



NOTICE OF MEETING

City Council

Regular Meeting – Monday, March 20, 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 February 27, 2023, at 4:00 p.m. and the regular meeting held March 6, 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. None.

BILLS FOR PASSAGE:

5. **BILL # 333-22**
AN ORDINANCE AMENDING CHAPTER 17 ("HEALTH AND SANITATION"), ARTICLE XI ("SMOKE-FREE INDOOR AIR WORKPLACES AND PUBLIC PLACES") AND REPEALING CHAPTER 17 ("HEALTH AND SANITATION"), ARTICLE XIII ("ELECTRONIC CIGARETTES AND OTHER NICOTINE DELIVERY SYSTEMS (ENDS)") OF THE CODE OF ORDINANCES.
6. **BILL # 334-22**
AN ORDINANCE AMENDING CHAPTER 17 ("HEALTH AND SANITATION"), ARTICLE VII ("CIGARETTES, CIGARETTE TOBACCO AND SMOKELESS TOBACCO") OF THE CODE OF ORDINANCES TO REFERENCE AMENDMENTS MADE TO ARTICLE XIV OF THE MISSOURI CONSTITUTION RELATED TO THE USE OF MARIJUANA.
7. **BILL # 316-22**
AN ORDINANCE CREATING A FISCAL YEAR 2022/2023 BUDGET FOR THE NEW POLICE SALES TAX FUND AND AMENDING THE BUDGET IN THE AMOUNT OF \$1,400,000.00 IN ORDER TO IMPLEMENT THE CHANGES APPROVED BY THE VOTERS WITH PASSAGE OF THE POLICE SALES TAX.
8. **BILL # 317-22**
AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE POLICE DEPARTMENT BUDGET IN THE GENERAL FUND TO ACCEPT PROCEEDS IN THE AMOUNT OF \$17,150.90 FROM GOVDEALS, AN ONLINE AUCTION PLATFORM, TO FUND ADDITIONAL MAINTENANCE AND REPAIR OF THE POLICE FLEET.

9. **BILL # 318-22**
AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE BUDGET TO TRANSFER THE AMOUNT OF \$180,000.00 FROM THE AMERICAN RESCUE PLAN ACT FUND TO THE GENERAL FUND POLICE DEPARTMENT PROGRAM TO BE USED TO PURCHASE TWO (2) CHEVROLET TAHOES FROM DON BROWN CHEVROLET FOR THE AMOUNT OF \$88,092.00 AND SET UP COST OF \$91,908.00 FOR A TOTAL OF \$180,000.00.

10. **BILL # 319-22**
AN ORDINANCE AUTHORIZING EXECUTION OF A REAL ESTATE PURCHASE AGREEMENT WITH TONY MARSOLA (BUYER), TO SELL REAL ESTATE LOCATED AT 618 SOUTH 9TH STREET FOR THE AMOUNT OF \$55,000.00 AND OTHER GOOD AND VALUABLE CONSIDERATION.

11. **BILL # 321-22**
AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE PUBLIC SAFETY TAX FUND BUDGET TO RECEIVE FUNDS FROM THE BUCHANAN COUNTY SHERIFF'S OFFICE IN THE AMOUNT OF \$15,397.50 FOR RENEWAL OF THE SHARED ELECTRONIC CRIMES SOFTWARE AND AUTHORIZING RENEWAL OF AN AGREEMENT FOR SAID SOFTWARE.

12. **BILL # 322-22**
AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE GENERAL FUND, CIVIC ARENA PROGRAM BUDGET AND ACCEPTANCE OF A DONATION FROM THE GEORGE BODE, JR. BENEVOLENT TRUST ALL IN THE AMOUNT OF \$12,000.00 FOR OAK WOOD LOCKERS FOR THE CIVIC ARENA.

13. **BILL # 320-22**
AN ORDINANCE VACATING A PORTION OF ARIZONA AVENUE BETWEEN LAKE AVENUE AND THE BURLINGTON NORTHERN SANTA FE RAILROAD RIGHT-OF-WAY AS REQUESTED BY STEVE SELLENRIEK.

14. **BILL # 323-22**
AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT WITH MIDLAND EMPIRE SPORTS ASSOCIATION FOR THE OPERATION OF AMATEUR SOFTBALL ASSOCIATION (ASA) SANCTIONED OR OTHER APPROVED LEAGUE PLAY AND TOURNAMENTS PROMOTING THE ADVANCEMENT OF GIRLS' SOFTBALL AT DRAKE SOFTBALL COMPLEX FOR A TERM OF THREE YEARS.

15. **BILL # 324-22**
AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE PARK MAINTENANCE FUND BUDGET AND THE EXECUTION OF A CONTRACT WITH SOLITUDE LAKE MANAGEMENT ALL IN AN AMOUNT NOT TO EXCEED \$12,328.00 FOR POND MAINTENANCE AT KRUG PARK LAGOON AND CORBY POND.

