

The Carl Junction City Council met in regular session on Tuesday December 20, 2016 at 7:00 PM at City Hall. Mayor Michael Moss called the meeting to order with the following present: Bob Cook, Don Marshall, Richard Zaccardelli, Roger Spencer, LaDonna Allen and Mike Burns. Aldermen Mark Powers and Wayne Smith were absent. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

**AGENDA**

LaDonna Allen motioned to approve the agenda as presented. Richard Zaccardelli seconded. All in favor. No opposed. LaDonna Allen motioned to approve the consent agenda. Roger Spencer seconded. All in favor. No opposed.

**PUBLIC FORUM**

There was no one for public forum.

**CHAMBER REPORT**

Gary Stubblefield wanted to thank the council for all their support throughout the year. They are gearing up for the annual Business Expo and the 20<sup>th</sup> Annual bluegrass festival. They are doing some special things this year for the Festival. LaDonna asked about their numbers this year. Gary said they were at 270.

**REVIEW AND APPROVE ROCKY LANE LIFT STATION LABOR BID**

Steve stated that these are bids for the labor part of Rocky Lane Lift Station rebuild. We received 7 bids. Crews Construction-\$37000.00; Goins Enterprises-\$43780.00; Southard Construction-\$45375.00; G&G Construction-\$54617.00; Crossland Heavy Contractors-\$54720.00; Jeff Asbell Excavating-\$57998.57; Bennett Inc-\$64900.00. Allgeier Martin & Steve both recommend approving Crews Construction bid. They have done work with us before. The reason there is such a discrepancy between bids is due to the way the different contractors were going to handle the flow while working on the lift station. Some were going to put in a whole new temporary lift station while they worked on the old one. LaDonna Allen motioned to approve the recommendation of Crews Construction bid. Steve did caution that there might be a change order since we bought the parts in a separate bid. The plan is to do one change order for all materials they may not have purchased up front at the end of the project. Richard Zaccardelli seconded the motion on the floor. All in favor. No opposed.

**ORDINANCES**

Richard Zaccardelli motioned to put **“AN ORDINANCE APPROVING THE LEASE BY THE CITY OF CARL JUNCTION, MISSOURI TO HORTON’S PIZZA CJ, LLC, OF ALL OF LOTS NO. 4 AND 5 IN MEADOWS HILLS SECOND ADDITION TO THE CITY OF CARL JUNCTION, JASPER COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF, FOR A TERM COMMENCING JANUARY 1, 2017 AND ENDING FEBRUARY 28, 2020, WITH AN OPTION TO RENEW FOR A TERM OF FIVE (5) YEARS, FOR THE SUM OF \$8,400.00 ANNUALLY IN MONTHLY PAYMENTS OF \$700.00 FOR THE TERM OF THE LEASE, WITH AN EXCLUSIVE RIGHT TO PURCHASE SAID REAL ESTATE AT A PRICE TO BE AGREED UPON WITH A CREDIT OF \$350.00 FOR EACH MONTH OF RENTAL PAID BY LESSEE, FOR USE AS A RESTAURANT AND OTHER USES ANCILLARY THERETO; AND ACCEPTING THE SURRENDER OF SAID PREMISES AND ALL RIGHTS AND PRIVILEGES UNDER THE PRE-EXISTING LEASE TO BLOOCH BROTHERS, LLC; AND AUTHORIZING THE MAYOR, CITY ADMINISTRATOR, CITY CLERK AND SUCH OTHER OFFICERS OF THE CITY AS MAY BE NECESSARY TO EXECUTE AND PROCESS DOCUMENTS TO EFFECTUATE SAID LEASE AND THE SURRENDER OF THE PRE-EXISTING LEASE”** on first reading by title only. Roger Spencer seconded. All in favor. No opposed. It was explained that we have to release Blooch Brothers from their lease and approve a new lease with this ordinance and agreement. Horton’s Pizza will be taking over the business. The Blooch Brothers are vacating the premises at the end of the year. This lease is the same except the rent and the assignment of part of the rent paid as a credit if they decide to purchase the building. There was discussion about what the building was worth and if we should get it appraised. Steve said that the realtor’s didn’t find any good comparables so they are giving a wide range of \$145,000 - \$225,000 of what they think the building is worth. Bob Cook said the rent was not enough and we should not let them use part of towards purchase price. He also asked if they are required to carry insurance and do the repairs. There was a lot of discussion about this ordinance with the highlights being should we have it appraised, the cost of a appraisal, how we acquired the building, whether we should allow part of the rent to go towards purchase price of the building if they decide to purchase it, that Horton’s owns 3-4 other pizza places in the 4 state area and are a reputable company, if we should just put the building on the market and try to sell it, should we be in the Real Estate leasing business and what happens if we don’t approve the ordinance. Mike Talley said it is unusual for a municipality to have property to lease and Steve agreed unless it is like a CID or TIF. The council was concerned about the building becoming vacant. It was also stated that the last time we thought about selling the building the person wanting to buy it was just going to sit on it and leave it empty and not put a business in. Steve told the council that this was an offer from Horton’s and if they want him to go back with a counter offer he will. After more discussion LaDonna Allen motioned to table the ordinance and go back to Horton’s with the \$700 rent but no portion of that rent is to be applied to purchase price if he wants to purchase the building from the City. Don Marshall seconded. All in favor. No opposed.

