CITY OF JOPLIN
CITY COUNCIL MEETING
MINUTES August 15, 2016

CALL TO ORDER
The regular meeting for the Joplin City Council was called to order at 6:00 p.m.by Mayor Michael L. Seibert

INVOCATION - read by City Clerk Barbara Hogelin

PLEDGE OF ALLEGIANCE to the United States of America –led by Mrs. Lewis

ROLL CALL – Answering Roll Call were: Taylor Brown, Melodee Colbert-Kean, Miranda Lewis, Dan McCreary, Gary Shaw, Ryan Stanley, Phil Stinnett, Jim West and Mayor Seibert. Also in attendance were City Manager Sam Anselm and City Attorney Peter Edwards.

PRESENTATIONS
Low Water Bridge video presentation by Rod Harsh

REPORTS AND COMMUNICATIONS
Results of the August 2, 2016 Joplin City Election
The City Clerk's office has received the official returns of the August 2, 2016 General Special Election as verified by the County Clerk of Jasper and Newton Counties.
It is found and declared that the results are as follows:
For the City of Joplin Proposition A
4134-NO 2069-YES
This measure needed a simple majority for passage. Proposition A was approved by a majority of votes received and on file in the Office of the City Clerk.

For the record, 6302 ballots were cast in this election.

Respectfully submitted, Barbara Hogelin, MMC/MPCC, City Clerk
Motion by Mr. West, second by Mr. Stanley, to approve the election results as submitted by the City Clerk. Council voted 9-0.

Paul Bloomberg, Assistant Parks Director and Daryn Buholt, Golf Pro, to provide an update on Schifferdecker Golf Course. Council was very pleased with improvements to the course and thanked Daryn for his comments.

Police Chief Matt Stewart provided an update on the recent shooting in the city over the weekend. Mayor Seibert thanked Chief Stewart and all the agencies that contributed to assist Joplin Police Department and said we are a grateful community and commended Chief Stewart on his leadership role.

Anyone wishing to address the Council should step to the Podium and state their 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 minutes.

Sound enhancement units are available for hearing impaired customers. You will be asked to provide a form of identification as security, which will be returned when you return the unit.
If you are in need of disability related auxiliary aids or services, contact the City Clerk's Office at (417) 624-0820 ext. 220. Forty-eight hours' notice is requested.

FINALIZATION OF CONSENT AGENDA - There being no further business to come before the Council, the Consent Agenda was finalized. Mr. Brown asked that Council Bill No. 2016-269 be removed from the Consent Agenda and be placed under Second and Third Reading. He indicated that was his place of employment and he would be abstaining on that item.

CITIZEN REQUESTS AND PETITIONS
Request to address Council from Jabbar Wesley, 3025 SE Clover Dr., Lee's Summit Mo, as the Government affairs contact for Missouri Gas Energy and briefly discuss their legislative priorities. Mr. Wesley did not appear.

Request to address Council from Rob Singh, 408 N. Cattleman's Drive, Joplin regarding the Safety on the Frisco Trail. Mr. Singh did not appear.

Request to address Council from Richard H. Russell, 2610 W. 23rd Street, Joplin, Mo, regarding miscellaneous. Richard Russell, 2610 W. 23rd Street addressed council and read a statement that talked about old Mayors never die, they just fade away. He said he has been happy to do so after having served on this governing body for twelve years. He was here tonight to throw you a lifeline, but more on that later.

Let me introduce you or re-introduce you to former Mayor and City Councilman and Elder Statesman Dr. Donald Clark. I have known Dr. Clark personally since I was a teenager. He was a lifelong resident of Joplin, WWII Veteran and an elder statesman for the City of Joplin. He served more years serving the citizens of Joplin than those before or after his tenure.

Some decades ago, Dr. Clark saw the need for Joplin to have a city flag. He spent countless hours designing Joplin's current flag. Many Council people have worn that flag as a lapel pin. Many citizens of Joplin of have been given the flag pin at award ceremonies. Hundreds of people around the country and the world have asked for this flag pin. People at national and state conferences have sought out the Joplin delegation to ask for one of our flag pins.

I have collected hundreds of pins of cities throughout the United States with seals and their flags. The Joplin flag design takes no back seat to any of the designs that I have in my possession.