16. **BILL # 325-22**
AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT WITH PONY EXPRESS BASEBALL, INC. FOR THE OPERATION OF UNITED STATES SPECIALTY SPORTS ASSOCIATION (USSSA) SANCTIONED OR OTHER APPROVED LEAGUE PLAY AND TOURNAMENTS PROMOTING THE ADVANCEMENT OF BOYS BASEBALL AT BASEBALL FACILITIES THROUGHOUT ST. JOSEPH FOR A TERM OF THREE YEARS.

17. **BILL # 327-22**
AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONCESSION AND FACILITY LICENSE AGREEMENT WITH PONY EXPRESS BASEBALL, INC. (PEB) IN THE AMOUNT OF \$500.00 PER SEASON FOR PEB TO OPERATE CONCESSIONS AND ASSOCIATED AREAS AT EAGLES FIELD, LION'S FIELD, AND HYDE PARK COMPLEX FOR THE 2023 THROUGH 2025 PEB SEASON.

18. **BILL # 326-22**
AN ORDINANCE ADOPTING THE ANNUAL REVISIONS TO THE CITY'S PERSONNEL MANUAL, WHICH SETS FORTH THE POLICIES AND PROCEDURES PERTAINING TO EMPLOYEES OF THE CITY OF ST. JOSEPH, MISSOURI.

19. **BILL # 328-22**
AN ORDINANCE AUTHORIZING THE DIRECTOR OF PARKS, RECREATION AND CIVIC FACILITIES TO ISSUE A PERMIT TO METRO FIBERNET LLC TO PLACE FIBER-OPTIC TELECOMMUNICATION LINES IN EIGHT LOCATIONS THROUGHOUT THE CITY.

20. **BILL # 329-22**
AN ORDINANCE AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 3 WITH IDEKER, INC., FOR ADDITIONAL WORK ON THE RIVER BLUFF BIKE TRAIL PROJECT AND AN AMENDMENT TO THE 2011 TRANSIENT GUEST TAX FUND BUDGET ALL IN AN AMOUNT OF \$147,630.00.

21. **BILL # 330-22**
AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE BUDGET TO TRANSFER THE AMOUNT OF \$1,110,364.00 FROM THE AMERICAN RESCUE PLAN ACT FUND TO THE GENERAL FUND FIRE DEPARTMENT PROGRAM AND AUTHORIZING THE PURCHASE OF TWO PUMPER TRUCKS FROM FIRE MASTER FIRE EQUIPMENT, INC. FOR THE AMOUNT OF \$1,110,364.00.

22. **BILL # 331-22**
AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE FIRE DEPARTMENT BUDGET IN THE GENERAL FUND TO ACCEPT AN EMERGENCY MANAGEMENT PERFORMANCE GRANT FROM THE MISSOURI DEPARTMENT OF PUBLIC SAFETY AND AUTHORIZING THE PURCHASE OF FOUR MOBILE RADIOS TO BE USED BY THE EMERGENCY MANAGER FROM MIDWEST MOBILE RADIO SERVICE, INC. ALL IN THE AMOUNT OF \$22,222.22.
23. **BILL # 332-22**
AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ASTRO25 SERVICES AGREEMENT WITH MOTOROLA, INC. IN THE AMOUNT OF \$2,579,334.00 TO PROVIDE EQUIPMENT, SOFTWARE, AND SERVICES ON THE INFRASTRUCTURE OF THE PUBLIC SAFETY RADIO SYSTEM AT ALL SITES USED BY THE CITY OF ST JOSEPH, BUCHANAN COUNTY, MOSAIC, AND BUCHANAN COUNTY EMS.

RESOLUTIONS FOR ADOPTION:

24. **BILL # 335-22**
A RESOLUTION AUTHORIZING THE EXECUTION OF A UNIT PRICE CONTRACT WITH HERZOG CONTRACTING CORPORATION IN A TOTAL AMOUNT NOT TO EXCEED \$4,500,000.00 FOR THE FY23 ANNUAL ASPHALT STREET RESURFACING PROGRAM.
25. **BILL # 336-22**
A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH GLOBAL CONTAINMENT SOLUTIONS, LLC, TO CONSTRUCT THE SYNTHETIC LINER PORTION OF AREA 3, STAGE 7B AT THE ST. JOSEPH SANITARY LANDFILL IN THE AMOUNT OF \$214,395.27.
26. **BILL # 337-22**
A RESOLUTION AUTHORIZING CERTAIN INDIVIDUALS TO EFFECT INVESTMENT TRANSACTIONS WITH UBS FINANCIAL SERVICES AND ARBITRAGE MANAGEMENT.
27. **BILL # 338-22**
A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT TO PROVIDE DEMOLITION SERVICES IN THE AMOUNT OF \$29,500.00 WITH CENTRAL DISPOSAL SERVICE TO DEMOLISH THE STRUCTURE LOCATED AT 924 NORTH 24TH STREET.

