

The Carl Junction City Council met in regular session on Tuesday April 17, 2012 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, Sean Haase and Bob Cook. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

Steve Lawver asked that we add the ordinance accepting the election results on the WWTP Expansion on the 4/3/12 election as item 10(c). Carl Skaggs motioned to approve the amended agenda as requested. Sean Haase seconded. All in favor. No opposed. The City Clerk asked that we add Bennett Inc request for payment #2 to the disbursements since she was out of town when the request came in. Carl Skaggs motioned to approve the consent agenda. Steve Daniels seconded. All in favor. No opposed.

PUBLIC FORUM

There was no one for public forum.

CHAMBER REPORT

Gary Stubblefield reported on the 1st Carl Junction Business Expo that was held 3/31/12. They had 54 inside vendors and 2 outside vendors. It helped the City show what the building all could be for the community. He heard several times that people didn't know how much Carl Junction had to offer. 48% were Carl Junction attendees and the rest were from out of town. Several vendors stated that they have new customers due to the expo and that it was well worth the money they spent. The Chamber Banquet will be at 6:30 PM on 4/19/12 and their next meeting will be 5/3/12. The City wide rummage sale is 5/5/12.

P&Z CASES

Mayor Moss opened Case #12-02 – Amending Section 405.085 – Fences. Steve Lawver reported that they did not have a quorum so there is no recommendation from P&Z. They will meet next week. Mark Powers motioned to table this case until we receive a recommendation from P&Z. Don Marshall seconded. All in favor. No opposed.

REVIEW & APPROVE POLCE CAR BDS

We received 3 bids on the police cars: Machens Ford \$22941 with \$2700 trade in; Carthage Ford \$23742 with \$2800 trade in; Landmark Dodge \$23273 with \$2300 trade in. Chief Haase stated that there is \$431 difference between Carthage Ford and Machens Ford. He would like to stay local if the council is so inclined. Carthage Ford has been good to us and gives us discounts on repairs. He is also going to look at selling the car to another agency if they are interested in buying the car instead of trading it in. Chief Haase is recommending Carthage Ford. Mark Powers motioned to accept the recommendation of Chief Haase and go with Carthage Ford bid. Richard Zaccardelli seconded. All in favor. No opposed.

REVIEW & APPROVE NUISANCE ABATEMENT BIDS

We received on bid for nuisance abatement and it was from Rick Russow and Dave Lortz. Steve had 2 other people call to see if we received their bids. Steve is recommending to the council that we reject this bid and do it all over again. Mark Power motioned to reject the bid and go back out for bid again. Don Marshall seconded. All in favor. No opposed.

ORDINANCES

Mark Powers motioned to put “AN ORDINANCE AMENDING THE GENERAL FUND, WATERWORKS FUND, WWTP FUND, GENERAL OBLIGATION FUND AND CAPITAL IMPROVEMENT FUND FOR THE FISCAL YEAR 2012” on first reading by title only. Carl Skaggs seconded. Mayor Moss asked for discussion. Mark asked if it was for the current budget and not the one we just approved. The City Clerk responded it was for the budget we are currently in. Mark Powers motioned to put it on second reading by title only with a roll call vote. Carl Skaggs seconded. Mayor Moss asked for discussion. There was no discussion. Steve Daniels motioned for passage of the ordinance. Richard Zaccardelli seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-y, Daniels-y, Davey-y Haase-y, Cook-y. Motion on Ordinance #12-15 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 AMENDING TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE: CHAPTER 210: OFFENSES, ARTICLE VIII. OFFENSES AGAINST MORALS, BY ADDING SECTION 210.595: URINATING OR DEFECATING IN PUBLIC PLACE, TO PROHIBIT URINATING OR DEFECATING IN PUBLIC PLACES” on first reading by title only. Carl Skaggs seconded. Mayor Moss asked for discussion. Steve Lawver stated that the Code Review Committee met on this and is recommending approval. Bob Cook asked if this was State Law. Chief Haase said that this is different than indecent exposure. Mark Powers motioned to put it on second reading by title only with a roll call vote. Carl Skaggs seconded. Mayor Moss asked for discussion. There was no discussion. Carl Skaggs motioned for passage of the ordinance. Steve Daniels seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-y, Daniels-y, Davey-y Haase-y, Cook-y. Motion on Ordinance #12-16 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 DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD IN THE CITY OF CARL JUNCTON, MISSOURI ON APRIL 3, 2012” on first reading by title only. Carl Skaggs seconded. Mayor Moss asked for discussion. Steve stated that this is required for the SRF loan. Carl Skaggs motioned to put it on second reading by

title only with a roll call vote. Mark Powers seconded. Mayor Moss asked for discussion. There was no discussion. Carl Skaggs motioned for passage of the ordinance. Steve Daniels seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-y, Daniels-y, Davey-y Haase-y, Cook-y. Motion on Ordinance #12-17 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.

Public Works report – Jimmy stated that they are finishing up with #2 tower and will be moving onto #8 tower next week. Ace Pipe lined 84 manholes and has done 3800’ of line. The cost is about \$150,000. It was asked how much it would have been to excavate and put in new line. Jimmy said about \$250,000. Jimmy said that 1 line had about 30 risers in 200’ of pipe from abandoned lines.

