

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

September 21, 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, September 21, 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	(90-02)
	Councilmember Brenda Blessing	(88-04)
	Councilmember Madison Davis	(87-05)
	Councilmember PJ Kovac	(76-16)
	Councilmember Russell Moore	(91-01)
	Councilmember Brian Myers	(86-06)
	Councilmember Marty Novak	(88-04)
	Councilmember Kent O'Dell	(80-12)
Members absent:	Councilmember Gary Roach	(80-12)

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

Also present were Interim City Manager Chris Connally, City Attorney Bryan Carter, Parks, Recreation & Civic Facilities Director Chuck Kempf, Health Director Debra Bradley, Planning & Community Development Director Clint Thompson, Human Resources Director Amy Cohorst, Acting Police Chief Eric Protzman, Aviation Manager Abe Forney, Asst. to City Manager/Communications & Public Relations Manager Mary Robertson, Budget & Financial Analyst Rich Karleskint, Multimedia Planner Ed Schilling and City Clerk Paula Heyde.

Under the Council voting rotation system, Councilmember Novak voted first.

Agenda
Number

MINUTES:

45542 Minutes of the regular meeting held September 8, 2020, at 5:30 p.m., and the special meeting held September 10 at 4:00 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

None.

(Continued on next page)

(September 21, 2020, Council Meeting, Continued)

Agenda
Number

ACCEPTANCE OF AGENDA:

45543 It was moved by Councilmember Moore and seconded by Councilmember Myers that the Agenda be accepted as published with the addition of one bill for first reading (Bill #899-18) being placed on the Agenda. Motion carried. Ayes, Novak, O'Dell, Blessing, Davis, Kovac, McMurray, Moore, Myers--8. Absent, Roach--1.

CONSENT AGENDA:

45544 It was moved by Councilmember Novak and seconded by Councilmember O'Dell that Agenda Numbers 45545 through 45557 be passed by Consent Agenda. Motion carried. Ayes, Novak, O'Dell, Blessing, Davis, Kovac, McMurray, Moore, Myers--8. Absent, Roach--1.

Nominations and Appointments:

45545 Filed 9/8/20: The nomination by Mayor McMurray was approved, appointing Kathy Hill Bahner, 3504 E. Colony Square, as a member of the Land Bank Advisory Committee for a term expiring October 7, 2023; she is being reappointed.

45546 Filed 9/8/20: The nomination by Councilmember Kovac was approved, appointing David Bezona, 401 S. 12th Street, as a member of the Land Bank Advisory Committee for a term expiring October 7, 2023; he is being reappointed.

45547 Filed 9/8/20: The nomination by Councilmember Blessing was approved, appointing Jim W. Dierberger, 3117 Morton Lane, as a member of the Landmark Commission for a term expiring September 29, 2023; he is replacing Lisa Rock, whose term expires on September 29, 2020.

45548 Filed 9/10/20: The nomination by Councilmember Davis was approved, appointing Jenny Gann, 3607 E. Colony Square, as a member of the Land Bank Advisory Committee for a term expiring October 7, 2023; she is being reappointed.

45549 Filed 9/14/20: The nomination by Councilmember Myers was approved, appointing Mary Kottenstette, 208 N. 19th Street, as a member of the Land Bank Advisory Committee for a term expiring October 7, 2022; she is filling the vacancy created by the resignation of Kim Schutte.

Bills for Passage:

45550 (S.O. 9785) 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, having been read the first time on September 8, 2020, was read the second time and passed.

45551 (S.O. 9786) 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, having been read the first time on September 8, 2020, was read the second time and passed.

