

**JOPLIN CITY COUNCIL
MAY 20, 2019 MEETING MINUTES**

CALL TO ORDER

The regular meeting of the Joplin City Council was called to order at 6:00 p.m. by Mayor Gary Shaw.

INVOCATION was read by City Clerk Barbara Gollhofer.

PLEDGE OF ALLEGIANCE to the United States of America was led by Mr. Lawson.

ROLL CALL

Answering Roll Call were Council Members: Taylor Brown, Melodee Colbert-Kean; Keenan Cortez, Doug Lawson, Anthony Monteleone, Diane Reid Adams, Gary Shaw, Ryan Stanley and Phil Stinnett. Also, in attendance were City Attorney Peter Edwards and Interim City Manager Dan Pekarek.

PRESENTATIONS

Mayor Shaw presented a proclamation recognizing May 12-18, 2019 as Police Week and May 15 as Police Officers Memorial Day to Police Chief Matt Stewart, Assistant Chief Sloan Rowland and several officers were in attendance.

FINALIZATION OF CONSENT AGENDA

There being no further business to come before the City Council, the Consent Agenda was finalized.

REPORTS AND COMMUNICATIONS

Toby Teeter, Joplin Area Chamber of Commerce President, presented an update on Economic Development, business attraction and the vision for the future. (Update attached). He stated the Joplin business community has identified talent attraction and retention as the largest prohibitor to their growth and they want the Chamber to take on the role of developing and marketing the Joplin brand. The Chamber has been reorganized to better service and champion local businesses, improve livability, develop community leaders, build and market the Joplin brand and attract both talent and new companies to our community. The Council members thanked Mr. Teeter for the update and stated they appreciate his enthusiasm and look forward to future improvements and developments.

CITIZEN REQUESTS AND PETITIONS

PUBLIC HEARINGS

Public Hearing Procedures read by City Clerk Barbara Gollhofer

Public Hearing for Council Bill No. 2019-262

Mayor Shaw opened the Public Hearing.

Appearing in favor of this item were:

Raessa Roland, 407 W. High, Jasper MO, addressed concerns that some people might have from living above or near dispensaries regarding odor issues. She stated a dispensary is a place where the products will be sold, not used.

Carrie Wilkinson, 2008 E. 25th St. Joplin, commented on odor concerns, stating there shouldn't be odors because of the closed sealed packaging that dispensaries use.

Gilbert Roland, 901 Pennsylvania, commented on the odor concerns. He stated this is a medical, clinical situation of cannabis product that is sealed and packaged and sold to clinically ill patients.

The Public Hearing was closed.

Mr. Stanley introduced Council Bill No. 2019-262 - an ordinance amending Chapter 29-A, the Zoning Code, of the Code of Ordinances of the City of Joplin, Missouri, by amending Appendix A, Land Use Table, by adding language to permit medical marijuana facilities in certain districts. Motion by Mr. Stanley, second by Mr. Monteleone that Council Bill No. 2019-262 be passed on First Reading and advanced to Second and Third Reading. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley, and Stinnett, 9. Nays:0. The Council Bill was read as **Council Bill No. 2019-262.**

CONSENT AGENDA

Motion by Mr. Stinnett, second by Mr. Cortez to approve the Consent Agenda. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley, and Stinnett, 9. Nays:0.

Notes from the May 6, 2019 Informal Council Meeting

Minutes of the May 6, 2019 Council Meeting

Council Bill No. 2019-122 - an ordinance amending Chapter 118, Utilities, Article 2, Sewers and Sewage Disposal, by enacting a new Division 9, Illicit Discharge Detection and Elimination. **Ordinance No. 2019-074**

COUNCIL BILL NO. 2019 -261 - an ordinance authorizing the City of Joplin to enter into an agreement with the Missouri Development Finance Board and Main Street Joplin doing business as Downtown Joplin Alliance for financing through the State Tax Credit for Contribution Program in support of the Empire Market Building Redevelopment Project. **Ordinance No. 2019-075**

Resolutions

Mr. Stanley introduced Resolution No. 2019-006 - a resolution establishing and identifying an Arts District in Downtown Joplin for marketing purposes only, to be known as the JOPLIN ARTS DISTRICT, commencing at B Street south to 12th Street, and from Wall Street east to Pennsylvania Avenue. Motion by Mr. Stanley, second by Dr. Reid Adams to approve Resolution No. 2019-006. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley, and Stinnett, 9. Nays:0. The Resolution was approved as **Resolution No. 2019-006.**