28. **BILL # 339-22**

A RESOLUTION RESCINDING RESOLUTION #47756, ADOPTED BY THE CITY COUNCIL ON MARCH 6, 2023, AUTHORIZING THE EXECUTION OF A LUMP SUM CONTRACT IN AN AMOUNT OF \$482,500.00 AND, IN PLACE THEREOF, AUTHORIZING THE EXECUTION OF A LUMP SUM CONTRACT IN THE AMOUNT OF \$487,500.00 WITH LEE GROVER CONSTRUCTION CO. FOR THE BODE COMPLEX COURT RESURFACING PROJECT.

29. **BILL # 340-22**

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PROFESSIONAL DESIGN SERVICES WITH WEST 8 URBAN DESIGN & LANDSCAPE ARCHITECTURE P.C. FOR THE RENOVATION OF KRUG PARK IN THE AMOUNT OF \$652,403.00.

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

NOMINATIONS AND APPOINTMENTS:

30. None.

BILLS FOR PASSAGE:

31. **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.

EMERGENCY BILLS FOR PASSAGE:

32. None.

RESOLUTIONS FOR ADOPTION:

33. None.

BILLS FOR FIRST READING:

34. **BILL # 341-22**
AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR THE PROPERTY LOCATED AT 925 5TH AVENUE FOR USE AS A MEETING HALL AS REQUESTED BY PATRICK RIGG ON BEHALF OF PARIS ENTERTAINMENT LLC.
35. **BILL # 342-22**
AN ORDINANCE AUTHORIZING EXECUTION OF A REAL ESTATE PURCHASE AGREEMENT WITH WILLIAM A. BURKS (BUYER) FOR THE CITY TO SELL REAL ESTATE LOCATED AT 1309 NORTH 10TH STREET FOR THE AMOUNT OF \$59,000.00 AND OTHER GOOD AND VALUABLE CONSIDERATION.
36. **BILL # 343-22**
AN ORDINANCE AUTHORIZING AN AMENDMENT TO SECTION 17-251 TITLED "REQUIRED DOCUMENTS, PROHIBITIONS" OF CHAPTER 17 "HEALTH AND SANITATION," ARTICLE VIII "TATTOOING" OF THE CODE OF ORDINANCES TO REMOVE THE REQUIREMENT FOR A WRITTEN STATEMENT FROM A PHYSICIAN THAT A TATTOO ARTIST IS FREE OF COMMUNICABLE DISEASE PRIOR TO RECEIVING AN ARTIST'S CARD.
37. **BILL # 344-22**
AN ORDINANCE AUTHORIZING AN AMENDMENT TO SECTIONS 29-131 "DEFINITIONS", 29-132 "ABBREVIATIONS", AND 29-157 "SPECIFIC PROHIBITIVE DISCHARGE LIMITATIONS" OF CHAPTER 29 "UTILITIES" OF THE CODE OF ORDINANCES TO UPDATE INDUSTRIAL METALS LOADING LIMITS FROM CONCENTRATION TO MASS BASED LIMITS.
38. **BILL # 345-22**
AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE AVIATION FUND BUDGET IN THE AMOUNT OF \$14,788.529.00 AND THE EXECUTION OF A CONTRACT FOR CONSTRUCTION WITH IDEKER, INC., FOR COMPLETE PAVEMENT REPLACEMENT OF RUNWAY 17/35 AT ROSECRANS MEMORIAL AIRPORT IN THE AMOUNT OF \$27,301,429.00.
39. **BILL # 346-22**
AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE PLANNING PROGRAM IN THE GENERAL FUND AND EXECUTION OF AN AGREEMENT WITH ST. JOSEPH COMMUNITY ALLIANCE TO CONTRIBUTE TO THE COST OF A FEASIBILITY STUDY FOR DEVELOPMENT OF A POTENTIAL ATHLETIC COMPLEX ALL IN THE AMOUNT OF \$20,000.00.

REPORTS OF BOARDS & COMMISSIONS:

40. Filed 3/3/23: Minutes of the Parks and Recreation Board meeting held October 28, 2022, at 4:00 p.m. at the Parks Administration Building, 1920 Grand Avenue.
41. Filed 3/6/23: Parks and Recreation Board meeting held on December 1, 2022, at 4:00 p.m. at the Parks, Recreation & Civic Facilities Building, 1920 Grand Avenue.
42. Filed 3/8/23: Minutes of the St. Joseph Landmark Commission meeting held February 7, 2023, at 5:30 p.m. in the First Floor Conference Room at City Hall.
43. Filed 3/9/23: Minutes of the Human Rights Commission meeting held February 23, 2023, at 6:00 p.m., in the First Floor Conference Room at City Hall.
44. Filed 3/9/23: Minutes of the Traffic Commission meeting held March 8, 2023, at 10:00 a.m., in the First Floor Conference Room at City Hall.
45. Filed 3/14/23: Minutes of the Community Police Advisory Committee meeting held March 7, 2023 at 7:00 p.m., at the Law Enforcement Center, 501 Faraon Street.

