

The Carl Junction City Council met in regular session on Tuesday July 19, 2016 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, Roger Spencer, Wayne Smith, LaDonna Allen and Mike Burns. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

### AGENDA

Mark Powers motioned to approve the agenda as presented. 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

Gary Stubblefield, Chamber of Commerce, addressed the council about Mediacom. Gary reported that the internet and phone was installed. They do have a cable on the ground and he hopes that it will be buried in a timely fashion as it is a safety issue and a liability. He knows that there have been cables run across yards for years that have not been addressed and has asked that the council look into this. He knows we might not be able to do anything about old installs but would like the council to address new installs. We should be a role model to help other towns. There was discussion amongst the council about cables that have been lying on the ground for long periods of time. Gary is not sure of the legal process but asked that the council at least look into it.

Duane Hukill, 417 Briarwood Ridge, also addressed the council about Mediacom. He said that the Mediacom contract needs to be relooked at and he would like to see service products put in the new contract. Their service is extremely poor. He stated that Cable One in Joplin had good customer service and they usually had service the same day. They have had a line laying in their yard for 3 years. When they had a router go out it took 2 weeks to put in a new one. Their closest service center is out of Iowa. They need to do better.

Bonnie Zorn, 107 Randolph, discussed Mediacom outages. She stated that it took 1/1/2 hours before she could talk to someone and then it was going to take 24-72 hours before service was restored. She wanted credit for that time. She works for a hospital and needs access to the internet for her job. Mediacom needs to be held responsible.

Sharon Clark, PO Box 63, Carl Junction, former post master of Carl Junction stated that she retired June 1<sup>st</sup> of this year. She is a Member of the Chamber and she wanted to talk about the Bluegrass Festival since she is on a committee for the Festival this year. It is going to be bigger and better than last year and she wanted to thank the council in advance for their help in making it a huge success this year.

Steve with Mediacom addressed the council. He stated that the service center is in Iowa. He also stated that with business customers they try to have a 2 hour resolution to their problems. Residents do take longer. They give precedence to businesses because they know that is how they make their living. He said that the residents do get put into a queuing system and it is 1<sup>st</sup> come 1<sup>st</sup> serve. He said barring weather the Chamber's cable should be buried in 3 business days. He also checked on lines not buried. According to his source the oldest line that is not buried is dated 6/20/16. If there are any others they are not aware of them. He would like to get addresses so that they can get with the residents and get them resolved. They had the Chambers' line scheduled to be buried 7/14/16 but it rained that day. He also said that the subcontractor's only get paid when it is in the ground so he would think they would try to do it in a timely fashion. There was discussion about where there were some cables not buried. LaDonna asked why the 1<sup>st</sup> deadline was missed with the Chamber. Steve is not sure what happened on that. Duane Hukill asked that the council table this until we can relook at it and look at a service plan.

### CHAMBER REPORT

Gary reported that they moved into their facilities last Thursday and are doing business at their new location. They have started on the Bluegrass Festival for this fall. Gary thanked the council's patience until they got moved.

### ORDINANCES

Mark Powers motioned to put "AN ORDINANCE APPROVING AGREEMENTS BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND MCC MISSOURI LLC (MEDIACOM) TO PROVIDE BUSINESS PHONES AND SOME INTERNET SERVICES FOR CITY HALL, PUBLIC WORKS, SWIMMING POOL, COURT AND WASTE WATER FOR A PERIOD OF THREE (3) YEARS AT MONTHLY RATES TOTALING \$721.30, PLUS INSTALLATION FEES TOTALING \$549.30, IN ACCORDANCE WITH THE AGREEMENT FOR EACH OF SAID FACILITIES; AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENTS FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on second reading by title only. Richard Zaccardelli seconded. Richard asked if we could put some pressure on Mediacom for better service. Mike Talley said that is not the time to be doing that. Bob Cook agreed that we need to do something. Wayne Smith stated that he does not think it is right that they give business customers preference on customer service. Residents and business should be dealt with the same. LaDonna agreed that we need to work on our service that is provided and that we need to look at our contract. We need to start some discussion on this. Mike Talley said that this is not the place to address our Mediacom contract. Steve reported that in 2007 they passed legislature that took all control out of our hands. The PCS is in control now. Residents need to contact PCS if they are having problems. Mayor Moss said that we had problems when we were building the Community Center about getting cable in and by the time the cable company said they would do it we had already installed an antenna. Steve agreed with Mike Talley that these are 2 separate issues that we are dealing with. There was some discussion of the franchise agreement. LaDonna said that we would be saving lot of money and we need to be responsible with taxpayer's dollars. It was also pointed out that the Police department is keeping their phones and the City will have 1 hard line phone with AT&T. La

