CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2019-257-Voluntary Annexation

MEETING DATE:
March 4, 2019

ORIGINATING DEPARTMENT:
Planning, Development and Neighborhood Services

REVIEWED BY:
Director of Planning, Development & Neighborhood Services-Troy Bolander, Director of Finance-Leslie Haase, City Attorney- Peter Edwards, City Manager- Sam Anselm.

SUMMARY REQUEST:
Case 2019-009: Voluntary Annexation – A request to voluntarily annex approximately 3.4 miles of Right of Way, located along 32nd Street between Central City Road and Golf Link Road; along Crow Road between McClelland Boulevard and Schifferdecker Avenue; and along Coyote Drive between McClelland Boulevard and Schifferdecker Avenue – City of Joplin

BACKGROUND:
The City of Joplin is requesting to voluntarily annex approximately 3.4 miles of Right-of-Way. The purpose for this annexation is to widen 32nd Street from Schifferdecker to Central City Road. Letters have been obtained from both Jasper County and Newton County that indicate they are in agreement with this annexation.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Whitmore stated this request involves two separate portions of right of way. There are two separate maps included. This includes 1.4 miles of 32nd Street between Central City Road and Golf Link Road. The other portions are 1.05 miles of Crow Road and Schifferdecker Rd, along with 0.96 miles of Coyote Drive between McClelland Boulevard and Schifferdecker Avenue. The City of Joplin is requesting to annex a total of 3.4 miles of right of way. The purpose of this annexation would be to widen 32nd street from Schifferdecker Avenue to Central City Road. Letters have been obtained by Jasper County and Newton County Commissioners which indicated they agree with this annexation. The purpose for the Crow Road and Coyote Drive annexation is there has been a request to annex property in the future. Annexing this portion of the road would give the property owner the opportunity to annex into the City of Joplin.

PUBLIC COMMENT; None.

FUNDING SOURCE
These payments are included in the FY 2018-19 budget of the Community Planning Fund.

RECOMMENDATION:
Staff recommends approval of Case 009-19.

ATTACHMENTS
CB 2019- 257, Staff Planning Report, P&Z Commission Minutes, Jasper & Newton County Letters

CB 2019-257

Case 009-19: Voluntary Annexation – A request to voluntarily annex approximately 3.4 miles of Right of Way, located along 32nd Street between Central City Road and Golf Link Road; along Crow Road between McClelland Boulevard and Schifferdecker Avenue; and along Coyote Drive between McClelland Boulevard and Schifferdecker Avenue – City of Joplin

Mr. Whitmore stated this request involves two separate portions of right of way. There are two separate maps included. This includes 1.4 miles of 32nd Street between Central City Road and Golf Link Road. The other portions are 1.05 miles of Crow Road and Schifferdecker Rd, along with 0.96 miles of Coyote Drive between McClelland Boulevard and Schifferdecker Avenue. The City of Joplin is requesting to annex a total of 3.4 miles of right of way. The purpose of this annexation would be to widen 32nd street from Schifferdecker Avenue to Central City Road. Letters have been obtained by Jasper County and Newton County Commissioners which indicated they agree with this annexation. The purpose for the Crow Road and Coyote Drive annexation is there has been a request to annex property in the future. Annexing this portion of the road would give the property owner the opportunity to annex into the City of Joplin.

Mr. Cortez asked if the widening of 32nd Street would be to the north or to the south?

Mr. Whitmore stated the widening would take place in both directions.

Mr. Ramsour asked what the reasoning was for annexing in portion or Coyote Road?

Mr. Whitmore stated there has been a recent preliminary request to annex in property further down that road. With the annexation of that portion of the road it will allow utilities and sewer extended to those properties.

Mrs. Koelkebeck asked if the date had been set for the widening of 32nd Street?

Mr. Whitmore stated that as far as he knows the date has not been set.

Mr. McCullough wanted to know if there will be left turn lanes on Schifferdecker?

Mr. Bolander stated that Public Works has contracted that out and it is in the design stages. He also stated that this is part of the Capital Improvement that was approved by the citizens when it went to a vote on public sales tax.

Mr. Cortez asked if there will be street lights involved in the widening?

Mr. Bolander stated there were not.

Mr. Cortez asked if there was anyone else to speak in favor of this case? There was not. There was no one to speak in opposition of this case.

