

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

May 17, 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, May 17, 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	(114-02)
	Councilmember Brenda Blessing	(111-05)
	Councilmember Madison Davis	(111-05)
	Councilmember Russell Moore	(113-03)
	Councilmember Brian Myers	(108-08)
	Councilmember Marty Novak	(111-05)
	Councilmember Kent O'Dell	(104-12)
	Councilmember Gary Roach	(100-16)
Members absent:	Councilmember PJ Kovac	(98-18)

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, Asst. Public Works & Transportation Director Brady McKinley, Aviation Manager Abe Forney, Asst. City Attorney Jason Soper, 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 Myers voted first.

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MINUTES:

46057 By general consent, the minutes of the regular meeting held May 3, 2021, at 5:30 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

46058 Proclamation – Building Safety Month

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(May 17, 2021, Council Meeting, Continued)

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ACCEPTANCE OF AGENDA:

- 46059 It was moved by Councilmember Novak and seconded by Councilmember O'Dell that the Agenda be accepted as published with the addition of one emergency bill for passage (Bill #1126-18) being placed on the Agenda. Motion carried. Ayes, Myers, Novak, O'Dell, Roach, Blessing, Davis, McMurray, Moore--8. Absent, Kovac--1.

CONSENT AGENDA:

- 46060 It was moved by Councilmember Roach and seconded by Councilmember Novak that Agenda Numbers 46061 through 46073 be passed by Consent Agenda. Motion carried. Ayes, Myers, Novak, O'Dell, Roach, Blessing, Davis, McMurray, Moore--8. Absent, Kovac--1.

Nominations and Appointments:

- 46061 Filed 5/7/21: The nomination by Councilmember Myers was approved, appointing, Cristin Coffman, 1501 5th Avenue, as a member of the Downtown Review Board, subject to the concurrence of the City Council, for a term expiring May 21, 2024; she is being reappointed.

Bills for Passage:

- 46062 (S.O. 9895) A Bill (#1095-18) sponsored by Mayor McMurray authorizing execution of an Employment Agreement with Bryan Carter to serve as the City Manager of the City of St. Joseph, having been read the first time on May 3, 2021, was read the second time and passed.
- 46063 (S.O. 9896) A Bill (#1096-18) sponsored by Councilmember Davis authorizing the execution of a Marketing Service Agreement with Tico Productions, LLC, in a total amount not to exceed \$43,000.00 to provide marketing services to promote St. Joseph Transit, having been read the first time on May 3, 2021, was read the second time and passed.
- 46064 (S.O. 9897) A Bill (#1097-18) sponsored by Councilmember Davis authorizing execution of a Cooperative Pay-Back Agreement for Road Construction with the County Commission of Buchanan County, Missouri, a Reimbursement Agreement with Greystone Partners, LLC and a Change Order No. 2 with Herzog Contracting Corp. and an amendment to the Street Enhancement Use Tax Program budget to accept funds in the amount of \$421,648.00 for the costs associated with the agreements, having been read the first time on May 3, 2021, was read the second time and passed.
- 46065 (S.O. 9898) A Bill (#1099-18) sponsored by Councilmember Davis authorizing the execution of a Cooperative Agreement for maintenance and snow removal for perimeter roads and streets with Buchanan County, Missouri, having been read the first time on May 3, 2021, was read the second time and passed.
- 46066 (S.O. 9899) A Bill (#1100-18) sponsored by Councilmember Moore authorizing acceptance of a Bulletproof Vest Partnership Grant from the U.S. Bureau of Justice and an amendment to the Police Department budget in the General Fund all in the amount of \$7,293.00 to purchase bulletproof vests for police officers, having been read the first time on May 3, 2021, was read the second time and passed.
- 46067 (S.O. 9900) A Bill (#1101-18) sponsored by Councilmember Moore authorizing an amendment to the Animal Control and Rescue Program budget in the General Fund and acceptance of a donation from Petco Love Lifesaving Impact Award in the amount of \$20,000.00 to be used toward renovation of a new animal shelter, having been read the first time on May 3, 2021, was read the second time and passed.

