

The Carl Junction City Council met in regular session on Tuesday November 19, 2024 at 7:00 PM at City Hall. Mayor Mark Powers called the meeting to order with the following present: LaDonna Allen, Rick Flinn, Hollie LaVigne, David Pyle, Roger Spencer, and Carole Wofford. Bob McAfee and Walter Hayes were absent. Also present were City Administrator Steve Lawver, City Attorney Mike Talley, and City Clerk Alaina Wright.

AGENDA

LaDonna Allen motioned to amend the agenda to remove item 10: discussion of MOU with CJR1 Schools for school resource officer. Hollie LaVigne seconded. Hollie LaVigne, Rick Flinn Roger Spencer, LaDonna Allen, and Carole Wofford were in favor. David Pyle was opposed. LaDonna Allen motioned to approve the agenda as amended. Roger Spencer seconded. All in favor. No opposed with two absent.

LaDonna Allen motioned to approve the consent agenda. David Pyle seconded. All in favor. No opposed with two absent.

PUBLIC FORUM

There was no one present for public forum.

P&Z CASES

Mayor Powers asked for discussion regarding Case# 24-07 – Rezoning Request 101 Cambridge – MIBSI Investments LLC
The public hearing was opened at 7:03 PM.

Steve Lawver said the applicant was unable to attend due to sickness. He said P&Z met on this and they are not recommending approval.

Mike Jackson (103 Karen Drive) was present to speak against the rezoning. He encouraged the council to follow the recommendation from the P&Z Commission and deny the request

The public meeting was tabled at 7:05 and Mayor Powers said it would reconvene at the next council meeting, December 3 at 7:00 PM.

PRESENTATION OF LIFE SAVING AWARD TO AMOS BINDEL

Chief McCall presented Amos Bindel with a lifesaving award. He said Officer Bindel responded to a call where a 46-year-old nonverbal, autistic female was choking and performed the Heimlich Maneuver on her and saved her life.

APPROVAL OF BIDS FOR W BRIARBROOK LANE STORMWATER DRAINING DITCH

Steve Lawver said there were six bids that came in for the project: Elements Construction Concepts for \$168,000.00, Asbell Excavating & Trucking for \$204,411.55, ATS Contractors for \$228,648.90, Sprouls Construction for \$260,250.00, Double S Dirt Works for \$289,750.00, and Anderson & Sons Contracting for \$323,490.00. He said Allgeier Martin is recommending approval of the Elements Construction Concepts bid for \$168,000.00. Steve said since that bid came in significantly lower than expected, we are asking DNR to expand the project to cover Hedge Drive. He is waiting to hear back from them. LaDonna Allen motion to approve the bid from Elements Construction Concepts, Rick Flinn seconded All in favor. No opposed with two absent.

APPROVAL OF BIDS FOR TECHNOLOGY UPGRADES FOR THE POLICE DEPARTMENT

Steve Lawver said we advertised the bid and only had one response from Mid Central Contractors. He said the bid was \$48,165.19 for the video surveillance system and \$12,174.55 for the access control system. Hollie LaVigne asked if they addressed the chief's concerns on cameras for the outside of the building and Steve Lawver said yes. Chief McCall said there are two opportunities for nonmatch grants from the Department of Justice that we can apply for. Steve Lawver said the funding will be announced in May, and that the bids should be tabled until he can find out more about the grants. Mayor Powers said it would have to rebid in May and prices could go up in the interim. Steve Lawver said the access control system may not be covered by the grants. He said the bid could be split so the access control system could be installed now, and we could wait for video surveillance system. David Pyle motioned to approve the access control portion of the bid for \$12,174.55 and table the remainder of the bid until the next meeting. Roger Spencer seconded. All in favor. No opposed with two absent.

ORDINANCES

LaDonna Allen motioned to put “**AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND SAPP DESIGN ASSOCIATES ARCHITECTS, P.C., OF SPRINGFIELD, MISSOURI, TO PROVIDE PROFESSIONAL ARCHITECTURAL SERVICES CONSISTING OF DEVELOPING A TEN (10) YEAR STRATEGIC PLAN FOR THE POLICE STATION, COMMUNITY CENTER, COMMUNITY POOL, PARKS, STREETS AND STORMWATER FACILITIES FOR THE CITY OF CARL JUNCTION, MISSOURI, FOR THE SUM OF \$35,000.00, PLUS EXPENSES; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE SAID AGREEMENT FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI**” on first reading by title only. Rick Flinn seconded. All in favor. No opposed with two absent.

Discussion: LaDonna Allen said funding was discussed at the last meeting, and Steve Lawver said it would require \$4,357 from eight different funds so funding wouldn't be an issue. Steve Lawver said pavement assessment would be separate item if necessary

LaDonna Allen motioned to put it on second reading. David Pyle seconded. All in favor. No opposed with two absent.

