CITY OF JOPLIN
CITY COUNCIL MEETING
MINUTES August 1, 2016

CALL TO ORDER
The regular meeting for the Joplin City Council was called to order at 6:00 p.m.by Mayor Pro Tem Ryan Stanley

INVOCATION - read by City Clerk Barbara Hogelin

PLEDGE OF ALLEGIANCE to the United States of America –led by Mr. McCreary

ROLL CALL – Answering Roll Call were: Melodee Colbert-Kean, Dan McCreary, Gary Shaw, Ryan Stanley, Phil Stinnett and Jim West. Also in attendance were City Manager Sam Anselm and City Attorney Peter Edwards. Motion by Mr. Shaw to excuse Miranda Lewis, from this council meeting, finding that the cause of her absences is acceptable to this Council. Voting in favor were Council Members: Colbert-Kean, McCreary, Shaw, Stanley, Stinnett, West 6. Nays: 0. Motion by Mr. West, to excuse Mr. Brown, from this council meeting. Voting in favor were Council Members: McCreary Seibert, Shaw, Stanley, Stinnett, West 6. Nays: 0. Motion by Mr. West to excuse Mr. Brown. Voting in favor were Council Members: McCreary Seibert, Shaw, Stanley, Stinnett, West 6. Nays: 0. Motion by Ms. Colbert-Kean to excuse Mayor Seibert. Voting in favor were Council Members: McCreary Seibert, Shaw, Stanley, Stinnett, West 6. Nays: 0.

PRESENTATIONS

REPORTS AND COMMUNICATIONS
Bi-annual insurance report by Segal Co. – The Segal Co. presented the bi-annual insurance report to the city council.

FINALIZATION OF CONSENT AGENDA - There being no further business to come before the Council, the Consent Agenda was finalized.

CITIZEN REQUESTS AND PETITIONS
Rod Harsh, 1200 N. Rangeline Rd # 202, requests to address Council regarding the Low Water Bridge Committee Presentation. Mr. Harsh, 1200 N. Rangeline talked about the low water bridge and why the old bridge should be saved. City Manager reported the city is waiting on a hydrology study from public works.

PUBLIC HEARINGS
Public Hearing Procedures read by City Clerk Barbara Hogelin

PUBLIC HEARING for COUNCIL BILL NO. 2016-012 - AN ORDINANCE approving a plan for an industrial development project (heartland pet food manufacturing project), consisting of the acquisition, construction, improvement and equipping of an expansion of a pet food manufacturing

facility for Heartland Pet Foods Manufacturing, Inc., a Delaware corporation; authorizing the city of Joplin, Missouri to issue its taxable industrial development revenue bonds (Heartland Pet Foods Manufacturing Project), series 2016, in a principal amount not to exceed $83,250,000 to finance the costs of such project; authorizing and approving certain documents; and authorizing certain other actions in connection with the issuance of the bonds. (Action will be taken under First Reading).

Mayor ProTem Stanley opened the Public Hearing

Rob O'Brian, appeared in favor of this item. Mike Schultz, Brian Cord, and Tedd Easel appeared in favor of this item.
Kurt Higgins, appeared in favor of this item.
Richard Volk, appeared in favor of this item.
Linda Rook, appeared in favor of this item.
Kevin Theilan appeared in favor of this item.

No one appeared in opposition of this request.

The public hearing was closed.

PUBLIC HEARING FOR COUNCIL BILL NO. 2016-269 - AN ORDINANCE amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District R-1 and including in District C-1 property as described below and located at 2201 North Main Street in the City of Joplin, Jasper County, Missouri.

Mayor ProTem Stanley opened the Public Hearing

Ryan Claybourn, appeared in favor of this item.
Mr. Shire, appeared in favor of this item

No one appeared in opposition of this request.

The public hearing was closed.

