CITY OF JOPLIN
CITY COUNCIL MEETING
MINUTES November 2, 2015

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

INVOCATION - read by Assistant City Clerk Barbara Gollhofer

PLEDGE OF ALLEGIANCE to the United States of America –led by Council Member Shaw.

ROLL CALL – Answering Roll Call were: Melodee Colbert-Kean; Morris Glaze; Miranda Lewis; Benjamin Rosenberg; William Scearce; Gary Shaw; Ryan Stanley and Mayor Michael Seibert. Also in attendance were Health Director Dan Pekarek (interim for CM Anselm) and City Attorney Peter Edwards.

PRESENTATIONS
Motion by Mr. Glaze, Second by Mr. Shaw to move Resolution No. 2015-021 to this point on the agenda. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0. Absent: 0. Mr. Scearce introduced Resolution No. 2015-021. Motion by Mr. Scearce, Second by Mrs. Colbert-Kean to approve Resolution No. 2015-021, a resolution recognizing James Gilchrist upon his retirement from active service as the Transit Driver II within the City of Joplin Public Works / Public Transit Division. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0. Absent: 0. **Resolution No. 2015-021**

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

REPORTS AND COMMUNICATIONS
City Tree Board members Gregg Wilkerson and Jason Grossman presented Council with a review of accomplishments over the past year and goals for the future for this board.

CITIZEN REQUESTS AND PETITIONS

PUBLIC HEARINGS
Public Hearing Procedures – read by Assistant City Clerk Barbara Gollhofer

PUBLIC HEARING for RESOLUTION NO. 2015-019 - a resolution granting a Special Use Permit to Ron Barks for the operation of a car wash located at 1001 East 32nd Street, in the city of Joplin, Jasper County, Missouri.

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 Clerks Office at (417) 624-0820 ext. 220. Forty-eight hours notice is requested.

Mayor Seibert opened the Public Hearing

Ron Barks, 234 Frudeger, Lake Ozark MO, appeared in favor of this item.

No one appeared in opposition to this item.

The public hearing was closed.

Mr. Shaw made a motion to amend Resolution No. 2015-019 to include the following: "The owner of the site shall construct a barricade on the east border of the property subject to site plan review and approval by the City Council". Mr. Stanley seconded the motion. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0. Absent: 0. Motion by Mr. Scearce, Second by Mrs. Lewis to approve Amended Resolution No. 2015-019, The Resolution was read as **Amended Resolution No. 2015-019.**

PUBLIC HEARING FOR COUNCIL BILL NO. 2015-276- an ordinance providing for the vacation of a 20-foot wide public alley easement located 175 feet north of the northwest corner of 15th Street and Range Line Road in the City of Joplin, Jasper County, Missouri.

Mayor Seibert opened the Public Hearing

Mike Mellinger, 2615 E. 36th St. Joplin, appeared in favor of this item.

No one appeared in opposition to this item.

Mr. Scearce introduced Council Bill NO. 2015-276, Motion by Mr. Scearce, Second by Mr. Glaze to place Council Bill No. 2015-276 on First Reading and Passed. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0. Absent: 0. The bill was read as **Council Bill No. 2015-276.**

PUBLIC HEARING FOR RESOLUTION NO. 2015-020- a resolution granting a Special Use Permit to Missouri American Water Company for the operation of a publicly owned utilities facility located at the southwest corner of 15th Street and Delaware Avenue, in the City of Joplin, Jasper County, Missouri.

Mayor Seibert opened the Public Hearing

David Holloway, professional engineer with Wolford, appeared on behalf of Missouri American Water Co.

No one appeared in opposition to this item.

Mr. Stanley introduced Resolution No. 2015-020. Motion by Mr. Stanley, Second by Mr. Shaw to approve Resolution No. 2015-020. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0. Absent: 0. The resolution was read as **Resolution No. 2015-020**

CONSENT AGENDA – Motion by Mr. Glaze, Second by Mrs. Lewis to approve the Consent Agenda. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0. Absent: 0.

