A C T I O N A G E N D A

November 21, 2011

6:00 P.M., Council Chambers

General Council Members	MAYOR	Zone Council Members
Mike Woolston	Mike Woolston	Gary Shaw
Morris Glaze		Melodee Colbert-Kean
Bill Scearce		(Mayor ProTem)
Jack Golden		Dr. Benjamin D. Rosenberg
Trisha A. Raney		Michael Seibert

1. Call to Order

Invocation –read by Mr. Head
Pledge of Allegiance –led by Ms. Raney

2. Roll Call –Motion by Mr. Golden, Second by Ms. Colbert-Kean to excuse Dr. Rosenberg, 7-1 with Mr. Scearce voting no.

3. Presentations

1. Verna Cossairt, Columbus KS, would like to present an American flag to the City of Joplin from her great-nephew, Marine Chief Warrant Officer Third Class William Tinney, a former four-state area resident, who served in Afghanistan for 7 months. This flag flew in Afghanistan on July 4, 2011. Officer Tinney could not be here in person because he is on a new assignment. Verna Cossairt, presented an American flag that flew over Afghanistan on July 4, 2011 from her great-nephew, Marine Chief Warrant Officer Third Class William Tinney, a former four-state area resident, who served in Afghanistan for 7 months. She also read a letter from him.

4. Finalization of Consent Agenda - There being no further business to come before the Council, the Consent Agenda was finalized.

5. Reports and Communications

6. Citizen Requests and Petitions

1. Request from Tim Parker, 2120 Mississippi, to address Council regarding prevailing wage law statements by the city manager and Mayor to Joplin Globe and the status of the demo order declaring driveways as dangerous structures. Tim Parker, 2120 Mississippi addressed the Council regarding prevailing wage law statements by the city manager and Mayor relating to an article in the paper.

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.

7. Public Hearings

Public Hearing Procedures – read by City Clerk Barbara Hogelin

COUNCIL BILL NO. 2011-279 - AN ORDINANCE amending Chapter 29-A, the Zoning Code, of the Code of Ordinances of the City of Joplin, Missouri, by amending Appendix A-Land Use Table, by adding language to permit group residential facilities in commercial districts and by specially permit group residential facilities in multi-family residential districts and by specially permitting group residential facilities in all residential districts in times of emergencies and post-emergency recovery. Motion by Mr. Scearce, Second by Ms. Colbert-Kean to place Council Bill 2011-279 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Scearce, Seibert, Shaw, and Woolston, 8. Nays: 0. Absent: 1, Dr. Rosenberg,

8. Consent Agenda - Motion by Ms. Colbert-Kean, Second by Mr. Golden, to Approve the Consent Agenda. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Scearce, Seibert, Shaw, and Woolston, 8. Nays: 0. Absent: 1, Dr. Rosenberg,

Minutes of the November 7, 2011 Council Meeting

9. Resolutions

10. Ordinances – Emergency

1. COUNCIL BILL NO. 2011-042 - 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 2011-2012 as adopted by Ordinance 2011-136 on October 17, 2011; and containing an emergency clause. Motion by Mr. Seibert, Second by Mr. Glaze to Adopt Council Bill No. 2011-042. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Scearce, Seibert, Shaw, and Woolston, 8. Nays: 0. Absent: 1, Dr. Rosenberg, Ordinance No. 2011-145

2. COUNCIL BILL NO. 2011-176- AN ORDINANCE authorizing the City to enter into a revised Agreement with AT & T Missouri for the Zora and Main Interchange Project – J7S0788 replacing Ordinance 2011-062 passed by the Council on May 2, 2011, and containing an emergency clause. Motion by Mr. Golden, Second by Mr. Scearce to Adopt Council Bill No. 2011-176. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Scearce, Seibert, Shaw, and Woolston, 8. Nays: 0. Absent: 1, Dr. Rosenberg, Ordinance No. 2011-146

3. COUNCIL BILL NO. 2011-177 - AN ORDINANCE authorizing the City of Joplin to enter into an Agreement with the 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, 2011, through October

31, 2012, 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, and containing an emergency clause. Motion by Mr. Golden, Second by Ms. Colbert-Kean to Adopt Council Bill No. 2011-177. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Scearce, Seibert, Shaw, and Woolston, 8. Nays: 0. Absent: 1, Dr. Rosenberg, Ordinance No. 2011-147

4. COUNCIL BILL NO. 2011-178 - AN ORDINANCE approving the purchase of right of way from property at 1710 Maiden Lane, consisting of part of Misc. Lot Numbered 17 in the Southeast Quarter of Section 9, Township 27, Range 33 in the City of Joplin, Jasper County, Missouri; and authorizing the payment of Thirteen Thousand Two Hundred and 00/100 dollars ($13,200.00) and containing an emergency clause. Motion by Mr. Seibert, Second by Mr. Glaze to Adopt Council Bill No. 2011-178. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Scearce, Seibert, Shaw, and Woolston, 8. Nays: 0. Absent: 1, Dr. Rosenberg, Ordinance No. 2011-148

