



NOTICE OF MEETING

City Council

Regular Meeting – Monday, January 23, 2023 – 5:30 PM
City Hall – 1100 Frederick Avenue

COUNCIL SEATING ARRANGEMENT

Bryan Carter
City Manager

John Josendale
Mayor

Paula Heyde
City Clerk

COUNCILMEMBERS

Kenton Randolph (At Large)
Jeff Schomburg (At Large)
Randy Schultz (At Large)
Andrew Trout (3rd District)

COUNCILMEMBERS

Taylor Crouse (2nd District)
Madison Davis (1st District)
Michael Grimm (4th District)
Marty Novak (At Large)

AGENDA

PLEDGE OF ALLEGIANCE:

ROLL CALL:

CALL TO ORDER:

MINUTES:

1. Approval of the minutes of the special meeting held January 9, 2023, at 4:00 p.m. and the regular meeting held January 9, 2023, at 5:30 p.m., as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

2. None.

ACCEPTANCE OF AGENDA:

PUBLIC HEARING:

3. None.

CONSENT AGENDA:

NOMINATIONS AND APPOINTMENTS:

4. Filed 1/11/23: Councilmember Trout nominates Duane Turk, 9 Antilles Street, to serve as a member of the Museum Oversight Board for a term expiring January 1, 2026; he will be filling a vacancy on the board.

BILLS FOR PASSAGE:

5. **BILL # 259-22**
AN ORDINANCE AUTHORIZING AN AMENDMENT TO DIVISION 1 TITLED "RENTAL UNIT CERTIFICATION" OF ARTICLE XI OF CHAPTER 7 "BUILDINGS AND BUILDING REGULATIONS" OF THE CODE OF ORDINANCES PERTAINING TO RESIDENTIAL RENTAL PROPERTY.
6. **BILL # 258-22**
AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE FIRE DEPARTMENT BUDGET IN THE GENERAL FUND TO ACCEPT A GRANT FROM THE OFFICE OF HOMELAND SECURITY IN THE AMOUNT OF \$14,799.00 TO BE USED TO PURCHASE A MOBILE LIGHT TOWER.
7. **BILL # 260-22**
AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE TERMINATION AGREEMENT OF HANGAR C-1 AND SURROUNDING LAND WITH AIR METHODS CORPORATION AND THE BILL OF SALE OF A MODULAR BUILDING LOCATED AT ROSECRANS MEMORIAL AIRPORT.

RESOLUTIONS FOR ADOPTION:

8. **BILL # 261-22**
A RESOLUTION AFFIRMING THE AUTHORIZATION FOR THE EMERGENCY REPAIR OF ONE (1) 2013 CATERPILLAR D8T BULLDOZER AT THE LANDFILL IN THE AMOUNT OF \$47,605.94 BY FOLEY EQUIPMENT COMPANY.
9. **BILL # 262-22**
A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT TO PROVIDE A SAVE OUR HERITAGE GRANT IN THE AMOUNT OF \$12,500.00 TO FIRST LUTHERAN CHURCH TO REHABILITATE THE STRUCTURE LOCATED AT 302 SOUTH 10TH STREET.
10. **BILL # 263-22**
A RESOLUTION AUTHORIZING EXECUTION OF A CONSULTANT/SERVICES AGREEMENT WITH SAUNDRA DIBELLA TO PROVIDE ENGLISH TO SPANISH AND SPANISH TO ENGLISH INTERPRETING, AND TRANSLATION OF DOCUMENTS, SIGNAGE, AND BROCHURES.

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

NOMINATIONS AND APPOINTMENTS:

11. None.

BILLS FOR PASSAGE:

12. **BILL # 245-22**

AN ORDINANCE TO ISSUE A CONDITIONAL USE PERMIT FOR THE PROPERTY LOCATED AT 3802 KARNES ROAD TO ALLOW FOR CONSTRUCTION OF A TELECOMMUNICATIONS FACILITY AS REQUESTED BY GLEN KLOCKE ON BEHALF OF NETWORK REAL ESTATE LLC C/O AT&T WIRELESS.

EMERGENCY BILLS FOR PASSAGE:

13. **BILL # 264-22**

AN EMERGENCY ORDINANCE IMPOSING A LOCAL SALES TAX FOR GENERAL REVENUE PURPOSES AT THE RATE OF THREE PERCENT (3%) ON ALL TANGIBLE PERSONAL PROPERTY RETAIL SALES OF ADULT USE MARIJUANA SOLD WITHIN THE CITY OF ST. JOSEPH, MISSOURI, PURSUANT TO THE AUTHORITY GRANTED BY ARTICLE XIV, SECTION 2.6(5) OF THE MISSOURI CONSTITUTION SUBJECT TO THE APPROVAL BY THE VOTERS OF THE CITY AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON APRIL 4, 2023; DESIGNATING THE FORM OF BALLOT; AND DIRECTING THE CITY CLERK TO PROVIDE NOTICE OF SAID ELECTION.