Mr. Shaw introduced Council Bill No. 2016-269. Motion by Mr. Shaw, second by Mr. McCreary that Council Bill No. 2016-269 be Placed on First Reading and Advanced to Second Reading and Third Reading. Voting in favor were Council Members: Colbert-Kean, McCreary, Shaw, Stanley, Stinnett and West, 6. Nays: 0. Absent: 3, Brown, Lewis, Seibert.

PUBLIC HEARING FOR COUNCIL BILL NO. 2016-270 - AN ORDINANCE amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District R-1 and including in District R-2 property as described below and located at 2024 Maryland Avenue, 2025 Maryland Avenue, and 2119 Maryland Avenue in the City of Joplin, Jasper County, Missouri.

Mayor ProTem Stanley opened the Public Hearing

Eric Allphin, 1267 Granby, MO, appeared in favor of this item.

Sharon Wheeler, Joplin, 2121 McConnell, appeared in opposition of this request.
Margaret Kannady, 2211 McConnell, appeared in opposition to this request.

The public hearing was closed.

Mr. West introduced Council Bill No. 2016-270. Motion by Mr. West, that Council Bill No. 2016-270 be Placed on First Reading and Advanced to Second Reading and Third Reading. Motion by Mr. Stinnett, second by Ms. Colbert-Kean that Council Bill No. 2016-270 be Denied. Voting in favor were Council Members: Colbert-Kean, McCreary, Shaw, Stinnett 4. Nays: 2, Stanley, West. Absent: 3, Brown, Lewis, Seibert.

PUBLIC HEARING FOR RESOLUTION NO. 2016-016 -A RESOLUTION granting a Special Use Permit (First Request) to Yvonne Vonderosa for the operation of a day care home located at 2306 Xenia Street, in the City of Joplin, Jasper County, Missouri.

Mayor ProTem Stanley opened the Public Hearing

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

The public hearing was closed.

Mr. West introduced RESOLUTION NO. 2016-016 -A RESOLUTION granting a Special Use Permit (First Request) to Yvonne Vonderosa for the operation of a day care home located at 2306 Xenia Street, in the City of Joplin, Jasper County, Missouri. (Requested by Yvonne Vonderosa. (Planning and Zoning recommended Tabling this Request) Motion by Mr. West, second by Mr. McCreary that Resolution No. 2016-016 be Tabled. Voting in favor were Council Members: Colbert-Kean, McCreary, Shaw, Stanley, Stinnett and West, 6. Nays: 0. Absent: 3, Brown, Lewis, Seibert.

PUBLIC HEARING FOR RESOLUTION NO. 2016-017 - A RESOLUTION granting a Special Use Permit (First Request) to Rachel and Stephen Grindle for the operation of a Bed and Breakfast located at 602 North Wall Avenue, in the City of Joplin, Jasper County, Missouri.

Mayor ProTem Stanley opened the Public Hearing

Stephen Grindle, 602 N. Wall appeared in favor of this item.

No one appeared in opposition of this request.

The public hearing was closed.

Mr. Stinnett introduced RESOLUTION NO. 2016-017 - A RESOLUTION granting a Special Use Permit (First Request) to Rachel and Stephen Grindle for the operation of a Bed and Breakfast located at 602 North Wall Avenue, in the City of Joplin, Jasper County, Missouri. Motion by Mr. Stinnett, second by Ms. Colbert-Kean that Resolution No. 2016-017 be Approved. Voting in favor were Council Members: Colbert-Kean, McCreary, Shaw, Stanley, Stinnett and West, 6. Nays: 0. Absent: 3, Brown, Lewis, Seibert.

CONSENT AGENDA – Motion by Mr. Shaw, second by Mr. Stinnett to approve the Consent Agenda. Voting in favor were Council Members: Colbert-Kean, McCreary, Shaw, Stanley, Stinnett and West, 6. Nays: 0. Absent: 3, Brown, Lewis, Seibert.

