

The Carl Junction City Council met in regular session on Tuesday, June 6, 2006 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Barbara Evans, Mark Powers, Pat Smith, Dee Lynn Davey, and Walter Hayes. Aldermen Richard Zaccardelli, Carl Skaggs and Wayne Smith were absent. Also present was City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

Pat Smith motioned to approve the agenda as presented. Walter Hayes seconded. All in favor. No opposed. Pat Smith motioned to approve the consent agenda. Barbara Evans seconded. All in favor. No opposed.

PUBLIC FORUM

Darin Miller, 10656 Hwy 43 of Darin Miller Construction, addressed the council. He has applied for a building permit at 917 Monroe and has been told that the policy of the city is that we have to have curb & guttering along the road right of way before a structure can be placed. His client is getting impatient and Darin wants to know that if this is our policy when it was approved. City Administrator Jim Whisenant stated he can't find a written policy but discussion with staff revealed that this has been our practice. Jim is working on a written policy now. Mike Talley stated it was a good question but he needs to look at it closer. It was asked if the water & sewer were in. Darin replied yes and the base rock for the road is in. There is no electricity but he contacted Empire and he can get a temporary. Anderson Engineering has the elevations for the curbing and that he has a copy of it. There was more discussion concerning the infrastructure. Jim has contacted the developer and they are waiting for Empire and the curbing is about 6-8 weeks out. There was discussion about a letter of credit and the ability of the City to use that tool to take care of the problem. Mike Talley stated that was an option but he would like to talk to Jim Whisenant before we do that. Walter commented that we like the curb and guttering so that the elevations are correct. The council discussed construction egress (construction entrances). Darin said that his property boundaries are marked. It was stated that it is about the elevations. Mayor Moss suggested we get together tomorrow to expedite the problem. Darin said he was available any time.

APPT OF POLICE OFFICER

Ron Shaw introduced Michael Hulderman. They are recommending he be hired to replace the vacant position left after Officer Don Marshall retired. Mr. Hulderman stated he was a police officer for the Joplin PD and then taught at PSU (Justice Studies). Mayor Moss stated he would like to appoint Michael Hulderman to our PD. Walter Hayes motioned to approve the appointment of Michael Hulderman. Pat Smith seconded. All in favor. No opposed.

REVIEW & APPROVE BIDS ON SCADA MONITORING

The council reviewed the bids. Crews Construction - \$10,000, Branco Ent - \$9900, Darin Miller Const - \$9546, AMA - \$9000, Pedrotti - \$7600. There was some discussion about the bids. Walter Hayes motioned to table until we get a recommendation from the City Administrator & staff. Barbara Evans seconded. All in favor. No opposed.

ORDINANCES

The council reviewed the ordinance on raising the water rates. Mike Talley reported to the board that the motion made was not consistent with our user code. It states that commercial accounts are 1 ½ times the residential rates and that out of town users are 2 ½ times the rate and that is the way he has worded the ordinance so that we didn't have to rewrite the entire water rate structure. This ordinance also changes the rate after 10 years and lowers the increase from 26 cents to 7 cents and the commercial would then be 10 ½ and out of town 17 ½. Mike Talley asked Eric to look at the rates and he has approved them. Mike Talley said that we need to make a motion to reconsider the previous motion. Mark Powers made a motion to reconsider the previous motion. Dee Lynn Davey seconded. All in favor. No opposed. Walter suggested we leave the base alone and just put it on the 1000 gallons usage. Mike Talley said that we would need to amend the ordinance if we do that and since it would be a reduction it would not need a new notice. Dee Lynn said we should leave it as is as a cushion. Mark Powers agreed and that we could pay off the loan early if we have a surplus. Pat Smith motioned to put "AN ORDINANCE AMENDING TITLE VII. UTILITIES: CHAPTER 705: WATER ARTICLE III. USER CHARGE SYSTEM BY AMENDING SECTION 705.330 "ACTUAL USE RATE STRUCTURE" TO INCREASE THE WATER RATES CHARGED TO RESIDENTIAL IN-TOWN USERS FROM FIVE DOLLARS (\$5.00) TO FIVE DOLLARS TWENTY-SIX CENTS (\$5.26) FOR THE FIRST THOUSAND GALLONS AND FROM TWO DOLLARS THIRTY-SIX (\$2.36) TO TWO DOLLARS SIXTY-TWO CENTS (\$2.62) PER ONE THOUSAND (1,000) GALLONS THEREAFTER, AND ALSO INCREASING THE WATER RATES CHARGED TO COMMERCIAL WATER CUSTOMERS AND OUT-OF-TOWN USERS, TO BE EFFECTIVE JUNE 15, 2006; PROVIDED HOWEVER, EFFECTIVE JUNE 15, 2016, THE WATER RATES CHARGED TO RESIDENTIAL IN-TOWN USERS SHALL BE REDUCED BY NINETEEN CENTS (\$0.19) FOR THE FIRST THOUSAND GALLONS AND FOR EACH ONE THOUSAND (1,000) GALLONS THEREAFTER, AND THE WATER RATES CHARGED TO COMMERCIAL WATER CUSTOMERS AND OUT-OF-TOWN USERS SHALL ALSO BE REDUCED AT THAT TIME" on first reading by title only. Barbara Evans seconded. All in favor. No opposed. The City Clerk stated that she believed the rates were stated wrong in the

