

The Carl Junction City Council met in regular session on Tuesday December 20, 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, Sean Haase and Bob Cook. Alderman Dee Lynn Davey was absent. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

Carl Skaggs motioned to approve the agenda. Mark Powers seconded. All in favor. No opposed. Carl Skaggs 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 thanked the City Council for our great working relationship. In doing a monthly report he does not feel he needs to do an annual report. He asked 2 things from the council; that they attend their monthly meetings and activities and that they join or renew their membership with the Chamber. Their next meeting is 1/5/12 at 7:30 AM.

ORDINANCES

The council then reviewed the ordinance putting a Storm water/Park Sales Tax question on the April 3, 2012 ballot. Mark Powers motioned to put "AN ORDINANCE SUBMITTING THE QUESTION OF WHETHER TO APPROVE THE IMPOSITION OF A SALES TAX OF ONE-HALF (1/2) OF ONE PERCENT (1%) ON ALL RETAIL SALES SUBJECT TO TAXATION UNDER THE PROVISIONS OF SECTIONS 144.010 TO 144.525, RSMO., FOR THE PURPOSE OF PROVIDING FUNDING FOR STORM WATER CONTROL AND LOCAL PARKS IN THE CITY OF CARL JUNCTION, MISSOURI, TO THE VOTERS AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON APRIL 3, 2012; AND IMPOSING A SALES TAX OF ONE-HALF (1/2) OF ONE PERCENT (1%) ON ALL RETAIL SALES SUBJECT TO TAXATION UNDER THE PROVISIONS OF SECTIONS 144.010 TO 144.525, RSMO., FOR THE PURPOSE OF PROVIDING FUNDING FOR STORM WATER CONTROL AND LOCAL PARKS IN THE CITY OF CARL JUNCTION, MISSOURI, IF, BUT ONLY IF, THE VOTERS APPROVE" on first reading by title only. Carl Skaggs seconded. Mayor Moss asked for discussion. Sean Haase asked if they could explain it since he missed the last meeting. Steve Lawver stated that the state allows a 1/2 cent sales tax for storm water and parks. We do not have that 1/2 cent sales tax and we would like to put it on the April ballot to help with park maintenance and repairs and also in helping with curbing and guttering for storm water control. The council will decide what projects and how it would be split between the 2 areas. It has nothing to do with the WWTP expansion. That is a separate issue that is being mandated by DNR. It was pointed out that our sales tax will still be lower than the surrounding towns except for Airport Drive. It should generate about \$110,000/annually. Mark Powers pointed out that our capital improvement tax takes care of new items. There was some minor discussion regarding this sales tax. Steve said that he would make recommendations on how the money would be used if passed but it would be up to the council to choose the projects. 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. Mike Talley explained that we could have done one or the other or both. He wrote the ordinance for both since the City Clerk indicated that the council wanted some flexibility on the funds. Mike Talley also pointed out that this ordinance also imposed the tax if it is approved by the voters. Carl Skaggs 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-absent, Haase-y, Cook-y. Motion on Ordinance #11-33 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 then reviewed the ordinance putting a Revenue Bond question on the April 3, 2012 ballot for the WWTP expansion. Mark Powers motioned to put "AN ORDINANCE CALLING A SPECIAL ELECTION ON A REVENUE BOND QUESTION IN 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. Don Marshall seconded. Mayor Moss asked for discussion. It was pointed out that this is the cheapest way to do our expansion required by DNR. If the voters don't approve the revenue bond we will have to find other financing that will cost 2%-3% more. We have to do the expansion according to DNR. Sean Haase said we need to make sure the public is aware of this situation. The City Clerk explained that we can't promote the issue but we can put out a fact sheet about it. Mike Talley also pointed out that the cost would be substantial dollar amount that the interest rate doesn't really make clear. Carl Skaggs 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-absent, Haase-y, Cook-y. Motion on Ordinance #11-34 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.