Minutes of the July 18, 2016 Council Meeting

COUNCIL BILL NO. 2016-365 - an ordinance approving an Agreement by and between the City of Joplin, Missouri, and HS Baking Enterprises, LLC; and, authorizing the City Manager or his designee, the Director of Planning, Development, and Neighborhood Services to execute the same by and on behalf of the City of Joplin, Missouri. **Ordinance No. 2016-111**

RESOLUTIONS

ORDINANCES - EMERGENCIES

Mr. Shaw introduced COUNCIL BILL NO. 2016-013 - an ordinance approving a Purchase Order to be issued to Microsoft Corporation to cover the annual support payment for the Public Safety and Financial software and related systems as budgeted in the Annual Budget of the City of Joplin for the Fiscal Year 2015-2016 as adopted by Ordinance 2015-168 on October 19, 2015; and containing an emergency clause. Motion by Mr. Shaw, second by Mr. West that Council Bill No. 2016-013 be approved on an emergency basis. Voting in favor were Council Members: Colbert-Kean, McCreary, Shaw, Stanley, Stinnett and West, 6. Nays: 0. Absent: 3, Brown, Lewis, Seibert. The Council Bill was declared Adopted and entitled **Ordinance No. 2016-112**

Mr. West introduced COUNCIL BILL NO. 2016-134 - an ordinance amending Chapter 114, Traffic Section 114-822, Specific Speed Limits, of the Code of Ordinances of the City of Joplin, Missouri to amend the speed limit on Indiana Avenue from 23rd Street to 24th Street to 25 m.p.h.; and containing an emergency clause. Motion by Mr. West, second by Mr. McCreary that Council Bill No. 2016-134 be approved on an emergency basis. Voting in favor were Council Members: Colbert-Kean, McCreary, Shaw, Stanley, Stinnett and West, 6. Nays: 0. Absent: 3, Brown, Lewis, Seibert. The Council Bill was declared Adopted and entitled **Ordinance No. 2016-113**

Mr. Shaw introduced COUNCIL BILL NO. 2016-135 - an ordinance approving Work Authorization HDR-OC-03 for HDR Engineering, Inc., for Three Hundred Twenty-One Thousand and no/100 Dollars ($321,000.00) for design and construction management of the Wildwood Business Park Sanitary Sewer project, and containing an emergency clause. Motion by Mr. Shaw, second by Ms. Colbert-Kean that Council Bill No. 2016-135 be approved on an emergency basis. Voting in favor were Council Members: Colbert-Kean, McCreary, Shaw, Stanley, Stinnett and West, 6. Nays: 0. Absent: 3, Brown, Lewis, Seibert. The Council Bill was declared Adopted and entitled **Ordinance No. 2016-114**

Mr. Stinnett introduced COUNCIL BILL NO.2016-366 - 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 506 S. Cox in the City of Joplin, Missouri, for the amount of One Thousand Nine Hundred Forty-Nine and 00/100 Dollars (1,949.00); providing how the cost thereof shall be paid; how the assessment thereof shall be made; and containing an emergency clause. Motion by Mr. Stinnett, second by Mr. West that Council Bill No. 2016-366 be approved on an emergency basis. Voting in favor were Council Members: Colbert-Kean, McCreary, Shaw, Stanley, Stinnett and West, 6. Nays: 0. Absent: 3, Brown, Lewis, Seibert. The Council Bill was declared Adopted and entitled **Ordinance No. 2016-115**

Mr. Stinnett introduced COUNCIL BILL NO.2016-367 - 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 315 N. Wall in the City of Joplin, Missouri, for the amount of Two Thousand Seven Hundred Forty-Nine and 00/100 Dollars (2,749.00); providing how the cost thereof shall be paid; how the assessment thereof shall be made; and containing an emergency clause. Motion by Mr. Stinnett, second by Mr. McCreary that Council Bill No. 2016-367 be approved on an emergency basis. Voting in favor were Council Members: Colbert-Kean, McCreary, Shaw, Stanley, Stinnett and West, 6. Nays: 0. Absent: 3, Brown, Lewis, Seibert. The Council Bill was declared Adopted and entitled **Ordinance No. 2016-116**

