



NOTICE OF MEETING

City Council

Regular Meeting – Monday, February 6, 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 regular meeting held January 23, 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. **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.

CONSENT AGENDA:

NOMINATIONS AND APPOINTMENTS:

4. None.

BILLS FOR PASSAGE:

5. **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.

6. **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

7. **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.

8. **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.

9. **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.

10. **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.

11. **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.

12. **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.

13. **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.

14. **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.

RESOLUTIONS FOR ADOPTION:

15. **BILL # 277-22**
A RESOLUTION AUTHORIZING THE ALLOCATION OF \$1,974,000.00 FROM THE AMERICAN RESCUE PLAN ACT FUND FOR THE URBAN HOMESTEAD PROGRAM AND HOUSING REHABILITATION PROGRAM.

16. **BILL # 278-22**
A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT TO PROVIDE A SAVE OUR HERITAGE GRANT IN THE AMOUNT OF \$2,420.00 TO LORI MCALISTER TO REHABILITATE THE STRUCTURE LOCATED AT 2601 FELIX STREET.

17. **BILL # 279-22**
A RESOLUTION AUTHORIZING EXECUTION OF A LUMP SUM CONTRACT WITH SEAMAN & SCHUSKE METAL WORKS IN THE AMOUNT OF \$147,500.00 FOR THE PHIL WELCH STADIUM GRANDSTAND ROOF REPLACEMENT PROJECT.

18. **BILL # 280-22**
A RESOLUTION WAIVING BUILDING PERMIT FEES ASSOCIATED WITH THE EXPANSION OF THE SAINT JOSEPH SCHOOL DISTRICT'S HILLYARD TECHNICAL CENTER LOCATED AT 3434 FARAON STREET FOR THE OPERATION OF A TRAINING FACILITY.

19. **BILL # 281-22**
A RESOLUTION AUTHORIZING THE EXECUTION AND SUBMISSION OF THE FEDERAL TRANSIT ADMINISTRATION YEAR 2023 CERTIFICATIONS AND ASSURANCES.

20. **BILL # 282-22**
A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT TO PROVIDE A SAVE OUR HERITAGE GRANT IN THE AMOUNT OF \$15,925.00 TO KELLY CRAWFORD TO REHABILITATE THE STRUCTURE LOCATED AT 415 NORTH 13TH STREET.

21. **BILL # 283-22**
A RESOLUTION AUTHORIZING THE EXECUTION OF WORK ORDER NUMBER BMC2301 IN AN AMOUNT NOT TO EXCEED \$56,772.00 FOR CONSULTING SERVICES ASSOCIATED WITH THE 2023 SEWER RATE STUDY PROJECT UTILIZING THE MASTER AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES WITH BURNS & MCDONNELL ENGINEERING COMPANY, INC.

22. **BILL # 284-22**

A RESOLUTION APPOINTING INDIVIDUALS TO SERVE AS MEMBERS OF THE CAPITAL IMPROVEMENTS PROGRAM (CIP) CITIZENS COMMITTEE TO REVIEW CAPITAL IMPROVEMENT PROJECTS FOR THE 2023 CIP SALES TAX INITIATIVE.

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

NOMINATIONS AND APPOINTMENTS:

23. None.

BILLS FOR PASSAGE:

24. None.

EMERGENCY BILLS FOR PASSAGE:

25. **BILL # 285-22**

AN EMERGENCY ORDINANCE AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HDR, INC. FOR PROFESSIONAL TRANSPORTATION PLANNING SERVICES AND AN AMENDMENT TO THE GENERAL FUND, MPO PROGRAM BUDGET ALL IN THE AMOUNT OF \$225,000.00.

RESOLUTIONS FOR ADOPTION:

26. None.

BILLS FOR FIRST READING:

27. **BILL # 286-22**

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE STREETS MAINTENANCE FUND BUDGET AND AUTHORIZING THE PURCHASE OF ONE (1) SALT AND BRINE STORAGE TANK FROM PLASTIC-MART IN THE AMOUNT OF \$12,735.00 AND ONE (1) STORAGE BUILDING FROM CLEARSPAN IN THE AMOUNT OF \$10,474.40 FOR A TOTAL AMOUNT OF \$23,209.40.

28. **BILL # 287-22**

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE GENERAL FUND, ANIMAL CONTROL PROGRAM BUDGET AND ACCEPTANCE OF A GRANT FROM PETS FOR THE ELDERLY FOUNDATION IN THE AMOUNT OF \$7,500 TO BE USED TO ASSIST IN FUNDING VETERINARY SERVICES FOR ELDERLY PET OWNERS IN THE ST. JOSEPH COMMUNITY.