Donna Allen motioned to put it on final passage. Mike Burns seconded. 6 (Marshall, Zaccardelli, Powers, Spencer, Allen, Burns) favor. 2 (W Smith, Cook) opposed. Cook-n, Marshall-n, Zaccardelli-y, Powers-y, Spencer-y W Smith-n, Allen-y, Burns-y. Motion on Bill #16-22 was approved by roll call vote. Mayor Moss has until the next meeting to put in writing if he is going to veto this ordinance. It is to be addressed to the council but delivered to the City Clerk if he intends to veto it.

**REPORTS**

The council reviewed the Administration report. There was no discussion

Public Works report – had nothing to add. The council mentioned the list of streets Jimmy is proposing to pave. Steve reported that Blevins bid came in at \$48.25/ton. We are also getting a bid on the some grinding that we need done. It was stated that we are spending our paving money equally through the town.

Police report – had nothing to add.

Court report – had nothing to add.

**COMMITTEE REPORTS**

Budget/Finance – Mark Powers reported that he had reviewed the bank statements this month and everything looked good.

Code/Nuisance –Don Marshall had nothing to report.

Human Resources – Roger Spencer had nothing to report.

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

Senior Citizens - Richard Zaccardelli had nothing to report.

**UNFINISHED BUSINESS**

Bob Cook stated some citizens have asked for several meetings about a sidewalk and they keep getting turned down. He does not understand why we won't put in this sidewalk that is being requested.

Mark Powers asked about Mediacom. Steve said that he thinks the problems were not reported and they cannot correct if they are not reported. There was some discussion about trying to get this resolved.

Mike Talley said that the judge has granted 507 Ridgewood a 30 day extension before Mike Talley could respond on why it should not be granted.

Wayne Smith said that he would like to address the sidewalk issue. He would like to hold a Public Facilities Committee meeting on 8/2/16 at 6:00 PM. He said that he has discussed this with his son in law and where they live they put a set amount of money aside every year for sidewalks. We can't afford to do them all at one time. We need to have a list of priorities on the sidewalks.

LaDonna also stated that they would need to be ADA compliant. Wayne Smith said that we can use the Capital Improvement funds for the new sidewalks.

Mike Burns stated that at the last meeting there was discussion on the noise ordinance. He thinks we need to look at it. It was stated that the Code Nuisance committee will need to look at it but no meeting was set at this time.

**NEW BUSINESS**

Richard Zaccardelli asked what the Ordinance number was for the Mediacom ordinance. It was responded #16-22.

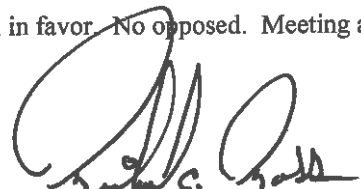
The MML meeting is 9/11/16 – 9/14/16. The City Clerk has reserved a few rooms in case anyone is attending. We need to know ASAP so that we can get our registrations in.

Mike Talley stated that Bill #16-22 is not Ordinance #16-22 until the mayor signs it. It is just a bill right now.

**ADJOURNMENT**

Roger Spencer motioned to adjourn the meeting. Bob Cook seconded. All in favor. No opposed. Meeting adjourned at 7:55 PM.

  
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CITY CLERK

  
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MAYOR