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

- 46068 (S.O. 9901) A Bill (#1104-18) sponsored by Councilmember Kovac authorizing execution of an agreement with St. Joseph School District for the use of Noyes Complex Ball Field located west of Noyes Boulevard and north of Messanie Street, south of the Noyes Complex track and northeast of the St. Joseph Aquatic Park, consisting of one baseball field to allow Missouri State High School Athletic Association sanctioned or other approved practice, play and/or tournaments promoting high school athletics for a ten-year term, having been read the first time on May 3, 2021, was read the second time and passed.
- 46069 (S.O. 9902) A Bill (#1105-18) sponsored by Councilmember Kovac granting driveway access onto Ashland Avenue on the parkway system for the residence at 3022 Ashland Avenue as requested by Paul Ideker to allow for the construction of a second driveway access on his property, having been read the first time on May 3, 2021, was read the second time and passed.
- 46070 (S.O. 9903) A Bill (#1106-18) sponsored by Councilmember Moore authorizing an amendment to the General Fund Clinic Services Program budget in the amount of \$55,000.00 to recognize increased funding received from the Epidemiology and Laboratory Capacity Cares Contract with the Missouri Department of Health and Senior Services, having been read the first time on May 3, 2021, was read the second time and passed.
- 46071 (S.O. 9904) A Bill (#1108-18) sponsored by Councilmember Davis authorizing an amendment to the Aviation Fund budget and the purchase and delivery of two (2) used 2006 International plow trucks to be used at Rosecrans Memorial Airport from M-B Companies all in the amount of \$97,300.00, having been read the first time on May 3, 2021, was read the second time and passed.

Resolutions for Adoption:

- 46072 (Resolution No. 46072 – 4736) A Resolution (#1111-18) approving the appointment of three board members to the Tuscany Village Project I Community Improvement District, was read and adopted.
- 46073 (Resolution No. 46073 – 4737) A Resolution (#1121-18) authorizing the execution of a Unit-Price Contract with Scott Gann Construction for the Corby Pond Restoration Project in the amount of \$836,757.00, was read and adopted.

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

NOMINATIONS AND APPOINTMENTS:

None.

BILLS FOR PASSAGE:

- 46074 (S.O. 9905) A Bill (#1084-18) sponsored by Mayor McMurray abating administrative penalties totaling \$11,243.31 on the property located at 518 South 12th Street to allow St. Joseph Land Bank to acquire and market property for redevelopment, having been read the first time on April 19, 2021, was read the second time and passed. Ayes, Myers, Novak, O'Dell, Roach, Blessing, Davis, McMurray, Moore--8. Absent, Kovac--1.

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BILLS FOR PASSAGE: (Cont'd)

46075 It was moved by Councilmember Myers and seconded by Councilmember Davis that a Bill (#1109-18) sponsored by Councilmember Davis authorizing the execution of a Missouri Highway and Transportation Commission (MHTC) Public Transit Operating Assistance Grant Agreement in the amount of \$19,757.00 for the Mass Transit Division, be withdrawn. Motion carried. Ayes, Myers, Novak, O'Dell, Roach, Blessing, Davis, McMurray, Moore--8. Absent, Kovac--1.

EMERGENCY BILLS FOR PASSAGE:

46076 (S.O. 9906) An Emergency Bill (#1126-18) sponsored by Mayor McMurray authorizing execution of an agreement with the U.S. Department of the Treasury and agreement to terms and conditions for the receipt of American Rescue Plan Act funds and to authorize acceptance of associated funds, was introduced, read and passed. Ayes, Myers, Novak, O'Dell, Roach, Blessing, Davis, McMurray, Moore--8. Absent, Kovac--1.

46077 It was moved by Councilmember Moore and seconded by Councilmember Blessing that Bill #1125-18 be amended before consideration to substitute a new bill in place of the one originally filed to make it an emergency bill for passage. Motion carried. Ayes, Myers, Novak, O'Dell, Roach, Blessing, Davis, McMurray, Moore--8. Absent, Kovac--1.

46078 (S.O. 9907) An Emergency Bill (#1125-18) sponsored by Councilmember Blessing authorizing execution of agreement with Newton Software, LLC and Paycor, Inc. to provide payroll and Human Resources software services in the amount of \$144,842.40 for one year, was introduced, read and passed. Ayes, Myers, Novak, O'Dell, Roach, Blessing, Davis, McMurray, Moore--8. Absent, Kovac--1.

RESOLUTIONS FOR ADOPTION:

None.

BILLS FOR FIRST READING:

46079 A Bill (#1110-18) sponsored by Councilmember Moore authorizing an amendment to the Police Department budget in the General Fund in the amount of \$41,201.00 to be used to assist with the purchase of outer vest carriers for police officers, was introduced and read the first time.