MR. RAMSOURMOVED, SECONDED BY MR. DERMOTT TO APPROVE CASE 009-19, BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. CORTEZ, MR. RAMSOUR, MRS. BRUECKNER-SEARS, MRS. KOELKEBECK, MRS. STEELE, MR. DERMOTT AND MR. MCCULLOUGH VOTING "AYE". (7 IN FAVOR, 0 NAYS).

Z&P Meeting: February 11, 2019
City Council Meeting: March 4, 2019

STAFF PLANNING REPORT
Voluntary Annexation

CASE 009-19 A request to voluntarily annex property into the City of Joplin

LOCATION Approximately 3.4 miles of Right of Way, located along 32nd Street between Central City Road and Golf Link Road; along Crow Road between McClelland Boulevard and Schifferdecker Avenue; and along Coyote Drive between McClelland Boulevard and cShifferdecker Avenue

APPLICANT City of Joplin

EXISTING CONDITIONS

Zoning	Land Use	Property Size
N/A (Jasper County, MO)	Right-of-Way	Approximately 3.4 miles of Right-of-Way

DISCUSSION

The City of Joplin is requesting to voluntarily annex approximately 3.4 miles of Right-of-Way. The purpose for this annexation is to widen 32nd Street from Schifferdecker to Central City Road. Letters have been obtained from both Jasper County and Newton County that indicate they are in agreement with this annexation.

As part of this annexation request, there will also be portions of Right-of-Way along Crow Road and Coyote Drive. This will include approximately 1.05 miles of Crow Road between McClelland Boulevard and Schifferdecker Avenue; and approximately 0.96 miles of Coyote Drive between McClelland Boulevard and Schifferdecker Avenue.

Staff recommends approval of Case 009-19.

ENCLOSURES

- Map of area to be annexed

BEFORE THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI

PETITION FOR VOLUNTARY ANNEXATION
PURSUANT TO 71.012, RSMO., 1994

TO WHOM IT MAY CONCERN:

Pursuant to the terms of V.A.M.S. 71.02, the undersigned, being all of the owners of fee interests of record in all tracts of real property attached hereto and incorporated herein as Exhibit "A", do hereby request the voluntary annexation of said land to the City of Joplin, Missouri.

Edward C. Whitmore

Edward Whitmore

STATE OF MISSOURI)
) ss:
COUNTY OF JASPER)

On this 11th day of February 2019, before me appeared Edward Whitmore, to me known to be the City Planner of City of Joplin, and the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was singed and sealed on behalf of said corporation by authority of its Board of Directors of the consideration stated therein and no other, and said Edward Whitmore acknowledged said instrument to be the free act and deed of said corporation, and that the allegations contained therein are true.

