COUNCIL AGENDA
Monday, September 17, 2018
6:00 P.M., Council Chambers

1. **Call To Order**
   Invocation
   Pledge of Allegiance of the United States of America

2. **Roll Call**

3. **Presentations**

   1. North Heights Porchfest Day 2018 Proclamation

      Documents:

      PORCHFEST DAY 2018.PDF

4. **Finalization Of Consent Agenda**

5. **Reports And Communications**

6. **Citizen Requests And Petitions**

   1. Russell Presson, 261 Buchanan Rd. Requests To Speak On Water Run Off At 229-227 Buchanan Rd.

   2. Margey Upson Requests To Speak On Raises

7. **Public Hearings**

8. **Consent Agenda**

   1. Notes From The September 4, 2018 Informal Council Meeting

      Documents:

      INFORMAL NOTES-SEPT 4.PDF

   2. Minutes Of The September 4, 2018 City Council Meeting

      Documents:

      SEPT 4, 2018- CC MEETING MINS.PDF

   3. Notes From The September 11, 2018 FY 19 Budget Work Session

      Documents:

      SEPT 11 WORK SESSION NOTES.PDF

   4. COUNCIL BILL NO. 2018-269
      AN ORDINANCE amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District C-1 and including in District R-1 property as described below and located 7414 E. 32nd Street, City of Joplin, Newton County, Missouri.

      Documents:

CB2018-269.PDF

5. COUNCIL BILL NO. 2018-270
AN ORDINANCE amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District M-1-PD and including in District R-1 property as described below and located A tract of land on the west side of North St. Louis Avenue, located approximately 656 feet north of the intersection of North St. Louis Avenue and East Fountain Road, City of Joplin, Jasper County, Missouri.

Documents:

CB2018-270.PDF

6. COUNCIL BILL NO. 2018-265
AN ORDINANCE amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District R-1 and including in District C-3-PD property as described below and located adjacent and south of I-44 at Exit 1, City of Joplin, Newton County, Missouri.

Documents:

CB2018-265.PDF

9. **Resolutions**

10. **Ordinances - Emergency**

1. COUNCIL BILL NO. 2018-515
AN ORDINANCE adopting and establishing pay rates for certain Unclassified Council Employees; and, amending the Annual Budget of the City of Joplin for the Fiscal Year 2017-2018 as adopted by Ordinance 2017-167 on October 16, 2017; and, containing an emergency clause.

Documents:

CB 2018-515 SUMMARY WAGE ADJUSTMENT COUNCIL EMPLOYEES.PDF
CB 2018-515 EXHIBIT A COUNCIL EMPLOYEE PAY EXHIBIT SEPTEMBER 2018.PDF
CB 2018-515 SCHEDULE B BUDGET AMENDMENT COUNCIL EMPLOYEE PAY PLAN SEPT 2018.PDF
CB 2018-515 COUNCIL EMPLOYEES PAY ADOPTION ORDINANCE.PDF

11. **Ordinances - First Reading**

12. **Ordinances - Second Reading And Third Reading**

13. **Unfinished Business**

14. **New Business**

1. Declare Excess Surplus Property For The Annual City Of Joplin Auction.

Documents:

COPY OF 2018 AUCTION MASTER LIST.XLSX

2. News From The Public Information Officer, Lynn Onstot.

3. Comments From City Council Members

Anyone wishing to address the Council should step to the podium and state his/her name and address. If the matter is not a Public Hearing, a request to speak to the Council should be prepared prior to the meeting. Speaking time will be limited to five (5) minutes.

Sound enhancement units are available for hearing impaired customers who provide a form of identification as security, which will be returned to the customer upon the return of the unit.

Those in need of disability-related auxiliary aids or services should contact the City Clerk's office at (417) 624-0820, ext. 220 no later than 48 hours prior to the meeting.

Notice posted at ____ p.m. on this the __ day of ____, ____. (RSMo 610.020)

PROCLAMATION

Proclaiming October 13, 2018 as North Heights Porchfest Day

WHEREAS, October 13, 2018 marks the second annual North Heights Porchfest Day in Joplin, Missouri; and

WHEREAS, Porchfest is a grassroots event that is a celebration of local music, art and community, and is free to the entire Joplin community and surrounding areas; and

WHEREAS, Porchfest is an event that builds community spirit and promotes personal and community wellness through joining people together to enjoy fresh air, exercise, music, art and relaxation; and

WHEREAS, Porchfest is managed by the homeowners, and volunteers from the community help make this event possible; and

WHEREAS, Porchfest runs from 1st Street to F Street, between Main and Jackson.

NOW, THEREFORE, I, Gary L. Shaw, Mayor of the City of Joplin, Missouri, do hereby proclaim October 13, 2018, as

NORTH HEIGHTS PORCHFEST DAY

in the city of Joplin and encourage all citizens to participate in and enjoy this event.

IN WITNESS, WHEREOF, I have hereunto set my hand and caused the Seal of the City of Joplin to be affixed this 17th day of September 2018.

_____

Gary L. Shaw, Mayor

JOPLIN CITY COUNCIL
INFORMAL MEETING NOTES
SEPTEMBER 4, 2018

Mayor Shaw called the September 4, 2018 Informal Meeting of the Joplin City Council to order at 5:15 p.m.

In attendance were Council Members: Taylor Brown, Melodee Colbert-Kean, Doug Lawson, Anthony Monteleone; Diane Reid Adams, Mayor Gary Shaw, Ryan Stanley, Phil Stinnett, and Jim West. Also, in attendance were City Manager Sam Anselm and City Attorney Peter Edwards.

Priority Based Budgeting Overview

Taylor Cunningham, Assistant to the City Manager, presented this informational overview about what PBB is and is not. PBB provides a comprehensive review of the city's operating budget, identifying and ranking programs and services offered on the basis of the community's priorities.

The process can be broken down into five distinct steps:

1) Determine and clarify vision/results: why does our organization exist? What is our organization in the business to provide? Organizational goals: what do we want to be? Two sets of results were created: community-oriented and governance-oriented.
2) Identify programs and services; what do we do? A group of people working together to deliver a service to identifiable users; programs are action oriented and easy to understand.
3) Allocate costs/resources to programs: comprehensive cost information for each program; estimated staff time and other costs; identify any revenues; personnel vs. non-personnel costs.
4) Score programs based on results: departments scored programs against results: level of mandate to provide; cost recovery; change in demand; peer reviewed scored programs; and how much does each program contribute to achieving each result.
5) Online PBB tool: sorting information; visual representation of how City allocates resources; how programs rank relative to each other.

The city council members thanked Taylor for her presentation and stated it helped them understand the program better. Taylor and City Manager Anselm answered questions from council members.

City Manager Anselm stated the city council will have the opportunity to review the program after he updates the scoring on the programs.

Taylor stated it takes time to get data and numbers in the right programs.

Mayor Shaw stated that perhaps PBB could be used as a positive tool to better inform our citizens of what the city is doing with their resources.

Submitted,

Barbara J. Gollhofer, City Clerk

JOPLIN CITY COUNCIL
SEPTEMBER 4, 2018 MEETING MINUTES

CALL TO ORDER

The regular meeting for the Joplin City Council was called to order at 6:00 p.m.by Mayor Gary Shaw.

INVOCATION read by City Clerk Barbara Gollhofer.

PLEDGE OF ALLEGIANCE to the United States of America was led by Mr. Stanley.

ROLL CALL – Answering Roll Call were Council Members: Taylor Brown, Melodee Colbert-Kean, Doug Lawson, Anthony Monteleone, Diane Reid Adams, Gary Shaw; Ryan Stanley, Phil Stinnett, and Jim West. Also, in attendance were City Manager Sam Anselm and City Attorney Peter Edwards.

PRESENTATIONS

Brent Baker, a member of the Dreams District committee, presented a request to the City Council for a land donation from the City to be used as the future site to establish a park in East Town. The name of the park would be Hope Park to represent the work going on to revitalize the East Town neighborhood. The building of the park would be privately funded, but the maintenance would continue to be done by the City. After the presentation and discussion, Mr. West made a motion, seconded by Mr. Stanley, to allow the committee to look at funding options for moving forward with the park and bring a report back to the City Council. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw; Stanley, Stinnett, and West, 9. Nays: 0.

FINALIZATION OF CONSENT AGENDA

There being no further business to come before the Council, the Consent Agenda was finalized.

REPORTS AND COMMUNICATIONS

CITIZEN REQUESTS AND PETITIONS

Margey Upson spoke on the recent raises.

Clifford Wert, 407 S. Pennsylvania Ave. provided an update on the Capital Campaign for the Harry M. Cornell Arts & Entertainment Complex.

Jeremie Humphrey, PO Box 1712, Joplin, spoke on Fire Fighter pay scale.

PUBLIC HEARINGS

Public Hearing Procedures read by City Clerk Barbara Gollhofer.

Public Hearing for Council Bill No. 2018-269

Mayor Shaw opened the Public Hearing

Tom Christiansen, 7414 E. 32nd St. appeared in favor of this item.

No one appeared in opposition to this item.

The Public Hearing was closed.

Mr. Stanley introduced Council Bill No. 2018-269 - an ordinance amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District C-1 and including in District R-1 property as described below and located 7414 E. 32nd Street, City of Joplin, Newton County, Missouri. Motion by Mr. Stanley, second by Mr. Lawson that Council Bill No. 2018-269 be placed on First Reading and advanced to Second and Third Reading. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw; Stanley, Stinnett, and West, 9. Nays: 0. The Council Bill was read as **Council Bill No. 2018-269.**

Public Hearing for Resolution No. 2018-013

Mayor Shaw opened the Public Hearing

Stephanie Theis, 711 S. Picher, appeared in favor of this item.

No one appeared in opposition to this item.

The Public Hearing was closed.

Mr. West introduced Resolution No. 2018-013 - a resolution granting a Special Use Permit (First Request) to Children's Haven for a parking lot located at 733 S. Picher in the City of Joplin, Jasper County, Missouri. Motion by Mr. West, second by Mrs. Colbert-Kean to approve Resolution No. 2018-013. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw; Stanley, Stinnett, and West, 9. Nays: 0. **Resolution No. 2018-013**

Public Hearing for Council Bill No.2018-270

Mayor Shaw opened the Public Hearing

No one appeared in favor of, or in opposition, to this item.

The Public Hearing was closed.

Mr. Stanley introduced Council Bill No. 2018-270 - an ordinance amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District M-1-PD and including in District R-1 property as described below and located A tract of land on the west side of North St. Louis Avenue, located approximately 656 feet north of the intersection of North St. Louis Avenue and East Fountain Road, City of Joplin, Jasper County, Missouri. Motion by Mr. Stanley, second Mr. Stinnett that Council Bill No. 2018-270 be placed on First Reading and advanced to Second and Third Reading. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw; Stanley, Stinnett, and West, 9. Nays: 0. The Council Bill was read as **Council Bill No. 2018-270**

Public Hearing for Council Bill No. 2018-265

Mayor Shaw opened the Public Hearing

Bill Richert, 6033 Quebec Rd. Tulsa, appeared in favor of this item.

Tamara Breedlove, 1645 Outer Rd, Joplin, appeared in opposition to this item.

Casey VanStory, 1601 S. Outer Rd., Joplin, appeared in opposition to this item.

The Public Hearing was closed.

Mr. Stanley introduced Council Bill No. 2018-265 - an ordinance amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District R-1 and including in District C-3-PD property as described below and located adjacent and south of I-44 at Exit 1, City of Joplin, Newton County, Missouri. Motion by Mr. Stanley, second by Mr. Lawson that Council Bill No. 2018-265 be placed on First Reading and advanced to Second and Third Reading. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw; Stanley, Stinnett, and West, 9. Nays: 0. The Council Bill was read as **Council Bill No. 2018-265.**

CONSENT AGENDA.
Motion by Mr. West, second by Mr. Brown to approve the Consent Agenda. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw; Stanley, Stinnett, and West, 9. Nays: 0.