29. **BILL # 288-22**
AN ORDINANCE VACATING A DRAINAGE EASEMENT ON THE PROPERTY LOCATED AT 4300 NORTH BELT HIGHWAY AS REQUESTED BY JOON CHUNG.
30. **BILL # 289-22**
AN ORDINANCE TO REDISTRIBUTE THE PROPERTY LOCATED AT 1602 MESSANIE STREET FROM C-3 COMMERCIAL DISTRICT TO R-4 APARTMENT RESIDENTIAL DISTRICT AS REQUESTED BY MARCIN JAKUBOWSKI ON BEHALF OF OPEN SOURCE ECOLOGY.
31. **BILL # 290-22**
AN ORDINANCE REDISTRIBUTE THE PROPERTIES LOCATED AT 3618 AND 3620 SACRAMENTO STREET FROM C-3 COMMERCIAL DISTRICT TO R-1SH SINGLE FAMILY/SMALL HOUSE RESIDENTIAL DISTRICT AS REQUESTED BY OAKLEY BOWEN ON BEHALF OF 3602 SACRAMENTO LLC.
32. **BILL # 291-22**
AN ORDINANCE TO REDISTRIBUTE THE PROPERTY LOCATED AT 4220 COMMONWEALTH DRIVE FROM P-10 THE COMMONS PRECISE PLAN TO C-3 COMMERCIAL DISTRICT AS REQUESTED BY NICHOLAS BRENNER ON BEHALF OF MENARD, INC.
33. **BILL # 292-22**
AN ORDINANCE TO REPEAL THE COMMONS PRECISE PLAN ATTACHED TO SPECIAL ORDINANCE 7313 AND ADOPT A REVISED PLAN ENTITLED THE COMMONS PRECISE PLAN.
34. **BILL # 293-22**
AN ORDINANCE AMENDING SECTION 1-14, ENTITLED "GENERAL PENALTY AND LIMITATION," OF CHAPTER 1 "GENERAL PROVISIONS" OF THE CODE OF ORDINANCES TO PROVIDE PENALTIES FOR VIOLATIONS TO ADULT USE MARIJUANA REGULATIONS AND TO ENHANCE THE CLARITY OF EXISTING LANGUAGE.
35. **BILL # 294-22**
AN ORDINANCE AMENDING CHAPTER 13 ("COURTS"), ARTICLE I ("IN GENERAL") TO CREATE A NEW SECTION 13-1 TITLED "JURISDICTION" AND CHAPTER 20 ("OFFENSES AND MISCELLANEOUS PROVISIONS"); ARTICLE VI ("OFFENSES AGAINST PUBLIC MORALS"), DIVISION 3 TITLED "DRUGS", OF THE CODE OF ORDINANCES DEALING GENERALLY WITH AMENDMENTS MADE TO ARTICLE XIV OF THE MISSOURI CONSTITUTION RELATED TO THE USE OF MARIJUANA.
36. **BILL # 295-22**
AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND AND THE ACCEPTANCE OF THE CONTINUUM OF CARE PLANNING GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE AMOUNT OF \$48,817.00.

37. **BILL # 296-22**
AN ORDINANCE AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT WITH MISSOURI WESTERN STATE UNIVERSITY TO PROVIDE FINANCIAL ASSISTANCE IN THE AMOUNT OF \$1,500,000 FOR CONSTRUCTION OF A CONVERGENT TECHNOLOGY ALLIANCE CENTER.
38. **BILL # 297-22**
AN ORDINANCE AUTHORIZING THE EXECUTION OF A LUMP SUM CONTRACT WITH L.G. BARCUS & SONS, INC. IN THE AMOUNT OF \$3,138,943.00 FOR THE LOVER'S LANE BRIDGE AND 5TH AVENUE BRIDGE PROJECTS AND AUTHORIZING THE EXECUTION OF WORK ORDERS FOR CONSTRUCTION PHASE SERVICES WITH TRANSYSTEMS CORPORATION IN THE AMOUNT OF \$410,768.03 FOR THE 5TH STREET, 6TH STREET AND MACARTHUR DRIVE BRIDGES REPLACEMENT PROJECTS AND AN AMENDMENT TO THE CAPITAL PROJECTS FUND BUDGET IN THE AMOUNT OF \$2,205,711.03 FOR THE BONDS FOR BRIDGES PROGRAM.
39. **BILL # 298-22**
AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE GENERAL FUND, PARKS DESIGNATED FUNDS PROGRAM BUDGET AND ACCEPTANCE OF A DONATION FROM THE WILLIAM D. MORGAN CHARITABLE FOUNDATION BOTH IN THE AMOUNT OF \$25,000.00 TO BE USED FOR A PARK PROJECT TO BE DETERMINED.
40. **BILL # 299-22**
AN ORDINANCE AUTHORIZING THE SUBMITTAL AND EXECUTION OF AGREEMENTS TOTALING \$9,386,846.00 WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION (MHTC) FOR STATE ASSISTANCE IN FINANCING THE FINAL DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT FOR THE RECONSTRUCTION OF RUNWAY 17/35 AT ROSECRANS MEMORIAL AIRPORT.
41. **BILL # 300-22**
AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AVIATION PROJECT CONSULTANT AGREEMENT WITH JVIATION, INC., TO PROVIDE PROFESSIONAL SERVICES FOR ROSECRANS MEMORIAL AIRPORT PROJECTS AND AN AMENDMENT TO THE AVIATION FUND BUDGET ALL IN AN AMOUNT NOT TO EXCEED \$1,624,283.70.
42. **BILL # 301-22**
AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE PARK MAINTENANCE FUND BUDGET IN THE AMOUNT OF \$25,203.72 TO PROVIDE FUNDS TO PURCHASE A REPLACEMENT MOTOR FOR THE BOBCAT FROM KC BOBCAT.

