

The Carl Junction City Council met in regular session on Tuesday February 16, 2016 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Bob Cook, Don Marshall, Richard Zaccardelli, Mark Powers, Tim Smith, Roger Spencer, Wayne Smith and LaDonna Allen. 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. Richard Zaccardelli seconded. All in favor. No opposed. Mark Powers motioned to approve the consent agenda. Richard Zaccardelli seconded. All in favor. No opposed.

#### **PUBLIC FORUM**

There was no one for public forum.

#### **CHAMBER REPORT**

There was no chamber report.

#### **REVIEWING AND APPROVING TAX DELINQUENT LIST**

The council reviewed the delinquent tax list. Mark Powers motioned to accept the tax list. LaDonna Allen seconded. All in favor. No opposed.

#### **REVIEW WISPER SW MO TOWER LEASE PROPOSAL**

The council reviewed the proposed lease agreement. Steve explained that Wisper SW has bought out Stouffer Communications and the lease agreement states that they need to ask for reassignment. Since the contract expires in May it was decided to just renew the contract. Steve said that he has the same lease drawn up that we have with Aire Fiber. He did ask that they narrow down their frequencies. We also have asked that the monthly tower lease go from \$100 to \$200 per month. There was discussion about insurance concerns and the insurance clause in the contract. Steve said this was just for review and it has to come back with an ordinance for approval. There was more discussion about the insurance and that it needs to be reviewed and approved by MIRMA. Mark Powers suggested we move forward with the lease. It was the consensus of the council to continue forward and address the insurance questions.

#### **ORDINANCES**

Mark Powers motioned to put "AN ORDINANCE APPROVING THE EXECUTION OF A LOAN AGREEMENT AND PROMISSORY NOTE BY THE CITY OF CARL JUNCTION, MISSOURI TO THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT/DIVISION OF ENERGY, TO PROVIDE FUNDS IN THE AMOUNT OF \$414,470.00 TO IMPLEMENT APPROVED ENERGY CONSERVATION MEASURES, NAMELY A SOLAR PV SYSTEM, IN THE CITY'S POLICE DEPARTMENT, PUBLIC WORKS FACILITY, COMMUNITY CENTER AND WASTEWATER TREATMENT PLANT, IN ACCORDANCE WITH THE CONTRACT DOCUMENTS; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE MAYOR TO EXECUTE SAID LOAN AGREEMENT AND PROMISSORY NOTE FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Roger Spencer seconded. Steve said he discussed this in his Administration report. Richard Zaccardelli verified that it had a 25 year life if they are taken care of. Steve said yes. He also said that all the facilities have water available and we have a pressure washer. These are all ground mounts and will be off the ground 4'-5'. We just have to spray them off with water. The Community Center panels will be behind this building. There is some concern about where to put them efficiently on the PD department. Bob Cook asked about when we have to expand. Steve said that this building goes to the E & S. Steve said that the total project is \$458,000. Our loan will be \$358,000 and we get \$100,000 Empire rebate. The loan is for 10 years with a semiannual payment. The 1<sup>st</sup> 10 years will break even and then the next 15 years we will have savings. That is also at the cost of today with no further increases. Don Marshall asked how long to install. Steve said 4-6 months. There was some discussion on the payments. Mark Powers motioned to put it on second reading by title only. Don Marshall seconded. Mark Powers asked if this affects what we can borrow. Steve said it does not affect our borrowing power. Mark Powers motioned to put it on final passage. Roger Spencer seconded. All in favor. No opposed. Cook-y, Marshall-y, Zaccardelli-y, Powers-y, T Smith-y, Spencer-y W Smith-y, Allen-y. Motion on Ordinance #16-04 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 TITLE VII. UTILITIES: CHAPTER 705: WATER, ARTICLE III. USER CHARGE SYSTEM BY AMENDING AND RENAMING SECTION 705.350 TO BE "DELINQUENCY - PENALTY" TO PROVIDE THAT UNPAID WATER BILLS BECOME DELINQUENT ON THE 15<sup>TH</sup> DAY OF THE NEXT SUCCEEDING MONTH AFTER WHICH SERVICE WAS RENDERED, AND BY AMENDING SECTION 705.360: SERVICE DISCONTINUED – WHEN, TO PROVIDE THAT WATER SERVICE SHALL BE DISCONTINUED TO CUSTOMERS WHO HAVE WATER BILLS MORE THAN 10 DAYS DELINQUENT, AND BY PROVIDING THAT CUSTOMERS WITH SPECIAL CIRCUMSTANCES MAY REQUEST AN EXTENSION OF TIME TO MAKE PAYMENTS IN ACCORDANCE WITH GUIDELINES ESTABLISHED BY THE BOARD OF ALDERMEN" on first reading by title only. Richard Zaccardelli seconded. Steve said that right now the bills are not getting shut off until they are 60 days past due. This will shut them off earlier. Mike Talley said that the biggest change is in 705.350 we clarify that the bills are