The council then reviewed the ordinance approving a contract with Polston Construction. Mark Powers motioned to put "AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND POLSTON CONSTRUCTION, INC., TO CONSTRUCT A WASTEWATER TREATMENT PLANT EFFLUENT SEWER LINE IN THE CITY OF CARL JUNCTION, MISSOURI, IN ACCORDANCE WITH THE CONTRACT DOCUMENTS FOR THE SUM \$97,804.00; 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. Carl Skaggs seconded. Mayor Moss asked for discussion. Steve Lawver explained that this project is also being required by DNR. If we

don't do this and discharge to an unnamed tributary then we will have extra testing we will be required to do. If we put this effluent piping in directly to Center Creek we will not. Currently our water is cleaner than Center Creek's water. This is being paid for out of our reserves. 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. Don Marshall seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-y, Daniels-y, Davey-absent, Haase-y, Cook-y. Motion on Ordinance #11-35 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.

REPORTS

The council reviewed the Administration report. Steve reported that he went to Chanute, Kansas with Kurt Higgins to look at their fiber optic system. They put it in originally for their Public Works and Public Safety. It has been a great Business and Economic tool. They got the Sprint Aviation contract there due to the fiber optic. They put it in with the normal funds and it took them 15 years to get it to where it is now. They are now looking at providers for TV, Data and telephone services to lease their fiber optic. They are way above what Columbus has. They were very willing to share their information with us.

Public Works report – had nothing to add to their report.

Police Department report – had nothing to add to their report.

Court report – had nothing to add to their report.

COMMITTEE REPORTS

The Budget/Finance Committee reported that they will start meeting every Friday beginning 1/6/12 at 10:00 AM. Sean said he might not be able to make all of them. Mark said to let him know and we would try to fit our schedule with his.

The Code/Nuisance Committee had nothing to report.

The Human Resource Committee had nothing to report.

The Public Facilities Committee had nothing to report.

The Senior Citizen Committee reported that they had a new cook and a new janitor.

UNFINISHED BUSINESS

Richard Zaccardelli pointed out that if they hadn't closed the right lane of Fir Road that they would not have had to detour the traffic to Fountain Road. He also said we need to ask Joplin Special Road District for assistance since they receive revenues from the City residents.

Steve Lawver reported that we have 2 paper pals now in place. One is here at the Community Center next to our parking lot and the other is at the Public Works building. We will also be getting a cardboard container. Service Recycling will be bringing us an agreement to sign. We found out later that HSTCC also does this kind of work.

NEW BUSINESS

Mike Talley reported he will be out of town during the holiday season.

Sean Haase stated that he has a friend that lives on Verbrück that can't back out of their driveway due to school traffic. He is not sure if we can do anything about it. They also got pulled over at this time. He asked if there were signs that we might be able to put up. Chief Haase said that there is not a lot we can do. They do have people that will pull around trying to get around other vehicles. He will check into what happened on the traffic stop.

Steve Lawver reported that he has a resident that we stopped from putting up a detached building because he didn't have a permit. He had already poured the concrete pad and it is directly under Empire's pole. He does not meet our setback and we told him that he could pour an extension to the pad he already poured and move the building over or apply for a variance. He said that his neighbor has a building that does not meet the set back and he feels he is being targeted. Steve pulled the file and the neighbor did not get a building permit either. People do this projects on the weekends and we don't always catch them. He is asking guidance from the council on what they would like for him to do. We can either go through the town and building permits trying to find out who built without a permit or do a case by case basis when it comes to our attention. The only way we can enforce it city wide is using the Beacon and that only goes back to 2006. There was a lot of discussion between the council but it was the consensus that we would do a case by case situation as it is brought to the City's attention. Richard suggested we put it on the water bill also.

Chief Haase reported that he will be applying for another grant through the Law Enforcement Sales Tax from the county for new record management software. They do not like the one they currently have and the new one will be less annual maintenance cost to the city. The application is due by 2/1/12.

ADJOURNMENT

Mark Powers motioned to adjourn the meeting. Carl Skaggs seconded. All in favor. No opposed. Meeting adjourned at 7:55 PM.

CITY CLERK

MAYOR