JOPLIN CITY COUNCIL
DECEMBER 2, 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. Lawson.

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
Joplin High School Student Council President Faron Haase presented an update to City Council on upcoming Joplin Schools events.

The following board members were recognized for completing their terms on various city boards/commissions:
Sarah Vargyas -ADA-2013-2019; Tim Forker-Airport Board-2013-2019; Melvin Walbridge-Airport Board-2013-2019; Crystal Harrington-Building Board of Appeals-2013-2019; Ervin Wilson-Building Board of Appeals-2013-2019; Paula Callihan-Historic Preservation - 2009-2019; Nancy Morton-Historic Preservation-2006-2019; Pete Ramsour-Historic Preservation-2009-2019; Fred Osborn -Joplin Redevelopment Commission -2013-2019; Dustin Parker- Parks & Rec -2013-2019; Keenan Cortez-Planning & Zoning-2012-2019; Sherry Surface-Personnel-2013-2019; Stephen Fuller-Solid Waste-2012-2019; Chris Tucker-Tax Increment Finance-2012-2019; Ervin Wilson -Traffic Commission -2013-2019. The board members received a certificate of appreciation on a wood plaque, chocolates from Candy House and a Key to the City lapel pin.

Ashley Shiwarksi, Director of Business Development for Utility Partners, Inc. presented the National League of Cities Service Line Program. The council agreed to review the information provided by Ms. Shiwarksi before making a decision on this program.

FINALIZATION OF CONSENT AGENDA
Mr. Stanley removed Council Bill No. 2019-009 from the Consent Agenda and placed in under Second and Third Readings before finalizing the Consent Agenda.

REPORTS AND COMMUNICATIONS

CITIZEN REQUESTS AND PETITIONS

PUBLIC HEARINGS
Public Hearing Procedures were read by City Clerk Barbara Gollhofer

Public Hearing for Council Bill No. 2019-282

Mayor Shaw opened the Public Hearing.

Dick Ruestman, 5562 Riverside Dr. appeared in favor of this item as the owner of the property.

Sarah Gould, 3802 Finley Ave. appeared in opposition to this item citing ingress/egress access and traffic issues.

The Public Hearing was closed.

Mr. Stanley introduced Council Bill No. 2019-282 - 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 3209 Connecticut Ave, City of Joplin, Newton County, Missouri. Motion by Mr. Stanley, second by Mr. Monteleone that Council Bill No. 2019-282 be passed on First Reading and advanced to Second and Third Reading. 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 read as **Council Bill No. 2019-282**

Public Hearing for Council Bill No. 2019-283

Mayor Shaw opened the Public Hearing

Brad Ferguson with Olsen Engineering appeared in favor of this item on behalf of the owner, Sam Coryell.

No one appeared in opposition to this item.

The Public Hearing was closed.

Mr. Stinnett introduced Council Bill No. 2019-283 - an ordinance amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District M-2 and including in District C-2-PD property as described below and located Corner of Newman Road and Cattleman Drive, City of Joplin, Jasper County, Missouri. Motion by Mr. Stinnett, second by Mr. Cortez that Council Bill No. 2019-283 be passed on First Reading and advanced to Second and Third Reading. 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 read as **Council Bill No. 2019-283**

CONSENT AGENDA

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

Minutes of the November 18, 2019 City Council Meeting

Minutes of the November 22, 2019 Special City Council meeting

Minutes of the November 26, 2019 Special City Council meeting

COUNCIL BILL NO. 2019-009: removed from Consent Agenda and placed on 2nd and 3rd Reading.

