

# NOTICE OF MEETING

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## CITY COUNCIL

*Regular Meeting – Monday, August 13, 2018 – 7:00 p.m.*  
Council Chamber – City Hall – 1100 Frederick Avenue

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## AGENDA

### COUNCIL SEATING ARRANGEMENT

J. Bruce Woody  
City Manager

Bill McMurray  
Mayor

Paula Heyde  
City Clerk

#### MANAGER'S STAFF\*

#### COUNCILMEMBERS

#### COUNCILMEMBERS

Brian Myers (At Large)

Brenda Blessing (At Large)

Marty Novak (2nd District)

Madison Davis (1st District)

Kent O'Dell (At Large)

PJ Kovac (3rd District)

Gary Roach (4th District)

Russell Moore (5th District)

\*City Attorney Bryan Carter, Administrative Services Director Tom Mahoney, Fire Chief Michael L. Dalsing, Police Chief Chris Connally, Health Director Debra Bradley, Parks, Recreation & Civic Facilities Director Chuck Kempf, Planning & Community Development Director Clint Thompson and Public Works & Transportation Director Andrew Clements.

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PLEDGE OF ALLEGIANCE:

ROLL CALL:

CALL TO ORDER:

MINUTES:

1. Approval of the minutes of the regular meeting held July 30, 2018 at 7:00 p.m., as transcribed in the office of the City Clerk.

SPECIAL RECOGNITIONS:

None.

ACCEPTANCE OF AGENDA:

PUBLIC HEARING FOR THE ESTABLISHMENT OF A COMMUNITY IMPROVEMENT DISTRICT:

2. The City Council will hold a public hearing on August 13, 2018, at 7:00 p.m. in the Council Chamber at City Hall, 1100 Frederick Avenue, for the purpose of considering the establishment of a community improvement district.

A petition for the establishment of the 36th & Frederick Community Improvement District has been filed with the City Clerk.

The boundaries of the proposed 36th & Frederick Community District are:

The subject property consists of approximately 3.54 acres, more or less, and is located at 3502 Frederick Avenue (southwest corner of Frederick Avenue and 36th Street).

All interested persons shall be given an opportunity to be heard at the public hearing. (See Agenda #25, Bill #131-18).

CONSENT AGENDA:

Nominations and Appointments:

3. Filed 7/31/18: Mayor McMurray nominates Caitlin Zibers, Transportation Planner, to serve as a member of the ABCD Regional Planning Commission for a term expiring April 30, 2020; she is being reappointed.
4. Filed 8/1/18: Mayor McMurray nominates Byron Myers, Sr., 3002 Miller Road, to serve as a member of the Tax Increment Financing Commission of St. Joseph, Missouri for a term expiring August 15, 2022; he is being reappointed.

CONSENT AGENDA: Nominations and Appointments: (Cont'd)

5. Filed 8/1/18: Mayor McMurray nominates Jeff Penland, 1014 E. Cliff Avenue, to serve as a member of the Tax Increment Financing Commission of St. Joseph, Missouri for a term expiring August 15, 2022; he is being reappointed.
6. Filed 8/6/18: Councilmember Blessing nominates Barbara Wilkerson, 406 Rockwood Court, to serve as a member of the Senior Citizen Foundation, Inc. Board for a term expiring August 28, 2021; she is being reappointed.
7. Filed 8/6/18: Councilmember Blessing nominates Dave Martin, 2702 Bishop Road, to serve as a member of the Senior Citizen Foundation, Inc. Board for a term expiring August 17, 2021; he is being reappointed.

Bills for Passage:

8. A Bill (#116-18) authorizing the acceptance of public sanitary sewer infrastructure located in the Duncan Street Housing Subdivision via a Deed of Gift from St. Joseph Habitat for Humanity.
9. A Bill (#117-18) authorizing the execution of a purchase agreement with and the acceptance of a Special Warranty Deed and Quit Claim Deed from Jim and Rob, LLC, and L & L Holdings for property to be used for the 2018 Urban Trail Patee Branch Phase 2 Project and possible use for the Odor Control Project in the total amount of \$53,050.00.
10. A Bill (#118-18) authorizing the submittal and execution of a Missouri Highway and Transportation Commission Public Transit Operating Assistance Grant Agreement in the amount of \$19,297.00.
11. A Bill (#123-18) declaring a public necessity for acquisition of real property through the exercise of the power of eminent domain for tracts of real estate owned by BNSF Railway Company and located adjacent to (and crossing) Locust Street from approximately 22nd Street to 28th Street, in St. Joseph, Buchanan County, Missouri, for the 2018 Trail Patee Branch Phase 2 Project and possible use for the Odor Control Project and authorizing the City Attorney to commence an action exercising the power of eminent domain to obtain said real estate.

