

The Carl Junction City Council met in regular session on Tuesday September 24, 2024 at 7:00 PM at City Hall. Mayor Mark Powers called the meeting to order with the following present: LaDonna Allen, Walter Hayes, David Pyle, Roger Spencer, and Carole Wofford. Rick Flinn, Hollie LaVigne, and Bob McAfee were absent. Also present were City Administrator Steve Lawver, City Attorney Mike Talley, City Clerk Alaina Wright and City Administrator Assistant Crystal Winkfield.

AGENDA

Roger Spencer motioned to approve the agenda as presented. LaDonna Allen seconded. All in favor. No opposed with three absent. LaDonna Allen motioned to approve the consent agenda. David Pyle seconded. All in favor. No opposed with three absent.

PUBLIC FORUM

Wanda Jackson-605 Rose Lane-She is selling the home and renting a duplex on West Briarbrook Lane, and she feels like she's being punished because she's renting since she will have to put down a \$125 deposit even though she's lived here and owned a home for years.

APPROVAL OF BIDS FOR TOPSOIL FOR COUNTRY CLUB PARK

Steve Lawver said there were two bids for dirt work at Country Club Park: Atnip Enterprises for \$25,435.00 and Elements Construction for \$43,450.00. LaDonna Allen asked what would happen if we didn't hydroseed and if it would lower the bids. Steve Lawver said it would be about the same as just seeding since you would have to buy straw as well. LaDonna Allen said it is a direct result of stormwater issues and asked why some of the cost couldn't come from stormwater funds. David Pyle asked if it would come from ARPA funds and Steve Lawver said yes. David Pyle motioned to approve bid from Atnip Enterprises. Walt Hayes seconded. All in favor. No opposed with three absent.

ORDINANCES

LaDonna Allen motioned to put "AN ORDINANCE AMENDING ORDINANCE NO. 24-25 PASSED ON THE 20TH DAY OF AUGUST, 2024, APPROVING CHANGE ORDER NO. 1 TO AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND ELEMENTS CONSTRUCTION CONCEPTS, INC., TO COMPLETE THE ROUTE Z/PENNELLS ST SIDEWALK IMPROVEMENT PROJECT PHASE VI FOR THE CITY OF CARL JUNCTION, MISSOURI, SAID AMENDMENT TO CORRECTLY IDENTIFY THE CONTRACTOR AS ELEMENTS CONSTRUCTION CONCEPTS, INC., BUT TO OTHERWISE RATIFY AND CONFIRM THE CITY'S APPROVAL OF CHANGE ORDER NO. 1 SET FORTH IN ORDINANCE NO. 24-25" on first reading by title only. David Pyle seconded. All in favor. No opposed with three absent.

Discussion: Mike Talley said the first ordinance had OWN, Inc as the contractor instead of Elements Construction Concepts and it needed to be corrected for auditing purposes with MoDOT.

David Pyle motioned to put it on second reading. Walt Hayes seconded. All in favor. No opposed with three absent.

Discussion: There was no further discussion.

LaDonna Allen motioned to put it on final passage. Carole Wofford seconded. All in favor. No opposed with three absent.

LaVigne-absent, McAfee-absent, Flinn-absent, Spencer-yes, Allen-yes, Pyle-yes, Hayes-yes, Wofford-yes. Motion on Ordinance #24-28 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.

LaDonna Allen motioned to put "AN ORDINANCE APPROVING CHANGE ORDER NO. 2 TO AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND ELEMENTS CONSTRUCTION CONCEPTS, INC., TO COMPLETE THE ROUTE Z/PENNELLS ST SIDEWALK IMPROVEMENT PROJECT PHASE VI FOR THE CITY OF CARL JUNCTION, MISSOURI, SAID CHANGE ORDER NO. 2 BEING FOR SETTLEMENT COSTS FOR DIFFERING FIELD CONDITIONS OFFSET BY MATERIAL UNDERRUNS LEAVING UNCHANGED THE TOTAL COST OF THE PROJECT AT \$265,399.00; AND AUTHORIZING THE MAYOR TO EXECUTE SAID CHANGE ORDER NO.2 FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. David Pyle seconded. All in favor. No opposed with three absent.

Discussion: Steve Lawver said this came from MoDOT and makes the contract amount and amounts for work completed match.

David Pyle motioned to put it on second reading. Carole Wofford seconded. All in favor. No opposed with three absent.

Discussion: There was no further discussion.

LaDonna Allen motioned to put it on final passage. David Pyle seconded. All in favor. No opposed with three absent.

LaVigne-absent, McAfee-absent, Flinn-absent, Spencer-yes, Allen-yes, Pyle-yes, Hayes-yes, Wofford-yes. Motion on Ordinance #24-29 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.