Police Department report – Bob Cook asked if Delmar is putting the cars out for bid instead of trading them in. Chief said he would and he would go with whichever way was more money for the City. Either selling them outright or trading them in.

COMMITTEE REPORTS

The Budget/Finance Committee had nothing to report.

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 reported that the Lions club will be hosting a pancake feed the 1st Saturday in May. It is \$5.00/person.

UNFINISHED BUSINESS

Carl Skaggs said that he has been on the council since 1995 and he will miss it.

Mark Powers asked about the local use tax. Mike Talley reported that it is an optional tax that requires the vote of the people. It is a sales tax. It wouldn’t increase our sales tax but would allow our sales tax to be used on out of state sales. We currently don’t have a local use tax. The Department of Revenue estimates that 21 % of car sales are out of state. This is going to affect our Motor vehicle tax. Right now it is being charged to out of state sales but a court has ruled that is not correct and unless we pass the local use tax we will lose revenue. The legislature is trying to adopt new legislature to fix the problem. It would not be a double taxation. It would only apply to out of state sales. They are already paying it if they buy in state. There was a lot of discussion about this and if we should take it to the vote of the people. The Department of Revenue is estimating that it will be around \$47,000 in taxes for the City. We are not sure what numbers they are using. We could put it on the ballot in August or November. Mike Talley said that there is no down side to passing the use tax. After some discussion it was decided that we need to look into this and discuss it again at the next meeting. The council asked that Mike Talley prepare an ordinance to call an election in case we need it.

Bob Cook asked if the problems at the Community Center have been straightened out. Steve reported that the age limit and adult supervision seem to be working. We have not had any problems recently.

Steve Lawver reported that MIRMA has filed to have the lawsuit against the City filed by Walter Hayes dismissed. We have not heard anything back yet on it. He also reported that Drury College has done a fantastic job on our parks study. They left the boards up for people to look at. They added 2 parks to our plans. They have a concept for each park and they were very open minded in their approach. May 7th will be their final presentation. It was asked if we could get these if PDF files also. Steve also reported that he met with a potential provider Friday on the fiber optic lines we have been looking at. They called up and are very optimistic. They are putting together a proposal. This system will be better the Mediacom or Cable One. This will also do telephone, internet and video. It would accommodate HD TV and would provide 1 gigabyte to a household. The cost is \$3,500,000 for this project. Steve said that if we could capture 20% of the market it would pay for itself.

APPROVE CERTIFIED ELECTION RESULTS

Mark Powers motioned to approve the certified results of the election held 4/3/12. Carl Skaggs seconded. All in favor. No opposed.

SI-NE-DI

Carl Skaggs motioned to si-ne-di. Richard Zaccardelli seconded. All in favor. No opposed.

SWEAR IN NEWLY ELECTED OFFICIALS

The City Clerk then swore in Don Marshall, Mark Powers, Dee Lynn Davey and Ed Reeves to their aldermen positions.

ELECT MAYOR-PRO-TEM

Richard Zaccardelli nominated Mark Powers for Mayor Pro-Tem. Don Marshall seconded. Steve Daniels motioned to close nominations. Bob Cook seconded. All in favor. No opposed. Steve Daniels motioned that Mark Powers be Mayor Pro-Tem by acclamation. Richard Zaccardelli seconded. All in favor. No opposed.

ASSIGN COMMITTEE MEMBERS

Mayor Moss then handed out the list of committee’s he would like to appoint. He asked if anyone was on a committee and did not want on it. No one replied. He then asked if there was a committee someone wanted on that they had not been assigned to. No one replied. Mark Powers motioned to accept the committees proposed. Sean Haase seconded. All in favor. No opposed.

Budget/Finance – Mark Powers, Chair – Dee Lynn Davey – Bob Cook – Richard Zaccardelli

Code/Nuisance –Don Marshall, Chair – Steve Daniels –Sean Haase – Mark Powers – Delmar Haase

Human Resources – Dee Lynn Davey, Chair – Richard Zaccardelli – Don Marshall – Maribeth Matney - Steve Daniels

Public Facilities & Planning – Steve Daniels, Chair – Pat Smith, Citizen – Sean Haase – Jimmy Chaligoj – Richard Zaccardelli

Senior Citizen – Richard Zaccardelli, Chair – Don Marshall – Bob Cook – Ed Reeves

NEW BUSINESS

Bob Cook reported that he has been told that someone is using trout lines in the Bulldog Lake. Chief Haase will look into it. Bob said that they are supposedly on the East side.

Sean Haase said that the Jasper County Health Department is taking prescription medication for disposal at the CJPD this Saturday.

Steve Daniels pointed out that May 7th is the final presentation on our parks and we need a lot of participation.

Richard Zaccardelli brought up the discussion on the State Representatives lines being changed. We will now have 2 representatives; Tom Flanagan and Charlie Davis.

Chief Haase said that the SW Community Alliance has offered the City a drop box for prescription medications so that they can be disposed of properly. It looks like a mail box but it has to be monitored and anchored down. He doesn’t think that anyone will see it in the Police Department and has been looking for a space in the Community Center. He will bring pictures for the council to look at. It would be a good public service.

ADJOURNMENT

Mark Powers motioned to adjourn the meeting. Sean Haase seconded. All in favor. No opposed. Meeting adjourned at 8:23 PM.

CITY CLERK

MAYOR