

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

March 22, 2021 - 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, March 22, 2021, 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	(107-02)
	Councilmember Brenda Blessing	(104-05)
	Councilmember Madison Davis	(104-05)
	Councilmember PJ Kovac	(93-16)
	Councilmember Russell Moore	(106-03)
	Councilmember Brian Myers	(102-07)
	Councilmember Marty Novak	(104-05)
	Councilmember Kent O'Dell	(97-12)
	Councilmember Gary Roach	(93-16)

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

Also present were Interim City Manager/City Attorney Bryan Carter, Police Chief Chris Connally, 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, Detective Division Commander Eric Protzman, Supe. Streets/Sewer Division Keven Schneider, Airport Manager Abe Forney, 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 Davis voted first.

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MINUTES:

45914 By general consent, the minutes of the regular meeting held March 8, 2021, at 5:30 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

None

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(March 22, 2021, Council Meeting, Continued)

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ACCEPTANCE OF AGENDA:

45915 It was moved by Councilmember Davis and seconded by Councilmember Novak that the Agenda be accepted as published. Motion carried. Ayes, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell, Roach, Blessing--9.

CONSENT AGENDA:

45916 It was moved by Councilmember Roach and seconded by Councilmember O'Dell that Agenda Numbers 45917 through 45938 be passed by Consent Agenda. Motion carried. Ayes, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell, Roach, Blessing--9.

Nominations and Appointments:

45917 Filed 3/9/21: The nomination by Mayor McMurray was approved, appointing Rev. Dr. David Mason, 2901 Mitchell Avenue, as a member of the Human Rights Commission, subject to the concurrence of the City Council, for a term expiring October 8, 2021; he is filling a vacancy on the commission.

45918 Filed 3/9/21: The nomination by Councilmember Blessing was approved, appointing Alec Jennings, 2530 Pacific Street, as a member of the Landmark Commission, subject to the concurrence of the City Council, for a term expiring October 21, 2022; he is filling a vacancy on the commission.

45919 Filed 3/10/21: The nomination by Councilmember Novak was approved, appointing Johanna Pruitt, 4310 Leighton Court, as a member of the Zoning Board of Adjustment, subject to the concurrence of the City Council, for a term expiring March 22, 2026; she is replacing Terry Hall whose term has expired.

Bills for Passage:

45920 (G.O. 2979) A Bill (#1041-18) sponsored by Councilmember O'Dell authorizing an amendment to portions of Article V titled "Trees" of Chapter 25 "Streets, sidewalks and miscellaneous public places," of the Code of Ordinances to make changes recommended by the Tree Board, having been read the first time on March 8, 2021, was read the second time and passed.

45921 (G.O. 2980) A Bill (#1038-18) sponsored by Councilmember Davis amending Section 28-1590 "Parking prohibited at any time" of Chapter 28 "Traffic and Vehicles" of the Code of Ordinances to prohibit parking on the north side of Penn Street from 34th Street east 160 feet, having been read the first time on March 8, 2021, was read the second time and passed.

45922 (S.O. 9865) A Bill (#1043-18) sponsored by Councilmember O'Dell approving the final plat entitled "London Addition," a major commercial subdivision consisting of two (2) lots proposed for the property located at 1801 N. Woodbine, as requested by Dan McChristy, having been read the first time on March 8, 2021, was read the second time and passed.

45923 (S.O. 9866) A Bill (#1042-18) sponsored by Councilmember Kovac authorizing an amendment to the General Fund budget and acceptance of insurance reimbursement for damage to the Bode Sports Complex all in the amount of \$67,258.00, having been read the first time on March 8, 2021, was read the second time and passed.

45924 (S.O. 9867) A Bill (#1037-18) sponsored by Councilmember Moore authorizing execution of a Police Department Working Agreement between City of St. Joseph, Missouri and Fraternal Order of Police, Lodge #3, having been read the first time on March 8, 2021, was read the second time and passed.

