

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

July 26, 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, July 26, 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	(122-02)
	Councilmember Brenda Blessing	(119-05)
	Councilmember Madison Davis	(119-05)
	Councilmember PJ Kovac	(104-20)
	Councilmember Russell Moore	(121-03)
	Councilmember Brian Myers	(115-09)
	Councilmember Marty Novak	(119-05)
	Councilmember Kent O'Dell	(112-12)
	Councilmember Gary Roach	(108-16)

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

Also present were City Manager Bryan Carter, City Attorney Lisa Robertson, Police Chief Chris Connally, Interim Administrative Services Director Tom Mahoney, Interim Fire Chief Kenny Cordonnier, 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, 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 Davis voted first.

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MINUTES:

46309 By general consent, the minutes of the regular meeting held July 12, 2021, at 5:30 p.m., were approved as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

46310 Special Recognition Award – Dr. Carlos and Carol Moya

46311 Special Recognition Award – Rudolph Rau

46312 Special Recognition – Founder's Day: July 26

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ACCEPTANCE OF AGENDA:

- 46313 It was moved by Councilmember O'Dell 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.

PUBLIC HEARING ON ORDINANCE APPROVING A PRECISE PLAN:

- 46314 (S.O. 9948) A Bill (#1203-18) sponsored by Councilmember O'Dell repealing the Riverside Business Park Precise Plan attached to Special Ordinance Number 6648 and adopting a revised Riverside Business Park Precise Plan, having been read the first time on July 12, 2021, was read the second time and passed. Ayes, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell, Roach, Blessing--9.

PUBLIC HEARING ON ORDINANCES FOR REZONING:

- 46315 (G.O. 2993) A Bill (#1210-18) sponsored by Councilmember O'Dell redistricting the property located at 1901 Saint Joseph Avenue from M-1, Heavy Manufacturing District to C-3, Commercial District, as requested by Haroun Alhambra, having been read the first time on July 12, 2021, was read the second time and passed. Ayes, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell, Roach, Blessing--9.
- 46316 (G.O. 2994) A Bill (#1211-18) sponsored by Councilmember O'Dell redistricting the property located at 904 South 22nd Street from C-1, Neighborhood Shopping District to C-3, Commercial District, as requested by Mike Spiking and Curtis Howard, having been read the first time on July 12, 2021, was read the second time and passed. Ayes, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell, Roach, Blessing--9.
- 46317 (G.O. 2995) A Bill (#1212-18) sponsored by Councilmember O'Dell redistricting the property located at 2215 Garfield Avenue from M-2, Heavy Manufacturing District to R-1B, Detached Single Family Residential District, as requested by Marty Lyle on behalf of Lily and Sparky, LLC., having been read the first time on July 12, 2021, was read the second time and passed. Ayes, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell, Roach, Blessing--9.
- 46318 (G.O. 2996) A Bill (#1213-18) sponsored by Councilmember O'Dell redistricting the property located at 2103 Lafayette Street from R-2, Two-Family Residential District to C-3, Commercial District, as requested by the City of St. Joseph, having been read the first time on July 12, 2021, was read the second time and passed. Ayes, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell, Roach, Blessing--9.

CONSENT AGENDA:

- 46319 It was moved by Councilmember O'Dell and seconded by Councilmember Novak that Agenda Numbers 46320 through 46338 be passed by Consent Agenda. Motion carried. Ayes, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell, Roach, Blessing--9.

Nominations and Appointments:

- 46320 Filed 7/14/21: The nomination by Mayor McMurray was approved, appointing Larry R. Brown, 3318 Mueller Lane, as a member of the Human Rights Commission for a term expiring October 8, 2022.
- 46321 Filed 7/19/21: The nomination by Councilmember Novak was approved, appointing Karen Hauser, 1108 Felix Street, as a member of the Museum Oversight Board for a term expiring January 1, 2024; she is filling a vacancy on the Board.