Minutes of the August 20, 2018 Informal City Council Meeting

Minutes of the August 20, 2018 City Council Meeting

COUNCIL BILL NO. 2018-025-AN ORDINANCE re-adopting Chapter 2, Administration, of the Joplin City Code, Section 2-107, "Financial interest disclosure", requiring certain officials and employees of the City of Joplin to file Financial Interest Disclosure Statements as described herein. **Ordinance No. 2018-113**

COUNCIL BILL NO. 2018-611- AN ORDINANCE approving the applications of Ozark Christian College, for 2019 Conference Series promotions; MSSU Alumni Association for Alumni Tracking Software; Phi Beta Sigma Fraternity (with George Washington Carver National Monument), for Carver Legacy Event; Active Lifestyle Inc., for Joplin Memorial Run; Joplin Disc Golf Club for 14th Annual Four State Open; Rufus Racing, for Summer Roundup Triathlon; Downtown Joplin Alliance for 2019 Events Marketing Campaign; ProMusica for 2019 Concert Series promotions; Joplin Art Fest Committee for the Joplin Arts Fest; Carl Junction Chamber of Commerce for the 19th Annual Carl Junction Bluegrass Festival; Emancipation Celebration Committee for Emancipation Park Day Celebration; Joplin History and Mineral Museum, for Museum Marketing Campaign; George A. Spiva Center for the Arts, for PhotoSpiva; Connect 2 Culture, for Fiddler's on the Route; Wildcat Glades Friends Group, for Shoal Creek Water Festival; and TwelveOne Race Management, for the

Mother Road Marathon, for utilization of FY2019 Festivals and Celebrations support pursuant to Ordinance No. 2000-148, as authorized by the voters on November 7, 2000; authorizing the City Manager to execute appropriate agreements with each such organization for the utilization of such funds. **Ordinance No. 2018-114**

RESOLUTIONS

Mr. Lawson introduced Resolution No. 2018-014 - a resolution authorizing the submittal of an application with the Missouri State Historic Preservation Office for the FY 2019 Historic Preservation Fund Grant for the East Town (Original Joplin) Historic Survey Phase II. Motion by Mr. Lawson, second by Mrs. Reid Adams to approve Resolution No. 2018-014. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw, Stanley, Stinnett, and West, 9. Nays: 0. **Resolution No. 2018-014**

Mrs. Reid Adams introduced Resolution No. 2018-015 - a resolution authorizing the submittal of an application with the Missouri State Historic Preservation Office for the FY 2019 Historic Preservation Fund Grant for the National Historic Register Nomination of Memorial Hall. Motion by Mrs. Reid Adams, second by Mr. Brown to approve Resolution No. 2018-105. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw, Stanley, Stinnett, 8. Nays: West, 1. **Resolution No. 2018-015**

ORDINANCES – EMERGENCY

Mr. Stinnett introduced Council Bill No. 2018-140 - an ordinance authorizing the City to accept a grant from the Department of Transportation, Federal Aviation Administration, (FAA) Airport Improvement Program (AIP) for Engineering Services for the update of the Pavement Management Plan at the Joplin Regional Airport and, amending the Annual Budget of the City of Joplin for the Fiscal Year 2017-2018 as adopted by Ordinance 2017-167 on October 16, 2017; and, containing an emergency clause. Motion by Mr. Stinnett, second by Mr. West that Council Bill No. 2018-140 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw, Stanley, Stinnett, and West, 9. Nays: 0. The Council Bill was declared adopted and entitled **Ordinance No. 2018-115**

Mr. Stanley introduced Council Bill No. 2018-141 - an ordinance authorizing the City to enter into a Grant Agreement with the Missouri Department of Transportation (MoDOT) for assistance in promotion of Air Service at the Joplin Regional Airport and, amending the Annual Budget of the City of Joplin for the Fiscal Year 2017-2018 as adopted by Ordinance 2017-167 on October 16, 2017; and, containing an emergency clause. Motion by Mr. Stanley, second by Mr. Monteleone that Council Bill No. 2018-141 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw, Stanley, Stinnett, and West, 9. Nays: 0. The Council Bill was declared adopted and entitled **Ordinance No. 2018-116**

Mr. Stinnett introduced Council Bill No. 2018-142 - an ordinance approving the City of Joplin to enter into an agreement with Bennett Inc., in the amount of One Hundred Twenty-Two Thousand Six Hundred Twelve dollars ($122,612.00) for construction of the Villa Heights Sanitary Sewer Reroute & Streambank Stabilization Project; and authorizing the City Manager or his designee to execute the same by and on behalf of the City of Joplin; and containing an emergency clause. Motion by Mr. Stinnett, second by Mr. Brown that Council Bill No. 2018-142 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams,

Shaw, Stanley, Stinnett, and West, 9. Nays: 0. The Council Bill was declared adopted and entitled **Ordinance No. 2018-117**

Mr. West introduced Council Bill No. 2018–365 - an ordinance approving the contract by and between the City of Joplin and Jordan Disposal for the demolition of the structure(s) and clearing of lot area located at 219 Washington. in the City of Joplin, Missouri, for Three Thousand One Hundred Seventy-Five and 00/100 Dollars ($ 3,175.00); providing how the cost thereof shall be paid; how the assessment thereof shall be made; and containing an emergency clause. Motion by Mr. West, second by Mr. Lawson that Council Bill No. 2018-365 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw, Stanley, Stinnett, and West, 9. Nays: 0. The Council Bill was declared adopted and entitled **Ordinance No. 2018-118.**

Mr. West introduced Council Bill No. 2018–366 - an ordinance approving the contract by and between the City of Joplin and Nelson Demolition for the demolition of the structure(s) and clearing of lot area located at 2213 Adele. in the City of Joplin, Missouri, for Three Thousand Seven Hundred Fifty and 00/100 Dollars ($ 3,750.00); providing how the cost thereof shall be paid; how the assessment thereof shall be made; and containing an emergency clause. Motion by Mr. West, second by Mrs. Reid Adams that Council Bill No. 2018-366 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw, Stanley, Stinnett, and West, 9. Nays: 0. The Council Bill was declared adopted and entitled **Ordinance No. 2018-119**

Mr. West introduced Council Bill No. 2018–367 - an ordinance approving the contract by and between the City of Joplin and Jordan Disposal for the demolition of the structure(s) and clearing of lot area located at 1010 Monroe. in the City of Joplin, Missouri, for Three Thousand Five Hundred and 00/100 Dollars ($ 3,500.00); providing how the cost thereof shall be paid; how the assessment thereof shall be made; and containing an emergency clause. Motion by Mr. West, second by Mrs. Reid Adams that Council Bill No. 2018-367 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw, Stanley, Stinnett, and West, 9. Nays: 0. The Council Bill was declared adopted and entitled **Ordinance No. 2018-120**

ORDINANCES – SECOND READING AND THIRD READING

UNFINISHED BUSINESS

NEW BUSINESS
Additional request to address Council:

Dan McCreary, 3131 Sunset Dr. spoke on the Public Safety Sales Tax.

News from the Public Information Officer, Lynn Onstot
Mercy Park is the place to be on Saturday, September 15 -- because that's where several organizations will be hosting the fourth annual Joplin Arts Fest. This free festival will feature 40-plus artists, live music, kids' art activities, face painting, beer, wine, food, and fun for the whole family. Join the festivities from 9 a.m. to 4 p.m. at Mercy Park on Saturday, September 15.

Joplin Parks and Recreation staff recently completed an update to Leonard Park's playground for our younger citizens to enjoy. Other updates are coming soon also – The basketball court at Cunningham park will be redone; Landreth Park tennis courts are being repaired and reconfigured for 6 Pickle Ball Courts – Joplin's newest recreational offering; and the tennis court at Leonard Park is being repaired and repainted for tennis enthusiasts.

Joplin Public Library recently introduced **hoopla**, a brand new, revolutionary library lending service! Patrons can now borrow thousands of videos and music albums right from a smartphone, tablet or web browser. This easy-to-use digital lending platform is available to all Joplin Public Library patrons using web browsers or Apple devices. **hoopla** is a program that allows Joplin Public Library patrons to use their library account to electronically borrow movies, TV episodes and music albums and access them from any compatible device. Using cloud computing, patrons can borrow titles using a home computer, begin watching on a tablet, and resume using a smartphone – anywhere there's an Internet connection! With mobile devices, **hoopla** allows you to take the library with you wherever you go!

The City has two more months of free limb drop off opportunities. Offered on the third Saturday of the month, residents can bring limbs out on September 15 and October 20.

Comments from City Council:
Mayor Shaw stated he, City Manager Anselm, and Mayor Pro tem Stanley met with the Citizen Advisory Committee for the Police Department today.

Mr. Monteleone commented on customer service from the city. He stated the city is doing a good job but would like the city manager to explore options to make sure citizens are enjoying great service.

Mr. Stanley commented that the land the city vacated near Joplin High School is being used well. Joplin's football team played Webb City recently and the space was filled with spectators.

Vote to go into closed session, which shall pertain to legal action, causes of action, or litigation including a public governmental body and any confidential or privileged communications between a governmental body or its representatives and its attorneys; and the hiring, firing, disciplining, or promotion of an employee or particular employees of a governmental body involving personal information more specifically for the purpose of evaluating certain Council employees; as set forth in Section 610.021(1) (3) RSMo, as amended, 2017. This meeting, record, and vote to be closed to the extent provided by law. The City Council shall adjourn at the end of the session. Motion by Mr. Monteleone, second by Mr. Stanley to go into closed session. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw, Stanley, Stinnett, and West, 9. Nays: 0.

There being no further business, the meeting was adjourned at 8:19 p.m.

Respectfully,

Barbara Gollhofer, City Clerk

Minutes of the September 11, 2018
Joplin City Council Work session
FY 2019 Budget

The City Council of the City of Joplin, Missouri, held a work session beginning at 5:45 p.m. on Tuesday, September 11, 2018, in the 5th Floor Council Chambers, 602 S. Main to hear the following topics below.

In attendance were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw; Stanley, Stinnett, and West. Also, in attendance were City Manager Sam Anselm and City Attorney Peter Edwards.

FY 19 Budget Work Session – Issues and Options

Mayor Shaw called the work session to order. Before he began the work session, he read a tribute to recognize today as Patriot Day – the 17th anniversary of the 9/11/2001 terror attacks.

Mayor Shaw stated he had been asked to clarify the recent charge given to the Finance Oversight Committee by the City Council. Mr. Brown, liaison for the FOC, stated his interpretation of the charge was "to find general revenue streams for financial sustainability for the city - not geared toward any one department". Unless directed otherwise, he will be communicating this to the FOC.

Mayor Shaw replied that was his perspective also, and he asked the other council members their opinion. All agreed.

Mr. Stanley commented that he believes it was Council's intention to take the information from the FOC and explore how to implement increased revenue to get pay to where we want in specific areas. He said that to go where we want to go requires increased revenue. The charge to the Finance Committee was to give us revenue options and have us decide what direction to go. I think they're connected, but I don't think the charge was based on police and fire conversation.

City Manager Sam Anselm introduced the discussions on the Budget Issues and Options.

Museum Request: Motion by Mr. West, second by Mrs. Reid Adams to approve the continued funding amount of $190,131 to the Joplin Museum Complex. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw; Stinnett, and West,8. Nays: Stanley, 1.

Chamber of Commerce Request: Motion by Mr. Brown, second by Mr. Lawson to approve the Joplin Area Chamber of Commerce funding request at a cost of $250,000. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, West, 6. Nays: Shaw, Stanley, Stinnett, 3.

Joplin Workshops Request: Motion by Mr. Stanley, second by Mr. West to approve the City Manager's recommendations: 1) that the City of Joplin work with Joplin Workshops to transfer one or two MAPS vans as outlined in the options; 2) that COJ, through MPO, assist Joplin Workshops in applying for the FTA Section 5310 Grant application. Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw; Stanley, Stinnett, and West, 9. Nays: 0.

General Employee Association Request: Motion by Mr. West, second by Mrs. Reid Adams to accept the request to add Martin Luther King Jr. Day as a City observed holiday. Voting in favor were Council Members: Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw; and West, 6. Nays: Brown, Stanley, Stinnett, 3.

Next Steps for the Sustainability Report Update: Motion by Mr. Stanley, second by Mr. Stinnett to move forward with the highlighted changes on the Sustainability Report Update as presented (copy attached). Voting in favor were Council Members: Brown, Colbert-Kean, Lawson, Monteleone, Reid Adams, Shaw; Stanley, Stinnett, and West, 9. Nays: 0.

SeeClickFix Update: Mr. Anselm reported that IT Director Morris heard back from SeeClickFix about customizing their reporting module as presented at a recent informal council meeting. There are additional customizable options, but billing is not one of them. They offered a 10% discount for a 3-year agreement. The cost, billed annually, would be $13,324 per year for three years, which is a savings of $1500 per year. If Council desires to proceed with this system, Mr. Anselm would recommend the cost be taken out of fund balance for the first year and incorporated in the IT budget for subsequent years.

