

The Carl Junction City Council met in regular session on Tuesday April 21, 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 as presented. Roger Spencer seconded. All in favor. No opposed. Mark Powers motioned to approve the consent agenda. Steve Daniels seconded. All in favor. No opposed.

PUBLIC FORUM

Anthony Semoni, 404 Gault, asked if the City had an emergency disaster training scheduled. He would like to be part of the response team. He is CERT qualified. Chief Haase said that we have not had one yet but will be scheduling one. There will be an area wide one later in the summer. Chief Haase asked that he leave his card with him. Mr. Semoni stated that there are 5-8 CERT's in Carl Junction. He said that stood for Community Emergency Response Team. They help search buildings and set up triage during disasters.

Jo Kleinsorge, 416 Ruby Road, addressed the council about the proposed golf cart ordinance. She is a realtor and steers many clients to Carl Junction. She loves our community and life style. She plays up the neighborhoods with the golf course, walking trails, swimming pool, etc. She said safety was important but parents are responsible. It is their job to make those decisions for their children. It is a lifestyle they enjoy and she hopes that the council will take that into consideration before they make their decision.

CHAMBER REPORT

Gary Stubblefield reported that our city wide garage sale is this weekend. It should be a great day for Carl Junction. Carl Junction also has the opportunity to become a geo-catching site. There are 6,000,000 people worldwide that do this. They would like to put it on our trails (Ruby Jack). Gary explained what geo-catching is and that it is a huge deal. It is like a treasure hunt that goes on indefinitely. Mark Powers said it is quite entertaining and a great idea. It was stated that the Joplin Rails to Trails owns Ruby Jack trail. Gary also congratulated Mayor Mike Moss for winning Citizen of the Year award at the Chamber banquet. Bob Cook said that if anyone wanted to set up their garage sale at his place of business they were welcome.

P&Z CASES

Steve asked that this item be tabled since they did not have a quorum at the P&Z meeting. They will be meeting again 4/27/15 on this case. Mark Powers motioned to table this item until the next council meeting. Don Marshall seconded. All in favor. No opposed.

PROCLAMATION FOR HENRY ART MADDOX

Mayor Mike Moss read the proclamation for Art Maddox. He will be presenting this to Art on Saturday at the Community Center for his 88th birthday. A reception is planned from 2-4. Mark Powers motioned to approve the proclamation. Richard Zaccardelli said that Art also won the Senior Citizen of the Year Award at the Chamber banquet. Don Marshall seconded the motion. All in favor. No opposed.

ORDINANCES

Mark Powers motioned to put "AN ORDINANCE AMENDING THE GENERAL FUND, POLICE DEPARTMENT, WATERWORKS FUND, GO BOND FUND, SALES TAX FUND, SURPLUS FUND, CAPITAL IMPROVEMENT FUND AND STORMWATER FUND FOR THE FISCAL YEAR 2015" on first reading by title only. Steve Daniels seconded. Mark Powers explained that we do this every year at the end of our budget year. Mark Powers motioned to put it on second reading by title only. Richard Zaccardelli seconded. There was no discussion. Steve Daniels motioned to put it on final passage. Roger Spencer 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 #15-13 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 AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARL JUNCTION, MISSOURI, BY AMENDING TITLE III. TRAFFIC CODE, CHAPTER 310: ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS, BY AMENDING SECTION 310.070: OPERATION OF VEHICLES ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES, TO CONFORM REGULATIONS WITHIN THE CITY OF CARL JUNCTION, MISSOURI, TO CHANGES IN STATE LAW" on first reading by title only. Steve Daniels seconded. Chief Haase explained that this makes our city code match state statute for vehicles pulling over for emergency vehicles. Mark Powers motioned to put it on second reading by title only. Roger Spencer seconded. There was no discussion. Bob Cook motioned to put it on final passage. Steve Daniels 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 #15-14 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 AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARL JUNCTION, MISSOURI, BY AMENDING TITLE III. TRAFFIC CODE, CHAPTER 395: VEHICLE EQUIPMENT, BY AMENDING ARTICLE III. OTHER VEHICLE EQUIPMENT, BY REPEALING SECTION 395.160: SEAT BELTS"

