

The Carl Junction City Council met in regular session on Tuesday February 05, 2013 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Richard Zaccardelli, Don Marshall, Mark Powers, Steve Daniels, Dee Lynn Davey, Sean Haase and Bob Cook. Alderman Tim Smith was absent. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

Sean Haase motioned to approve the agenda as presented. Steve Daniels seconded. All in favor. No opposed. Steve Daniels motioned to approve the consent agenda. Richard Zaccardelli seconded. All in favor. No opposed.

PUBLIC FORUM

Mary Schillaci, 706 Springhill Drive, addressed the council regarding the fiber optics proposition the City is considering. She stated that when she got the survey she was confused because when she was at the previous presentation and it was asked if it was reasonable it was stated that it would not go forward without the approval of the people. She took that to mean a vote and she thinks it should go to the vote of the people. She then stated that she had asked Alderman Cook if he had received an e-mail on 1/2/13 from the City Clerk. He did not and inquired about it. It was an e-mail regarding a Face book post. She then went over phone records of the City Administrator, Steve Lawver, and the number of times he called and texted during business hours doing personal business. She said he is doing this on tax payer's time. She also mentioned that he has not titled his pickup so the taxes on it are not paid yet. She asked for Steve Lawver's resignation and Mayor Moss's resignation for not bringing this to the council's attention.

CHAMBER REPORT

None

P&Z CASES

Steve reported that P&Z did not have a quorum so there is no recommendation from them. It has been rescheduled for 2/11/13. Bob Cook asked if there was any way we could override P&Z and make a decision. He thought it was disrespectful to the applicant not to have a quorum. He wants to open his garage back up. It will be 2/19/13 before the council can act now. He volunteered to serve on the P&Z Committee if it helped get a quorum. There was a lot of discussion regarding this matter of absenteeism. Steve did say that the bigger the committee the harder it is to get a quorum sometimes. There was discussion that we used to have a Councilman serve on the Board but the Council decided to change it so that it is not a requirement. We can always change it back. Steve Daniels motioned to table the P&Z hearing on Case #13-01 until the next meeting. Dee Lynn Davey seconded. 6 (Zaccardelli, Marshall, Daniels, Powers, Davey, Haase) in favor. 1 (Cook) opposed.

RESOLUTION OPPOSING SENATE BILL 13-SOLID WASTE MANAGEMENT DISTRICTS

The council reviewed the resolution submitted at the last meeting. Steve reported that Joplin and Webb City have sent their copies to the Legislatures already. They also went up for the committee meeting. Bob Cook motioned to approve the Resolution opposing SB 13. Steve Daniels seconded. All in favor. No opposed. Steve explained that this bill would do away with the Waste Districts that provided for our leaf vacs with a grant. It would go back to DNR and we would lose the local control of it. They also provide recycling for our community.

MENSE, CHURCHWELL & MENSE PORPOSAL FOR 2013 AUDIT

Steve reported that we received a good audit last year. We have corrected a few things they asked and changed our reporting. Don Marshall motioned to accept the proposal from Mense, Churchwell and Mense for the 2013 audit. Sean Haase seconded. All in favor. No opposed.

REPORTS

The council reviewed the Administration report. Steve also reported that we had 169 taxes get paid twice and then we had a software problem so it took awhile to get them refunded but they are going out in the mail tomorrow.

Public Works report – had nothing new to report.

Police Department report – had nothing new to report. Chief Haase reported they had received 100% on their audit and only 18 towns did that well. He is very proud of Jennifer McCall. Bob Cook thanked the Chief again.

Building Inspector report – had nothing new to add.

COMMITTEE REPORTS

The Budget/Finance Committee reported they had started their meetings. They will be meeting 2/7/13 to go over the PD budget and then decide on their next meeting to go over all the budget items.

The Code/Nuisance Committee had nothing to report.

The Human Resource Committee reported they will have a closed session later in the meeting.

The Public Facilities Committee had nothing to report.

The Senior Citizen Committee had nothing to report.

UNFINISHED BUSINESS

Bob Cook asked if we found out if we can require bidders to be US citizens. Mike Talley said that it is a law now and we modified the agreement with L&M Construction to reflect that. We will also be adding that language to all of our contracts now.

Sean Haase asked about overriding the P&Z Committee question that was brought up earlier. Mike Talley said that the council can override their recommendation but we have to have a recommendation first. This code was passed to provide protection to our residents so that businesses can not just start up anywhere.

Chief Haase said that he received word that his grant application was approved through the LEST Board. It is for \$15,000. He will discuss this with the budget committee on Thursday night.

NEW BUSINESS

Steve Daniels asked if Bob Cook wanted to serve on the P&Z. Richard Zaccardelli suggested we contact Garry Church. He thought he might serve on the committee. Mike Talley said that Bob could serve but the 1st step was for the council to decide if they wanted a member on the Committee. There was some discussion about that fact. Sean asked if we did not have a quorum often. Steve said he remembers only one other time. Mark Powers suggested we contact Garry Church. Mike Talley explained the code and regulations. Bob said it made the City looked bad and we need to take care of it. Mike Talley said that we need to keep procedures to protect our zones. Mark Powers said that Bob brought up a good point and it will be taken under consideration.

Sean Haase reported that the card board box will full again.

Bob Cook asked how we go about extending our city limits to places we already service. Mike Talley went over voluntary annexation procedures. If it is involuntary annexation there has to be a declaratory judgment from the circuit court declaring it is in the interest of all parties to annex it. It also has to go to the vote of both parties. It has to receive a majority vote in both areas to pass. If it doesn't pass by majority vote then you have to do a 2nd vote and 2/3 of the combined jurisdiction has to vote in favor of it. He would like to research it more if we are interested. There was some discussion regarding annexation. Steve asked if there was a time frame we had to provide water and sewer services. It is 3 years.

City Clerk Maribeth Matney stated that the next Chamber meeting will be 2/7/13.

Steve then stated he had been approached by Liberty National Life Insurance regarding voluntary insurance policies for employees. He would like for the Human Resource Committee to look at it and make a recommendation.

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.

Sean Haase motioned to go into 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. Dee Lynn Davey seconded. Zaccardelli-y, Marshall-y, Daniels-y, Powers-y, Davey-y, Haase-y, Cook-y. Council went into closed session 8:00 PM.

Council came out of closed session 8:30 PM. Mayor Moss stated that there was no action taken by the council.

ADJOURNMENT

Richard Zaccardelli motioned to adjourn the meeting. Don Marshall seconded. All in favor. No opposed. Meeting adjourned at 8:31 PM.

CITY CLERK

MAYOR