LaDonna Allen motioned to put “**AN ORDINANCE APPROVING THE DECLARATION OF DEED RESTRICTION IN ACCORDANCE WITH THE COVENANTS MADE FOR THE AWARD OF GRANT FUNDS IN PROJECT #29-01749, LAKESIDE PARK PROJECT ADMINISTERED BY THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, LIMITING USE OF THE PROPERTY TO OUTDOOR RECREATIONAL USE IN PERPETUITY IN ACCORDANCE WITH 43 CFR PART 17 (CIVIL RIGHTS LAWS); AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE SAID DEED RESTRICTION FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION**” on first reading by title only. Walt Hayes seconded. All in favor. No opposed with three absent.

Discussion: Steve Lawver said this was part of the closeout process for LWCF grant. He said this is like what’s in place for Center Creek Park and restricts the property for outdoor recreational use. Steve said if we took anything away from the park in the future we would have to replace it with like space somewhere else in town.

David Pyle said he questioned this because this is for Lakeside Park in its entirety, not just the pavilion and playground area. David asked if it would eliminate the possibility of the resident who wanted to buy part of the lake property and Steve Lawver said yes. LaDonna Allen asked what would happen if we didn’t pass it and the mayor said we would have to give the grant money back to DNR. LaDonna Allen asked if we could ask to reduce the area and Steve Lawver said he could ask.

Mike Talley said with only five members of the council present, all five would have to vote in favor for it to pass, so if any intended to vote no, the ordinance should be tabled. LaDonna Allen motioned to table the ordinance to the next meeting. David Pyle seconded. All in favor. No opposed with three absent.

LaDonna Allen motioned to put “**AN ORDINANCE ADOPTING PROTEST PROCEDURES IN REVIEWING PROTESTS CONCERNING SOLICITATIONS OR CONTRACT AWARDS FOR THE WEST BRIARBROOK LANE STORMWATER DRAINAGE DITCH PROJECT FOR THE CITY OF CARL JUNCTION, MISSOURI**” on first reading by title only. David Pyle seconded. All in favor. No opposed with three absent.

Discussion: Steve Lawver said this came from DNR to our engineers. He said there were no protest procedures in our contract, and they adopted these from a similar project in Lamar that DNR has already approved.

David Pyle motioned to put it on second reading. Roger Spencer seconded. All in favor. No opposed with three absent.

Discussion: There was no further discussion.

LaDonna Allen motioned to put it on final passage. David Pyle seconded. All in favor. No opposed with three absent.

LaVigne-absent, McAfee-absent, Flinn-absent, Spencer-yes, Allen-yes, Pyle-yes, Hayes-yes, Wofford-yes. Motion on Ordinance #24-30 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

Long-Term Project report – Steve Lawver said 4-Oaks Park is now completed.

LaDonna Allen asked where MPUA project is and Steve Lawver said in the design process and should go out for bid this fall. Roger Spencer asked about lighting at Memorial Park and Steve Lawver said we are waiting on Jay Morton to finish trail work so they can go in and get pipe for the lights. Jay Morton said it would be done before Veterans Day.

LaDonna Allen asked if Schuber Mitchell said we can definitely have the dirt for Country Club Estates Park and Steve Lawver said yes.

Treasurer’s report – No discussion.

Public Works report – Mayor Powers said Lakeside Park looks good. LaDonna Allen said Center Creek Park looks good too.

Police Dept. report – Chief McCall said Shop with a Cop fundraising has started. He said they’ve had some issues with Walmart about gift cards, and they are now limited to purchasing \$1000 per day with a check.

COMMITTEE REPORTS

Budget/Finance: LaDonna Allen said the committee met on September 23, and Matt Wallace with KPM gave a report of a good audit.

Code/ Nuisance: Rick Flinn was absent.

Human Resources: Roger Spencer had nothing to report.

Public Facilities & Planning: David Pyle had nothing to report.

Economic Development: Hollie LaVigne was absent.

UNFINISHED BUSINESS

LaDonna Allen asked about going out for bids for cleaning services and said several years ago we discussed hiring in house for that, rather than using a cleaning service. Steve Lawver said he only got one response, and it was from Jani King, so he put it on hold. He said he agreed about hiring a part time person to clean.

LaDonna Allen asked if we had received any reimbursement for Lakeside Park and Alaina Wright said yes, we had received around \$216,000.

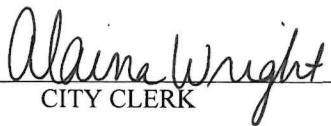
Mayor Powers wished Mike Talley a happy birthday.

NEW BUSINESS

LaDonna Allen said Richard Zaccardelli passed away and the visitation will be Thursday September 26 from 5:00-6:00 PM and the service will start at 6:00 PM.

ADJOURNMENT

LaDonna Allen motioned to adjourn the meeting. David Pyle seconded. All in favor. No opposed with three absent. Meeting adjourned at 7:40 PM.


CITY CLERK


MAYOR