RESOLUTIONS FOR ADOPTION:

14. **BILL # 241-22**

A RESOLUTION AUTHORIZING THE EXECUTION OF A DESIGN-BUILD CONTRACT WITH CARROTHERS CONSTRUCTION COMPANY IN A TOTAL AMOUNT NOT TO EXCEED \$8,181,836.00 FOR THE CONSTRUCTION OF THE AQUATIC PARK LAP POOL PROJECT.

15. **BILL # 251-22**

A RESOLUTION REPEALING RESOLUTION NUMBER 46851 ADOPTED FEBRUARY 7, 2022, WHICH AUTHORIZED A FUNDING AGREEMENT WITH COMMUNITY ACTION PARTNERSHIP IN THE AMOUNT OF \$800,000.00 TO PROVIDE FINANCIAL ASSISTANCE FOR HOUSING SUPPORT SERVICES FOR UNHOUSED PERSONS, AND AUTHORIZING EXECUTION OF AN AMENDED FUNDING AGREEMENT WITH COMMUNITY ACTION PARTNERSHIP MODIFYING THE TERMS UNDER WHICH THE PREVIOUSLY AUTHORIZED \$800,000 MAY BE UTILIZED.

16. **BILL # 276-22**

A RESOLUTION TO APPROVE FINDINGS OF FACT AND CONCLUSIONS OF LAW ON AN APPLICATION FOR A CONDITIONAL USE PERMIT AS REQUESTED BY NETWORK REAL ESTATE LLC C/O AT&T. A PUBLIC HEARING WAS CONDUCTED ON MONDAY JANUARY 9, 2023 IN COMPLIANCE WITH CITY CODE SECTION 31-306.

BILLS FOR FIRST READING:

17. **BILL # 265-22**

AN ORDINANCE AUTHORIZING EXECUTION OF A LEASE OF PREMISES

AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR PARKING FACILITIES LOCATED NEAR RIVERFRONT PARK.

18. **BILL # 266-22**

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE COUNTY OF BUCHANAN FOR THE PROVISION OF CITY COMMUNICATION CENTER SERVICES FOR DISPATCH OF COUNTY PERSONNEL IN THE AMOUNT OF \$456,478.80 FOR A ONE-YEAR TERM BEGINNING JANUARY 1, 2023

19. **BILL # 267-22**

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE BUDGET TO TRANSFER THE AMOUNT OF \$2,250 FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND TO THE GENERAL FUND FIRE DEPARTMENT PROGRAM TO PROVIDE ADDITIONAL FUNDING NEEDED FOR THE PURCHASE OF THE SEA ARK BOAT FROM D & J MARINE AND RV.

20. **BILL # 268-22**

AN ORDINANCE AUTHORIZING THE EXECUTION OF A LUMP SUM CONTRACT WITH L.G. BARCUS & SONS, INC. IN THE AMOUNT OF \$408,700.00 AND AN AMENDMENT TO THE CAPITAL PROJECTS FUND BUDGET IN THE AMOUNT OF \$183,700.00 FOR THE BONDS FOR BRIDGES PROGRAM FOR THE NORTHWEST PARKWAY PEDESTRIAN BRIDGE PROJECT.

21. **BILL # 269-22**

AN ORDINANCE AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HDR INC., AND AN AMENDMENT TO THE WATER PROTECTION FUND BUDGET FOR THE WATER QUALITY INTEGRATED PLAN ALL IN THE AMOUNT OF \$701,145.00.

22. **BILL # 270-22**

AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH TOE BEANS COFFEEHOUSE LLC FOR USE OF OFFICE/RETAIL SPACE IN THE MISSOURI THEATER OFFICE COMPLEX AT 114 SOUTH EIGHTH STREET.

23. **BILL # 271-22**

AN ORDINANCE APPROVING THE CREATION OF A NEW PROJECT MANAGER POSITION IN THE PARKS, RECREATION AND CIVIC FACILITIES DEPARTMENT ADMINISTRATION DIVISION AND AUTHORIZING AN AMENDMENT TO THE BUDGET TO TRANSFER FUNDS IN THE AMOUNT OF \$21,452.64 FROM THE PARKS SALES TAX FUND TO THE GENERAL FUND TO PROVIDE THE ADDITIONAL FUNDING NECESSARY TO FUND THE POSITION FOR THE REMAINDER OF THIS FISCAL YEAR.

24. **BILL # 272-22**

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND AND THE PURCHASE OF A SCIAPS X-550 X-RAY FLUORESCENCE (XRF) LEAD PAINT ANALYZER FOR USE BY THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT ALL IN THE AMOUNT OF

\$24,650.00.

25. **BILL # 273-22**

AN ORDINANCE AUTHORIZING AN AMENDMENT TO SECTIONS 31-010 "DEFINITIONS," 31-012 "MEDICAL MARIJUANA FACILITIES," 31-048 "DISTRICT USE TABLE" AND 31-049 "USE LIMITATIONS" OF CHAPTER 31 "ZONING" OF THE CODE OF ORDINANCES TO ADD LAND USE REGULATIONS RELATED TO THE SALE OF RECREATIONAL MARIJUANA TO THE ZONING CODE.