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CONSENT AGENDA: (Cont'd)

Bills for Passage:

- 46322 (S.O. 9949) A Bill (#1202-18) sponsored by Councilmember Davis authorizing the submittal and execution of a Missouri Highways and Transportation Commission (MHTC) State Block Grant Agreement in the amount of \$412,410.00 for state assistance in financing a preliminary design report for the reconstruction of Runway 17/35 at Rosecrans Memorial Airport, having been read the first time on July 12, 2021, was read the second time and passed.
- 46323 (S.O. 9950) A Bill (#1204-18) sponsored by Councilmember O'Dell approving the final plat entitled "Triumph Foods" a major subdivision consisting of one (1) lot located at 5302 Stockyards Expressway, as requested by Mark Campbell, having been read the first time on July 12, 2021, was read the second time and passed.
- 46324 (S.O. 9951) A Bill (#1205-18) sponsored by Councilmember O'Dell approving the final plat entitled "Community of Christ Plat 2" a major subdivision consisting of two (2) lots located at 5130 Faraon Street, as requested by Lynn Wilson, having been read the first time on July 12, 2021, was read the second time and passed.
- 46325 (S.O. 9952) A Bill (#1206-18) sponsored by Councilmember O'Dell approving the final 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, having been read the first time on July 12, 2021, was read the second time and passed.
- 46326 (S.O. 9953) A Bill (#1207-18) sponsored by Councilmember O'Dell approving the preliminary plat entitled "Biozyme East," a major subdivision consisting of one (1) lot proposed for the property located at 4621 Easton Road, as requested by Robert Norton, having been read the first time on July 12, 2021, was read the second time and passed.
- 46327 (S.O. 9954) A Bill (#1208-18) sponsored by Councilmember O'Dell approving the preliminary plat entitled "KARS Addition," a major subdivision consisting of two (2) lots proposed for the property located at 6911 Memorial Highway, as requested by Richard and Kathy Shuster, having been read the first time on July 12, 2021, was read the second time and passed.
- 46328 (S.O. 9955) A Bill (#1209-18) sponsored by Councilmember O'Dell approving the preliminary plat entitled "Heath," a major subdivision consisting of one (1) lot proposed for the property located at 5012 and 5102 South 169 Highway, as requested by Scott Gann, having been read the first time on July 12, 2021, was read the second time and passed.
- 46329 (S.O. 9956) A Bill (#1215-18) sponsored by Mayor McMurray authorizing an amendment to the budget to recognize American Rescue Plan Act (ARPA) funds received from the Department of Treasury in Fiscal Year 2020-2021, having been read the first time on July 12, 2021, was read the second time and passed.
- 46330 (S.O. 9957) A Bill (#1217-18) sponsored by Councilmember Moore authorizing execution of a contract with the Missouri Department of Health and Senior Services and an amendment to the Public Health Department budget in the General Fund both in the amount of \$31,000.00 for the Overdose Data to Action (OD2A) contract, having been read the first time on July 12, 2021, was read the second time and passed.

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

46331 (S.O. 9958) A Bill (#1218-18) sponsored by Councilmember Moore authorizing execution of a contract with the Missouri Department of Health and Senior Services and an amendment to the Clinic Services Program budget in the General Fund both in the amount of \$182,913.00 for the COVID-19 and Adult Vaccination Supplemental Contract, having been read the first time on July 12, 2021, was read the second time and passed.

46332 (S.O. 9959) A Bill (#1219-18) sponsored by Councilmember Moore authorizing an amendment to the Public Health Department budget in the General Fund to budget carryover funding received from the Missouri Department of Health and Senior Services in the amount of \$19,279.00 for a supplement to the FY2021 Public Health Emergency Preparedness Grant, having been read the first time on July 12, 2021, was read the second time and passed.

Resolutions for Adoption:

46333 (Resolution No. 46333 – 4775) A Resolution (#1226-18) authorizing the filing of an application with the Bureau of Justice for a Bulletproof Vest Partnership Grant in the amount of \$14,586.00 for use by the St. Joseph Police Department, was read and adopted.

46334 (Resolution No. 46334 – 4776) A Resolution (#1227-18) of support for designating an official name for Field #3 at the Bill McKinney Softball Complex at Heritage Park as the “Dave Polsky Field,” was read and adopted.

46335 (Resolution No. 46335 – 4777) A Resolution (#1229-18) authorizing the issuance of Work Order Number 20-012A-1 with Jviation, Inc. in the amount of \$441,494.04 for the design and bidding phase services for the reconstruction of Runway 17/35 at Rosecrans Memorial Airport, was read and adopted.

46336 (Resolution No. 46336 – 4778) A Resolution (#1230-18) authorizing the execution of a Lump Sum Contract with GDS LLC for the Wyeth Tootle Mansion Exterior Repairs Project in the amount of \$934,821.00, was read and adopted.

46337 (Resolution No. 46337 – 4779) A Resolution (#1231-18) to authorize the purchase of household hazardous waste disposal services for the Fiscal Year 2021-2022 collection events from Heritage Environmental Services in a total amount not to exceed \$80,000.00, was read and adopted.

