

The Carl Junction City Council met in regular session on Tuesday July 05, 2016 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Bob Cook, Richard Zaccardelli, Mark Powers, Roger Spencer, Wayne Smith, LaDonna Allen and Mike Burns. Alderman Don Marshall was absent. 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

Shirley Short, 406 S Summit, addressed the council to ask permission to have a service dog for her seizures. The dog is being donated to her. She is asking for an exception to our dog ordinance. This dog will be trained and will never leave her side. She explained how it works and it could save her life. She stated that it is an American Bulldog and is asking for an exception to our banned breed ordinance for the bull dog. It is ADA certified and has to pass 6 different tests to qualify. It will give her freedom and safety. She can't afford to buy a dog since they costs \$10,000 - \$15,000 and the training is on top of that. Chief Haase asked if it was already certified and she stated no. It will have to go for training to be certified. They will train together so they can bond. Chief Haase asked who is training. Ms. Short said it was a veteran out of California who is donating the dog and his time to train. It can take up to a year. Chief Haase stated that when she called before she said it was a pit bull not an American Bulldog. Chief Haase said if it was an American Bulldog then it is not a banned breed. Chief Haase talked to a local trainer and he won't take them for training due to aggression issues. Since it is not a banned breed she does not need an exception.

Katherine Burrows, 410 N Cowgill, gave the council a copy of a petition from the residents along N Cowgill and the surrounding area stating that there is a need for a sidewalk from N Cowgill to the NW corner of the Community Center parking lot. It would be about 100'. She thanked the council for their consideration.

Gary Stubblefield, Chamber of Commerce, thanked the council for the patience and allowing them to stay in their office until their building is complete. They have fallen by the wayside with Mediacom. They were supposed to have their system in by June and they have not done it yet. It is past the 90 days that the contract called for. They have now said it would be in by 7/19/16. They can't move until the phone system gets turned on. Gary will report back if they miss the July date.

Terri Kowis, 102 Cambridge, addressed the council about the City's noise ordinance. This is the 2ne time she has come before the council regarding this ordinance. She stated that the PD cannot write a ticket for noise. She is asking that the City change our ordinance to allow a police officer to be able to sign the ticket. Her husband did sign the complaint this last time but it leaves them vulnerable for retaliation. If the PD could sign it would not put them in jeopardy. She said that a lot of communities have this in their ordinances. She feels it would benefit all of our residents. She is just asking that the council look at this issue. LaDonna Allen stated that APD has been challenged on their noise ordinance. She said we need to be careful to base it on distance. You could have kids yelling and be in violation. Ms. Kowis was thinking about a 50' radius. Roger Spencer asked if there was a state statute on noise. He was thinking it had a 1 -1 ½ block radius. There was a lot of discussion about this ordinance. Chief Haase said he would look at state statutes. He said that Joplin does have a noise ordinance but they don't use it. It is very lengthy ordinance. It is one of the very few complaints about noises. Most of their calls are regarding dogs. He said there was an instance where there was a group on the parking lot on Pennell. Chief Haase explained that a police officer's peace cannot be disturbed as that is part of their job duties.

ORDINANCES

Mark Powers motioned to put **"AN ORDINANCE APPROVING AGREEMENTS BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND MCC MISSOURI LLC (MEDIACOM) TO PROVIDE BUSINESS PHONES AND SOME INTERNET SERVICES FOR CITY HALL, PUBLIC WORKS, SWIMMING POOL, COURT AND WASTE WATER FOR A PERIOD OF THREE (3) YEARS AT MONTHLY RATES TOTALING \$721.30, PLUS INSTALLATION FEES TOTALING \$549.30, IN ACCORDANCE WITH THE AGREEMENT FOR EACH OF SAID FACILITIES; AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENTS FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI"** on first reading by title only. Roger Spencer seconded. Mark Powers asked Steve for his recommendation. Steve stated that he would like to hold off on passing the ordinance until the next council meeting to see the outcome of the Chamber's contract. Mark suggested that Steve call Mediacom and explain why we are holding off on passing this ordinance. LaDonna Allen said that it also interferes with the Chambers' contract with the City if they cannot do their business. They need to be made accountable. Steve said he will tell Mediacom that the council is concerned about the action with the Chamber. Richard Zaccardelli motioned to table this ordinance until the next council meeting. Mark Powers seconded. All in favor. No opposed.

