

The Carl Junction City Council met in regular session on Tuesday May 5, 2009 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Richard Zaccardelli, Don Marshall, Carl Skaggs, Mark Powers, Steve Daniels, Dee Lynn Davey and Wayne Smith. Alderman Walter Hayes was absent. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

### **AGENDA**

Mayor Moss requested that we amend the agenda to add the ordinance approving change order #2 to the agenda as item 8(b). Carl Skaggs motioned to approve the agenda as amended. Richard Zaccardelli seconded. All in favor. No opposed. Dee Lynn Davey motioned to approve the consent agenda. Carl Skaggs seconded. All in favor. No opposed.

### **PUBLIC FORUM**

June Chenot, 128 Forest Drive, stated that her husband has built a working model of a 1932 Duisenberg. They just came back from a convention in Ohio and he received the lifetime achievement award for craftsmanship. She stated that they all asked where she was from and she was proud to say SW Missouri in Carl Junction. She is hoping when it is done to be able to display it and invite Jay Leno to come to Carl Junction. He has been following the progress of this project.

### **P&Z CASES**

Mayor Moss then opened the public hearing for Case #09-07 – Special Use Permit, 205 Chitwood, Mike Chambell at 7:05 PM. Steve Lawver reported that the P&Z heard this case and had no problem with it and it fits in the parameters. This is identical to the special use permit granted Ron Daniels on Main Street. There was no one against the permit during the P&Z meeting. There was no one in the audience for or against the permit being issued. Mark Powers motioned to approve the special use permit per the P&Z recommendation. Richard Zaccardelli seconded. All in favor. No opposed.

### **DEAN WILLIS – ALLGEIER MARTIN & ASSOC – SEWER RATE PROPOSAL**

Dean Willis then addressed the council about his draft of preliminary A and his proposed sewer rates. He said that the proposed increase was driven by 2 items in the budget, the sludge disposal and the R&R fund. These 2 items account for the entire increase in our operating costs. He then went over his findings. He is proposing an 18.6% increase and APD a 25% increase. There was discussion about whether water usage was up or down and Dean reported that it stayed flat this year. Mr. Willis has talked to APD engineer and he approves Dean's findings but it has not gone to the Board yet. There was discussion about what DNR and EPA expect the rates to be and Steve reported that they say it should be 2% of the household income and ours is only ½%. Mike Talley said we need to coordinate our rate increase with the addendum with APD. There was a lot of discussion about that process. The council asked Dean where we were at with our capacity. Dean and Steve discussed the letter from APD for an increase in their flow allowance but Dean reported we are at 100% capacity on paper and that we have none to give. Mike Talley asked if we could wait until June for passage of our rates to get APD on board and make it effective 7/1/09. Dean said there was no urgency and that he thought we were ahead of last years schedule by about a month. Mr. Willis will get with the engineer of APD so he can take it to his board at their next meeting.

### **ORDINANCES**

The council then reviewed draft #3 on motorized vehicles on trails. Delmar stated that golf carts on the trails should not be allowed. Kids are using them as means of transportation and they are young enough they don't even have driver's license. It is not the parents but the kids who are creating problems. Jimmy said he had a run in with one the other day at Country Club Park. There was discussion that if we let the golf carts we would have to let 4 wheelers and other motorized vehicles on the trails. Delmar said we could put some strategically placed poles so that they couldn't get the carts on the trail. This ordinance is for trails only. Mike Talley asked who designates the trails. It was stated that our traffic engineer could. Steve said it is in the manual also. After more discussion Mike Talley said he would revise this draft and add the clause that our traffic engineer will designate trails and present it at the next meeting.

