

The Carl Junction City Council met in regular session on Tuesday April 16, 2013 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Richard Zaccardelli, Don Marshall, Steve Daniels, Mark Powers, Sean Haase, Bob Cook and Tim Smith. Alderman Dee Lynn Davey was absent. Also present were City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

Sean Haase motioned to approve the agenda as presented. Mark Powers seconded. All in favor. No opposed. Mark Powers motioned to approve the consent agenda. Steve Daniels seconded. All in favor. No opposed.

PUBLIC FORUM

Darren Prather, 117 N Windwood, addressed the council about buying some of the city land adjoining his property to expand his property line. He has sold his house and has found that his pool and landscaping has encroached 692 square feet on our land. He spoke to Steve Lawver and he said that selling city property has to go through Planning & Zoning and then the council, but he suggested he come to the council meeting to get permission to proceed with the process. He would like to buy 3000 square feet to square off his property. It backs up to the old fairway and has a dry creek there also. The creek is deep and the only person who maintains it is him. We would have to cross the creek to mow it. There was discussion about the easement his pool is on top of. Mr. Prather said it is the cable and only 2 people use it. It was his mistake in not making sure the builder was correct on the pool when it was built. It is not close to the cart path. It was discussed how we came up with 87 cents per square feet, that Mr. Prather is just trying to figure out a solution to the problem. The pool has been there 10 years. There was more discussion about it and the easement. Mike Talley said that we can't get around going through Planning & Zoning. The City Clerk stated that they meet 4/22/13 but they have 5 cases already. The council does not want to put it off and asked that it be added to their agenda. The council will then hear it 5/7/13.

CHAMBER REPORT

Gary Stubblefield reported that they have an International company as a resident and CJ Chamber and he gave a demonstration at the last meeting. They have 27 new members this year so far. They will have the CJ Chamber luncheon this Thursday at Bailey's and then the Annual Chamber banquet is that night at 6:30 at the CJHS. The City wide garage sale is 4/17/13 and on 5/4/13 they will have a 10 year anniversary memorial of the CJ tornado starting at 6:00 PM. There will be a moment of silence at 6:18 PM. They have also updated their website and asked that everyone visit it.

ACCEPT RESIGNATION OF ALDERMAN DEE LYNN DAVEY

Mayor Moss then asked Dee Lynn Davey if she had anything she would like to say to the council. She thanked the council for their kindness and help though out her terms and that she enjoyed working with all of them. They are sorry to be moving but are real happy where they are settling in Texas. Mark Powers motioned to accept Dee Lynn's resignation. Steve Daniels seconded. All in favor. No opposed.

REVIEW AND APPROVE BIDS FOR RE-STAINING SIDING ON COMMUNITY CENTER

The council then reviewed the bids received on the staining of the Community Center. Mike Talley said that although we feel the contractor should be held responsible, we need to get it repaired and we will try to seek reimbursement. He cannot guarantee that he will be successful though. The bids are Alpha Painting \$12636 and ABE Painting \$7430. Mayor Moss said that ABE has done some touch up painting for us and we have been very satisfied. They are also a Chamber member. There was discussion about why there was so much discrepancy between the bids and if they bid on the same specs. It was also asked if they bid it per the manufacturer specifications and how it went out for bid. The council asked if we had a recommendation from Steve or Bud. The City Clerk replied that she did not know for as a fact but felt sure that all the contractors were given specifications from the manufacturer, was not sure how they went out for bid and that she does not have a recommendation from either Bud or Steve. Mark Powers motioned to table this until the next meeting. Sean Haase seconded. All in favor. No opposed. The council does not want to repeat the same mistake that was made the first time on the siding.

ORDINANCES

Mark Powers motioned to put the Ordinance amending Lagers retirement on 1st reading. Richard Zaccardelli seconded. After some discussion it was stated that we need to adopt this as a Resolution. Mark Powers then motioned to strike Ordinance 13-08 amending Lagers retirement off the agenda. Richard Zaccardelli seconded. All in favor. No opposed. Mark Powers then motioned to put Resolution #131 on the agenda. Steve Daniels seconded. All in favor. No opposed. Mark Powers then motioned to approve Resolution #131. Richard Zaccardelli seconded. Mark stated that we are upgrading the Lagers retirement in lieu of a COLA raise this year. It was a wash on the cost to the City. This will become effective 5/1/13. Zaccardelli-y, Marshall-y, Daniels-y, Powers-y, Davey-absent, Haase-y, Cook-y, Smith-y.

Mark Powers motioned to put "AN ORDINANCE APPROVING A CONTRACT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND ALLGEIER, MARTIN & ASSOCIATES, INC., TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN AND CONSTRUCTION PHASES FOR SIDEWALK IMPROVEMENTS ALONG ROUTE Z (PENNELLS STREET) FROM WATER STREET TO TEMPLE STREET IN THE CITY OF CARL JUNCTION, FOR SUMS WHICH WILL NOT EXCEED \$42,177.83 FOR DESIGN SERVICES AND \$33,714.59 FOR CONSTRUCTION SERVICES, AND

SUCH ADDITIONAL SERVICES AND REIMBURSABLE EXPENSES AS PROVIDED IN THE CONTRACT; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE MAYOR TO EXECUTE SAID CONTRACT FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI” on 1st reading by title only. Sean Haase seconded. There was no discussion. Mark Powers motioned to put it on second reading by title only. Don Marshall seconded. There was no discussion. Steve Daniels motioned to put it on final passage. Sean Haase seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Daniels-y, Powers-y, Davey-absent, Haase-y, Cook-y, Smith-y. Motion on Ordinance #13-08 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.

