

The Carl Junction City Council met in regular session on Tuesday September 18, 2012 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Don Marshall, Mark Powers, Steve Daniels, Dee Lynn Davey, Bob Cook and Sean Haase. Aldermen Richard Zaccardelli and Ed Reeves were absent. Also present were City Administrator Steve Lawver and City Attorney Mike Talley.

### **AGENDA**

Mark Powers motioned to approve the agenda as presented. Steve Daniels seconded. All in favor. No opposed. Mike Talley requested that the word "before" be changed to "after" on page 2 under Unfinished business. Mark Powers motioned to amend the minutes as requested. Don Marshall seconded. All in favor. No opposed. Mark Powers motioned to approve the consent agenda. Steve Daniels seconded. All in favor. No opposed.

### **PUBLIC FORUM**

Phyllis Sanders, 126 Briarbrook Drive, addressed the council about Mediacom. She has been having trouble since June 27, 2012 and it has been off and on since then. She is switching to Dish but asked the council to consider fiber optics. She came from a town that had fiber optics as a utility and everyone had nothing but praise for it. You don't realize what you have until it is gone. She asked that the council consider fiber optics to give their residents a choice.

Dick Burrows, 410 N Cowgill, addressed the council about what happened at the last council meeting. He stated that people come here to voice concerns and should be able to speak their concerns. He asked that the council look at what is going on here in town.

### **CHAMBER REPORT**

Gary Stubblefield reported Vintage Vogue opened up downtown this last week. Volunteers are what make Carl Junction special. The Chamber members volunteer hundreds of hours of their time. They have started up the Welcome Gift bags for our new residents and are volunteering their time at the Bluegrass Festival this coming Saturday. The festival continues to grow because we have taken ownership of this event and through the volunteers it continues to thrive. The Chamber's next meeting is Thursday 10/4/12 in the Media Center at 7:30 AM.

### **P&Z CASES**

Mayor Moss opened up the public hearing on Case #12-07 – amending Section 405.085 – fences for multipurpose athletic courts at 7:20 PM. Steve reported that P&Z are recommending approval of the amendment. There was no one else to speak for or against the ordinance. Mayor Moss closed the public hearing at 7:21 PM.

Mark Powers motioned to put "AN ORDINANCE TO AMEND TITLE IV: LAND USE, CHAPTER 405: ZONING REGULATIONS, SECTION 405.085: FENCES, SUBSECTION B.2.d., TO PERMIT OPEN WIRE FENCES TO ENCLOSE MULTIPURPOSE ATHLETIC COURTS" on first reading by title only. Steve Daniels seconded. Mayor Moss asked for discussion. Mark Powers motioned to put it on second reading by title only with a roll call vote. Don Marshall 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-absent, Marshall-y, Daniels-y, Powers-y, Davey-y, Haase-y, Cook-y, Reeves-absent. Motion on Ordinance #12-35 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.

Mayor Moss opened up the public hearing on Case #12-08 – amending Section 420.070 – flood hazards at 7:23 PM. Steve reported that P&Z are recommending approval of the amendment. There was no one else to speak for or against the ordinance. Mayor Moss closed the public hearing at 7:24 PM.

Mark Powers motioned to put "AN ORDINANCE AMENDING TITLE IV: LAND USE, BY AMENDING CHAPTER 420: FLOOD DAMAGE PREVENTION, SECTIONS 420.025 AND 420.070 TO UPDATE METHODS USED TO ANALYZE FLOOD HAZARDS AND LANDS TO WHICH THE CHAPTER APPLIES, AND REPEALING ORDINANCE NO. 12-26 PASSED ON THE 3RD DAY OF JULY, 2012" on first reading by title only. Don Marshall seconded. Mayor Moss asked for discussion. Mark Powers motioned to put it on second reading by title only with a roll call vote. Sean Haase 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-absent, Marshall-y, Daniels-y, Powers-y, Davey-y, Haase-y, Cook-y, Reeves-absent. Motion on Ordinance #12-36 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.

