

The Carl Junction City Council met in special session on Friday October 22, 2010 at 2:00 PM at City Hall. Mayor Michael Moss called the meeting to order with the following present: Richard Zaccardelli, Don Marshall, Carl Skaggs, Mark Powers, Steve Daniels, Dee Lynn Davey, Walter Hayes and Wayne Smith. Also present were City Administrator Steve Lawver and City Clerk Maribeth Matney.

AGENDA

Carl Skaggs motioned to approve the agenda. Mark Powers seconded. All in favor. No opposed.

ORDINANCES

The council then considered the contract with the Jasper County Collector and the Briarbrook Community Improvement District. Mark Powers motioned to put "AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI, JASPER COUNTY COLLECTOR STEPHEN H. HOLT, THE COUNTY OF JASPER AND BRIARBROOK CID PROVIDING THAT THE CITY OF CARL JUNCTION COLLECT THE BRIARBROOK CID SPECIAL ASSESSMENT IMPOSED BY SAID DISTRICT UPON THE SAME TERMS PROVIDED BY STATUTE FOR THE COLLECTION OF SUCH ASSESSMENTS BY THE COUNTY COLLECTOR; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Richard Zaccardelli seconded. Mayor Moss asked for discussion. Steve Lawver pointed out that the county had signed this agreement already. The BCID has not yet. Wayne Smith asked why the county was not collecting and why they were not in the indemnity clause. Mayor Moss stated that they would not sign the contract if they had to be in that clause. They stated that it was the CID's responsibility and liability not theirs. Walter Hayes asked if our city attorney was in agreement to take the county out of the indemnification clause. Steve reported yes that he had discussed it with him. Dee Lynn asked if the CID had to sign. It was responded that all parties had to sign for it to become a legal contract. If they don't then it is null and void. The liability rests on the CID's shoulders. Mark Powers motioned to put it on second reading by title only with a roll call vote. Walter Hayes seconded. Mayor Moss asked for discussion. There was no discussion. Walter Hayes motioned for passage of the ordinance. Steve Daniels seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-y, Daniels-y, Davey-y, Hayes-y, W Smith-n. Motion on Ordinance #10-40 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.

ADJOURNMENT

Mark Powers motioned to adjourn the meeting. Richard Zaccardelli seconded. All in favor. No opposed. Meeting adjourned at 2:08 PM.

CITY CLERK

MAYOR