ORDINANCES – FIRST READING

Mr. Stinnett introduced COUNCIL BILL NO. 2016-011 - 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. Motion by Mr. Stinnett, second by Mr. Shaw to Pass Council Bill No. 2016-011 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Colbert-Kean, McCreary, Shaw, Stanley, Stinnett and West, 6. Nays: 0. Absent: 3, Brown, Lewis, Seibert. The Bill was read as being **Council Bill No. 2016-011**.

Mr. West introduced COUNCIL BILL NO. 2016-012 - an ordinance approving a plan for an industrial development project (Heartland Pet Food manufacturing project), consisting of the acquisition, construction, improvement and equipping of an expansion of a pet food manufacturing facility for Heartland Pet Foods Manufacturing, Inc., a Delaware corporation; authorizing the city of Joplin, Missouri to issue its taxable industrial development revenue bonds (Heartland Pet Foods Manufacturing Project), series 2016, in a principal amount not to exceed $83,250,000 to finance the costs of such project; authorizing and approving certain documents; and authorizing certain other actions in connection with the issuance of the bonds. Motion by Mr. West, second by Mr. Shaw to Pass Council Bill No. 2016-012 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Colbert-Kean, Shaw, Stanley, Stinnett and West, 5. Nays: 1, McCreary. Absent: 3, Brown, Lewis, Seibert. The Bill was read as being **Council Bill No. 2016-012**.

Mr. West introduced COUNCIL BILL NO. 2016-369 - an ordinance approving an Agreement between the City of Joplin, Missouri, and Missouri Highway and Transportation Commission which will provide FHWA Metropolitan Planning Assistance and FTA Section 5303 assistance, hereafter known as Consolidated Planning Funds, from November 1, 2015, through October 31, 2016, in accordance with the rules of the U.S. Department of Transportation, Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) under 49 U.S.C. Section 5303 and 23 U.S. Code Sections 104(F) and 134 to conduct comprehensive and transportation planning programs, as the City of Joplin has been designated to conduct transportation planning programs for the Joplin Area Transportation Study Organization; authorizing the City Manager to execute said Agreement for the City. Motion by Mr. West, second by Mr. Stinnett to Pass Council Bill No. 2016-369 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Colbert-Kean, McCreary, Shaw, Stanley, Stinnett and West, 6. Nays: 0. Absent: 3, Brown, Lewis, Seibert. The Bill was read as being **Council Bill No. 2016-369**.

Mr. Stinnett introduced COUNCIL BILL NO. 2016-370 - an ordinance authorizing the City of Joplin to enter into an Agreement with Gould Evans Affiliates for Planning Services relating to the

update of the City of Joplin Zoning Code; authorizing the City Manager to execute said Agreement for the City, and amending the Annual Budget of the City of Joplin for the Fiscal Year 2015-2016 as adopted by Ordinance 2015-168 on October 19, 2015. Motion by Mr. Stinnett, second by Mr. Shaw to Pass Council Bill No. 2016-011 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: McCreary Colbert-Kean, Shaw, Stanley, Stinnett, West 6. Nays: 0. Absent: 3, Brown, Seibert, Lewis. The Bill was read as being **Council Bill No. 2016-370**.

