

The Carl Junction City Council met in regular session on Tuesday September 15, 2009 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Don Marshall, Carl Skaggs, Mark Powers, Steve Daniels, Dee Lynn Davey, Walter Hayes and Wayne Smith. Alderman Richard Zaccardelli was absent. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

### **AGENDA**

Carl Skaggs motioned to approve the agenda. Steve Daniels seconded. All in favor. No opposed. Carl Skaggs motioned to approve the consent agenda. Mark Powers seconded. All in favor. No opposed.

### **PUBLIC FORUM**

Mayor Moss called twice for public forum. There was no one in the audience for public forum.

### **ORDINANCES**

This ordinance approves the contract with Ace Pipe to line 5208' of sewer mains and to line 40 manholes. Steve Daniels stated that he seen how bad our sewer mains were during the last rain. He also said he observed them putting in the lining. He stated that our mains were overrun with infiltration and that this is a necessary thing to do. This is lining some of our old clay tile. Steve Daniels motioned to put "AN ORDINANCE ACCEPTING THE BID OF ACE PIPE CLEANING, INC. TO INSTALL APPROXIMATELY 5,208 FEET, WITH AN OPTION FOR ADDITIONAL FOOTAGE, OF CURED-IN-PLACE PIPE IN THE CITY OF CARL JUNCTION, MISSOURI, FOR \$23.00 PER FOOT AND TO LINE APPROXIMATELY 532 FEET IN 40 MANHOLES IN THE CITY OF CARL JUNCTION, MISSOURI, FOR \$94.00 PER FOOT IN ACCORDANCE WITH THE CITY OF SPRINGFIELD, MISSOURI'S PIGGY BACK TERM CONTRACT; AND AUTHORIZING THE MAYOR TO EXECUTE SUCH DOCUMENTS AS MAY BE NECESSARY TO EFFECT SUCH PURCHASE AND INSTALLATION FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Carl Skaggs seconded. All in favor. No opposed. Carl Skaggs motioned to put it on second reading by title only with a roll call vote. Steve Daniels seconded. Zaccardelli-absent, Marshall-y, Skaggs-y, Powers-y, Daniels-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #09-42 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 no discussion.

Public Works report – Jimmy thanked the Police for letting them host a training seminar last Thursday that DNR put on. They had 50-60 people attend and it went real well. He stated the pavers were in and he hoped to have the park chipped and sealed soon. They have started the sludge removal but EPA wants to look at the 300 acres they found to dispose of it. Also the weather has slowed them down.

Police Department report – there was nothing new to report.

Court report – there was nothing to add to the report.

### **COMMITTEE REPORTS**

The Nuisance Committee had nothing to report.

The Long Range Planning Committee had nothing to report.

The Budget/Finance Committee had nothing to report.

The Human Resource Committee had nothing to report.

The Public Facilities Committee had nothing to report.

The Code Review Committee had nothing to report.

The Citizen's for Better Life had nothing to report.

### **UNFINISHED BUSINESS**

Mike Talley stated that our trial is coming up in November and that all the board could be called to testify. This is the resident suing the city over the sewer back up in his house.

Steve Lawver has his recommendation on the Senior Center building. He has talked to the Mayor, City Clerk and Councilman Walter Hayes and is recommending that we hold onto the property and enter into a lease on it. He has had Mike Talley start on drawing up a lease agreement. He received Mike's draft tonight and read through it and has a couple of questions for him. Mark Powers agreed with Steve's recommendation. The appraisal came back much higher then the bids.

### **NEW BUSINESS**

The City Clerk reported that the State Auditor looked at the Bond levy we set and has sent up paperwork to lower it about 1/2 cent. She has drawn up 2 separate ordinances to amend our levy. The one is to leave the levy what we set it at and shift the amount we are lowering the debt levy to the general fund levy. That would still have us taking a voluntary reduction in our general levy. The other is to lower the tax levy the amount that the state auditor has stated we need to lower our debt service levy. The difference would be about \$5000 in revenues. This still sets our levy at about 3 cents higher then last year. Walter asked if we had our assessed valuation in yet. It was reported that we did not have our amended assessment in yet. Mike Talley reminded the council that we have

to amend our agenda to add this ordinance. Mark Powers suggested we go with the lower levy of \$.7264. He is hoping that our telephone tax revenues and settlement will be higher to compensate for it. Carl Skaggs motioned to add the ordinance changing our tax levy to \$.7264 to our agenda. Don Marshall seconded. All in favor. No opposed. Carl Skaggs motioned to put "AN ORDINANCE ESTABLISHING THE TAX LEVY FOR THE FISCAL YEAR 2010 ESTABLISHING SAID LEVY \$0.7264 PER HUNDRED ASSESSED VALUATION ESTABLISHING THE ALLOCATIONS OF SAID FUNDS TO GENERAL FUND AND GENERAL OBLIGATIONS SINKING FUND" on first reading by title only. Mark Powers seconded. All in favor. No opposed. Carl Skaggs motioned to put it on second reading by title only with a roll call vote. Steve Daniels seconded. Zaccardelli-absent, Marshall-y, Skaggs-y, Powers-y, Daniels-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #09-43 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.

Steve Lawver then stated that we only received 1 bid to repair 3 manholes. Kurt is recommending that we reject this bid since he thought it was too high. It would have been a fiberglass liner. It is different then what Ace is doing. We are talking to Ace to see if they could do these 3 manholes. We have to pull the tops off of these manholes and put new ones on. Steve Daniels motioned to reject the bid. Carl Skaggs seconded. All in favor. No opposed.

Steve Lawver then stated that we had a gentleman talking to a realtor for the last 1 1/2-2 years about our property downtown. The realtor now thinks it is a pipe dream and has been stringing her along all this time. Steve would like to list this property with a realtor and put it on the market. We do not have to sell it and we can still reject any offer they bring us. He would like a consensus of the council to proceed and bring back an agreement with a realtor to list the property. The council agreed.

Steve then showed the council a short video that was presented to MoDot on highway infrastructure in our district. One of the items is the West Bypass that is being proposed to go down JJ Highway and another was improvements from Stones Corner to the Kansas State Line.

The City Clerk reported that she had 4 commitments of attendance to the 10/6/09 meeting. Walter stated that he would stay here and not attend the MML meeting and he will chair the council meeting that night and they would have a quorum to conduct business.

**ADJOURNMENT**

Carl Skaggs motioned to adjourn the meeting. Don Marshall seconded. All in favor. No opposed. Meeting adjourned at 7:35 PM.

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CITY CLERK

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MAYOR