The council then reviewed the ordinance approving change order #2 for Larry Snyder & Company. This adds some things we dropped out of the bidding but we are adding back in due to the bid coming under budget. They are also cheaper now. The total amount of the change is \$17627.80. Carl Skaggs motioned to put "AN ORDINANCE APPROVING CHANGE ORDER #2 TO AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND LARRY SNYDER & COMPANY, TO CONSTRUCT A NEW RECREATION CENTER, SENIOR CENTER AND CITY HALL FOR THE CITY OF CARL JUNCTION, MISSOURI, SAID CHANGE ORDER # 2 BEING TO PROVIDE 8' LINEAR PENDANTS, UPGRADE ROOF DECKING TO ACOUSTICAL DECK OVER DINING HALL, REVISE STORM BOX, ADD ELECTRICAL SERVICE TO OUTBUILDING AND ADD SCOREBOARD AND CONTROLLERS FOR AN ADDITIONAL NET COST OF \$17627.80 AFTER CONTRACT ALLOWANCES, AND INCREASING THE TOTAL CONTRACT COST TO \$3,938,180.80; AND AUTHORIZING THE MAYOR TO EXECUTE SAID CHANGE ORDER FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Richard Zaccardelli seconded. All in favor. No opposed. Carl Skaggs motioned to put it on second reading by title only with a roll call vote. Richard Zaccardelli seconded. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-y, Daniels-y, Davey-y, Hayes-absent, W Smith-y. Motion on Ordinance #09-22 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 he met with MoDot on Phase III of our trail. They stated it will be audited either by MoDot or the Federal Highway Commission since stimulus money is being used. He also reported we had a failure in our foundation and they were supposed to investigate it today but he has not heard any findings yet. They think it is a water problem. They have set some walls in another location and there was no problem there. It is just the one corner.

Public Works report – there was nothing additional to report.

Police Department report – there was nothing additional to report.

Court report – there was nothing additional to report.

**COMMITTEE REPORTS**

The Nuisance Committee had nothing to report.

The Long Range Planning will be meeting with the P&Z and Brian Ross from HSTCC on 5/11/09 at 7:00 PM to start the comprehensive plan review process.

The Human Resource Committee reported they met last Friday with All State regarding their Universal Life program. They also have term life but the universal life does not require underwriting. They agreed to have them meet with the employee's. This would be employee participation only and would be no cost to the City. It is all voluntary participation.

The Public Facilities Committee reported they will be meeting Thursday, 5/7/09 at 4:00 PM. They will also be discussing at that meeting a proposal from Utility Services for water tower maintenance. A lot of towns take advantage of it and they are responsible for the towers if we come to an agreement. Steve said we would not spend any more then we normally do anyway for tower maintenance. Steve Daniels said that it is a good program.

The Code Review Committee had nothing to report but will get with David our code enforcement officer. He has requested some code changes.

The Budget/Finance Committee had nothing to report.

The Citizen's for Better Life reported they had received 2 awards at the banquet last Thursday. They also had 106 for breakfast last Saturday.

**UNFINISHED BUSINESS**

Mike Talley reported that Steve, Mayor Moss and himself will be meeting with Commerce Bank tomorrow regarding Fall Creek Estates.

**NEW BUSINESS**

Richard reported he had received a phone call from Tom Flanigan regarding a golf scramble 6/17/09. If anyone is interested in participating you need to contact Richard.

Mayor Moss also pointed out that our Park Committee received honorary mention at the Chamber banquet awards last Thursday for our park improvements. He also reminded the council that yesterday was the 6<sup>th</sup> anniversary of our tornado.

Steve Daniels stated that he will try to do the best job he can for the City.

City Clerk reported that we had received a \$1437.07 refund on our election costs. She also asked if anyone was going to attend the wrap up session in Mount Vernon on 6/4/09 they needed to let her know so she could make reservations.

City Administrator reported that we had received an updated project list from MoDot on their priority rankings. He also received an updated demographic from SW Missouri Alliance. We have 2 projects that are ranked as high priorities that would affect Carl Junction. This is not stimulus money but normal appropriations.

Chief Haase then handed out the new car logo he would like to put on our new police cars and then eventually covert the rest of the cars over to it. It will not cost any more then the old logo and it looks better and is more modern. The officers picked this logo out of 3 submitted. The council agreed that it would look good and approved the change.

Steve then also asked that we have a work session before our next council meeting. TranSystem is done with our long range transportation plan and would like to present it to the council at that time. The work session would start at 6:00 PM.

**ADJOURNMENT**

Don Marshall motioned to adjourn the meeting. Dee Lynn Davey seconded. All in favor. No opposed. Meeting adjourned at 8:15 PM.

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CITY CLERK

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MAYOR