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

- 45925 (S.O. 9868) A Bill (#1040-18) sponsored by Councilmember Moore authorizing an amendment to the Capital Projects Fund and execution of Work Order MID21-03 with Midland Surveying, Inc. in an amount not to exceed \$2,286.00 for work associated with the platting of the land for the new Fire Station #8, having been read the first time on March 8, 2021, was read the second time and passed.
- 45926 (S.O. 9869) A Bill (#1036-18) sponsored by Councilmember Roach authorizing the execution of Master Agreements for On Call Routine Maintenance and Emergency Repairs for the City's wastewater treatment facility with Sprague Excavating Company, Inc. and Garney Companies, Inc., having been read the first time on March 8, 2021, was read the second time and passed.
- 45927 (S.O. 9870) A Bill (#1039-18) sponsored by Councilmember Davis authorizing a Lease Agreement with K & T Bubbas BBQ, LLC., for lease of the Airport Diner at Rosecrans Memorial Airport in the amount of \$400.00 per month, having been read the first time on March 8, 2021, was read the second time and passed.
- 45928 (S.O. 9871) A Bill (#1044-18) sponsored by Councilmember Davis authorizing execution of a Funding Agreement with the Community Foundation of Northwest Missouri, Inc. and an amendment to the General Fund Cell Phone Program and Aviation Fund budgets all in the amount of \$15,000.00 to provide funds to support the 2021 Sound of Speed Airshow at Rosecrans Memorial Airport, having been read the first time on March 8, 2021, was read the second time and passed.

Resolutions for Adoption:

- 45929 (Resolution No. 45929 – 4709) A Resolution (#1047-18) authorizing the issuance of Work Order Number SPR21-09 in an amount not to exceed \$93,084.99 for the inspection of the South St. Joseph Industrial Sewer District (SSJISD) force main investigation project utilizing the master agreement with Sprague Excavating Co., Inc., was read and adopted.
- 45930 (Resolution No. 45930 – 4710) A Resolution (#1048-18) authorizing the purchase of one Tymco regenerative air sweeper in the amount of \$256,179.00 from Armor Equipment to be used by the Streets Maintenance Division, was read and adopted.
- 45931 (Resolution No. 45931 – 4711) A Resolution (#1049-18) sponsored by Councilmembers Myers and Novak stating the determination that Friends of the Animal Shelter has met the fundraising obligation that was required for \$1,000,000.00 in 2019 Capital Improvement Program funds to be available for the Design and Construction of a new animal shelter, was read and adopted.
- 45932 (Resolution No. 45932 – 4712) A Resolution (#1050-18) authorizing execution of a contract with Herner Construction Inc. in the amount of \$289,716.00 for the John Lucas Park Renovation Project, was read and adopted.
- 45933 (Resolution No. 45933 – 4713) A Resolution (#1051-18) authorizing the execution of Service Agreements with Cintas Corporation to provide uniform rental services and Unifirst Corporation for mat, mop and towel rental services for the City of St. Joseph, was read and adopted.
- 45934 (Resolution No. 45934 – 4714) A Resolution (#1055-18) authorizing renewal of term life and accidental death & dismemberment insurance coverage from Municipal Pool through Minnesota Life for City employees and others covered by the City's group term life and accidental death & dismemberment insurance plan, was read and adopted.

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CONSENT AGENDA: Resolutions for Adoption: (Cont'd)

- 45935 (Resolution No. 45935 – 4715) A Resolution (#1056-18) authorizing renewal of group dental insurance coverage from Cigna Group for City employees and others covered by the City’s group dental insurance plan, was read and adopted.
- 45936 (Resolution No. 45936 – 4716) A Resolution (#1057-18) authorizing renewal of group health insurance for City employees and others covered by the City’s group health insurance plan with Blue Cross Blue Shield of Kansas City, was read and adopted.
- 45937 (Resolution No. 45937 – 4717) A Resolution (#1058-18) authorizing renewal of group long term disability insurance coverage from Cigna Group for City employees and others covered by the City’s group long term disability insurance plan, was read and adopted.
- 45938 (Resolution No. 45938 – 4718) A Resolution (#1059-18) authorizing renewal of voluntary group vision insurance coverage from Superior for City employees and others covered by the City’s group vision insurance plan, was read and adopted.