Municipal Golf Course: Motion by Mr. Stanley, second by Mr. Lawson to transfer $102,680 from the General Fund to the Municipal Golf Course to cover capital items. Voting in favor were Council Members: Colbert-Kean, Lawson, Monteleone, Shaw; Stanley, Stinnett, and West, 7. Nays: Brown, Reid Adams, 2.

Mr. Stinnett asked that a summary of changes from the budget work session be provided to the City Council. Mr. Anselm replied that the budget would be presented to the city council in October and will include all the changes. Mr. Stinnett asked for a dollar amount of changes before then. Finance Director Haase replied a summary will be presented to the council reflecting all the changes.

Mayor Shaw thanked the city staff and council members for all their work and time spent on the budget sessions.

Mayor Shaw stated he met with the soon-to-be Missouri Speaker of the House, Elijah Haar.

Mr. Stanley asked if the recently approved wage increases to take us to the 50% competitive level, are they included in the upcoming budget changes? Mr. Anselm stated he is still needs to discuss any potential individual changes with Chief Furgerson before he (Anselm) can get that financial impact. My initial recommendation was to pull those additional funds out of public safety fund balance. Once he has the final figures, the city will prepare an ordinance to present to Council for their approval.

Mayor Shaw congratulated Fire Chief on the birth of their daughter.

With no further comments, the meeting was adjourned.

Respectfully,
Barbara Gollhofer
City Clerk

CITY OF JOPLIN

FINANCIAL SUSTAINABILITY UPDATE

AS OF SEPTEMBER 6, 2018

OPTION NUMBER	OPTION DESCRIPTION	PRIOR COUNCIL ACTION	STATUS UPDATE	NEXT STEPS	FY 19 PROPOSED BUDGET IMPACT	ESTIMATED TIMELINE
Revenues:						
Item #1	Use Tax	Placed on August Ballot	Voters defeated by 54.6%	Review by Finance Committee	Not included	Oct-18
Item #2	Sales Tax	N/A	N/A	Review by Finance Committee	Not included	Oct-18
Item #3	Property Tax	N/A	N/A	Review by Finance Committee	Not included	Oct-18
Item #4	Completion of TIF's	N/A	N/A	N/A	Not included	Five to Six Years
Item #5	Telephone Franchise Taxes	N/A	Continue Legal Process	N/A	Not included	Unknown
Item #6	Review Pool Admission Fees	Develop Ordinance for 2019 swim season	Staff working on ordinance	Bring Ordinance to Agenda	Included	No later than December 2018
Expenditures:						
Option #1	Close P&F Pension Plan to New Members	Evaluate & Research Option	Staff to begin research	Hire Actuary, Contact LAGERS, Research Funding Sources	Not included	Unknown
Option #2	Reduce Minimum Staffing at Certain Fire Stations	Research minimum staffing impact and information from other cities	Staff to begin research	Gather Additional Information from other cities	Not included	No later than December 2018
Option #3	Justify Overtime	Approve implementation of policy	Staff develop Overtime Justification Policy & Procedures	Write Policy for Personnel Board Action; Council Action	Included	No later than December 2018

		PRIOR			FY 19 PROPOSED	
OPTION	OPTION	COUNCIL	STATUS	NEXT	BUDGET	ESTIMATED
NUMBER	DESCRIPTION	ACTION	UPDATE	STEPS	IMPACT	TIMELINE
Option #4	Adopt Take Home Vehicle Policy	Approve implementation of policy	Staff develop Take Home Car Policy and Fleet Reduction	Write Policy for Council Review and City Manager Approval; Build Parking Lot	Included	No later than December 2018
Option #5	Require Fire Department to follow Call Back Policy	Implement on November 1, 2018	N/A	Follow Up with Fire Department	Included	1-Nov-18
Option #6	Explore Work Period Ordinance for Public Safety	Research work period impact	Staff to begin research	Assemble information and make recommendation	Not included	No later than December 2018
Option #7	Close Police South Station	Approve closing South Station	Staff has identified Leased Property with Newton County Sheriff	Evaluate Lease Option; Close South Station	Included	No later than December 2018
Option #8	Reduce Police Captains from 4 to 3	Council rejected this option	None	None	None	None
Option #9	Review Usage of Sworn Police vs. Civilians in Certain Positions	Further evaluate for implementation	Staff to begin research	Assemble additional information	Not included	No later than December 2018
Option #10	Phase Out Paying Extra Shifts for Exempt Fire & Police	Implement on November 1, 2018	N/A	Follow Up with Police and Fire Departments	Included	1-Nov-18
Option #11	Cease CALEA Certification not Practices	Council rejected this option	Staff would like the opportunity to discuss this option further	TBD	Not included	TBD
Option #12	Reduction in Court Staff	Approve option	None	Follow Up with Human Resources and Municipal Court	Partially Included	Upon opening in position
Option #13	Reduce Annual Support to Chamber	Tabled for discussion during Budget Work Sessions	Issues & Options Item	Awaiting Further Direction	Not included	TBD

OPTION NUMBER	OPTION DESCRIPTION	PRIOR COUNCIL ACTION	STATUS UPDATE	NEXT STEPS	FY 19 PROPOSED BUDGET IMPACT	ESTIMATED TIMELINE
Option #14	Eliminate Clothing Allowance Stipend	Implement on November 1, 2018	N/A	Follow Up with Human Resources and Police Department	Included	1-Nov-18
Option #15	Review Travel, Publications, Memberships & Uniform Practices	Approve implementation of policies	Staff to begin research	Assemble information and make recommendation	Included	No later than December 2018
Option #16	Include Athletic Complex Operations in Parks/Stormwater Sales Tax Renewal	Approve option	N/A	Include in Tax Renewal Process	Not included	Tax sunsets on March 31, 2022
Option #17	Pay Off Joe Becker Stadium Debt	Approve option	Waiting for first callable option	Evaluate Payoff ability	Not included	Oct-19
Option #18	Research Fire Department Equipment	Approved this option to include with independent review of Fire Department	Waiting for FY 2019 proposed budget review	Staff develop RFP for Fire Department review	Not included	During FY 2019
Option #19	Reduce the Number of K-9's	Tabled until time for K-9 replacement	N/A	N/A	Not included	Unknown
Option #20	Reduce the Number of Motorcycles	Approve reduction of motorcycles from 4 to 2	Motorcycle leased terminated	None	Included	Complete
Option #21	Reduce Telephone Costs	Approve option	Waiting for FY 2019 proposed budget review	Acquire equipment and continue implementation by staff	Partially included	During FY 2019
Option #22	Reduce Museum Subsidy	Tabled for discussion during Budget Work Sessions	Issues & Options Item	Awaiting Further Direction	Not included	TBD
Option #23	Eliminate Holiday Pay/Accruals for Seasonals	Approve option	Staff revise Personnel Rules & Regulations	Present revised Rules & Regulations to Personnel Board; City Council	Included	No later than December 2018

OPTION NUMBER	OPTION DESCRIPTION	PRIOR COUNCIL ACTION	STATUS UPDATE	NEXT STEPS	FY 19 PROPOSED BUDGET IMPACT	ESTIMATED TIMELINE
Option #24	Eliminate Steps for Seasonals	Approve option	Staff revise Salary Administration Plan for Seasonals	Present revised Plan to City Council	Included	No later than December 2018
Option #25	Explore Options for old Iron Gates City Hall	Approve exploring options for this facility	Legal working on title	Staff explore options for facility-no deed restrictions found	Not included	During FY 2019
Option #26	Explore Elimination or Reduction of Lobbyist Services	Council rejected this option	None	None	None	None
Option #27	Establish Pool Vehicle Policy	Approve option	Staff develop Pool Vehicle Policy	Write Policy for Council Review and City Manager Approval	Included	No later than December 2018
Improve Operations, Policies and Employee Matters:						
Option #1	Perform Outside Independent Review of Department Operations	Approve option with Fire Department review during FY 2019	Waiting for FY 2019 proposed budget review	Staff develop RFP for Fire Department review	Included	During FY 2019
Option #2	Combine Full-Time Clerk and Senior Clerk Titles	Approve option	Staff revise Salary Administration Plan	Present revised Plan to City Council	Included	1-Nov-18
Option #3	Correct Promotional Pay	Approve option	Staff revise Personnel Rules & Regulations	Present revised Rules & Regulations to Personnel Board; City Council	Included	No later than December 2018
Option #4	Change Policy to Correct Timing of Raises, Longevity and other Pay Items	Approve option	Staff revise Personnel Rules & Regulations	Present revised Rules & Regulations to Personnel Board; City Council	Included	1-Nov-18

OPTION NUMBER	OPTION DESCRIPTION	PRIOR COUNCIL ACTION	STATUS UPDATE	NEXT STEPS	FY 19 PROPOSED BUDGET IMPACT	ESTIMATED TIMELINE
Option #5	Review Health Insurance Contribution Cost Share Ratio	Approve option	Staff develop Health Insurance Fund Reserve Policy; Expand Wellness Initiative	Write Policy for Council Review and City Manager Approval	Not Included	No later than December 2018
Option #6	Revise Holidays/Floating for Certain Positions	Approve option	Staff revise Personnel Rules & Regulations	Present revised Rules & Regulations to Personnel Board; City Council	Included	No later than December 2018
Included in FY 2019 Proposed Budget						
Partially Included in FY 2019 Proposed Budget						

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: September 4, 2018

Item: COUNCIL BILL NO. 2018-269
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Copy of Council Bill 2018-269
2) Planning Report
3) Commission Minutes

Planning/Community Development Manager: Troy Bolander
Finance Director: Leslie Haase
City Attorney: Peter C. Edwards
City Manager: Samuel L. Anselm
Board or Commission: Planning and Zoning Commission Date: 08/13/18

Recommended Action: Planning and Zoning Commission recommended to table by a vote of "4 in Favor, 0 Nay, 3 Absent."

SUMMARY/REQUEST:
Case 033-18: 7414 E 32nd Street – A request to rezone from C-1 (Neighborhood Commercial District) to R-1 (Single-Family Residential District) – Thomas Christensen

STAFF SUMMARY:

On April 9, 2018, this property was rezoned from Single-Family Residential (R-1) to Neighborhood Commercial District (C-1). At the time, there was a potential deal to sell the property for commercial use. However, that deal has fallen through and will no longer take place. The applicant wishes to once again rezone this property to Single-Family Residential (R-1) in order to keep using it for its current use and possibly sell it as a residential property.

Staff recommends Case 033-18 be approved.

PLANNING & ZONING COMMISSION TESTIMONY:
Thomas Christensen, 7414 E 32nd Street, Joplin, MO. He is requesting that the property be rezoned back to R-1 (Single-Family Residential). This neighborhood is mixed use with 5 residences and 3 commercial properties. Without an R-1 designation the problem is to get an appraisal or be able to re-sell the property as residential since it is non-conforming use.

Mr. Bolander stated that this case did come before the board several months ago to have the property zoned C-1. There was a commercial contract that fell through.

PUBLIC COMMENT:
None.

CB 2018-269

Case 032-18: 7414 E 32nd Street – A request to rezone from C-1 (Neighborhood Commercial District) to R-1 (Single-Family Residential District) – Thomas Christensen.

Thomas Christensen, 7414 E 32nd Street, Joplin, MO. He is requesting that the property be rezoned back to R-1 (Single-Family Residential). This neighborhood is mixed use with 5 residences and 3 commercial properties. Without an R-1 designation the problem is to get an appraisal or be able to re-sell the property as residential since it is non-conforming use.

Mr. Ramsour wanted to know if this case came before us a few months ago?

Mr. Bolander stated that this case did come before the board several months ago to have the property zoned C-1. There was a commercial contract that fell through.

Mr. Cortez asked Mr. Christensen if he currently lives at this address.

Mr. Christensen stated he does.

Mr. Cortez asked if there were any other questions for Mr. Christensen? There were not. Anyone to speak in favor of this case? There were not. Anyone to speak against this case? There were not. Case closed.

MR. RAMSOUR MOVED, SECONDED BY MRS. BRUECKNER-SEARS THAT CASE 032-18, BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL MOTION CARRIED, WITH MR. CORTEZ, MR. RAMSOUR, MRS. BRUECKNER-SEARS, AND MR. MCCULLOUGH VOTING "AYE". (4 IN FAVOR, 0 NAYS, 3 ABSENT).

Z&P Meeting: August 13, 2018
City Council Meeting: September 4, 2018

STAFF PLANNING REPORT
Rezoning

CASE 032-18 A request to rezone from C-1 (Neighborhood Commercial District) to R-1 (Single Family Residential)

LOCATION 7414 E. 32nd Street

APPLICANT Thomas Christensen

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Residential	5 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	C-3	M-2	N/A	N/A
Land Use	Commercial	Industrial	Vacant	Vacant

FUTURE LAND USE

Joplin's Future Land Use Map shows this lot as Retail Commercial. The surrounding properties are shown to be either Industrial or Retail Commercial.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
East 32nd Street	Arterial	80'

UTILITIES Utilities need to be extended to this property.

