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

December 5, 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 City Attorney Brian Head
Pledge of Allegiance – led by Dr. Rosenberg

2. Roll Call –all were present

3. Presentations

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

7. Public Hearings
Public Hearing Procedures – read by City Clerk Barbara Hogelin

COUNCIL BILL NO. 2011-280 - 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-0 property as described below and located at 3201 and 3209 South Pearl Avenue in the City of Joplin, Newton County, Missouri. Motion by Mr. Shaw, Second by Mr. Golden to Place Council Bill No. 2011-280 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

COUNCIL BILL NO. 2011-281 - 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-2 and including in District C-1 property as described below and located at 1909

South Ohio Avenue, 1902 South Indiana Avenue, 1906 South Indiana Avenue, and 1928 South Indiana Avenue, in the City of Joplin, Jasper County, Missouri.

Motion by Mr. Scearce, Second by Mr. Golden to Amend Council Bill No. 2011-281 from C-1to C-1 PD. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

Motion by Mr. Scearce, Second by Mr. Glaze to Place Amended Council Bill No. 2011-281 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

RESOLUTION NO. 2011-018 - A RESOLUTION granting a Special Use Permit (First Request) to David and Tamara Brown for the operation of a vehicle detailing use located at 2601 South Jackson Avenue in the City of Joplin, Jasper County, Missouri. Motion by Mr. Shaw, Second by Mr. Golden to Approve Resolution No. 2011-018. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

8. Consent Agenda - Motion by Mr. Glaze, Second by Ms. Colbert-Kean, to Approve the Consent Agenda. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

Minutes of the November 21, 2011 Council Meeting

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 permitting 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. **Ordinance No. 2011-155**

9. Resolutions

10. Ordinances – Emergency

COUNCIL BILL NO. - 2011-044 - AN ORDINANCE amending Section 46-7, Filing of nominating petitions., of the Joplin City Code, to harmonize the Code with the City Charter and State Statute and also updating the provision relating to withdrawal by changing it from the previous eight (8) weeks to the current statutory requirement of eleven (11) weeks; and, containing an emergency clause. Motion by Mr. Shaw, Second by Mr. Golden to Adopt Council Bill No. 2011-044. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. **Ordinance No. 2011-156**

COUNCIL BILL NO. 2011-182 – AN ORDINANCE approving the contract by and between the City of Joplin and B & D Yardbuilder's for the demolition of the structure(s) and clearing of lot area located at 914 W. C St. in the City of Joplin, Missouri, for the amount of Two Thousand Two Hundred Thirty Eight and 00/100 Dollars ($2,238.00); providing how the assessment thereof shall be made; and containing an emergency clause. Motion by Mr. Seibert, Second by Mr. Glaze to Adopt Council Bill No. 2011-182. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. **Ordinance No. 2011-157**

COUNCIL BILL NO. 2011-183 – AN ORDINANCE approving the contract by and between the City of Joplin and B & D Yardbuilder's for the demolition of the structure(s) and clearing of lot area located at 1326 S. Missouri in the City of Joplin, Missouri, for the amount of Two Thousand Two Hundred Thirty Eight and 00/100 Dollars ($2,238.00); providing how the assessment thereof shall be made; and containing an emergency clause. Motion by Mr. Glaze, Second by Mr. Golden to Adopt Council Bill No. 2011-183. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. **Ordinance No. 2011-158**

COUNCIL BILL NO. 2011-185- AN ORDINANCE approving the City of Joplin to enter into a supplemental agreement with Sprenkle & Associates, Inc. to provide professional surveying for the Maiden Lane Widening Project from 8th Street to 32nd Street in an amount not to exceed Twenty-Two Thousand and No/100 Dollars ($22,000.00), authorizing the City Manager to execute said agreement for the City; and containing an emergency clause. Motion by Mr. Seibert, Second by Mr. Shaw to Adopt Council Bill No. 2011-185. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. **Ordinance No. 2011-159**

11. Ordinances – First Reading

1. COUNCIL BILL NO. 2011-041 –AN ORDINANCE amending Ordinance No. 2011-001 authorizing the issuance of $26,000,000 principal amount of Sewerage System Revenue bonds (State of Missouri – Direct Loan Program) Series 2011A of the City of Joplin, Missouri, and prescribing other related matters. Motion by Mr. Golden, Second by Mr. Scearce to Pass Council Bill No. 2011-041 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0

12. Ordinances – Second Reading and Third Reading

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. Golden to Amend Council Bill No. 2011-043 to exempt General employees. City Attorney clarified his motion which was to remove transfers and promotions. Motion died for a lack of a Second.

Motion by Mr. Scearce, Second by Mr. Golden to Amend Council Bill No. 2011-043 to eliminate all employees from the promotional or transferring probationary period in addition to those referenced coming out of the police academy in the field training by Mr. Head. Voting in favor were Council Members Scearce, Golden, 2. Glaze, Colbert-Kean, Raney, Rosenberg, Seibert, Shaw, and Woolston, Nays: 7.

Motion by Dr. Rosenberg Second by Mr. Golden to Amend Council Bill No. 2011-043-promotional or probationary employee if removed would revert back to their old position or a comparable position. Voting in favor were Council Members Colbert-Kean, Raney, Rosenberg, Scearce, Golden, 5. Glaze, Seibert, Shaw, and Woolston, Nays: 4.

Motion by Mr. Scearce, Second by Ms. Colbert-Kean, to Pass Council Bill No. 2011-043 on Second Reading and Advance to Third Reading. Voting in favor were Council Members Colbert-Kean, Raney, Rosenberg Scearce, Golden, 5. Glaze, Seibert, Shaw, and Woolston, Nays: 4.

13. Unfinished Business

14. New Business

There being no further business to come before the Council, the meeting was adjourned at 7:20p.m.

Respectfully submitted,

Barbara Hogelin, MMC/MPCC
City Clerk