ACTION A G E N D A

September 6, 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 - given by City Attorney, Brian Head
Pledge of Allegiance – led by Council member Mr. Glaze

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
1. Leslie Jones, Finance Director, presented an update on the demolition process.

6. Citizen Requests and Petitions
1. Jane Karns, 2811 E. 19th St., Joplin, addressed the Council regarding a rezoning issue between Texas and Highview Streets on 20th Street.
2. Tim Parker, 2120 Mississippi, Joplin, addressed Council regarding a News Release stating driveways can be designated a dangerous structure.

7. Public Hearings
Public Hearing Procedures – read by Assistant City Clerk Barbara Gollhofer
1. RESOLUTION NO. 2011-009-A RESOLUTION granting a Special Use Permit (First Request) to Ms. Diana Heckmaster and Ms. Terra Smith for the operation of a day care center located at 101 Plaza Drive, in the City of Joplin, Newton County, Missouri.(Requested by Diana Heckmaster and Terra Smith. Planning and Zoning recommended approval.) Motion by Mr. Scearce, Second by Mr. Glaze to Approve Resolution No. 2011-009. 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.

2. COUNCIL BILL NO. 2011-268- 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 R-2 property as described below and located at 2221 North Florida Avenue in the City of Joplin, Jasper County, Missouri (Requested by Patricia Harris. Planning and Zoning recommended approval.) Motion by Mr. Glaze, Second by Ms. Raney to Deny Council Bill No. 2011-268. Voting in favor were Council Members: Colbert-Kean, Glaze, Raney, Scearce, Shaw, 5. Nays: 4, Golden, Rosenberg, Seibert, Woolston.

8. Consent Agenda

Motion by Mr. Golden, Second by Mr. Scearce 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.

1.Minutes of the August 15, 2011 Council Meeting

2.Minutes of the August 17, 2011 Special Council Meeting

3.Minutes of the August 29, 2011 Special Council Meeting

4.COUNCIL BILL NO. 2011-026-AN ORDINANCE approving the application of Boomtown Days for the Half Marathon and 5K Run; Historic Murphysburg Preservation, Inc., for DickensFest; Joplin Disc Golf Club for the 7th Annual Four States Open; Joplin Outlaws Baseball Collegiate Baseball Club for the 2012 baseball season; MSSU Alumni Association for Homecoming 2012; Rufus Racing for the Joplin Triathlon Week-end; and, Spiva Center for the Arts for PhotoSpiva 2012; for utilization of FY2012 Festivals and Celebrations support pursuant to Ordinance No. 2000-148, as authorized by the voters on November 7, 2000; authorizing the City Manager to execute appropriate agreements with each such organization for the utilization of such funds. Ordinance No. 2011-105

9. Resolutions

1. RESOLUTION NO. 2011-010 - A RESOLUTION supporting efforts towards applying for sustainability funds in an amount up to $3 million from the U.S. Department of Housing and Urban Development for the purposes of planning efforts for establishing and acquiring land for development, redevelopment, and revitalization that reserves property for the development of affordable housing in the context of sustainable development. Motion by Mr. Shaw, Second by Mr. Golden to Approve Resolution No. 2011-010. Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

2. RESOLUTION NO. 2011-011-A RESOLUTION of the City of Joplin, Missouri, stating intent to seek funding through the Community Development Block Grant Program and authorizing the City Manager to pursue activities in an attempt to secure funding. A motion by Mr. Seibert, Second by Ms. Colbert-Kean to approve Resolution No. 2011-011. Voting in favor were Council Members: Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Seibert, Shaw, and Woolston, 8 Nays: 1, Scearce.

10. Ordinances – Emergency

1.COUNCIL BILL NO.2011-027–AN ORDINANCE authorizing and approving the settlement of a claim for property damage asserted by Novella Webster, against the City of Joplin, said payment being in settlement of all claims arising out of a sewer back-up alleged to have occurred on or about December 10, 2010; authorizing the Director of Finance to pay out the total sum of Five Thousand, Twenty Dollars, Twenty-One Cents ($5,020.21) 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. 2011-027. Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. Ordinance 2011-106

2. COUNCIL BILL NO. 2011-030-AN ORDINANCE approving a Concrete and Demolition Waste Service Agreement by and between the City of Joplin, Missouri and Jordan Disposal Service, LLC, for certain waste disposal and landfill services; authorizing the City Manager to execute said Agreement 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. 2011-030. Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. Ordinance 2011-107