(Continued on next page)

(September 21, 2020, Council Meeting, Continued)

Agenda
Number

CONSENT AGENDA: (Cont'd)

Resolutions for Adoption:

- 45552 (Resolution No. 45552 – 4651) A Resolution (#889-18) authorizing execution of a Transportation Consolidated Planning Grant Supplemental Agreement with the Kansas Department of Transportation (KDOT) in the amount of \$19,879.00 with the City contributing matching funds in the amount of \$4,969.75 to assist in Metropolitan Planning Organization (MPO) transportation planning activities within the St. Joseph urbanized area, was read and adopted.
- 45553 (Resolution No. 45553 – 4652) A Resolution (#890-18) accepting the proposal from OCHS/Minnesota Life in the total amount of \$19,489.32 for life insurance services for the employees of the Mass Transit Division, was read and adopted.
- 45554 (Resolution No. 45554 – 4653) A Resolution (#891-18) accepting the proposal from RPS Benefits by Design/the Standard in the total amount of \$11,223.87 for long term disability insurance services for Mass Transit Division employees, was read and adopted.
- 45555 (Resolution No. 45555 – 4654) A Resolution (#892-18) authorizing execution of contracts with eleven social service agencies in the total amount of \$371,200.00 as provided in the First Year Annual Plan for use of Community Development Block Grant funds for Fiscal Year 2020/2021, was read and adopted.
- 45556 (Resolution No. 45556 – 4655) A Resolution (#896-18) authorizing the filing of a grant application with the Missouri Department of Public Safety, Missouri Region H Homeland Security office in the amount of \$5,527.00 to be used to obtain equipment for the Police Department, was read and adopted.
- 45557 (Resolution No. 45557 – 4656) A Resolution (#897-18) authorizing the execution of a one-year service agreement with Lineage, Inc. and a one-year lease agreement with Mail Finance, Inc. to provide mail machine and folder/insertor lease services with two additional one-year extensions subject to the annual appropriation process for a total annual cost of \$14,126.04, was read and adopted.

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

NOMINATIONS AND APPOINTMENTS:

- 45558 Filed 9/3/20: It was moved by Councilmember Davis and seconded by Councilmember Moore that the nomination by Mayor McMurray appointing Brandon Tritton, 4330 S. Stonecrest Circle, to serve as a member of the Planning Commission for a term expiring August 5, 2023, be withdrawn. Motion carried. Ayes, Novak, O'Dell, Blessing, Davis, Kovac, McMurray, Moore, Myers--8. Absent, Roach--1.

BILLS FOR PASSAGE:

- 45559 (S.O. 9787) 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, having been read the first time on September 8, 2020, was read the second time and passed. Ayes, Blessing, Davis, McMurray, Moore, Myers--5. Nays, Novak, O'Dell, Kovac--3. Absent, Roach--1.
- 45560 It was moved by Councilmember Myers and seconded by Councilmember Blessing that Bill #885-18 be amended before consideration for passage by substituting a new ordinance and attachments in place of the ones originally filed. Motion carried. Ayes, Novak, O'Dell, Blessing, Davis, Kovac, McMurray, Moore, Myers--8. Absent, Roach--1.

(Continued on next page)

(September 21, 2020, Council Meeting, Continued)

**Agenda
Number**

BILLS FOR PASSAGE: (Cont'd)

- 45561 (S.O. 9788) 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, having been read the first time on September 8, 2020, was read the second time and passed. Ayes, Novak, O'Dell, Blessing, Davis, McMurray, Moore, Myers--7. Nay, Kovac--1. Absent, Roach--1.
- 45562 It was moved by Councilmember Blessing and seconded by Councilmember Moore that Bill #883-18 be amended before consideration for passage by substituting a new ordinance and attachments in place of the ones originally filed. Motion carried. Ayes, Novak, O'Dell, Blessing, Davis, Kovac, McMurray, Moore, Myers--8. Absent, Roach--1.
- 45563 (S.O. 9789) 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, having been read the first time on September 8, 2020, was read the second time and passed. Ayes, Novak, O'Dell, Blessing, Davis, Kovac, McMurray, Moore, Myers--8. Absent, Roach--1.

EMERGENCY BILLS FOR PASSAGE:

None.

RESOLUTIONS FOR ADOPTION:

None.