**REPORTS**

The council reviewed the Administration report. LaDonna Allen asked about the Empire figures on our solar panels. Steve said that our bill fluctuates and he has found it easier to track kilowatt hours. The PW building is producing and their bill is way down but it is harder with the other buildings when looking at dollar amounts. He stated we are not buying as much electricity.

Public Works report – there was nothing to add

Police report – Chief Haase reported they had 205 kids at their Shop With A Cop. It took about 2 hours to get them in and out. LaDonna asked if we were applying for a LEST grant this year. Chief Haase said yes but it would not be one big item but several small ones.

Building Inspector – there was nothing to add.

Court – there was nothing to add.

**COMMITTEE REPORTS**

Budget/Finance – Mark Powers was absent so there was no report.

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**

Mike Burns commented that when we decide to sell the building (in the earlier discussion) that we can negotiate at that time either way. Mike Talley agreed.

Mike Talley reported that depositions have been set up for 1/5/17 for the Boyle lawsuit.

Richard Zaccardelli stated that there is a lot of traffic on Briarbrook Drive, Lone Elm and Fir Road. There is a lot of traffic coming from Zora to Fir Road. He would like to have a study done on the road. Don Marshall also said that it will only get worse when they close the bridge on Hwy 171.

**NEW BUSINESS**

City Clerk Matney reported that we have received our 2015 single audit from the auditors. She also pointed out the e-mail from Mark Powers stating that he had reviewed the bank statements and all looked in order. City Clerk reminded the council that the sign up for the April elections is now open.

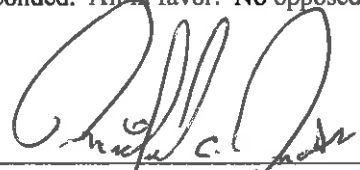
**CLOSED SESSION PER RSMO 610.021 (3): HIRING, FIRING, DISCIPLINING OR PROMOTING OF PARTICULAR EMPLOYEES BY A PUBLIC GOVERNMENTAL BODY WHEN PERSONAL INFORMATION ABOUT THE EMPLOYEE IS DISCUSSED OR RECORDED**

Roger Spencer motioned to table the 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. Richard Zaccardelli seconded. All in favor. No opposed

**ADJOURNMENT**

LaDonna Allen motioned to adjourn the meeting. Richard Zaccardelli seconded. All in favor. No opposed. Meeting adjourned at 7:54 PM.

  
CITY CLERK

  
MAYOR