Minutes of the October 19, 2015 Council Meeting

RESOLUTIONS

Mr. Scearce introduce Resolution No. 2015-021 - a resolution recognizing James Gilchrist upon his retirement from active service as the Transit Driver II within the City of Joplin Public Works / Public Transit Division. Motion by Mr. Scearce, Second by Mrs. Colbert-Kean to approve Resolution No. 2015-021. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0. Absent: 0. **Resolution No. 2015-021**

Mrs. Colbert-Kean introduced Resolution No. 2015-022 - a resolution authorizing the filing of a Sixth Partial 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 Disaster Recovery (CDBG-DR) Program (Round 2); and authorizing the City Manager to execute said Amendment for and on behalf of the City of Joplin. Motion by Mrs. Colbert-Kean, Second by Mr. Stanley to approve Resolution No. 2015-022. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0. Absent: 0. **Resolution No. 2015-022**

ORDINANCES - EMERGENCIES

Mr. Stanley introduced Council Bill No. 2015-008 - an ordinance authorizing the City of Joplin to enter into an Agreement with the Joplin Area Chamber of Commerce for the purpose of providing economic development consulting services; and authorizing the City Manager to execute said Agreement by and on behalf of the City of Joplin, Missouri; and containing an emergency clause. Motion by Mr. Stanley, Second by Dr. Rosenberg to amend Council Bill No. 2015-008 in Section D of the contract, as discussed. Voting in favor were Council Members: Colbert-Kean, Lewis, Rosenberg, Seibert, Shaw and Stanley 6. Nays: Glaze, McCreary and Scearce, 3. Motion by Mr. Stanley, Second by Dr. Rosenberg to approve Amended Council Bill No. 2015-008 on an emergency basis. Voting in favor were Council Members: Colbert-Kean, Lewis, Rosenberg, Scearce, Seibert, Shaw and Stanley, 7. Nays: Glaze, McCreary, 2. The Amended Council Bill was declared Adopted and entitled **Ordinance No. 2015-174.**

Mr. Glaze introduced Council Bill No. 2015-009 - an ordinance authorizing the City of Joplin to enter into an Agreement with the Joplin Sports Authority for the purpose of providing marketing services; and authorizing the City Manager to execute said Agreement by and on behalf of the City of Joplin, Missouri; and containing an emergency clause Motion by Mr. Glaze, Second by Mrs. Lewis to approve Council Bill No. 2015-009 on an emergency basis. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0. Absent: 0. The Council Bill was declared Adopted and entitled **Ordinance No. 2015-175**

Mr. Scearce introduced Council Bill No. 2015-010 - an ordinance approving a Purchase Order to be issued to SunGard OSSI 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. Scearce, Second by Mrs. Lewis that Council Bill No. 2015-010 be approved on an emergency basis. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0. Absent: 0. The Council Bill was declared Adopted and entitled **Ordinance No. 2015-176.**

Mrs. Lewis introduced Council Bill No. 2015-159 - an ordinance approving the contract with Bennett Inc. in the amount of Two Hundred Ninety Four Thousand Nine Hundred Sixty Five and no/100

Dollars ($294,965.00) for the Hill Street Storm Drain Improvements in the City of Joplin, Missouri; providing how the cost shall be made and levied; and containing an emergency clause. Motion by Mrs. Lewis, Second by Mr. Shaw that Council Bill No. 2015-159 be approved on emergency basis. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0. Absent: 0. The Council Bill was declared Adopted and entitled **Ordinance No. 2015-177.**

Mrs. Lewis introduced Council Bill No. 2015-160 - an ordinance approving the contract with Dalton-Killinger in the amount of Seven Hundred Sixty Eight Thousand Six Hundred Seventy One and 65/100 Dollars ($768,671.65) for the 10th & Peters Avenue Ditch and Culvert Improvements in the City of Joplin, Missouri; providing how the cost shall be made and levied; and containing an emergency clause. Motion by Mrs. Lewis, Second by Mr. Stanley that Council Bill No. 2015-160 be approved on an emergency basis. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0. Absent: 0. The Council Bill was declared Adopted and entitled **Ordinance No. 2015-178.**