FLOOD PLAIN N/A

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Rezoning this property to Single Family Residential would allow it to be consistent with its current use. There are a mix of zoning districts in this vicinity of town.

THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED

Rezoning this property to residential would be consistent with its current use.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

Rezoning will minimally impact surrounding properties.

DISCUSSION

On April 9, 2018, this property was rezoned from Single-Family Residential (R-1) to Neighborhood Commercial District (C-1). At the time, there was a potential deal to sell the property for commercial use. However, that deal has fallen through and will no longer take place. The applicant wishes to once again rezone this property to Single-Family Residential (R-1) in order to keep using it for its current use and possibly sell it as a residential property. There is currently a house on the property, but no adjacent properties are zoned Residential. However, the character of the surrounding neighborhood does not make rezoning this lot to residential an inappropriate use.

Staff recommends approval of Case 032-18.

ATTACHMENTS

- Application

RECEIVED 7-6-18

REZONING APPLICATION FORM

Return Form to:
Planning / Community Development Specialist.
Joplin City Hall
602 South Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 511
FAX 417-625-4738

For Office Use Only
Case No.: Q32-18
Filing Fee: $500.00
Date Advertised: 7-29-18
Date Notices Sent: 7-31-18
P&Z Date: 8-6-18
City Council Date: 9-4-18

APPLICANT: THOMAS CHRISTENSEN PHONE: 417-437-2915
ADDRESS: 7414 E. 32ND STREET ZIP: 64804
EMAIL: TOMCHRIS32@GMAIL.COM
OWNER: SAME PHONE:
ADDRESS: ZIP:
EMAIL:
LOCATION OF PROPERTY: 7414 E. 32ND STREET
LEGAL DESCRIPTION: See attached

Present Zoning C-1 Requested Zoning: R-1 Acreage: 5
Present Use of Property: RESIDENCE
Proposed Use of Property: RESIDENCE

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	RESIDENCE	NA
South	FARM LAND	NA
East	WAREHOUSE	NA
West	VACANT LAND	NA

CHARACTER OF THE NEIGHBORHOOD: MIXED USE WITH 5 SINGLE FAMILY RESIDENCES AND THREE COMMERCIAL USES

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?
   NO
2. Are there substantial reasons why the property cannot be used in accord with existing zoning? YES
   If yes, explain: PROPERTY CANNOT BE SOLD OR REFINANCED AS RESIDENE SINCE ADDRAISAL WILL SHOW HIGHEST & BEST USE AS COMMERCIAL

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies?
2. Consistent with Future Land Use Map?

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
2. One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may effect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.
3. Owner Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned
4. For Planned Developments the following must be submitted and reviewed before the rezoning can be advertised for public hearing:
   ___ Site Plan ___ Landscape Plan ___ Building Elevations

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: 32ND STREET (HIWAY FF)
2. Classification of Street(s):
   Arterial X Collector _____ Local _____
3. Right-of-Way Width: 50'
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   CENTER TURN LANE PRESENT

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

1. Appropriately Sized Lots? NO
2. Properly Sized Street Right-of-Way? NO
3. Drainage Easements? NO
4. Utility Easements:
   Electricity? NO
   Gas? NO
   Sewers? NO
   Water? NO
5. Additional Comments: _____

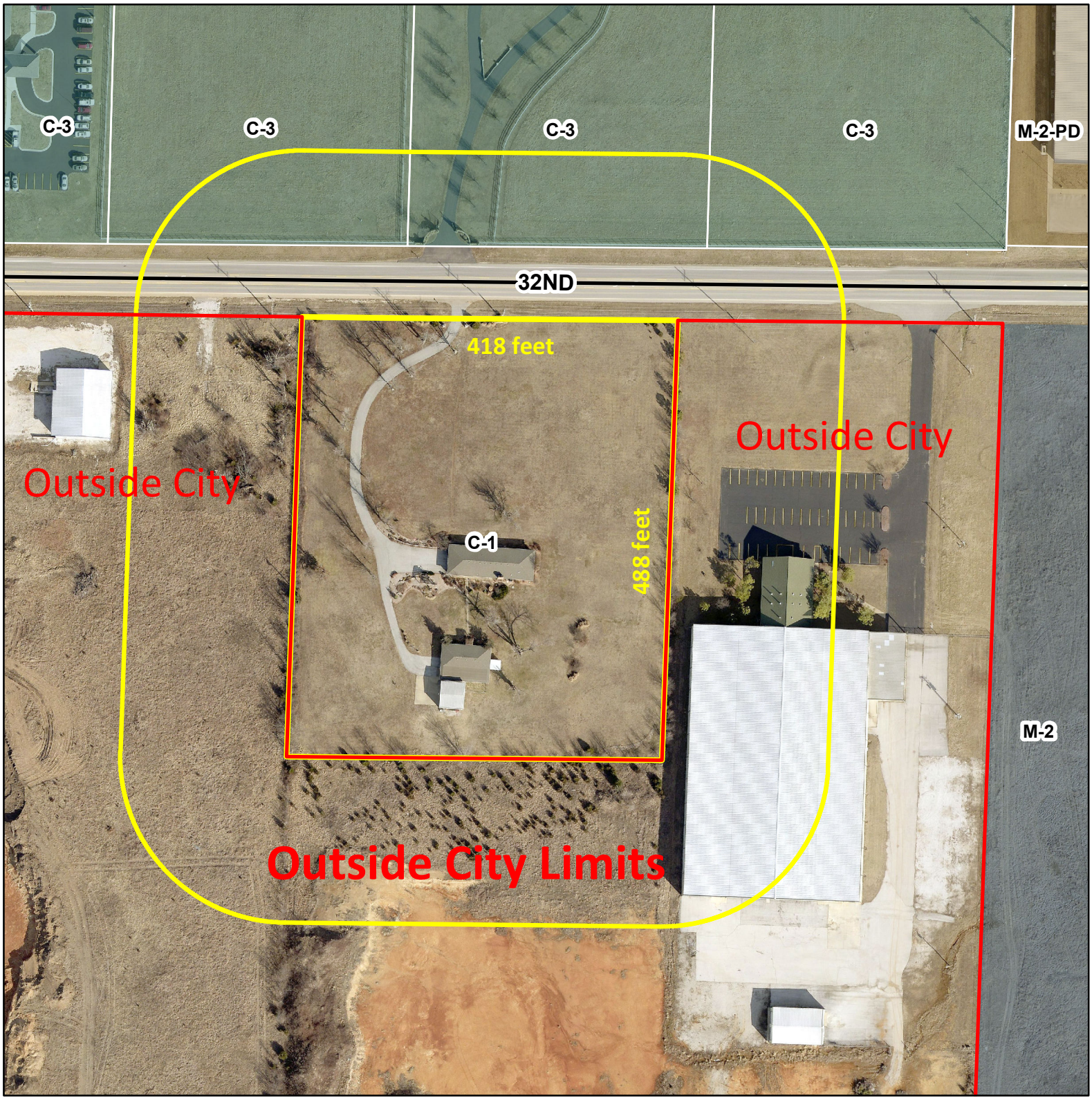
UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

BECAUSE OF MIXED USE NATURE OF NEIGHBORHOOD APPRAISALS WILL BE DIFFICULT TO SHOW HIGHEST & BEST USE AS RESIDENCE WITH C-1 ZONING

SIGNATURE: Thomas A Christensen DATE: 7-6-18

BY: THOMAS A CHRISTENSEN

TITLE: OWNER



0 125 250 500 750 1,000 Feet

Case 032-18: 7414 E. 32nd Street -- A request to rezone from Neighborhood Commercial District (C1) to Single Family Residential (R1) for residential use -- Thomas Christiansen

N

P & Z Case 032-18

Thomas Christiansen
(P & Z Recommended Approval)

COUNCIL BILL NO. 2018-269 ORDINANCE NO.

AN ORDINANCE amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District C-1 and including in District R-1 property as described below and located 7414 E. 32nd Street, City of Joplin, Newton County, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. Having referred the subject matter of this ordinance to the City Planning and Zoning Commission and having given at least fifteen days' notice of time and place of hearing on same by publication in the Joplin Globe, Ordinance No. 2004-256 is hereby amended by removing the following described property from District C-1 and including same in District C-1:

BEG 358.17' W & 41.83' S NE COR NW1/4 NE1/4 S 490' W 418' N 490' E 418' TO POB OF SECTION 22, TOWNSHIP 27, RANGE 32, LOCATED IN THE CITY OF JOPLIN, NEWTON COUNTY, MISSOURI.

Section 2. That the City Clerk is hereby ordered to file this ordinance with the Zoning District Map maintained in her office and to note the changes herein provided for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of_____, 2018.

_____
Gary L. Shaw, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: September 4, 2018

Item: COUNCIL BILL NO. 2018-270
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Copy of Council Bill 2018-270
2) Planning Report
3) Commission Minutes

Planning/Community Development Manager: Troy Bolander
Finance Director: Leslie Haase
City Attorney: Peter C. Edwards
City Manager: Samuel L. Anselm
Board or Commission: Planning and Zoning Commission Date: 08/13/18

Recommended Action: Planning and Zoning Commission recommended to table by a vote of "4 in Favor, 0 Nay, 3 Absent."

SUMMARY/REQUEST:
Case 033-18: A tract of land on the west side of North St. Louis Avenue, located approximately 656 feet north of the intersection of North St. Louis Avenue and East Fountain Road – A request to rezone from M-1-PD (Restricted Industrial Planned Development) to R-1 (Single-Family Residential) for residential development – Brad Barone.

STAFF SUMMARY:
This property was originally zoned industrial in order to limit the number of surrounding residential properties so that the Joplin Airport's airspace could be protected. That protection is not so stringent at this time. Many of the surrounding properties are currently zoned Restricted Industrial Planned Development. Despite this, many of these properties currently have residential uses. The Future Land Use Map shows these properties to be Low-Density Residential, so this rezoning request is appropriate.

Staff recommends Case 033-18 be approved.

PLANNING & ZONING COMMISSION TESTIMONY:
Gretchen Barone, 1829 Philadelphia, Webb City, MO. Mr. & Mrs. Barone purchased the property approximately 2 years ago with the intent to build a single family residential home. They plan on building an approximately 3,000 square foot home with possibly a detached garage on the 5-acre property.

PUBLIC COMMENT:
None.

CB 2018-270

Case 033-18: A tract of land on the west side of North St. Louis Avenue, located approximately 656 feet north of the intersection of North St. Louis Avenue and East Fountain Road – A request to rezone from M-1-PD (Restricted Industrial Planned Development) to R-1 (Single-Family Residential) for residential development – Brad Barone.

Gretchen Barone, 1829 Philadelphia, Webb City, MO. Mr. & Mrs. Barone purchased the property approximately 2 years ago with the intent to build a single family residential home. They plan on building an approximately 3,000 square foot home with possibly a detached garage on the 5-acre property.

Mr. Cortez asked if there were any questions from the Commission? There were not. Also, asking if there is anyone to speak in favor of this case? There were not. No one speaking against this case.

MR. MCCULLOUGH MOVED, SECONDED BY MR. RAMSOUR THAT CASE 033-18, BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL MOTION CARRIED, WITH MR. CORTEZ, MR. RAMSOUR, MRS. BRUECKNER-SEARS, AND MR. MCCULLOUGH VOTING "AYE". (4 IN FAVOR, 0 NAYS, 3 ABSENT).

Z&P Meeting: August 13, 2018
City Council Meeting: September 4, 2018

STAFF PLANNING REPORT
Rezoning

CASE 033-18 A request to rezone from M1-PD (Restricted Industrial Planned Development District) to R-1 (Single Family Residential)

LOCATION A tract of land on the west side of N. St. Louis Avenue, located approximately 656 feet north of the intersection of N. St. Louis Ave. and E. Fountain Road

APPLICANT Brad Barone

EXISTING CONDITIONS

Zoning	Land Use	Property Size
M1-PD	Vacant	4.79 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	N/A	M-2	M1-PD	M1-PD
Land Use	Residential Home	Vacant Pasture	Residential Home	Vacant Woods

FUTURE LAND USE

Joplin's Future Land Use Map shows this lot as Low-Density Residential.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
St. Louis Avenue	Arterial	50'

UTILITIES Utilities need to be extended to this property.

