JOPLIN CITY COUNCIL
APRIL 15, 2019 MEETING MINUTES

CALL TO ORDER

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

INVOCATION was read by City Clerk Barbara Gollhofer.

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

ROLL CALL

Answering Roll Call were Council Members: Taylor Brown, Melodee Colbert-Kean, Keenan Cortez, Doug Lawson, Anthony Monteleone, Diane Reid Adams, Gary Shaw, Ryan Stanley, and Phil Stinnett. Also, in attendance were Interim City Manager Dan Pekarek and City Attorney Peter Edwards.

PRESENTATIONS

Mayor Gary Shaw presented a proclamation naming April 14-20, 2019 as Public Safety Telecommunicators Week to Public Safety Communications Manager Cheryl Konarski. Also in attendance were April Ford, Director of JASCO Communications; Stephanie Welch, City of Joplin Emergency Communications Dispatcher; and Police Chief Matt Stewart.

FINALIZATION OF CONSENT AGENDA

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

REPORTS AND COMMUNICATIONS

The FY2018 Annual Audit Report was presented by Michael Keenan of Cochran, Head and Vick. Mr. Keenan thanked the City of Joplin for the opportunity to serve as their auditor. He also thanked Finance Director Leslie Haase and the Joplin staff for their professionalism in assisting with the audit. Mr. Keenan reported the auditors encountered no difficulties in dealing with management in performing and completing the audit.

Before reviewing the annual reports, Finance Director Leslie Haase recognized and thanked her assistant, A.J. Whistler and the rest of her staff for the work they do, not just on the audit, buy all year long. She also thanked the City overall for their job performance that resulted in a good audit report. The Comprehensive Annual Financial Report (CAFR) reflects everything the City is doing. She stated it is a great accomplishment to have no comments on the single audit and no comments on the regular audit.

Finance Director Leslie Haase reviewed the Joplin Sports Authority annual report; City of Joplin Policemen's and Firemen's Pension Plan Actuarial report; and TIF status report.

CITIZEN REQUESTS AND PETITIONS

PUBLIC HEARINGS

Public Hearing Procedures read by City Clerk Barbara Gollhofer

Public Hearing - appeal for Denial of Historic Preservation Commission Case Number 2019-02.

City Attorney Peter Edwards explained this public hearing is an evidentiary hearing.

Planning and Community Development Director Troy Bolander stated the purpose of the hearing is to review the denial of a certificate of appropriateness by the Historic Preservation Commission for the proposed installation of windows of the type and design the HPC believes does not review the Design Review Standards for the Sunshine Lamp District, which was adopted by the City Council in 2005.

Properties in the Historic Sunshine Lamp District require Certificates of Appropriateness on file in the Building Department before pulling building permits. To obtain certificate, property owners consult with City Staff, and obtain applications for certificates of appropriateness from the Planning, Development and Neighborhood Services Department. Upon submittal of an application, staff reviews the application and confirms whether the scope of work is classified as major or minor works. Staff review of the application is conducted in accordance with the Secretary of the Interior's Standards for Historic Rehabilitation and referencing the local Design Review Standards for the Sunshine Lamp District. Minor works can be approved by staff. Major works, and minor works not approved by staff are sent to the Design Review Board. The Design Review Board makes a recommendation on approval or denial of the work to be performed. The Historic Preservation Commission then makes a determination on the historic appropriateness on the scope of work outlined in the application. If the Certificate of Appropriateness is approved, permits may be obtained.

Application for a Certificate of Appropriateness for work proposed on a building located at 218 S. Main was received by the Planning Department on February 22, 2019. Staff reviewed the application, determined the scope was minor works but unable to approve through staff review due to finding windows to be inappropriate. Staff convened an emergency meeting of the Design Review Board on February 27, 2019. Design Review Board unanimously found the proposed windows to be inappropriate and passed a recommendation to the Historic Preservation Commission to deny certificate. On March 19, 2019 the Historic Preservation Commission reviewed the application and recommendation from the Design Review Board and denied the application for Certificate of Appropriateness.

The property owners, ACL Holdings, LLC, are appealing the denial of the Certificate of Appropriateness to City Council in accordance with Appendix B, Historic Preservation, of the Joplin Zoning Code of Ordinances. City Council has the final administrative determination on the historic appropriateness of the proposed work.

City Attorney Edwards asked questions pertaining to Design Review standards and rules of Historic Preservation.
Tom Walters, City Planner and staff representative to the Historic Preservation Commission, and Jill Sullivan, Executive Director of the Post Art Library and Chairperson of the Historic Preservation Commission presented testimony on behalf of the HPC.

