, Kovac, McMurray--9.
- 45485 (S.O. 9778) An Emergency Bill (#870-18) sponsored by Councilmember Moore authorizing an amendment to the Police Department budget in the General Fund, the acceptance of the Coronavirus Aid, Relief, Economic Security (CARES) Act Grant passed through Buchanan County, Missouri from the U.S. Treasury Department and the purchase and installation of five new consoles from Dick Buss & Associates for the Communication Center at the St. Joseph Police Department all in the amount of \$120,625.00, was introduced, read and passed. Ayes, Moore, Myers, Novak, O'Dell, Roach, Blessing, Davis, Kovac, McMurray--9.

RESOLUTIONS FOR ADOPTION:

None.

BILLS FOR FIRST READING:

- 45486 A Bill (#855-18) sponsored by Councilmember Myers authorizing execution of an agreement for legal services with Seigreid Bingham, P.C., for construction and design-related legal services, was introduced and read the first time.

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BILLS FOR FIRST READING: (Cont'd)

- 45487 A Bill (#856-18) sponsored by Councilmember Myers authorizing execution of an agreement for legal services with Cunningham, Vogel & Rost, P.C., for construction and design-related legal services, was introduced and read the first time.
- 45488 A Bill (#857-18) sponsored by Councilmember Davis amending Section 28-1577 of the Code of Ordinances entitled "Electric traffic control devices established at designated locations" to remove signal lights from several intersections in the downtown area and add those located at fire stations, was introduced and read the first time.
- 45489 A Bill (#865-18) sponsored by Councilmember Moore authorizing an amendment to the Public Health Department budget in the General Fund and execution of an Epidemiology and Laboratory Capacity CARES Contract with the Missouri Department of Health and Senior Services both in the amount of \$71,150.00, was introduced and read the first time.
- 45490 A Bill (#866-18) sponsored by Mayor McMurray amending Chapter 17 "Health and Sanitation" of the Code of Ordinances to adopt a new Section 17-5, titled "COVID-19 Pandemic Regulations," to impose regulations to protect public life, health, safety, and property to limit the development, contraction, and spread of COVID-19, was introduced and read the first time.
- 45491 A Bill (#867-18) sponsored by Councilmember Roach authorizing the execution of a Sales Agreement and the acceptance of a Warranty Deed for real property located at the corner of 759 Highway and Hickory Street from the Missouri Highways and Transportation Commission in the total amount of \$35,900.00 to purchase land to be used to relocate the Water Protection Line Maintenance Division, was introduced and read the first time.
- 45492 A Bill (#868-18) sponsored by Councilmember Roach authorizing execution of a Release of all Claims against Arushi Enterprises Corporation and associated entities in exchange for the City's receipt of \$45,700.00, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 8/5/20: Minutes of the Planning Commission special meeting held August 5, 2020, at 12:00 p.m., in the Council Chamber at City Hall.

Filed 8/6/20: Minutes of the Landmark Commission meeting held July 7, 2020, at 7:00 p.m., in the Council Chamber at City Hall.

Filed 8/6/20: Minutes of the Administrative Violation Review Board meeting held March 4, 2020, at 2:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 8/11/20: Minutes of the Aviation Board meeting held August 5, 2020, at 11:30 a.m., in the Terminal Conference Room at Rosecrans Memorial Airport, 100B NW Rosecrans Road.

Filed 8/11/20: Minutes of the Land Bank Advisory Committee meeting held July 20, 2020, at 1:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 8/12/20: Minutes of the Board of Operating Engineers meeting held July 22, 2020, at 3:00 p.m., in the 4th Floor Conference Room at City Hall.

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REPORTS OF BOARDS & COMMISSIONS: (Cont'd)

Filed 8/12/20: Minutes of the Aviation Board meeting held February 19, 2020, at 11:30 a.m., in the Terminal Conference Room at Rosecrans Memorial Airport, 100 B NW Rosecrans Road.

Filed 8/12/20: Minutes of the Aviation Board meeting held June 3, 2020, at 11:30 a.m., in the Terminal Conference Room at Rosecrans Memorial Airport, 100 B NW Rosecrans Road, via Zoom.

Filed 8/14/20: Minutes of the Parks and Recreation Board meeting held July 16, 2020, at 4:00 p.m., at Parks, Recreation and Civic Facilities Admin Office, 1920 Grand Avenue.

Filed 8/14/20: Minutes of the Senior Citizen Foundation, Inc. Board meeting held March 17, 2020, at 3:00 p.m., at the Joyce Raye Patterson 50+ Activity Center, 100 South 10th Street.

Filed 8/14/20: Minutes of the Senior Citizen Foundation, Inc. Board meeting held June 16, 2020, at 3:00 p.m., at the Joyce Raye Patterson 50+ Activity Center, 100 South 10th Street.

Filed 8/14/20: Minutes of the Senior Citizen Foundation, Inc. Board meeting held July 21, 2020, at 3:00 p.m., at the Joyce Raye Patterson 50+ Activity Center, 100 South 10th Street.

