

The Carl Junction City Council met in regular session on Tuesday September 7, 2010 at 7:00 PM at City Hall. Mayor Michael Moss called the meeting to order with the following present: Richard Zaccardelli, Don Marshall, Carl Skaggs, Steve Daniels, Dee Lynn Davey and Walter Hayes. Aldermen Mark Powers and Wayne Smith were absent. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

### **AGENDA**

It was stated that we needed to add the appointment of a police officer to the agenda as item 6(a). Carl Skaggs motioned to approve the agenda as amended. Walter Hayes seconded. All in favor. No opposed. Steve then requested that we add payment request #18 to the consent agenda for Larry Snyder and Company if we get lien waivers to balance. It is for \$96482.00. Carl Skaggs motioned to approve the consent agenda as amended. Don Marshall seconded. All in favor. No opposed.

### **PUBLIC FORUM**

Sharon Clark, postmaster of Carl Junction, 111 S Main Street, addressed the council about October being Breast Cancer Awareness Month. She asked the council to consider wearing pink poodle skirts if she meets her goal this year. She thanked them for their support in the past. They are doing a lot of events in October to try to raise money to meet her goal. Gary Stubblefield is helping her organize the events. They are hoping to create a lot of positive publicity for Carl Junction in October.

### **CHAMBER REPORT**

Gary Stubblefield gave the Chamber report. He reported that they continue to add new members and should meet their goal. They are doing a ribbon cutting for Amy's Attic that just opened.

### **APPOINTMENT OF POLICE OFFICER**

Chief Haase introduced Matthew Morrison to the council and asked that he be appointed to replace Rusty Comer. He is a Carl Junction resident and is familiar with the area. Mayor Moss stated that he would like to appoint Matthew Morrison as a new police officer. Walter Hayes motioned to approve the Mayor's appointment of Matthew Morrison. Don Marshall seconded. All in favor. No opposed.

### **CONSIDERATION OF UTILITY VEHICLE BIDS**

Chief Haase reported that we received 3 bids back on the utility vehicle. Anderson Car & Tractor is the low bidder at \$8483.00. They would use this in places where they can't get with a patrol car. The bids were: Anderson Car & Tractor - \$8483.00, Legacy - \$9713.05 & \$9871.05, Neosho Power Sports - \$11500.00. Chief Haase is recommending we go with Anderson Car & Tractor. Don Marshall motioned to approve the bid from Anderson Car & Tractor for \$8483.00. Carl Skaggs seconded. All in favor. No opposed.

### **BETTER LIFE BOARD - PAT SMITH**

Pat Smith was unable to attend the meeting but she left a written report on what she wanted to discuss. They have asked that the City not wait until the next budget year for the sound system. The Lion's Club is donating the money from their pancake feed towards this goal. There was a lot of discussion about this topic if they could help raise the money that the city would pick up the difference. Mayor Moss finally stated that we needed some numbers before the council could make that decision. Richard pointed out that they use a sound system every day. Dee Lynn stated that we need to draw the line on the budget unless it is an emergency. It was stated that the sound system requested would only be used in the dining area. Carl Skaggs stated that we need an evacuation plan for the building. It was agreed upon that we need to get that put together. They also asked that we change the sign above the door from Senior Center to The Center. They officially changed their name several years ago trying to get away from the senior so that other people would come. It was discussed about putting Dining Hall above the door. There was a lot of discussion about this request also. It was stated that the Senior Center defines it. It was finally stated that they would find out the cost to change the name and get back with Richard. Steve said that he was already looking at the locks on the sliding door. There was also discussion about the cleaning of the community center. Steve reported that there has only been one instance where we kept the deposit due to the renter not cleaning up after themselves. The discussion also included dust mopping, the scrubber, the bathrooms and other items. Steve reported that we have offered the scrubber to their janitor, but it is not supposed to be used on their kitchen floor. We have also addressed the bathroom issues and the company has hired another janitor to clean our restrooms. Richard pointed out that the Citizens for Better Life is just trying to bring these items to the council's attention. They are trying to help the building stay nice for a long time. It was also stated that it just appears to be communication that needs to be improved upon. They meet the 3<sup>rd</sup> Thursday after lunch and invited Steve to come to their meetings.