FLOOD PLAIN N/A

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Rezoning this property to Single Family Residential would allow it to be consistent with its current use. There are a mix of zoning districts in this vicinity of town.

THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED

Rezoning this property to residential would be consistent with its current use.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

Rezoning will minimally impact surrounding properties.

DISCUSSION

This property was originally zoned industrial in order to limit the number of surrounding residential properties so that the Joplin Airport's airspace could be protected. However, that protection is not so stringent at this time, and there are many residential uses in the area. Many of the surrounding properties are currently zoned Restricted Industrial Planned Development. Despite this, many of these properties currently have residential uses. The Future Land Use Map shows these properties to be Low-Density Residential, so this rezoning request is appropriate. Mr. Barone hopes to build a home on his property, but he will need to rezone the property in order to do so. Based on the characteristics of the surrounding properties, rezoning to Single-Family Residential is an appropriate use for the parcel in question.

Staff recommends approval of Case 033-18.

ATTACHMENTS

- Application

REZONING APPLICATION FORM

Return Form to:
Planning / Community Development Specialist.
Joplin City Hall
602 South Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 511
FAX 417-625-4738

For Office Use Only
Case No.: 033-18
Filing Fee: $500.00
Date Advertised: 7-29-18
Date Notices Sent: 7-31-18
P&Z Date: 8-13-18
City Council Date: 9-4-18

APPLICANT: Brad + Gretchen Barone PHONE: 417-483-4769
ADDRESS: Parcel ID: 16602300000019001 ZIP: 64870
EMAIL: gretchenanette9@gmail.com
OWNER: Brad + Gretchen Barone PHONE: 417-483-4769
ADDRESS: 1821 Philadelphia ZIP: 64870
EMAIL: BaroneHVAC@yahoo.com
LOCATION OF PROPERTY: N St. Louis
LEGAL DESCRIPTION: 4.79 acres

Present Zoning M1-PD Requested Zoning: Residential R-1 Acreage: 4.79
Present Use of Property: Vacant
Proposed Use of Property: Residential - Home w/ garage

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Residential Home	
South	Residential Home	M-1-PD
East	Vacant Wooded land/pasture	VACANT
West	Vacant wooded land	M-1-PD

CHARACTER OF THE NEIGHBORHOOD: Mixed neighborhood / Residential

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts? NO
2. Are there substantial reasons why the property cannot be used in accord with existing zoning? Yes
   If yes, explain: Would like to build family residential dwelling.

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? Yes
2. Consistent with Future Land Use Map? Yes "Low Density Residential"

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
2. One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may effect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.
3. Owner Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned
4. For Planned Developments the following must be submitted and reviewed before the rezoning can be advertised for public hearing:
   ___ Site Plan ___ Landscape Plan ___ Building Elevations

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: St. Louis | Prairie Flower Rd
2. Classification of Street(s):
   Arterial_____ Collector_____ Local _____
3. Right-of-Way Width: _____
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   No

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

1. Appropriately Sized Lots?_____
2. Properly Sized Street Right-of-Way?_____
3. Drainage Easements?_____
4. Utility Easements:
   Electricity?_____
   Gas?_____
   Sewers?_____
   Water?_____
5. Additional Comments:_____

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

SIGNATURE: Gretchen Greene | _____ DATE: 6/22/18

BY: _____

TITLE: Owners

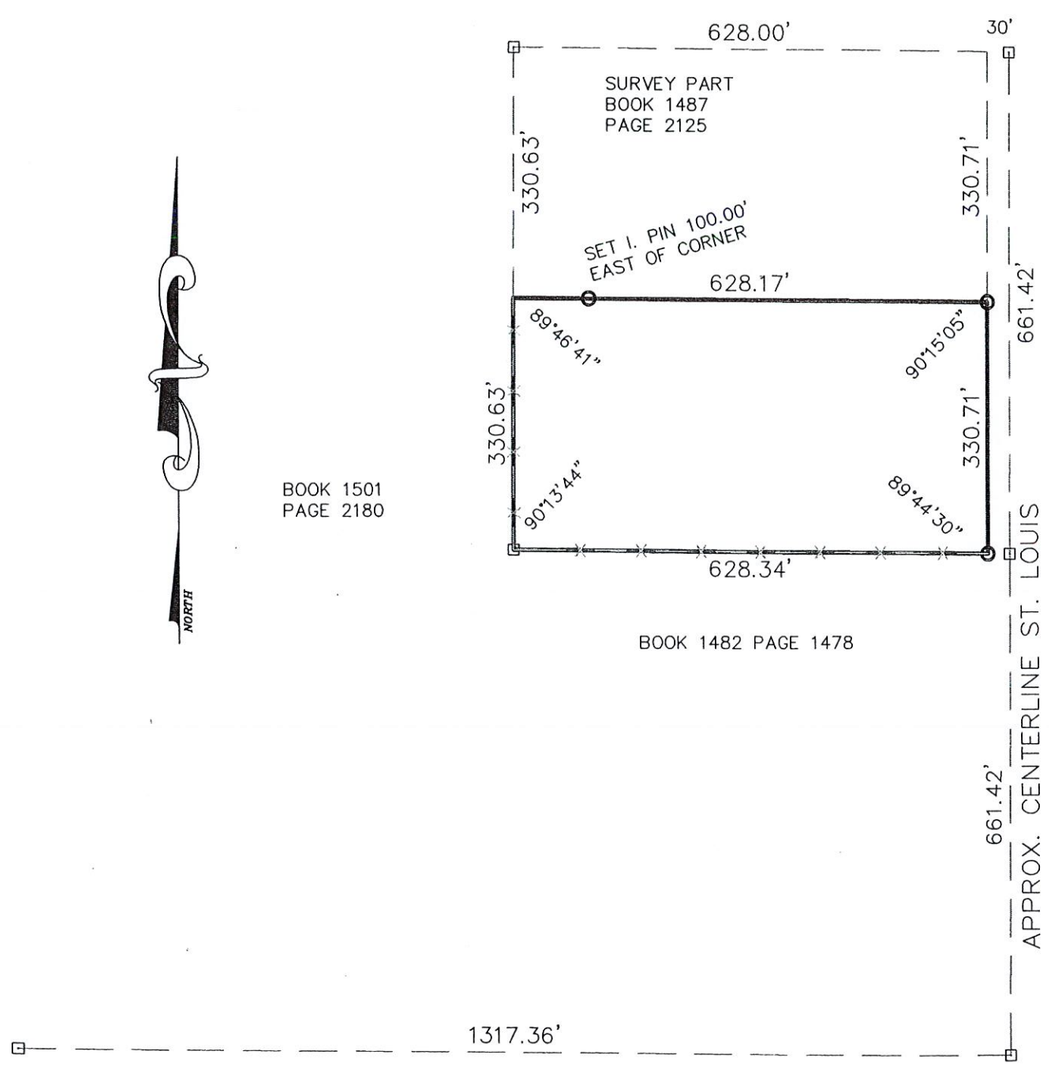
City of Joplin Application

Intent for Re-Zoning

Brad & Gretchen Barone

Property Parcel ID 16602300000019001
N ST LOUIS ST

We have intent to build approximately 3000 sq ft single family residential home, with two car attached garage. We also intend to build a 3 car non-attached garage near home, similar exterior to home. Buildings will be built on the back half of property, near western tree line, home facing the east, with driveway access to St. Louis. Utility access is near the Northwest end of the property.



200 0 100 200

(IN FEET)

1 INCH = 200 FT.

LEGEND

- FOUND IRON PIN
- SET 1/2" IRON PIN
- FENCE

STATE OF MISSOURI
CHRIS E. STEWART
NUMBER LS-1960
REGISTERED LAND SURVEYOR

09.27.2016

CHRIS E. STEWART RLS 1960

DESCRIPTION

The South Half of the Northeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 23, Township 28, Range 33, Jasper County, Missouri, Except that part taken off the East side thereof for St. Louis Avenue.

Containing 4.77 Acres According to Surveyor's Calculations.

Subject to any existing easements or restriction of record.

FEMA INFORMATION

Surveyor has not determined FEMA Zones for this tract.

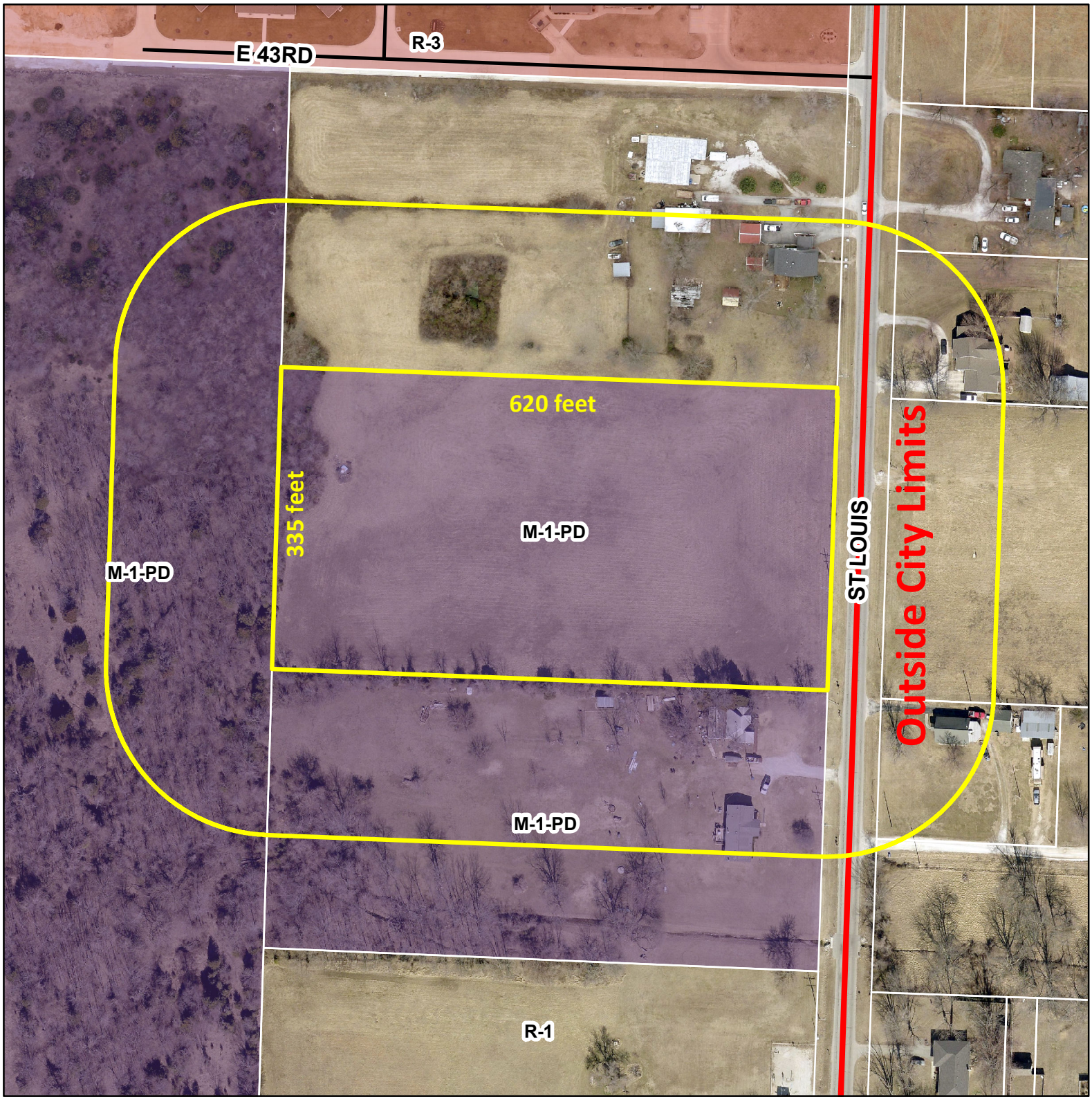
NOTE

THIS SURVEY HAS BEEN PERFORMED BASED ON KNOWLEDGE AND INFORMATION IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS, AND IS NOT A GUARANTEE OR WARRANTY EITHER EXPRESSED OR IMPLIED.

