

The Carl Junction City Council met in regular session on Tuesday August 5, 2025 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Anita Francis, Walter Hayes, Hollie LaVigne, Bob McAfee, David Pyle, Roger Spencer, and Carole Wofford. James Shanks was absent. Also present were City Administrator Steve Lawver, City Attorney Mike Talley, City Clerk Alaina Wright and Assistant Crystal Winkfield.

### **AGENDA**

David Pyle motioned to approve the agenda as presented. Hollie LaVigne seconded. All in favor. No opposed with one absent. Hollie LaVigne motioned to approve the consent agenda. David Pyle seconded. All in favor. No opposed with one absent.

### **PUBLIC FORUM**

Krista Hawkins-301 South Main-She was present to say they got a new sidewalk and wanted to say thanks because it looks great.

### **P&Z CASES**

Mayor Moss asked for discussion regarding Case# 25-03 – Final Plat Rainer Farms Phase 2. The public hearing was opened at 7:03 pm. Lilian Bryant w/ OWN was present to answer questions. Steve Lawver said P&Z met last week and are recommending approval. Lilian Bryant said this is the second phase of the Rainer Farms subdivision. Hollie LaVigne asked how many homes in phase one are completed. Arturo Elivo with Schuber Mitchell said approximately 60% of the homes are started, and approximately 30% are completed. Hollie LaVigne asked if there was any green space and Arturo said there's a walking trail that will connect to walking trail in town. There was no one present to speak against the case, and the public hearing was closed at 7:06 pm.

Mayor Moss asked for discussion regarding Case# 25-05 – Preliminary Plat Briarbrook Plaza Plat 2. The public hearing was opened at 7:06 pm. Lilian Bryant w/ OWN was present to answer questions. She said there are 16 lots in this plat, and they are duplexes. She said the existing pond has been drained and will be filled in and the pond from phase five will be deepened and improved to help with stormwater. Hollie LaVigne asked if this was the pond with the fish that flooded onto the soccer fields. Arturo Elivo said this improvement will prevent that from happening in the future because there will be a channel dedicated for stormwater. Carole Wofford asked if they would be rental properties and Arturo said he couldn't answer that. Steve Lawver said P&Z is recommending approval. There was no one present to speak against the case, and the public hearing was closed at 7:10 pm. Mike Talley said a preliminary plat requires council approval. David Pyle motioned to approve the preliminary plat. Roger Spencer seconded. All in favor. No opposed with one absent.

### **DISCUSSION OF CONTINUANCE DATE FOR PUBLIC IMPEACHMENT HEARING**

Nate Dally said since the previous meeting there has been a motion for continuance from William Fleischaker and discussion within the city about who would be leading and advising at the hearing. Hollie LaVigne said she felt agenda item 8.c Ordinance approving a legal fee agreement with Kaderly & Kaderly for legal services during impeachment proceedings should be discussed prior to deciding on a continuance date. Hollie LaVigne motioned to move agenda item 8.c to the present. Carole Wofford seconded. All in favor. No opposed with one absent. Mike Talley said Hollie LaVigne should handle the ordinance.

Nate Dalley said the initial ordinance that was passed allowed for the mayor pro tem to have council to advise her procedurally. He said Lauber Municipal Law feels the mayor pro tem should be the chair of the meeting with advice of legal counsel, but it's also possible to hire an attorney to direct the meeting and rule on procedural questions. Hollie LaVigne said she would prefer it if there was someone else to handle the hearing. Nate Dally said the ordinance can be changed later to transition from Karely being appointed as legal counsel to being the hearing officer if necessary. Mike Talley said the agreement is to provide legal services to board of alderman and he thinks it is broad enough to cover either option the board chooses.

Hollie LaVigne motioned to put **"AN ORDINANCE APPROVING A LEGAL FEE AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND STEVEN H. KADERLY, LAW OFFICES, KADERLY & KADERLY, LAMAR, MISSOURI, TO PROVIDE LEGAL SERVICES TO THE BOARD OF ALDERMEN DURING PROCEEDINGS TO IMPEACH THE MAYOR OF THE CITY OF CARL JUNCTION, MISSOURI, AT A RATE OF \$300.00 PER HOUR PLUS REIMBURSABLE EXPENSES, WITH A \$2,400.00 RETAINER, AND AS OTHERWISE PROVIDED IN THE FEE AGREEMENT; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE SAID LEGAL FEE AGREEMENT FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI"** on first reading by title only. Carole Wofford seconded. All in favor. No opposed with one absent.

Discussion: Richard Garrett said he's concerned about public input into his process. He wants to ensure that during that hearing there is public input into the process, and he thinks the council should consider that.

Walter Hayes motioned to put it on second reading. Anita Francis seconded. All in favor. No opposed with one absent.

Discussion: Nate Dally said he can't advise the board because he's prosecuting the impeachment proceedings, and it would be a conflict of interest to do both. Carole Wofford said it's a good idea to have the board of aldermen protected.

Walter Hayes motioned to put it on final passage. Carole Wofford seconded. All in favor. No opposed with one absent.

Francis-yes, LaVigne-yes, McAfee-yes, Spencer-yes, Pyle-no, Hayes-yes, Wofford-yes, Shanks-absent. Motion on Ordinance #25-22 was approved by roll call vote, signed by the Mayor Pro Tem, attested by the City Clerk and made a part of the permanent records of the City of Carl Junction.