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Mark Powers motioned to put “AN ORDINANCE AMENDING THE GENERAL FUND, POLICE DEPARTMENT, WWTP FUND, GENERAL OBLIGATION FUND, CAPITAL IMPROVEMENT FUND AND I&I ABATEMENT FUND FOR THE FISCAL YEAR 2013” on 1st reading by title only. Sean Haase seconded. Mark Powers stated that we have to do this to satisfy state law requirements. Mark Powers motioned to put it on second reading by title only. Richard Zaccardelli seconded. Steve Daniels motioned to put it on final passage. Mark Powers seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Daniels-y, Powers-y, Davey-absent, Haase-y, Cook-y, Smith-y. Motion on Ordinance #13-10 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 nothing to add to the report.

Public Works report – had nothing new to report. Tim Smith thanked Jimmy for the repair of the street.

Police Department report – had no report.

Building Inspector report– had nothing new to add.

Court Report – had nothing new to add.

Bob Cook stated that the dogs are still barking at 4th & Summit and does not understand why they don’t have to abide by the law. He stated he has talked to Chief Haase. Mark McCall stated that some of the younger officers did not know that they could write the tickets but now they do know and maybe this will help. He is not sure what has been discussed between the Chief and the code enforcement officer but he does know that it has been discussed. This issue is being addressed.

Richard Zaccardelli stated that trash is being thrown on the east side of the water.

Bob Cook also commented that the house he is remodeling has been broken into twice already. They just like kicking in the door, nothing has been missing.

COMMITTEE REPORTS

The Budget/Finance Committee reported that we passed the ordinance tonight amending our current budget.

The Code/Nuisance Committee had nothing to report.

The Human Resource Committee had nothing to report.

The Public Facilities Committee had nothing to report.

The Senior Citizen Committee just reported that the Citizens for Better Life is a separate board.

UNFINISHED BUSINESS

Bob Cook asked Bill Stansberry to give us an update. He stated that he has 75% of the petitions signed. The other 2 people have said that they would sign it but they just haven’t yet. Bob Cook then asked about a committee for the sports complex. Mayor Moss said he would address that in item #16. He asked if Bob had any ideas on who could be on it.

APPROVE THE ELECTION RESULTS

Bob Cook motioned to approve the election results. Steve Daniels seconded. All in favor. No opposed.

SI-NE-DI

Mayor Moss then stated that the meeting would si-ne-di. Mayor Moss then reopened the meeting.

SWEAR IN NEWLY ELECTED OFFICIALS

City Clerk Matney then swore in all the newly elected officials (Mayor Moss, Sean Haase, Tim Smith, Bob Cook, Richard Zaccardelli and Steve Daniels).

ELECT MAYOR PRO-TEM

Richard Zaccardelli nominated Mark Powers for Mayor Pro-Tem. Sean Haase seconded. Mark Powers nominated Steve Daniels. Don Marshall motioned the nominations cease. Richard Zaccardelli seconded. It was decided that the council would vote with a show of hands. Mark Powers (Zaccardelli, Daniels, Marshall, Haase, Cook, Smith) Steve Daniels (Powers). Mark Powers was elected the Mayor Pro-Tem.

ASSIGN COMMITTEE MEMBERS

Mayor Moss stated he would like to table this until we get our vacant council seat filled. He asked that the current committee's work as temporary committee's until he can appoint new ones. Mark Powers motioned to table this item until the next meeting. Steve Daniels seconded. All in favor. No opposed.

NEW BUSINESS

Steve Daniels stated that there is a truck on Pine Street that is too large for the road and is damaging the road on the curve. He asked Jimmy if he could look at it.

Mayor Moss then stated that we have 2 people that are reserving the full basketball court for 2 hours to teach basketball. They are booked for the rest of the month. He asked Steve to talk to him and that he was not going to get it for free. They also need insurance. He is writing his name on the calendar and some of our local kids were patiently waiting until they could use the gym. He didn't need the full gym he only had 4 girls and he also needs to pay. Steve Daniels has a problem with that also. The council discussed this issue and it was stated that City Administrator Steve Lawver needs to write up a policy so that the Police can enforce it. There was a lot of discussion about this problem and the council was all in agreement that we need a written policy and that all reservations come through City Hall. Mark Powers suggested that we give the workers an electronic copy of the schedule so that no one can write on it. There was a lot of discussion on this matter.

Mike Talley asked if the Mayor was going to call a special meeting to appoint a new council person. It was stated that a special meeting was being called for 5/7/13 at 6:30 PM. Mayor Moss stated that so far he has not had any letters of interest.

Sean Haase asked if we could put some kind of barrier around the recycling dumpsters.

ADJOURNMENT

Mark Powers motioned to adjourn the meeting. Sean Haase seconded. All in favor. No opposed. Meeting adjourned at 8:30 PM.

CITY CLERK

MAYOR