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

NOMINATIONS AND APPOINTMENTS:

None.

BILLS FOR PASSAGE:

None.

EMERGENCY BILLS FOR PASSAGE:

- 45939 (S.O. 9872) An Emergency Bill (#1062-18) sponsored by Councilmember Davis authorizing the execution of a unit price contract with Herzog Contracting Corporation in a total amount not to exceed \$6,087,975.00 for the Annual Asphalt Street Resurfacing Program and an amendment to the General Fund Street Enhancement Use Tax Program budget in the amount of \$1,700,000.00 to provide additional funding for the FY21 Resurfacing Project, was introduced, read and passed. Ayes, Davis, Kovac, McMurray, Moore, Myers, Novak, O’Dell, Roach, Blessing--9.
- 45940 (G.O. 2981) An Emergency Bill (#1064-18) sponsored by Councilmember Novak amending Chapter 17 “Health and Sanitation” of the Code of Ordinances to repeal Section 17-5, titled “COVID-19 Pandemic Regulations,” was introduced, read and passed. Ayes, Davis, Kovac, McMurray, Myers, Novak, O’Dell, Roach--7. Nays, Moore, Blessing--2.

RESOLUTIONS FOR ADOPTION:

- 45941 (Resolution No. 45941 – 4719) A Resolution (#1046-18) authorizing the execution of a lump sum contract with Action Electric Corp. in an amount not to exceed \$121,194.00 for the electrical installation at the new sewer maintenance facilities, was read and adopted. Ayes, Davis, Kovac, McMurray, Moore, Myers, Novak, O’Dell, Roach, Blessing--9.

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RESOLUTIONS FOR ADOPTION:

- 45942 (Resolution No. 45942 – 4720) A Resolution (#1054-18) of official intent of the City Council of the City of St. Joseph, Missouri, for the issuance of the City’s Taxable Industrial Development Revenue Bonds in a principal amount of approximately \$25,500,000 to finance a project for the benefit of Cereal Ingredients, Inc., approving certain incentives to be offered to said company, and authorizing certain actions relating thereto, was read and adopted. Ayes, Davis, Kovac, McMurray, Moore, Myers, Novak, O’Dell, Roach, Blessing--9.
- 45943 It was moved by Councilmember Davis and seconded by Councilmember Myers that the debate be closed and the question on Bill #1063-18 be put. Motion carried. Ayes, Davis, Kovac, McMurray, Myers, Novak, O’Dell, Roach, Blessing--8. Nay, Moore--1.
- 45944 (Resolution No. 45944 – 4721) A Resolution (#1063-18) sponsored by Councilmember Novak stating support for termination of the Mayor’s Declaration and Order issued pursuant to Section 2-1454 of the Code of Ordinances requiring measures be employed to protect public life, health, safety and property to limit the development, contraction and spread of COVID-19 by requiring six foot social distancing or the use of face coverings or masks when in indoor spaces other than residences and stating its recommendation to continue wearing face coverings or masks when in indoor public places, was read and adopted. Ayes, Davis, Kovac, Novak, O’Dell, Roach--5. Nays, McMurray, Moore, Myers, Blessing--4.

