

The Carl Junction City Council met in regular session, on Tuesday December 04, 2018 at 7:00 PM at City Hall. Mayor Mark Powers called the meeting to order with the following present: Rick Flinn, Don Marshall, Richard Zaccardelli, Roger Spencer, LaDonna Allen, Mike Burns, Randy Hutcheson and Mark Satterlee. Also present were City Administrator Steve Lawver, City Attorney Mike Talley, and City Clerk Maribeth Matney.

### AGENDA

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

### PUBLIC FORUM

Kelly Beets from MIRMA stated that MIRMA handles work comp, property liability, employment practices and pretty much all lines of coverage that the city is involved with. He stated that this year the City invested in truck beacon light bars for workers who have to work in low light or nightly conditions. He stated that this was a great work comp tool and that MIRMA will be reimbursing 60% of the cost back to the city equal to \$504.00. Kelly also congratulated the city for being pro-active with their efforts in safety and health management.

### P&Z CASES

Mayor Powers opened the public hearing on Case #18-12 - Special Use Permit - Tammy Cupp - 110 W Allen St at 7:05PM.

Steve Lawver stated that Planning and Zoning met and are recommending that the board deny this case. Steve Lawver stated that the owners of the rental property have also requested that the permit be denied. He stated that the owners insurance does not cover the special use and that the tenant has now moved out. Public Hearing closed at 7:06 PM.

LaDonna Allen motioned to deny request of special use permit Richard Zaccardelli seconded. All in favor. No opposed.

Mayor Powers then addressed Case #18-13 - Preliminary Plat of Dogwood Trails #3. Steve Lawver stated that Planning and Zoning met last night on this and are recommending approval. Steve stated that the engineer for this project was present at the meeting and available for any questions. Randy Hutcheson stated that he had read there would be no sidewalks installed. Gerald Norton Ollson Inc., 702 Joplin, met before the Board of Adjustments on November 10<sup>th</sup> and requested the variance for the sidewalks and it was approved. Randy Hutcheson asked if the lack of sidewalks was a cost issue. Norton stated that the Dogwood Trails neighborhood stated that they were in favor of the variance. Roger Spencer asked where the location will be. Mr. Norton stated that it is going to the south of the subdivision and complete the Dogwood Trails Loop. There was much discussion as to the exact location. Motion by LaDonna Allen to approve the preliminary plat for Dogwood Trails #3. Richard Zaccardelli seconded. All in favor. No opposed.

### PETITION FOR LIBRARY TAX TO BE PUT ON APRIL 2019 BALLOT

The council then reviewed the Petition for the Library tax.

Mayor Mark Powers deferred to Mike Tally regarding the library state statute. Mike Tally stated that he had conversed with both Steve Lawver and Maribeth Matney and concluded that petition signatures received have met the required amount which is 5% of who voted at the last election. Tally stated that this places an obligation on the city to put the library tax on the ballot. He stated that the next step would be to create an ordinance that submits the tax for the board to pass. He stated that this particular statute does not give the board discretion. That when the required number is reached for signatures, then the library tax must be placed on the ballot. Mayor Mark Powers directed Mr. Tally to draw up an ordinance for the next upcoming meeting. Mike Burns requested clarification on whether or not the subject could be amended. He also asked if a second option could be placed on the ballot. Mike Tally stated that this particular statute is based on the petition process and that there is no choice for the city but to place the purposed Library tax on the ballot. Tally stated that there may be other library statutes that would propose other options for the city, but that there is no choice in this instance. Steve Lawver stated that several other questions could be placed on the ballot. Lawver stated there are other options for library taxes but they do not pertain to the city. Mike Burns stated that he wants to know if there is an option of annexing with another district instead of building a library. Steve Lawver stated that it was important not to confuse the purpose of the proposed tax. Lawver stated that the tax is strictly for funding the library not building it. Mike Tally reiterated that the ballot issue is only for the purpose of imposing a tax. Randy Hutcheson requested information on how many signatures were required. Mike Tally stated that the amount is 5%. Steve Lawver stated that 5% would be 205.5 and that there were a total of 245 signatures on the petition. There was much discussion about the language of the statute, petition, and other options that could be placed on the ballot.

### REPORTS

The Council reviewed the Administration report. Roger Spencer asked Steve Lawver if they had heard anything back on the sidewalk. Steve Lawver stated that he currently had no information. Richard Zaccardelli mentioned an issue with school bus traffic on Fir Rd. Zaccardelli asked if there was anyone from the school that would be available for comment.

Public Works – there was nothing to add. Jimmy stated that one leaf vacuum was broken last week. They are getting old and a replacement is needed. Richard Zaccardelli asked Jimmy if the staff wears masks when dealing with the oak smoke from burning leaves. Jimmy stated that the city does provide masks. Richard Zaccardelli suggested the masks be enforced. Richard Zaccardelli asked Jimmy if they are having any problems with the water meters. Jimmy stated they aren't having any problems.

Police Dept - there was nothing to add. Assistant Chief Mark McCall stated that the new cars are currently in Ozark and should be back next week. He also stated that Carl Junction may be one of the only agencies that are going to start carrying Narcam

for Opioid overdoses. He reported that Shop with a Cop will be Dec 15<sup>th</sup> at 7:00 AM. LaDonna Allen stated that she talked to Chief Haase about the Narcam and reported that the city is not responsible for any of the costs. Allen stated that although she hopes we never have to use the Narcam, she does feel it is important for the police department to have access. Assistant Chief McCall stated that Fort Leonardwood had to come and x-ray a cannonball that an individual had purchased from a garage sale. The cannonball was determined not to be an active explosive.

Bldg Inspector –nothing to add. Last month there were 152 inspections for Carl Junction and 13 for Airport Dr.

### **COMMITTEE REPORTS**

Budget/Finance: Mike Burns nothing

Code/ Nuisance: Randy Hutcheson nothing

Human Resources: Roger Spencer nothing

Public Facilities & Planning: LaDonna Allen nothing

Senior Citizens - Richard Zaccardelli nothing.

### **UNFINISHED BUSINESS**

No unfinished business

### **NEW BUSINESS**

Mayor Powers requested for the city attorney to draw up a city ordinance to add the use tax back on the ballot in April. Mike Tally requested Steve Lawver to send him a copy of Webb City's ballot language in order to view how their ordinance was written. LaDonna Allen asked if there's anything within the city code that states that the owners of the property must apply for a special use permit. Maribeth Matney stated that code requires the owners of the property to apply for a special use permit. She stated the owners were aware of the situation and had in fact signed the request. Randy Hutcheson asked if the previous ballot issue discussed can specifically state it's use is for streets maintenance and repair.

### **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 go into close session. 2<sup>nd</sup> by Richard Zaccardelli. Roll call vote: Flinn-y, Marshall-y, Zaccardelli-y, Spencer-y, Allen-y, Burns-y, Hutcheson-y, Satterlee-y. Council went into closed session at 7:39 PM.

Council meeting reconvened at 7:51 PM. Mayor Powers reported that no decisions were made. Roger Spencer stated to City Clerk Maribeth Matney that another closed session will need to be scheduled at the next meeting.

### **ADJOURNMENT**

LaDonna Allen motioned to adjourn the meeting. Mark Satterlee seconded. All in favor. No opposed. Meeting adjourned at 7:52 PM.

  
CITY CLERK

  
MAYOR