

The Carl Junction City Council met in regular session on Tuesday August 21, 2012 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Richard Zaccardelli, Don Marshall, Mark Powers, Steve Daniels, Dee Lynn Davey, Sean Haase and Ed Reeves. Alderman Bob Cook was absent. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

Mark Powers motioned to approve the agenda as presented. Steve Daniels seconded. All in favor. No opposed. Ed Reeves asked about a disbursement for \$3800 on page 3 to Ed's Electric. He stated he had received a phone call from a local electrician stating he had not been allowed to bid. Ed Reeves also asked for an itemized invoice. He thinks it seems high for what was stated to be done. He also asked who was responsible for verifying that the work was done to spec. Steve reported that this work was done at Center Creek Park for the Fall Festival. It was an upgrade on the electric, mainly the sound system. He contacted KAB, Ed's Electric and Bill's Electric. They received verbal quotes on it. The Building Inspector is responsible to make sure it was all done to spec and Steve did not have information that it was not done so he authorized payment. Ed went over what he seen had been done and it did not look like \$3800 worth of work. Ed has issues that Mr. Uber had not been contacted. Ed Reeves motioned to remove Ed's Electric from the disbursement list until we can verify that the work was done. He said it needs some investigation. Sean Haase seconded. It was asked if the check has been mailed yet. It was replied no. 2 (Haase, Reeves) in favor. 5 (Zaccardelli, Marshall, Daniels, Powers, Davey) opposed. Motion failed. Mark Powers motioned to approve the consent agenda. Steve Daniels seconded. 5 (Zaccardelli, Marshall, Daniels, Powers, Davey) in favor. 2 (Haase, Reeves) opposed.

PUBLIC FORUM

Donnie Rion, 117 Hedge Drive, stated he has been listening to things going on and looking at our website. He has a problem in the Briarbrook area with 4 wheelers on city trails. He talked to a few residents and they said they had called but nothing was done. One even filed a complaint and it went no further. This person said he was a friend of the Mayor. We need to follow the codes and if 4 wheelers are not allowed then no letter should be given for special permission. It is wrong. If we have a position we have open with the City we should advertise and do things in the proper order.

Phyllis Davis, 915 W Briarbrook Lane, stated she has lived here 11 years. She is having problems with tractor noise. They say this person is helping the City but he is on the tractor making ruts, grading the golf cart path and he took off the gravel and now it has dirt. There was a fire started behind her house when there were high winds. The rock on the lake was put there to keep the geese out so they would not go in the ponds. There is now a fence on top to keep the geese out, it was not for erosion. He is working late at night. It was after 9:00 PM and the tractor was still out. He is out after dark with his ATV and she is not sure what he is doing. The noise needs to be stopped. She hears it in the evenings and all day Saturday and Sunday. People never had problems before he moved in but now residents are complaining. If he wants to help he should do it discreetly not playing with his tractor on city property. She has nothing against him but the noise should be stopped.

Richard Burrows, 410 N Cowgirl, attended the last meeting and he had not been to a meeting for awhile because of the way he was treated by the Mayor. At the last meeting they kept referring to a bully and that person is a friend of his. The resident in Briarbrook should not be allowed to break the law. It is not a big deal to pick up rocks and he doesn't need a tractor to do it.

Mark Naccarato, 802 W Briarbrook Lane, stated that what has been said previously is exactly what is going on out there. If you try to talk to him he just laughs at you. The tractor is running at all times behind all the houses. He does it with the lights off and they are not sure what he is doing. He picks up the branches so he can burn them at his house and then they have to put up with that also. The dogs come over into his yard and mess on his bushes and when he asks him to stop he just laughs at you. It is killing his bushes and they are expensive. He can hardly stand it anymore. Enough is enough. The council needs to listen to the people.

CHAMBER REPORT

Gary Stubblefield reported that downtown Carl Junction is in the middle of a transition. Vintage Vogue and Ozark Hearth Home Candles are moving downtown. A Carl Junction commercial property database is being compiled. Katie Davis is back and is ready to head up the Welcome Wagon for Carl Junction. We are very fortunate to have 2 student chamber members who are so valuable. The City Wide Rummage Sale is coming up. The CJPO held a customer appreciation day and October is National Breast Cancer Awareness month. They already have people calling wanting to help with activities. Their next meeting is 9/6/12.

APPROVE AUGUST 7, 2012 ELECTION RESULTS

The City Clerk read the results. Mark Powers motioned to approve the results. Richard Zaccardelli seconded. All in favor. No opposed.

PUBLIC HEARING ON TAX LEVY PROPOSED FOR 2012 TAXES

Mayor Moss opened the public hearing on the tax levy at 7:29 PM. Steve explained that the tax levy on the General Obligation Bond is staying the same. The General Fund is increasing .0005. The council discussed the voluntary reduction and the City is not going to take a voluntary reduction. Mr. Kidd asked to speak in public forum. It was stated he missed public forum and this was a public hearing on the tax levy issue. There was no other discussion. Public hearing closed at 7:31 PM

ORDINANCES

Mark Powers motioned to put "AN ORDINANCE ESTABLISHING THE TAX LEVY FOR THE FISCAL YEAR 2013 ESTABLISHING SAID LEVY \$0.8861 PER HUNDRED ASSESSED VALUATION ESTABLISHING THE ALLOCATIONS OF SAID FUNDS TO GENERAL FUND AND GENERAL OBLIGATIONS SINKING FUND" on first reading by title only. Don Marshall seconded. Mayor Moss asked for discussion. There was no discussion. Mark Powers motioned to put it on second reading by title only with a roll call vote. Richard Zaccardelli seconded. Mayor Moss asked for discussion. There was no discussion. Steve Daniels motioned for passage of the ordinance. Don Marshall seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Daniels-y, Powers-y, Davey-y, Haase-y, Cook-absent, Reeves-y. Motion on Ordinance #12-32 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.

