

The Carl Junction City Council met in regular session on Tuesday June 5, 2007 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Richard Zaccardelli, Barbara Evans, Mark Powers, Pat Smith, Dee Lynn Davey, Walter Hayes and Wayne Smith. Aldermen Carl Skaggs was absent. Also present were City Clerk Maribeth Matney and City Attorney Mike Talley.

### **AGENDA**

Pat Smith motioned to approve the agenda as presented. Dee Lynn Davey seconded. All in favor. No opposed. Pat Smith motioned to approve the consent agenda as presented. Barbara Evans seconded. All in favor. No opposed.

### **PUBLIC FORUM**

There was no one for public forum.

### **REVIEW AND APPROVAL OF OFFICIAL PYMTS FOR DEBIT/CREDIT CARD PYMTS**

Mike Talley read the contract but did not understand all of the terms in the contract. It was very technical. He didn't find a problem with it but he didn't understand all of it and would like someone versed in this field to consult. Pat Smith motioned to table this. Barbara Evans seconded. Jim Whisenant asked if we got him some names and numbers if that was all he needed. Mike Talley said he just needed someone he can ask questions of to explain the technical side of the contract. All in favor of the motion on the floor. No opposed.

### **REVIEW AND APPROVAL OF LEASE PURCHASE BIDS**

These bids are for the equipment purchases for the public works department. It was asked if this fell within the budget we set and it does. He has some bids coming in under budget. The bids were as follows: CBT 4.899% \$41100.44 annually, SMB no percentage \$42072.00; Commerce Bank 4.612% \$40084.23. After reviewing the proposals the staff recommended to accept Commerce bank's bid at 4.612% \$40084.23. The staff reviewed the bids and recommended Commerce Bank since they were the low bidder. We also have had lease purchase agreements with them before. Pat Smith motioned to accept Commerce Bank bid as recommended. Richard Zaccardelli seconded. Mike Talley said that we need to contact them so that we can have an ordinance to pass at the next meeting. All in favor. No opposed.

### **DISCUSSION OF SEWER PROPOSED SEWER RATES**

Dean Willis, Allgeier-Martin & Associates, talked to the council about the proposed sewer rates. He referred to his letter dated May 10<sup>th</sup> and the Appendix A that was attached. He went over how they came up with the rates proposed. He explained that the cost of the equipment shifted from 50% to 80% but Tri-State agreed with that methodology. He is recommending an 8% increase in the rates. The out of town rates will be 14.7%. Mark Powers asked why we had an 8% increase when our budget showed a surplus in revenues over expenditures this year. Dean explained that the WWTP Fund is helping with a larger share of the cost of the Economic Developer and Building Inspector. He explained that he didn't look at the revenue side. He projected the revenues needed to meet expenses and that is how the rates were agreed upon. Dean also explained about the WWTP R&R Fund. Jim Whisenant asked about our infiltration expenses. Dean said that he didn't consider that unless it was a budgeted item. Those needs are not reflected if they were not in the budget. There was discussion about our plant during dry seasons and wet seasons. We appear to have a lot of I&I in our sewer lines. Dean also stated that EPA has placed emphasis on sewer overflows and they have required DNR to be more stringent in that area. Mark Powers said that he hated the rates to go up more then the rate of inflation. He said that if we need to raise them we need to make plans for that next year. Dean pointed out that we budgeted 2 items in our revenues that were not taken in consideration since they are not fees that are a guaranteed source of revenue. There was discussion about past practices with APD negotiations. Mark Powers suggested that we do a 3.5% increase not the 8%. There was a lot of discussion regarding the rates and their structure. They also went over APD rates. Dean did say that we do not control what they charge their resident as long as we get our revenue that is required from them. Dee Lynn agreed with Mark that it was too large of an increase. They also commented that they just raised the trash rates. The City Administrator stated that the CPI is composed of a lot of components and some areas track much higher then the average overall. We need to take that into consideration also. It was also stated that we need this information when we put the budget together. There was much discussion about adjusting our rates and leaving APD's the same. Mike Talley cautioned the council about this decision. After more discussion it was decided that the budget committee and the public facilities committee will get together to meet on this issue. Walter Hayes motioned to table this discussion until the next meeting until the committee's can make a recommendation. Pat Smith seconded. All in favor. No opposed.

### **ORDINANCES**

The council then reviewed the ordinance amending Section 210.760. Pat Smith motioned to put "AN ORDINANCE AMENDING TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE: CHAPTER 210: OFFENSES, ARTICLE XI. MISCELLANEOUS OFFENSES, BY AMENDING SECTION 210.760: FIREWORKS, TO ALLOW PUBLIC DISPLAYS OF FIREWORKS UNDER CERTAIN CONDITIONS WITHIN THE CITY OF CARL JUNCTION, MISSOURI" on 1<sup>st</sup> reading by title only. Barbara Evans seconded. All in favor. No opposed. Pat Smith motioned to put it on second reading by title only with a roll call vote. Richard Zaccardelli seconded. Zaccardelli-y, Evans-y, Skaggs-absent, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #07-18 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 next ordinance is approving a contract with Joplin Industrial Electric to replace the wiring at the ball parks. This is a safety concern. We will have to use our surplus funds to pay for this project since it is an unbudgeted item. Walter Hayes motioned to put "AN ORDINANCE APPROVING A CONTRACT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND JOPLIN INDUSTRIAL ELECTRIC CO., INC., TO FURNISH AND INSTALL ELEVEN (11) LIGHTING CONTACTORS TO CONTROL EXISTING FIELD LIGHTING FOR THE SUM OF \$10,530.00 AND TO INSTALL ONE (1) 240 VOLT 30 AMP. CIRCUIT TO A WINDOW AIR-CONDITIONER FOR THE SUM OF \$278.00, IN ACCORDANCE WITH THE CONTRACT DOCUMENTS; AND AUTHORIZING THE MAYOR TO EXECUTE SAID CONTRACT FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on 1<sup>st</sup> reading by title only. Richard Zaccardelli seconded. All in favor. No opposed. Walter Hayes motioned to put it on second reading by title only with a roll call vote. Richard Zaccardelli seconded. Zaccardelli-y, Evans-y, Skaggs-absent, Powers-y, P Smith-abstain, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #07-19 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**