5. COUNCIL BILL NO. 2011-179 - AN ORDINANCE approving the purchase of right of way from property at 2028 Harlem Avenue, consisting of part of Lot Numbered 370 in Cunningham's Addition to the City of Joplin, Jasper County, Missouri; and authorizing the payment of Three Hundred and 00/100 dollars ($300.00) and containing an emergency clause. Motion by Ms. Colbert-Kean, Second by Mr. Seibert to Adopt Council Bill No. 2011-179. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Scearce, Seibert, Shaw, and Woolston, 8. Nays: 0. Absent: 1. Dr. Rosenberg. Ordinance No. 2011-149

6. COUNCIL BILL NO. 2011-180 - AN ORDINANCE approving the purchase of right of way from property at 2030 Harlem Avenue, consisting of part of Lot Numbered 369 in Cunningham's Addition to the City of Joplin, Jasper County, Missouri; and authorizing the payment of One Thousand and 00/100 dollars ($1,000.00) and containing an emergency clause. Motion by Mr. Golden, Second by Ms. Colbert-Kean to Adopt Council Bill No. 2011-180. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Scearce, Seibert, Shaw, and Woolston, 8. Nays: 0. Absent: 1, Dr. Rosenberg, Ordinance No. 2011-150

7. COUNCIL BILL NO. 2011- 181 -AN ORDINANCE approving Award of Contract Rosetta Construction, LLC for Eight Hundred Ninety Seven Thousand Fifty and No/100 Dollars ($897, 050.00) for the Clean, TV & Cap Service Risers in the Tornado Area and

containing an emergency clause. Motion by Mr. Golden, Second by Mr. Seibert to Adopt Council Bill No. 2011-181. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Scearce, Seibert, Shaw, and Woolston, 8. Nays: 0. Absent: 1, Dr. Rosenberg, Ordinance No. 2011-151

8. COUNCIL BILL NO. 2011-505 - AN ORDINANCE approving a Contract by and between the City of Joplin and Delta Dental to provide dental insurance coverage for City employees on behalf of the employer, the City of Joplin; authorizing the City Manager to execute said Contract by and on behalf of the City of Joplin; and containing an emergency clause. Motion by Mr. Seibert, Second by Mr. Golden to Adopt Council Bill No. 2011-505. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Scearce, Seibert, Shaw, and Woolston, 8. Nays: 0. Absent: 1, Dr. Rosenberg, Ordinance No. 2011-152

9. COUNCIL BILL NO. 2011-506 - AN ORDINANCE approving a Contract by and between the City of Joplin and Anthem BCBS to provide stop loss coverage for the City's health self-insurance coverage on behalf of the employer, the City of Joplin; authorizing the City Manager to execute said Contract by and on behalf of the City of Joplin; and containing an emergency clause. Motion by Ms. Colbert-Kean, Second by Ms. Raney to Adopt Council Bill No. 2011-506. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Scearce, Seibert, Shaw, and Woolston, 8. Nays: 0. Absent: 1, Dr. Rosenberg, Ordinance No. 2011-153

11. Ordinances – First Reading

1. COUNCIL BILL NO. 2011-043 - AN ORDINANCE renumbering Article III. Officers and Employees of Chapter 2., Administration of the City of Joplin Code of Ordinances to include a new Division 1. Generally., enacting a new Section 2-101.1., Employee – how construed. therein; and, enacting a new Division II., Probationary Period., of Article III., Officers and Employees., of Chapter 2., Administration of the City of Joplin Code of Ordinances, with new sections 2-120 Probationary period.; 2-121 Duration., 2-122 Removal., 2-123 Police officer certification., and 2-124 Administration., all of the City of Joplin Code of Ordinances. Motion by Mr. Shaw, Second Mr. Seibert, to Pass Council Bill 2011-043 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Colbert-Kean, Glaze, Raney, Seibert, Shaw, and Woolston, 8. Nays: 2, Golden, Scearce. Absent: 1, Dr. Rosenberg,

12. Ordinances – Second Reading and Third Reading

1. COUNCIL BILL NO. 2011-276 - AN ORDINANCE providing for the vacation of a portion of Cunningham Avenue north of West 10th Street, in the City of Joplin, Jasper County, Missouri. Motion by Mr. Glaze, Second by Mr. Scearce to pass Council Bill No. 2011-276 on Second Reading and Advance to Third Reading and Pass. Voting in favor were

Council Members: Golden, Glaze, Scearce, Seibert, Shaw, and Woolston, 8. Nays: 2 Colbert-Kean; Raney. Absent: 1, Dr. Rosenberg. Ordinance No. 2011-154

13. Unfinished Business

14. New Business

Citizens were reminded about the 6 month Memorial Service that is scheduled for Cunningham Park on Tuesday, November 22, 2011 beginning at 4:30 pm. Wear warm clothing and bring a lawn chair. The Program is expected to last 90 minutes.

1.Vote to go into closed session, 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(3) RSMo, as amended, 2010, more specifically for the purpose of evaluating certain Council employees. 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. Golden to go into closed session. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Seibert, Shaw, and Woolston, 8. Nays: 1, Scearce. Absent: 1, Dr. Rosenberg,

There being no further business to come before the Council, the meeting was adjourned at 7:00p.m.

Respectfully submitted,

Barbara Hogelin, MMC/MPCC
City Clerk