CITY OF JOPLIN
CITY COUNCIL SPECIAL MEETING
MINUTES

January 11, 2016

CALL TO ORDER

The Special Meeting for the Joplin City Council was called to order at 6:00 p.m. by Mayor Michael L. Seibert.

Flag salute was led by Mr. Scearce.

ROLL CALL: PRESENT: Morris Glaze, Miranda Lewis, Michael Seibert, Gary Shaw, Ryan Stanley and Mike Woolston, 7. Absent: Melodee Colbert–Kean, Bill Scearce, 2. Also in attendance were City Attorney Peter Edwards and City Manager Sam Anselm. Motion by Ms. Colbert-Kean, Second by Mr. McCreary to excuse Dr. Rosenberg. Voting in favor were Mrs. Lewis, Mr. McCreary, Ms. Colbert-Kean, Mr. Glaze, 4. Voting in opposition were Mayor Seibert, Mr. Shaw, Mr. Stanley, and Mr. Scearce, 4. Abstention: 1.

City Attorney Peter Edwards stated last Monday evening as you know a lease agreement was brought to you by staff. Council read the lease, made several amendments that were voted on and adopted on the amended lease. Last Monday night an emergency Ordinance it passed with six (6) votes. There was a stipulation or condition that was attached to that lease and it was offered to the Blasters to accept this lease by end of business today or offer would be withdrawn.

Last Friday we heard from the Blasters, their attorney Steve Hays and he submitted a counterproposal to the City and we sent out that counterproposal to you on Friday. So I think you all have had a chance to review the counterproposal. They're basically two (2) issues in the counterproposal. One deals with section three of the lease. I believe one of amendments the council voted on last Monday was that change to be made to be that they pay 30% of the utility cost. So they basically have come to the city and said they can't do that. They would like to revert back to the original language that was submitted to you guys last Monday night and that is contained in the proposal. If we need to go through it I can, but it basically has the staggered attendance if it's under 1500 tenant makes no reimbursement. If it's between 1501-1700 tenant will have a 10% reimbursement of the utility costs with a maximum of $6,000. It has that same structure so that it is the same structure they have asked council in their counterproposal to accept.

The other change is in section 18 of the lease. Right of entry that allows for the city to go into Joe Becker Stadium to make repairs, alterations, improvements, or additions, as the landlord may deem desirable and they ask that some additional language be included in that section that we would give a request in writing in 48 hours' notice and be accompanied by a Blasters representative before we go in the stadium and make any repairs or alterations.

Peter further stated procedurally the Blasters counter off is a rejection of a counter offer to them. The agreement that you guys had last Monday night. So in the event this five (5) votes in favor we need to call another meeting to come in Ordination form as a final agreement. From a procedural standpoint that's what has to take effect.
Motion by Mr. Stanley, Second by Mr. Shaw to amend the lease to previous with tier structure and request. Voting in favor were Council Members: Glaze, Seibert, Shaw, Stanley, 4 Nays, Colbert-Kean, McCreary, Scearce, 3. Absent: Rosenberg, 1. Abstention: Lewis, 1. This amendment failed.

Mr. Hays conferred with his clients. Mayor called for a five minutes.
Council reconvened.
Mr. Hays said his clients are willing to make a counter offer of and pay 10% of the utilities up to $2,000 if

attendance is up to 1500. If attendance is 1501-1700 they will pay 15% with a maximum of $6000. Mr. Stanley said felt he was comfortable at 10% of the utility costs having a $4000 maximum. Mr. Hays said the Blasters would agree to it.

Motion by Mr. Stanley, Second by Mr. Shaw to accept the amendments. Voting in favor were Council Members: Colbert-Kean, Glaze, Shaw, McCreary, Stanley, and Seibert, 6. Nays: Scearce, 1. Absent: Rosenberg, 1. Abstention: 1.

There being no further business to come before council the meeting was adjourned.

Meeting was adjourned at 7:30 pm.

Respectfully submitted,

Barbara L. Hogelin, MMC /MPCC City Clerk