

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

September 8, 2020 - 5:30 p.m.  
Office of the City ClerkPLEDGE 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 Tuesday, September 8, 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., except when it falls on a legal holiday then it shall be held the following day. 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	(87-02)
	Councilmember Brenda Blessing	(85-04)
	Councilmember PJ Kovac	(73-16)
	Councilmember Russell Moore	(88-01)
	Councilmember Brian Myers	(84-05)
	Councilmember Marty Novak	(86-03)
	Councilmember Kent O'Dell	(77-12)
	Councilmember Gary Roach	(78-11)
Members absent:	Councilmember Madison Davis	(84-05)

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, Health Director Debra Bradley, Planning & Community Development Director Clint Thompson, Human Resources Director Amy Cohorst, Asst. Parks, Recreation & Civic Facilities Director Jeff Atkins, Interim Police Chief Eric Protzman, Supt. of Streets/Sewers Division Keven Schneider, 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 Myers voted first.

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MINUTES:

45498 By general consent, the minutes of the special meetings held August 24, 2020 at 4:30 p.m. and August 26, 2020, at 4:00 p.m., and the regular meeting held August 24, 2020, at 5:30 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

45499 Proclamation – Constitution Week

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ACCEPTANCE OF AGENDA:

45500 It was moved by Councilmember Roach and seconded by Councilmember Blessing that the Agenda be accepted as published. Motion carried. Ayes, Myers, Novak, O'Dell, Roach, Blessing, Kovac, McMurray, Moore--8. Absent, Davis--1.

CONSENT AGENDA:

45501 It was moved by Councilmember Novak and seconded by Councilmember Roach that Agenda Numbers 45502 through 45515 be passed by Consent Agenda. Motion carried. Ayes, Myers, Novak, O'Dell, Roach, Blessing, Kovac, McMurray, Moore--8. Absent, Davis--1.

Nominations and Appointments:

45502 Filed 8/19/20: The nomination by Councilmember O'Dell was approved, appointing Brian Weets, 3028 Edmond Street, as a member of the Plumber's Examining and Appeals Board for a term expiring June 29, 2024; he is being reappointed.

Bills for Passage:

45503 (G.O. 2965) 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, having been read the first time on August 24, 2020, was read the second time and passed.

45504 (S.O. 9779) 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, having been read the first time on August 24, 2020, was read the second time and passed.

45505 (S.O. 9780) 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, having been read the first time on August 24, 2020, was read the second time and passed.

45506 (S.O. 9781) 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, having been read the first time on August 24, 2020, was read the second time and passed.

45507 (S.O. 9782) 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, having been read the first time on August 24, 2020, was read the second time and passed.

45508 (S.O. 9783) 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, having been read the first time on August 24, 2020, was read the second time and passed.

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CONSENT AGENDA: (Cont'd)

Resolutions for Adoption:

- 45509 (Resolution No. 45509 – 4642) A Resolution (#871-18) authorizing the execution of a contract with Lesley Schulte in the amount of \$30,780.00 annually to provide Public Health Emergency Response Planner services, was read and adopted.
- 45510 (Resolution No. 45510 – 4643) A Resolution (#872-18) authorizing the execution of a contract to provide a Save Our Heritage Grant in the amount of \$34,200.00 to Royal Packaging, LLC to rehabilitate the structure located at 302 South 3rd Street, was read and adopted.
- 45511 (Resolution No. 45511 – 4644) A Resolution (#875-18) of Intent expressing support of a Tax Credit Application by Jes Dev Co, Inc. to the Missouri Housing Development Commission for the redevelopment of a vacant property located at 502 Francis Street to be known as Pioneer Lofts, was read and adopted.
- 45512 (Resolution No. 45512 – 4645) A Resolution (#876-18) authorizing the purchase of one (1) Takeuchi TL12 track skid loader in the total amount of \$48,450.61 from Kirby Smith Equipment Company to be used at the St. Joseph Sanitary Landfill, was read and adopted.
- 45513 (Resolution No. 45513 – 4646) A Resolution (#877-18) authorizing the execution of a Lump Sum Contract with Business Logistics, Inc. (dba Veritas Systems Construction) in an amount not to exceed \$208,260.00 for the construction of the new Sewer Maintenance facility administration building, was read and adopted.
- 45514 (Resolution No. 45514 – 4647) A Resolution (#880-18) authorizing the issuance of a purchase order in an amount not to exceed \$137,005.24 for emergency repair of the South Saint Joseph Pump Station force main located at 1405 Lower Lake Road utilizing the Master Agreement with Sprague Excavating Co., Inc., was read and adopted.
- 45515 (Resolution No. 45515 – 4648) A Resolution (#882-18) authorizing the execution of a contract to provide a Save Our Heritage Grant in the amount of \$3,800.00 to Richard R. Ward, Natalie D. Ward, and Diane E. Waddell to rehabilitate the structure located at 1210 Felix Street, was read and adopted.

