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

June 20, 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 Ms. Raney

**2. Roll Call –all were present**

**3. Presentations**

Quinn Gregor St. Paul, Minnesota and Anneka Lindstrom from Minneapolis, Minnesota have a check presentation for our City. They are the Granddaughters of Vince Lindstrom. Quinn Gregor St. Paul, Minnesota and Anneka Lindstrom from Minneapolis, Minnesota presented a check to the City and matched by their Grandparents Vince Lindstrom and Dorothy Clark.

Dana Dugger, Deseret Health Group, Oswego, KS presented a check for $5,000 to the City.

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

**5. Reports and Communications**

Report on the Capital Improvement and Public Safety Sales Tax Oversight Committee from Chairman, Doug Doll. Doug Doll gave a report on the Capital Improvement and Public Safety Sales Tax Oversight Committee.

**6. Citizen Requests and Petitions**

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.

Request to address council from Frank Hecox, 26085 W. Flint, regarding the opportunity to allow food trucks or trailers to sell food in the disaster areas. Frank Hecox, 26085 W. Flint requested to sell food to workers in the affected disaster area. City Manager Mark Rohr told Mr. Hecox the food was being provided for free to the volunteers and vendors were not allowed in the community.

Susan Butler requests to address Council regarding the hold on building permits. Susan Butler addressed Council telling the Council the 90 day moratorium would be devastating and unthinkable and some could not last until September or even the Spring to get back into their homes. It would also take additional living expenses. She said it is just not beneficial to place a 90 day moratorium on these homeowners.

Motion by Mr. Scearce, Second by Ms. Colbert-Kean to allow additional Requests to address Council. Motion carried, 9-0.

Darren Collins, 2602 S. Byers, requested to address Council to thank the city for their building efforts but to also ask the city not to place a 90 day hold on building permits for residential homes. He suggested going block-by-block like the slurry seal process.

Larry Eller, 1214 Douglas Court, Carthage, MO, requested to address Council concerning the 90- day moratorium stating he was against it because his home was destroyed and he needed to get in to what was left and protect his finished floor of the basement before the weather ruined it as well. He needed to rebuild quickly. He wanted to stay in Joplin but if the moratorium was in effect he would be forced to move elsewhere.

Creed Jones, 3030 Kelley Drive, requested to address council concerning the 90 day moratorium on new construction stating he worked for Eagle Picher and it was difficult to recruit to this area. People are receiving offers to others areas and considering moving. He asked the Council not to do this to them.

## 7. PUBLIC HEARINGS
## PUBLIC HEARING PROCEDURES – read by City Clerk Barbara Hogelin

COUNCIL BILL NO. 2011-260 - AN ORDINANCE amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District C-3 and District R-1 and including in District M-2 property as described below and located at 1827 West 10th Street in the City of Joplin, Jasper County, Missouri. Motion by Mr. Golden, Second by Mr. Scearce, to Place Council Bill No. 2011-260 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

COUNCIL BILL NO. 2011-261 - AN ORDINANCE amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District C-1 and including in District C-3 property as described below and located on the

south side of 32nd Street approximately 500 feet west from the intersection of 32nd Street and Texas Avenue in the City of Joplin, Newton County, Missouri. Motion by Dr. Rosenberg to Rezone to C3PD died for a lack of a Second. Motion by Mr. Scearce, Second by Mr. Seibert to Place Council Bill No. 2011-261 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

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

Minutes of the May 16, 2011 Council Meeting

**9. Resolutions**

**10. Ordinances – Emergency**

COUNCIL BILL NO. 2011-013 - AN ORDINANCE authorizing certain types of construction in the recovery area; authorizing the Public Works Director to release certain areas from the moratorium as debris is cleared; and authorizing the Public Works Director to close streets in order to facilitate debris removal; and containing an emergency clause. Motion by Dr. Rosenberg, Second by Mr. Golden to Amend to 60 days on the issuance of building permits when the residential structure is more than 50% damaged. Voting in favor were Council Members: Glaze, Golden, Raney, Rosenberg, Seibert, Shaw, and Woolston, 7. Nays: 2, Colbert-Kean, Scearce. Motion by Dr. Rosenberg, Second by Mr. Glaze Adopt Council Bill No. 2011-013. Voting in favor were Council Members: Glaze, Golden, Raney, Rosenberg, Seibert, Shaw, and Woolston, 7. Nays: 2, Colbert-Kean, Scearce. Ordinance No. 2011-074