COUNCIL BILL NO. 2019-523 - an ordinance repealing Section 58-68, Schedule of Fees, Article II, Fire Prevention Code, Division 2, International Fire Code, of Chapter 58, Fire Prevention and Protection, of the Code of Ordinances of the City of Joplin and enacting in lieu thereof a new Section 58-68, Schedule of Fees, Article II, Fire Prevention Code, Division 2, International Fire Code, of Chapter 58, Fire Prevention and Protection, 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. **Ordinance No. 2019-178**

COUNCIL BILL NO. 2019-524-an ordinance repealing Section 106-32, Duty of Abutting Property Owners, Article II, Repairs, and Section 106-62, Plan Review and Permit Fees, Article III, Improvement Permits, of Chapter 106, Streets, Sidewalk and Other Public Places, of the Code of Ordinances of the City of Joplin and enacting in lieu thereof a new Section 106-32, Duty of Abutting Property Owners, Article II, Repairs, and Section 106-62, Plan Review and Permit Fees, Article III, Improvement Permits, 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 setting a date when this Ordinance shall become effective. **Ordinance No. 2019-179**

COUNCIL BILL NO.2019-525-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. **Ordinance No. 2019-180**

COUNCIL BILL NO. 2019-526-an ordinance repealing Section 30-121, License Classifications and Fees, of Article III, Licenses, Division 2, 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 2, Schedule of Fees, of Chapter 30, Businesses, of the Code of Ordinances of the City of Joplin to implement certain classification changes; and setting a date when this Ordinance shall become effective. **Ordinance No. 2019-181**

COUNCIL BILL NO. 2019-527-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 86-152, Admission Fee, of Article V, Swimming Pools, 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 86-152, Admission Fee, of Article V, Swimming Pools, of Chapter 86, Parks and Recreation, 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. **Ordinance No. 2019-182**

COUNCIL BILL NO. 2019-528-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. **Ordinance No. 2019-183**

COUNCIL BILL NO. 2019-529-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. **Ordinance No. 2019-184**

COUNCIL BILL NO. 2019-530 -an ordinance repealing Section 118-211, Hauled Wastewater Fee, of Article II, Sewers and Sewage Disposal, of Division 6, Rates and Charges, 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 118-211, Hauled Wastewater Fee, of Article II, Sewers and Sewage Disposal, of Division 6, Rates and Charges, 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 setting a date when this Ordinance shall become effective. **Ordinance No. 2019-185**

COUNCIL BILL NO. 2019-531-an ordinance repealing Section 118-203, Basis for Computation, of Article II, Sewers and Sewage Disposal, of Division 6, Rates and Charges, and Section 118-206, Billing and Collection Procedures, of Article II, Sewers and Sewage Disposal, of Division 6, Rates and Charges, of Chapter 118, Utilities, of the Code of Ordinances of the City of Joplin, and enacting in lieu thereof a new Section 118-203, Basis for Computation, of Article II, Sewers and Sewage Disposal, of Division 6, Rates and Charges, and Section 118-206, Billing and Collection Procedures, of Article II, Sewers and Sewage Disposal, of Division 6, Rates and Charges, of Chapter 118, Utilities, 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**. Ordinance No. 2019-186**

RESOLUTIONS

ORDINANCES – EMERGENCY

Mr. Lawson introduced Council Bill No.2019-159 -an ordinance authorizing the City of Joplin to enter into an agreement with MCI Communications Services, Inc. ("MCICS") for the purpose of MCICS installing, maintaining, and operating facilities for communications related capabilities within the City's Rights-of-Way and ensuring compliance with the City's requirements of such use of City property; 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. Lawson, second by Dr. Reid Adams that Council Bill No.2019-159 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. 2019-187**

Dr. Reid Adams introduced Council Bill No. 2019-160 - an ordinance authorizing the City of Joplin to enter into an agreement with MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services ("MCImetro") for the purpose of MCImetro installing, maintaining, and operating facilities for communications related capabilities within the City's Rights-of-Way and ensuring compliance with the City's requirements of such use of City property; authorizing the City Manager to execute the same by and on behalf of the City of Joplin; and containing an emergency clause. Motion by Dr. Reid Adams, second by Mr. Brown that Council Bill No.2019-160 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. 2019-188**

