

The Carl Junction City Council met in regular session on Tuesday August 15, 2017 at 7:00 PM at City Hall. Mayor Mark Powers called the meeting to order with the following present: Bob Cook, Don Marshall, Richard Zaccardelli, Roger Spencer, LaDonna Allen, Mike Burns, Jeff Hammons and Randy Hutcheson. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

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

PUBLIC FORUM

There was no one for public forum.

P&Z CASES (NEW BUSINESS AND PUBLIC HEARINGS TO RUN CONCURRENTLY)

Mayor Powers opened the public hearing on Case #17-05 – Land Use Changes Section 405.020, 405.060, 405.080 & 405.114 at 7:02 PM. Steve Lawver said that P&Z met on these changes and are recommending approval. There was no one for or against these changes. Mayor Powers closed the public hearing at 7:03 PM.

Roger Spencer motioned to put “AN ORDINANCE AMENDING TITLE IV: LAND USE, CHAPTER 405: ZONING REGULATIONS, SECTION 405.020: DISTRICTS, SECTION 405.060: HEIGHT AND AREA REGULATIONS IN THE “R-1” AND “R-2” RESIDENTIAL DISTRICTS, AND SECTION 405.080: HEIGHT, AREA AND YARD EXCEPTIONS, TO REDEFINE THE R-2 RESIDENTIAL DISTRICT, TO MODIFY THE SIDE AND FRONT YARD REQUIREMENTS IN R-1 AND R-2 RESIDENTIAL DISTRICTS, AND PROVIDING THAT THE BUILDING INSPECTOR AND CITY CLERK SHALL DETERMINE THE ELIGIBILITY OF AN ACCESSORY BUILDING’S PROPOSED LOCATION, AND REPEALING SECTION 405.114: PRELIMINARY SITE PLAN REVIEW” on first reading by title only. Richard Zaccardelli seconded. All in favor. No opposed. There was no discussion. LaDonna Allen motioned to put it on second reading by title only. Don Marshall seconded. All in favor. No opposed. Jeff Hammons asked if an older home had to be torn down if it would need to meet the new requirements. Steve said that we left that part alone and it would be grandfathered in if rebuilt in 6 months. There was some discussion and Steve said that if they don’t agree they can go before the Board of Adjustments. Roger Spencer motioned to put it on final passage. LaDonna Allen seconded. All in favor. No opposed. Cook-y, Marshall-y, Zaccardelli-y, Spencer-y, Allen-y Burns-y, Hammons-y, Hutcheson-y. Motion on Ordinance #17-17 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.

PUBLIC HEARING ON 2017 TAX LEVY

Mayor Powers then opened the public hearing on our 2017 tax levy at 7:07 PM. Steve said that we have had discussions with the county and the school district about our assessment. The Real Estate assessment went down and the Personal Property went up \$4 million. The school district PP went down \$4 million. We know there is something wrong. The county looked at it and they readjusted the Personal Property down about \$3.6 million due to an error with the RR property. We asked why our Real Estate went down and they said it was due to depreciation. They state that the depreciation ate up almost all of our new construction. It was stated that this is also a re-assessment year. The school agrees that something is wrong. We had almost \$1 million new construction assessment this year. It was asked if there had been a software change at the county and we replied no. There was a lot of discussion about our assessment and our tax levy. The levy is driven by the assessment so unless the assessment changes it will not do any good to hold a special meeting before 9/1/17 to reset a new levy. It was also stated that we need to approve this levy and if the county makes an assessment change we can look at the levy again at that time. Mayor Powers closed the public hearing at 7:20 PM.

PUBLIC FORUM

Sean McWilliams, 501 Ridgewood Circle asked if he could speak and apologized for missing the public forum at the beginning of the meeting. He had read where the City was discussing about putting tennis courts in Country Club Estates Park. He was a tennis coach in Joplin for 12 years and helped their park and recreation department build new tennis courts. He stated that there are grants out there for tennis courts and the popularity is growing. We have a lot of talented players in Carl Junction but he feels that Country Club Estates Park is not the place to put them. They need to be in a place that they will be taken care of because they are expensive to put in. That park is hard to oversee and it would be a big investment. He would like to see them in the Briarbrook park and have the CID build courts adjoining them to make it a place that tournaments could be held. If they were in Briarbrook they would have more people to oversee them. People are getting involved at a younger age and he can see a parks and recreation director in the future for the City. Mike Burns said that we should defer to his recommendations to some degree due to his expertise in that area. Mr. McWilliams said he would be happy to help the city write grants and do some fundraising for the tennis courts.