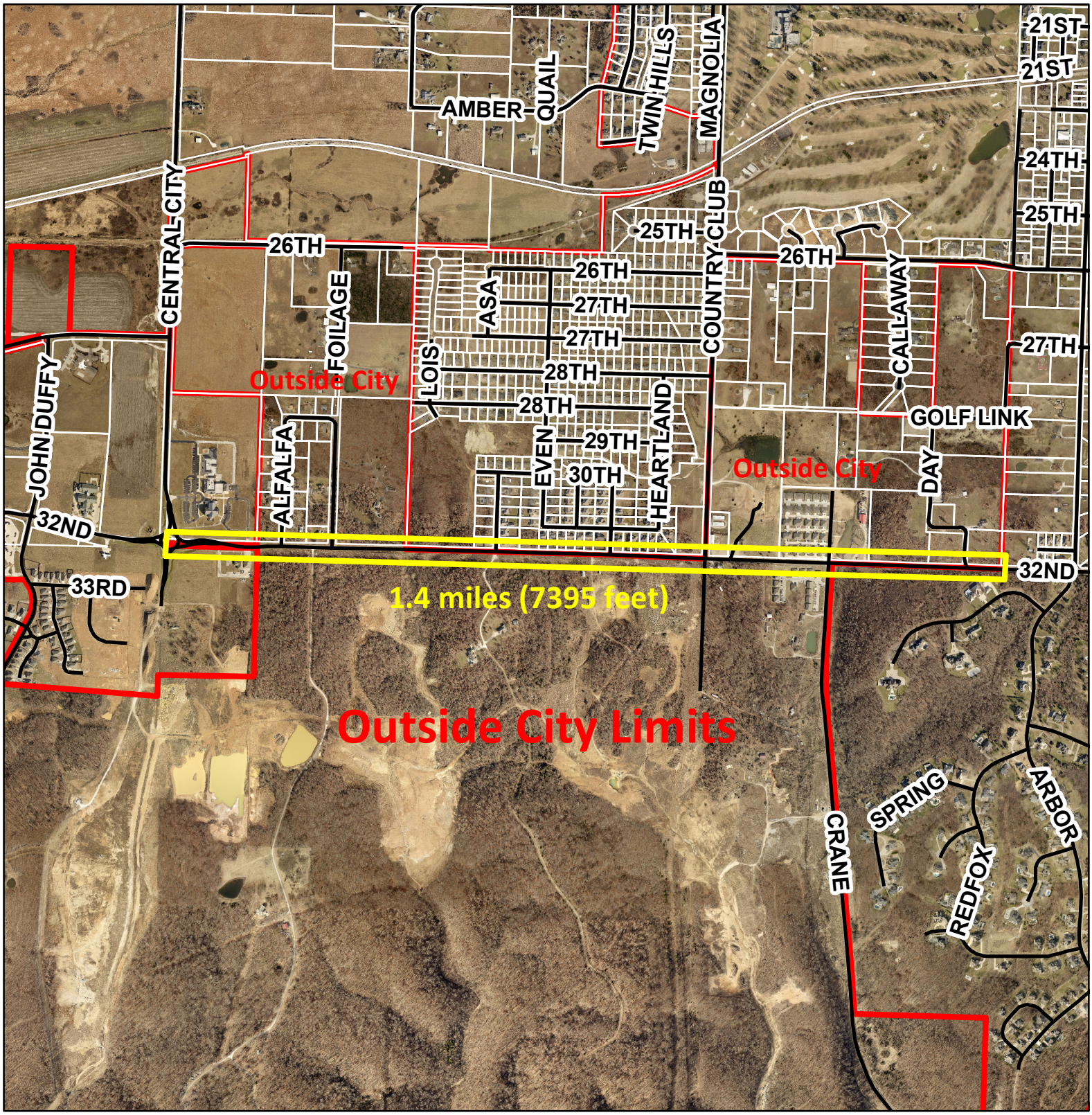
IN TESTIMONY WHEREOF, I have hereunto set by hand and affixed by official seal, in the County and State aforesaid, the day and year first above written.

My commission expires: 6-29-2020.

