

The Carl Junction City Council met in regular session on Tuesday May 21, 2024 at 7:00 PM at City Hall. Mayor Mark Powers called the meeting to order with the following present: LaDonna Allen, Rick Flinn, Bob McAfee, Roger Spencer, Hollie LaVigne, Walter Hayes, and Carole Wofford. David Pyle was absent. Also present were City Administrator Steve Lawver, City Clerk Alaina Wright and City Administrator Assistant Crystal Winkfield.

AGENDA

Roger Spencer motioned to approve the agenda as presented. Walter Hayes seconded. All in favor. No opposed with one absent. Hollie LaVigne asked if Pace Analytical was drug testing and Alaina Wright said no it was testing for the WWTP. LaDonna Allen motioned to approve the consent agenda. Hollie LaVigne seconded. All in favor. No opposed with one absent.

PUBLIC FORUM

There was no one present for public forum.

P&Z CASES

Mayor Powers asked for discussion regarding Case #24-05 – Rezoning Request 1103 E. Pennell – Nick Moritz

The public hearing was opened at 7:02 pm.

Brian Moritz was present to speak in support of the rezoning. He said he bought the property of 200/202 Haley Place in 2001 with the intention to build a shopping center, but his request to rezone to commercial was denied. Brian said Jean Roy told him it was zoned residential, but the city would allow small businesses on Pennell. He said there were a couple of long-term tenants, then sold the house to his son Nick Moritz and they fixed it up to sell it. Brian said the home is under contract and has been a single family dwelling for the last 20 years.

Rick Flinn asked how long the property has been vacant and Brian Moritz said it has been vacant for a year.

Mayor Powers asked when the property was rezoned and Brian Moritz said he didn't know. Alaina Wright said it had been rezoned in 2001.

Hollie LaVigne asked if the house there meets code. Alaina Wright said she would have to check the building permit file to be certain.

Steve Lawver said P&Z met on this and they are not recommending approval. Walt Hayes asked if P&Z knew the entire story of the property and Steve Lawver said he felt they did.

LaDonna Allen asked when the P&Z map was adopted and Alaina Wright said May 1999.

Brian Moritz said the property was on the market for 6-8 weeks and there were no commercial offers put in during that time.

Rick Flinn said the property had been a home for the last 20 years and there has been a home there since the 1950's.

There was no one present to speak against the rezoning and the public hearing was closed at 7:17 pm.

Mayor Powers asked for discussion regarding Case #24-06 – Rezoning Request 301 S. Main – Krista & Daniel Hawkins

The public hearing was opened at 7:18 pm.

Steve Lawver said P&Z met on this and are recommending approval.

Kristen Hawkins was present to speak in support of the rezoning. Kristen said she is hoping to open a dog boutique on the property with unique items from across the country for pet items.

Carole Wofford asked where the parking would be and Kristen Hawkins said there is a small lot in front of the house that's there and the church has parking across the street. Daniel Hawkins said most of the surrounding property is commercial property.

There was no one present to speak against the rezoning and the public hearing was closed at 7:20 pm.

APPROVAL OF BIDS FOR THE ROUTE Z/PENNELLSIDEWALK IMPROVEMENT PROJECT PHASE VI

Steve Lawver said OWN, Inc recognized the bids were higher than expected but they are recommending the bids be approved. He said we will pay 30% of the cost and \$145,000 was designated from ARP funds for the project. LaDonna Allen said the money is available from ARP but was originally designated for stormwater and so will need to be redesignated.

LaDonna Allen motioned to approve the bids for Phase VI of the sidewalk project. Rick Flinn seconded. All in favor. No opposed with one absent.

APPROVAL OF BIDS FOR RESURFACING THE COMMUNITY CENTER OUTDOOR BASKETBALL COURT

Steve Lawver said there have been several bids and there is a wide range of bids and were not all for the same services. The bids were Gerald Perry Tennis Co with \$9,250; Midwest Concrete Solutions with \$6,900 but only included grinding down the court and not repainting. Steve Lawver said Tri-STATE Chipseal Paving and Nelson Enterprises were the only two that put in bids for the requested services, and he said the low bid was Nelson Enterprises with \$10,580. The bid from Tri-STATE was \$19,800. Steve Lawver said he and Ken Wickstrom have been working with a local bank on a partnership for the project. He said there is enough money to pay for this with ARP funds. LaDonna Allen said she will be hiring Steve Nelson to do a minor job on her personal property and she is unsure if she should abstain from the vote. Rick Flinn asked what it would include with the partnership from the bank and Steve Lawver said they would get a center court logo.

Hollie LaVigne motioned to approve the bid from Nelson Enterprises. Carole Wofford seconded. Hollie LaVigne, Bob McAfee, Rick Flinn, Roger Spencer, Walt Hayes and Carole Wofford were in favor. There were no opposed with one absent and LaDonna Allen abstained.