Mr. Stanley introduced Council Bill No.2019-533-an ordinance amending the Annual Budget of the City of Joplin for the Fiscal Year 2019-2020 as adopted by Ordinance 2019-166 on October 21, 2019, to adjust appropriations and containing an emergency clause. Motion by Mr. Stanley, second by Mr. Cortez that Council Bill No.2019-533 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. 2019-189**

Mr. Stinnett introduced Council Bill No.2019-534-an ordinance approving exempt status changes to the Salary Administration Plan for the City of Joplin and containing an emergency clause. Motion by Mr. Stinnett, second by Mr. Lawson that Council Bill No.2019-534 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. 2019-190**

ORDINANCES – FIRST READING

Mr. Stanley introduced Council Bill No. 2019-161-an ordinance amending Chapter 118, Utilities, Article II, Sewers and Sewage Disposal, Division 6 Rates and Charges, of the Joplin City Code, by repealing sections 118-201 through 118-202, inclusive, of Division 6 in their entirety and enacting new sections 118-201 through 118-202, inclusive of Division 6, Rates and Charges; dealing generally with the establishment of sewer rates for the City of Joplin, Missouri.

Bruce Anderson, Loma Linda, requested to speak on CB2019-161 to ask Council to consider a lower increase of sewer rates for the senior citizens of Loma Linda.

Motion by Mr. Stanley, second by Mr. Cortez to pass CB2019-161 on First Reading and advance to Second and Third Reading. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Reid Adams, Shaw, Stanley and Stinnett, 8. Nays: Monteleone, 1. The Council Bill was read as Council Bill No. 2019-161.

A consensus of the council is to plan a meeting with city staff to determine if there is a more equitable way to assess facility and volume usage charges.

Mr. Cortez introduced Council Bill No.2019-535-an ordinance amending the City of Joplin Employee Manual, Policy Section 3.9 Rehire, Section 3.12 Probationary Period, Section 4.9 Prior Service Credit Benefit and Fringe Benefits Sections (2), (3), (9), (11), (13) and (18). Motion by Mr.

Cortez, second by Mr. Stanley to pass Council Bill No. 2019-161 on First Reading and advance to Second and Third Reading. 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 read as Council Bill No. 2019-535.

Mr. Lawson introduced Council Bill No.2019-536-an ordinance adopting the Missouri Local Government Employees Retirement System (LAGERS) L-11 plan for public safety employees of the City of Joplin hired on or after February 1, 2020, in accordance with RSMo. Sections 70.600 through 70.755; and, setting a date when this ordinance shall become effective. Motion by Mr. Lawson, second by Dr. Reid Adams to pass Council Bill No. 2019-536 on First Reading and advance to Second and Third Reading. 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 read as Council Bill No. 2019-536.

Mr. Stanley introduced Council Bill No. 2019-537-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, December 7, 2015 and August 15, 2016, to close the Pension Plan to new hires effective February 1, 2020; and, setting a date when this ordinance shall become effective. Motion by Mr. Stanley, second by Mr. Stinnett to pass Council Bill No. 2019-537 on First Reading and advance to Second and Third Reading. 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 read as Council Bill No. 2019-537.

Mr. Cortez introduced Council Bill No. 2019-619-an ordinance amending Chapter 62, Health and Sanitation, by enacting a new Article X, Tobacco 21 Act.

Scott Vorhees, Joplin; Ashley Micklewaite, Joplin; Toby Teeter, Joplin, Johanna Jeyaraj requested to speak in favor of CB2019-619. Harvey Hutchinson, Joplin, spoke in opposition of CB2019-619.

Motion by Mr. Cortez, second by Mr. Brown to pass Council Bill No. 2019-619 on First Reading and advance to Second and Third Reading. 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 read as Council Bill No. 2019-619.