Ordinances – Emergency

Mr. Stinnett introduced Council Bill No. 2019-126 -an ordinance approving the reclassification of various positions in the Airport Division; adding a new Airport Police Officer position; and, amending the Annual Budget of the City of Joplin for the Fiscal Year 2018-2019 as adopted by Ordinance 2018-145 on October 15, 2018; and containing an emergency clause. Motion by Mr. Stinnett, second by Mr. Lawson that Council Bill No. 2019-126 be passed on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley, and Stinnett, 9. Nays:0. The Council Bill was declared adopted and entitled **Ordinance No. 2019-076**

Dr. Reid Adams introduced Council Bill No. 2019-127 -an ordinance authorizing the acceptance of Abatement Order on Consent (AOC) No. 2019-WPCB-1565 with the Missouri Department of Natural Resources (DNR) regarding Sanitary Sewer Overflows and Wastewater Treatment Plant Bypasses; and, containing an emergency clause. Motion by Dr. Reid Adams, second by Mr. Brown that Council Bill No. 2019-127 be passed on an emergency basis. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley, and Stinnett, 9. Nays:0. The Council Bill was declared adopted and entitled **Ordinance No. 2019-077**

Ordinances – First Reading

Mr. Cortez introduced Council Bill No.2019-003-an ordinance of the city of Joplin, Missouri establishing procedures and requirements relating to construction and deployment of small wireless facilities.

Request to address Council: Mike Haynes, 6003 E. St. Louis, Springfield MO, Regional Director of External Affairs for AT&T addressed the Council on CB2019-003, citing two areas of concern: application fees and non-recurring fees; and placement of poles/spacing requirements. City Attorney Peter Edwards stated the permit fee is a right-of-way management fee and the City is allowed to charge what they consider is their actual costs for right-of-way management. With regards to applying this fee in a non-discriminate manner, that's the intent of this bill, that it will apply to everyone. Mr. Edwards stated he will review the council bill before the next meeting to make sure it's adequately written.

Motion by Mr. Cortez, second by Mr. Monteleone that Council Bill No 2019-003 be passed on First Reading and advanced to Second and Third Reading. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley, and Stinnett, 9. Nays:0. The Council Bill was read as **Council Bill No. 2019-003**.

Mr. Lawson introduced Council Bill No. 2019-612 - an ordinance authorizing the City of Joplin to enter into an agreement with the Missouri Department of Conservation, an agency of the State of Missouri, ("MDC"), and the National Audubon Society, Inc., a New York not-for-profit corporation, ("Audubon"), for the purpose of terminating the assignment of ground lease and memorandum of understanding between MDC and Audubon; authorizing the City of Joplin to enter into an agreement with MDC to amend the ground lease between the City of Joplin and MDC for the purpose of reducing the leased real estate; and authorizing the Interim City Manager to execute said agreements by and on behalf of the City of Joplin. Motion by Mr. Lawson, second by Mr. Brown that Council Bill No. 2019-612 be passed on First Reading and advanced to Second and Third Reading. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley, and Stinnett, 9. Nays:0. The Council Bill was read as **Council Bill No. 2019-612**.

Mr. Stanley introduced Council Bill No. 2019-613 - an ordinance authorizing the City of Joplin to enter into a memorandum of understanding with the Wildcat Glades Friends Group, a Missouri Nonprofit Corporation ("Friends Group") for the purpose of establishing responsibilities in maintaining and operating Wildcat Park; and authorizing the Interim City Manager to execute said memorandum of understanding by and on behalf of the City of Joplin. Motion by Mr. Stanley, second by Mr. Cortez that Council Bill No. 2019-613 be passed on First Reading and advanced to Second and Third Reading. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley, and Stinnett, 9. Nays:0. The Council Bill was read as **Council Bill No. 2019-613**.

Requests to Address Council on CB2019-613: Steve Gaarder, 214 E. 4th St, Joplin, addressed Council on behalf of Wildcat Glades Friends Group. He presented a report that included a timeline of events and various topics since the transfer of Wildcat Glades Conservation and Nature Center to Missouri Department of Conservation. He introduced the WGFG board and several volunteers, stating they are an active and dedicated group who want to maintain and improve the park area to enhance the experience of all who visit it. They believe the beautiful Wildcat Glades Park area and nature center area can enhance the quality of life for our area and allow us to bring in and retain business people.

