

The Carl Junction City Council met in regular session on Tuesday June 4, 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, Tim Smith and Roger Spencer. Also present were City Clerk Maribeth Matney, City Administrator Steve Lawver and City Attorney Mike Talley.

AGENDA

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

PUBLIC FORUM

Ron Daniels, 204 N Main, asked the City Council to consider moving the proposed skate park to the park. He has had problems with kids in the past and feels that this is too close to his property. He stated that no one will be monitoring the kids there.

Rodney Spillman, 201 W Pennell, has the same concerns about the kids. He said that it creates liability if they get hurt on his property. He could be sued. We need someone there that will supervise them. They already skate on the streets.

Elissa Bittner, 27875 Genesis Lane, thanked the council for their support on their proposed duplexes. She has a problem with the inspection charges. She thinks it should be \$300 per building but we charge \$600 per building. They are building 7 duplexes and this is running into a lot of extra costs. They have a budget and the bank gave them 70% of the appraisal value. They are putting in safe rooms and are trying to save money. She doesn't feel it is justified and they will be calling in for the inspections at the same time. The 2nd request has to do with sewer taps. They would like to put 2 lines in that join together for 1 sewer tap per building. The residences will not be sold separately even if they sell them it will be sold as one unit not two and they would like 1 tap per building.

Bryan Stephenson, 206 N Main, thanked the City for their help with their sewer back up. The staff was very helpful. He just was trying to gather more information on the skate park and what the status was on it. It was stated that it would be discussed under Unfinished Business.

Amy Barnum, 112 Cambridge, addressed the council about the tornado siren policy. She wanted to talk to the council about why the sirens were not sounded last Friday night. She felt it would have beneficial if they had been sounded. She doesn't understand our policy. She said that we should error on the side of safety. Mayor Moss stated that the Fire Chief is the Emergency Coordinator and he sounds the sirens. He has spotters all over the area. Tim Smith said he received several phone calls also. It was also stated that if there was rotation the spotters may not be able to see it due to a rain cloud. Mayor Moss said that we sounded our sirens in 2003 and gave the residents 15-20 minutes to take shelter. This has been discussed in the past and it was decided at that time we would let the Fire Chief make the call. Mayor Moss talked to Bill Dunn and he said he would do what the council wants. Tim Smith said that if there is rotation they need to be sounded. Steve Lawver suggested we discuss this under New Business.

CHAMBER REPORT

There was no chamber report.

REVIEW AND APPROVAL OF RECOMMENDATION OF CITY ADMINISTRATOR ON REFURBISHING WOOD FINISH ON COMMUNITY CENTER

City Administrator, Steve Lawver reported that we received only 1 bid for the wood refurbishing and it was from Alpha Painting for \$10786.00. He is recommending that we accept the bid. Mark Powers motioned to accept the City Administrator's recommendation to accept Alpha Painting bid for \$10768.00. Sean Haase seconded. All in favor. No opposed.

REVIEW AND APPROVAL OF POLICE CAR BIDS

Steve Lawver stated that Chief Haase asked to table this item until the next meeting. Mark Powers motioned to table this item until the next meeting. Steve Daniels seconded. All in favor. No opposed.

ORDINANCES

Mark Powers motioned to put "AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND NICK RHEA, DBA N.R. CONTRACTING, TO MAKE REPAIRS TO CENTER CREEK PARK PAVILION #2 IN THE CITY OF CARL JUNCTION, IN ACCORDANCE WITH THE CONTRACT DOCUMENTS FOR THE SUM \$6,500.00; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on 1st reading by title only. Sean Haase seconded. Steve Lawver stated that this is the pavilion south of the tennis courts. Mark Powers motioned to put it on second reading by title only. Sean Haase seconded. There was no discussion. Steve Daniels motioned to put it on final passage. Richard Zaccardelli seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Daniels-y, Powers-y, Haase-y, Cook-y, Smith-y, Spencer-y. Motion on Ordinance #13-24 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 that we had the land for the proposed skate park tested for lead and it came back negative. Tim Smith has talked to EPA and they have agreed if we run across some soil that has fuel deposits in

it we can remove the dirt and dump it at Webb City facility at no charge. Jimmy is collecting information on fencing and we have come up with funding for the 1st Phase.

On the fiber optic issue, Steve received a proposal from Graybar for funding this project. It is CSI Leasing out of St Louis. They will do a lease for \$4 million to \$8 million, 15 year fixed at 4.5%. We would pay interest only the 1st year and then principal and interest after that. He just got this information this afternoon and will get the information together for the council to look at.

Public Works report – had nothing new to report. Bob Cook asked if APD pays their share of fines to DNR on our bypasses. Jimmy reported that he does not think that APD has much I&I. Steve said that Dean Willis keeps very complete records and if we do get fined from DNR he will be able to come up with an estimate of how much of that should be attributed to APD. So far we have not been fined. Bob Cook also stated he received a phone call from Bill Hance about water running off the street onto his property. Jimmy said that is in the Valley View area and there is not ditching in that area. He cannot just do his property. If he ditches it would have to be the whole area. Tim Smith stated he received a phone call from Wes Waggoner about the smell coming out of the manhole. Richard Zaccardelli reported that there was some storm water damage on West Briarbrook Lane.

