

The Carl Junction City Council met in regular session on Tuesday, June 7, 2005 at 7:00 at City Hall. Mayor Mike Moss called the meeting to order with the following present: Richard Zaccardelli, Barbara Evans, Gary Stover, Mike Palmer, Walter Hayes and Wayne Smith. Also present were City Attorney Mike Talley and City Clerk Maribeth Matney. Aldermen Pat Smith and Carl Skaggs were absent.

### **AGENDA**

Mayor Moss asked that we amend the agenda to add item 6(a) appointment of Public Works Superintendent Scott Schroth. Mike Palmer motioned to approve the agenda as amended. Richard Zaccardelli seconded. All in favor. No opposed. Barbara Evans motioned to approve the consent agenda as presented. Richard Zaccardelli seconded. All in favor. No opposed.

### **PUBLIC FORUM**

Daren Baker, 206 N Broadway, stated he understood that the City intends to open Broadway & Verbyrick streets. He has a petition that the entire neighborhood signed except 1 person. It is a safety factor and the constant traffic is what they are opposed to. They would like to see the plan and understand what we want to do. Joe stated that we are cooperating with the schools and are looking at all the traffic and considering making some one-way streets. Mr. Baker stated that the residents want to be involved. They feel there are other options, such as the access road. They have kids walking along Broadway & Verbyrick to school and if the streets are opened up the traffic will follow. They have small front yards and we do not have any room to widen the streets. They feel the City and the school have other options.

Ron Stone, 203 N Broadway, stated he is against opening the streets and will fight it.

Mike Palmer stated that it would take council action to go forward and they should keep an eye on the agenda's for any postings.

Sheryl Hicks, 205 N Broadway, said they have no sidewalks in the neighborhood to walk. She also noticed that they are not supposed to be able to go down Wise Street to get to the school but they do.

Phil Cook, 101 Ridgepoint Drive, Carl Junction School Superintendent, reported that they met with the City to see what they can do for the safety of the students. They are going to try to drop off the students from the passenger side and try to keep the traffic flowing. They want to do this by one-way streets. Their main concern is the safety of the students. He is open to suggestions. They want to do traffic studies and plan for growth. They are growing 3% to 5% per year. He also has to consider the whole school district and not just the City of Carl Junction. He feels this is as significant as sidewalks on Pennell Street. The residents stated that there is a lot of speeding on Wise Street and they already have to put up with traffic during baseball and football. It was pointed out that school traffic lasts only about 20 minutes every morning and every afternoon. It was also pointed out that we have no control over Highway Z. Joe stated that the Joplin engineer's are working with us to look at our traffic congestion. It has also been discussed that we might open up Weston Street for another exit for traffic. There was discussion about not bussing students within 1-mile radius of the schools. Mr. Cook also stated that they are reconsidering that policy, especially as the new subdivision north of the school grows. A resident stated that some parents drop off at the high school and then go to the intermediate school to drop off other children. There was more discussion about one-way streets. Mr. Cook stated they will do what they can to not to create hardships for the residents, but safety for the children is their primary concern. He also stated he has an open door policy if they would like to come to his office.

Robert Hays, 209 N Broadway, stated that we can try to control the traffic but it will be just like the gate on Wise that is always left open. It is hard to control. He asked that the City notify them when we are going to meet on it since not everyone takes the paper. Mike Moss said he would contact them. He also stated he might appoint a committee to research it.

David Willhite, 503 S Main, informed the council that Well Street is just as bad when the parents are dropping off children. They also have trouble with speeding.

Brian Pemberton, 405 Ashmore Drive, then informed the council that he built a new house and his last water bill was \$151 and the sewer was \$99. He asked the City if there was any way to adjust the sewer for water he used on his lawn. It was suggested he put in a separate meter. He stated that was \$595.00. Mr. Pemberton suggested we go to a flat rate in the summer using the previous winters usage. He asked if a petition would help get this looked at. Mike Palmer stated the sewer rates were set to recover the operating costs. If we rebate the sewer during the summer it will drive up the rates for normal usage. They could study it. The council stated they understood his frustration.

### **REVIEW AND APPROVAL OF SLURRY SEAL BIDS**

Joe reported the only bid we received was from Vance Brothers for \$1.17 a square yard. Last year it was \$1.24 a square yard. It was the consensus of the council to accept the bid. Joe will contact them and get a contract from them. Gary Stover expressed concern about not receiving very many bids. There was some discussion about this. Mike Palmer motioned to approve the bid, get a contract and have an ordinance drawn up for approval. Walter Hayes seconded. All in favor. No opposed.

### **APPOINTMENT OF PUBLIC WORKS SUPT**

Joe stated that the Mayor and Joe interviewed the applicants in May and Scott started 6/1/05. He has 25 years experience and has hit the ground running. He graduated from Joplin in 1970, went to Crowder and graduated from MSSC. He has worked in several states including Nebraska, Arizona and Kansas. His strengths are in Water & Wastewater but has some knowledge about streets and parks. Mike Palmer motioned to appoint Scott Schroth as Public Works Superintendent. Richard Zaccardelli seconded. All in favor. No opposed.