ORDINANCES

LaDonna Allen motioned to put **“AN ORDINANCE AMENDING TITLE VII. UTILITIES; CHAPTER 720: USER CHARGE SYSTEM BY ADOPTING A NEW APPENDIX “A” TO SEWER USE CHARGE ORDINANCE (ACTUAL USE RATE STRUCTURE) (MAY 2024) AND BY AMENDING SECTION 720.040 “USER CHARGE RATES” TO REFLECT SAID CHANGES IN RATES; AND ESTABLISHING AN EFFECTIVE DATE FOR SAID NEW RATES”** on first reading by title only. Roger Spencer seconded. All in favor. No opposed with one absent.

Discussion: Steve Lawver said this sets the new rate at \$16.26 for the first thousand gallons and \$4.01 for each additional thousand. He said it sets the out of town rate at \$40.65 for the first thousand gallons and \$10.03 for each additional thousand. Mayor Powers asked what the previous rate was and Steve Lawver said it was \$15.07 for the first thousand gallons and \$2.98 for each additional thousand. LaDonna Allen asked why the cost increase was so great and Steve Lawver said employee labor rates have gone up and testing continues to increase. He said this also recoups money spent on Center Creek crossing.

LaDonna Allen motioned to put it on second reading by title only. Hollie LaVigne seconded. All in favor. No opposed with one absent.

Discussion: There was no further discussion

LaDonna Allen motioned to put it on final passage. Hollie LaVigne seconded. All in favor. No opposed with one absent.

LaVigne-yes, McAfee-yes, Flinn-yes, Spencer-yes, Allen-yes, Pyle-absent, Hayes-yes, Wofford-yes. Motion on Ordinance #24-12 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 APPROVING THE PROPOSAL OF MIRACLE RECREATION EQUIPMENT COMPANY TO PURCHASE, SHIP AND INSTALL PLAYGROUND EQUIPMENT AT THE CENTER CREEK PARK LOCATION IN ACCORDANCE WITH THE PROPOSAL FOR THE SUM OF ONE HUNDRED THIRTY-ONE THOUSAND FIVE HUNDRED FORTY-NINE AND 36/100 DOLLARS (\$131,549.36); AND AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE DOCUMENTS NECESSARY TO EFFECTUATE SUCH PROPOSAL”** on first reading by title only. Hollie LaVigne seconded. All in favor. No opposed with one absent.

Discussion: LaDonna Allen said there is money budgeted in ARPA for this equipment. Carole Wofford asked if this was another situation where the price would increase later for the fall depth rating. Steve Lawver said no.

Walt Hayes motioned to put it on second reading by title only. Roger seconded. All in favor. No opposed with one absent.

Discussion: There was no further discussion.

LaDonna Allen motioned to put it on final passage. Hollie LaVigne seconded. All in favor. No opposed with one absent.

LaVigne-yes, McAfee-yes, Flinn-yes, Spencer-yes, Allen-yes, Pyle-absent, Hayes-yes, Wofford-yes. Motion on Ordinance #24-13 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 ZONING DISTRICT MAP ADOPTED BY THE BOARD OF ALDERMEN OF THE CITY OF CARL JUNCTION, MISSOURI, BY ORDINANCE NO. 99-10 ON THE 18TH DAY OF MAY, 1999, AS AMENDED, TO REZONE 1103 E. PENNELL, CARL JUNCTION, JASPER COUNTY, MISSOURI OWNED BY NICK MORITZ AS MORE FULLY DESCRIBED IN THE BODY OF THIS ORDINANCE, FROM C-1 TO R-1”** on first reading by title only. Hollie LaVigne seconded. All in favor. No opposed with one absent.

Discussion: Walt Hayes said he believes the change should be made since it used to be R-1 and it has been used as R-1 for the last 20 years and if R-1 isn't allowed under C-1 the city messed up by allowing it to be a home for the last 20 years. He said the other option would be a special use permit to allow them to keep a home with the C-1 zoning.

Hollie LaVigne motioned to put it on second reading by title only. Carole Wofford seconded. All in favor. No opposed with one absent.

Discussion: There was no further discussion.

Hollie LaVigne motioned to put it on final passage. Roger Spencer seconded. All in favor. No opposed with one absent.

LaVigne-yes, McAfee-yes, Flinn-yes, Spencer-yes, Allen-yes, Pyle-absent, Hayes-yes, Wofford-yes. Motion on Ordinance #24-14 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 ZONING DISTRICT MAP ADOPTED BY THE BOARD OF ALDERMEN OF THE CITY OF CARL JUNCTION, MISSOURI, BY ORDINANCE NO. 99-10 ON THE 18TH DAY OF MAY, 1999, AS AMENDED, TO REZONE 301 S MAIN, CARL JUNCTION, JASPER COUNTY, MISSOURI OWNED BY KRISTEN & DANIEL HAWKINS AS MORE FULLY DESCRIBED IN THE BODY OF THIS ORDINANCE, FROM R-1 TO C-2”** on first reading by title only. Bob McAfee seconded. All in favor. No opposed with one absent.

