

The Carl Junction City Council met in regular session on Tuesday June 21, 2011 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Richard Zaccardelli, Don Marshall, Carl Skaggs, Mark Powers, Steve Daniels, Dee Lynn Davey, Sean Haase and Bob Cook. Also present were City Attorney Mike Talley, City Administrator Steve Lawver and City Clerk Maribeth Matney.

**AGENDA**

Steve Daniels motioned to approve the agenda. Mark Powers seconded. All in favor. No opposed. Steve Daniels motioned to approve the consent agenda. Mark Powers seconded. All in favor. No opposed.

**PUBLIC FORUM**

There was no one for public forum.

**CHAMBER REPORT**

Gary Stubblefield reported that the Summer Classic is this Saturday and the Cox Softball Tournament will be Friday and Saturday. It has been down sized this year with only evening festivities. Big Smitty will be performing at Center Creek Park from 7:00 – 10:00 PM Saturday night with fireworks to follow at Frank Dean Park.

**REQUEST TO SHOOT FIREWORKS 6/25/11 FOR SUMMER CLASSIC**

The Summer Classic Committee has requested permission to shoot fireworks at Center Creek Park Saturday at the Summer Classic. Mark Powers motioned to allow the fireworks display to be held at Frank Dean Park Saturday 6/25/11. Dee Lynn Davey seconded. All in favor. No opposed.

**BOBBY THOMAS – FOUNTAIN ROAD PARK VILLAGE**

Bobby Thomas, Fountain Road Park Village, stated that he was here to ask permission to add 54 mobile homes to his park. Steve reported that he had talked to Kurt Higgins and the lift station will need improved. Mr. Thomas said that they are aware of that and that FEMA will be paying for the infrastructure with a back up pump and generator. They want a diesel generator. This will be a permanent increase to his park. Steve reported that the charges are based on the number of units and the flow. They are tied into APD lines. Mark Powers asked about the rates. The City Clerk said that the contract stated that the rates can be raised with a 60 day notice if need be. This is separate from the mobile homes that are going behind Quincy Magoo's. Bob Cook is concerned about the capacity of our plant and the expenses we are charging APD. He wants to make sure that they are paying for themselves. Steve said that the charges to APD had not been raised for several years and he based our current charges on our time, pick up, fuel and all of our expenses involved with the monitoring of their lift stations. He also stated that Dean Willis looks at our rates every year and our bond for sewer expansions are taken into consideration in these calculations. Dee Lynn asked if the state mandates a certain amount each year for maintenance like our water. Steve replied yes. There was some discussion about the expansion that will need to be looked at in 5 years. Bob stated he is concerned about our capacity. Mayor Moss said that if 800 new homes were built we would be at 85% capacity. Our building permits have slowed down considerably but probably will be picking up in the next 6 months. After more discussion Mark Powers motioned to approve the 54 new mobile homes in Fountain road Park Village. Carl Skaggs seconded. All in favor. No opposed.

**REVIEW OF GENERATOR BIDS FOR COMMUNITY CENTER**

Next the council reviewed the generator bids received. Steve reported that when we built the Community Center we had planned on having a generator but we had to take it out of the plans due to the costs and budget issues. We have made our wells, lift stations and WWTP generator ready and we had hoped to do the same with this building. The low bidder was Layne Electric at \$112,400.00 but it is not a budget item and he does not feel we can pursue this unless the council would want to consider a lease purchase on it. He does not recommend that either but he can check into it if the council would like to look at it. We used our protested tax money to pay down a lease we currently have instead of using it for the generator. We felt that was the best use of that money. Mayor Moss said that we can't be a shelter unless we can provide electricity in emergencies. Richard stated that it would be nice so that the Center can continue to function also. Steve Daniels said we are past the tornado season and the next thing we might have to face is an ice storm. He thinks we should wait und try to budget it next year. Don Marshall motioned to reject the bids we received on the generator. Steve Daniels seconded. All in favor. No opposed.

**ORDINANCES**

Next the council reviewed the ordinance approving a contract with B&T Lawn Services. Mark Powers motioned to put " AN ORDINANCE APPROVING A MAINTENANCE CONTRACT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND B & T LAWN SERVICES, LLC, TO MOW, CUT DOWN AND REMOVE WEEDS AND HIGH GRASSES AND TO CLEAN UP AND REMOVE LIMBS, DEBRIS AND TRASH WITHIN THE CITY OF CARL JUNCTION, MISSOURI, IN ACCORDANCE WITH AND AT THE RATES SPECIFIED IN THE CONTRACT DOCUMENTS; AND AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE SAID CONTRACT FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Carl Skaggs seconded. Mayor Moss asked for discussion. Bob Cook asked about the ordinance. Steve stated that it is a contract with the City to abate nuisances. Mike Talley said that the scope of services is to be directed by the code enforcement officer. Delmar stated that is to abate nuisances that we can't get the owner to clean up such as properties in foreclosure. We also put a lien on the property for our expenses. Mark Powers motioned to put it on second reading by

title only with a roll call vote. Steve Daniels seconded. Mayor Moss asked for discussion. There was no discussion. Steve Daniels motioned for passage of the ordinance. Mark Powers seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-y, Daniels-y, Davey-y, Haase-y, B Cook-y. Motion on Ordinance #11-19 was approved by roll call vote, signed by the Mayor, attested by the City Clerk and made a part of the permanent records of the City of Carl Junction.