26. **BILL # 274-22**

AN ORDINANCE ABATING PROPERTY MAINTENANCE LIENS AND ADMINISTRATIVE PENALTIES IN THE AMOUNT OF \$3,127.00 PLUS APPLICABLE INTEREST AND PENALTIES ON THE PROPERTY LOCATED AT 1620 BUCHANAN AVENUE.

27. **BILL # 275-22**

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE GENERAL FUND, HEALTH DEPARTMENT PROGRAM BUDGET TO PROVIDE FUNDS IN THE AMOUNT OF \$100,000.00 TO PAY THE INSURANCE DEDUCTIBLE FOR THE REPAIR OF PATEE MARKET HEALTH CENTER WHICH WAS EXTENSIVELY DAMAGED BY A FROZEN PIPE THAT BURST CAUSING FLOODING DURING A PERIOD OF SEVERAL DAYS OF EXTREMELY FRIGID TEMPERATURES.

REPORTS OF BOARDS & COMMISSIONS:

- 28. Filed 1/4/23: Minutes of the Aviation Board meeting held December 7, 2022, at 11:30 a.m., at Rosecrans Memorial Airport, 100B NW Rosecrans Road, in the Airport Terminal Conference Room.
- 29. Filed 1/9/23: Minutes of the Museum Oversight Board meeting held December 21, 2022, at 9:00 a.m., at St. Joseph Museums, 3406 Frederick Avenue.

WORK SESSION MINUTES - CITY CLERK'S OFFICE:

- 30. Filed 1/17/23: Minutes of the Council Work Session held January 9, 2023, at 4:45 p.m., in the 4th Floor Conference Room at City Hall.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

- 31. Filed 1/12/23: Memorandum in re: Acting City Manager (January 12, 2023).
- 32. Filed 1/17/23: Memorandum in re: Acting City Manager (January 18-19, 2023).

DELEGATIONS, PETITIONS:

- 33. None.

COMMUNICATIONS:

- 34. Filed 1/4/23: Minutes of the St. Joseph Museums Programming Committee meeting held

December 13, 2022, at 1:30 p.m., at St. Joseph Museums, 3406 Frederick Avenue.

35. Filed 1/4/23: Municipal Division Summary Reporting Form report, December 2022.
36. Filed 1/5/23: Minutes of the St. Joseph Museums Membership Committee meeting held November 10, 2022, at 3:10 p.m., at St. Joseph Museums, 3406 Frederick Avenue.
37. Filed 1/6/23: Additional information received from Network Real Estate LLC regarding the proposed cell tower on Karnes Road.
38. Filed 1/6/23: Minutes of the St. Joseph Museums Fundraising Committee meeting held December 14, 2022, at 4:02 p.m., at St. Joseph Museums, 3406 Frederick Avenue.
39. Filed 1/6/23: Minutes of the St. Joseph Museums Juneteenth Planning Committee meeting held December 14, 2022, at 6:00 p.m., at St. Joseph Museums, 3406 Frederick Avenue.
40. Filed 1/6/23: Activities of the Social Welfare Board, December 2022.
41. Filed 1/9/23: Minutes of the St. Joseph Museums Executive Committee meeting held December 15, 2022, at 4:00 p.m., at St. Joseph Museums, 3406 Frederick Avenue.
42. Filed 1/9/23: Property Maintenance Activity Report, December 2022.
43. Filed 1/9/23: Single Family Rental Property Licenses Report, December 2022.
44. Filed 1/9/23: Human Resources Department Monthly Activity Report, December 2022.
45. Filed 1/9/23: City Manager Approved Encumbrances Report, December 2022.
46. Filed 1/9/23: Business Licenses Report, December 2022.
47. Filed 1/9/23: Building Permits Issued Report, December 2022.
48. Filed 1/11/23: Memorandum from Mayor Josendale in re: Absent from the City (January 12, 2023).
49. Filed 1/11/23: Email from Rebecca Hodges in re: Pool meeting.
50. Filed 1/17/23: Minutes of the St. Joseph Area Transportation Study Coordinating Committee meeting held January 12, 2023, at 12:00 p.m., in the 4th Floor Conference Room at City Hall.

OTHER BUSINESS:

51. City Manager's Report.

PUBLIC COMMENT:

52. Presentation by Human Rights Commission

ADJOURN:

Paula Heyde, CMC, City Clerk

It is the intention of the City of St. Joseph to comply in all aspects with the Americans with Disabilities Act (ADA). If you plan on attending a meeting to participate or to observe and need special assistance beyond what is routinely provided, the city will attempt to accommodate you in every reasonable manner. Please contact the ADA Coordinator, 816-271-5500, or TODD# 816-271-4898 at least two business days prior to the meeting to inform the City of your specific needs and to determine if accommodation is feasible.