

The Carl Junction City Council met in regular session on Tuesday September 06, 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, Roger Spencer, LaDonna Allen, Wayne Smith, and Mike Burns. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

Steve Lawver stated that he needed to add a closed session to our agenda. He just found out about it today that we would need a closed session regarding 610.021.1 (legal actions or litigation involving a public governmental body). Mark Powers motioned to amend the agenda to add a closed session per RSMO 610.021.1 (legal actions or litigation involving a public governmental body) and approve as amended. Roger Spencer seconded. All in favor. No opposed. Mark Powers motioned to approve the consent agenda. Bob Cook seconded. All in favor. No opposed.

PUBLIC FORUM

Gary Stubblefield, Chamber of Commerce, said that they have named the bulldog in front of their office Skinner for the 1st development in the City of Carl Junction. The Chamber is trying to get items to talk about the past and the future. He said that they are trying to get photos of the older homes also. He reminded the council that the Bluegrass Festival is 9/24/16 and they are in need of volunteers. They will be working 2 hour shifts. You can work whatever area you are comfortable with. They are excited and want to show off our community.

APPOINT P&Z MEMBERS

Mayor Moss stated that he would like to reappoint Mike Brower and Richard Garrett to the P&Z Board. This would extend their terms to September 2019. He also stated that he would like to appoint a new member Steve Smith. Don Marshall motioned to approve the 2 reappointments (Mike Brower and Richard Garrett) and the new appointment (Steve Smith) to the P&Z Commission. Richard Zaccardelli seconded. All in favor. No opposed.

ORDINANCES

Mark Powers motioned to put “ **AN ORDINANCE ESTABLISHING THE TAX LEVY FOR THE FISCAL YEAR 2017 ESTABLISHING SAID LEVY \$0.9104 PER HUNDRED ASSESSED VALUATION ESTABLISHING THE ALLOCATIONS OF SAID FUNDS TO GENERAL FUND AND GENERAL OBLIGATIONS SINKING FUND**” on first reading by title only. Richard Zaccardelli seconded. Steve reported that this would make a \$4000 difference to our General Fund. The state auditor capped our General fund levy and saying we have to lower it back to the capped amount. Mark Powers motioned to put it on second reading by title only. Richard Zaccardelli seconded. All in favor. No opposed. 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, Spencer-y W Smith-y, Allen-y, Burns-y. Motion on Ordinance #16-26 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 CHANGE ORDER NO. 1 TO AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND BENNETT INC., TO CONSTRUCT THE ROUTE Z/PENNELLS STREET SIDEWALK IMPROVEMENTS - PHASE III, (FEDERAL AID PROJECT TAP-9900(738) FOR THE CITY OF CARL JUNCTION, MISSOURI, SAID CHANGE ORDER # 1 BEING TO PROVIDE ADDITIONAL AGGREGATE FOR BASE, THICK PLANT BITUMINOUS PAVEMENT AND REINFORCED CONCRETE PIPE, FOR AN ADDITIONAL COST OF \$2,333.00, AND INCREASING THE TOTAL CONTRACT COST TO \$291,098.00; AND AUTHORIZING THE MAYOR TO EXECUTE SAID CHANGE ORDER NO. 1 FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI**” on first reading by title only. Roger Spencer seconded. Steve reported that when they dug down on the drainage pipe on the corner of Miller Street they found out that it was totally eroded on the bottom. They are going to have to replace it when they didn’t think they would have to. This will get it ready for the next section though. Bob Cook said that they should have known it would need replaced as it was so old. He asked what the 2nd lowest bidder was. Steve said that it was about \$300,000 and that Bennett is still under that bid with the change order. Mark Powers motioned to put it on second reading by title only. Roger Spencer seconded. All in favor. No opposed. There was no discussion. Mark Powers motioned to put it on final passage. Richard Zaccardelli seconded. 7 (Marshall, Zaccardelli, Powers, Spencer, Allen, Smith, Burns) in favor. 1 (Cook) opposed. Cook-n, Marshall-y, Zaccardelli-y, Powers-y, Spencer-y W Smith-y, Allen-y, Burns-y. Motion on Ordinance #16-27 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.

REPORTS

The council reviewed the Administration report. Steve reported that he had some questions on the electric bill and has a call into Empire about it. The reports were hard to understand. There was some discussion about how the credits on the solar panels work.

Public Works report – had nothing to add. Steve pointed out that we are smoke testing the older part of town. We have gone through the town once and now we are retesting. We have a rotation cycle for smoke testing. Also our shut off’s were down this month.

Police report – had nothing to add. It was asked what extra patrol was. Mark McCall explained that if an area of town has asked for extra patrol for some reason (such as being out of town or break ins) they do extra patrol in that area.

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 asked if we had found out the date yet on the 1st meal in our new Center.

UNFINISHED BUSINESS

Mike Talley reported that we are still working on 507 Ridgewood. They have denied all the allegations. The last paperwork was filed 8/25/16 and they have 30 days to respond. No court date has been set yet.

Roger Spencer asked about cable burying. There is a cable in Dogwood Trails that has been out since May. They have done line locates but they don't ever bury the line.