Mr. Shaw introduced Council Bill No.2015-527-an ordinance approving the Real Estate Contract by and between the City of Joplin, Missouri, a Municipal Corporation, and The Overland Group, LLC and/or Assigns, a Missouri limited liability company, for the sale of approximately 6,000 square feet of land at 1402 ½ 14th Street; and authorizing the City Manager to execute the same by and on behalf of the City of Joplin; and containing an emergency clause. Motion by Mr. Shaw, Second by Mr. McCreary Council Bill No. 2015-527 be approved on an emergency basis. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0. The Council Bill was declared Adopted and entitled **Ordinance No. 2015-179.**

ORDINANCES – FIRST READING

Mr. Scearce introduced Council Bill No. 2015-373 - An Ordinance approving a change order submitted by Sapp Design Associates related to the Agreement for Architectural Services for the design of the Joplin Public Library, in the amount of Two Hundred and Ninety-Five Thousand Dollars and 00/100 ($295,000.00), for additional scoping and design services for the Economic Development Administration funded Library Project, and authorizing the Director of Planning, Development, Neighborhood Services to execute said Agreement. Motion by Mr. Scearce, Second by Mr. Stanley to Deny Council Bill No. 2015-373. Voting in favor were Council Members: Colbert-Kean, Lewis, McCreary, Rosenberg, Scearce, Seibert, and Stanley 7. Nays: Glaze, Shaw, 2.

Mr. Stanley introduced COUNCIL BILL NO.2015-459-an ordinance approving an Agreement for Professional Architecture Consulting Services by and between Hunter & Millard Architects, Inc. and the City of Joplin, Missouri, for the amount of up to Thirty-Seven Thousand, Two Hundred Fifty Dollars and no Cents ($37,250.00), for design and other architectural services associated with the Health Department Garage/Storage facility, authorizing the City Manager to execute the same by and on behalf of the City of Joplin, Missouri; 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. Stanley, Second by Mrs. Colbert-Kean to Pass Council Bill No. 2015-168 on First Reading and advance to Second and Third Reading. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0.

Mr. Stanley introduced Council Bill No. 2015-461 - an ordinance approving an Agreement by and between the Joplin Humane Society, Inc., and the City of Joplin, Missouri, providing for animal

sheltering services for the city animal control program, and, authorizing the City Manager to execute said Agreement by and on behalf of the City of Joplin, Missouri. Motion by Mr. Stanley, Second by Mr. Scearce to Pass Council Bill No. 2015-461 on First Reading and Advance to Second and Third. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0.

Mr. Stanley introduced Council Bill No. 2015-462 - an ordinance amending Chapter 18, Animals, of the Joplin City Code by amending certain fees found in Section 18-144. Motion by Mr. Stanley, Second by Mrs. Lewis to Pass Council Bill No. 2015-462 on First Reading and Advance to Second and Third. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0.

Mr. Stanley introduced Council Bill No. 2015-530 - an ordinance repealing Section 30-121, License Classifications and Fees, of Article III, Licenses, Division II, Schedule of Fees, of Chapter 30, Businesses, of the Code of Ordinances of the City of Joplin and enacting in lieu thereof a new Section 30-121, License Classifications and Fees, of Article III, Licenses, Division II, Schedule of Fees, of Chapter 30, Businesses, of the Code of Ordinances of the City of Joplin to implement certain fee changes and make other changes; and setting a date when this Ordinance shall become effective. Motion by Mr. Stanley, Second by Mr. Scearce to Pass Council Bill No. 2015-540 on First Reading and Advance to Second and Third. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0.

