

The Carl Junction City Council met in regular session on Tuesday July 07, 2015 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Bob Cook, Don Marshall, Richard Zaccardelli, Mark Powers, Tim Smith, Roger Spencer, Wayne Smith and LaDonna Allen. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

Mark Powers motioned to amend the agenda by striking off #13 - Closed session per RsMO 610.021 (3): Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. LaDonna Allen seconded. All in favor. No opposed. Mark Powers motioned to approve the agenda as amended. Roger Spencer seconded. All in favor. No opposed. Mark Powers motioned to approve the consent agenda. Richard Zaccardelli seconded. All in favor. No opposed.

PUBLIC FORUM

Chief Haase introduced our new Police Officer, Andrew Ayers, to the council. He was sworn into office already since he has started on duty.

CHAMBER REPORT

Gary Stubblefield stated that the Chamber has been very active the last 2 months. They have 17 new members to bring them to a total of 263 members. On 7/23/15 is their next business after hours at the Briarbrook Clubhouse from 5:30 – 7:00. The next regular meeting is 8/6/15. He said that they can keep track of the events on Face book. It is a great resource.

APPOINT ETHAN GIERTZ TO THE P&Z COMMISSION

Mark Powers motioned to appoint Ethan Giertz to the P&Z Commission. Richard Zaccardelli seconded. All in favor. No opposed.

APPOINT LARRY CHALMERS TO THE BOARD OF ADJUSTMENTS

Steve reported that Larry Chalmers has volunteered to serve on the Board of Adjustments. Gary Stubblefield's term is up and he has stayed until we could find a replacement. Mark Powers motioned to appoint Larry Chalmers to the Board of Adjustments. Roger Spencer seconded. All in favor. No opposed.

ORDINANCES

Mark Powers motioned to put "**AN ORDINANCE AMENDING TITLE V: BUILDING CODE, CHAPTER 500: GENERAL PROVISIONS, ARTICLE III. MISCELLANEOUS PROVISIONS, BY AMENDING AND RENAMING SECTION 500.210: STANDARD SPECIFICATIONS FOR STREETS AND SEWERS, TO ADOPT THE MAY 2015 EDITION OF THE CITY OF CARL JUNCTION'S CONSTRUCTION STANDARDS FOR PUBLIC INFRASTRUCTURE**" on first reading by title only. Don Marshall seconded. Steve reported that this is a specification book we have here for developers and engineers that lays out how to put in our infrastructure. It has been sent to DNR for approval. This is not just an update but a new book due to other changes. Richard Zaccardelli motioned to put it on second reading by title only. Mark Powers seconded. There was no discussion. Mark Powers motioned to put it on final passage. Roger Spencer seconded. All in favor. No opposed. Cook-y, Marshall-y, Zaccardelli-y, Powers-y, T Smith-y, Spencer-y, W Smith-y, Allen-y. Motion on Ordinance #15-21 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.

Mark Powers motioned to put "**AN ORDINANCE APPROVING THE FOURTEENTH 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 FOURTEENTH ADDENDUM FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI**" on first reading by title only. Richard Zaccardelli seconded. Steve reported that this is the annual review and addendum we make to our contract with APD each year. This reflects our new rates and they do pay a higher rate than what we pay. LaDonna Allen asked if it was a slight increase. Steve stated yes. It reflects in the per thousand gallon expense. Bob Cook asked what about all the new building in APD. Steve replied that we have a limit on what their flow can be. They have not reached it yet. If it goes over a penalty is charged. Bob asked if our system can handle it. Steve said yes. The engineers look at it each time a plat is approved. DNR also keeps track of it. Roger Spencer motioned to put it on second reading by title only. LaDonna Allen seconded. There was no discussion. Mark Powers motioned to put it on final passage. Bob Cook seconded. All in favor. No opposed. Cook-y, Marshall-y, Zaccardelli-y, Powers-y, T Smith-y, Spencer-y, W Smith-y, Allen-y. Motion on Ordinance #15-22 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.