46338 (Resolution No. 46338 – 4780) A Resolution (#1232-18) authorizing the citizens of St. Joseph, Missouri, to have a garage sale without purchasing a \$5.00 permit from Thursday, August 5, 2021, through Sunday, August 8, 2021, was read and adopted.

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

NOMINATIONS AND APPOINTMENTS:

None.

BILLS FOR PASSAGE:

46339 (S.O. 9960) A Bill (#1165-18) sponsored by Councilmember O’Dell approving the preliminary plat entitled “Tall Timber Subdivision,” a major subdivision consisting of one (1) lot proposed for the property located at 3802 Karnes Road, as requested by Glenn Klocke, having been read the first time on June 14, 2021, was read the second time and passed. Ayes, Davis, Kovac, McMurray, Moore, Myers, Novak, O’Dell, Blessing--8. Nay, Roach--1.

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BILLS FOR PASSAGE: (Cont'd)

- 46340 It was moved by Councilmember Moore and seconded by Councilmember Myers that a Bill (#1216-18) sponsored by Mayor McMurray authorizing an amendment to the Fiscal Year 2021/2022 American Rescue Plan Act Fund budget to appropriate \$10,566,704.00 to the Special Contributions Account and to transfer the amount of \$1,285,700.00 to the General Fund and the amount of \$7,500,000.00 to the Water Protection Fund for a total amount of \$19,352,404.00, be postponed to the August 9, 2021, Council meeting. Motion carried. Ayes, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell, Roach, Blessing--9.

EMERGENCY BILLS FOR PASSAGE:

- 46341 An Emergency Bill (#1222-18) sponsored by Mayor McMurray authorizing execution of a Funding Agreement with Catfish Chasers Tournament, LLC, and amendment to the Gaming Initiatives Fund in the amount of \$960.00 to provide funds to hire off-duty police officers to provide security for the 2021 Catfish Chasers Fishing Tournament, was introduced, read and failed to pass. Ayes, McMurray, Moore--2. Nays, Davis, Kovac, Myers, Novak, O'Dell, Roach, Blessing--7.

RESOLUTIONS FOR ADOPTION:

- 46342 (Resolution No. 46342 – 4781) A Resolution (#1224-18) encouraging vaccination against COVID-19 by authorizing limited paid leave for eligible employees who are fully vaccinated against COVID-19 by August 31, 2021, was read and adopted. Ayes, Davis, McMurray, Moore, Myers, Novak, O'Dell, Roach, Blessing--8. Nay, Kovac--1.
- 46343 It was moved by Councilmember Davis and seconded by Councilmember Myers that Bill #1228-18 be postponed for two weeks to the August 9, 2021, Council meeting. Motion failed to carry. Ayes, Davis, Myers, Novak--3. Nays, Kovac, McMurray, Moore, O'Dell, Roach, Blessing--6.
- 46344 (Resolution No. 46344 – 4782) A Resolution (#1228-18) authorizing the execution of a Unit Price Contract with Phillips Hardy Inc. for the Bonds for Bridges program in the amount of \$5,883,000.00 and to authorize the execution of work orders for construction phase services with Transystems Corporation in the amount of \$53,187.68 and HDR Engineering, Inc. in the amount of \$58,400.00 all for the 13th Street, 22nd Street, Gene Field Road and King Hill Drive Bridge Replacement Projects, was read and adopted. Ayes, Davis, Kovac, McMurray, Moore, O'Dell, Roach, Blessing--7. Nays, Myers, Novak--2.
- 46345 (Resolution No. 46345 – 4783) A Resolution (#1234-18) authorizing the execution of Change Order No. 2 with Scott Gann Construction for additional work on the Corby Pond Restoration Project in the amount of \$177,676.00, was read and adopted. Ayes, Davis, Kovac, McMurray, Moore, Myers, Novak, O'Dell, Roach, Blessing--9.

BILLS FOR FIRST READING:

- 46346 A Bill (#1221-18) sponsored by Mayor McMurray providing for a new and revised plan of redistricting based upon the 2019 American Community Survey data and population estimations; providing for the dissolution of the existing five council districts; providing for the establishment of four new council districts; and adopting an official council district map, was introduced and read the first time.
- 46347 A Bill (#1223-18) sponsored by Councilmember Novak authorizing an amendment to the Community Development Block Grant Fund, CD Management Program budget in the amount of \$35,700.00 to pay NPI (Neighborhood Partners, Inc) Condominium Association for past Homeowners Association (HOA) dues, was introduced and read the first time.