Mr. Stanley introduced Council Bill No. 2015-532 -an ordinance repealing Section 106-62, Inspection Fees, of Article III, Improvement Permits, and Section 106-93, Payment of Fees and Charges, of Article IV, Excavations, of Chapter 106, Streets, Sidewalks and Other Public Places of the Code of Ordinances of the City of Joplin and enacting in lieu thereof a new Section 106-62, Inspection and Permit Fees, of Article III, Improvement Permits and Section 106-93, Fees and Charges, of Article IV, Excavations, of Chapter 106, Streets, Sidewalks and Other Public Places, of the Code of Ordinances of the City of Joplin to implement certain fee changes and make other changes; and setting a date when this Ordinance shall become effective. Motion by Mr. Stanley, Second by Mrs. Lewis to Pass Council Bill No. 2015-532 on First Reading and Advance to Second and Third. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0.

Mrs. Lewis introduced Council Bill No. 2015-533 - an ordinance repealing Section 34-2, Prices of lots and grave rights; charge for setting stones, of Chapter 34, Cemeteries, of the Code of Ordinances of the City of Joplin and enacting in lieu thereof a new Section 34-2, Prices of lots and grave rights; charge for setting stones, of Chapter 34, Cemeteries, of the Code of Ordinances of the City of Joplin to implement certain fee changes; and setting a date when this Ordinance shall become effective. Motion by Mrs. Lewis, Second by Mr. Shaw to Pass Council Bill No. 2015-533 on First Reading and Advance to Second and Third. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0.

Mr. Stanley introduced Council Bill No. 2015-534 - an ordinance repealing Section 86-5, Fees at Schifferdecker Golf Course, of Article I, In General, and Section 86-6, Fees for Parks Programs and Parks Facilities, of Article I, In General, and Section 86-251, Fees, of Article VII, Dog Parks, of Chapter 86, Parks and Recreation, of the Code of Ordinances of the City of Joplin and enacting in lieu thereof a new Section 86-5, Fees at Schifferdecker Golf Course, of Article I, In General, and Section 86-6, Fees for Parks Programs and Parks Facilities, of Article I, In General, and Section 86-251, Fees,

of Article VII, Dog Parks, of Chapter 86, Parks and Recreation, of the Code of Ordinances of the City of Joplin to implement certain fee changes and make other changes; and setting a date when this Ordinance shall become effective. Motion by Mr. Stanley, Second by Mr. Shaw to Pass Council Bill No. 2015-534 on First Reading and Advance to Second and Third. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0.

Mr. Stanley introduced Council Bill No. 2015-535 - AN ORDINANCE repealing Section 102-9, Billing and Collection Procedures, of Article I, In General, of Chapter 102, Solid Waste, of the Code of Ordinances of the City of Joplin, and enacting in lieu thereof a new Section 102-9, Billing and Collection Procedures, of Article I, In General, of Chapter 102, Solid Waste, of the Code of Ordinances of the City of Joplin to implement certain fee language changes; and setting a date when this Ordinance shall become effective. Motion by Mr. Stanley, Second by Mr. Shaw to Pass Council Bill No. 2015-535 on First Reading and Advance to Second and Third. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Seibert, Shaw and Stanley 8. Nays: Scearce, 1.