City Administrator reviewed his report. Jim pointed out on page 2 #5 the sidewalks are to be done with better weather. On page 3 item #6 the City lost the storm water language in SB 22. We were told that the HBA opposed the language and we are trying to find out why. We have certain mandates that we have to meet by March 2008 and we have no funds to meet the mandates required by EPA. The counties can charge a storm water utility fee but the cities can't. On #7, Thom's Station Trail, we have met with Sprenkle & Associates and they redid the drawings and confirmed the numbers. We have reduced the size of the trail from 10' wide to 8' and then we will send it to MoDot. On page 5 #1 we met with the Chief, Code Enforcement officer and the building inspector regarding the blow up pools. We need to move quickly on the proposed language. It is a safety issue. We need to make sure that these pools have enclosures around them. Walter mentioned that pools are mentioned in Chapter 4 and Chapter 5, but have different language. Mike Talley stated that we changed one area but overlooked changing the other section. We need to pass an ordinance to get the codes to read the same. On page 6 #2 states that we will have the fluoride on line soon. We will have to phase it in over a time line. #2 – ISO sent us a letter stated that the commercial is going from a Class 7 to a Class 9. We did not adopt the latest I codes (see memo). We also do not have home plan review. #4 is a reminder that on 5/18/07 we will have a work session with the Building Inspector Ed Reeves to go over some building issues. #5 addresses the penalty that Mo DNR wants to impose on our sewage bypass spillage last January.

### **COMMITTEE REPORTS**

The Nuisance Committee had nothing to report.

The Public Facilities Committee has nothing to report. Jim Whisenant wants to schedule a meeting for the street lights. Wayne can't make it Monday or Wednesday. After some discussion it was decided to meet Friday 11:00 AM on 6/8/07 to discuss the sewer rates with the Budget Committee.

The Park/Pool Committee had nothing to report.

The Code Review Committee met tonight and talked about our breed specific code. After more research it was decided that there was no need to make any changes to our code right now. We need to let the judge know about this decision. Walter Hayes then motioned to leave the code as is. Mark Powers seconded. All in favor. No opposed.

The Budget/Finance Committee will be meeting Friday, 6/8/07 at 11:00 AM.

Human Resource Committee had nothing to report.

The Citizen's for Better Life Committee reported that they talked to Mr. Hayes and he will be getting the materials to Mike for review. Mike Talley stated that he received it today and it is not entirely appropriate for Carl Junction and wants the committee to look at it also.

### **UNFINISHED BUSINESS**

Mayor Moss reminded the council that we moved the meeting to 6/18/07 and Walter Hayes will chair the meeting.

Jim Whisenant reminded the council about our Vintage Classic Baseball Tournament. Carl Junction night at Springfield is 6/19/07. He also told the council that he is still checking with ICC on whether we can put the code on the computer out front. They are checking with their legal counsel.

Dee Lynn Davey asked about the e-mail account. It was explained that we have changed servers and that we need to use that information for the aldermen's e-mail.

Chief Haase reported that he now has 2 officers that are certified to install child safety seats. They also have their surveillance system installed now.

Steve Lawver stated he put his report on the council's table this evening. He had been out of town for meeting when packets went out.

### **NEW BUSINESS**

Jim Whisenant said that we have received complaints about Mediacom and we have been referring them to the 800 number. He then introduced Sean Hurlly, MSSU intern that started Monday and will be with us through 7/29/07. Sean said that he had been in North Dakota and they moved here in 1989. He is a political science student and plans to be a city manager or economic developer. Pat Smith asked if we had complaints about trash and it was replied yes.

Mayor Moss stated that LaDonna Allen had tickets to the Carl Junction night if anyone needed them.

Mark Powers then read the letter from Mr. Myers, 106 Bogey, regarding our renegotiated contract for trash service. Jim Whisenant had talked to Waste Disposal and Scammon land fill is still open but is rejecting yard waste. It is a corporation land fill. He also reported that Kansas is considering not accepting yard waste any longer. It shortens the life span of the land fill. We are letting residents use our Public Works facility temporarily. Richard asked about putting out a flyer to residents.

The City Clerk then asked the council to review the bid on the grader. We received only one bid. It is for a 1997 grader for \$68000.00 from ERB Equipment out of Fenton Missouri. It is in good condition. It was suggested we go look at it before purchasing. Pat Smith motioned to accept the bid. Richard Zaccardelli seconded. All in favor. No opposed.

**ADJOURNMENT**

Pat Smith motioned to adjourn the meeting. Barbara Evans seconded. All in favor. No opposed. Meeting adjourned at 9:00 PM.

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CITY CLERK

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MAYOR