Mark Powers motioned to put "**AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION AND AIRE FIBER, LLC., TO LEASE SPACE ON THE CITY'S WATER TOWERS AND WITHIN THE CITY'S BUILDINGS AND ON THE CITY'S COMMUNICATIONS TOWERS FOR THE PURPOSE OF ESTABLISHING WIRELESS INTERNET RECEIVER AND TRANSMITTER UNITS AND OTHER ASSOCIATED COMMUNICATION EQUIPMENT FOR A TERM OF THREE (3) YEARS WITH OPTIONS TO RENEW FOR TWO (2) ADDITIONAL LIKE TERMS, ON THE ONE YEAR ANNIVERSARY OF THIS AGREEMENT THE PARTIES MAY RENEGOTIATE IN**"

GOOD FAITH THE TERMS HEREOF, SUCH TERMS TO BE APPLICABLE TO THE RENEWAL TERMS ONLY AND A THIRD LIKE TERM UPON MUTUAL CONSENT OF THE PARTIES, PROVIDING THE TERMS OF SAID LEASE AGREEMENT, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Richard Zaccardelli seconded. Steve reported that the last modified contract was sent out late yesterday. Mark Powers asked that Aire Fiber be allowed to speak. Ben Koeneker, Aire Fiber, stated he was pleased with the agreement and all the risk is with Aire Fiber and it will provide revenue to the City. They have secured the financing. It is not a subsidy for the City and the city is not responsible for any debt service. The City is guaranteed a new stream of revenue with \$400 per month for tower lease and \$350 a month free service with totals \$5000 annually. Nothing has changed and Carl Junction will be able to have state of the art internet. Mr. Talley has provided a contract and it is favorable to the City. They have addressed all the issues that were brought to their attention. Carl Junction will be a model for other cities. La Donna asked how far out is the installations. Ben replied it will be done with a phase approach. Late August is their time frame and they will work as quickly as possible. There was some discussion about electricity used. Steve said that the electricity would be a minimum bill and it would probably cost the city more to install a meter to monitor it then the bill would be. Ben then explained that the 1st approach was a co-investment with the City to try to give the City a revenue stream. There were concerns about the risk the City was taking. They did not mean to give the impression they could not do the project by themselves but was offering the City a chance to invest in it for a shared revenue opportunity. What is proposed tonight is not a co-investment project. Richard Zaccardelli asked if they had approached other cities about renting their towers. Ben said that each city is its own animal and each site will be different. Mark Powers motioned to put it on second reading by title only. Don Marshall seconded. There was no discussion. Mark Powers motioned to put it on final passage. Richard Zaccardelli seconded. All in favor. No opposed. Cook-y, Marshall-y, Zaccardelli-y, Powers-y, T Smith-y, Spencer-y, W Smith-y, Allen-y. Motion on Ordinance #15-23 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.

REPORTS

The council reviewed the Administration report. There was no discussion

Public Works report - had nothing to add to report.

Police Department report - had nothing to add to report. LaDonna asked about the grant. Chief Haase reported it was a shade under \$10,000 and there is a meeting in late July that some paperwork will have to be signed. It was an Emergency Management grant and it will pay for part of his salary.

Building Inspector – had nothing to add to report. Richard asked about the shed going up on W Briarbrook Lane. Steve said that Bud has been doing inspections on it.

COMMITTEE REPORTS

Budget/Finance - Mark Powers had nothing to report.

Code/Nuisance –Don Marshall had nothing to report.

Human Resources – Roger Spencer had nothing to report.

Public Facilities & Planning – Tim Smith reported that we had talked to the contractor working at the school. There are plans to build parking areas at the ball complex. Jimmy and Steve have talked to Southard Construction. We hope to start in mid July.

Senior Citizens - Richard Zaccardelli had nothing new to report.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

LaDonna Allen asked about taking down the Aire Fiber signs on city property. If we don't we will have other internet providers wanting to put up signs on our property.

Tim Smith asked about signs on utility poles. They are everywhere. It was stated that we have an ordinance against it.

Mayor Moss stated that the city's Face book page should be managed by city employee's only. He had been contacted by several citizens of the town that there were other people managing our page.

The City Clerk reminded everyone of the annual MML conference coming up and if they wanted to attend we needed to know as soon as possible.

ADJOURNMENT

Mark Powers motioned to adjourn the meeting. Roger Spencer seconded. All in favor. No opposed. Meeting adjourned at 7:41 PM.