Next the council reviewed the ordinance approving a contract with R&D Computer Systems. Mark Powers motioned to put "AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND R&D COMPUTER SYSTEMS, LLC, TO LICENSE, EQUIP, INSTALL, TRAIN AND SUPPORT THE USE OF THE LASERFICHE DOCUMENT MANAGEMENT SYSTEM BY THE CITY OF CARL JUNCTION, MISSOURI, IN ACCORDANCE WITH AND AT THE RATES SPECIFIED IN THE AGREEMENT; AND AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE SAID AGREEMENT FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Carl Skaggs seconded. Mayor Moss asked for discussion. There was no discussion. Carl Skaggs motioned to put it on second reading by title only with a roll call vote. Mark Powers seconded. Mayor Moss asked for discussion. There was no discussion. Steve Daniels motioned for passage of the ordinance. Carl Skaggs seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-y, Daniels-y, Davey-y, Haase-y, B Cook-y. Motion on Ordinance #11-20 was approved by roll call vote, signed by the Mayor, attested by the City Clerk and made a part of the permanent records of the City of Carl Junction.

Next the council reviewed the ordinance amending Chapter 235. Chief Haase said that the Code Review Committee looked at this tonight and asked if the council was satisfied with it. The council said they were and it follows the state statute. Mark Powers motioned to put "AN ORDINANCE AMENDING TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE, BY REPEALING EXISTING CHAPTER 235: EMERGENCY PREPAREDNESS – CIVIL DEFENSE, INCLUDING ALL SECTIONS OF CHAPTER 235, AND BY ENACTING IN LIEU THEREOF NEW CHAPTER 235: EMERGENCY MANAGEMENT, AND ENACTING NEW SECTIONS 235.010 THROUGH 235.090, TO PROVIDE FOR EMERGENCY MANAGEMENT IN THE CITY OF CARL JUNCTION, MISSOURI IN ACCORDANCE WITH EXISTING MISSOURI STATE STATUTES" on first reading by title only. Carl Skaggs seconded. Mayor Moss asked for discussion. Mayor Moss said that this new ordinance gives the Mayor the power to appoint an emergency director without approval of the council. Our old ordinance had the approval of the council. The new ordinance does state that the council can direct the director. Mayor Moss read those sections to the council. It was discussed that he should be appointed annually with the other appointed officers. It was also stated that he can take the oath of office from the City Clerk it does not have to be done at a council meeting. Mark Powers motioned to put it on second reading by title only with a roll call vote. Carl Skaggs seconded. Mayor Moss asked for discussion. There was no discussion. Carl Skaggs motioned for passage of the ordinance. Mark Powers seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-y, Daniels-y, Davey-y, Haase-y, B Cook-y. Motion on Ordinance #11-21 was approved by roll call vote, signed by the Mayor, attested by the City Clerk and made a part of the permanent records of the City of Carl Junction.

### **REPORTS**

The council reviewed the Administration report. It was asked about Phase IV of Thom's Station Trail. Steve said he is still looking for funding for that project. Bob Cook then asked about the \$30,000 for a master parks plan. Steve said that was originally what they estimated but we signed a contract with Drury College for \$7000. This would be a plan for all our parks for us to follow and put together a budget for. Bob Cook said it was a good idea but wondered about spending the money now. Steve replied that our Capital Improvements does not have a sunset clause on it. Steve Daniels said it would also allow Steve to look for revenue sources from the State and Federal departments for funding. It will help us grow.

Public Works Department report – there was nothing to add.

Police Department report – there was nothing to add. Delmar stated that he will be testing for a new officer 6/25/10. We had an officer quit because she decided that it was not for her.

Court report – there was nothing to add.

### **COMMITTEE REPORTS**

The Code/Nuisance Committee had nothing to report.

The Budget/Finance Committee had nothing to report.

The Human Resource Committee had nothing to report.

The Public Facilities & Planning Committee reported that they need to start working on some projects and they will be getting with Allgeier Martin & Associates and set a meeting date.

The Senior Citizen Committee had nothing to report.

### **UNFINISHED BUSINESS**

Mark Powers asked if our officers took an oath of office every year and it was replied no.

Mike Talley said that he felt that the Mayor should appoint an emergency director sooner than later since we shouldn't count on a disaster not happening. Mayor Moss stated that he was going to appoint Chief Dunn for now to keep consistency. He will need to come to City Hall to take an Oath of Office for the City.

Mayor Moss reported that former councilman Wayne Smith suffered a heart attack Sunday and had open heart surgery. He is not doing well at this time and the Mayor asked everyone to keep him in their prayers.

Sean Haase asked about the generator. Steve said that we could get one that would do the whole building but they recommend we shut down parts of the building instead.

Steve then reported that DNR wants us to do a study that will cost us \$28,000. He has asked if we had it in writing that we needed to do this or just a verbal request. Kurt is checking on that for us. They want us to do a study that we are not endangering the habitat. We have all kinds of wildlife living around our plant and they did the flathead minnow test and they lived 3 ½ days and they only have to live 3 days to pass the test. We already do a lot of testing and Steve does not want to spend \$28000 that is not in our budget.

Chief Haase said we may need to look at putting a fence around our new tower once it is up for safety reasons. It will be a free standing tower that is being constructed with money we received a grant for about 1/1/2 years ago. Dee Lynn asked if the fence was included in the grant. Chief is not sure but he will check into it. The tower will be 195' tall.

**NEW BUSINESS**

Mike Talley said he has been working at Duquesne about full time since the tornado. They had about 40% of their homes destroyed. They do not have enough staff to handle everything they need to do. Mayor Moss and Steve reported that they had offered help if they need it.

Richard asked if BYAA hired an employee yet. Steve replied not that he knew of at this time.

City Clerk Matney reported that she will be out of the office next week.

Chief Haase reported that he has a state conference next week and he will be out of the office also.

**ADJOURNMENT**

Mark Powers motioned to adjourn the meeting. Steve Daniels seconded. All in favor. No opposed. Meeting adjourned at 8:20 PM.

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CITY CLERK

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MAYOR