The week of July 18th, I heard a local news broadcast that reported that some people wanted to change Joplin's flag. I didn't think much of it. I contacted some Council people that said they had no conversation and it had not been discussed with those that I spoke to. However, on Thursday's television newscast, it was reported that a panel of seven was going to have a contest to redesign the Joplin flag and that the winner would be announced in October. There was a large article in the Joplin Globe July 24th that would lead one to believe this was a done deal. As some things take a life of their own it could very well become a done deal. If this isn't enough, Dr. Clark's two daughters were called to say there were those that wanted to change the Joplin flag. Now can you imagine the gall of someone to call Dr. Clark's daughters to them one of his legacy's was to be removed? That is not right for his family or the citizens of Joplin.

On or about the 10th of August, a young man was interviewed on the evening news. His reasoning for changing the flag was without substance or rationale. It was though a group sat around a campfire, sang Kum Bye Ya and one said "I have an idea". "Let's change the flag of the city of Joplin". It appears this group did not come before this body prior to starting their agenda.

It is my understanding that Ms. Callie Hudson, the Downtown Merchants Executive Director, is promoting this idea. Could someone tell me why the Downtown Association is going outside its mission? When Callie was asked what was wrong with the current Joplin flag she was quoted as saying "Almost everything"? She was then quoted as saying, "It becomes difficult to be a cheerleader for our city".

A few weeks earlier, prior to the flag issue, Ms. Hudson came before this body and insinuated that people came to a community over what the downtown looks like and Joplin doesn't look inviting and could turn people against moving to Joplin. I am paraphrasing of course, however I believe they come here because of clean air, water, quality of life, its people, its morals, its entertainment, education and much, much more.

I have been contacted by former city council members just this past week. I have also visited with city employees. Both groups like the flag just as it is.

As former Mayor, the Council and I approved an Ordinance naming the former city hall the Dr. Donald Clark Safety Building, with my signing of that Ordinance, it was placed in a case with his accomplishments, one of which is his flag design. Dr. Clark was well respected by former mayors and councils. He was well respected by our surrounding communities.

Now, for my lifeline to you, you have the opportunity to nip this in the bud. Tomorrow, a representative of this body could walk across the street and say "cease and desist". I predict that if that doesn't happen their plan will continue. Well-meaning citizens will have an expectation of their drawing to be a winner and the winner will have an expectation as well.

As October arrives, they will come before this body and your backs will be against the wall. This will be a decisive issue for the city and citizens of Joplin. You don't need this distraction as you move forward with employee pay issues, budget hearings. And more important real city issues.

As you look at the ceremonial flag behind you, you will note the city seal, on either side of the seal is a miner. That represents our heritage, there is the date of the founding of our beautiful city. The word "Joplin" is proudly present on the flag. Friends, the flag behind you is a ceremonial flag. I believe the city has a least five of these flags. To replace these flags, the costs would be more than $1,500 per flag. That would cost the tax payer at a minimum $7,000 or more. I am not sure what other expenses would be involved.

In closing, if you were one of Dr. Clark's patients, a Veteran, VFW, American Legion, or someone who supported and voted for him to be re-elected time and time again, please join me in stopping this movement. Come to a City Council meeting or call your Council person. The Joplin City Council needs to nip this in the bud sooner rather than later.

Motion by Mr. Stanley, second by McCreary, to allow Mr. Tom Orr 426 Austin Webb City Mo. to address Council regarding assisting him in writing a paper on the Joplin tornado with his dissertation. Council voted 9-0 to allow Mr. Orr to speak. Mr. Orr briefed the Council on his college project and asked if they would like to join in they could do so.

PUBLIC HEARINGS
Public Hearing Procedures read by City Clerk Barbara Hogelin

Public Hearing for the FY 2016-17 proposed budget – Finance Director Leslie Haase presented a preliminary view of the proposed budget to the council.

Mayor Seibert opened the Public Hearing

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

The public hearing was closed.

PUBLIC HEARING FOR COUNCIL BILL NO. 2016-271 - 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 District C-3 and including in District C-3-PD property as described below and located at the northwest corner of 26th Street and Main Street in the City of Joplin, Jasper County, Missouri.

Mayor Seibert opened the Public Hearing

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

The public hearing was closed.

Mr. West introduced Council Bill No. 2016-271. Motion by Mr. West, second by Ms. Colbert-Kean that Council Bill No. 2016-271 be Placed on First Reading and Advanced to Second Reading and Third Reading. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, Shaw, Seibert, Stanley, Stinnett and West, 8. Nays: 1, McCreary.