CONSENT AGENDA: (Cont'd)

Resolutions for Adoption:

12. A Resolution (#130-18) authorizing the execution of a Unit Price Contract with TNR Construction, LLC, and the issuance of purchase orders towards said contract, in a total amount not to exceed \$416,236.00 for the 2015 Urban Trail Patee Branch Phase I Project.
  
13. A Resolution (#134-18) authorizing the issuance of purchase orders using the Master Agreement with JD Bishop Construction, LLC for concrete work on the Water Protection main plant driveway in an amount not to exceed \$91,726.00 and the Browns Branch Pumping Station driveway in an amount not to exceed \$27,900.00.
  
14. A Resolution (#137-18) authorizing the filing of a pre-application project proposal to the Missouri Department of Natural Resources (MDNR) for the Fiscal Year 2018 Outdoor Recreation Legacy Partnership Program in the amount of \$750,000.00 for the construction of a new aquatic facility and related features at Hyde Park.
  
15. A Resolution (#140-18) authorizing the execution of a Grant Agreement with Community Action Partnership in the amount of \$158,569.00 in FY2017/2018 HOME Investment Partnerships funds to construct a single family home at 716 South 21st Street.
  
16. A Resolution (#141-18) authorizing the execution of a Grant Agreement with St. Joseph Habitat for Humanity in the amount of \$79,284.50 in FY 2017/2018 HOME Investment Partnerships funds to construct a single family home at 422 South 20th Street.
  
17. A Resolution (#142-18) authorizing execution of Change Order No. 8 to the contract with Mega Industries Corporation for the conveyance work of the Blacksnake Creek Stormwater Separation Improvement Project in the amount of \$126,613.61.

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

NOMINATIONS AND APPOINTMENTS:

None.

BILLS FOR PASSAGE:

18. A Bill (#121-18) electing to cover present and future Police Department employees who are declared to be eligible in the Missouri Local Government Employees Retirement System (LAGERS) under Benefits Program L-11.
  
19. A Bill (#122-18) amending Sections 2-303, titled "Pension fund for police;" 2-1114 titled "Payroll deductions authorized;" and 2-1118, titled;" "Benefits program" of Chapter 2 "Administrative Code" of the Code of Ordinances to accommodate transition of current and future Police Department employees from the City's existing Police Pension Plan to a Missouri Local Government Employee Retirement System Benefits Plan.
  
20. A Bill (#127-18) amending the Public Health Department budget in the General Fund to roll over unspent funds in the amount of \$125,003.00 from a variety of grants and contracts.
  
21. A Bill (#87-18) authorizing an amendment to the General Fund, 2011 Transient Guest Tax Program budget in the amount of \$175,700.00 and execution of a master agreement for professional services and Work Order Number One with SWT Design, Inc. for the St. Joseph Riverfront Park Redevelopment Study.

EMERGENCY BILLS FOR PASSAGE:

22. An Emergency Bill (#136-18) authorizing an amendment to the "City of St. Joseph, Missouri Police Pension Plan."

RESOLUTIONS FOR ADOPTION:

None.