### **BYAA - BOB WENTWORTH**

Steve reported that they BYAA would like for the City to consider taking over the recreation sports that they currently oversee. They have reached the capacity that they can handle. Steve told them that we needed to review their financial reports before we could make that decision but they have not brought them to him yet. He has started some preliminary research on job duties for a recreation director. He has had about 15 responses so far.

## **ORDINANCES**

The council reviewed the ordinance amending Section 200.120 – Police Department Manual. The City Clerk has a copy on file. Carl Skaggs motioned to put “AN ORDINANCE AMENDING TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE: CHAPTER 200: POLICE DEPARTMENT, ARTICLE III. POLICE DEPARTMENT PERSONNEL POLICIES, BY AMENDING THE TITLE OF SECTION 200.120: POLICE STATEMENT, TO BE SECTION 200.120: POLICE DEPARTMENT POLICY MANUAL ADOPTED, BY AMENDING SAID SECTION TO ADOPT SAID POLICY, AND BY REPEALING SECTIONS 200.130, 200.140, 200.150, 200.160 AND 200.170” on first reading by title only. Steve Daniels seconded. Mayor Moss asked for discussion. There was no discussion. Don Marshall 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. Richard Zaccardelli seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-absent, Daniels-y, Davey-y, Hayes-y, W Smith-absent. Motion on Ordinance #10-31 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 Section 705.330 – water usage rates. Steve explained that this is a 3% increase. We are still way under what EPA recommends our rates should be. Carl Skaggs motioned to put “AN ORDINANCE AMENDING TITLE VII. UTILITIES: CHAPTER 705: WATER ARTICLE III. USER CHARGE SYSTEM BY AMENDING SECTION 705.330 “ACTUAL USE RATE STRUCTURE” TO INCREASE THE WATER RATES CHARGED TO RESIDENTIAL IN-TOWN USERS FROM FIVE DOLLARS FORTY-TWO CENTS (\$5.42) TO FIVE DOLLARS FIFTY-EIGHT CENTS (\$5.58) FOR THE FIRST THOUSAND GALLONS AND FROM TWO DOLLARS EIGHTY-FOUR CENTS (\$2.84) TO TWO DOLLARS NINETY-THREE CENTS (\$2.93) PER ONE THOUSAND (1,000) GALLONS THEREAFTER, AND ALSO INCREASING THE WATER RATES CHARGED TO COMMERCIAL WATER CUSTOMERS AND OUT-OF-TOWN USERS, TO BE EFFECTIVE SEPTEMBER 15, 2010; PROVIDED HOWEVER, EFFECTIVE JUNE 15, 2016, THE WATER RATES CHARGED TO RESIDENTIAL IN-TOWN USERS SHALL BE REDUCED BY NINETEEN CENTS (\$0.19) FOR THE FIRST THOUSAND GALLONS AND FOR EACH ONE THOUSAND (1,000) GALLONS THEREAFTER, AND THE WATER RATES CHARGED TO COMMERCIAL WATER CUSTOMERS AND OUT-OF-TOWN USERS SHALL ALSO BE REDUCED AT THAT TIME” on first reading by title only. Dee Lynn Davey seconded. Mayor Moss asked for discussion. Walter asked Steve if he knew where Joplin water rates were at. Steve said no but he knows they are regulated by PSC and that our rates are lower than their rate. Carl Skaggs 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. Carl Skaggs motioned for passage of the ordinance. Steve Daniels seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-absent, Daniels-y, Davey-y, Hayes-y, W Smith-absent. Motion on Ordinance #10-32 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.

The council reviewed the ordinance amending Section 110.340 – electronic voting. Steve Daniels motioned to put “AN ORDINANCE AMENDING TITLE I. GOVERNMENT CODE: CHAPTER 110: MAYOR, BOARD OF ALDERMEN, BOARD MEETINGS: ARTICLE V. ORDINANCES AND READINGS BY AMENDING SECTION 110.340 “READINGS”, TO PERMIT ELECTRONIC VOTING, IF AVAILABLE, FOR PASSAGE OF AN ORDINANCE” 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. Steve Daniels seconded. Mayor Moss asked for discussion. There was no discussion. Carl Skaggs motioned for passage of the ordinance. Steve Daniels seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-absent, Daniels-y, Davey-y, Hayes-y, W Smith-absent. Motion on Ordinance #10-33 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.