ORDINANCE

LaDonna Allen motioned to put “AN ORDINANCE ESTABLISHING THE TAX LEVY FOR THE FISCAL YEAR 2018 ESTABLISHING SAID LEVY \$0.9083 PER HUNDRED ASSESSED VALUATION ESTABLISHING THE ALLOCATIONS OF SAID FUNDS TO GENERAL FUND AND GENERAL OBLIGATIONS SINKING FUND” on first reading by title only. Jeff Hammons seconded. All in favor. No opposed. There was no discussion. LaDonna Allen motioned to put it on second reading by title only. Jeff Hammons seconded. All in favor. No opposed. There was no discussion. LaDonna Allen

motioned to put it on final passage. Jeff Hammons seconded. All in favor. No opposed. Cook-y, Marshall-y, Zaccardelli-y, Spencer-y, Allen-y Burns-y, Hammons-y, Hutcheson-y. Motion on Ordinance #17-18 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.

LaDonna Allen motioned to put **“AN ORDINANCE AMENDING TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE: CHAPTER 205: ANIMAL REGULATIONS, BY AMENDING SECTIONS 205.150, 205.165 AND 205.280 TO MAKE TECHNICAL CHANGES TO COMPLY WITH STATE STATUTE AND CORRECT CROSS REFERENCES WITHIN THE CODE”** on first reading by title only. Mike Burns seconded. All in favor. No opposed. Steve reported that the code review committee met on this 2 weeks ago and are recommending it be passed. Our code had some confusing wording and there were 2 different time periods so now they both say 7 days. Roger Spencer motioned to put it on second reading by title only. Don Marshall seconded. All in favor. No opposed. There was no discussion. LaDonna Allen motioned to put it on final passage. Roger Spencer seconded. All in favor. No opposed. Cook-y, Marshall-y, Zaccardelli-y, Spencer-y, Allen-y Burns-y, Hammons-y, Hutcheson-y. Motion on Ordinance #17-19 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.

Roger Spencer motioned to put **“AN ORDINANCE AMENDING TITLE V: BUILDING CODE, CHAPTER 500: GENERAL PROVISIONS BY AMENDING SECTION 500.150, FEES, TO CLARIFY THE FEE STRUCTURE FOR NEW CONSTRUCTION AND ADDITION PERMITS”** on first reading by title only. LaDonna Allen seconded. All in favor. No opposed. Steve reported that our code had some ambiguity and was confusing. We are clarifying the language. Mike Burns pointed out that the fees don't add up right. It should be \$370 not \$375. Mike Burns motioned to amend the language to correct it to \$370.00. LaDonna Allen seconded. All in favor. No opposed. Mike Talley said it was not a substantial change so we can just pass the amended ordinance. Mike Burned motioned to put the amended ordinance on first reading by title only. Roger Spencer seconded. All in favor. No opposed. Roger Spencer motioned to put the amended ordinance on second reading by title only. Richard Zaccardelli seconded. All in favor. No opposed. There was no discussion. LaDonna Allen motioned to put it on final passage. Richard Zaccardelli seconded. All in favor. No opposed. Cook-y, Marshall-y, Zaccardelli-y, Spencer-y, Allen-y Burns-y, Hammons-y, Hutcheson-y. Motion on Ordinance #17-20 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.

LaDonna Allen motioned to put **“AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARL JUNCTION, MISSOURI, BY AMENDING TITLE VI. BUSINESS AND OCCUPATION, CHAPTER 605: BUSINESS AND OCCUPATION TAX, BY AMENDING SECTION 605.080: SCHEDULE OF LICENSE FEES AND CLASSIFICATION OF OCCUPATIONS, TO ADD NEW SUBPARAGRAPH 16.C TO MAKE CONTRACTORS, INCLUDING SUBCONTRACTORS, WORKING WITHOUT A LICENSE SUBJECT TO A LATE FEE OF FIFTY DOLLARS IN ADDITION TO THE ANNUAL FEE PROVIDED IN THE CITY FEE SCHEDULE”** on first reading by title only. Roger Spencer seconded. All in favor. No opposed. Steve reported that the code review committee met on this 2 weeks ago and are recommending it be passed. Some of the language was pulled from Lamar's code. There was some discussion about subcontractors. Roger Spencer motioned to put it on second reading by title only. LaDonna Allen seconded. All in favor. No opposed. There was no discussion. LaDonna Allen motioned to put it on final passage. Roger Spencer seconded. All in favor. No opposed. Cook-y, Marshall-y, Zaccardelli-y, Spencer-y, Allen-y Burns-y, Hammons-y, Hutcheson-y. Motion on Ordinance #17-21 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

