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

March 5, 2012

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 Clerk Barbara Hogelin
Pledge of Allegiance - led by Ms. Colbert-Kean

2. Roll Call – all were present

3. Presentations
Proclamation recognizing and congratulating Souls Harbor for thirty years of ministry.- Mrs. Joan Lewis received the Proclamation for Souls Harbor.

Presentation by Joplin Schools Superintendent Dr. CJ Huff on the bond levy issue. Dr. CJ briefed the Council on the school bond issue.

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 Hearings Procedures – read by City Clerk Barbara Hogelin
COUNCIL BILL NO. 2012-263 - 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-3 property as described below and located at 2911, 2914, 2920 and 2922 East 22nd Street in the City of Joplin, Jasper County, Missouri. Motion by Dr. Rosenberg, Second by Mr. Scearce to Table Council Bill No. 2012-263. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

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.

COUNCIL BILL NO. 2012-264 - 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-0-PD and including in District C-1 property as described below and located at 1931 South St. Louis Avenue in the City of Joplin, Jasper County, Missouri. Motion by Mr. Glaze, Second by Mr. Golden to Place Council Bill No. 2012-264 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. 2012-265 - AN ORDINANCE providing for the vacation of portions of Iowa Avenue and Missouri Avenue between 20th Street and 24th Street; and 22nd Street between Grand Avenue and Iowa Avenue, in the City of Joplin, Jasper County, Missouri. Motion by Mr. Shaw, Second by Mr. Glaze to Place Council Bill No. 2012-265 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. 2012-266 - AN ORDINANCE providing for the vacation of portions of 24th Street between Grand Avenue and Indiana Avenue; and Missouri Avenue, Iowa Avenue, Minnesota Avenue, and Ohio Avenue from 24th Street to south of 24th Street, in the City of Joplin, Jasper County, Missouri. Motion by Mr. Scearce, Second by Mr. Golden to Amend Council Bill No. 2012-266 to read **Except that portion of Ohio Avenue south of 24th Street between Lots 11, 12, 13, and 28, 29, 30 of Durham Acres, in the City of Joplin, Jasper County, Missouri and Except that portion of 24th Street north of Lot 11 of Durham Acres, in the City of Joplin, Jasper County, Missouri.**

Motion by Mr. Scearce, Second by Mr. Golden to Place Amended Council Bill No. 2012-266 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. 2012-267 - 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 521 West 32nd Street in the City of Joplin, Jasper County, Missouri. Motion by Mr. Shaw, Second by Mr. Golden to Amend Council Bill No. 2012-267 from District C-O to District C-O-PD. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

Motion by Mr. Shaw, Second by Mr. Golden to Place Amended Council Bill No. 2012 -267 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. 2012-268 - 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-3 property as described below and located on Lot 66, Cedar Ridge Subdivision, in the City of Joplin, Jasper County, Missouri. Motion by Mr. Shaw, Second by Mr. Golden that Council Bill No. 2012-268 be Stricken from the Agenda. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

COUNCIL BILL NO. 2012-269 - 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-3 property as described below and located at 2602, 2604, and 2610 South Virginia Avenue, in the City of Joplin, Jasper County, Missouri. Motion by Mr. Seibert, Second by Mr. Golden to Amend Council Bill No. 2012-269 from District C-3 to District C-3-PD. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, , Seibert, Shaw, and Woolston, 8. Nays: 1, Scearce.

Motion by Mr. Seibert, Second by Mr. Golden to Place Amended Council Bill No. 2012 -269 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Seibert, Shaw, and Woolston, 8. Nays: 1, Scearce.

COUNCIL BILL NO. 2012-270 - AN ORDINANCE providing for the vacation of the East 30 feet of Lot 110 of Banker's Third Addition, in the City of Joplin, Jasper County, Missouri. Motion by Ms. Colbert-Kean, Second by Mr. Scearce to Place Council Bill No. 2012-270 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. 2012-009 - A RESOLUTION granting a Special Use Permit (First Request) to BEHR, LLC, for the construction of parking lots near 36th Street and Garrison and Alabama Avenues, in the City of Joplin, Newton County, Missouri. Motion by Ms. Colbert-Kean, Second by Mr. Golden that Resolution No. 2012-009 be Denied. Council Bill No. 2012-270 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. 2012-271 - 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 including in District C-1-PD property as described below and located at 2616 East 20th Street, in the City of Joplin, Jasper County, Missouri. Motion by Mr. Glaze, Second by Mr. Scearce that Council Bill No. 2012-271 be Denied. Voting in favor were Council Members: Colbert-Kean, Glaze, Raney, Rosenberg, Scearce, Seibert and Shaw 7. Nays: 1, Woolston: Abstention: 1, Golden.