REQUIRED, AND ENACTING IN LIEU THEREOF NEW SECTION 395.160: SEAT BELTS REQUIRED, AND BY REPEALING SECTION 395.170: PASSENGER RESRAINT SYSTEM REQUIRED FOR CHILDREN UNDER FOUR YEARS OF AGE, AND ENACTING IN LIEU THEREOF NEW SECTION 395.170: PASSENGER RESTRAINT SYSTEM FOR CHILDREN UNDER 16 YEARS OF AGE, TO CONFORM REGULATIONS WITHIN THE CITY OF CARL JUNCTION, MISSOURI, TO CHANGES IN STATE LAW" on first reading by title only. Steve Daniels seconded. Wayne Smith said that they did not have a lot of time to discuss this during their code review committee meeting. We currently have a code for a 4 year old to be restrained and now we are making it for 16 year olds? Mike Talley explained that in 2006 the state law changed. We don't have that change in our code. Tim Smith asked if we could be held liable. Mike Talley responded he did not think the City could be held liable. It was asked if we could still write them a ticket if it is state statute but not city code. Chief Haase replied yes but it would have to go through circuit court not municipal court. He said it just required more paperwork. He is trying to match our city code to state statute. Bob Cook asked if golf carts can be allowed on city streets. Chief Haase said that a city can allow it if they so choose. Chief Haase explained that he is doing it for safety reasons. There was some discussion about restraints. Chief Haase said that you can get seal belts for golf carts but infant car seats cannot be installed per regulations. He also pointed out that it is better for the offender to keep it in the municipal court and not the circuit court. Wayne stated that we have an ordinance already and is all for the safety of the children but if we are not going to enforce it why change it. Chief Haase said they will be looking for dangerous situations. Chief Haase said that he works for the council and will follow their direction. There was a lot of discussion about this ordinance. Mark Powers motioned to put it on second reading by title only. Roger Spencer seconded. There was more discussion about golf carts on streets versus on the golf course. There was also discussion about our oath of office and enforcement of city codes. The council also discussed child endangerment issues. Chief Haase repeated that he was just trying to change it for child safety issues. Steve Daniels motioned to put it on final passage. Tim Smith seconded. All in favor. No opposed. Zaccardelli-n Marshall-n, Daniels-n, Powers-n, Cook-y, T Smith-y, Spencer-n, W Smith-n. Ordinance failed.

REPORTS

The council reviewed the Administration report. Mark Powers asked where we were on our count with Aire Fiber. Steve said 167. Mark said that people are not going to sign up until their current contract runs out. If they won't allow for that we will have a problem and it probably will not happen then.

Public Works report - Jimmy reported that we had sewer line problems with the pool and he had to replace the line and put in a grinder pump. Frank Dean had an electrical fire. The block building is OK but we will need to repair the wiring. There are no lights until it gets fixed. We also have to bring it up to code. KAB was the low bid at \$7900.00. Tim reported that there is a street light out on Cambridge. Richard asked about a camera and lighting on the Sunnybrook parking lot. Jimmy said he would talk to Empire about it. He also asked about some parking blocks. Steve Daniels asked about street paving. Jimmy said they are doing county now.

Police Department report - had nothing to add. Richard Zaccardelli commented on the 13 juveniles. Chief Haase said that they are repeat offenders.

Building Inspector - had nothing to add. Steve reported that our building inspector is out for 5 weeks but he is doing good. Richard asked about a list of storm shelters. Steve replied that the Fire Department is keeping a list.

Court report - had nothing to add.

COMMITTEE REPORTS

Budget/Finance - Mark Powers stated that we passed an ordinance tonight amending our budget. We will be starting new budget talks in January.

Code/Nuisance - Don Marshall reported that they had a meeting tonight about the ordinances that were on the agenda earlier.

Human Resources - Steve Daniels had nothing to report.