Aaron Jeffries, Deputy Director with MDC, stated he appreciates the partnership of the City, State and the volunteers who have been instrumental in the desire to keep the Wildcat Glades and Nature Center open. He thanked them for being patient with the renovations of the Nature Center.

Ordinances – Second Reading and Third Reading

Unfinished Business

New Business

Reappointments

JRC: Doug Doll; Bill Searce

Planning and Zoning: Wendy Brueckner-Sears

New Appointments:

Centennial Celebration Commission: Betty Smith; Barbara Hogelin

Nominations for Personnel Board: Mr. Stanley nominated Michelle Stadler. There were no other nominations. The vote was unanimous to appoint Michelle Stadler to the Personnel Board.

Mr. Stanley nominated Aaron Rice to the Solid Waste Commission. There were no other nominations. The vote was unanimous to appoint Aaron Rice to the Solid Waste Commission.

Voting in favor to approve all the reappointments and new appointments were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley, and Stinnett, 9. Nays:0.

News from the Public Information Officer, Lynn Onstot:

As Joplin residents begin warmer weather chores in their yards, the City's Stormwater Team reminds them to please mow the grass so that cut grass is distributed upon their yard and not out into the street. Mowed grass, leaves and other yard debris accumulates at their road's stormwater drains, causing a hazardous clog to the stormwater system for Joplin roads. City Crews appreciate everyone following these guidelines, as will your neighbors and others driving along your street during the next rainfall.

Joplin's American Legion Post 13 will conduct an interment ceremony on Memorial Day at Webb City's Mount Hope Cemetery. The cremains of 2 World War I and 1 World War II veterans will be honored. The ceremony will be held at 10 a.m. on Monday, May 27 at the Veteran's Memorial of Mount Hope Cemetery in Webb City. All veterans and the public are invited. Those being laid to

rest are: Morris Marion Boyd. He was 87 when he passed away in 1975. He served as a Supply Sargent in the United States Army during World War I. Ralph Paul Lane. He passed away in 1977. He was 79 years old. Lane served in the United States Army during World War I.

Glenn Robert Lake passed away in 2007 at the age of 79. He served as a United States Marine during World War II. All three men were from Joplin. Please join the members of Post 13, area veterans, The Patriot Guard and the staff of Mount Hope Cemetery to honor these previous forgotten veterans. On Memorial Day, Monday, May 27, City offices will be closed that day. In addition, residential trash service will not occur on that day with households having their trash picked up one day later than their normal scheduled day. Monday's service will be picked up on Tuesday and the week concludes with Friday customers having trash service on Saturday, June 1.

We hope everyone has a nice and SAFE Memorial Day weekend. Thank you.

Comments from Council Members:

Mayor Shaw stated the Council was invited to attend the Joplin Outlaws opening game at Joe Becker Stadium on May 31. Mayor Shaw is invited to throw out the first pitch.

Mayor Shaw read a proclamation from Governor Parson that proclaims May 19-25, 2019 as Public Works Week in Missouri. Mayor Shaw thanked Joplin's PW Department employees who work faithfully to provide for the needs of our citizens.

Mr. Stanley stated he attended the Joplin High School graduation on Sunday. One of his sons graduated, but he also acknowledged another graduate, Grace Nielson, whose father was Tim Nielson, a JPD officer who died in the line of duty in 2004. Several JPD officers were in attendance in honor of Officer Nielson.

Mr. Stinnett stated some citizens had expressed concern to him regarding the delay in the reconstruction of streets and curbs in their neighborhoods. Some of the citizens talked to the engineering firm that is overseeing the reconstruction project and to some employees at City Hall. The citizens felt the underlying answer they were getting is that the PW Dept. is short staffed. Mr. Stinnett asked the Interim City Manager to get information on the PW Dept. to determine if and where there may be shortages. Mr. Stinnett would like to report back to the citizens to help them understand the situation.

Vote to go into closed session, which shall pertain to legal action, causes of action, or litigation including a public governmental body and any confidential or privileged communications between a governmental body or its representatives and its attorneys pursuant to state law, as set forth in Section 610.021 (1) RSMo, as amended, 2018. This meeting, record, and vote to be closed. Council shall adjourn at the end of the session. Motion by Mr. Stanley, second by Mr. Stinnett to go into closed session. Voting in favor were Council Members: Brown, Colbert-Kean, Cortez, Lawson, Monteleone, Reid Adams, Shaw, Stanley, and Stinnett, 9. Nays:0.

There being no further business, the meeting was adjourned at 7:52 p.m.

Respectfully,

Barbara Gollhofer, City Clerk