ordinance. After checking the city codes book it was stated that our current per thousand charge is \$2.50 and not \$2.36. Mike Talley said that we need to make a motion to amend the ordinance and since it was a technical change and the difference is still 26 cents we can read by title only. Pat Smith motioned to amend the ordinance and change the per thousand rate to read "...FROM TWO DOLLARS FIFTY (\$2.50) TO TWO DOLLARS AND SEVENTY-SIX (\$2.76) PER ONE THOUSAND (1,000) GALLONS" Mark Powers seconded. All in favor. No opposed. Pat Smith motioned to put it on second reading by title only with a roll call vote. Mark Powers seconded. Zaccardelli-absent, Evans-y, Skaggs-absent, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-absent. Motion on Ordinance #06-27 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 reviewed the ordinance amending Chapter 720.040 sewer rates. Mike Talley had Dean Willis review the ordinance and he approved it. Walter Hayes motioned to put "AN ORDINANCE AMENDING TITLE VII. UTILITIES: CHAPTER 720: USER CHARGE SYSTEM BY ADOPTING A NEW APPENDIX "A" TO SEWER USE CHARGE ORDINANCE (ACTUAL USE RATE STRUCTURE) AND BY AMENDING SECTION 720.040 "USER CHARGE RATES" TO REFLECT SAID CHANGES IN RATES; AND ESTABLISHING AN EFFECTIVE DATE FOR SAID NEW RATES" on first reading by title only. Dee Lynn Davey seconded. All in favor. No opposed. Walter Hayes motioned to put it on second reading by title only with a roll call vote. Dee Lynn Davey seconded. Zaccardelli-absent, Evans-y, Skaggs-absent, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-absent. Motion on Ordinance #06-28 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 next ordinance approved the addendum to the Airport Drive Contract. He has sent this to Chuck Brown for review and approval. The engineer stated that their Board had approved the proposed rates. Mike Talley did put in an escape clause that had never been in there before. Pat Smith motioned to put "AN ORDINANCE APPROVING THE FIFTH ADDENDUM TO THE SERVICE CONTRACT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND THE VILLAGE OF AIRPORT DRIVE, MISSOURI, AND AUTHORIZING THE MAYOR TO EXECUTE SAID FIFTH ADDENDUM FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Barbara Evans seconded. All in favor. No opposed. Pat Smith motioned to put it on second reading by title only with a roll call vote. Walter Hayes seconded. Zaccardelli-absent, Evans-y, Skaggs-absent, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-absent. Motion on Ordinance #06-29 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 reviewed the contract removing the sludge from our lagoons. Pat Smith motioned to put "AN ORDINANCE APPROVING A CONTRACT BETWEEN THE CITY OF CARL JUNCTION AND SLUDGE TECHNOLOGY, INC., TO PROVIDE FOR THE REMOVAL, TRANSPORTATION, AND LAND APPLICATION OF APPROXIMATELY 1,400,000 GALLONS OF SLUDGE CURRENTLY STORED IN THE CITY'S LAGOONS LOCATED SOUTH OF THE WASTEWATER TREATMENT PLANT IN CARL JUNCTION, MISSOURI, AND TO PROVIDE FOR SOILS AND RESIDUALS TESTING, AND REPORTING TO ALL LOCAL, STATE AND FEDERAL AGENCIES FOR A SUM NOT TO EXCEED \$52,000.00; 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. Barbara Evans seconded. All in favor. No opposed. Pat Smith motioned to put it on second reading by title only with a roll call vote. Barbara Evans seconded. Zaccardelli-absent, Evans-y, Skaggs-absent, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-absent. Motion on Ordinance #06-30 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

Jim Whisenant stated that the 1st miscellaneous item he is pulling back to discuss with legal counsel. On #6 of the miscellaneous list he has added a supplement memo he handed out tonight. He had a few issues come up and we are trying to resolve those issues. It was also stated that we need to have our NIMS training completed by 10/1/06. One of our local firemen has offered to do a training session or you can complete it on-line.

Jim Chaligoj reported that the tornado sirens will be delivered tomorrow. He will call Blue Valley to get a date for installation. Well #6 is up and running. He is getting bids on a soft start for that well.

COMMITTEE REPORTS

- Nuisance Committee – chairman is not here tonight
- Public Facilities Committee– chairman is not here tonight.
- Code Review Committee – did not meet tonight, they will set a future date.
- Park/Pool Committee – will be having a Bluegrass meeting soon.
- Budget/Finance Committee – will meet on 6/20/06 at 6:00 PM. Dee Lynn will get with the City Administrator next week.

UNFINISHED BUSINESS

Mike Talley reported that there was no update on the Rails to Trails yet.

NEW BUSINESS

The City Clerk stated that our 1st meeting in July is on the 4th which is a holiday and we need to set a date for our council meeting. After a lot of discussion Pat Smith motioned to hold our 1st meeting in July on Thursday 7/6/06 at 7:00 PM. Barbara Evans seconded. All in favor. No opposed.

Pat Smith handed out a sheet explaining for the council their duties as described by MML.

ADJOURNMENT

Walter Hayes motioned to adjourn the meeting. Pat Smith seconded. All in favor. No opposed. Meeting adjourned at 8:00 PM.

City Clerk

Mayor