Public Facilities & Planning - Tim Smith reported that they had met earlier about Memorial Park. They received a lot of input from the citizens. He said that we will have another meeting to look at it and some of their suggestions. We need to decide on how we are going to approach the plans. He also stated that we need to do something about the dugouts in our current park. We need to plan on ways to improve the ball park that will not cost much. There was also discussion about parking there. Tim also brought up that we need to look at lowering the speed limit in front of Memorial Park. The council also talked about a sport complex on the city's 39 acres and thought we might ask the school to help with this project.

Senior Citizens - Richard Zaccardelli had nothing to report.

UNFINISHED BUSINESS

Tim Smith said he had a resident call him and asked if we can't let the grass get over 10" high why we let the leaves pile up against the fences to 18". Steve said that he has never had a complaint on this.

Bob Cook discussed some ditches and alley's and then asked Steve about the Chamber building. Steve reported that the Chamber decided not to take the building from the school.

APPROVE CERTIFIED ELECTION RESULTS

Mark Powers motioned to accept the certified election results from the county clerk. Bob Cook seconded. All in favor. No opposed.

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SWEAR IN NEWLY ELECTED OFFICIALS

The City Clerk swore in the newly elected officials: Mike Moss-Mayor, Wayne Smith-Alderman Ward I, Bob Cook-Alderman Ward II, Richard Zaccardelli-Ward III, LaDonna Allen-Alderman Ward IV.

ELECT MAYOR PRO-TEM

Richard Zaccardelli nominated Mark Powers. Roger Spencer motioned that nominations cease. Mark Powers seconded. All in favor. No opposed. Mark Powers was unanimously voted Mayor Pro-Tem.

ASSIGN COMMITTEE MEMBERS

Mayor Moss assigned the committees as follows:

Budget/Finance – Mark Powers, Chair – Bob Cook – Tim Smith – LaDonna Allen

Code/Nuisance – Don Marshall, Chair – Roger Spencer – Wayne Smith – Tim Smith – Delmar Haase

Human Resources – Roger Spencer, Chair – Richard Zaccardelli – LaDonna Allen – Bob Cook – Maribeth Matney

Public Facilities & Planning – Tim Smith, Chair – LaDonna Allen – Bob Cook – Mark Powers – Jimmy Chaligoj - Pat Smith

Senior Citizen – Richard Zaccardelli, Chair – Don Marshall – Wayne Smith – Roger Spencer

Richard Zaccardelli motioned to approve the committee's as amended by adding Pat Smith to the Public Facilities Committee. Roger Spencer seconded. All in favor. No opposed.

NEW BUSINESS

La Donna Allen stated she is trying to clarify some things with AireFiber. It is her understanding that the target is 300 pledges for this project to happen. She had a copy of the agreement but Exhibit B and C were blank . We have a ballpark amount of \$400,000.00 for the City's cost, but she didn't see a feasibility study on this only on the original fiber optic project. She is trying to get a feel for what we are looking at. Steve said that we couldn't do an exhibit B or C until we knew if the project was going to happen. If it does then we will add that content with a separate ordinance with a mutually agreed number. LaDonna said that at \$5.00 per household that is only \$1500 and a loan, even at a modest 3%, would cost the city \$3800. A five year loan is \$7200 a month. Steve said that we would be allowed some latitude and we don't have to move forward with it if we don't think is if financially feasible. He said that the loan would be 20 years. He stated that the equipment won't go out of date it is the software and that can be upgraded so we would not have to replace any equipment. LaDonna expressed a lot of concern over this project. Mike Talley stated that the city is only committed so far as to see if there is any interest in this project from its residents. The City would only be committed if they decide to go forward with it. He said at that time then these questions would be important. LaDonna also asked if it would be possible to get an intern to help keep our website updated. She also wondered if we could do a video production of our meeting on the website.

Roger Spencer asked Jimmy to clean out a culvert on Schimm Circle that is blocked.

Bob Cook informed the council that his daughter, who is the School Administrator of Columbia, was awarded the Administrator of the year award.

ADJOURNMENT

Roger Spencer motioned to adjourn the meeting. Richard Zaccardelli seconded. All in favor. No opposed. Meeting adjourned at 8:39 PM.


CITY CLERK


MAYOR