Discussion: Hollie LaVigne said she loves this idea and hopes they are successful.

Hollie LaVigne motioned to put it on second reading by title only. LaDonna Allen seconded. All in favor. No opposed with one absent.

Discussion: There was no further discussion.

Hollie LaVigne motioned to put it on final passage. Roger Spencer seconded. All in favor. No opposed with one absent.

LaVigne-yes, McAfee-yes, Flinn-yes, Spencer-yes, Allen-yes, Pyle-absent, Hayes-yes, Wofford-yes. Motion on Ordinance #24-15 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

Long-Term Project report – LaDonna Allen asked Crystal Winkfield if her report was included and Crystal said no.

LaDonna Allen asked if the pool had been considered for anything beyond pickleball and Steve Lawver said no. Mayor Powers said Public Facilities needs to meet to decide what they want to pursue.

Steve Lawver said Liberty has agreed to do all the electrical work for the Veterans memorial and we would just have to buy all materials and install conduit and concrete. He said he got a quote for the materials of \$5,700. LaDonna Allen asked if public works would have the manpower to complete the work and Steve Lawver said probably not. Mayor Powers said to offset some of the manpower the leaf pickup this year would be different. LaDonna Allen said she would like to know what it would cost to hire the work to be done.

Mayor Powers asked when the table will be repaired at Lakeside Park and Steve Lawver said it should be later this week.

Bob McAfee asked if the ARP funds have to be spent by the end of the year and LaDonna Allen said no it just have to be obligated by the end of the year.

Police Dept. report – Roger Spencer asked how the digital ticketing is going. Chief McCall said they had training last week and will be switching the first week of June.

LaDonna Allen asked if there would be candidates for a new police officer position coming soon and Chief McCall said he believed there would be.

Mayor Powers asked for there to be a police presence on Briarbrook Drive close to the soccer fields for the next two Saturdays while there are games going on.

Public Works report – Mayor Powers asked if Optic Communications had broken anymore water lines and Jay Morton said no.

Hollie LaVigne asked if there were any issues with the splashpad and Jay Morton said there had been plenty of people there.

Walt Hayes asked about the stormwater issue that was presented during the public forum on May 7 and Jay Morton said he has spoken to the owner multiple times and they are waiting for it to dry out.

COMMITTEE REPORTS

Budget/Finance: LaDonna Allen asked for a joint meeting with Public Facilities on June 4 at 6:00 pm.

Code/ Nuisance: Rick Flinn had nothing to report.

Human Resources: Roger Spencer had nothing to report.

Public Facilities & Planning: David Pyle was absent.

Economic Development: Hollie LaVigne said she met with Retail Strategies remotely and they are working on getting their market guide ready.

UNFINISHED BUSINESS

Mayor Powers asked Crystal Winkfield if Liberty Utilities called back about solar meter readings and Crystal Winkfield said she had not. Mayor Powers told Crystal Winkfield to try calling them again.

LaDonna Allen said there is no gate for the fence at the splashpad. Steve Lawver said there is a gap between the posts to be in compliance with ADA. He said enough room was left to install a self-closing gate if the council wants one installed.

Jay Morton said in Country Club Estates they have been replacing valves and fire hydrants and some of the fire hydrants are from 1907.

NEW BUSINESS

Steve Lawver said there is a dump truck available on a state bid from Corwin Ford for \$64,358. He said we will have to get dump body, spreader, and snowplow for it which will be an additional expense. He said there is \$293,208 available in public works' equipment purchase accrual funds plus \$85,000 was budgeted this year so there is plenty of money in the budget. Steve Lawver said one of their trucks has broken down and he found a state bid of \$38,982 available. Steve said the city will auction the old equipment on Purple Wave. Steve Lawver said he and Jay Morton are trying to move away from diesel vehicles and get into gas engine vehicles and both new vehicles he found are gas engine vehicles.

LaDonna Allen asked Jay Morton if he would want to repair the old truck and keep it as a spare and Jay said it has been repaired multiple times and he'd rather get rid of it.

Roger Spencer motioned to approve both vehicle purchases. Rick Flinn seconded. All in favor. No opposed with one absent. LaDonna Allen asked how long the delivery would take. Steve Lawver said pickup wouldn't take long but the dump truck would take longer.

ADJOURNMENT

Roger Spencer motioned to adjourn the meeting. Rick Flinn seconded. All in favor. No opposed with one absent. Meeting adjourned at 8:04 PM.


CITY CLERK


MAYOR