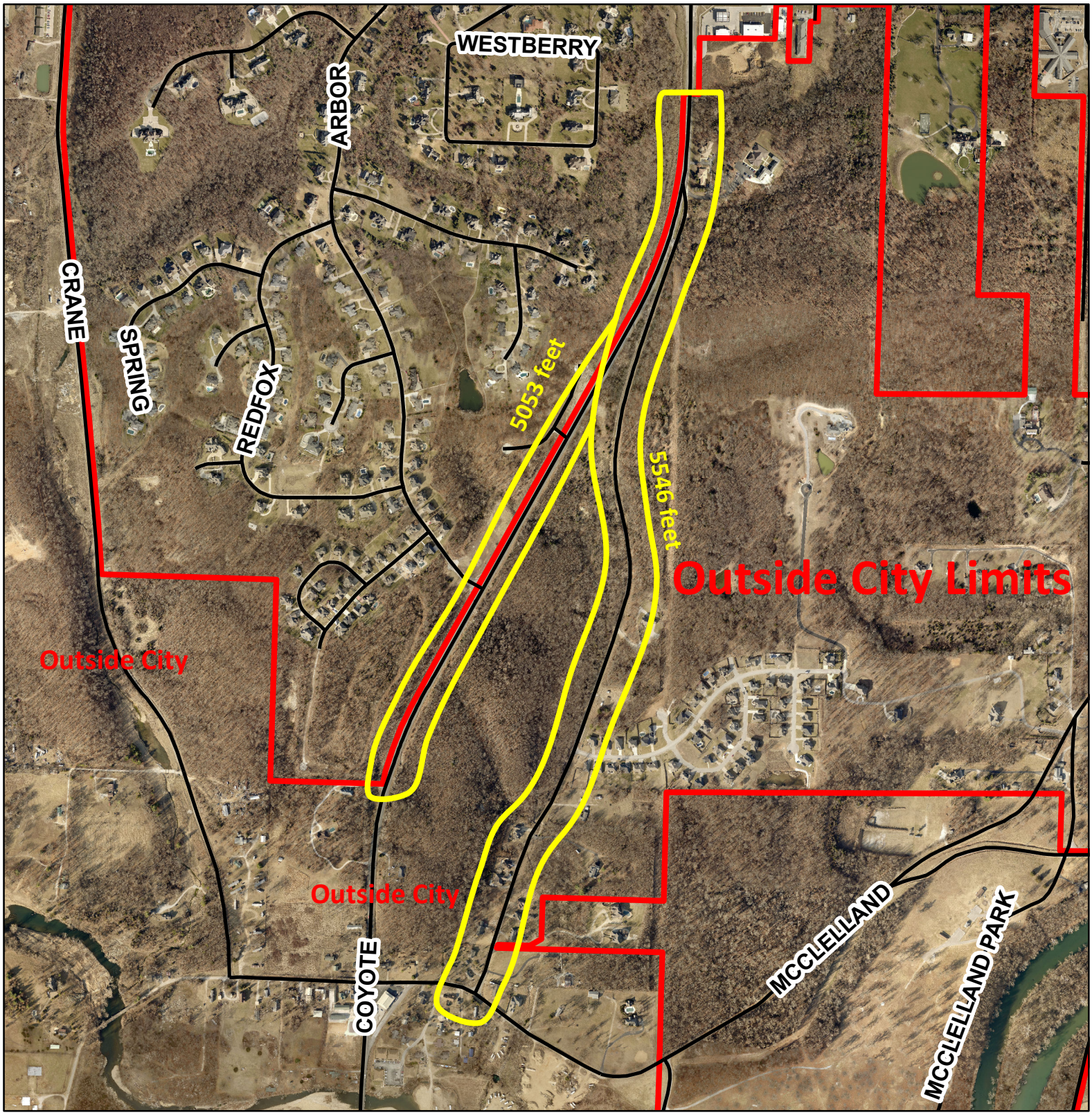
Lindsay J. Dunn
LINDSAY J. DUNN

Notary Public

LINDSAY J. DUNN
NOTARY PUBLIC NOTARY SEAL #12380334
MY COMMISSION EXPIRES 6-29-2020
JASPER COUNTY
STATE OF MISSOURI



Case 009-19: Voluntary Annexation -- A portion of Right-of-Way located along 32nd Street between Central City Road and Golf Link Road -- City of Joplin



0 750 1,500 3,000 4,500 6,000 Feet

N

Case 009-19: Voluntary Annexation -- A portion of Right-of-Way located along Crow Road between McClelland Boulevard and Shifferdecker Avenue; and along Coyote Drive between McClelland Boulevard and Shifferdecker Avenue -- City of Joplin

JASPER COUNTY COMMISSION

John Bartosh
Presiding Commissioner

Tom Flanigan
Eastern District Commissioner

Darieus K. Adams
Western District Commissioner



302 S. Main
Carthage, MO 64836-0387

Carthage: 417-358-0421
Joplin: 417-625-4350

Toll Free: 800-404-0421
Fax: 417-358-0483

December 18, 2018

City of Joplin
ATTN: Edward Whitmore, Planning and Zoning
602 South Main Street
Joplin, MO 64801

To the City of Joplin:

This letter is to confirm that Jasper County agrees for the following portions of Right of Way to be annexed into the City of Joplin in order to widen the Right of Way between Central City Road and Schifferdecker Avenue:

32nd Street Annexation - Jasper County

All that part of the 32nd Street Right-of-Way lying in Lot Numbered One (1) in the Southwest Fractional Quarter (SW Frac 1/4) of Section 18, Township 27 North, Range 33 West, Jasper County, Missouri, AND All that part of the 32nd Street Right-of-Way lying in the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of Section 18, Township 27 North, Range 33 West, Jasper County, Missouri, AND All that part of the 32nd Street Right-of-Way lying in the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of Section 18, Township 27 North, Range 33 West, Jasper County, Missouri.