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

NOMINATIONS AND APPOINTMENTS:

None.

BILLS FOR PASSAGE:

- 45516 (G.O. 2966) 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, having been read the first time on August 24, 2020, was read the second time and passed. Ayes, Myers, O’Dell, Blessing, McMurray, Moore--5. Nays, Novak, Roach, Kovac--3. Absent, Davis--1.

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BILLS FOR PASSAGE: (Cont'd)

- 45517 It was moved by Councilmember Myers and seconded by Councilmember Novak that Bill #827-18 be amended before consideration for passage by changing the amount of 2011 Transient Guest Tax funding provided from "\$15,000.00" to "\$7,500.00" in the caption, Sections 1 and 2 in the body of the ordinance, in the attached explanation letter and Funding Agreement. Motion carried. Ayes, Myers, Novak, Blessing, McMurray, Moore--5. Nays, O'Dell, Roach, Kovac--3. Absent, Davis--1.
- 45518 (S.O. 9784) 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 \$7,500.00 to provide funds to support the 4th Annual Midwest Motor-Rama Indoor Car, Truck and Motorcycle Show, having been read the first time on August 10, 2020, was read the second time and passed. Ayes, Myers, Novak, Blessing, McMurray, Moore--5. Nays, O'Dell, Roach, Kovac--3. Absent, Davis--1.

EMERGENCY BILLS FOR PASSAGE:

None.

RESOLUTIONS FOR ADOPTION:

- 45519 (Resolution No. 45519 – 4649) A Resolution (#878-18) supporting future adoption of a pay plan for bargaining unit members of the Fraternal Order of Police, Lodge Number 3, was read and adopted. Ayes, Myers, Novak, O'Dell, Blessing, McMurray, Moore--6. Nays, Roach, Kovac--2. Absent, Davis--1.
- 45520 It was moved by Councilmember Moore and seconded by Councilmember Novak that Bill #879-18 be amended before consideration for adoption by substituting a new resolution and attachment in place of the ones originally filed. Motion carried. Ayes, Myers, Novak, O'Dell, Roach, Blessing, McMurray, Moore--7. Nays, Kovac--1. Absent, Davis--1.
- 45521 (Resolution No. 45521 - 4650) A Resolution (#879-18) supporting future adoption of pay plan enhancements for bargaining unit members of the International Association of Firefighters, Local 77, was read and adopted. Ayes, Myers, Novak, O'Dell, Blessing, McMurray, Moore--6. Nays, Roach, Kovac--2. Absent, Davis--1.