3.COUNCIL BILL NO. 2011-162 -AN ORDINANCE approving the City of Joplin to enter into an Agreement with Kathleen Austin in the amount of Thirty Thousand and No/100 Dollars ($30,000.00) for the services of a plan review consultant, and containing an emergency clause. Motion by Mr. Shaw, Second by Mr. Golden to Adopt Council Bill No. 2011-162. Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. 2011-108

4.COUNCIL BILL NO. 2011-451 AN ORDINANCE approving a Program Services Contract by and between the State of Missouri, Department of Health and Senior Services, and the City of Joplin, Missouri, for a term commencing October 1, 2011 and running through September 30, 2012, for the amount of up to Six Hundred Fifty-Six Thousand, Three Hundred Seventy-Four Dollars and no Cents ($656,374.00), to enable the Health Department to provide nutritional assistance and education to residents of Jasper County, 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 Mr. Seibert, Second by Mr. Golden to Adopt Council Bill No. 2011-451. Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. Ordinance No. 2011-109.

5.COUNCIL BILL NO.2011-452-AN ORDINANCE approving a Program Services Contract by and between the State of Missouri, Department of Health and Senior Services, and the City of Joplin, Missouri, for a term commencing October 1, 2011 and running through September 30, 2014, for the amount of Twenty-Eight Thousand, Two Hundred Ninety-Nine Dollars and Forty-Nine Cents ($28,299.49), to enable the Health Department to provide maternal and child health services to residents 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 Ms. Colbert-Kean, Second by Mr. Scearce to Adopt Council Bill No. 2011-452. Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0. Ordinance No. 2011-110.

6.COUNCIL BILL NO.2011-453-AN ORDINANCE approving a Program Services Contract by and between the State of Missouri, Department of Health and Senior Services, and the City of Joplin, Missouri, for a term commencing July 1, 2011 and running through December 31, 2011, for the amount of up to Ten Thousand Dollars and No Cents ($10,000.00), to enable the Health Department to enhance tuberculosis control services to residents 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 Mr. Shaw, Second by Mr. Glaze to Adopt Council Bill No. 2011-453. Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0**.** Ordinance No. 2011-111

11. Ordinances – First 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. Shaw, Second by Dr. Rosenberg to Pass Council Bill No. 2011-028 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Colbert-Kean, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 7. Nays: 2, Glaze, Golden.

12. Ordinances – Second Reading and Third Reading

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 (Oct. 30). The council bill requires no action.

14. New Business

Motion by Mr. Scearce, Second by Mr. Golden to approve the following appointments

were made to Boards & Commissions:
Chris Churchwell: Capital Improvements & Public Safety Sales Tax Oversight Committee (replaces Naomi Hunter)

Kyle Denham: Building Board of Appeals (replaces Bryan Osborn)

Sharon Ferneau: Building Board of Appeals (replaces Brandon Freeman)

Mark Williams: Design Review Standard Committee (replaces Brad Gadberry)

Rod Apfel: Housing Authority (replaces Johnny Harrelson)

Beverly Oaks: Traffic Commission (replaces Russell Spruill)

Voting in favor were Council Members: Colbert-Kean, Glaze, Golden, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0**.**

Gary Shaw stated he had received several phone calls from homeowners who lost their homes as a result of the tornado. The homeowners expressed concern that rebuilding might be too costly for those with low incomes, which would deter them from rebuilding. Mr. Shaw said that citizens are looking for reassurance that the City is aware of their situation and are hoping there might be other avenues of help for those of that income level.
Troy Bolander, Planning and Community Development Director, replied that the housing issue is one of the biggest challenges the City faces. He said the City is looking into developing incentive programs that would ensure the rebuilding of safe, affordable housing.
City Manager Mark Rohr stated there are a variety of resources that citizens may be able to utilize in home repairs and rebuilding. He said the City is researching different means that could provide low interest rates on loans, opportunities to receive building materials through these programs, and ways to provide assistance for families who qualify as well as developing partnerships with various local, regional and national entities. More information will be forthcoming regarding these new programs.

Mayor Woolston announced everyone is invited to a meeting at the Chamber of Commerce on Friday, September 9 at 9:00 am. Chuck Banks with Chuck Bank Associates, a national consulting group providing a range of economic development and disaster-related consulting services for the private, public and nonprofit sectors, has offered to come to Joplin.

There being no further business to come before the Council, the meeting was adjourned at 7:30 p.m.

Approved,

Barbara Gollhofer
Assistant City Clerk