WORK SESSION MINUTES - CITY CLERK'S OFFICE:

46. Filed 3/9/23: Minutes of the Council Work Session held March 6, 2023, at 4:00 p.m. in the Fourth Floor Conference Room at City Hall.

REPORTS & RECOMMENDATIONS OF THE CITY MANAGER:

47. File 3/7/23: Memorandum in re: Absent from the City-Acting City Manager (March 7 through 9).
48. Filed 3/8/23: Memorandum in re: Absent from the City - Acting City Manager (March 7 through 9)

DELEGATIONS, PETITIONS:

49. None.

COMMUNICATIONS:

50. Filed 3/1/23: Municipal Division Summary Report January 2023.
51. Filed 3/2/23: Email from Charles Hayes in re: Resignation from the Community Police Advisory Committee.
52. Filed 3/3/23: Minutes of the St. Joseph Museums Membership Committee meeting held January 12, 2023, at 3:00 p.m. at St. Joseph Museums, 3406 Frederick Avenue.
53. Filed 3/6/23: Minutes of the Sustainable Environment Advisory Committee meeting held

February 22, 2023, at 4:00 p.m. in the 1st Floor Conference Room at City Hall, via Video Conferencing.

54. Filed 3/6/23: City Manager Approved Encumbrances Report, February 2023.
55. Filed 3/6/23: Business Licenses Report, February 2023.
56. Filed 3/6/23: Single Family Rental Property Licenses Report, February 2023.
57. Filed 3/6/23: Minutes of the St. Joseph Museums Black Archives Museum Committee meeting held on February 7, 2023, at 1:00 p.m. at the St. Joseph Museums, 3406 Frederick Avenue.
58. Filed 3/6/23: Apartment House Rental Property Licenses Report, February 2023.
59. Filed 3/6/23: Human Resources Department Monthly Activity Report, February 2023.
60. Filed 3/6/23: Building Permits Issued by SubType Report, February 2023.
61. Filed 3/7/23: Minutes of the St. Joseph Museums Fundraising Committee meeting held on February 9, 2023, at 4:00 p.m. at the St. Joseph Museums, 3406 Frederick Avenue.
62. Filed 3/8/23: Minutes of the St. Joseph Museums Programming Committee meeting held on February 14, 2022, at 1:30 p.m. at the St. Joseph Museum, 3406 Frederick Avenue.
63. Filed 3/9/23: Minutes of the St. Joseph Museums Annual Membership meeting held January 19, 2023, at 5:30 p.m. at the St. Joseph Museums, 3406 Frederick Avenue.
64. Filed 3/9/23: St. Joseph Museums Strategic and Operations Plan 2023.
65. Filed 3/10/23: Minutes of St. Joseph Museums Bi-Monthly Board Meeting held January 19, 2023, at 6:30 p.m. at St. Joseph Museums, 3406 Frederick Avenue.
66. Filed 3/10/23: Minutes of St. Joseph Museums Juneteenth Planning Committee meeting held February 13, 2023, at 6:00 p.m. at St. Joseph Museums, 3406 Frederick Avenue.
67. Filed 3/10/23: Minutes of St. Joseph Museums Executive Committee meeting held February 16, 2023, at 4:00 p.m. at St. Joseph Museums, 3406 Frederick Avenue.
68. Filed 3/13/23: Fire Department Monthly Report, February 2023.
69. Filed 3/13/23: Health Department Monthly Report, February 2023.
70. Filed 3/13/23: Parks, Recreation and Civic Facilities Department Annual Report, 2022.
71. Filed 3/13/23: Property Maintenance Monthly Report, February 2023.

72. Filed 3/13/23: Memorandum from Laurie Tietjen, Director of Finance, and Judy Hovey, Associate Director of Finance & Revenue, in re: Disposition List.
73. Filed 3/13/23: Minutes of the St. Joseph Museums Programming Committee meeting held on February 14, 2023, at 1:30 p.m. at the St. Joseph Museums, 3406 Frederick Avenue.
74. Filed 3/14/23: Memorandum from Paula Heyde, City Clerk, in re: Disposition List
75. Filed 3/14/23: Memorandum from Patricia Jones in re: Resignation from the Community Police Advisory Committee.

OTHER BUSINESS:

76. 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.