BILLS FOR FIRST READING:

23. A Bill (#128-18) providing for the rate of taxation and the levy and collection of taxes for the fiscal year commencing July 1, 2018.
24. A Bill (#129-18) levying a special assessment for the Fiscal Year commencing July 1, 2018 for the Park District.
25. A Bill (#131-18) approving a petition for and establishing the 36th and Frederick Community Improvement District (CID).
26. A Bill (#132-18) approving a Cooperative Agreement with the 36th and Frederick Community Improvement District and 3502 Frederick Ave, LLC, for funding and financing of certain improvements related to the petition to establish the 36th and Frederick Community Improvement District.
27. A Bill (#133-18) authorizing the acceptance of Easement No. DACA41-2-18-061 from the Department of the Army for the existing public sanitary sewer line located at the U.S. Army Reserve Center, 1201 N. 36th Street, for a term of fifty (50) years beginning April 6, 2015 and expiring April 5, 2065.
28. A Bill (#135-18) redistricting the property located at 2102 South 10th Street from R-2, Two Family Residential District to C-3 Commercial District, as requested by Lee Jackson.
29. A Bill (#138-18) amending Section 2-491 "Advice to city council" of Chapter 2 "Administrative code" of the Code of Ordinances to expand the powers and duties of the Administrative Violation Review Board under the amended heading "Powers and duties".
30. A Bill (#139-18) authorizing an amendment to Section 31-003 titled "District map adopted" and enacting a new Section 31-011 titled "Right of way zoning," both in Chapter 31, "Zoning," of the Code of Ordinances to clarify or zone the City's rights-of-way including to apply the R-1A detached Single Family Residential zoning designation to public rights-of-way within 1,000 feet of residentially-zoned property or residential dwelling.
31. A Bill (#143-18) amending the General Fund; Streets Maintenance Fund, Parks Maintenance Fund, Public Parking Fund and Municipal Golf Fund budgets for Fiscal Year 2017-2018.
32. A Bill (#144-18) approving a variance from Chapter 26 "Subdivisions" of the Code of Ordinances requiring the construction of half-street improvements as requested by Jarrett Archdekin for property located at 2501 Karnes Road including Parcels 03-8.0-33-001-000-001.000 and 03-8.0-33-002-000-007.000.

REPORTS OF BOARDS & COMMISSIONS:

33. Filed 7/26/18: Minutes of the Aviation Board meeting held June 6, 2018, at 11:30 a.m., in the Conference Room at Rosecrans Memorial Airport.
34. Filed 7/26/18: Minutes of the Library Board Budget/Personnel Committee meeting held July 24, 2018, at 4:45 p.m., at 927 Felix Street.
35. Filed 7/26/18: Minutes of the Library Board annual meeting held July 24, 2018, at 5:00 p.m., at 927 Felix Street.
36. Filed 7/26/18: Minutes of the Library Board of Trustees meeting held July 24, 2018, at 5:05 p.m., at 927 Felix Street.
37. Filed 7/30/18: Minutes of the Building and Fire Prevention Code Board of Appeals meeting held July 26, 2018, at 3:30 p.m., in the 1st Floor Conference Room at City Hall.
38. Filed 8/1/18: Minutes of the Planning Commission meeting held July 26, 2018, at 7:00 p.m., in the Council Chamber at City Hall.
39. Filed 8/2/18: Minutes of the Downtown Review Board meeting held August 1, 2018, at 5:30 p.m., in the Council Chamber at City Hall.
40. Filed 8/3/18: Minutes of the Tourism Commission meeting held August 2, 2018, at 4:00 p.m., in the 1st Floor Conference Room at City Hall.
41. Filed 8/7/18: Minutes of the Planning Commission Work Session held July 26, 2018, at 5:00 p.m., in the 4th Floor Conference Room at City Hall.
42. Filed 8/7/18: Minutes of the Administrative Violation Review Board meeting held July 17, 2018, at 9:30 a.m., in the 4th Floor Conference Room at City Hall.
43. Filed 8/8/18: Minutes of the Administrative Violation Review Board meeting held June 5, 2018, at 1:00 p.m., in the 4th Floor Conference Room at City Hall.
44. Filed 8/8/18: Minutes of the Landmark Commission Work Session held July 10, 2018, at 6:00 p.m., in the Council Chamber at City Hall.
45. Filed 8/8/18: Minutes of the Landmark Commission meeting held July 10, 2018, at 7:00 p.m., in the Council Chamber at City Hall.
46. Filed 8/8/18: Minutes of the special Planning Commission meeting held August 6, 2018, at 6:00 p.m., in the Council Chamber at City Hall.

WORK SESSION MINUTES – CITY CLERK’S OFFICE:

None.





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.