BILLS FOR FIRST READING:

- 45945 A Bill (#1045-18) sponsored by Councilmember O’Dell approving the final plat entitled “The Commons 2nd Plat,” a major commercial subdivision consisting of one (1) lot proposed for the property located at 4524 Commonwealth Drive, 4530 Commonwealth Drive, 4525 Commons Drive and 4531 Commons Drive, as requested by William Anderson, was introduced and read the first time.
- 45946 A Bill (#1052-18) sponsored by Councilmember Roach repealing Special Ordinance Numbers 7217 and 8236 and discontinuing the Sewer Backup Reimbursement Policy, was introduced and read the first time.
- 45947 A Bill (#1053-18) sponsored by Councilmember Kovac authorizing the execution of an Agreement with Interfaith Community Services (InterServ) for the operation of the Summer Jam Basketball League at the Bode Sports Complex, was introduced and read the first time.
- 45948 A Bill (#1060-18) sponsored by Councilmember Davis authorizing the exchange of multiple property rights and interests for five (5) tracts of land located at three (3) general locations throughout the city of St. Joseph, Missouri, between the Missouri Highways and Transportation Commission (MHTC) and the City of St. Joseph, was introduced and read the first time.
- 45949 A Bill (#1061-18) sponsored by Councilmember Davis authorizing an amendment to the Aviation Fund budget by transferring money received from the sale of equipment at the Purple Wave Auction in the amount of \$49,650.00 to be used for maintaining equipment and facilities at Rosecrans Memorial Airport, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 3/3/21: Minutes of the Landmark Commission meeting held February 2, 2021, at 5:30 p.m., at City Hall via video conferencing.

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REPORTS OF BOARDS & COMMISSIONS: (Cont'd)

Filed 3/4/21: Minutes of the Zoning Board of Adjustment meeting held March 1, 2021, at 4:00 p.m., at City Hall via video conferencing.

Filed 3/4/21: Minutes of the Land Bank Board meeting held March 1, 2021, at 1:00 p.m., in the Council Chamber at City Hall.

Filed 3/4/21: Minutes of the Community Police Advisory Committee meeting held March 2, 2021, at 7:00 p.m., at the Law Enforcement Center, 501 Faraon Street.

Filed 3/4/21: Minutes of the Social Welfare Board meeting held October 27, 2020, at 2:32 p.m., at Rogers Pharmacy, 3705 N. Belt Highway.

Filed 3/10/21: Minutes of the Administrative Violation Review Board meeting held February 3, 2021, at 2:13 p.m., in the 4th Floor Conference Room at City Hall.

Filed 3/11/21: Minutes of the Parks and Recreation Board meeting held February 18, 2021, at 4:00 p.m., at the Parks Admin office, 1920 Grand Avenue.

WORK SESSION MINUTES – CITY CLERK’S OFFICE:

Filed 3/8/21: Minutes of the Council Work Session held March 4, 2021, at 4:30 p.m., in the 4th Floor Conference Room at City Hall.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

None.

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 3/3/21: Human Resources Department Monthly Activity Report, February 2021.

Filed 3/3/21: Property Maintenance Activity report, February 2021.

Filed 3/3/21: Encumbrances \$5,000 to \$25,000 report, February 2021.

Filed 3/3/21: Police Department 2020 Annual Report.

Filed 3/5/21: Social Welfare Board activities for the month of February 2021.

Filed 3/5/21: City Link, March 4, 2021.

Filed 3/8/21: Minutes of the St. Joseph Museums Fundraising Committee meeting held February 5, 2021, at 3:00 p.m. at St. Joseph Museums, 3406 Frederick Avenue.

Filed 3/9/21: Email from Cate Manley, 2736 Mitchell Avenue, in re: Resignation from Housing Authority.

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COMMUNICATIONS: (Cont'd)

Filed 3/9/21: Commendations regarding Police Department staff.

Filed 3/10/21: Memorandum from Clint Thompson, Planning & Community Development Director, and Jim Haake, Chief Building Official/Floodplain Administrator, in re: SEMA floodplain maps.

Filed 3/11/21: Letter from Mayor McMurray in re: Appointment of Larry L. Douglas, 2805 Monterey Street, to the St. Joseph Housing Authority for a term expiring September 21, 2022; he is replacing Cate Manley, who has resigned.