The council reviewed the ordinance approving a contract with Gateway Building and Restorations LLC on the concession stand bid. Steve Daniels motioned to put “AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND GATEWAY BUILDING & RESTORATIONS, LLC, TO CONSTRUCT A NEW CONCESSION STAND AND RESTROOM FACILITY IN COUNTRY CLUB PARK FOR THE CITY OF CARL JUNCTION, MISSOURI, IN ACCORDANCE WITH THE CONDITIONS OF THE CONTRACT, DRAWINGS, SPECIFICATIONS, ADDENDA AND OTHER DOCUMENTS LISTED IN THE AGREEMENT FOR THE SUM OF \$47,232.00; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE MAYOR OR CITY ADMINISTRATOR TO EXECUTE SAID AGREEMENT FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI” on first reading by title only. Don Marshall seconded. Mayor Moss asked for discussion. Mike Talley stated that Missouri statutes require he have a payment bond. Steve said that he would let him know and add it to the contract. Carl Skaggs 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. Carl Skaggs motioned for passage of the ordinance. Steve Daniels seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-absent, Daniels-y, Davey-y, Hayes-y, W Smith-absent. Motion on Ordinance #10-34 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 stated that the LRP Committee will be meeting with the P&Z on September 27<sup>th</sup> at 7:00 PM to go over the 1<sup>st</sup> draft of the comprehensive plan. Steve has also applied for grant money for the 1<sup>st</sup> phase of the sidewalks down Pennell. This will be a stretch from Roney to Ballard. The application is due by the end of September to MoDot. The 2<sup>nd</sup> grant he is applying for will be sidewalks up North Main Street with new lighting. Our match is 20%. Pennell sidewalks will be our 1<sup>st</sup> priority.

Public Works report – there was nothing to add to the report.  
Police Department report – there was nothing to add to the report.

**COMMITTEE REPORTS**

The Nuisance Committee had nothing to report.  
The Long Range Planning Committee will be meeting 9/27/10 at 7:00 PM.  
The Budget/Finance Committee had nothing to report.  
The Human Resource Committee reported had nothing to report.  
The Public Facilities Committee had nothing to report.

The Code Review Committee met tonight to go over some clarifications on the nuisance ordinances and business licenses. They asked Mike Talley to draw up the ordinances. Steve said that the P&Z will hold the public hearing on the Storm water update on 9/27/10 and then it will come before the Council.

The Senior Citizen Committee had nothing to report.

**UNFINISHED BUSINESS**

Mike Talley reported that they had met with the resident that wrote the letter regarding Thom’s Station Trail Phase III. He thinks that we will be able to work something out to fit everyone’s needs. He also met with Kurt Higgins regarding it. They are looking at a long term solution.

Steve Daniels then went over the information he gave the council regarding smoke free communities. He asked if the American Legion is considered a public place. Steve and Mike Talley were not sure but we could ask this group and they could help us with that question.

**NEW BUSINESS**

Walter Hayes asked if we could look to see what pin microphones would cost. He would like to replace the ones we currently have since when the council shuffles papers it makes it impossible to hear.

Mayor Moss then pointed out the letter he received from Missouri American Water Company proposing to buy out our utility system. There was a lot of discussion of the council. After that discussion it was the consensus of the council that they were not interested in this proposal.

Mayor Moss then asked the council to approve his appointment of Walter Hayes to the P&Z Committee. Richard Zaccardelli motioned to approve this appointment. Don Marshall seconded. 5 (Zaccardelli, Marshall, Skaggs, Daniels, Davey) in favor. 1 (Hayes) abstained.

Steve Lawver reported to the council that the City had won an award from MIRMA for 2<sup>nd</sup> most improved entity in their safety score.

**ADJOURNMENT**

Carl Skaggs motioned to adjourn the meeting. Richard Zaccardelli seconded. All in favor. No opposed. Meeting adjourned at 8:40 PM.

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CITY CLERK

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MAYOR