Luke Sheafer and his wife presented a power point testimony on behalf of ACL Holdings, LLC, as part of their appeal to the denial of the certificate of appropriateness. After the presentation and

discussion, they thanked the Council for their time and consideration in this matter.

Mr. Edwards stated he would offer Resolution 2005-043 the Design Review Standards, all the photos that were reviewed tonight, the staff packet that was identified as Exhibit 2, to the City Council as evidence for this public hearing. The Council accepted the evidence. The Council needs to decide if the proposed windows meet the Design Standards for the Sunshine Lamp Historic District

Motion by Mr. Stinnett, second by Mrs. Reid Adams for the denial of Case 2019-02. Voting in favor were Council Members: Brown, Cortez, Monteleone, Reid Adams, Shaw, Stanley and Stinnett, 7. Nays: Colbert-Kean; Lawson, 2.

CONSENT AGENDA

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

City Attorney Peter Edwards stated as a point of clarification that Council Members Lawson and Stanley abstained from voting on Council Bill No. 2019-260 at the April 1, 2019 council meeting and the minutes and ordinance will reflect those abstentions.

Notes from the April 1, 2019 Informal Council Meeting

Minutes of the April 1, 2019 Council Meeting

COUNCIL BILL NO. 2019-259 - AN ORDINANCE providing to vacate approximately 185 feet of a 20-foot wide utility easement located at 2119 East Highlander Drive. **Ordinance No. 2019-062**

COUNCIL BILL NO. 2019-260 - AN ORDINANCE establishing grades and accepting the Plat of Koinonia Subdivision located immediately west of the intersection of Duquesne Road and Birch Lane in the City of Joplin, Jasper County, Missouri. **Ordinance No. 2019-063**

COUNCIL BILL NO. 2019-610 - AN ORDINANCE approving the application of Special Olympics Missouri 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. 2019-064**

RESOLUTIONS

Mr. Stanley introduced Amended Resolution No. 2019-003- an amended resolution creating and directing the Centennial Celebrations Commission. Motion by Mr. Stanley, second by Mr. Lawson to approve Amended Resolution No. 2019-003. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley and Stinnett, 9. Nays: 0. Motion by Mr. Stanley, second by Mrs. Colbert-Kean to appoint Mrs. Reid Adams as council liaison to the commission. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley and Stinnett, 9. Nays: 0. **Amended Resolution No. 2019-**

003

Mr. Lawson introduced Resolution No. 2019-005 - a resolution authorizing the filing of a One Year Action Plan with the U.S. Department of Housing and Urban Development as required for use of the City of Joplin's Community Development Block Grant Program (Entitlement) and the Joplin Consortium HOME Investment Partnership Program for fiscal year 2019; and authorizing the City Manager to execute said Plan for and on behalf of the City of Joplin. Motion by Mr. Lawson, second by Mrs. Reid Adams, to approve Amended Resolution No. 2019-005. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley and Stinnett, 9. Nays: 0. **Resolution No. 2019-005**

ORDINANCES – EMERGENCY

Mr. Stanley introduced Council Bill No. 2019-120 - an ordinance approving the City of Joplin to enter into an agreement with D&E Plumbing and Heating, Inc., in the amount of Five Million Six Hundred Forty-Six Thousand One Hundred Ninety-Seven and 12/100 dollars ($5,646,197.12) for construction of the 44th Street and Connecticut Avenue Improvement 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. Stanley second by Mr. Cortez that Council Bill No. 2019-120 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Shaw, Stanley and Stinnett, 7. Nays: Monteleone, Reid Adams, 2. The Council Bill was declared adopted and entitled **Ordinance No. 2019-065**

Mr. Brown introduced Council Bill No. 2019-121-an ordinance authorizing the acceptance of an agreement with Allgeier, Martin and Associates Inc., in the not to exceed amount of One Hundred Eighty-Eight Thousand Four Hundred Forty and No/100 Dollars ($188,440.00) for Engineering Services on the Turkey Creek Waste Water Treatment Plant Tertiary Filter Replacement; and, containing an emergency clause. Motion by Mr. Brown, second by Mr. Monteleone that Council Bill No. 2019-121 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley and Stinnett, 9. Nays: 0. The Council Bill was declared adopted and entitled **Ordinance No. 2019-066**