AND

All that part of the 32nd Street Right-of-Way lying in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section 17, Township 27 North, Range 33 West, Jasper County, Missouri, AND All that part of the 32nd Street Right-of-Way lying in the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section 17, Township 27 North, Range 33 West, Jasper County, Missouri.

Sincerely,

Darieus K. Adams
Western District Commissioner

THE NEWTON COUNTY COMMISSION

NEWTON COUNTY COURTHOUSE · 101 SOUTH WOOD · SUITE 201 · NEOSHO MO 64850

Phone: 417.451.8223 · Fax: 417.451.8289

MARILYN RUESTMAN
Presiding Commissioner

ALAN COOK
District 1 Commissioner

JIM JACKSON
District 2 Commissioner

December 12, 2018

To the City of Joplin:

This letter is to confirm that Newton County agrees for the following portions of Right of Way to be annexed into the City of Joplin in order to widen the Right of Way between Central City Road and Schifferdecker Avenue:

32nd Street Annexation - Newton County

All that part of the 32nd Street Right-of-Way lying in Lot Numbered Two (2) in the Northwest Fractional Quarter (NW Frac 1/4) of Section 19, Township 27 North, Range 33 West, Newton County, Missouri, AND All that part of the 32nd Street Right-of-Way lying in Lot Numbered One (1) in the Northwest Fractional Quarter (NW Frac 1/4) of Section 19, Township 27 North, Range 33 West, Newton County, Missouri, AND All that part of the 32nd Street Right-of-Way lying in the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of Section 19, Township 27 North, Range 33 West, Newton County, Missouri, AND All that part of the 32nd Street Right-of-Way lying in the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section 19, Township 27 North, Range 33 West, Newton County, Missouri.

AND

All that part of the 32nd Street Right-of-Way in the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 20, Township 27 North, Range 33 West, Newton County, Missouri, lying West of the East Right-of-Way line of Crane Drive.

Coyote Dr/Schifferdecker Ave – South of 32nd ST to S. Line Sec 21

All that part of the of the Coyote Drive Right-of-Way (aka Schifferdecker Avenue) lying in the South One-Half (S ½) of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section 20, Township 27 North, Range 33 West, Newton County, Missouri,

AND, All that part of the Coyote Drive Right-of-Way (aka Schifferdecker Avenue) lying in the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section 20, Township 27 North, Range 33 West, Newton County, Missouri,

AND, All that part of the Coyote Drive Right-of-Way (aka Schifferdecker Avenue) lying in the Southeast Quarter (SE ¼) of Section 20, Township 27 North, Range 33 West, Newton County, Missouri,

AND, All that part of the Coyote Drive Right-of-Way (aka Schifferdecker Avenue) lying in the South One-Half (S ½) of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 21, Township 27 North, Range 33 West, Newton County, Missouri,

AND, All that part of the Coyote Drive Right-of-Way (aka Schifferdecker Avenue) lying in the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section 21, Township 27 North, Range 33 West, Newton County, Missouri.

Crow Road – South of 32nd ST to McClellalnd Blvd

All that part of the of the Crow Road Right-of-Way lying in the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section 20, Township 27 North, Range 33 West, Newton County, Missouri,

AND, All that part of the Crow Road Right-of-Way lying in the East One-Half (E ½) of the Southeast Quarter (SE ¼) of Section 20, Township 27 North, Range 33 West, Newton County, Missouri,

AND, All that part of the Crow Road Right-of-Way lying in the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section 21, Township 27 North, Range 33 West, Newton County, Missouri,

AND, All that part of the Crow Road Right-of-Way lying in the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section 29, Township 27 North, Range 33 West, Newton County, Missouri.

THE NEWTON COUNTY COMMISSION

Marilyn Ruestman
Presiding Commissioner

Alan Cook
District 1 Commissioner

Jim Jackson
District 2 Commissioner

P & Z Case 009-19
City of Joplin
(P & Z Recommended Approval)

COUNCIL BILL NO. 2019-257 ORDINANCE NO.

AN ORDINANCE approving the voluntary annexation by the Council of the City of Joplin, Missouri, approximately 3.4 miles of Right of Way, located along 32nd Street between Central City Road and Golf Link Road; along Coyote Drive between McClelland Boulevard and Schifferdecker Avenue, Joplin, MO., Jasper County, Missouri.