46080 A Bill (#1112-18) sponsored by Mayor McMurray stating the City's interpretation that it, rather than individual employees, is accepting responsibility for indemnification to the Missouri Highways and Transportation Commission (MHTC) when employees execute agreement between the City and the Commission, was introduced and read the first time.

46081 A Bill (#1113-18) sponsored by Councilmember Moore authorizing an amendment to the Police Department budget in the General Fund in the amount of \$6,950.00 to provide funds for the purchase of a lawnmower to be used at the outdoor range, was introduced and read the first time.

46082 A Bill (#1114-18) sponsored by Councilmember Davis authorizing an amendment to the Mass Transit Fund budget to allocate insurance proceeds received in the amount of \$7,275.52 for damages incurred to Bus No. 2058 from a traffic accident, was introduced and read the first time.

46083 A Bill (#1115-18) sponsored by Councilmember Davis authorizing an amendment to the Mass Transit Fund budget to allocate insurance proceeds received in the amount of \$13,566.00 for damages incurred to Bus No. 429 from a traffic accident, was introduced and read the first time.

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BILLS FOR FIRST READING: (Cont'd)

- 46084 A Bill (#1116-18) sponsored by Councilmember Davis authorizing the execution of a Transportation Alternatives Fund Supplemental Agreement with the Missouri Highways and Transportation Commission (MHTC) under which the MHTC will provide additional time for the construction of the 2018 Urban Trail Phase 24, Patee Branch Phase 3 Project, was introduced and read the first time.
- 46085 A Bill (#1117-18) sponsored by Councilmember Davis authorizing the execution of Change Order No. 3 to the Missouri Air National Guard Box Culvert Extension Contract with M-Con, LLC, for roadway rehabilitation and construction and extension of contract completion time and an amendment to the Aviation Fund budget all in an amount not to exceed \$162,775, was introduced and read the first time.
- 46086 A Bill (#1118-18) sponsored by Councilmember Davis authorizing execution of a Purchase Agreement with Burlington Northern Santa Fe Railroad (BNSF) for the acquisition of permanent right-of-way on multiple tracts of property to be used for the 2018 Urban Trail Phase 24 Patee Branch Phase 3 Project in the total amount of \$29,700.00, was introduced and read the first time.
- 46087 A Bill (#1119-18) sponsored by Councilmember Davis authorizing the execution of agreements for Professional Title Services with First American Title Insurance Company and Advantage Title, LLC to provide title services for City projects, was introduced and read the first time.
- 46088 A Bill (#1120-18) sponsored by Councilmember Davis authorizing the acceptance of Permanent Drainage Easements and the execution of Agreements for Sale of Permanent Drainage Easements with two property owners for the Bonds to Bridges Huntoon Road Project in the total amount of \$352.89, was introduced and read the first time.
- 46089 A Bill (#1122-18) sponsored by Councilmember O'Dell redistricting the property located at 2520 North 35th Street from C-3 Commercial District to R-1A, Single Family Residential District, as requested by Carolyn Niemann, was introduced and read the first time.
- 46090 A Bill (#1123-18) sponsored by Councilmember O'Dell approving the Preliminary Plat entitled "Ideker, Inc.," a major commercial subdivision consisting of one (1) lot proposed for the property located at 4614 South 40th Street, as requested by Paul Ideker, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 4/28/21: Minutes of the Downtown Review Board meeting held April 27, 2021, at 4:00 p.m., at City Hall via video conferencing.

Filed 4/29/21: Minutes of the Library Board of Trustees meeting held April 26, 2021, at 4:45 p.m., at the Downtown Library, 927 Felix Street via video conferencing.

Filed 5/3/21: Minutes of the Land Bank Board meeting held May 3, 2021, at 1:00 p.m. in the Council Chamber at City Hall.

Filed 5/3/21: Minutes of the Aviation Board meeting held April 7, 2021, at 11:30 a.m. in the Terminal Building Conference Room at Rosecrans Memorial Airport.

Filed 5/5/21: Minutes of the Landmark Commission meeting held April 6, 2021, at 5:30 p.m. at City Hall via video conferencing.

Filed 5/6/21: Minutes of the Museum Oversight Board meeting held April 23, 2021, at 9:00 a.m., at St. Joseph Museums, 3406 Frederick Avenue.