LaDonna Allen motioned to put **“AN ORDINANCE PROVIDING FOR A FINANCIAL DISCLOSURE AND CONFLICTS OF INTEREST”** on first reading by title only. Richard Zaccardelli seconded. All in favor. No opposed. Steve reported that we pass this ordinance every year. Roger Spencer motioned to put it on second reading by title only. LaDonna Allen seconded. All in favor. No opposed. There was no discussion. LaDonna Allen motioned to put it on final passage. Roger Spencer seconded. All in favor. No opposed. Cook-y, Marshall-y, Zaccardelli-y, Spencer-y, Allen-y Burns-y, Hammons-y, Hutcheson-y. Motion on Ordinance #17-22 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

LaDonna Allen motioned to put **“ AN ORDINANCE AMENDING ORDINANCE NO. 13-56 AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,050,000 PRINCIPAL AMOUNT OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REVENUE BONDS (STATE OF MISSOURI – DIRECT LOAN PROGRAM) SERIES 2013 OF THE CITY OF CARL JUNCTION, MISSOURI”** on first reading by title only. Jeff Hammons seconded. All in favor. No opposed. Steve reported this will lower our agent fees from 1% to .5%. LaDonna Allen motioned to put it on second reading by title only. Roger Spencer seconded. All in favor. No opposed. There was no discussion. Roger Spencer motioned to put it on final passage. Richard Zaccardelli seconded. All in favor. No opposed. Cook-y, Marshall-y, Zaccardelli-y, Spencer-y, Allen-y Burns-y, Hammons-y, Hutcheson-y. Motion on Ordinance #17-23 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. Steve gave an update on the bridge and sewer projects.

Public Works – there was nothing to add. LaDonna Allen asked if APD had done the repairs that we had requested they do to their sewer lines. Steve reported that their lift station does not meet our safety standards and that Jimmy goes down and won't let anyone else do it. LaDonna stated that we need to get a hold of APD and tell them no city personnel will be allowed to fix that lift station. It was asked if we had any liability on this. Steve reported that they have Ace Pipe doing some I&I work but they have not

addressed the rebuilding of the lift station. There was discussion about our contract with them and what our options are. Mike Talley said that the council needs to give Steve direction to engage APD in the discussion of how to resolve the problem. Richard then thanked the PW for getting the sidewalks on Marie Lane done. Richard then discussed the traffic problems on Briarbrook Drive and Fir Road.

- Police Dept. – there was nothing to add.
- Building Insp report – there was nothing to add.
- Court report – there was nothing to add.

COMMITTEE REPORTS

Budget/Finance – Mike Burns reported that he reviewed the bank statements and they all looked OK.

Code/Nuisance – Don Marshall had nothing to report.

Human Resources – Roger Spencer had nothing to report

Public Facilities & Planning – LaDonna Allen reported that they will be meeting 9/5/17 at 6:00 PM. If there is anything the council wants them to discuss they need to let LaDonna know.

Senior Citizens - Richard Zaccardelli reported they have had a lot of activities and thanked Bob Cook for the vegetables.

UNFINISHED BUSINESS

Mayor Powers stated that the CID has a list of request in exchange for the land for the parking lot. Mike Talley has the list. He will draw something up for the council to approve and then we can pass it along to the CID for approval.

LaDonna Allen said that the people on Marie Lane put a big thank you on Face book for the sidewalks. They are also having a big sidewalk opening Saturday night.

NEW BUSINESS

City Clerk Matney reported that she and Steve Lawver will be attending the annual MML conference 9/10/17 – 9/13/17 at Tan-Tar-A.

Steve Lawver then discussed with the council about going out for engineering bids. We have not done this since 2005. We will put it out for bid and then score them. After that they will make a recommendation to the council. Steve said this was prompted by a grant we are applying for with DNR and we have to go out for engineering for the grant. Steve explained that most of our grants from MODOT we did not since AMA was already on their selection list. DNR does not operate that way.


CLOSED SESSION PER RSMO 610.021(1) - LEGAL ACTIONS, CAUSES OF ACTION OR LITIGATION INVOLVING A PUBLIC GOVERNMENTAL BODY AND ANY CONFIDENTIAL OR PRIVILEGED COMMUNICATIONS BETWEEN A PUBLIC GOVERNMENTAL BODY OR ITS REPRESENTATIVES AND ITS ATTORNEYS.

LaDonna Allen motioned to go into closed session per RSMO 610.021(1) - legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. Roger Spencer seconded. Cook-y, Marshall-y, Zaccardelli-y, Spencer-y, Allen-y Burns-y, Hammons-y, Hutcheson-y . Meeting closed at 8:20 PM.

Meeting readjourned at 8:50 PM. Mayor Powers stated that no action was taken in closed session.

ADJOURNMENT

LaDonna Allen motioned to adjourn the meeting. Roger Spencer seconded. All in favor. No opposed. Meeting adjourned at 8:51 PM.


CITY CLERK


MAYOR