

The Carl Junction City Council met in regular session on Tuesday August 2, 2011 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Richard Zaccardelli, Carl Skaggs, Mark Powers, Steve Daniels, Dee Lynn Davey and Bob Cook. Aldermen Don Marshall and Sean Haase were absent. Also present were City Attorney Mike Talley, City Administrator Steve Lawver and City Clerk Maribeth Matney.

AGENDA

Carl Skaggs motioned to approve the agenda. Mark Powers seconded. All in favor. No opposed. Carl Skaggs motioned to approve the consent agenda. Mark Powers seconded. All in favor. No opposed.

PUBLIC FORUM

There was no one for public forum.

CHAMBER REPORT

Gary Stubblefield reported that there will be a dedication of the Habitat for Humanity house. The Lions' Club is sponsoring a breakfast on 8/6/11 from 7AM to 10AM. Jennifer Johnson and Jeff Asbell are teaming up together to collect school supplies. The next meeting is this Thursday and they will have a ribbon cutting after the meeting. Bob's Books has also stated he wants to help teachers with books that might have been lost in the tornado. Gary was also happy to report to the City Council that our post office is not on the list to be closed. We need to continue to support it. Gary also reported that the UPS store has joined the Chamber. Richard Zaccardelli asked if maybe we could team up with the Chamber to bring back the Welcome Wagon. Gary will check into it.

ORDINANCES

The council reviewed the ordinance amending Section 720.040-Sewer user charges. Mark Powers motioned to put "AN ORDINANCE AMENDING TITLE VII. UTILITIES: CHAPTER 720: USER CHARGE SYSTEM BY ADOPTING A NEW APPENDIX "A" TO SEWER USE CHARGE ORDINANCE (ACTUAL USE RATE STRUCTURE) (JULY 2011) AND BY AMENDING SECTION 720.040 "USER CHARGE RATES" TO REFLECT SAID CHANGES IN RATES; AND ESTABLISHING AN EFFECTIVE DATE FOR SAID NEW RATES" on first reading by title only. Steve Daniels seconded. Mayor Moss asked for discussion. Mike Talley reported that APD has not had a chance to look at this to see if they are in agreement with our numbers. Usually we get a tentative approval before we pass our ordinance. It was discussed that we need to start the new fees to put money in our expansion fund. Mike Talley said that the only one that we need to hold off on is the 11th addendum to the APD agreement. The others are not as relevant. The ordinance with the 11th Addendum needs to have a flat rate amount inputted in it and we don't have that from the engineer's yet. APD has only had this Appendix A since Thursday. There was a lot of discussion regarding the new sewer rates and APD. Dee Lynn commented we can approve the contract amendment at the next meeting. It was reported that Steve, Maribeth and Dean Willis will be meeting with APD on 8/12/11. Mike Talley pointed out that we can approve the ordinance at the next meeting since the new rates don't go into effect until 9/1/11. There was also discussion that we need to start the new fees this year so that we won't have to do a 30%-40% increase when the time comes. If APD doesn't approve the increase now that is what will happen if they wait until later. Mike Talley said that this should be a topic during the 8/12/11 meeting along with our rates on labor services. It was also stated that we take all the liability on the plant and APD has no liability. Mark Powers motioned to put it on second reading by title only with a roll call vote. Richard Zaccardelli seconded. Mayor Moss asked for discussion. There was no discussion. Carl Skaggs motioned for passage of the ordinance. Mark Powers seconded. All in favor. No opposed. Zaccardelli-y, Marshall-absent, Skaggs-y, Powers-y, Daniels-y, Davey-y, Haase-absent, B Cook-y. Motion on Ordinance #11-22 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.

The council reviewed the ordinance approving the 11th Addendum to the APD contract. Mark Powers motioned to put "AN ORDINANCE APPROVING THE ELEVENTH ADDENDUM TO THE SERVICE CONTRACT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND THE VILLAGE OF AIRPORT DRIVE, MISSOURI, AND AUTHORIZING THE MAYOR TO EXECUTE SAID ELEVENTH ADDENDUM FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Steve Daniels seconded. Mayor Moss asked for discussion. Mike Talley pointed out that this addendum needs a flat rate inserted into the fees. We don't know what that is yet. We can have it by the next meeting 8/16/11. Mark Powers motioned to table this ordinance until the next meeting 8/16/11. Carl Skaggs seconded. All in favor. No opposed.

The council reviewed the ordinance approving the 1st Addendum with HOUSE and APD contract. Mark Powers motioned to put "AN ORDINANCE APPROVING THE FIRST ADDENDUM TO THE AGREEMENT FOR SANITARY SEWER SERVICE BETWEEN THE CITY OF CARL JUNCTION, MISSOURI, THE VILLAGE OF AIRPORT DRIVE, MISSOURI, AND HOUSE, INC., AND AUTHORIZING THE MAYOR TO EXECUTE SAID FIRST ADDENDUM FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Carl Skaggs seconded. Mayor Moss asked for discussion. Mike Talley said that it has not been approved by either party yet. This amendment stated that the City will collect what is due the City and APD will collect what is due APD. Bob Cook asked what happens if they don't agree. Mike Talley said we would have to look at our options at that time. There was some more discussion about that possibility. 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. Mark Powers motioned for passage of the ordinance. Steve Daniels seconded. All in favor. No opposed. Zaccardelli-y, Marshall-absent, Skaggs-y, Powers-y, Daniels-y, Davey-y, Haase-absent, B Cook-y. Motion on Ordinance #11-23 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.