REPORTS

The council reviewed the Administration report. Steve said that the solar panels are online. They have a portal that you can pull up to get a report on how much it is producing. The Police Department is not tied in yet. Mark Powers asked that Steve give the council a report on his findings. Steve said he has started a spreadsheet on it.

Public Works report – had nothing to add. Wayne Smith asked about paving of the streets. Jimmy said he is working on the list of roads. We should be able to get a lot of streets done this year since we are piggybacking on the Joplin bid and the price per ton was low. Jimmy did say that Joplin had a big list of streets and it will be down the road before they get to us. Mike Talley asked if

they were doing Duquesne streets also. Jimmy said he is not sure. The council asked if we had started mosquito fogging yet. Jimmy said they started 2 weeks ago. There was some discussion about the mosquito fogging.

Police report – had nothing to add.

Building Inspection report – had nothing to add.

COMMITTEE REPORTS

Budget/Finance – Mark Powers had nothing to report.

Code/Nuisance –Don Marshall had nothing to report.

Human Resources – Roger Spencer had nothing to report.

Public Facilities & Planning – Wayne Smith had nothing to report.

Senior Citizens - Richard Zaccardelli had nothing to report.

UNFINISHED BUSINESS

Mike Talley said he has not heard anything back on the litigation that is pending with James Boyle. We have filed counter claims. Mr. Talley is waiting to hear from Mr. Boyle’s attorney. Mr. Boyle indicated on TV that his constitutional rights were violated and he is waiting to see if that is the direction his attorney is going. He is preparing a defense for the city because he feels it is the consensus of the council that they intend to fight the litigation. It was asked if we can recoup our expenses. Mike Talley replied that he intends to try to recoup our expenses but he can’t guarantee that we will. Mike Talley said that David Daley is the judge. It was the consensus of the council that we need to prepare our defense.

Roger Spencer asked about the signs on Schimm Circle. Jimmy said that we received the signs today.

NEW BUSINESS

Mike Burns thanked the council for allowing the 4th of July parade. It was a good event. He asked that the Code Nuisance Committee look at our fireworks code. Richard Zaccardelli agreed.

LaDonna asked if there was anything we can do about groundhogs. They are being overrun. Chief Haase said that they have cages.

Roger Spencer asked about the electrical work at Four Oaks Park. Steve said it will be a pedestal not a pole.

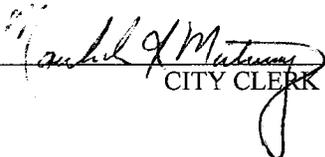
Richard Zaccardelli asked about road signs for the Schuber Mitchell subdivision. Jimmy said he got the signs in today.

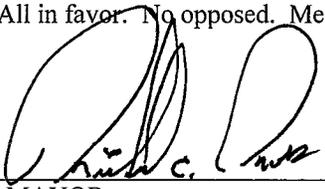
Bob Cook then brought up the sidewalk request from the Burrows. He said that this has been brought up before and he got shot down. He thinks we need to help these folks. He said we spend money on everything else. He asked Jimmy how much money it would take. Jimmy said that if the council wants him to put it in he will. He said he could get an estimate for the next meeting. LaDonna Allen said she thought we had talked about a sidewalk going east and west. Steve said what they are proposing goes nowhere and we would have to put in much more then they have asked in order to tie it into another sidewalk. It would end up being about 750'-1000'. LaDonna asked why they don't use the sidewalks we have.

Steve Lawver reported that our golf cart has been repaired but we will probably need to replace it next year. We paid \$600 for it and we got our money’s worth out of it. We will need to consider it next budget. Mark asked if it would be gas powered. Steve said yes. Steve also stated that Redwood Development is getting ready to do another round of housing and has asked for letters of support from the council. Steve laid out letters for them to sign if they wish to support this project. LaDonna stated the last time they just signed a group letter. Steve said this year they will be individual letters. Mayor Moss asked about his letter and if it needed council action. Mike Talley said yes. Mark Powers motioned to have the mayor sign a letter of support. Roger Spencer seconded. 6 (Cook, Zaccardelli, Powers, Spencer, W Smith, Allen) in favor. 1 (Burns) opposed.

ADJOURNMENT

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


CITY CLERK


MAYOR