Mr. Cortez introduced Council Bill No. 2019–359-an ordinance approving the contract by and between the City of Joplin and Camcor Environmental for the demolition of the structure(s) and clearing of lot area located at 1114 E. Hill. in the City of Joplin, Missouri, for Two Thousand One Hundred Sixty and 00/100 Dollars ($ 2,160.00); providing how the cost thereof shall be paid; how the assessment thereof shall be made; and containing an emergency clause. Motion by Mr. Cortez, second by Mr. Brown that Council Bill No. 2019-359 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley and Stinnett, 9. Nays: 0. The Council Bill was declared adopted and entitled **Ordinance No. 2019-067**

Mrs. Reid Adams introduced Council Bill No. 2019 – 360 - an ordinance approving the contract by and between the City of Joplin and B & D Yardbuilders for the demolition of the structure(s) and clearing of lot area located at 1419 W. 9TH St. in the City of Joplin, Missouri, for Three Thousand Three Hundred Fifteen and 00/100 Dollars ($ 3,315.00); providing how the cost thereof shall be paid; how the assessment thereof shall be made; and containing an emergency clause. Motion by

Mrs. Reid Adams, second by Mr. Lawson that Council Bill No. 2019-360 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley and Stinnett, 9. Nays: 0. The Council Bill was declared adopted and entitled **Ordinance No. 2019-068**

Mr. Stanley introduced Council Bill No. 2019-508 - an ordinance amending the Annual Budget of the City of Joplin for the Fiscal Year 2018-2019 as adopted by Ordinance 2018-145 on October 15, 2018, to adjust appropriations and containing an emergency clause. Motion by Mr. Stanley, second by Mr. Stinnett that Council Bill No. 2019-508 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley and Stinnett, 9. Nays: 0. The Council Bill was declared adopted and entitled **Ordinance No. 2019-069**

Mr. Lawson introduced Council Bill No. 2019-611- an ordinance approving a Contract for grant money by and between the City of Joplin, Missouri and the Missouri Department of Transportation dealing generally with work zone traffic enforcement in the amount of five thousand dollars ($5,000.00); authorizing the City Manager to execute the same by and on behalf of the City of Joplin, Missouri; and containing an emergency clause. Motion by Mr. Lawson, second by Mr. Cortez that Council Bill No. 2019-611 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley and Stinnett, 9. Nays: 0. The Council Bill was declared adopted and entitled **Ordinance No. 2019-070**

ORDINANCES – FIRST READING

ORDINANCES – SECOND READING AND THIRD READING

NEW BUSINESS

News from the Public Information Officer, Lynn Onstot

The Recycling Center is hosting the Annual Tire Drop Off set for Friday, May 3 and Saturday, May 4 from 9 a.m. to 3 p.m. both days. We appreciate Liberty Utilities partnering with us to offer this service to our citizens and their residential electric customers.

The City is hosting three Public Open Houses to learn more about the Smart Cities initiative that we're exploring. Everyone is invited to the meetings to talk with staff at various informational stations, and to share their ideas for Joplin's future. Meetings are scheduled for 10:30 a.m. to 12:30 on Saturday April 27 at the Public Library; 4:30 to 6:30 p.m. on Tuesday, April 30 at Bookhouse Cinema, and again 4:30 to 6:30 p.m. on Thursday, May 2 at Irving Elementary School. For those who can't attend, we encourage them to join the Live Stream event during these times.

We'll also be in front of City Hall for Third Thursday, April 18, with a cool demonstration of how SMART technology can make yardwork a breeze.

I also want to remind residents that this is the season to be aware of changing weather patterns. There are several different ways to get weather alerts – whether it's on a smartphone, television or radio – we want everyone to please pay attention this time of year. If traveling, get a forecast before hitting the road. For more ideas on storm season preparedness, visit joplinmo.org.

Comments from Council:
Mr. Brown stated he had the opportunity to make a movie for his place of employment that involved using the canine unit at the Joplin City Police Dept.

Mr. Monteleone requested the interim city manager follow up with staff regarding the issue with the Sheafer's public hearing item to see if any changes need to be made to the historic preservation application procedures to avoid this type of issue from arising in the future.

Mayor Shaw offered his condolences to the family of Cat Johnson, who recently passed away. Mr. Johnson was a longtime businessman in our community and a great athlete in his earlier years.

Vote to go into closed session, which shall pertain to leasing, purchasing or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore; and which shall pertain to the hiring, firing, disciplining, or promotion of an employee or particular employees of a governmental body involving personal information as set forth in Section 610.021(2)(3) RS Mo, as amended, 2018. 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. Stanley, second by Mr. Monteleone to go into closed session. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley and Stinnett, 9. Nays: 0.

There being no further business, the meeting was adjourned at 8:37 p.m.

Respectfully,

Barbara Gollhofer, City Clerk