CHRIS STEWART SURVEYING
1217 E. 24th Street
Joplin, Missouri
64804
PHN 417-782-1595
E MAIL
karensue.stewart@yahoo.com

CUSTOMER: KELLER WILLIAMS MILLER			
SURVEY OF Part Section 23, T-28, r-33 N. St. Louis Avenue – Joplin			
DATE 09/27/16	BY CES	REVISED	BOOK PAGE FILE 232833mi
SCALE 1"=200'	ACC Urban		

Case 033-18



0 125 250 500 750 1,000 Feet

Case 033-18: A tract of land on the west side of N. St. Louis Ave, located approximately 656 feet north of the intersection of N. St. Louis Ave. and E. Fountain Road -- A request to rezone from Restricted Industrial Planned Development District (M1-PD) to Single Family Residential District (R1) for residential development -- Brad Barone

N

P & Z Case 033-18

Brad Barone
(P & Z Recommended Approval)

COUNCIL BILL NO. 2018-270 ORDINANCE NO.

AN ORDINANCE amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District M-1-PD and including in District R-1 property as described below and located A tract of land on the west side of North St. Louis Avenue, located approximately 656 feet north of the intersection of North St. Louis Avenue and East Fountain Road, City of Joplin, Jasper County, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. Having referred the subject matter of this ordinance to the City Planning and Zoning Commission and having given at least fifteen days' notice of time and place of hearing on same by publication in the Joplin Globe, Ordinance No. 2004-256 is hereby amended by removing the following described property from DistrictM-1-PD and including same in District R-1:

THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 28, RANGE 33, JASPER COUNTY, MISSOURI, EXCEPT THAT PART TAKEN OFF THE EAST SIDE THEREOF FOR ST. LOUIS AVENUE.

Section 2. That the City Clerk is hereby ordered to file this ordinance with the Zoning District Map maintained in her office and to note the changes herein provided for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of_____, 2018.

_____
Gary L. Shaw, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: September 4, 2018

Item: COUNCIL BILL NO. 2018-265
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Copy of Council Bill 2018-265
2) Planning Report
3) Commission Minutes

Planning/Community Development Manager: Troy Bolander
Finance Director: Leslie Haase
City Attorney: Peter C. Edwards
City Manager: Samuel L. Anselm
Board or Commission: Planning and Zoning Commission Date: 08/13/18

Recommended Action: Planning and Zoning Commission recommended to table by a vote of "4 in Favor, 0 Nay, 3 Absent."

SUMMARY/REQUEST:
Case 024-18: Adjacent and South of I-44 at Exit 1 – A request to rezone from Single Family Residential District (R1) to Commercial Planned Overlay District (C3-PD) – Bill Richert.

STAFF SUMMARY:
This property's close proximity to I-44 make it very ideal for commercial use. All property automatically comes into the city as R-1 (Single Family Residential) until a more appropriate zoning classification can be determined. This property was annexed into the city with the understanding that it eventually become commercial property. There is currently commercial property several hundred yards from this property along Outer Road.

On April 9, 2018 Mr. Richert applied to have this property rezoned from R-1 (Single Family Residential) to C-3 (Commercial). This request was approved by the Planning and Zoning Commission unanimously. However, when the case appeared before the City Council there was resistance from adjacent property owners and the Council did not approve the rezoning request.

At this time the property owner is seeking to rezone again, this time to Commercial Planned Overlay District (C3-PD). It is the property owner's hope that having a Planned District designation will mitigate many of the adjacent property owners' concerns. Having a Planned District designation would mean that the site plan for any commercial development must be reviewed and approved by the City Council. This will allow more input during the development process

Staff recommends Case 024-18 be approved.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Whitmore stated that due to the controversy of this case he would read off the criteria for making a zoning decision. Zoning decisions should be based on the entire Community, not just the interests of a particular property owner or neighboring property owners. The Planning & Zoning Commission should try to distinguish between facts and opinions at a public hearing. Zoning decisions should include consideration of long range community goals as well as short range needs. The recommendations of the Comprehensive Plan should be the primary source for this information. The Comprehensive Plan should

be reviewed on a regular basis by the Planning & Zoning Commission. It is important to zone base on land use issues not the personal issues affecting the individual applicant. Instead, decisions should be based on whether the land is appropriate for the proposed zoning district.

Finding of Fact Hearing:

Mr. Whitmore stated the six (6) criteria that zoning decisions are made upon.

1. Character of the neighborhood.

This surrounding property is residential, however, further to the east there are existing commercial properties.

2. Zoning and uses of properties nearby.

This is mixed, residential and commercial use.

3. Suitability of the subject property for the uses for which it has been restricted.

With this property being so close to the interstate, restricting this property to residential would not be a suitable use for this property.

4. Extent for which the newer restrictions or change in zoning will detrimentally affect the nearby property.

Removing the restrictions or changing the zoning may somewhat detrimentally affect nearby property. But due to the already high-volume traffic on Outer Road, it does not seem likely to dramatically affect nearby property owners, despite concerns that have been expressed.

5. The findings concerning the extent which the rezoning request meets the intent of the zoning regulation.

The rezoning of this property meets the intent of the Comprehensive Plan and Zoning Regulations.

6. Compliance with the Comprehensive Development Plan -Future Land Use Map.

The Future Land Use Map shows this property as commercial and it was annexed into the City of Joplin with the intent to be commercial property.

<u>PUBLIC COMMENT</u>:

Mr. Richert, 6033 S. Québec Ave., Tulsa OK. He is one of the owners of the property. They are asking the Planning & Zoning Commission for a rezoning for the property at Exit 1 from R-1 to C-3-PD. The understanding is that it will allow commercial uses, but a site plan will need to be brought in for P&Z approval and City Council approval before any development may occur. The zoning at exit interchanges all through Joplin are the same: C-3. They are asking to be able to do a similar type of development to what was on that property before, Nickerson Farms Restaurant. Mr. Richert stated that they are the owners, not the developers. Mr. Cortez wanted to know from Mr. Richert if he was able to tell us what the developer is hoping to do on that property? Mr. Richert stated probably in the same respects as a hotel, restaurant, C-Store. Mr. Ramsour wanted to know from Mr. Bolander how long ago was this piece of property annexed into the City and why was it this particular parcel and not any of the adjacent parcels. Mr. Bolander stated the property owner approached the City about coming into the City. He wanted to receive city services. It was one of the co-founders of Sitton Truck Lines who owned this property. When we annexed the interstate, he requested to be annexed, which occurred in 2008. Mr. Ramsour asked if the property was annexed as a vacant lot. Mr. Bolander stated it did. It was with the understanding from Mr. Sitton that it would be commercial property. Mr. Sitton could have

developed the land any way he chose to if this property wasn't annexed into the city. There are no land use regulations in the county.

Casey Vanstory, 1601 S. Outer Road, Joplin, MO. Things that need to be considered before rezoning the property, characteristics of the neighborhood is one of them. There are a total of eight (8) families that this rezoning will affect. They do not live in the city limits and have concerns for her family. The major concerns are the fabrication of the distance of the utilities. Nickerson Farms was run off a well and a lagoon system. She said there is a natural gas line that runs through the property and prevents any permanent structures being built within 20 feet of this line. Mr. Richert was not made aware of that until the first meeting by someone else. The land itself has a hill and it will cause flooding on all of the properties. She stated that she has failed to receive any notifications and she is adjacent to the property of the rezoning request. She would like to see all notifications. She re-read her letter that she had written at the meeting two months ago. Things that need to be considered before rezoning the property, characteristics of the neighborhood is one of them.

Alan Mauk, 4404 Aadrvark Drive, Joplin, MO. Mr. Mauk stated that at this point in time, you have to consider a developer from Tulsa, who hastily drives by his property and doesn't care if it is full of garbage and trash to make a meeting to change a designation on a property that your own staff has acknowledge there are numerous homes in the area that would be affected by this. The business that was there 40 years ago that was on a well and lagoon would not be accepted today. You have a developer that comes in who does not have a plan or any thought about the process. He has not spoken about any of the utilities, lighting, and upkeep on Outer Road.

Nick and Tamara Breedlove, 1645 Outer Road, Joplin, MO, stated she had nothing else to add, only that she was against the rezoning.

Mr. Ramsour asked Mr. Bolander his opinion on the proper notification of the land owners.

Mr. Bolander stated that we are required to make a good faith effort to notify property owners within 185 feet. There is some debate on whether we need to notify property owners who are not within city limits, but we still do that as our policy. We did check down in Newton County to see why Mrs. Van Story was not receiving a letter. According to Newton County the property is owned by Molandco Incorporated. That may have been a mistake, but she should check with Newton County because that is where we receive our records from.

CB 2018-265

Case 024-18: A tract of land directly south of I-44, adjacent to Exit 1 – A request to rezone from R-1 (Single-Family Residential) to C-3-PD (Commercial Planned Development) for future commercial development – Bill Richert.

Mr. Whitmore stated that due to the controversy of this case he would read off the criteria for making a zoning decision. Zoning decisions should be based on the entire Community, not just the interests of a particular property owner or neighboring property owners. The Planning & Zoning Commission should try to distinguish between facts and opinions at a public hearing. Zoning decisions should include consideration of long range community goals as well as short range needs. The recommendations of the Comprehensive Plan should be the primary source for this information. The Comprehensive Plan should be reviewed on a regular basis by the Planning & Zoning Commission. It is important to zone base on land use issues not the personal issues affecting the individual applicant. Instead, decisions should be based on whether the land is appropriate for the proposed zoning district.

Finding of Fact Hearing:

Mr. Whitmore stated the six (6) criteria that zoning decisions are made upon.

1. Character of the neighborhood.

This surrounding property is residential, however, further to the east there are existing commercial properties.

2. Zoning and uses of properties nearby.

This is mixed, residential and commercial use.

3. Suitability of the subject property for the uses for which it has been restricted.

To restrict this property to residential, being so close to the interstate would not be a suitable use for this property.

4. Extent for which the newer restrictions or change in zoning will detrimentally affect the nearby property.

The extent of removal of the restrictions or change the zoning may detrimentally affect nearby property. But due to the already high-volume traffic on Outer Road, it does not seem likely to dramatically affect nearby property owners.

5. The findings concerning the extent which the rezoning request meets the intent of the zoning regulation.

The rezoning of this property does meet the intent of the Comprehensive Plan and Zoning Regulations.

6. Compliance with the Comprehensive Development Plan -Future Land Use Map.

The Future Land Use Map shows this property as commercial and it was annexed into the City of Joplin with the intent to be commercial property.

Mr. Richert, 6033 S. Québec Ave., Tulsa OK. He is one of the owners of the property. They are asking the Planning & Zoning Commission for a rezoning for the property at Exit 1 from R-1 to C-3-PD. The understanding is that it will allow commercial uses, but a site plan will need to be

brought in for P&Z approval and City Council approval before any development may occur. The zoning at exit interchanges all through Joplin are the same: C-3. They are asking to be able to do a similar type of development to what was on that property before, Nickerson Farms Restaurant. Mr. Richert stated that they are the owners, not the developers.

Mr. Cortez wanted to know from Mr. Richert if he was able to tell us what the developer is hoping to do on that property?

Mr. Richert stated probably in the same respects as a hotel, restaurant, C-Store.

Mr. Ramsour wanted to know from Mr. Bolander how long ago was this piece of property annexed into the City and why was it this particular parcel and not any of the adjacent parcels.

Mr. Bolander stated the property owner approached the City about coming into the City. He wanted to receive city services. It was one of the co-founders of Sitton Truck Lines who owned this property. When we annexed the interstate, he requested to be annexed, which occurred in 2008.

Mr. Ramsour asked if the property was annexed as a vacant lot.

Mr. Bolander stated it did. It was with the understanding from Mr. Sitton that it would be commercial property. Mr. Sitton could have developed the land any way he chose to if this property wasn't annexed into the city. There are no land use regulations in the county.

Mr. Cortez asked if there was anyone else that would like to speak in favor of this case? There were not.

Is there anyone to speak against this rezoning?

Casey Van Story, 1601 S. Outer Road, Joplin, MO. She stated that there are laws that are established by the state on how to do the rezoning. Once again, she came here feeling taken advantage of. She stated she was not given proper notice of this meeting for a third time, but was hand delivered a letter. The sign for the public hearing does not have any dates on it and just has the time. She feels the City is completely against her and is completely attacked by the City. The major concerns are the fabrication of the distance of the utilities. Nickerson Farms was run off a well and a lagoon system. She said there is a natural gas line that runs through the property and prevents any permanent structures being built within 20 feet of this line. Mr. Richert was not made aware of that until the first meeting by someone else. The land itself has a hill and it will cause flooding on all of the properties. She stated that she has failed to receive any notifications and she is adjacent to the property of the rezoning request. She would like to see all notifications. She re-read her letter that she had written at the meeting two months ago. Things that need to be considered before rezoning the property, characteristics of the neighborhood is one of them. She stated that a nearby commercial development would endanger her family.