COUNCIL BILL NO. 2011-014 - AN ORDINANCE amending Sections 29A-2002 and 29A-2003 of the City of Joplin Zoning Regulations by adding an additional provision to each such Section to exclude from the application of such Sections all nonconforming structures and structures devoted to nonconforming uses which were damaged or destroyed by the severe storms and tornados that occurred in Joplin, Missouri on May 22, 2011 to the extent of more than 50 percent of such structure's appraised value; and containing an emergency clause. Motion by Mr. Shaw, Second by Mr. Golden to Adopt Council Bill No. 2011-014. Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. Ordinance No. 2011-075

COUNCIL BILL NO. 2011-015 - AN ORDINANCE authorizing and approving a "form" post-event Mutual Aid Agreement by and between the City of Joplin, a Municipal Corporation, and multiple governmental agencies/entities ("Providers"), dealing generally with the provision of emergency support in the recent tornado disaster in the City of Joplin; authorizing the City Manager to execute the same by and on behalf of the City of Joplin, Missouri; and containing an emergency clause. Motion by Dr. Rosenberg, Second by Mr. Golden to Adopt Council Bill No. 2011-015. Voting in favor were Council Members:

Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. Ordinance No. 2011-076

COUNCIL BILL NO. 2011-017 - AN ORDINANCE amending Section 29A-1808 of the City of Joplin Zoning Regulations by adding an additional provision waiving the application of such Section all landscaping requirements for properties to the extent that they had landscaping as a nonconforming use which were damaged or destroyed by the severe storms and tornados that occurred in Joplin, Missouri on May 22, 2011 to the extent of more than 50 percent of such structure's appraised value; and containing an emergency clause. Motion by Mr. Seibert, Second by Mr. Glaze to Adopt Council Bill No. 2011-017. Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. Ordinance No. 2011-077

COUNCIL BILL NO. 2011-018 - AN ORDINANCE authorizing the City of Joplin to collect insurance proceeds from homeowner(s) when government-funded contractors remove tornado-related debris from residential private property to ensure no duplication of benefits between government cleanup efforts and insurance coverage as required by Federal Law; and containing an emergency clause. Motion by Mr. Shaw, Second by Mr. Golden to Adopt Council Bill No. 2011-018. Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. Ordinance No. 2011-078

COUNCIL BILL NO. 2011-155 - AN ORDINANCE approving the contract with Branco Enterprises Inc for the Joplin Fire Station # 6 Project in the amount of Two Million Forty Six Thousand and no/100 Dollars ($2,046,000.00) in the City of Joplin, Missouri; 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. 2011-155. Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. Ordinance No. 2011-079

**11. Ordinances – First Reading**

**12. Ordinances – Second Reading and Third Reading**

**13. Unfinished Business**

**14. New Business**

Motion by Mr. Seibert, Second by Mr. Golden, to allow the Joplin RVIII School district to use Memorial Hall and have the City Attorney draw up a lease. Motion carried 9-0.

Motion by Dr. Rosenberg, Second by Mr. Scearce to have the City Attorney draw up a lease to allow Dr. Walker sub-lease office space in the Audubon society building for 90-days. Motion carried 9-0.

Mayor Woolston gave some remarks and thanked the over 36,300 volunteers who have worked in the city. He also read some of the donations he has received from local to as far away as Australia. He said he continues to be overwhelmed at the amount of dedication he has seen the city staff show without blinking an eye and continue to do whatever it takes to get the jobs done.

There being no further business to come before the Council, the meeting was adjourned at 8:20 p.m.

Approved,

Barbara L. Hogelin, MMC/MPCC