BILLS FOR FIRST READING:

- 45564 A Bill (#893-18) sponsored by Councilmember Novak authorizing execution of an amended Grant Agreement with Habitat for Humanity to reduce the number of homes constructed at 14th and Duncan Street from seven (7) homes to five (5) homes, was introduced and read the first time.
- 45565 A Bill (#894-18) sponsored by Councilmember Davis authorizing an amendment to Chapter 28 "Traffic and vehicles" of the Code of Ordinances to enact a new Section 28-435 entitled "Endangerment of a road worker" that would penalize a driver for endangering a City road worker, was introduced and read the first time.
- 45566 A Bill (#895-18) sponsored by Councilmember Kovac authorizing a Lump Sum Contract with Roberts Roofing Co. in a total amount not to exceed \$68,450.00 for the roof replacement at the Remington Nature Center and authorizing an amendment to the budget to transfer \$18,450.00 from the Capital Projects Fund to the General Fund, Nature Center Program to provide additional funds to complete the roof replacement, was introduced and read the first time.
- 45567 A Bill (#898-18) sponsored by Councilmember Blessing amending Chapter 18, titled "Human Rights" of the City Code of Ordinances to modify Section 18-1, "Purposes of chapter," and Section 18-101, "Definitions" and enact a new Section 18-2 titled "Conversion Therapy of Minors Prohibited," to prohibit the practice of conversion therapy for minors under the age of 18, was introduced and read the first time. (See Agenda No. 45570.)

(Continued on next page)

(September 21, 2020, Council Meeting, Continued)

Agenda
Number

BILLS FOR FIRST READING: (Cont'd)

45568 A Bill (#899-18) sponsored by Mayor McMurray authorizing execution of an Employment Agreement with Gary Edwards to serve as the City Manager of the City of St. Joseph, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 9/2/20: Minutes of the Landmark Commission meeting held August 4, 2020, at 7:00 p.m., in the Council Chamber at City Hall.

Filed 9/3/20: Minutes of the Community Police Advisory Committee meeting held September 1, 2020, at 7:00 p.m., at the Law Enforcement Center, 501 Faraon Street.

Filed 9/8/20: Minutes of the Human Rights Commission meeting held August 18, 2020, at 5:30 p.m., in the 4th Floor Conference Room at City Hall.

Filed 9/10/20: Minutes of the Museum Oversight Board meeting held August 17, 2020, at 11:30 a.m., at the Wyeth-Tootle Mansion, 1100 Charles St.

Filed 9/10/20: Minutes of the Planning Commission meeting held September 10, 2020, at 7:00 p.m., in the Council Chamber at City Hall.

WORK SESSION MINUTES – CITY CLERK’S OFFICE:

None.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

Filed 9/3/20: Memorandum in re: Acting Interim City Manager (September 4 – 6, 2020).

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 9/2/20: Minutes of the St. Joseph Museums Executive/Finance/Personnel Committee meeting held August 20, 2020, at 4:00 p.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 9/3/20: Minutes of the St. Joseph Museums Membership Committee meeting held August 13, 2020, at 3:05 p.m., at St. Joseph Museums, 3406 Frederick Avenue, via Zoom.

Filed 9/3/20: Letter from Mary Burnett, 5320 Huntoon Road, in re: Mask mandate.

Filed 9/3/20: Letter from Martha Ellison, 130 N. Ryan’s Way in re: Mask ordinance.

Filed 9/3/20: Business Licenses Report, August 2020.

Filed 9/3/20: Duplex Housing Rental Property Licenses Report, August 2020.

Filed 9/3/20: Property Maintenance Activity Report, August 2020.

(Continued on next page)

(September 21, 2020, Council Meeting, Continued)

Agenda
Number

COMMUNICATIONS: (Cont'd)

Filed 9/3/20: Building Permits Issued Report, August 2020.

Filed 9/3/20: Single Family Rental Property Licenses Report, August 2020

Filed 9/4/20: City Link, September 3, 2020.