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REPORTS OF BOARDS & COMMISSIONS: (Cont'd)

Filed 5/10/21: Minutes of the Human Rights Commission meeting held April 20, 2021, at 6:00 p.m., in the 4th Floor Conference Room at City Hall.

Filed 5/11/21: Minutes of the Administrative Violation Review Board meeting held April 7, 2021, at 2:00 p.m., in the 4th Floor Conference Room at City Hall.

WORK SESSION MINUTES – CITY CLERK’S OFFICE:

Filed 5/7/21: Minutes of the Council Work Session held May 5, 2021, at 4:00 p.m., in the Council Chamber at City Hall.

Filed 5/12/21: Minutes of the Council Work Session held May 6, 2021, at 4:00 p.m., in the Council Chamber at City Hall.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

None.

DELEGATIONS, PETITIONS:

None.

COMMUNICATIONS:

Filed 4/28/21: The Social Welfare Board “The Clinic Beat” newsletter, March 2021.

Filed 4/29/21: Minutes of the St. Joseph Museums Black Archives Museum Committee meeting held April 13, 2021, at 3:00 p.m. at St. Joseph Museums, 3406 Frederick Avenue.

Filed 4/30/21: City Link, April 29, 2021.

Filed 5/3/21: Minutes of the Mayor’s Blue Ribbon Audit Advisory Committee meeting held April 28, 2021, at 12:30 p.m., in the 4th Floor Conference Room at City Hall.

Filed 5/4/21: Minutes of the St. Joseph Museums Fundraising Committee meeting held March 11, 2021, at 4:03 p.m., at St. Joseph, Museums, 3406 Frederick Avenue, via video conferencing.

Filed 5/5/21: Single Family Rental Property Licenses Report, April 2021.

Filed 5/5/21: Business Licenses Report, April 2021.

Filed 5/5/21: Building Permits Issued Report, April 2021.

Filed 5/5/21: Property Maintenance Activity Report, April 2021.

Filed 5/6/21: Municipal Division Summary Reporting, April 2021.

Filed 5/6/21: City Link, May 6, 2021.

Filed 5/10/21: Human Resources Department Annual Report, 2020

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COMMUNICATIONS: (Cont'd)

Filed 5/10/21: Minutes of the St. Joseph Museums Programming Committee meeting held May 5, 2021, at 1:30 p.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 5/11/21: Health Department Monthly Statistical Report, April 2021

Filed 5/11/21: Human Resources Department Monthly Activity Report, April 2021.

Filed 5/11/21: Amphitheater Feasibility Study prepared by Stone Planning, May 2021.

Filed 5/11/21: Amphitheater Economic Impact Study prepared by Stone Planning, May 2021.

OTHER BUSINESS:

46091 City Manager's Report – City Manager Bryan Carter said a special meeting will be held on May 19, 2021, to consider a special ordinance for a one-half cent park sales tax election to be used throughout the parks system on August 3, 2021.

46092 It was moved by Councilmember Davis and seconded by Councilmember Novak that the contract with ASM Global be terminated per the contract stipulations at the earliest opportunity (Resolution No. 45997). Motion carried. Ayes, Myers, Novak, O'Dell, Roach, Blessing, Davis, McMurray, Moore--8. Absent, Kovac--1.

Councilmember Roach asked some questions about the lawnmower for the police outdoor shooting range.

Councilmember Moore congratulated Bryan Carter on the removal of "interim" before his title of City Manager.

PUBLIC COMMENT:

Nancy Kelly, 2837 Renick St., asked that the sales tax proposition be read aloud so people know what they will be voting on, how the Civic Arena gets into the Parks Department, is the S.T.E.A.M. Festival receiving City funding and the status of the Hyde Park Splash Park.

Terry Turbak, 1321 Faraon St., asked about the funding of the stage repairs at Krug Park and she wants the Council to know that the Friends of Krug Park have been in contact with the Parks Department and Mr. Kempf is sending them a list of volunteer options that he can use help with and she is collecting names of volunteers to do some of that work at Krug Park.

NOTES:

Agenda No. 46058 – Mayor McMurray read the Proclamation and presented it to Planning & Community Development Director Clint Thompson.

ADJOURNMENT:

46093 By general consent, the City Council adjourned.

The meeting adjourned at 6:00 p.m.

Minutes transcribed by Paula Heyde, CMC, City Clerk.