PUBLIC HEARING FOR COUNCIL BILL NO. 2016-272 - AN ORDINANCE providing for the vacation of a 20-foot wide public utility easement located at the northwest corner of 26th Street and Main Street in the City of Joplin, Jasper County, Missouri.

Mayor Seibert opened the Public Hearing

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

The public hearing was closed.

Mr. West introduced Council Bill No. 2016-272. Motion by Mr. West, second by Mr. Stanley that Council Bill No. 2016-272 be Placed on First Reading and Advanced to Second Reading and Third Reading. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, Shaw, Seibert, Stanley, Stinnett and West, 8. Nays: 1, McCreary.

CONSENT AGENDA – Motion by Mr. Stanley, second by Mr. Stinnett to approve the Consent Agenda. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0.

Minutes of the August 1, 2016 Council Meeting

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. **Ordinance No. 2016-118**

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. **Ordinance No. 2016-119**

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. **Ordinance No. 2016-120**

RESOLUTIONS

ORDINANCES - EMERGENCIES

Mr. Shaw introduced COUNCIL BILL NO. 2016-136 - approving an agreement with Olsson Associates in the not exceed amount of One Hundred Sixty-Two Thousand and no/100 Dollars ($162,000.00) for Design Engineering Services Associated for the Main Street Sidewalk from 11th Street to 15th Street Project; 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, and containing an emergency clause. Motion by Mr. Shaw, second by Mr. Brown that Council Bill No. 2016-136 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley and Stinnett 8. Nays: 1, West.
The Council Bill was declared Adopted and entitled **Ordinance No. 2016-121**

Mr. Stanley introduced COUNCIL BILL NO. 2016-137- an ordinance approving an agreement George Butler Associates Incorporated in the not to exceed amount of Fifty-Two Thousand Seven Hundred Seventeen Dollars, ($52,717.00) for Engineering Services Associated with the 32nd and Main Street Intersection Improvement Project 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; and containing an emergency clause. Motion by Mr. Stanley, second by Mr. West that Council Bill No. 2016-137 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0.
The Council Bill was declared Adopted and entitled **Ordinance No. 2016-122**

Mr. Stanley introduced COUNCIL BILL NO. 2016-516 - an ordinance amending the Policemen's and Firemen's Pension Plan of the City of Joplin, Missouri as adopted January 5, 2009, effective January 31, 2009, and amended September 24, 2012, May 1, 2013, January 21, 2014 and December

7, 2015, providing for certain language changes to Section 1.11, Compensation; and containing an emergency clause. Motion by Mr. Stanley, second by Mr. West that Council Bill No. 2016-516 be approved on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0. The Council Bill was declared Adopted and entitled **Ordinance No. 2016-123**

ORDINANCES – FIRST READING

Mr. Stinnett introduced COUNCIL BILL NO. 2016-006 - an ordinance approving, affirming and ratifying the vacation of an alley that was originally vacated by Ordinance No. 21202 on March 6, 1951, by the City Council. Motion by Mr. Stinnett, second by Mr. West to Pass Council Bill No. 2016-006 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, Shaw, Seibert, Stanley, Stinnett and West, 8. Nays: 1, McCreary. The Bill was read as being **Council Bill No. 2016-006**.

Mr. West introduced COUNCIL BILL NO. 2016-408 - an ordinance authorizing the City of Joplin to enter into a Sub-Recipient Agreement with the Joplin Area Chamber of Commerce Foundation in the amount of Two Million Four Hundred Seventy Thousand Dollars ($2,470,000.00) to purchase and install furniture, fixtures and equipment as required for the development and execution of the proposed training programs/classes. Motion by Mr. West, second by Mr. Shaw to Pass Council Bill No. 2016-408 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0. The Bill was read as being **Council Bill No. 2016-408**.

ORDINANCES – SECOND AND THIRD READING

Mr. Stanley 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 Food 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. Stanley, second by Mr. Shaw to Pass Council Bill No. 2016-012 on Second Reading and Advance to Third Reading and Pass. Voting in favor were Council Members: Brown, Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 9. Nays: 0. The Bill was declared adopted and entitled **Ordinance No. 2016-124**

Mr. West introduced 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. Motion by Mr. West, second by Mr. McCreary to Pass Council Bill No. 2016-269 on Second Reading and Advance to Third Reading and Pass. Voting in favor were Council Members: Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 8. Nays: 0. Abstention: 1, Brown. The Bill was declared adopted and entitled **Ordinance No. 2016-125**

Motion by Mr. Stinnett, second by Mr. Stanley to place council bill NO. 2016-010 on the agenda under Second and Third and reading. Motion carried 9-0.