Filed 3/11/21: City Link, March 11, 2021

Filed 3/11/21: Minutes of the St. Joseph Museums Executive/Finance Committee meeting held February 18, 2021, at 4:00 p.m. at St. Joseph Museums, 3406 Frederick Avenue.

Filed 3/15/21: Minutes of the Sustainable Environment Advisory Committee meeting held July 15, 2020, at 3:30 p.m., at City Hall via video conferencing.

Filed 3/15/21: Minutes of the Sustainable Environment Advisory Committee meeting held January 20, 2021, at 3:00 p.m., at City Hall via video conferencing.

Filed 3/15/21: Minutes of the Sustainable Environment Advisory Committee meeting held February 17, 2021, at 3:00 p.m., at City Hall via video conferencing.

Filed 3/15/21: Letter from Timothy P. McGrail, Deputy Director, Missouri Gaming Commission, in re: State/Local Allocation of Gaming Revenues, February 2021.

Filed 3/15/21: Police Department Monthly Activity Highlights, February 2021.

OTHER BUSINESS:

- 45950 City Manager's Report – Interim City Manager/City Attorney Bryan Carter said the City will be receiving COVID-19 stimulus funds reportedly just under \$39.7 million in two installments. The four specific categories those funds can be applied to are: 1) assistance for negative economic impact, 2) premium pay or grants premium pay for essential work, 3) recovery of losses and governmental revenue, and 4) investments in water, sewer or broadband infrastructure. A work session will be held sometime in late April or early May after the Treasury Dept. issues regulations regarding the expenditure of the funds. Meetings to review the FY2022 budget will be held May 3 through 12 in a slightly different format. The Water Protection Line Mtce. facility will not be advertised for sale as previously reported. At a request by Council to reconsider that decision and evaluate alternative uses of it, Parks and Police Departments have said they could use it for storage so the sale will be postponed. If any unique interest arises in the property, it will be brought back before the City Council. City staff is still negotiating with ASM Global on a consulting contract for the Krug Park amphitheater project. ASM Global has begun the process of soliciting firms to perform a feasibility and economic impact study. Clean Sweep is scheduled for April 1-7.

Councilmember O'Dell asked if City employees will now be able to drive two to a vehicle with the mask mandated lifted. Mr. Carter said new guidelines will be sent out to City employees tomorrow regarding when masks must be worn while working. Each department is reviewing their finances from the last year and evaluating where losses occurred and a method to recoup those losses will be proposed.

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PUBLIC COMMENT:

Kim Gorman, 3602 W. Colony Square, thanked the City Council for its support of the Friends of the Shelter and the proposed new shelter. They are really excited to get the project going and thrilled to be doing it together with the City.

NOTES:

Agenda No. 45941 – Councilmember O’Dell requested that a list of all contractors contacted by City staff be included in “Explanation to Council Letters” attached to ordinances and resolutions.

Agenda No. 45942 – Sarah Hochschwender, 1114 N. 6th St., asked for an explanation of where the funds come from and how much the St. Joseph School District will lose each year.

Brad Lau, St. Joseph Chamber of Commerce, 3003 Frederick Ave., explained Chapter 100 bonds and said the School District will not lose any tax dollars on this project.

Agenda No. 45943-44 – Pat Dillon, 2731 Frederick Ave., spoke on behalf of some Mosaic Life Care doctors who recommend and request that the City Council let the declaration continue naturally and expire on its natural time frame in three or four weeks. They are also concerned if there is a spike, that it will be very difficult to asking the community to go back to masking.

Colleen O’Brien, 4334 Stonecrest, thinks wearing masks has gone way to long and hurting businesses, people and children.

ADJOURNMENT:

45951 By general consent, the Council adjourned.

The meeting adjourned at 6:28 p.m.



Minutes transcribed by Paula Heyde, CMC, City Clerk.