delinquent if not paid by the 15<sup>th</sup>. The other is in 705.360 that if they are delinquent and unpaid 10 days they will be shut off which is the 25<sup>th</sup>. We also added the phrase that they can request an extension of time to make payments because of special circumstances in accordance with the guidelines established by the Board of Alderman. It was stated that the Public Facilities Committee should come up with some guidelines. Mark Powers motioned to put it on second reading by title only. Richard Zaccardelli seconded. Tim Smith asked if we should pass this before the guidelines are set. Steve said that we can have them set before the new cut off period. Mark Powers motioned to put it on final passage. Richard Zaccardelli seconded. All in favor. No opposed. Cook-y, Marshall-y, Zaccardelli-y, Powers-y, T Smith-y, Spencer-y W Smith-y, Allen-y. Motion on Ordinance #16-05 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 TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE; CHAPTER 205: ANIMAL REGULATIONS, ARTICLE I. GENERAL PROVISIONS, BY AMENDING SECTION 205.020: LICENSING AND REGISTRATION REQUIREMENTS, TO LIMIT THE APPLICATION OF THE LICENSING AND REGISTRATION REQUIREMENTS TO DOGS AND CATS**” on first reading by title only. Richard Zaccardelli seconded. Tim Smith asked why we were passing this ordinance. Steve replied that under our current code all animals have to be tagged not just dog and cats. That means chickens, ducks, cows, etc all have to be tagged. The reason we tag and license the animals is for public health and safety. Such as dog bites, we want to make sure they have had their shots. There was some discussion about this change. Tim Smith said he disagrees with this ordinance. Richard said that one of our biggest issues is animals. There was a lot of discussion about this ordinance. Animals that are kept in the house are still required to be tagged. There was a lot of discussion. It was stated that we are trying to clean up our ordinances as we find areas that need clarified. We are making the ordinance fit what we are practicing. Mark Powers motioned to put it on second reading by title only. Bob Cook seconded. There was no discussion. Mark Powers motioned to put it on final passage. Bob Cook seconded. 5 (Cook, Marshall, Zaccardelli, Powers, W Smith) in favor. 3 (T Smith, Spencer, Allen) opposed. Cook-y, Marshall-y, Zaccardelli-y, Powers-y, T Smith-n, Spencer-n W Smith-y, Allen-n. Motion on Ordinance #16-06 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 CONTRACT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND DIRTWORKS SPECIALISTS LLC, TO DEMOLISH THE STRUCTURE LOCATED AT 103 RED OAK LOOP,CARL JUNCTION, MISSOURI, IN ACCORDANCE WITH THE CONTRACT DOCUMENTS,FOR THE SUM OF\$ 2900.00 OR AS OTHERWISE PROVIDED IN THE CONTRACT; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE SAID CONTRACT FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION,MISSOURI**” on first reading by title only. Don Marshall seconded. Tim Smith asked about why it was cheaper. Steve said they pay no tipping fees because he owns the landfill. It is in Kansas and it is a licensed landfill. We did also put in the specs that it has to be left maintainable. Mark Powers motioned to put it on second reading by title only. Don Marshall seconded. There was no discussion. Mark Powers motioned to put it on final passage. Richard Zaccardelli seconded. All in favor. No opposed. Cook-y, Marshall-y, Zaccardelli-y, Powers-y, T Smith-y, Spencer-y W Smith-y, Allen-y. Motion on Ordinance #16-07 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. There was nothing to add.

Public Works report – Tim Smith asked about ATT line being broke. Steve replied that we did not call in a line locate.

Police report – had nothing to add.

Building Inspector report – had nothing to add.

Court report – had nothing to add.

### **COMMITTEE REPORTS**

**Budget/Finance** - Mark Powers reported that we have finished our budget meetings and will be sending the proposed budget to the council at the next meeting.

**Code/Nuisance** –Don Marshall had nothing to report. Steve asked that they meet to discuss some changes on building inspector fees. It was decided that they would meet 3/1/16 at 6:30 PM.

**Human Resources** – Roger Spencer had nothing to report.

**Public Facilities & Planning** – Tim Smith said that they need to meet to set the guidelines.

**Senior Citizens** - Richard Zaccardelli reported that they had a new manager at the Senior Center.

### **UNFINISHED BUSINESS**

Bob Cook thanked them about taking care of the vehicle on S Cowgill.

Mark Powers asked about FEMA. Steve said that we will not be receiving any funds. Jasper County did not qualify.

### **NEW BUSINESS**

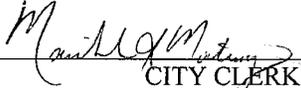
Mayor Moss recognized Brent Corner who was here to earn a Boy Scout badge.

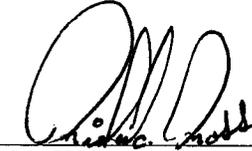
Don Marshall said he had ½ dozen phone calls about the fence at WWTP.

Steve pointed out the memo he put out for the council regarding a fork lift that we would like to bid on from HSTCC. We have been storing it and have used it and it is in good shape. Mark Powers motioned to allow the PW Department to bid on and buy the fork lift. Tim Smith seconded. All in favor. No opposed.

**ADJOURNMENT**

Mark Powers motioned to adjourn the meeting. Roger Spencer seconded. All in favor. No opposed. Meeting adjourned at 7:57 PM.

  
CITY CLERK

  
MAYOR