BILLS FOR FIRST READING:

- 45522 A Bill (#873-18) sponsored by Councilmember Davis authorizing the execution of Land Lease Agreement Number ANGMO-5-20-0013 with the United States of America, on behalf of the Air National Guard, to lease 240.76 acres located at Rosecrans Memorial Airport for the purpose of relocating the military facilities to the northeastern property of the airfield, was introduced and read the first time.
- 45523 A Bill (#881-18) sponsored by Councilmember Davis authorizing acceptance of a grant from the Missouri Highways and Transportation Commission (MHTC) to provide CARES Act funding in an amount not to exceed \$69,000.00, and amending the Aviation Fund budget to appropriate the funds received from CARES Act Funding for the purchase of one (1) 2021 SUV in the amount of \$49,665.00 from Molle Chevrolet for use at Rosecrans Memorial Airport, was introduced and read the first time.
- 45524 A Bill (#883-18) sponsored by Councilmember Davis authorizing a Lease Agreement with Rocky Mountain Holdings, LLC (d/b/a Lifenet Air Medical Services) to lease Hangar C-1 at Rosecrans Memorial Airport in the amount of \$15,840.00 per year, was introduced and read the first time.

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BILLS FOR FIRST READING: (Cont'd)

- 45525 A Bill (#884-18) sponsored by Mayor McMurray authorizing execution of an “Amendment to Police Department Working Agreement between City of St. Joseph, Missouri and Fraternal Order of Police, Lodge #3” to incorporate a pay plan into the collective bargaining agreement with the Fraternal Order of Police, Lodge #3, was introduced and read the first time.
- 45526 A Bill (#885-18) sponsored by Mayor McMurray authorizing execution of a “Fire Department Contract between City of St. Joseph, Missouri and International Association of Firefighters, Local #77” to incorporate a pay plan into the collective bargaining agreement with the International Association of Firefighters, Local #77, was introduced and read the first time.
- 45527 It was moved by Councilmember Moore and seconded by Councilmember Myers that Bill #888-18 be placed on the agenda for first reading. Motion failed to carry. Ayes, Myers, Blessing, McMurray, Moore--4. Nays, Novak, O’Dell, Roach, Kovac--4. Absent, Davis--1.

REPORTS OF BOARDS & COMMISSIONS:

Filed 8/24/20: Minutes of the Parks and Recreation Board meeting held August 20, 2020, at 4:00 p.m., at the Parks Admin office, 1920 Grand Avenue.

Filed 8/25/20: Minutes of the Traffic Commission meeting held August 19, 2020, at 3:00 p.m., in the Council Chamber at City Hall.

Filed 8/26/20: Minutes of the Library Board Budget/Personnel Committee meeting held August 24, 2020, at 4:45 p.m., at the Downtown Library, 927 Felix Street, via Zoom.

Filed 8/26/20: Minutes of the Library Board of Trustees meeting held August 24, 2020, at 5:00 p.m., at the Downtown Library, 927 Felix Street, via Zoom.

Filed 8/26/20: Minutes of the Zoning Board of Adjustment meeting held August 25, 2020, at 4:00 p.m., in the Council Chamber at City Hall.

Filed 8/27/20: Minutes of the Social Welfare Board meeting held June 23, 2020, at 2:30 p.m., at Patee Market Health Center, 904 South 10th Street.

Filed 8/28/20: Minutes of the Planning Commission meeting held August 27, 2020, at 7:00 p.m., in the Council Chamber at City Hall.

WORK SESSION MINUTES – CITY CLERK’S OFFICE:

Filed 8/24/20: Minutes of the Council Work Session held August 20, 2020, at 4:00 p.m., at City Hall, via video conferencing.

Filed 8/28/20: Minutes of the Council Work Session held August 27, 2020, at 4:00 p.m., at City Hall, via video conferencing.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

None.

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DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 8/19/20: City of St. Joseph Health Department Contingency Plan for COVID-19 Cases in School.

Filed 8/19/20: Memorandum from Debra Bradley, Health Director, in re: Isolation and quarantine guidance.

Filed 8/19/20: Police Department Monthly Activity Report Highlights, July 2020.

Filed 8/19/20: Minutes of the Police Pension Board meeting held July 15, 2020, at 4:00 p.m., in the 1st Floor Conference Room at City Hall.