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BILLS FOR FIRST READING: (Cont'd)

- 46348 A Bill (#1225-18) sponsored by Councilmember O'Dell approving the final plat entitled "Love's 235 Subdivision" a major subdivision consisting of one (1) lot located at 4601 South Leonard Road, as requested by Herrold Willis, agent of Chiploa Engineering Group on behalf of Love's Travel Stop and Country Stores, was introduced and read the first time.
- 46349 A Bill (#1233-18) sponsored by Councilmember Novak amending Section 7-390 of the Code of Ordinances entitled "Appeals" relating to the review of historic buildings or structures, was introduced and read the first time.

REPORTS OF BOARDS & COMMISSIONS:

Filed 7/12/21: Minutes of the Senior Citizen Foundation, Inc. Board meeting held May 18, 2021, at 3:00 p.m., at the Joyce Raye Patterson 50+ Activity Center, 100 South 10th Street.

Filed 7/15/21: Minutes of the Downtown Review Board meeting held July 14, 2021, at 5:30 p.m. in the Council Chamber at City Hall.

Filed 7/16/21: Minutes of the Museum Oversight Board meeting held July 16, 2021, at 9:03 a.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 7/16/21: Revised minutes of the Downtown Review Board meeting held April 27, 2021, at 4:00 p.m., at City Hall, via video conferencing.

Filed 7/20/21: Minutes of the Board of Operating Engineers meeting held July 15, 2021, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.

WORK SESSION MINUTES – CITY CLERK'S OFFICE:

Filed 7/16/21: Minutes of the Council Work Session held July 14, 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 7/7/21: Minutes of the St. Joseph Museums Fundraising Committee meeting held June 10, 2021, at 4:06 p.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 7/7/21: Letter from Patt Lilly, President/CEO, St. Joseph Chamber of Commerce, in re: Thanking the Mayor and City Council for their support and assistance with the approval of the contract for economic development services and funding for workforce development.

Filed 7/7/21: Letter from Peggy D. Richardson, Executive Director, Missouri Gaming Commission, in re: Use of Gaming Revenues.

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COMMUNICATIONS: (Cont'd)

Filed 7/7/21: Letter from Thomas Corrington, 2611 Shadow Court, in re: Revision to the P-8 Riverside Business Park Precise Plan.

Filed 7/9/21: City Link, July 8, 2021.

Filed 7/12/21: Building Permits Issued Report, June 2021.

Filed 7/12/21: Business Licenses Report, June 2021.

Filed 7/12/21: Duplex Housing Rental Property Licenses Report, June 2021.

Filed 7/12/21: Property Maintenance Activity Report, June 2021.

Filed 7/12/21: Single Family Rental Property Licenses Report, June 2021.

Filed 7/13/21: Letter from Dorothy Norton, 3111 Anna Road, to BNSF Railroad in re: Condition of the tracks in St. Joseph at Ajax and Easton Road.

Filed 7/13/21: Minutes of the St. Joseph Museums Executive/Finance Committee meeting held June 17, 2021, at 4:03 p.m., at St. Joseph Museums, 3406 Frederick Avenue.

Filed 7/14/21: Minutes of the American Rescue Plan Act Funding Committee meeting held July 13, 2021, at 8:30 a.m., in the 4th Floor Conference Room at City Hall.

Filed 7/14/21: Minutes of the St. Joseph Museums Special Board meeting held June 28, 2021, at 5:00 p.m., at St. Joseph Museums, 3406 Frederick Avenue, via video conferencing.

Filed 7/15/21: Letter from Karen Quintana Planalp, 3518 Karnes Road, in re: Resignation from the Planning Commission.

Filed 7/15/21: Letter from Peggy D. Richardson, Executive Director, Missouri Gaming Commission, in re: State /Local Allocation of Gaming Revenues for the period 6/1/21 through 6/30/21.

Filed 7/15/21: City Link, July 15, 2021.

Filed 7/16/21: Commendations regarding Police Department staff.

Filed 7/16/21: Letter from Patt Lilly, President/CEO, St. Joseph Chamber of Commerce, to Thomas Corrington, 2611 Shadow Court, in re: His concerns related to proposed revisions to the Eastowne Business Park Precise Plan.

Filed 7/20/21: Minutes of the American Rescue Plan Act Funding Committee meeting held July 20, 2021, at 8:30 a.m., in the 4th Floor Conference Room at City Hall.

