

The Carl Junction City Council met in regular session on Tuesday March 03, 2015 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Richard Zaccardelli, Don Marshall, Steve Daniels, Mark Powers, Bob Cook, Tim Smith, Roger Spencer and Wayne Smith. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

Mark Powers motioned to approve the agenda. Roger Spencer seconded. All in favor. No opposed. Mark Powers motioned to approve the consent agenda. Richard Zaccardelli seconded. All in favor. No opposed.

PUBLIC FORUM

Tom Paul, 104 Briarbrook Drive, addressed the council about the Briarbrook sidewalk proposal. He stated he was against it because those front yards were decreased when the road was moved. Residents park their vehicles behind another one in their driveway and a walker would have to walk out on the street to go around them. He thinks is it a dangerous situation. He thinks it would be better to just let them walk or ride their bicycle on the street so they are more visible. He also pointed out that it may interfere with peoples sprinkler system. Steve reported that we are still getting residents comments and he will put those together for the council to review.

CHAMBER REPORT

Gary Stubblefield stated that their next regular meeting is this Thursday 3/5/15. They will have a ribbon cutting afterward. We also have a couple of new businesses moving to Carl Junction. The next Chamber lunch is 3/12/15 at the Briarbrook Country Club and there will be a ribbon cutting afterward. The Business Expo is sold out. It is this Saturday. It is \$2 to get in and children are free with an adult. Richard asked about the Lions club breakfast. Gary reported it had been moved to 3/14/15.

REVIEW AND APPROVE BUSINESS LICENSE LIST FOR 2015-2016

The council reviewed the business license list for 2015-2016 renewals. Mark Powers motioned to approve the list. Steve Daniels seconded. All in favor. No opposed.

PRESENT 2015-2016 BUDGET PROPOSAL

Mark Powers, Budget Chairman, presented the 2015-2016 budget proposal to the council. He asked that they review it and it will be voted on the 1st meeting in April.

ORDINANCES

Mark Powers motioned to put "AN ORDINANCE APPROVING A CONTRACT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND ALLGEIER, MARTIN & ASSOCIATES, INC., TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN AND CONSTRUCTION PHASES FOR SIDEWALK IMPROVEMENTS ALONG ROUTE Z (PENNELL STREET) FROM TEMPLE STREET TO MILLER STREET IN THE CITY OF CARL JUNCTION, FOR SUMS WHICH WILL NOT EXCEED \$42,862.11 FOR DESIGN SERVICES AND \$28,552.50 FOR CONSTRUCTION SERVICES, AND SUCH ADDITIONAL SERVICES AND REIMBURSABLE EXPENSES AS PROVIDED IN THE CONTRACT; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE MAYOR TO EXECUTE SAID CONTRACT FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Steve Daniels seconded. Bob Cook asked if we went out for bids on this. Steve reported that they were on the call list for MODOT so we did not have to. Bob said that he thinks we should to stay competitive. He thinks the fees are excessive. Mark Powers motioned to put it on second reading by title only. Roger Spencer seconded. There was no discussion. Steve Daniels motioned to put it on final passage. Richard Zaccardelli seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Daniels-y, Powers-y, Cook-y, T Smith-n, Spencer-y, W Smith-y. Motion on Ordinance #15-06 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 A COMMUNITY BROADBAND SERVICE AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND STL WIMAX, LLC D/B/A AIRE FIBER, OF ST. LOUIS, MISSOURI, SUBJECT TO CERTAIN CONTINGENCIES, TO BUILD, DEPLOY AND OPERATE A GIGABIT CAPABLE FIBER OPTIC SUPPORTED HIGH SPEED WIRELESS INTERNET NETWORK IN AND AROUND THE CITY OF CARL JUNCTION; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE SAID AGREEMENT FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Richard Zaccardelli seconded. Mike Talley said that the ordinance that went out in the packet had the name wrong. It is correct on the contract. It should be STL WiMax LLC DBA Aire Fiber. Mark Powers motioned to change the name on the ordinance. Steve Daniels seconded. All in favor. No opposed. Bob Cook said that he read the contract and it seems that if one party makes a mistake the other one pays for it. He also asked if we have to use it? Steve said no you have to subscribe to it only if you want it. Steve said that the cost to the City is \$400,000. It is a complete system for everyone in Carl Junction not just the City. Richard said he has people asking when we are going to get it. There was a lot of discussion between the council and STL WiMax representatives. They reported to the council that they are trying to keep the monthly cost at \$50/month which is comparable to the Joplin market area. It was explained that this is different the our original proposal. The original proposal was a cost of \$5 million and it would have been in the ground. This is wireless technology like the

