

The Carl Junction City Council met in regular session on Tuesday May 1, 2012 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, Dee Lynn Davey, Sean Haase, Bob Cook and Ed Reeves. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

### **AGENDA**

Steve Lawver asked that we add the reviewing and approving the police car bids as item 6(a). Mark Powers motioned to approve the amended agenda as requested. Richard Zaccardelli seconded. All in favor. No opposed. Mark Powers motioned to approve the consent agenda. Richard Zaccardelli seconded. All in favor. No opposed.

### **PUBLIC FORUM**

Ron Daniels, 204 N Main, addressed the council about 3 items. He asked if the City had considered buying the FEMA storm shelters that are being used by the Joplin residents when they become available. Mark Powers stated that we had talked about it and will be going to Joplin to discuss it with them. The 2<sup>nd</sup> item was the sign around town says to support local businesses so why doesn't the city support them by taking their vehicles to the 2 garages here in town instead of going out of town. The 3<sup>rd</sup> item was he thinks the City should have a good maintenance program on all their city vehicles and set an example. He sees our vehicles with lights out for a week before they are repaired. Mayor Moss responded that he will not micromanage his department heads. Our department heads have a maintenance program and they maintain their vehicles. Richard Zaccardelli stated that the shop local was the Chamber promotion and invited Ron to join the Chamber. There was some discussion about the 2 garages in town. It was stated that it should be based on the merits of each business.

### **CHAMBER REPORT**

Steve reported that Gary could not make the meeting because he is getting ready for the City Wide Rummage Sale this weekend. He wanted to invite the council to their Chamber meeting this Thursday.

### **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. Mark Powers motioned to table this case until we receive a recommendation from P&Z. Bob Cook seconded. All in favor. No opposed.

### **REVIEW & APPROVE POLICE CAR BIDS**

Chief Haase reported that he had received 2 bids for the SUV. He is replacing the 2006. We will be keeping the vehicle for the PW meter reader so there will be no trade in. There is \$170 difference between the 2 bids. Carthage Ford bid \$25732 and Machens bid \$25587. The PW will be transferring the money to the PD for the trade in value. Chief Haase would like to keep the money local and recommends Carthage Ford. Mark Powers motioned to approve the Chief's recommendation and approve the bid from Carthage Ford for \$25732. Dee Lynn Davey seconded. All in favor. No opposed.

### **APPOINT RICK WEST TO P&Z COMMISSION**

Steve Lawver reported that Rick West has agreed to serve on our Planning & Zoning Commission. He is a land surveyor with Sprengle and Associates. He is a Carl Junction resident. Mayor Moss would like to appoint Rick West to the P&Z. Mark Powers motioned to approve the Mayor's appointment of Rick West to the P&Z. Richard Zaccardelli seconded. All in favor. No opposed. Steve said that we need 2 more on the P&Z and we also need volunteers for the Board of Adjustments and the Building Board of Appeals.

### **REPORTS**

The council reviewed the Administration report. Steve Daniels asked about the fiber optic project. Steve reported that the company interested in it stopped by since they were in the area and toured the town. They are very excited about this project and have contacted AT&T and Windstream about it. They have also found a way to save about 25% on the infrastructure costs. He will have a conference call with them tomorrow. They are moving very fast on this project and have made progress that we couldn't. They want to use us as a show case for other rural communities. He also reminded the council that Monday 5/7/12 is the final meeting with Drury College on our Master Park Plan.

Public Works report – Richard Zaccardelli stated that he has received compliments on the Lakeside Park since they have mowed it last week. Steve reported that we will be getting rid of the Bradford pear trees since the conservation department recommended it.

Police Department report – had nothing new to report.

Court report – nothing to add

Building Inspector report – Mayor Moss introduced Bud Rogers as our new inspector and said he has a world of knowledge. Steve also said he is taking over maintenance around the building.

### **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 this coming Saturday. It is \$5.00/person. He also reported that the AAA is very appreciative of the donation letter we signed for them.

### **UNFINISHED BUSINESS**

Mike Talley reported that trout lines are prohibited in our Bulldog Lake. He also has drafted an ordinance on the use tax as requested. This is based on the sales tax of 2.5%. We might want to wait until that new tax takes effect before we go to the voters. There was some discussion if legislation would pass the fix. It was also stated that this is not a new tax. This is a tax that people have been paying but the court has now ruled that out of state purchases are not subject to our local sales tax. It wouldn't hurt to pass it anyway. If we want it on the August ballot we would have to pass it at the next council meeting. If we put it on the November ballot we have some time to see if legislature will act on the fix. Mark Powers suggested that we go together with all the local communities and put it on the ballot at the same time and split the costs of the election.

Steve said he would like to hold a Public Facilities Committee meeting 5/4/12 or 5/11/12. After some discussion it was decided to hold it 5/4/12 at 10:00 AM. The members are Steve Daniels, Pat Smith, Sean Haase, Jim Chaligoj and Richard Zaccardelli.

Chief Haase then talked to the council about the light on our radio tower. He gave the background on the Sheriff ordering it after the new Board took office and the new board will not authorize payment. It is \$2150. Our tower is 4' under the legal limit but it does pose some safety issues. Chief Haase is recommending we pay the bill and that he will ask for more equipment since he is lowering his equipment budget for the light kit. The Sheriff will not pay it and has had it brought to the City for payment. Mike Talley said we can't pay a bill that is not ours. He would need to look at the agreement and the bill to render a legal opinion. There was a lot of discussion about this light. There are lights on all of our other towers and they are lower than this one. It was stated that if the company wants paid they will need to invoice the City in its name not the Sheriff's. Mike Talley stated to make sure that we keep this original invoice also. He stated that if we don't keep the light up and an accident would happen they would use all this information against us in a law suit. Mark Powers motioned to that we request a new invoice for the light and that we pay for it. Richard Zaccardelli seconded. 7 (Zaccardelli, Marshall, Daniels, Powers, Davey, Cook, Haase) in favor. 1 (Reeves) opposed.

### **NEW BUSINESS**

Mark Powers asked about the trash bill in the House. Steve said that no hearing has been set. It is just sitting there and does not expect any action on it.

Steve Daniels said that he needs for the meeting to be done by 11:30 AM this Friday.

Don Marshall said that there is a line hanging to low for trucks to get under in the alley behind Casey's. They were told it was as high as it could go. There was also a complaint about trash blowing around their trash cans.

Jimmy Chaligoj reported that he went to a DNR class today and now when there is a water leak they have to take samples and send them off before they can put it back on line and that the area would be under a boil until the samples were back. He said some cities use reverse 911 to let residents know and then when the sample comes back uses it again to let them know it is OK again. He said some cities do that and some are not going to mess with it. There was no mention of a fine. Jimmy is supposed to call DNR every time this happens. Ed asked if there was a rule book to consult. Jimmy will check into it. Steve said that this could be a rule that has been in place for awhile but they are now going to enforce it. There was more general discussion about it.

### **ADJOURNMENT**

Mark Powers motioned to adjourn the meeting. Sean Haase seconded. All in favor. No opposed. Meeting adjourned at 8:15 PM.

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CITY CLERK

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MAYOR