COUNCIL BILL NO. 2025-523 **ORDINANCE NO.**

AN ORDINANCE approving a Petition to Remove Property From the Joplin Sports Facility Community Improvement District; and containing an emergency clause.

WHEREAS, by Ordinance No. 2025-017, adopted February 3, 2025 (the "Ordinance") and pursuant to the Community Improvement District Act, Sections 67.1401 *et seq*., RSMo (the "Act"), the City Council of the City of Joplin, Missouri (the "City Council") approved the Petition for Establishment of the Joplin Sports Facility Community Improvement District, thereby creating the Joplin Sports Facility Community Improvement District (the "District"); and

WHEREAS, a written request was submitted to the District pursuant to Section 67.1441, RSMo, by a real property owner in the District (the "Property Owner"), in the form of a Petition to Remove Property from the Joplin Sports Facility Community Improvement District, attached hereto as Exhibit A (the "Petition"), said real property as described in the Petition (the "Property"); and

WHEREAS, Section 67.1441, RSMo, provides that real property may be removed from the District by ordinance adopted by the City Council provided that the Board of Directors of the District consents to the removal of such property and that the District can meet its obligations without the revenues generated by or on the real property proposed to be removed; and

WHEREAS, the Board of Directors of the District reviewed the request in the Petition for removal of the Property from the District, determined that the District can meet its obligations without the revenue generated by the Property, and adopted Resolution 2025-05 on May 9, 2025, providing its consent to the removal; and

WHEREAS, on May 13, 2025, the Petition of the Property Owner for removal of the Property was filed with the City Clerk stating the request that the City Council remove the Property and amend the boundaries of the District; and

WHEREAS, the City Clerk verified that the Petition substantially complies with the CID Act, submitted the verified Petition to the City Council and set a public hearing with all proper notice being given in accordance with the Act or other applicable law; and

WHEREAS, the signature of the signer of the Petition was not withdrawn within seven (7) days after the Petition was filed with the City Clerk; and

WHEREAS, on June 2, 2025, the City Council held a public hearing at which all persons interested in the Petition to remove the Property from the District were allowed an opportunity to speak; and

WHEREAS, the City Council having considered the evidence and testimony given at the public hearing, desires to approve the Petition to remove the Property from the District.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. The City Clerk has verified the Petition substantially complies with all submission requirements of the CID Act.

Section 2. The City Council finds that in accordance with Section 67.1441, RSMo, the Board of Directors of the District has provided its consent to the removal of the Property from the District and that the District can meet its obligations without the revenues generated by or on the Property to be removed.

Section 3. As authorized by Section 67.1441, RSMo, the Property legally described in the Petition attached hereto as Exhibit A is hereby removed from the District and the boundaries of the District are hereby amended to reflect the removal of the Property.

Section 4. The City Manager, City Clerk and any other appropriate City officials are hereby authorized to take any action as may be deemed necessary or convenient to carry out and comply with the intent of this Ordinance and to execute and deliver for and on behalf of the City all certificates, instruments or other documents as may be necessary, desirable, convenient or proper to perform all matters herein authorized.

Section 5. It is hereby declared to be the intention of the City Council that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the City Council intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.

Section 6. This Ordinance relating to the property included in a Community Improvement District assessing a 1% sales tax is declared by the City Council to be an emergency within this meaning of Section 2.12, subparagraphs (5) and (6), of the Home Rule Charter of the City of Joplin, Missouri, and as such shall become effective immediately upon its passage.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____

day of _____, 2025, by a _____vote.

_____
Keenan T. Cortez, Sr., Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney

Exhibit A

Petition to Remove Property From the Joplin Sports Facility Community Improvement District

[see attached]