WHEREAS, pursuant to Section 71.012, RS Mo., 2001 as amended, a verified Petition requesting annexation and signed by the owners of all fee interests in record in the tract of real property described herein, was presented to the governing body of the City of Joplin, Missouri; and,

WHEREAS, pursuant to said Section having referred this matter to the Planning and Zoning Commission for Public Hearing thereon and having obtained the favorable recommendation and support of said annexation; and,

WHEREAS, having held a Public Hearing concerning the proposed annexation not less than fourteen (14) nor more than sixty (60) days after the Petition is received after first having given fifteen (15) days' notice of the Hearing in the Joplin Globe; and,

WHEREAS, after said Public Hearing, the City of Joplin determines that the annexation is reasonable and necessary to the proper development of the City of Joplin, and that the City of Joplin has the ability to furnish normal municipal services to the area to be annexed within a reasonable time; and,

WHEREAS, having received no written objections to the proposed annexation within fourteen (14) days after the Public Hearing.

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

Section 1. That the following described tract of land be and the same is hereby annexed into the City of Joplin, Missouri, said tract of land be described as follows, to-wit:

All that part of the 32nd Street Right-of-Way lying in Lot Numbered One (1) in the Southwest Fractional Quarter (SW Frac 1/4) of Section 18, Township 27 North, Range 33 West, Jasper County, Missouri, AND All that part of the 32nd Street Right-of-Way lying in the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of Section 18, Township 27 North, Range 33 West, Jasper County, Missouri, AND All that part of the 32nd Street Right-of-Way lying in the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of Section 18, Township 27 North, Range 33 West, Jasper County, Missouri. And all that part of the 32nd Street Right-of-Way lying in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section 17, Township 27 North, Range 33 West, Jasper County, Missouri, AND All that part of the 32nd Street Right-of-

Way lying in the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section 17, Township 27 North, Range 33 West, Jasper County, Missouri.
All that part of the 32nd Street Right-of-Way lying in Lot Numbered Two (2) in the Northwest Fractional Quarter (NW Frac 1/4) of Section 19, Township 27 North, Range 33 West, Newton County, Missouri, AND All that part of the 32nd Street Right-of-Way lying in Lot Numbered One (1) in the Northwest Fractional Quarter (NW Frac 1/4) of Section 19, Township 27 North, Range 33 West, Newton County, Missouri, AND All that part of the 32nd Street Right-of-Way lying in the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of Section 19, Township 27 North, Range 33 West, Newton County, Missouri, AND All that part of the 32nd Street Right-of-Way lying in the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section 19, Township 27 North, Range 33 West, Newton County, Missouri. All that part of the 32nd Street Right-of-Way in the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 20, Township 27 North, Range 33 West, Newton County, Missouri, lying West of the East Right-of-Way line of Crane Drive.
All that part of the of the Coyote Drive Right-of-Way (aka Schifferdecker Avenue) lying in the South One-Half (S ½) of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section 20, Township 27 North, Range 33 West, Newton County, Missouri, AND, All that part of the Coyote Drive Right-of-Way (aka Schifferdecker Avenue) lying in the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section 20, Township 27 North, Range 33 West, Newton County, Missouri, AND, All that part of the Coyote Drive Right-of-Way (aka Schifferdecker Avenue) lying in the Southeast Quarter (SE ¼) of Section 20, Township 27 North, Range 33 West, Newton County, Missouri, AND, All that part of the Coyote Drive Right-of-Way (aka Schifferdecker Avenue) lying in the South One-Half (S ½) of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 21, Township 27 North, Range 33 West, Newton County, Missouri, AND, All that part of the Coyote Drive Right-of-Way (aka Schifferdecker Avenue) lying in the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section 21, Township 27 North, Range 33 West, Newton County, Missouri; more generally described as approximately 1.4 miles of 32nd Street between Central City Road and Golf Link Road; and approximately 0.96 miles of Coyote Drive between McClelland Boulevard and Schifferdecker Avenue.

Section 2. That the City Clerk is hereby authorized and directed to cause three (3) certified copies of this Ordinance to filed with the Clerk of Jasper County, Missouri.

Section 3. That this Ordinance shall be in full force and effect as of 12:01 a.m., on the 7th day of April 2019.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of_____, 2019, by a vote of _____.

_____
Gary L. Shaw, Mayor

ATTEST:

_____

Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____

Peter C. Edwards, City Attorney