REPORTS OF BOARDS & COMMISSIONS:

43. Filed 1/18/23: Minutes of the Senior Citizen Foundation, Inc. Board meeting held November 15, 2022, at 3:00 p.m., at the Joyce Raye Patterson 50+ Activity Center, 100 South 10th Street.

44. Filed 1/18/23: Minutes of the Human Rights Commission meeting held December 20, 2022, at 6:00 p.m., in the 1st Floor Conference Room at City Hall.
45. Filed 1/19/23: Minutes of the Traffic Commission meeting held January 11, 2023, at 10:00 a.m., in the Council Chamber at City Hall.
46. Filed 1/20/23: Minutes of the Planning Commission meeting held January 19, 2023, at 5:30 p.m., in the Council Chamber at City Hall.
47. Filed 1/26/23: Minutes of the Library Board Personnel Committee meeting held January 24, 2023, at 4:00 p.m., at the East Hills Library, 502 Woodbine Road.

WORK SESSION MINUTES - CITY CLERK'S OFFICE:

48. Filed 1/23/23: Minutes of the Council Work Session held January 10, 2023, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.
49. Filed 1/25/23: Minutes of the Council Work Session held January 17, 2023, at 4:00 p.m., in the 4th Floor Conference Room at City Hall.
50. Filed 1/26/23: Minutes of the Council Work Session held January 23, 2023, at 4:30 p.m., in the 4th Floor Conference Room at City Hall.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

51. None.

DELEGATIONS, PETITIONS:

52. None.

COMMUNICATIONS:

53. Filed 1/18/23: Minutes of the Police Pension Board meeting held December 21, 2022, at 4:00 p.m., in the 1st Floor Conference Room at City Hall.
54. Filed 1/19/23: Memorandum from Chuck Kempf, Parks, Recreation & Civic Facilities Director, in re: Krug Park Renovation - Specific Project Budget Explanation.
55. Filed 1/19/23: Minutes of the St. Joseph Museums Juneteenth Planning Committee meeting held January 19, 2023, at 6:03 p.m., at St. Joseph Museums, 3406 Frederick Avenue.
56. Filed 1/23/23: Letter from Chad Higdon, Chief Executive Officer, Second Harvest Community Food Bank, in re: Thank you for sponsorship of the 2022 Mayors Thanksgiving Dinner and support of the Second Harvest Community Food Bank.
57. Filed 1/23/23: Letter from Peggy Richardson, Executive Director, Missouri Gaming

Commission, in re: State/Local Allocation of Gaming Revenues for the period 11/1/22 through 11/30/22.

58. Filed 1/23/23: Letter from Peggy Richardson, Executive Director, Missouri Gaming Commission, in re: State/Local Allocation of Gaming Revenues for the period 12/1/22 through 12/31/2022.
59. Filed 1/31/23: Memorandum from Laurie Tietjen, CPA, Finance Director, in re: Annual Comprehensive Financial Report, FY2022.
60. Filed 1/31/23: Letter from Bryan Carter, City Manager, to Wesley Merritt, 1608 S. 16th Street, in re: Retaining wall located at 1525 Duncan Street.

OTHER BUSINESS:

61. City Manager's Report.

PUBLIC COMMENT:

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.