### **REVIEW AND APPROVE LAGOON SLUDGE REMOVAL BIDS**

Steve reported that they made the changes we recommended to the contract. One was the laws of Missouri instead of Arkansas. They also excluded any lab costs, will not be using a landfill and will not be renting any equipment. Their cost is \$.0393 per gallon, Ace Pipe was .63/gallon and Sprouls Construction was .61/gallon. The previous company we used sold to this company so it will be the same personnel. Steve recommended we use Terra Renewal for sludge removal. Mark Powers motioned to approve the bid from Terra Renewal as recommended by City Administrator Steve Lawver. Don Marshall seconded. All in favor. No opposed. Mr. Talley will draw up an ordinance for the next meeting.

**RESOLUTION OF SUPPORT FOR THE HSTC DEVELOPMENT CORPORATION**

Steve reported this is the second meeting and it is a continuation to the subdivision they started last year north of the High School. There was no one for or against the Resolution of Support. Steve Daniels motioned to approve the Letter of Support. Don Marshall seconded. All in favor. No opposed.

**TSI PRESENTATION OF FIBER OPTICS FEASIBILITY STUDY**

Feasibility study of the fiber optics is being done focuses on the costs, service offerings, future applications, community benefits, operating costs and overall business survivability. It is an objective study for the City. The current market is Mediacom, AT&T and broadband. They went over costs of the other providers. They went over the possibilities that would open up for the City. The City would provide the network and provide it to the service provider. The 1<sup>st</sup> scenario would be that the City controls electronics and the 2<sup>nd</sup> would be to provide it to a service provider. The residential penetration rate would be 45% and the commercial would be 50%. Year one would be 30%, year 2 would be 40% and year 3 would be 45%. The Community benefits would be Social benefits, Commercial Benefits and Advanced services. It would even increase the home value. It would attract new businesses and provide reliable services to employees and public safety and utility services. He discussed how it attracts new businesses to the areas it is offered. They also went over Smithville Case study that has it since 2008 serving 5100 subscribers. 59% have the broadband service. The other case study was Craw Kan. It has had service for over 60 years. It has 10,000 subscribers. Steve Daniels asked if the electric goes out can the system still operate. It was replied yes, the systems have battery backups to operate the electronics. The fiber is underground. It was asked how long it would take to get the permit. Also when we get the permit how long to get it installed. Steve said that we could do it within the year depending on the model funding. If it is a bond process that needs to go through the election process and it would take longer, if we use a lease purchase of equipment contract it would be much quicker, probably 60 days. There was more discussion concerning this project. They are trying to be very conservative in their estimates.

**REPORTS**

The council reviewed the Administration report.  
Public Works report – had nothing new to report.  
Police Department report – had nothing new to report.

**COMMITTEE REPORTS**

The Budget/Finance Committee had nothing to report. Mark reported that he had reviewed the reports sent to him from the City Clerk and did not find any concerns.  
The Code/Nuisance Committee had nothing to report.  
The Human Resource Committee had nothing to report.  
The Public Facilities had a meeting yesterday and Steve Daniels apologized for missing the meeting.  
The Senior Citizen Committee had nothing to report. Richard is home recuperating, and getting ready for surgery.

**UNFINISHED BUSINESS**

Mark Powers brought up the pictures from the Community Garden in Overland Park, Kansas and it was discussed if it would be a possibility in Carl Junction.

**NEW BUSINESS**

Sean Haase asked when we would get the demolition completed on 107 Water Street since we have now closed on the property. Steve said he would get with Jimmy.  
Mayor Moss said he has had inquiries about when we were going to put street lights on North Main to the Community Center. He told them we did not have the money at this time but wanted the council to be aware people are asking. The lights and sidewalks along North Main Street are needing to be done and maybe we need to look at it next year maybe.  
The council congratulated Sean on his new addition to the family.  
Don Marshall asked about some line locates in the alley of Scott Drive.  
Steve Lawver pointed out the news release from the House Representatives about how they are looking at ways to make local government entities more effective and efficient.  
Delmar Haase reported that he would not be at the next council meeting because he would be out of town at a conference.

**ADJOURNMENT**

Mark Powers motioned to adjourn the meeting. Bob Cook seconded. All in favor. No opposed. Meeting adjourned at 8:45 PM.

CITY CLERK

MAYOR