The council reviewed the ordinance approving the 1st Addendum with Fountain Road Park Village and APD contract. Mark Powers motioned to put "AN ORDINANCE APPROVING THE FIRST ADDENDUM TO THE AGREEMENT FOR SANITARY

SEWER SERVICE BETWEEN THE CITY OF CARL JUNCTION, MISSOURI, THE VILLAGE OF AIRPORT DRIVE, MISSOURI, AND KELLY L. AND BOBBY D. THOMAS AND THE THOMAS FAMILY TRUST, DBA FOUNTAIN ROAD VILLAGE, AND AUTHORIZING THE MAYOR TO EXECUTE SAID FIRST ADDENDUM FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI” on first reading by title only. Carl Skaggs seconded. Mayor Moss asked for discussion. It was pointed out that this is the same situation as HOUSE. 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. Mark Powers seconded. All in favor. No opposed. Zaccardelli-y, Marshall-absent, Skaggs-y, Powers-y, Daniels-y, Davey-y, Haase-absent, B Cook-n. Motion on Ordinance #11-24 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.

The council reviewed the ordinance approving the Financial Disclosure and Conflicts of Interest. Mark Powers motioned to put “AN ORDINANCE PROVIDING FOR A FINANCIAL DISCLOSURE AND CONFLICTS OF INTEREST” on first reading by title only. Richard Zaccardelli seconded. Mayor Moss asked for discussion. The City Clerk explained that we pass this ordinance so that only the Mayor has to fill out a financial statement each year unless you personally do business with the City. Mark Powers motioned to put it on second reading by title only with a roll call vote. Richard Zaccardelli 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-absent, Skaggs-y, Powers-y, Daniels-y, Davey-y, Haase-absent, B Cook-y. Motion on Ordinance #11-25 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 the LRP Committee will be meeting 8/8/11 at 6:00 PM. The P&Z will meet at 7:00 and both will be going over the draft of the Comprehensive Plan. The council will review it 8/16/11.

Public Works Department report – had nothing to report.

Police Department report – reported that they will be putting a light on the tower and are looking at a fence for it also.

Building Department – reported that we have issued 12 new construction permits in the last 2 weeks.

COMMITTEE REPORTS

The Code/Nuisance Committee had nothing to report.

The Budget/Finance Committee will meet on Friday 8/12/11 at 1:00 PM regarding a health insurance plan. It could provide better rates and more options.

The Human Resource Committee had nothing to report.

The Public Facilities & Planning will be meeting 8/8/11 at 6:00 PM. Steve Daniels will not be here the 8/16/11 and asked if Richard could give his report for him.

The Senior Citizen Committee reported that they have been having a lot of activities and the residents from Joplin that have been coming over are really impressed with our Center.

UNFINISHED BUSINESS

Dee Lynn Davey commented on the APD contract addendums. They still have to approve them even though we passed them. What happens if they don't approve them? It was discussed that we will have to deal with that if it happens. Mike Talley is not sure the course we should take if they don't approve them.

Steve then reported that we already have in place the changes he discussed with the council. Joplin changed their tie downs to 4” and ours are at 6” but that should not make any difference to building here in Carl Junction. If they are used to doing 4” they will comply with our code of the minimum of 6”.

Steve said that the letter to DNR is on outfall #2 and that this reports fulfills part of our voluntary compliance agreement.

Steve also gave the council a copy of the document people can fill out if they wish to leave funds for the life of our Community Center building through the Legacy fund. People can use it for their estate planning.

Steve also went over the spreadsheet showing the changes in our sewer rates for the average customer. It will increase \$2.22 per household on an average.

Jimmy said that the letter we received for non-compliance is because our PH probe was off. They had been calibrating it but it was calibrating improperly. It has been off for a while. We did not catch it until DNR lowered our PH limits and then we were out of compliance and found the issue. There was some discussion about the calibration process.

Chief Haase said that the City should look into leasing out space on our new tower. Steve said he has already had some companies call with interest in that.

NEW BUSINESS

Bob Cook then stated that according the article in the paper we are charging APD \$26.56 per hour for our labor and it is costing us \$29.85. He wanted to know why we aren't charging them what it cost us. They need to pay their fair share. Mark agreed that if that is what it is costing us then they should pay that amount. There was a lot of discussion about this subject. It was also asked if APD is not happy with the rates what can we do. Steve will check into some of our options.

ADJOURNMENT

Mark Powers motioned to adjourn the meeting. Carl Skaggs seconded. All in favor. No opposed. Meeting adjourned at 8:14 PM.

CITY CLERK

MAYOR