Filed 8/17/20: Minutes of the Land Bank Board meeting held August 17, 2020, at 1:00 p.m., in the Council Chamber at City Hall.

WORK SESSION MINUTES – CITY CLERK’S OFFICE:

Filed 8/10/20: Minutes of the Council Work Session held August 6, 2020, at 4:00 p.m., at City Hall, via video conferencing.

Filed 8/14/20: Minutes of the Council Work Session held August 13, 2020, at 4:00 p.m., at City Hall, via video conferencing.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

Filed 8/13/20: Memorandum from Chief Connally, Interim City Manager, in re: Acting Interim City Manager (August 17, 2020).

Filed 8/18/20: Memorandum from Chief Connally, Interim City Manager, in re: Acting Interim City Manager (August 20-21, 2020).

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 8/7/20: Memorandum from Andrew Clements, Public Works and Transportation Director, in re: Dunkin Donuts.

Filed 8/7/20: City Link, August 6, 2020.

Filed 8/7/20: Municipal Division Summary Reporting, July 2020.

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(August 24, 2020, Council Meeting, Continued)

COMMUNICATIONS: (Cont'd)

Filed 8/10/20: Minutes of the St. Joseph Museums Membership Committee meeting held July 9, 2020, at 3:06 p.m., at St. Joseph Museums, 3406 Frederick Avenue, via Zoom.

Filed 8/10/20: Memorandum from Andrew Clements, Public Works and Transportation Director, in re: Downtown Parking Committee Wrap-Up.

Filed 8/10/20: Commendations regarding Police Department staff.

Filed 8/11/20: Minutes of the St. Joseph Museums Fundraising Committee meeting held July 9, 2020, at 4:00 p.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 8/12/20: Letter from Tina Phillips, 4609 Hallbrook Drive, Wilshire Place Home Association Board Member, in re: Thanking the city for the blacktop paving work on Leonard Road to Karnes Road.

Filed 8/12/20: Parks, Recreation & Civic Facilities Department Monthly Update, July 2020.

Filed 8/13/20: City Link, August 13, 2020.

Filed 8/13/20: Encumbrances \$5,000 to \$25,000, June 2020.

Filed 8/14/20: Memorandum from Debra Bradley, Health Director, in re: Follow-up questions at the Work Session.

Filed 8/14/20: Letter from Timothy P. McGrail, Deputy Director, Missouri Gaming Commission, in re: State/Local Allocation of Gaming Revenues for the period 7/1/20 through 7/31/20.

Filed 8/18/20: Minutes of the St. Joseph Museums Bi-Monthly Board meeting held July 16, 2020, at 4:00 p.m., at the St. Joseph Museums, 3406 Frederick Avenue, via Zoom video conferencing.

Filed 8/18/20: Social Welfare Board The Clinic Beat newsletter, July 2020

Filed 8/18/20: St. Joseph Museums Annual Report for 2019/2020.

Filed 8/18/20: Health Department Monthly Statistical Report, July 2020.

OTHER BUSINESS:

City Manager's Report – None.

PUBLIC COMMENT:

Brad Kerns, President of the Fraternal Order of Police (FOP) Lodge #3, expressed gratitude for the time spent with City officials negotiating over the last eight months to try to come up with a pay plan. He said several members of the FOP are present in show of support to try to get the proposed pay plan and asked the City Council to consider an ordinance for immediate implementation of the pay plan.

Linda Kretze, 6504 Lake Avenue, spoke about the zoning of her friend's home that was destroyed by the Contrary Creek flood last month. She was told she could not build a house on her property because it is zoned M-2 Heavy Manufacturing. Planning & Community Development Director Clint Thompson said the Zoning Code does not allow a legal nonconforming use to be rebuilt if the property is damaged

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PUBLIC COMMENT: (Cont'd)

by more than 50%. He went over the process required for rezoning the properties that were impacted by the recent flooding event. He said tomorrow he will send the City Council an outline of the quickest scenario for rezoning the properties zoned M-2 that currently have a residential use.

Vanessa Seward, 119 N. 15th St., spoke about mandating masks.

NOTES:

Agenda No. 45454 – Mayor McMurray read the proclamation and presented it to Rodney Hummer, Interim CEO of Northwest Health Services.

Agenda No. 45455 - Mayor McMurray read the proclamation.

Agenda No. 45461 – Jerome Wheeler, petitioner, answered questions about the rezoning request.

Agenda No. 45483 – Robert Davis, promotor/organizer of Midwest Motor Rama LLC, 11948 Co. Rd. 157, Savannah, Missouri, and Cody Davis spoke about the Midwest Motor Rama event scheduled for February 26-28, 2021 at the Civic Arena.

ADJOURNMENT:

45493 By general consent, the City Council adjourned.

The meeting adjourned at 6:56 p.m.



Minutes transcribed by Paula Heyde, CMC, City Clerk.