cell phones and is very specialized. This will be 50 megabytes upload and download speeds. There was a lot of discussion of speed and frequencies. This is just the beginning of the project (tip of the iceberg) but not the whole picture. You will have to have a radio (router) to access it. It does not work like Wi-Fi. Your neighbor will not be able to access your network since they would have to have a router in their home. It was asked if they had talked to APD and it was responded no. We receive revenues if people inside or outside city limits access our tower. It was asked if there was a cap on monthly usage and it was replied no. There was also a lot of discussion about providing access to public entities. It was stated that is addressed in our contract. The bottom line is they need 300 subscribers to initiate this project. They are willing to invest in this project also. They are putting in the bare bones to get it going. It is not a line of site access. They will also work with the City if there are areas that need help getting access to it. They are not offering a package for different speeds. They can do that after the network is built. They are hoping to create another revenue stream for the City. Wayne Smith asked about installation fees. They responded it would be \$99.00. There is no commitment from the residents, it is on a month to month basis. Mark Powers motioned to put it on second reading by title only. Steve Daniels seconded. There was no discussion. Steve Daniels motioned to put it on final passage. Wayne Smith seconded. All in favor. No opposed. Zaccardelli-y Marshall-y, Daniels-y, Powers-y, Cook-y, T Smith-y, Spencer-y, W Smith-y. Motion on Ordinance #15-07 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.

Public Works report - had nothing to add. It was asked that Jimmy look at the handicap parking in front of the pharmacy.

Police Department report - had nothing to add.

COMMITTEE REPORTS

Budget/Finance - Mark Powers reported that we presented the budget to the council tonight as our code requires. It will be passed the 1st meeting in April. If there are any items that you have questions on or want to discuss just contact Steve or Maribeth.

Code/Nuisance -Don Marshall had nothing to report.

Human Resources - Steve Daniels had nothing to report.

Public Facilities & Planning - Tim Smith reported that we had a bid on rubberizing the tennis court but want to wait until we get the asphalt bid to discuss it.

Senior Citizens - Richard Zaccardelli had nothing to report.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Steve Lawver reported that we had our annual MIRMA evaluation and we scored a 95%. There are some areas we lost points and we are looking at ways to obtain those points next year.

CLOSED SESSION PER RSMO 610.021(2):LEASING, PURCHASE OR SALE OF REAL ESTATE BY A PUBLIC GOVERNMENTAL BODY WHERE PUBLIC KNOWLEDGE OF THE TRANSACTION MIGHT ADVERSELY AFFECT THE LEGAL CONSIDERATION THEREFOR

Mark Powers motioned to go into Closed Session per RsMO 610.021(2):Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. Don Marshall seconded. Zaccardelli-y Marshall-y, Daniels-y, Powers-y, Cook-y, T Smith-y, Spencer-y, W Smith-y. Council went into closed session at 7:56 PM.

Council reconvened from closed session at 8:22 PM. Mayor Mike Moss reported that no action had been taken in closed session.

ADJOURNMENT

Mark Powers motioned to adjourn the meeting. Richard Zaccardelli seconded. All in favor. No opposed. Meeting adjourned at 8:23 PM.


CITY CLERK


MAYOR