NEW BUSINESS

Mark Powers said that we had a request to hold some meetings at the new Chamber building to show of the building. We could maybe hold some committee meetings there.

Bob Cook said that we need to look at ways to lower our electricity costs. The court house in Carthage is taking out light bulbs trying to save on electricity. Maybe we could look at that also.

City Clerk Matney reported that she will be out of the office next week for the MML conference in St. Louis.

Steve Lawver reported that he will be out of the office next week for the MPUA meeting in Branson. He also reported that our lift station on Rocky Lane needs some repairs. The guide rails are gone. We received a bid from Enviroline for \$32,000. He talked to Michael Keaton at Allgeier-Martin and he thought that the bid was high also. It was also a product line that we don't have in any of our other lift stations. We will try to find another bid because we would like to keep the lift station standard and all the same. He will have AMA put together a bid packet for lift station rehab. Bob Cook asked about the flow meters in APD. Steve said that he has talked to APD about that. They have also asked the City to put together a proposal for their lift station maintenance. Steve has talked to Jimmy and he said that he felt they could handle it. We would charge the same fees that are in place already and if we need to use some heavy equipment we will charge them by the hour for that also. Steve said he thinks it is a good idea since their lines flow into our plant and then we have some control over it. LaDonna Allen thinks it is a good idea also. They have 3-4 lift stations. The council agreed and told Steve to put a proposal together and bring it back to the council.

EMERGENCY CLOSED SESSION PER RSMO 610.021(1) - LEGAL ACTIONS, CAUSES OF ACTION OR LITIGATION INVOLVING A PUBLIC GOVERNMENTAL BODY AND ANY CONFIDENTIAL OR PRIVILEGED COMMUNICATIONS BETWEEN A PUBLIC GOVERNMENTAL BODY OR ITS REPRESENTATIVES AND ITS ATTORNEYS.

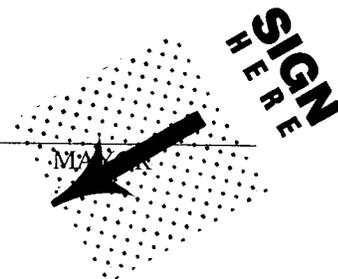
Mark Powers motioned to go into Emergency Closed session per RSMO 610.021(1) - legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. The standard 24 hour notice was not able to be met due to receiving a phone call this afternoon regarding litigation. Richard Zaccardelli seconded. Cook-y, Marshall-y, Zaccardelli-y, Powers-y, Spencer-y W Smith-y, Allen-y, Burns-y. Council went into closed session 7:45 PM

Council reconvened at 8:11 PM. Mayor Moss stated that no action was taken. There was discussion only of a litigation issue.

ADJOURNMENT

Roger Spencer motioned to adjourn the meeting. Mark Powers seconded. All in favor. No oppose^d Meeting adjourned at 8:12 PM.

CITY CLERK

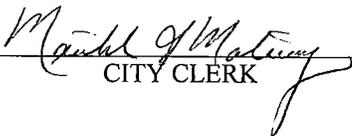


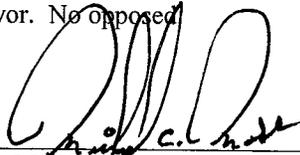
The Carl Junction City Council met in closed session on Tuesday September 06, 2016 at 7:45 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Bob Cook, Don Marshall, Richard Zaccardelli, Mark Powers, Roger Spencer, Wayne Smith, LaDonna Allen and Mike Burns. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley. Steve Lawver stated that he asked for this emergency closed session due to a phone call received this afternoon. That is why we were not able to give the customary 24 hour notice on the agenda.

EMERGENCY CLOSED SESSION PER RSMO 610.021(1) - LEGAL ACTIONS, CAUSES OF ACTION OR LITIGATION INVOLVING A PUBLIC GOVERNMENTAL BODY AND ANY CONFIDENTIAL OR PRIVILEGED COMMUNICATIONS BETWEEN A PUBLIC GOVERNMENTAL BODY OR ITS REPRESENTATIVES AND ITS ATTORNEYS.

Steve reported that he received a phone call from the Victim’s Advocate on our court case on Cindy Troutman. They are looking for guidance on the issue of restitution. Do we want the whole package or \$96,000 which consists of the \$65,000 that the state auditor found and the \$31,000 that they think but can’t prove also. We received \$10,000 from our bond company and MIRMA will be reimbursing the City on the rest up to \$100,000 as part of our Errors and Omissions policy. Steve said that she will probably received 120 days in the department of corrections and then 5-7 years of supervised probation. The restitution will be monthly. There was a lot of discussion on the restitution. It was asked what MIRMA wants since they will be getting the restitution that is collected. Will they settle for less then what they paid out? After a lot of discussion it was decided that this is really a MIRMA call and that they should dictate the amount of restitution. It was stated that we increased our bond amounts since this has happened. It was discussed that we need to have a phone conversation with MIRMA and that Steve should call them tomorrow to find out the direction they want to take on this.

Mark Powers motioned to adjourn the meeting. Bob Cook seconded. All in favor. No opposed.


CITY CLERK


MAYOR