Mr. Stanley introduced Council Bill No.2019-620 - an ordinance repealing Chapter 30, Businesses, Article III, Licenses, Section 30-179, Sale of tobacco products or rolling papers to minors. Motion by Mr. Stanley, second by Mr. Cortez to pass Council Bill No. 2019-620 on First Reading and advance to Second and Third Reading. 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 read as Council Bill No. 2019-620.

ORDINANCES – SECOND READING AND THIRD READING

Mr. Stanley introduced Council Bill No. 2019-009 - an ordinance approving a plan for an industrial development project consisting of the acquisition, construction, improvement and equipping of a warehouse and distribution facility; authorizing the city of Joplin, Missouri to issue its taxable industrial development revenue bonds in a principal amount not to exceed $51,400,000 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. Cortez that Council Bill No. 2019-009 be passed on Second Reading, advanced to Third Reading and passed. 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. 2019-177**

UNFINISHED BUSINESS

NEW BUSINESS

News from the Public Information Officer, Lynn Onstot
Tuesday, Dec. 3 is Joplin's Christmas Parade starting at 6 p.m. The parade begins at 15th Street and travels north on Main Street to 3rd Street. Starting at 3 pm tomorrow, Main Street will be closed from 2nd Street to 26th Street. Parking will not be allowed either side of Main Street to allow young and old of all heights to enjoy the parade. Disability parking will be available at 8th and Main Street, in the northwest lot of that intersection. For those traveling in and around Joplin Tuesday evening, please use caution, especially near Main Street, from 26th Street to Murphy Boulevard. Streets intersecting with Main will be closed, so be sure to travel to the northern or southern end if needing to cross this street.

We thank Freeman Health Systems for coordinating this year's parade and hope everyone enjoys this annual tradition. Dress Warm!

If children would like to write a letter to Santa, they can drop it off at Santa's mailbox at Joplin Athletic Complex by December 9. After that time, all letters will be mailed to the North Pole and Santa will personally respond to each child sending him a letter.

If children want to personally tell Santa what's on their wish list, then make plans to attend Joplin Parks and Recreation's annual Breakfast with Santa event at Memorial Hall on Saturday, December 7th. Held from 8 to 10 a.m., the morning features great food, fun, holiday crafts, and pictures with Santa. Children will visit with Santa after breakfast and parents are encouraged to bring their cameras. The event is $6 per person; children two and under are free. Seating is limited so be sure to register by calling Parks and Rec at 417-625-4750 or go online at joplinparks.org.

The rebroadcast of tonight's Council meeting has been moved to 7:30 PM Wednesday, Dec. 4, from its usual Tuesday airtime. This change is due to the station's live coverage of the Missouri Southern -Pitt State basketball games scheduled for Tuesday, Dec. 3. Council meetings are also live streamed and available for viewing on the city's website joplinmo.org

Missouri Department of Transportation has announced that Indiana Avenue will be CLOSED north of 32nd Street to allow contractor crews to install a storm drain box culvert. Work will be done at night from 7 p.m. to 6 a.m. Monday, Dec. 9 and Tuesday, Dec. 10. Work should be completed by 6 a.m. Wednesday, December 11. Indiana Avenue will be open during daytime hours. Drivers on 32nd Street will have no access to Indiana Avenue north of the intersection and should find an alternate route. This work is part of a project to resurface Route FF (32nd Street) in Joplin between Missouri Route 43 (Main Street) and Missouri Route 249 and improve three intersections (Main Street, Indiana Avenue, Connecticut Avenue). The project is a cost share with the City of Joplin and is scheduled to be complete by July 1, 2020.

To learn more about upcoming events, residents can visit the Convention & Visitors Bureau's website at visitjoplinmo.com. It's full of fun things to do in Joplin this season.

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 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 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 (1) (2) (3) RSMo, 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. Lawson, 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 adjourned at 8:00 p.m.

Respectfully,

Barbara J. Gollhofer

Barbara J. Gollhofer, City Clerk