Mr. McCreary introduced Council Bill No. 2015-536-an ordinance repealing Section 118-206, Billing and Collection Procedures, of Article II, Sewers and Sewage Disposal, of Division 6, Rates and Charges, of Chapter 118, Utilities, and Section 118-232, Classification of Permits, of Article II, Sewers and Sewage Disposal, of Division 7, Building Sewers, of Chapter 118, Utilities and Section 118-235, Permit fee, Connection Fee, and other Sewer Fees, of Article II, Sewers and Sewage Disposal, of Division 7, Building Sewers, of Chapter 118, Utilities, of the Code of Ordinances of the City of Joplin, and enacting in lieu thereof a new Section 118-206, Billing and Collection Procedures, of Article II, Sewers and Sewage Disposal, of Division 6, Rates and Charges, of Chapter 118, Utilities, and Section 118-232, Classification of Permits, of Article II, Sewers and Sewage Disposal, of Division 7, Building Sewers, of Chapter 118, Utilities, and Section 118-235, Permit Fee, Connection Fee, and other Sewer Fees, of Article II, Sewers and Sewage Disposal, of Division 7, Building Sewers, of Chapter 118, Utilities, of the Code of Ordinances of the City of Joplin to implement certain fee changes and other language changes; and setting a date when this Ordinance shall become effective. Motion by Mr. McCreary, Second by Mrs. Colbert-Kean to Pass Council Bill No. 2015-536 on First Reading and Advance to Second and Third. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0.

Mr. Stanley introduced Council Bill No. 2015-537 - an ordinance repealing Section 29A-2514, Fees, Article II, of Appendix 29A, of the Zoning Regulations of the City of Joplin and enacting in lieu thereof a new Section 29A-2514, Fees, of Appendix 29A, of the Zoning Regulations of the Code of Ordinances of the City of Joplin to implement certain fee changes; and setting a date when this Ordinance shall become effective. Motion by Mr. Stanley, Second by Mr. Shaw to Pass Council Bill No. 2015-537 on First Reading and Advance to Second and Third. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0.

Mrs. Colbert-Kean introduced Council Bill No. 2015-538 - an ordinance repealing Section 9, Filing Fees, of the Subdivision Regulations, Appendix 29B as adopted by Ordinance No. 97-161 of the City of Joplin and enacting in lieu thereof a new Section 9, Filing Fees, of the Subdivision Regulations, Appendix 29B of the City of Joplin to implement certain fee changes; and setting a date when this

Ordinance shall become effective. Motion by Mrs. Colbert-Kean, Second by Mr. Glaze to Pass Council Bill No. 2015-538 on First Reading and Advance to Second and Third. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0.

Mr. Stanley introduced Council Bill No. 2015-539 -an ordinance repealing Section 6-35, Permit, Article II, Signs, of Chapter 6, Advertising, of the Code of Ordinances of the City of Joplin and enacting in lieu thereof a new Section 6-35, Permit, Article II, Signs, of Chapter 6, Advertising, of the Code of Ordinances of the City of Joplin to implement certain fee changes; and setting a date when this Ordinance shall become effective. Motion by Mr. Stanley, Second by Mr. Shaw to Pass Council Bill No. 2015-539 on First Reading and Advance to Second and Third. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0.

ORDINANCES – SECOND AND THIRD READING

NEW BUSINESS:
News from the PIO:
Residential Leaf Pick Up Program: begins November 30, weather permitting. Residents should rake their leaves to the curb for this service. To dispose of leaves now, residents can take them to the Joplin Compost Facility next to the Turkey Creek Waste Water Treatment Plant at 3457 Eddy Lane.

Public Park Naming Contest: Citizens have until November 9, 2015 at 5:00 pm to submit their name suggestions for Joplin's newest park located on the southeast corner of 26th and McClelland Boulevard. Contact City Hall, 417-624-0820 ext. 541 for more information.

Mrs. Colbert-Kean reported on her trip to Japan as a Delegation Exchange representative for the National League of Cities, of which she is the President-Elect. She said it was a great education experience and many good ideas were exchanged regarding disaster management and recovery. She will prepare a summary to share with the council.

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 as set forth in Section 610.021(1) RSMo, as amended, 2014. 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. Glaze, Second by Mr. Shaw to go into closed session. Voting in favor were Council Members: Colbert-Kean, Glaze, Lewis, McCreary, Rosenberg, Scearce, Seibert, Shaw and Stanley 9. Nays: 0.

There being no further business the meeting adjourned at 9:55 p.m.

Submitted,
Barbara Gollhofer
Barbara J. Gollhofer, MRCC, Assistant City Clerk