## **REPORTS**

The council reviewed the City Administrator' report. Well #5 is out of service. AMA has worked up some specifications and a recommendation along with cost estimates. We are lowering the pump by 250' and they are recommending that we go with a submersible pump with a soft start. We have sent the specs to 3 different companies and so far 1 has responded. Mike Moss stated that we had a problem in 1999 with this same well. There was concern about the well failing so soon. Joe asked if we could proceed under our emergency clause in getting this repaired or if the council wanted to call a special meeting. Mike Talley said we need a contract and performance bond from the company. There was more discussion of the failure of the pump in just 6 years. Joe also discussed this with Kurt Higgins and it was stated that our shaft was re-aligned in 1999. The column pipe is not reusable. Mike Palmer wants to make sure that there is nothing wrong with the well. Mike Talley suggested we have a special meeting if it is that important. Gary Stover asked if we were short on water with #5 down. Scott reported we are keeping up with the demand easily. He also stated that a submersible pump with a soft start would give us better service and a longer life. It was decided to have a special meeting and the City Attorney is to draw up an ordinance. We will try for next Tuesday. David Willhite said he knew of a company in Arizona that might bid on it. It was asked that he provide that information to the City Clerk.

Memo #1 – Pending items. Mike Talley reported that he was still working on the Rails to Trails suit. They filed a new motion to strike our affidavits, which we submitted to support our argument. He has 15 days to file our response. They are claiming that Jim Wisdom did not faithfully demean himself in office. Mike Moss asked how many times could they come back and prolong the judgment. Where does it stop? Mike Talley said there is no limit to the number of motions they can file until the court steps in. It was in the City's best interest that Mike responds to this last motion. If we lose the lawsuit it could cost the City as much as \$100,000. It is necessary to fight these motions. He can't control some of it. If we are successful in our summary judgment he will file for our attorney's fees to be paid for by the plaintiff, and if they are successful they will file for their attorney's fees to be paid by the City. Mike Talley said if we go beyond these responses and pleadings the City will have to hire another attorney, as he would be a witness then. When he sends this response he will ask that this be settled and that the court make a decision.

## **COMMITTEE REPORTS**

Mike Palmer reported that the Code Review Committee met and discussed the employee handbook. Joe will make the changes recommended and then give it to Mike Talley for review. He also asked that they meet at 6:00 PM before the first meeting of every month.

Public Facilities Committee will meet 6/8/05 at 10:30 AM.

The Budget/Finance Committee has not met yet.

Park/Pool Committee is meeting 6/14/05 at 4:00 PM.

## **UNFINISHED BUSINESS**

Joe reported that Airport Drive approved the rates set by Dean Willis and that we need to proceed with the next step. Mike Talley said he would draw up the ordinance with the rate changes. We need to send a letter to APD.

Richard Zaccardelli said he has a complaint about speeders on West Briarbrook Lane and they will try to get the license number and address of the speeder.

## **NEW BUSINESS**

Joe reported that Tammy Reed submitted her resignation and also Lonnie Osborn. We replaced Lonnie with Kirk Brite. He is fitting in well with the crew.

Joe had a meeting with the architect and contractor on the Police Station to see where we are. The roofer was here to see if it was installed per specifications.

Joe asked if he could give Jimmy compensation pay for overseeing the public works department for 3 weeks. He stepped up to the plate and did a good job. The council agreed we could do that.

Joe also reported that Asbell is working on the retention pond at Schimm Circle. That left 3 lots that need a lot of fill since he took dirt from that area. Joe also reported that Jimmy has a solution to the water problem on Fairway Drive. Chad needs to drop his pipe and we can grade the ditch to drain in the pipe.

Joe reported that Ed has been out on sick leave but should be back in a few days. Brent Diskin is filling in.

Mike Palmer asked if we could look into the sewer rates. He wondered if we could use December, January and February as a basis for average sewer usage during the summer. He wondered how it would impact our sewer rates. The council also discussed the old ordinance that capped the usage at 20,000 gallons during the summer months. It was accidentally left off of the ordinance when it was rewritten and when caught the council was asked if they wanted to add it back on and the response was no. Mike Palmer asked if we could look at the reports and see what happens if we do some summer sewer adjustments.

Joe Barfield then brought up discussion about replacing our City Collector. He has talked to MML and other cities. The Statutes state we have to have a City Collector and it was pointed out that the City Clerk cannot hold the joint title due to auditing exceptions. The Statute states that the Marshall can also hold the title of City Collector. Most other towns add it to the Finance Director's title and duties. Joe suggested that they appoint him City Collector since he is the Finance Director as outlined in his duties and that would be acceptable to meet state requirements. He then suggested we run an ad for an office clerk and eliminate the Collector's salary. Mike Talley said that we would need to adjust the code since the salary is set by ordinance. The council asked Joe to check with the auditor to make sure or checks and balances are in place. Mike Talley also said that this all needs to be done simultaneously.

**ADJOURNMENT**

Walter Hayes motioned to adjourn the meeting. Richard Zaccardelli seconded. All in favor. No opposed. Meeting adjourned at 8:35 PM.

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CITY CLERK

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MAYOR