Filed 9/4/20: Minutes of the St. Joseph Museums Fundraising Committee meeting held August 13, 2020, at 4:03 p.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 9/4/20: Human Resources Department Monthly Activity Report, August 2020.

Filed 9/8/20: Minutes of the Sustainable Environment Advisory Committee meeting held August 19, 2020, at 3:30 p.m., via Zoom.

Filed 9/9/20: Minutes of the Mayor's Blue Ribbon Crime Advisory Subcommittee meeting held September 2, 2020, at 12:00 p.m., at the Bartlett Center, 409 South 18th Street.

Filed 9/9/20: Municipal Division Summary Reporting, August 2020.

Filed 9/9/20: Email from Kim Schutte, 1923 Francis St., in re: Resignation from the Land Bank Advisory Committee.

Filed 9/10/20: Health Department Monthly Statistical Report, August 2020.

Filed 9/10/20: Email from Lexi Moore in re: Concern regarding Human Rights Commission Chairperson.

Filed 9/11/20: City Link, September 10, 2020.

Filed 9/14/20: Parks, Recreation and Civic Facilities Department Monthly Update, August 2020.

Filed 9/14/20: Police Department Monthly Activity Report Highlights, August 2020.

Filed 9/15/20: Memorandum from Clint Thompson, Planning & Community Development Director, in re: Update on Downtown YMCA.

Filed 9/15/20: Letter from Timothy P. McGrail, Deputy Director, Missouri Gaming Commission, in re: State/Local Allocation of Gaming Revenues for August, 2020.

OTHER BUSINESS:

45569 City Manager's Report – Interim City Manager Chris Connally said the Missouri River Levee left bank ribbon cutting will be September 23. Also, that morning at 8:30 a.m., Secretary Ashcroft will be at City Hall encouraging people to vote. On September 25 there will be a dedication for the healing memorial for Crime Victims at the Remington Nature Center at 5:30 p.m.

PUBLIC COMMENT:

Brad Durham, 10260 Vineyard Court, spoke about the mandatory mask requirement and the process for introducing a new bill regarding the subject at the last Council meeting.

(Continued on next page)

(September 21, 2020, Council Meeting, Continued)

Agenda
Number

PUBLIC COMMENT: (Cont'd)

Roger Brumley, 4613 N. Heatherwood Drive, asked some questions about Bill #898-18 and asked if the Council was very clear on the ramifications of not having clear definitions for the conversion therapy; how far do you go to silence those who are opposed to this gender identity change from male to female to multiple gender identities. He said he has been working with the agencies helping with the homes damaged by the flooding in the south end and they just completed 102 homes that are ready to be rebuilt.

- 45570 It was moved by Councilmember Davis and seconded by Councilmember Moore to withdraw Bill #898-18 (under "Bills for First Reading") from the agenda, that a Council work session be scheduled, that the public be able to meet with the Human Rights Commission (on October 20, 2020) to discuss any concerns and then this can come back to the City Council thereafter as a first reading. Motion carried. Ayes, Novak, O'Dell, Davis, Kovac, McMurray, Moore--6. Nays, Blessing, Myers--2. Absent, Roach--1. (See Agenda No. 45567.)

Interim City Manager Connally suggested that the Council work session be held after the Human Rights Commission meeting in order for the Council to have the most up-to-date information.

Councilmember Davis asked that the work session be held in person.

Mayor McMurray said a work session would be scheduled between October 20 and November 2.

Brad Kerns, President of the Fraternal Order of Police (FOP) Lodge #3, thanked the Council for its support; it means a lot to the men and women of the FOP.

Kenny Reeder, 4000 River Road, on behalf of Public Citizens Local & Associates, spoke about the closing of the downtown YMCA.

ADJOURNMENT:

- 45571 By general consent, the Council adjourned.

The meeting adjourned at 6:35 p.m.



Minutes transcribed by Paula Heyde, CMC, City Clerk.