Mr. Cortez asked if there were any questions for Mrs. Van Story.

Alan Mauk, 4404 Aardvark Drive, Joplin, MO. Mr. Mauk stated that he had the highest regard for Troy and his staff in dealing with them over the years. I have found them very good to work with and certainly above reproach. At this point in time, you have to consider a developer from Tulsa, who hastily drives by his property and doesn't care if it is full of garbage and trash to make a meeting to change a designation on a property that your own staff has acknowledge there are numerous homes in the area that would be affected by this. The business that was there 40 years ago that was on a well and lagoon would not be accepted today. You have a developer that comes in who does not have a plan or any thought about the process. He has not spoken about any of the utilities, lighting, and upkeep on Outer Road. You have an obligation to the City and the families around the community to make sure any decision you make is one that will address the infrastructure of the development and the cost to the City. Has Planning and Zoning seen a plan?

Mr. Bolander stated he has not, but Mr. Richert is requesting a C-3-PD, which means a planned overlay district and the developer will have to come back with a plan. You can't base a rezoning on a specific use or plan. The PD does require him to come back and show this body and City Council a plan before he can proceed with any development.

Mr. Mauk stated that he appreciates Mr. Bolander explanation. So why doesn't the commission wait to see what their plan is first, so you will be able to see the infrastructure needs of the community.

Mr. Cortez asked Commissioners if they had any questions for Mr. Mauk. They did not.

Mr. Ramsour asked Mr. Bolander his opinion on the proper notification of the land owners.

Mr. Bolander stated that we are required to make a good faith effort to notify property owners within 185 feet. There is some debate on whether we need to notify property owners who are not in City limits, but we still do that as our policy. We did check down in Newton County and see why Mrs. Van Story was not receiving a letter. According to Newton County the property is owned by Molandco Incorporated. That may have been a mistake, but she should check with Newton County because that is where we receive our records from.

Mr. Cortez asked if there was anyone else to speak against this case?
Tamara Breedlove, 1645 Outer Road, Joplin, MO. She stated she didn't have anything new to say except that she is against the rezoning.

Mr. Cortez closed the case.

MR. RAMSOUR MOVED, SECONDED BY MRS. BRUECKNER-SEARS THAT CASE 024-18, BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL MOTION CARRIED, WITH MR. CORTEZ, MR. RAMSOUR, MRS. BRUECKNER-SEARS, AND MR. MCCULLOUGH VOTING "AYE". (4 IN FAVOR, 0 NAYS, 3 ABSENT).

Z&P Meeting: August 13, 2018
City Council Meeting: September 4, 2018

STAFF PLANNING REPORT
Rezoning

CASE 024-18 A request to rezone from R-1 (Single Family Residential) to C3-PD (Commercial Planned Overlay District) for future commercial development

LOCATION I-44 at Exit 1, near the Oklahoma state line

APPLICANT Bill Richert

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Vacant	14 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	C-3	N/A	N/A	N/A
Land Use	RV Park	Rural Residential	Rural Residential	Agriculture

FUTURE LAND USE

The City of Joplin's Future Land Use Map classifies this lot as Commercial

TRANSPORTATION

Streets with access	Classification	Right-of-way width
Outer Road	Secondary	50'

UTILITIES Utilities need to be extended to the property.

FLOOD PLAIN N/A

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes. The future land use map shows this property as 'Retail Commercial' and is appropriate for commercial use. It would violate the city's comprehensive plan to not rezone this property to commercial.

THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED

This property is currently zoned R-1. A zoning change to C-3 is required for commercial development.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The property directly to the East will be impacted by rezoning. That property is rural residential and is not part of the city of Joplin. Adjacent property that is low-density residential may be affected by this change.

DISCUSSION

This property was annexed into the city and was automatically given the zoning of R-1. It was previously used as commercial property known as "Knickerson Farms". This property's close proximity to I-44 make it very ideal for commercial use. All property automatically comes into the city as R-1 (Single Family Residential) until a more appropriate zoning classification can be determined. This property was annexed into the city with the understanding that it eventually become commercial property. There is currently commercial property several hundred yards from this property along Outer Road.

On April 9, 2018 Mr. Richert applied to have this property rezoned from R-1 (Single Family Residential) to C-3 (Commercial). This request was approved by the Planning and Zoning Commission unanimously. However, when the case appeared before the City Council there was resistance from adjacent property owners and the Council did not approve the rezoning request..

At this time the property owner is seeking to rezone again, this time to Commercial Planned Overlay District (C3-PD). It is the property owner's hope that having a Planned District designation will mitigate many of the adjacent property owners' concerns. Having a Planned District designation would mean that the site plan for any commercial development must be reviewed and approved by the City Council. This will allow more input during the development process.

Staff recommends approval of Case 024-18.

ATTACHMENTS

- Application

REZONING APPLICATION FORM

Return Form to:
Planning / Community Development Specialist.
Joplin City Hall
602 South Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 511
FAX 417-625-4738

For Office Use Only
Case No.: 024-18
Filing Fee: $500.00
Date Advertised: 6-24-18
Date Notices Sent: 6-26-18
P&Z Date: 7-9-18
City Council Date: 8-6-18

APPLICANT: BILL RICHERT EXIT-ONE, LLC PHONE: 918 743-6262
ADDRESS: PO BOX 2352, TULSA, OK ZIP: 74101
EMAIL: brichert@sbcglobal.net
OWNER: EXIT-ONE, LLC PHONE:
ADDRESS: PO BOX 2352, TULSA, OK ZIP: 74101
EMAIL: SAME
LOCATION OF PROPERTY: EXIT-ONE OF I-44 (SOUTH SIDE)
LEGAL DESCRIPTION:

Present Zoning: R1 Requested Zoning: C3-PD Acreage: 14 AC
Present Use of Property: VACANT
Proposed Use of Property: COMMERCIAL

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	CASINO, C-STORE	
South	RURAL	NOT IN CITY LIMIT
East	RURAL RESIDENTIAL	" " " "
West	RURAL	" " " "

CHARACTER OF THE NEIGHBORHOOD: INTERSTATE HIGHWAY INTERCHANGE COMMERCIAL ON NORTH, RURAL ON SOUTH, EAST, WEST

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?
   NO
2. Are there substantial reasons why the property cannot be used in accord with existing zoning?
   If yes, explain: THE SITE WAS FORMERLY A RESTAURANT SITE

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? YES
2. Consistent with Future Land Use Map? YES

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
2. One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may effect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.
3. Owner Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned
4. For Planned Developments the following must be submitted and reviewed before the rezoning can be advertised for public hearing:
   ___ Site Plan ___ Landscape Plan ___ Building Elevations

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: OUTER ROAD, INTERSTATE 44 INTERCHANGE
2. Classification of Street(s):
   Arterial_____ Collector_____ Local _____ INTERSTATE 44
3. Right-of-Way Width: _____
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   _____

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

1. Appropriately Sized Lots?_____
2. Properly Sized Street Right-of-Way?_____
3. Drainage Easements?_____
4. Utility Easements:
   Electricity?_____
   Gas?_____
   Sewers?_____
   Water?_____
5. Additional Comments:_____
   _____
   _____

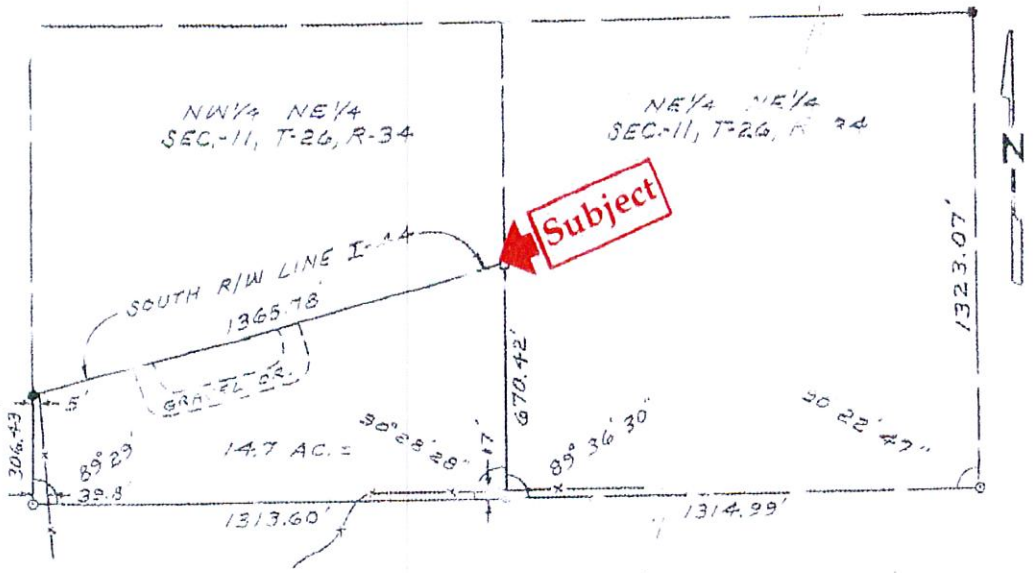
UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

PROPERTY WAS FORMERLY A NICKERSON FARMS RESTAURANT AND IS LOCATED ACROSS FROM THE DOWNSTREAM CASINO

SIGNATURE: _____ DATE: 6/8/18

BY: BILL RICHERT

TITLE: PARTNER, OWNER

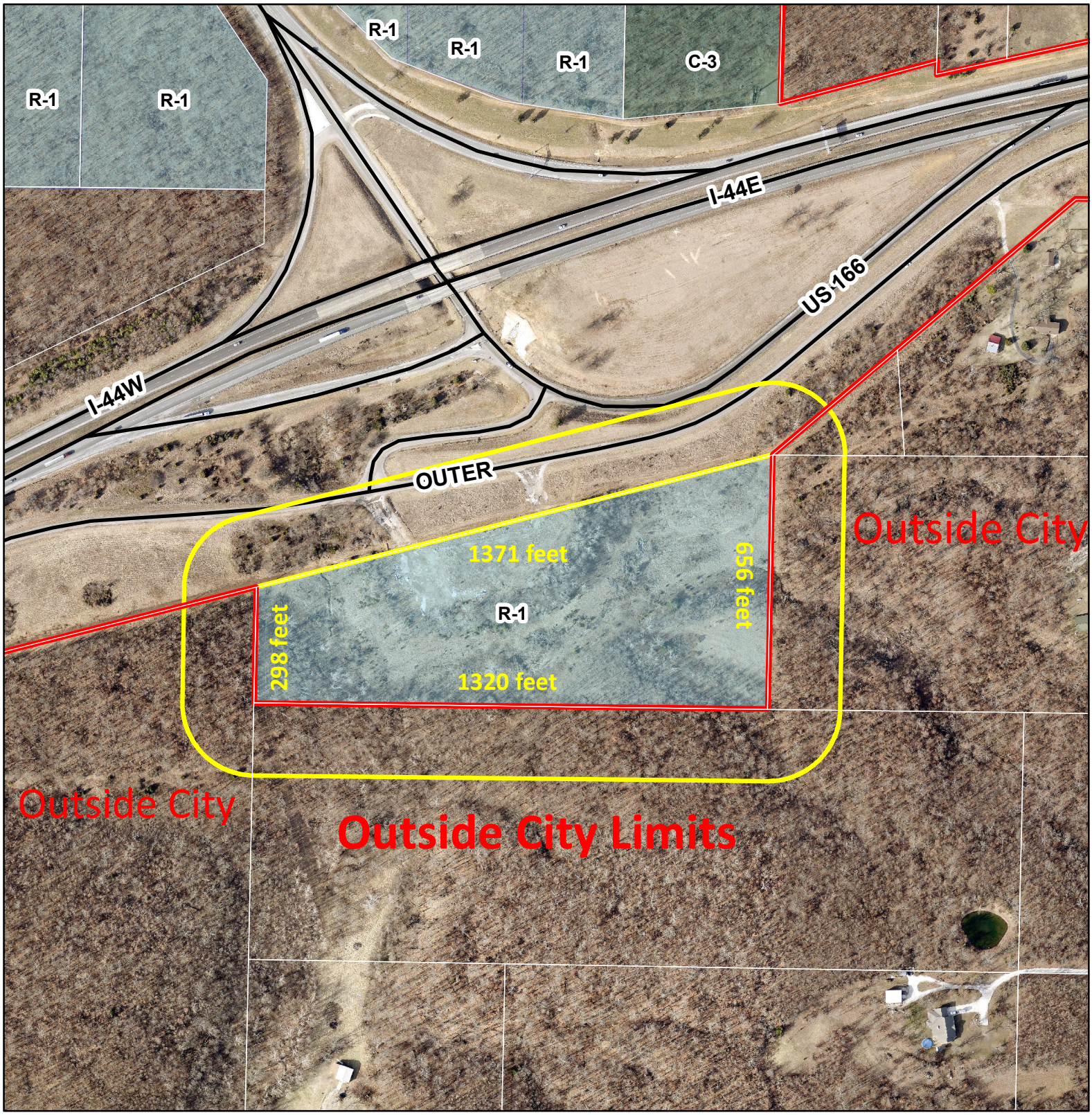


LEGEND:
● = FOUND IRON PIN.
⊙ = FOUND IRON PIPE.
□ = SET IRON PIN & CAP.