Police Department report – had no report.

Court report– had nothing new to add.

COMMITTEE REPORTS

Budget/Finance – Mark Powers had nothing to report.

Code/Nuisance –Don Marshall had nothing to report.

Human Resources – Steve Daniels had nothing to report.

Public Facilities & Planning – Tim Smith had nothing to report.

Senior Citizens - Richard Zaccardelli had nothing to report.

UNFINISHED BUSINESS

Bob Cook then reported that the dogs in his neighborhood are still barking day and night. He does not know what he has to do to get something done about it. Mark McCall said that he personally has gone out on calls and they are not barking when the get there. The residents need to call every time so that there is record of phone calls with complaints. They need to help the police pinpoint the dogs if they are not barking when they get there, but the residents are reluctant to do that. Bob also reported that people are not stopping at the 4-way stop at Roney and Pennell. Someone is going to get hurt. He does not necessarily want tickets issued but feels we could issue warnings before someone gets hurt.

Steve Lawver reported that we had received an unusual amount of phone calls and texts regarding the sirens. The other thing he wanted the council to consider is the Community Center hours. He asked the employee's to track the last 2 Sunday's and last Sunday they only had 12 people. We are open 8 hours on Sundays. He does not feel it is effective use of the building and maybe we need to look at summer hours for Sunday's. In the winter time we are packed but in the summer it gets very slow. The council discussed this and asked that the City Administrator track it a little longer and that he bring them back the information. They also asked that he check communities with similar buildings in the area to find out what they do. Mike Talley stated that the downtown Y went to reduced hours on Sunday during the summer and this year they are closed completely on Sunday's for the summer. Steve will continue to monitor it and get back with the council.

NEW BUSINESS

Tim Smith stated he would like to discuss the issue of the sirens not being sounded. Mayor Moss said that he appoints the Director but the Board of Alderman direct him. The council discussed this item at great length. It was suggested that we put together a committee to look at guidelines on sounding the sirens. They felt that the people should be given adequate warning when there is a possibility of a tornado so they have time to take cover. It was also discussed about giving more people authority to sound them off if they feel it is needed. The discussion involved trained spotters, sounding them off too often, giving people a choice to take cover or not take cover it should be their decision, if there is rotation that should be part of the criteria, liability of city if not sounded and giving the City Administrator, Chief of Police, Mayor and Asst Chief of Police authority to sound the sirens. It was stated that Bill Dunn said he would do what the council wished but that he did not feel Carl Junction was in danger Friday night. Tim Smith said that we should talk to Bill Dunn about our concerns. Tim Smith then motioned to give the City Administrator, Mayor, Chief of Police and Asst Chief of Police the authority to sound the sirens if needed. Sean Haase seconded. All in favor. No opposed. Steve Lawver then asked the council about standards they would like to set to sound the sirens. Joplin currently has a 70 MPH or tornado warning and they set their off. There was a lot of discussion regarding this. It was finally stated that if they feel the need to set them off then they should to set them off. Mayor Moss will let Bill Dunn know the council's decision.

Bob Cook then asked about the skate park concerns that were brought up during public forum. Steve reported that this was approved at the last board meeting. It was also stated that this is the 1st phase and it is temporary. If it goes over well we will do the 2nd phase and can move it at that time to the sports complex if that is what we decide to do. Steve reported that our insurance covers a skate park. Mr. Daniels asked why there was not a public hearing held on it. Steve replied that it is already zoned properly and there was not a need to hold a public hearing. It was not a P&Z issue. There was discussion about kid's skate boarding on the streets also.

Sean Haase reported that he had been asked if they can put up a temporary fence at the Senior League field for a softball tournament. Tim Smith said that as long as long as it is temporary and removable it was OK. The council agreed.

Mark Powers then raised the other question during public forum about the fees for the duplexes. Steve reported that they need to run separate taps on the duplexes to keep them secure. The one lot that they are putting 4 duplexes on is a little different.

They are going to be allowed to have 2 taps, 2 duplex buildings per tap. Those 2 taps will be private lines that will then tap into our main line. That reduces the number of taps for them by 6. As far as the inspections go we need a certificate of occupancy per residence per code. There could be some liability if we are not able to issue a certificate of occupancy per residence. Tim Smith asked if they could run the 2 taps in the same ditch line. Jimmy replied yes they could but that is up to them. Our code sets a flat fee per tap and we would have to change our code if we wanted to make an exception. There was more discussion about the request. Mike Talley said that they board can waive fees for a natural disaster and economic development. The City Administrator and the Mayor have to make a recommendation to the Board of Alderman and then they have to approve it. Steve Lawver recommended that we not change our policy, Mayor Moss agreed. Mayor Moss thinks our charges are reasonable and cheaper then surrounding communities.

Richard Zaccardelli reported that the BB CID held a benefit golf tournament for the Washburn family this last weekend. He also said that they are having geese problems and asked if they could set off firearms to scare them. Steve said that does not work. Tim Smith suggested a dog. That seems to work really well to scare them off.

ADJOURNMENT

Mark Powers motioned to adjourn the meeting. Don Marshall seconded. All in favor. No opposed. Meeting adjourned at 9:12 PM.

CITY CLERK

MAYOR