
REQUESTED COUNCIL MEETING DATE: OCTOBER 2, 2017

ITEM: Council Bill No. 2017-008 approving and authorizing payment of the Commissioners' Award and payment of the Commissioners' Fees in the condemnation matter of City of Joplin v. Arizona Property, LLC et al.

ORIGINATING DEPARTMENT: Legal Department.

ATTACHMENTS: Council Bill No. 2017-008; Commissioners' Award; Commissioners' fee bill.

DEPARTMENT HEAD:	Peter C. Edwards	DATE:
CITY MANAGER:	Sam Anselm	DATE:
PUBLIC WORKS:	Dave Hertzberg	DATE:
FINANCE DIRECTOR:	Leslie Haase	DATE:

INTRODUCTION:

This Council Bill approves and authorizes payment of the Commissioners' Award and payment of the Commissioners' fees for the City's acquisition of property owned by Arizona Property, LLC and Community Bank & Trust located at or near 2902 Arizona Avenue in Joplin.

DISCUSSION:

The acquisition of the Arizona property is required to facilitate the extension of 30th Street from Mississippi Avenue to Arizona Avenue and to construct storm water drainage and a detention basin in the area of 30th Street and Arizona Avenue. The City entered into negotiations with Arizona Property, LLC to acquire a voluntary acquisition of the necessary property, and when those negotiations were not successful, the Council authorized the institution of a condemnation proceeding through Ordinance No. 2017-122, on March 20, 2017. The Court appointed three Commissioners to assess damages for the taking. The Commissioners viewed the property and recently filed their Report of Commissioners with the Jasper County Circuit Court. The Commissioners' Report, signed by all three (3) Commissioners, found damages for the total acquisition of this property to be the sum of Two Hundred Twenty-Nine Thousand and Forty-One Dollars, No Cents (\$229,041.00). In addition, the Commissioners, Josh Hensley, Joe Lyon, and David Riesemy, submitted a fee bill for their time on this project, in the total amount of Four Thousand, Five Hundred Dollars, (\$4,500.00). We recommend payment of these amounts into the Court at this time so that the City may take possession of the property and allow the project to proceed to conclusion.

RECOMMENDATION:

Staff recommends this Council Bill be adopted on an emergency basis.

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attachments