

The Carl Junction City Council met in regular session on Tuesday August 18, 2009 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Richard Zaccardelli, Don Marshall, Carl Skaggs, Mark Powers, Steve Daniels, Dee Lynn Davey and Wayne Smith. Alderman Walter Hayes was absent. Also present were City Attorney Mike Talley, City Administrator Steve Lawver and City Clerk Maribeth Matney.

### **AGENDA**

Steve Lawver asked that the agenda be amended to add an ordinance for change order #4 on the Community Center as item 6(a). Carl Skaggs motioned to approve the agenda as amended. Dee Lynn Davey seconded. All in favor. No opposed. Mike Talley then handed out a correction of the minutes under the heading of the closed session. Mike Talley would like to make it more explicit that he felt it was necessary "to close the discussion of the minutes of the 6/16/09 closed meeting because the Board decided on 6/16/09 that public knowledge of the real estate transaction discussed in that closed session might adversely affect the legal consideration therefore, and he was unable to assure the Board otherwise". Mike Talley stated that that was what he intended to say and thought he did say. Richard Zaccardelli motioned to amend the minutes as requested and approve as amended. Carl Skaggs seconded. All in favor. No opposed. The council then reviewed the closed minutes of the 8/4/09 meeting. Dee Lynn Davey asked if she should review them since she was not at the meeting. Mike Talley said it was appropriate to review them but she should not vote on them. Mark Powers asked that an "s" be added to his name. Carl Skaggs motioned to amend the minutes to reflect an "s" on Mark Powers's name. Richard Zaccardelli seconded. 6 (Zaccardelli, Marshall, Skaggs, Powers, Daniels, Smith) in favor. 1 (Davey) abstained. Steve Daniels motioned to approve the disbursements. Carl Skaggs seconded. All in favor. No opposed.

### **PUBLIC FORUM**

Derick Collier, 1814 Empire, Joplin Missouri, introduced his brother Ryan and stated that they bought Gambino's Pizza in January 2008. The business has started to expand and grow and now recently Summer Fresh has started their pharmacy expansion which is cutting them off. They put a bid on the Senior Center and they are not sure what is going to happen. P&Z ordered an appraisal be done. He knows they are locked into their bid. He wanted the council to know that they are willing to lease from the City if the bids are rejected. He also wanted to state that there would be no hard feelings no matter what happens. They feel that if they stay where they are their business could be hurt by the expansion of Summer Fresh. They need a bigger building to better serve the community and feel that it could really grow their business.

The Mayor asked twice if there were any other members of the audience who wished to speak and no one came forward.

### **JANE MITCHELL**

Jane Mitchell, with the Garden Club, stated she wanted to update the council on the activities. They have bought new pots for Main Street and have put new plants in them. The pots were \$2224 and the club paid for them by selling their plants. She also thanked the Bank and the Post Office for the use of their water and they need 150' of heavy duty hose and Jimmy said he would help them find some. They have also been working on the garden at the entrance to town and had presented a request in July 2008 for some assistance since they did not have enough money to construct it by themselves. They were going to reconstruct the garden and landscaping and the City was going to provide lights for the flag poles and put a sign up. They had hoped to be finished before the Fall Festival. She wanted to thank everyone for helping them and there has been a lot of behind the scene work going on. Empire has donated 3 poles for the flags and LaDonna has kept the project in front of the people. The Fire Department helps water the plants also. This has been a community project. Jane Mitchell is concerned about the solar lights. They wanted to light up the entire area. The chamber has also committed to buy lighted Christmas decorations to put down there. The Chamber has also offered to help pay for the electricity for that area. Jane was also requesting that they allow her to continue to look for a sign for the garden. The rock was too expensive. It was not the cost of the rock but getting it moved and installed. She would like to pursue this part of the project and bring proposals to the council for approval. Steve reported that getting the electric down there was just short of \$2000. Carl asked about the base costs. Dee Lynn said it would probably be at least \$15/month. Steve said that we were going to get a longer pole then we were going to be charged for. We were getting a 40' pole for a 30' pole price. The cost ran up when we started adding conduit and the wiring to the garden from the pole. It was close to \$5000 for everything. Steve just had a verbal quote on it. It was asked if it would light the intersection. Steve said no. Mark said that we can look at it and see if we can afford it. Jane said that she would be very conservative on the sign. Dee Lynn said to get the figures and report back to the council. Jane stated that the club has spent \$5000 of their own money on the garden and they are totally committed to it. Mayor Moss asked Carl Skaggs to see what his committee can come up with and get back with Jane in a couple of months. Steve also reminded the council and audience that the city flag dedication is this Friday at 11:00 AM at the Police Department. Jane was the one who designed the flag. Richard said he would like for the Long Range Planning Committee to look at it also.

