

Requested Council Meeting Date: April 18, 2016
Council Bill No. 2016-118

**Item: Acquisition by Condemnation Proceedings for
St. Louis Widening Project**

Originating Department: PUBLIC WORKS – ENGINEERING

Attachments: 1) Location Map
2) Council Bill No. 2016-118

Department Head: Nicholas A. Heatherly	Date:
Finance Department: Leslie Haase	Date:
City Attorney: Peter C. Edwards	Date:
City Manager: Samuel L. Anselm	Date:

Recommended Action: Approval of an ordinance declaring a public necessity for the acquisition of Right of Way and Easements from 1902 N. St. Louis Avenue by condemnation proceedings, for the St. Louis Widening Project.

Background: The City of Joplin budgeted money for the widening of St. Louis Avenue from Zora, south to Broadway through the 3/8 cent Capital Improvement Sales Tax that was approved by voters in August 2004. This project involves the widening of the existing 2-lane road into a 3-lane road with bicycles lanes and pedestrian sidewalks.

At this time the City has acquired right of way from 61 of 63 properties. Staff has been unable to reach an agreement with Donnie and Patricia Tucker, 1902 N. St, Louis for the necessary easements and right of way.

Discussion:

Staff has presented written offers to the listed property owner based on a professional appraisal prepared for the City of Joplin. At this time the offer of compensation has not been accepted and further negotiations have been unsuccessful. In order to comply with the timeline for utility relocation and construction scheduling, staff would like authorization to initiate condemnation proceedings.

Recommendation: Staff recommends this Council Bill be passed on an Emergency basis per Section 2.12 (6) of the Home Rule Charter of the City of Joplin, and as such, shall be in full force and effect immediately from and after its adoption and approval. Specifically, this council bill needs to be approved in order to complete property acquisitions, allowing construction to be completed within funding time limitations.