ORDINANCES – SECOND AND THIRD READING

Mr. West introduced COUNCIL BILL NO. 2016-132 - an ordinance declaring a public necessity for the acquisition by condemnation proceedings of real property and easements from property described as, All that part of the Southeast Quarter of the Southeast Quarter of Section 13, Township 27 North, Range 33 West, City of Joplin, Jasper County, Missouri, being all that part of the tract of land described in the General Warranty Deed duly recorded in the Jasper County Recorder's Office in Deed Book 1802, at Page 715, for the construction of public road and storm water public improvements near 29th and Arizona Avenue, directing the City Attorney to commence an action to obtain said property. Motion by Mr. West, second by Ms. Colbert-Kean to Pass Amended Council Bill No. 2016-132 on Second Reading and Advance to Third Reading and Pass. Voting in favor were Council Members: Colbert-Kean, McCreary, Shaw, Stinnett, West 5. Nays: 0. Absent: 3, Brown, Lewis, Seibert. Abstention: 1, Stanley. The Bill was declared adopted and entitled **Ordinance No. 2016-117**

UNFINISHED BUSINESS

NEW BUSINESS:

Set the date for the public hearing on the FY 2016-17 proposed budget for August 15, 2016. Motion by Mr. Shaw, second by Mr. West, to set August 15, 2016 for the public hearing on the FY 2016-17 proposed budget. Voting in favor were Council Members: Colbert-Kean, McCreary, Shaw, Stanley, Stinnett and West, 6. Nays: 0. Absent: 3, Brown, Lewis, Seibert.

Set the date for the public hearing on the property tax rate for August 29, 2016.Motion by Mr. Shaw, second by Mr. West, to set August 29, 2016 for the public hearing on the property tax rate. Voting in favor were Council Members: Colbert-Kean, McCreary, Shaw, Stanley, Stinnett and West, 6. Nays: 0. Absent: 3, Brown, Lewis, Seibert.

Appointments/Reappointments to Boards and Commissions – Mr. McCreary left the meeting due to travel commitment at 8:41. pm. Motion by Mr. Stinnett, second by Mr. Shaw to postpone board/commission appointments until the next council meeting. Voting in favor Council Members: Colbert-Kean, Shaw, Stanley, Stinnett and West, 4. Nays: 0. Absent: 4, Brown, Lewis, McCreary, Seibert, 4.

News from the PIO

The public is invited to an Open House Meeting to discuss the widening of 32nd Street from Schifferdecker Avenue to Central City Road. The meeting will be held from 5 p.m. to 7 p.m. Tuesday, August 2 in the Parish Center of St. Mary's Catholic Church located at 32nd and Central City Road. Residents are encouraged to attend this meeting and talk with City staff about their thoughts on the preliminary plans that have been developed for the project. If citizens are unable to

attend this public meeting, they may also contact the engineering department to make other arrangements at 624-0820 ext. 536.

Save the date of August 9 to join City officials, Mercy Joplin representatives, and others who have been a part of the development of Joplin's newest park. A Ribbon Cutting with the Joplin Area Chamber of Commerce will be held at 9:30 a.m. on Tuesday, August 9 at the Park's main pavilion near the lake. Entrance to the park and its parking lot is just south of 26th Street, on St. John's Boulevard. We hope everyone can come out to celebrate the opening of our newest park.

Citizens are reminded that tomorrow is the Missouri Primary Election. In addition, the City has Proposition A on the ballot. More information about Proposition A can be found on the City's website at joplinmo.org. Polls in Joplin will be open from 6 a.m. to 7 p.m. and we encourage citizens to please take time to vote.

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 pursuant to state law, and to discuss leasing, purchase or sale of real estate by a governmental body where public knowledge of the transaction might adversely affect the legal consideration thereof, pursuant to state law; as set forth in Section 610.021 (1) (2) RSMo, as amended, 2015. This meeting, record, and vote be closed. Council shall adjourn at the end of the session. Motion by Mr. Shaw, Second by Mr. Stinnett to go in closed session. Voting in favor were Council Members: Colbert-Kean, Shaw, Stanley, Stinnett and West, 5. Nays: 0. Absent: 4, Brown, Lewis, McCreary, Seibert.

There being no further business the meeting adjourned at 7:40 p.m.

Submitted,

Barbara L. Hogelin, MMC/MPCC, City Clerk