DESCRIPTION: (WARRANTY DEED RECORDED IN BK-345, PG-7434)
ALL OF THE NORTHWEST QUARTER (NW¼) OF THE NORTHEAST FRACTIONAL QUARTER (NE FRTL ¼) OF SECTION 11, TOWNSHIP 26, RANGE 34, LYING SOUTH OF INTERSTATE HIGHWAY 44 IN NEWTON COUNTY, MISSOURI, SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD, IF ANY.

NOTE:
THE PROPERTY DESCRIBED HEREON FALLS IN ZONE "C" ACCORDING TO FLOOD MAP # 290820 0015 B, NEWTON COUNTY, MISSOURI.

SITE PLAN



0 295 590 1,180 1,770 2,360 Feet

Case 024-18: Adjacent and South of I-44 at Exit 1 -- A request to rezone from Single Family Residential District (R1) to Commercial Overlay District -- Bill Richert

N

P & Z Case 024-18

Bill Richert
(P & Z Recommended Approval)

COUNCIL BILL NO. 2018-265 ORDINANCE NO.

AN ORDINANCE amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District R-1 and including in District C-3-PD property as described below and located adjacent and south of I-44 at Exit 1, City of Joplin, Newton County, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. Having referred the subject matter of this ordinance to the City Planning and Zoning Commission and having given at least fifteen days' notice of time and place of hearing on same by publication in the Joplin Globe, Ordinance No. 2004-256 is hereby amended by removing the following described property from District R-1 and including same in District C-3-PD:

ALL OF THE NORTHWEST QUARTER OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 11, TOWNSHIP 26, RANGE 34 LYING SOUTH OF INTERSTATE HIGHWAY 44 IN NEWTON COUNTY, MISSOURI, SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD, LOCATED IN THE CITY OF JOPLIN, NEWTON COUNTY, MISSOURI.

Section 2. That the City Clerk is hereby ordered to file this ordinance with the Zoning District Map maintained in her office and to note the changes herein provided for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of_____, 2018.

_____
Gary L. Shaw, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney

City of Joplin City Council Agenda Item

REQUESTED COUNCIL MEETING DATE: SEPTEMBER 17, 2018

ITEM: COUNCIL BILL NO. 2018-515
ORIGINATING DEPARTMENT: FINANCE DEPARTMENT

ATTACHMENTS: 1) Exhibit "A", Council Employee Raise 2) Schedule "B", Budget Amendment

Finance Director: Leslie Haase
Human Resources Director: Dave Allgood
City Attorney: Peter Edwards
City Manager: Sam Anselm

INTRODUCTION:
This Council Bill approves a wage adjustment for the City Attorney, City Clerk, Municipal Judge and the Public Defender as Council employees to correspond with the recently adopted step pay plan implemented for city employees.

DISCUSSION:
In July, council adopted a new step pay plan for city employees with an effective date of August 4th. While there is 2% between steps, employees were placed in the pay plan at the step that corresponds to their years of service in their current position, at a minimum. As a result of the implementation of the new pay plan, the average wage increase for city employees was 3.4%.

Council employees are not included in the Salary Administration Plan. Wage increases for council employees are granted through a separate ordinance. As such, this ordinance approves raises for certain council employees as shown in Exhibit "A".

RECOMMENDATION:
Staff recommends approval of this Council Bill on an emergency basis.

EXHIBIT "A"

CITY OF JOPLIN
COUNCIL EMPLOYEE ANNUAL PAY
10-Sep-18

POSITION	NAME	PERCENTAGE INCREASE	EFFECTIVE DATE
CITY ATTORNEY	EDWARDS, PETER	3.4%	20-Aug-18
CITY CLERK	GOLLHOFER, BARBARA	3.4%	4-Sep-18
MUNICIPAL JUDGE	PODLESKI, JOHN	3.4%	4-Sep-18
PUBLIC DEFENDER	BHEND, JON	5.4%	4-Sep-18

SCHEDULE B

CITY OF JOPLIN
BUDGET AMENDMENT
2017-2018 ADOPTED BUDGET
10-Sep-18

FUND	ACTIVITY	ACCOUNT	DESCRIPTION		REVENUES	EXPENDITURES
001	General Fund					
	City Clerk	001-0801-500-1010	Regular Wages	$		440
	Legal Services	001-1002-500-1010	Regular Wages			820
	Municipal Court	001-3002-500-1010	Regular Wages			650
	Municipal Court	001-3002-500-5105	Judicial Services			300
	Total General Fund			$	-	2,210
	Grand Total			$	-	2,210

COUNCIL BILL NO. 2018-515 **ORDINANCE NO**.

AN ORDINANCE adopting and establishing pay rates for certain Unclassified Council Employees; and, amending the Annual Budget of the City of Joplin for the Fiscal Year 2017-2018 as adopted by Ordinance 2017-167 on October 16, 2017; and, containing an emergency clause.

WHEREAS, the Council of the City of Joplin, Missouri, has reviewed certain Unclassified Council Employees and desires to increase the annual rate of pay for the City Attorney, City Clerk, Municipal Judge and the Public Defender; and,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That the Annual Salary for the City Attorney, City Clerk, Municipal Judge and the Public Defender be increased as shown in Exhibit "A".

Section 2. That additional compensation to members of the Unclassified service shall be based upon length of service and paid in accordance with the Longevity Pay Plan currently in effect.

Section 3. That fiscal year 2017-2018 budgeted appropriations as adopted by Ordinance 2017-167 be amended by increasing appropriations by the total amount of Two Thousand Two Hundred Ten Dollars and No Cents ($2,210.00) as shown in Schedule "B".

Section 4. That the Director of Finance is hereby directed to make all necessary entries on the City records to show the increase in appropriations.

Section 5. That this Ordinance, being an Ordinance affecting current expenditures of the City government and having to do with the expenditure of public funds, is an emergency within the meaning of Section 2.12(3)(4) of the HOME RULE CHARTER of the City of Joplin, Missouri, and as such shall become effective immediately upon its approval and passage.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____

day of _____, 2018, by a _____ vote.

_____

Gary L. Shaw, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney

ITEM	DESCRIPTION	QUANTITY	DEPARTMENT	Equipment #	VIN # if Applicable	ASSET TAG #

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10' PLOW	HENKA	1	STS	1888	7507	
10' PLOW	HENKA	1	STS	1741	5384	
SULAIRE AIR COMPRESSOR	SULAIRE	1	STS	2225	20101217002	
HENDERSON SPREADER BOX	HENDERSON	1	STS	1740	FSH21826	
1993 DODGE 1 TON DUMP	DODGE	1	STS	2259	186EWE3655PS277212	
CEMENT MIXER		1	STS	1231	N/A	
2 BLADE MOUNT FOR GRINDER			STS			
WEEDEATERS		10	STS			
MESSAGE BOARDS		2	STS			
GREEN ELECTRIC JACK HAMMER	BOTH WORK	2	STS			
ORANGE AIR HAMMER		1	STS			
ARIES CAMERA CABLE, HALF SPOOL		1	STS			
20" PORCUPINE		1	STS			
SOFTWARE EQUIPMENT FOR CAMERA VAN		1	STS			
PALLET OF CAMERA EQUI FOR ARIES CAMERA						
WOOD CRATE OF ARIES CAMERS & PARTS						
HYDRAULIC CORE DRILL, WORKS						
TV VAN		2		1621		
ARIES LOCATOR, WORKS	MODEL 9512PXT - 2	1				
RADIO DETECTION RD4000,WORKS		1				
ARIES CRAWLER, WHEELED		1				
ARIES CRAWLER, TRACKS		1				
ARIES, CAMERA HEAD PAN & TILT		1				
COBRA CRAWLER, WHEELED		1				
COBRA CAMERA PAN 7 TILT		1				

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Miselananeous Items	Crown Vic Parts starters ect	2 palets	garage	na	na	na
John Deer parts	older tractor steps draw bar	2 palets	garage	na	na	na
Elgin Sweeper parts	housings and related sweep	2 palets	garage	na	na	na

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PICKUP TRUCK	1/2 TON GMC	1	sport complex	1470	1GTEC14MXVZ537073	0039-0000598
INFIELD TARP (BASEBALL)	175 X 175 TARPS (used)	2	sport complex	N/A	N/A	N/A
ROLLERS (FOR TARP)	USED TO ROLL TARPS ON	2	sport complex	N/A	N/A	N/A
used lockers	school lockers	6 sets of 4	sport complex	N/A	N/A	N/A
softball tarps	used 125 x 125 field tarp	2	sport complex	N/A	N/A	N/A
used for scorboard	solar panel	1	sport complex	N/A	N/A	N/A

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Books	Misc. business books	3	CC			
Glass Plaque	Tornado memorabilia	1	CC			
Framed Corkboard	48" w x 5# h	1	CC			
Cassette Recorders	Radio Shack - Handheld	2	CC			
Heavy Duty Timer	Electric	1	CC			
Office Chair	padded, swivel, rollers	1	CC			
Picture Frame	8x10 - wood	1	CC			
Office Desk	Wood /2 drawers on right/ 1 in the top center	1	CC			
Desk Lamp	Gooseneck, metal	1	CC			
Stained Glass Hanging Dec.	Iris Design	1	CC			
Office Chairs	blue padded-metal frame-stationary	2	CC			

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Sax instrument	Used	1	Police	150158		
Pioneer car stereo	New	1	Police	N/A		
Rawlings Catchers Mit	New	1	Police	N/A		
Smiths electric knife sha	New	1	Police	N/A		
Norelco electic razor	New	1	Police	N/A		
Flueger fishing reel	New	1	Police	N/A		
Acer computer tower w	New	2	Police	120617/120618		
Baby stroller	New	1	Police	118233		
Rings	Used	5	Police	114348/114123		
Hunter safety tree stanc	New	1	Police	N/A		
Small BBQ grill	New	1	Police	N/A		
Misc clothing items	New	20	Police	N/A		
Contruction drilling bits	Used	2	Police	N/A		
Silver tea set (3piece)	Used	1	Police	122206		
Purse	New	1	Police	N/A		
Large box of coil roofing	New	1	Police	N/A		
Decorating Kits	New	12	Police	148956		
Stuff toy tiger	New	1	Police	"		
Slime kit toy	New	1	Police	"		
Container of plastic jem	New	1	Police	"		
Kid T-Shirts	New	2	Police	"		
Sewing material	New	1	Police	"		
Blue back pack	New	1	Police	148955		
Ladies shirts and jeans	New	5	Police	"		
Red and White T-shirst	New	23	Police	"		
Mens underwear	New	2	Police	148953		
Bible	New	1	Police	"		
Optoma projection mac	New	1	Police	"		
Size 8 and 12 blue jeans	New	2	Police	"		
Mens jeans	New	2	Police	"		
Mens black T-shirt	New	1	Police	"		
Womens size med T-shi	New	2	Police	"		
Womens size large T-sh	New	4	Police	"		
Luminous Pro LED ring l	New	1	Police	148949		
Finger nail studio toy se	New	1	Police	148948		

Gas value auto part	New	3	Police	"	
ATI Super Damper auto	New	1	Police	"	
Sunbeam heat neck and	New	1	Police	"	
Set of 8 wine glasses	New	1	Police	148957	
Red and green pajamas	New	8	Police	148957	
Pokeman game	New	1	Police	"	
Soclean CPAP mask clea	New	1	Police	148958	
Diamond ring 10K	New	1	Police	N/A	
Power Pro lawn mower	Used	1	Police	N/A	
Bicycles	Used	70	Police	N/A	
1998 Ford Crown Vic	Police Car	1	Police Department	1524	2FAFP71W8WX15751
1996 Dodge Cargo	White Van	1	Police Department	1489	2B7KB31Z3TK185083
2009 Kubota	Utility Vehicle	1	Police Department	2073	**KRTV900Z71088269**