### **ORDINANCES**

Steve reported that the next ordinance is change order #4 which includes 5 different issues. Carl Skaggs motioned to put "AN ORDINANCE APPROVING CHANGE ORDER #4 TO AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND LARRY SNYDER & COMPANY, TO CONSTRUCT A NEW RECREATION CENTER, CITY HALL, AND SENIOR CENTER FOR THE CITY OF CARL JUNCTION, MISSOURI, SAID CHANGE ORDER # 4 BEING TO CHANGE PROJECTION SCREENS AND CEILING MATERIAL, EXPOSE EXISTING SLAB, INSTALL PERIMETER DRAIN AND SPOT DIGGING FOR ENGINEERS FOR AN ADDITIONAL NET COST OF \$9,663.00 AFTER CONTRACT ALLOWANCES, AND INCREASING THE TOTAL CONTRACT COST TO \$3,968,288.80; AND AUTHORIZING THE MAYOR OR THE CITY

ADMINISTRATOR TO EXECUTE SAID CHANGE ORDER FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI” on first reading by title only. Dee Lynn Davey seconded. All in favor. No opposed. Carl Skaggs motioned to put it on second reading by title only with a roll call vote. Dee Lynn Davey seconded. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-y, Daniels-y, Davey-y, Hayes-absent, W Smith-y. Motion on Ordinance #09-38 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 reported that MoDot has put the engineering on the sidewalks on the regular MPO improvement program and there is a public comment period. It is for a 7 day period and you can do it online. Mayor Moss said that he has a copy of it if anyone needs it.

Public Works report – reported that EPA and DNR have a new ground water rule that goes into effect on December 1<sup>st</sup>. This will be more testing required. He would like to use our SCADA system to do this and that will require adding some software to our system. This is nationwide and DNR is putting a class on about it on 9/10/09 at our Police Department. It is for all the cities in this area. The 1<sup>st</sup> tower would cost the City about \$10,000 to upgrade it and the other 6 towers would be about \$7000/each. We have to test the PH, temperature and the chlorine daily. The update he would like to go with is more expensive to install but cheaper to operate. If we use the vinegar testing instead of the reagent it will cost us \$2/bottle versus \$45/month per tower. Steve said that we would have to take the money out of the water reserves. It is a one time expense and if we don’t add it to our computer system we will have to manually do it 7 days a week and 2 people have to be on call at all times. It was commented that we really don’t have a choice. Jimmy said he will get bids. Mike Talley said we need an ordinance amending the budget. Carl Skaggs motioned to have an ordinance drawn up amending the budget for this item. Richard Zaccardelli seconded. All in favor. No opposed.

Police Department report – had nothing new to report. Mayor Moss thanked Delmar for his letter of commendation to his 2 officers on the vandalism. Chief Haase said that they went above and beyond their duty.

**COMMITTEE REPORTS**

The Nuisance Committee had nothing to report.

The Long Range Planning had nothing to report.

The Budget/Finance Committee had nothing to report.

The Human Resource Committee had nothing to report.

The Public Facilities Committee reported that they had met last Thursday and heard a report from the architects on the foundation at the Community Center. Mark Powers then stated that he had a call from Morris Shaw and thanked us for the street light at Cedar & Hedge. He said that there used to be a dead end sign and no outlet sign there. Jimmy said that he ordered the signs and they came in today and should be up tomorrow. Mark said that Morris also said that there used to be a speed limit sign. He said that he would leave that to the Chief of Police to decide if it needs one. He also asked about another street light at another intersection. Mark asked Carl where we were at with our list. Jimmy said that the easy ones are done and that now we have to go between houses and on people’s property.

The Code Review Committee had nothing to report.

Senior Citizen Committee reported that Summer Fresh has a program that the seniors are going to participate in. On Saturday they will set up 5 tables and they need people to man them to hand out samples. If they can do that Summer Fresh will donate \$500 to the Citizens for Better Life. If anyone is interested in helping they need to call Vera Russell.

**UNFINISHED BUSINESS**

City Clerk asked if that any of the council plans to attend the annual MML seminar to let her know so that she can get their registrations in. Steve Daniels said he plans on going. Mayor Moss said that they have a lot of helpful information at these seminars.

Steve reported that we had opened the bids on the Briarbrook gravity fed sewer line. (see attached bid sheet). We will have a recommendation from Kurt for the next meeting. Richard said he heard that it would be better for the golf course and the contractor if they could start on the other side of the railroad tracks.

**NEW BUSINESS**

Maribeth stated that we needed to set a date for our tax levy hearing. It has to be done by 9/1/09. After much discussion it was decided to have it on Friday 8/28/09 at 6:15 PM. Steve said we probably would see a 3-4 cent increase.

**ADJOURNMENT**

Carl Skaggs motioned to adjourn the meeting. Steve Daniels seconded. All in favor. No opposed. Meeting adjourned at 8:10 PM.

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CITY CLERK

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MAYOR