There was a discussion of the availability of all parties involved. Nate Dally recommended putting aside two nights and the second night can be cancelled if it isn't necessary. Bob McAfee motioned to set the dates for the impeachment proceedings for August 26 and August 28 at 6:00 pm. Roger Spencer seconded. All in favor. No opposed with one absent.

### **ORDINANCES**

David Pyle motioned to put "AN ORDINANCE ACCEPTING RAINER FARMS PHASE 2 OF CARL JUNCTION SUBJECT TO CERTAIN CONDITIONS" on first reading by title only. Roger Spencer seconded. All in favor. No opposed with one absent.

Discussion: There was no discussion.

Roger Spencer motioned to put it on second reading. David Pyle seconded. All in favor. No opposed with one absent.

David Pyle motioned to put it on final passage. Carole Wofford seconded. All in favor. No opposed with one absent.

Francis-yes, LaVigne-yes, McAfee-yes, Spencer-yes, Pyle-yes, Hayes-yes, Wofford-yes, Shanks-absent. Motion on Ordinance #25-23 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.

Roger Spencer motioned to put "AN ORDINANCE APPROVING A PROPOSAL FOR CODIFICATION SERVICES BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND GENERAL CODE, LLC, A NEW YORK LIMITED LIABILITY COMPANY, TO PROVIDE CODIFICATION SERVICES FOR AN ESTIMATED COST OF \$12,950.00, AND AS PROVIDED IN THE PROPOSAL DATED FEBRUARY 7, 2025; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE MAYOR TO EXECUTE SAID PROPOSAL FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. David Pyle seconded. All in favor. No opposed with one absent.

Discussion: Carole Wofford asked about the date since the proposal is only good for six months and Alaina Wright confirmed it was still valid. Hollie LaVigne asked for an explanation of the ordinance so that everyone was aware of the purpose and Alaina Wright said this allows General Code to go through all city ordinances and make sure everything is in line with state statutes and to make sure city codes don't contradict each other. Alaina said it's generally recommended that city codes be recodified every ten years and to her knowledge the current city code has never been recodified.

David Pyle motioned to put it on second reading. Mike Talley said he's been in a dispute with Steve Lawver and Alaina Wright and a builder of prefabricated sheds regarding a shed and hopefully this recodification process will solve that problem. He said he's been contacted by an attorney and has been exchanging letters regarding the city policy to require the manufacturers of these prefabricated buildings to purchase a business license prior to delivering the buildings. Mike Talley detailed the ongoing discussion and there was discussion amongst the council about the policy. David Pyle said the discussion was originally regarding General Code's recodification proposal and suggested perhaps the code and nuisance committee should review the specific issue and then bring it back to the full council later. Mayor Moss said there was a motion on the floor to put the ordinance on second reading. Roger Spencer seconded that motion. All in favor. No opposed with two absent.

Discussion: There

David Pyle motioned to put it on final passage. Walter Hayes seconded. All in favor. No opposed with one absent.

Francis-yes, LaVigne-yes, McAfee-yes, Spencer-yes, Pyle-yes, Hayes-yes, Wofford-yes, Shanks-absent. Motion on Ordinance #25-24 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**

Administration report – Steve Lawver said he received an email today approving the engineering changes for the W Briarbrook Lane stormwater project. He also said the police department received the Tesla for Detective Dagnan.

Treasurer's report – No discussion.

Public Works report – No discussion.

### **COMMITTEE REPORTS**

Budget/Finance: Walter Hayes had nothing to report.

Code/ Nuisance: Carole Wofford said she believes there should be a meeting at 6:30 pm regarding licensing.

Human Resources: Roger Spencer had nothing to report.

Public Facilities & Planning: David Pyle said there is a meeting on August 21 at 4:00 pm with SAPP regarding the strategic plan.

Economic Development: Hollie LaVigne said she received a survey for property purchased on Highway 171 and turned it into retail strategies

### **UNFINISHED BUSINESS**

Hollie LaVigne asked who planted trees along the trail because they need water.

Walter Hayes asked if the pool had been tested yet. Steve Lawver said public works will be doing it soon because the conditions are finally comparable to the original testing that was done.

### **NEW BUSINESS**


Hollie LaVigne said Tuesday August 12 is the back-to-school block party on Broadway.

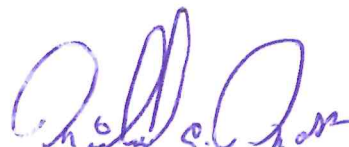
Steve Lawver said we received a letter from FEMA about floodplain mapping which they redo every 3-5 years. Allgeier Martin has responded to any changes they are showing. He said the floodplain is getting bigger so more homes will require flood insurance in Fall Creek Estates.

Alaina Wright said the lease on the postage machine is up and with the increase in volume from mailing water bills, Pitney Bowes is recommending an upgraded machine that will process more envelopes and can handle the higher demand. Hollie LaVigne motioned to approve a lease with Pitney Bowes for the upgraded postage machine. Carole Wofford seconded. All in favor. No opposed with one absent.

**ADJOURNMENT**

David Pyle motioned to adjourn the meeting. Hollie LaVigne seconded. All in favor. No opposed with one absent. Meeting adjourned at 8:05 PM.

  
CITY CLERK

  
MAYOR