Mark Powers motioned to put "AN ORDINANCE APPROVING THE TWELFTH ADDENDUM TO THE SERVICE CONTRACT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND THE VILLAGE OF AIRPORT DRIVE, MISSOURI, AND AUTHORIZING THE MAYOR TO EXECUTE SAID TWELFTH ADDENDUM FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Steve Daniels seconded. Mayor Moss asked for discussion. Steve stated this implements the new sewer rates for APD. Mike Talley said that the effective date is 9/1/12 but APD has not approved this contract yet so we might have to change the date if something comes up. Mark Powers motioned to put it on second reading by title only with a roll call vote. Richard Zaccardelli seconded. Mayor Moss asked for discussion. There was no discussion. Steve Daniels motioned for passage of the ordinance. Don Marshall seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Daniels-y, Powers-y, Davey-y, Haase-y, Cook-absent, Reeves-y. Motion on Ordinance #12-33 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. Steve added that Kurt Higgins is working on a grant application for Lakeside Park for some money Department of Conservation has for land conservation. Steve also confirmed that MoDot is going to put a 2 lane round-a-bout at Stones Corner. It is to be completed in 2014. They are also going to put an 1 lane round-a-bout at Hwy 43 & Hwy 96 intersection. Zora should be completed by then.

Public Works report – had nothing new to report. Don Marshall asked about seeding the easement in the back where they replaced the water line. Steve reported they would probably do that when it started raining.

Police Department report – had nothing new to report. Delmar reported the cars are in but are waiting on parts.

Court Report – had nothing new to report.

COMMITTEE REPORTS

The Budget/Finance Committee had nothing to report.

The Code/Nuisance Committee met tonight on a new codes for fences, flood plain management and the tree trimming code. They were all given approval to move forward.

The Human Resource Committee had nothing to report.

The Public Facilities Committee will be meeting Thursday at 10:00 AM on the volunteer guidelines, SAPP Design and the ADA ramps and hand rails.

The Senior Citizen Committee had nothing to report.

UNFINISHED BUSINESS

Mark Powers asked Mike Talley to explain AT&T Mobility letter. Mike Talley said he didn't think it was gong to affect us but he can explain it at the next meeting. It is real complicated.

Mike Talley reported that he has been discussing the wood stain issue on the Community Center with SAPP and they are making progress. We should be receiving a letter from SAPP on a remedy.

Sean Haase stated that he did not have any unfinished business but would like to give Mr. Kidd his time if he still wanted to talk. Mayor Moss stated Mr. Kidd had 5 minutes. Mr. Kidd then addressed the council. He said that he had been texting Jimmy when he was going to work on the park. He then read through 2 pages of texts that he had sent Jimmy. (see attached)

Steve reported that he had discussed with Jimmy that we would have to be very careful of his budget since the local use tax failed. We are waiting to see what will happen in Legislature. It will be a reduction in revenue for the Street Department. Richard Zaccardelli said that they are advertising for people to go to Bentonville to buy their vehicles.

Steve then brought the council's attention to the bid opening results for the sale of some used equipment. They are as follows: **DARE car:** \$500.00-Rick Kresyman, \$125.00-Paul Kropp; **2000 Ford Ranger:**\$700.00-Rick Kresyman,\$775.00-Sean Haase,\$1750.00-Michael Matney; **88 GMC flat bed dump truck:**\$955.00-Bill Russell, \$525.00-Paul Kropp, \$551.55-Greg Matney; **Dump truck (box bed:)**\$425.00-Paul Kropp, \$551.55-Greg Matney; **1997 Ford F350 with snow plow:** \$425.00-Paul Kropp, \$762.00-Steve Lawver; **Chevy Sonoma:**\$125.00-Paul Kropp. Mark Powers said we should sell the vehicles. Ed Reeves asked how that process worked. He asked if they were sealed bids, when they were opened and the specific time they were opened. Steve reported that all the bids were sealed and opened at 10:00 AM last Friday with Steve, Maribeth and Jimmy in attendance. Mark Powers motioned to approve the bids and sell the equipment to the highest bidders. Dee Lynn Davey seconded. All in favor. No opposed.

NEW BUSINESS

Dee Lynn Davey reported she had received a phone call about putting speed limit sign on Rocky Lane. They asked if there could be one set by Red Oak Drive. It was stated we would have Jimmy look at it.

Steve Lawver informed the council that the housing grant time is close and MHDC will be applying for a grant that will be an extension of their current development for senior housing. He also had another party looking at vacant property yesterday that plan on applying. Mark Powers stated we need to make sure they go through 2 meetings with the council. Steve will be getting more information down the road.

ADJOURNMENT

Mark Powers motioned to adjourn the meeting. Don Marshall seconded. All in favor. No opposed. Meeting adjourned at 8:05 PM.

CITY CLERK

MAYOR