Mr. Stinnett introduced COUNCIL BILL NO. 2016-010 – an ordinance amending Chapter 2, Administration, Section 2-50, Code of Ethics. In general, creating a new Section 2-50(n) of the Joplin City Code.

Mr. Stinnett brought the discussion forward from the June 20, 2016 council meeting when this item was tabled. He asked that this item be voted on to allow a former member of council not to have to wait a year to serve on a committee as stated in this ordinance.

Motion by Mr. Stinnett, second by Mr. McCreary to Pass Council Bill No. 2016-010 on Second Reading and Advance to Third Reading and Pass. Voting in favor were Lewis, McCreary, Seibert, Stanley, and Stinnett, 5. Nays: 4, Brown, Colbert-Kean, Shaw, and West. The Bill was declared adopted and entitled **Ordinance No. 2016-126**

NEW BUSINESS:

Council made the following reappointments to boards and commissions:

ADA: Sarah Vargyas
ADA: Don Helms
AIRPORT: Tim Forker
Bldg. Bd of Appeals: Crystal Harrington
Bldg. Bd. of Appeals: Ervin Wilson
Capital Imp.: Tom Beisner
Design Review: Michael Joseph
Housing Authority: Carol Humbard
JRC: Fred Osborn
JSA: Phil Metz
JSA: Cathy Welsh
Solid Waste: Ryan Bennett
Traffic: Michael Mayer
Traffic: Ervin Wilson

Council made the following appointments to boards and commissions:
CVB: Kerstin Landwer and Miranda Comer;
Health Board: Dr. Bob Tyler
JIDA: Kevin Parker
Library Board: Amy Koeshall
Parks and Rec: Shawn Klosterman;
Police and Firemen's Pension Board: Marshall Hogue
TIF: Joshua Bard.

Mayor pointed out the City Clerk had a request to move back the cutoff day by one day for accepting board applications from Thursday of the council packet day to Wednesday to allow time to prepare the packets. Motion by Mr. Stanley, second by McCreary, to move the board application cut off day for packets from Thursday noon to Wednesday noon of council packet week. Council agreed 9-0.

Mr. Stinnett brought up the Finance Committee Resolution and that it has a deadline of August 19. 2016. He would like to see the finance committee come back again. Motion by Mr. Stanley Second by Mr. McCreary to bring the issue back to council at the September 6, 2016 meeting to extend the deadline. Council voted 9-0 to extend the deadline.

News from the PIO

The Joplin Police Department reminds residents that Joplin schools start this week, so to be aware of more pedestrian and vehicular traffic during morning hours as well at the end of the school day, from approximately 2:30 p.m. to 3:45 p.m. Also – please note that the school crossing zones have a lower speed limit during these times. Let's make it a safe year and slow down during these times and keep our kids safe.

We encourage the public to Save the Date of Saturday, August 27 for the opening of Mercy Park, located at 26th and Maiden Lane. Everyone is welcome to join us at our newest park which features beautiful trails, a pond and a peaceful setting. This community event is scheduled for 10 a.m. and we hope everyone is excited to enjoy this new park.

This Saturday, August 20 - the City's free drop off for tree limbs and brush will be open. Residents cleaning up their yards can bring their tree limbs and brush from 8 a.m. to 2 p.m. on Saturday, August 20 to the drop off site at 1702 North Schifferdecker, located about a half a mile north of Belle Center Road on the west side of Schifferdecker.

And remember - before you start your yard work, come down to Third Thursday this week in Downtown Joplin and enjoy the cooler weather we're having!

More details about these topics can be found on our website, www.joplinmo.org. Thank you.

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 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 which shall pertain to 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) (2) (3) RSMo, as amended, 2015. 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 Stanley, second by West, to go in closed session. Voting in favor were Council Members: Colbert-Kean, Lewis, McCreary, Seibert, Shaw, Stanley, Stinnett and West, 8. Nays: 1, Brown.

There being no further business the meeting adjourned at 9:10 p.m.

Submitted,

Barbara L Hogelin

Barbara L. Hogelin, MMC/MPCC, City Clerk