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

Filed 8/26/20: Minutes of the St. Joseph Museums Programming Committee meeting held August 4, 2020, at 1:30 p.m., at St. Joseph Museums, 3406 Frederick Avenue, via Zoom.

Filed 8/26/20: Memorandum from Tom Mahoney, Interim Administrative Services Director, in re: June FY2020 Financial Report.

Filed 8/27/20: City Link, August 27, 2020.

Filed 8/27/20: Minutes of the St. Joseph Museums Black Archives Museum Committee meeting held August 11, 2020, at 5:00 p.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 8/27/20: Commendations regarding Police and Planning & Community Development Departments staff.

Filed 8/27/20: Minutes of the Mayor's Blue Ribbon Audit Advisory Committee meeting held August 26, 2020, at 12:30 p.m., in the 4th Floor Conference Room at City Hall.

Filed 8/28/20: Memorandum from Debra Bradley, Health Department Director, in re: School Personnel as Essential Services Workers.

Filed 9/1/20: Letter from Martha Ellison, 130 N. Ryan's Way, in re: Expanded mask proposal.

Filed 9/1/20: Email from Phillip Vaughn, 3025 Mayfair Drive, in re: Resignation from Planning Commission.

OTHER BUSINESS:

45528 City Manager's Report -- Interim City Manager Chris Connally gave an update on the flood relief efforts. He said on September 11 there will be a Muck Run to honor the fallen on the 19th anniversary of 9/11 at 8:00 a.m. beginning at the Fire Department headquarters. He commended Sgt. Brad Kerns and Sgt. James Langston for their work last week in Louisiana with the hurricane recovery.

Councilmember Myers asked the Mayor if he has received a response from Governor Parsons in regard to available flood relief. Mayor McMurray said he has not; however, he has a meeting on Thursday

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OTHER BUSINESS: (Cont'd)

with City staff and members of the Missouri Department of Economic Development. He does not know if the Governor has been to see the flood damage.

Councilmember Roach asked about the city manager interviews on Friday. Mayor McMurray said there will be three groups interviewing the candidates. One is the Council which will be divided into three smaller groups. There will be a group of community people and a group of department directors/city staff/ union representatives. He asked City staff to forward information on the interview schedule to the City Council.

PUBLIC COMMENT:

45529 April Hook, 2622 Green Valley Rd., spoke about the closing of the downtown YMCA and asked for the City's help in getting the community involved to potentially make the building a community center.

Mike Jaramillo, 4209 Green Acres Dr., said kids need to have a place to come and have a pool and play basketball, racketball and learn those social skills and there needs to be a place with a warm water pool. If it's not possible for the YMCA to remain open, the pool at Missouri Western State University needs to be opened.

Linda Laderoute, 1906 Eugene Field Ave., said she uses the pool at the YMCA for therapy. She spoke about "Opportunity Zones" and would like the City to work together with a coalition that recognizes this facility and pool for the asset it is.

There was consensus of the City Council to establish a committee to look into the possibility of an opportunity zone or any other tax credit program to keep the facility open.

NOTES:

Agenda No. 45499 – Mayor McMurray read the proclamation and presented it to Daughters of the American Revolution representative Brenda Williams.

Agenda No. 45516 – The following individuals spoke during discussion on this bill: Dr. Gary Clapp, Associate Chemistry Professor at Missouri Western State University; Ryan Fisher, 609 Woodcrest Dr.; Kaylee Gibson, 4303 Kensington Dr.; Patt Lilly, President & CEO of St. Joseph Chamber of Commerce; Vanessa Seward, 119 N. 15th St.; Kevin Siegmund, 4909 N. Creek Wood Dr.; and Chase Sybert, 1316 Cudmore St.

ADJOURNMENT:

45530 By general consent, the City Council adjourned.

The meeting adjourned at 7:49 p.m.



Minutes transcribed by Paula Heyde, CMC, City Clerk.