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

September 19, 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 Clerk Barbara Hogelin
Pledge of Allegiance – led by Council Member Mr. Golden

2. Roll Call – all were present

Mayor Woolston recognized Senator Ron Richard, and Representatives Charlie Davis and Bill White who were in attendance for this evening.

3. Presentations
The Honorable Jeremiah W. (Jay) Nixon, Governor of Missouri, will provide update accomplishments to date and discuss state resources to assist with remaining demolition and debris removal.

Governor Nixon thanked the Council and the City and gave a heartfelt speech to the citizens of Joplin that the State of Missouri was not finished with Joplin. His entire speech is contained in the minutes of this meeting.

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

8. **Consent Agenda -** Motion by Mr. Shaw, Second by Mr. Golden 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

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.

Minutes of the September 6, 2011 Council Meeting

9. Resolutions

RESOLUTION No. 2011-012 - A RESOLUTION approving a Community Development Block Grant in the amount of $205,000.00 and a Missouri Department of Natural Resources Grant in the amount of $100,000.00 to be used for the development of a playground at the FEMA temporary housing park located at the Joplin Airport Industrial Park. Motion by Mr. Golden, Second by Ms. Colbert-Kean to Approve Resolution No. 2011-012. Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

10. Ordinances – Emergency

1.COUNCIL BILL No. 2011-029 - AN ORDINANCE authorizing and approving the payment of a subrogation claim asserted by American National Property And Casualty Company on behalf of its insured, Jerry E. Botts, against the City of Joplin, said payment being in settlement of all claims arising out of a vehicular accident that occurred on or about February 7, 2011; authorizing the Director of Finance to pay out the total sum of Six Thousand, Three Hundred Thirty-Six Dollars, Eighty-Seven Cents ($6,336.87) from Account No. 515-7501-500-5305 of the Insurance Fund; and containing an emergency clause. Motion by Mr. Shaw, Second by Mr. Seibert to Adopt Council Bill No. 2011-029. Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. Ordinance No. 2011-112

2. COUNCIL BILL NO. 2011-164 - AN ORDINANCE approving the contract with Midland Wrecking Inc. for the Debris Removal Tornado Area Project not to exceed the amount of One Million Two Hundred Eighty Six Thousand and no/100 Dollars (1,286,000.00) in the City of Joplin, Missouri; providing how the cost shall be made and levied, and containing an emergency clause. Motion by Mr. Scearce, Second by Dr. Rosenberg, to Amend the Council Bill to change the contract to Missions Construction and to approve it to $1,444,000.00. Voting in favor were Council Members: Colbert-Kean, Golden, Rosenberg, and Scearce, 4. Nays: 5, Glaze, Raney, Seibert, Shaw, and Woolston.

Motion by Mr. Seibert, Second by Mr. Glaze to Adopt Council Bill No. 2011-164. Voting in favor were Council Members: Glaze, Golden, Raney, Seibert, Shaw, and Woolston, 6. Nays: 3, Colbert-Kean, Rosenberg, Scearce. Ordinance No. 2011-113

3.COUNCIL BILL NO. 2011-165 - AN ORDINANCE approving an amendment to the Habitat for Humanity Agreement relating to 2009 and 2010 HOME housing development funds to include a CDBG grant for the development of low-moderate housing units; authorizing the City Manager to execute the same on behalf of the City; and containing an emergency clause. Motion by Mr. Shaw, Second by Mr. Golden to Adopt Council Bill No. 2011-165. Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. Ordinance No. 2011-114

11. Ordinances – First Reading

12. Ordinances – Second Reading and Third Reading

1.COUNCIL BILL NO. 2011-028 -AN ORDINANCE amending subsection D., General Requirements., of Section 29A-1808 of the City of Joplin Zoning Regulations by replacing the current Table 1, Plant Sizes and Acceptable Street and Parking Lot Species with a new Table 1 of the same title; repealing Section 122-125. Street Tree Species to be Planted.; and enacting a new Section 122-125. Tree Species in Public Places.; in lieu thereof, dealing generally with tree species to be planted on City land; and enacting a new Section 122-136. Planting Permit Required.; providing for and requiring a permit for the planting of trees within the rights-of-way of the City, all of Division 4., Planting of Trees and City Tree Board., of Article III Trees and Shrubs., of Chapter 122, Vegetation., of the Joplin City Code. Motion by Mr. Glaze, Second by Golden to Deny Council Bill No. 2010 – 028. Voting in favor were Council Members: Glaze, Golden 2. Nays: 57, Colbert-Kean, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston.

Motion by Ms. Colbert-Kean, Second by Mr. Scearce to Pass Council Bill No. 2011-028 on Second Reading and Advance to Third Reading and Pass. Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 7. Nays: 2, Glaze, Golden. Ordinance No. 2011-115

13. Unfinished Business

The following Council was placed on First Reading at the August 1, 2011 City Council Meeting: COUNCIL BILL NO. 2011-024 - AN ORDINANCE amending Sec 26-67 of Chapter 26, Buildings and Building Regulations, Article III., Building Code, Sec. 26-67., Amendments to the International Residential Code., for the purpose of making certain changes to address issues related to the May 22, 2011 tornado. According to State Statute this Council Bill No. 2011-024 will remain on the Agenda for a 90-day waiting period. The council requires no action.

14. New Business

Brian Spencer, 3535 Moffet, requested to address Council stating he was hit by a Joplin Police officer on April 9, 2010. He had over $30,000 in bills and so far the city of Joplin's insurance company has only paid $25.00. He would like his bills paid. It has been over 500 days. Mayor told him to get with the city Attorney.

Gary Shaw thankful for the visit of Governor Jay Nixon to our Council meeting and for everything the City Staff has done for the recovery of Joplin.

15. Adjourn

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

Approved,

Barbara L. Hogelin, MMC/MPCC