OTHER BUSINESS:

- 46350 City Manager's Report – City Manager Bryan Carter said the Missouri Theater restroom renovation project was beginning to get underway when it was identified that repairs needed to be made to the roof otherwise it would jeopardize the restroom improvements. Since there was no funding available for roof repairs, it was determined that a portion of the CIP funding for lighting improvements could be used to repair the roof and instead have the Parks Department staff install the lighting. He appreciates

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OTHER BUSINESS: (Cont'd)

Parks, Recreation & Civic Facilities Director Chuck Kempf and his team with coming up with an innovative solution to a unique and difficult problem. Ladder Truck #5 is slated for replacement in FY2024 but is having some increasing problems. It was determined that the City Hall window replacement and masonry improvements project could be moved to the FY2024 CIP schedule, and the ladder truck will be replaced in FY2023. The City received word that the State has approved a State Revolving Loan and \$1 million grant for the Schneider contract project at the wastewater protection facility. The Liberty Oak Splash Park opened a week ago and has been a great success. There was an issue with one of the pumps which has been resolved and did not really impede the use of the park. He thanked City staff for the fantastic kick off for the Splash Park. He welcomed Lisa Robertson who returns to the City as City Attorney. The Parks sales tax issue is up for a vote next Tuesday. He thanked the Parks Department and the committee that put in a lot of work in a short amount of time to put a plan together the community can form a decision on.

Councilmember Davis expressed his appreciation to Parks staff for their work at the Liberty Tree Splash Park last weekend in order for citizens to enjoy that facility; the grand opening was a lot of fun.

Councilmember Blessing said it was nice to hear children's laughter and having a good time at the Splash Park. She commended Mayor McMurray for taking part in the Community Remembrance Memorial for Lloyd Warner over the weekend.

Councilmember O'Dell said if you want to get a laugh go to the Splash Park.

Councilmember Roach said the St. Joseph Mustangs are in the playoffs and will play tonight.

PUBLIC COMMENT:

Aaron Armstrong, 6411 Grant St., thanked the Council for working with the residents affected by the Contrary Creek flood last spring. He spoke about the Council redistricting proposal.

Tom Fanning, 1920 St. Joseph Ave., spoke about the Council redistricting proposal.

[Councilmember Roach left.]

Pat Jones, 5314 Savannah Rd., said former Mayor David Polsky's family members are in the audience tonight for the resolution naming the ballfield after their father.

Lynn Liecht, 3007 A Garden Gate, spoke on the Council redistricting proposal.

Nathan May, 511 N. 25th St., spoke in support of the Parks Sales Tax issue on the August 3rd ballot.

Kenny Reeder, 4000 River Rd., spoke about the Council redistricting proposal.

NOTES:

Agenda No. 46310 – Mayor McMurray read the special recognition award and presented it to Dr. and Mrs. Carlos Moya.

Agenda No. 46311 – Mayor McMurray read the special recognition award and presented it to the family of Rudolph Rau.

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NOTES: (Cont'd)

Agenda No. 46312 – Mayor McMurray said today is Founder’s Day in St. Joseph. This is the day in 1843 the official plat that was signed by Joseph Robidoux was adopted in St. Louis, Missouri, and officially recorded as the town of St. Joseph.

Agenda No. 46314 – Patt Lilly, President/CEO St. Joseph Chamber of Commerce, 3003 Frederick Ave., spoke in favor of the ordinance.

Agenda No. 46342 – Nancy Gregory, 503 Southwood Lane, said this resolution discriminates against those willing to get the vaccine and those that are not. She is pro-life and does not want her tax dollars used for City employees to receive vaccinations that have been tested and produced at the expense of the blood of an unborn child whose life was taken by abortion.

Agenda No. 46339 – Jean Pawlowski, 3301 Chris Hessler Rd., said because the tower has been denied the subdivision should be denied. Throughout this process, it’s been obvious that the applicant, Glenn Klocke, is representing AT&T and it should be denied.

Glenn Klocke, Network Real Estate LLC representative, 5055 Hwy. N, St. Charles, Missouri, applicant, said the application for a subdivision plat was a requirement by the City.

Tim Zirkle, 3221 Morton Lane, said this isn’t necessary and asked the Council to deny this request.

ADJOURNMENT:

46351 By general consent, the City Council adjourned.

The meeting adjourned at 6:52 p.m.



Minutes transcribed by Paula Heyde, CMC, City Clerk.