COUNCIL BILL NO. 2012-272 - 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-PD property as described below and located at 2602 East 20th Street, in the City of Joplin, Jasper County, Missouri. Motion by Mr. Scearce, Second by Mr. Glaze that Council Bill No. 2012-272 be Denied. Voting in favor were Council Members: Colbert-Kean, Glaze, Raney, Rosenberg, Scearce, Seibert and Shaw, 7. Nays: 1, Woolston. Abstention: 1, Golden.

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, Dr. Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

Minutes of the February 6, 2012 Council Meeting
Minutes of the February 21, 2012 Council Meeting

9. Resolutions

10. Ordinances – Emergency

COUNCIL BILL NO. 2012-002 - AN ORDINANCE approving a Systems Agreement by and between the City of Joplin and Tyler Technologies, Inc., dealing generally with the set-up and maintenance of a Web-site to accommodate on-line payment of violation fines by citizens to the Municipal Court; amending the Annual Budget of the City of Joplin for the Fiscal Year 2011-2012 as adopted by Ordinance 2011-136 on October 17, 2011; authorizing the City Manager to execute said Systems Agreement by and on behalf of the City of Joplin; and containing an emergency clause. Motion by Mr. Shaw, Second by Mr. Seibert to Adopt Council Bill No. 2012-002. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. Ordinance No. 2012-034

COUNCIL BILL NO. 2012-117 - AN ORDINANCE authorizing the City of Joplin, Missouri enter into a purchase order with Scurlock Industries in the amount of Thirty Three Thousand and no/100 Dollars ($33,000.00) providing how the cost shall be made and levied; and containing an emergency clause. Motion by Mr. Golden, Second by Mr. Glaze to Adopt Council Bill No. 2012-117. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. Ordinance No. 2012-035

COUNCIL BILL NO. 2012-118 - AN ORDINANCE approving the City of Joplin to enter into an Agreement with Camcor Environmental to provide professional services for the Remediation of Metals Contaminated Soil and authorizing the Public Works Director to execute said Agreement; and containing an emergency clause. Motion by Mr. Shaw, Second by Mr. Seibert to Adopt Council Bill No. 2012-118. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. Ordinance No. 2012-036

COUNCIL BILL NO. 2012 – 119 - AN ORDINANCE approving the contract by and between the City of Joplin and Lynn Rowe for the demolition of the structure(s) and clearing of lot area located at 911 S. PENNSYLVANIA in the City of Joplin, Missouri, for the amount of Three Thousand Seven Hundred Twenty and 00/100 Dollars ($3,720.00) providing how the cost thereof shall be paid; how the assessment thereof shall be made; and containing an emergency clause. Motion by Mr. Shaw, Second by Mr. Golden to Adopt Council Bill No. 2012-119. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. Ordinance No. 2012-037

COUNCIL BILL NO. 2012 – 120 - AN ORDINANCE approving the contract by and between the City of Joplin and B & D Yardbuilders for the demolition of the structure(s) and clearing of lot area located at 1601 FURNACE in the City of Joplin, Missouri, for the amount of Two Thousand Three Hundred Sixteen and 00/100 Dollars ($ 2,316.00) providing how the cost thereof shall be paid; how the assessment thereof shall be made; and containing an emergency clause. Motion by Mr. Shaw, Second by Ms. Colbert-Kean to Adopt Council Bill No. 2012-120. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. Ordinance No. 2012-038

COUNCIL BILL NO. 2012-500 - AN ORDINANCE approving the delivery of the City of Joplin, Missouri refunding Certificates of Participation, Series 2012, for the purpose of providing funds to refinance the costs of certain improvements for the City, Missouri; authorizing certain other actions in connection with the delivery of said certificates; adopting a tax exempt financing compliance procedure; authorizing the City Manager to execute said refunding by and on behalf of the City of Joplin; and containing an emergency clause. Motion by Mr. Seibert, Second by Mr. Glaze to Adopt Council Bill No. 2012-500. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. Ordinance No. 2012-039

11. Ordinances – First Reading

12. Ordinances – Second Reading

13. Ordinances - Third Reading

14. Unfinished Business

15. New Business

Case 026-12: 2034 South Connecticut Avenue – A request for a Site Plan Review for the reconstruction of an apartment house complex – Motion by Mr. Golden, Second by Mr. Shaw that Case 026-12 be Stricken from the Agenda. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

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, 2011, 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. Shaw to vote to go into closed session. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Seibert, Shaw, and Woolston, 8. Nays: 1, Scearce.

There being no further business to come before the Council, the meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Barbara Hogelin, MMC/MPCC
City Clerk