Discussion: There was no further discussion.

David Pyle motioned to put it on final passage. Roger Spencer seconded. All in favor. No opposed with two absent.

LaVigne-yes, McAfee-absent, Flinn-yes, Spencer-yes, Allen-yes, Pyle-yes, Hayes-absent, Wofford-yes. Motion on Ordinance #24-34 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 A MASTER EQUITY LEASE AGREEMENT WITH ENTERPRISE FM TRUST, A DELAWARE STATUTORY TRUST, AND FULL MAINTENANCE AND MAINTENANCE MANAGEMENT AND FLEET RENTAL AGREEMENTS WITH ENTERPRISE FLEET MANAGEMENT, INC., A MISSOURI CORPORATION, AND THE CITY OF CARL JUNCTION, MISSOURI, FOR VARIABLE TERMS AS PROVIDED IN SAID AGREEMENTS, TO PROVIDE MAINTENANCE MANAGEMENT AND RENTAL AND REPLACEMENT TERMS FOR THE CITY’S VEHICLES AT COSTS TO BE DETERMINED AND LIMITED TO ANNUAL APPROPRIATIONS BY THE CITY OF CARL JUNCTION, MISSOURI; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE MAYOR AND/OR THE CITY ADMINISTRATOR TO EXECUTE SAID AGREEMENTS 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 two absent.

Discussion: Mayor Powers said there was a meeting at 6:00 PM where the issue was discussed.

LaDonna Allen motioned to put it on second reading. David Pyle seconded. All in favor. No opposed with two absent.

Discussion: LaDonna Allen said funding is available with the equipment accrual funds.

Hollie LaVigne motioned to put it on final passage. David Pyle seconded. All in favor. No opposed with two absent.

LaVigne-yes, McAfee-absent, Flinn-yes, Spencer-yes, Allen-yes, Pyle-yes, Hayes-absent, Wofford-yes. Motion on Ordinance #24-35 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 CODE OF ORDINANCES OF THE CITY OF CARL JUNCTION, MISSOURI, BY AMENDING TITLE III. TRAFFIC CODE, CHAPTER 300 – GENERAL PROVISIONS, BY AMENDING SECTION 300.020: DEFINITIONS, TO ADD NEW DEFINITIONS APPLICABLE TO TEXTING WHILE DRIVING, AND ADDING NEW CHAPTER 312: TEXTING WHILE DRIVING A MOTOR VEHICLE ON A PUBLIC ROADWAY PROHIBITED, SECTIONS 312.010 – 312.100 TO PROVIDE RULES REGULATING TEXTING WHILE DRIVING ON A PUBLIC ROADWAY, AND PROVIDING PENALTIES FOR VIOLATIONS”** on first reading by title only. David Pyle seconded. All in favor. No opposed with two absent.

Discussion: Steve Lawver said this was brought to him by Sergeant Dickey and reflects a change to state law that allows ticketing for these offenses. He said it is fashioned after state statute and the Code Committee is recommending approval.

LaDonna Allen motioned to put it on second reading. David Pyle seconded. All in favor. No opposed with two absent.

Discussion: There was no further discussion.

LaDonna Allen motioned to put it on final passage. Roger Spencer seconded. All in favor. No opposed with two absent.

LaVigne-yes, McAfee-absent, Flinn-yes, Spencer-yes, Allen-yes, Pyle-yes, Hayes-absent, Wofford-yes. Motion on Ordinance #24-36 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 TITLE VII UTILITIES: CHAPTER 705: WATER, ARTICLE III. USER CHARGE SYSTEM BY AMENDING SECTION 705.330: ACTUAL USE RATE STRUCTURE, TO CLARIFY THE MINIMUM CHARGE PER MONTH FOR IN-TOWN WATER CUSTOMERS”** on first reading by title only. David Pyle seconded. All in favor. No opposed with two absent.

Discussion: Steve Lawver said this was a change in wording and takes out the ambiguity in the wording of the ordinance. Mike Talley clarified this wording change is consistent with our policies and Steve Lawver said yes. He said it is also consistent with the language for our sewer rates. Rick Flinn said the Code Committee is recommending approval.

Rover Spencer motioned to put it on second reading. LaDonna Allen seconded. All in favor. No opposed with two absent.

Discussion: There was no further discussion.

David Pyle motioned to put it on final passage. Hollie LaVigne seconded. All in favor. No opposed with two absent.

LaVigne-yes, McAfee-absent, Flinn-yes, Spencer-yes, Allen-yes, Pyle-yes, Hayes-absent, Wofford-yes. Motion on Ordinance #24-37 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 101 CAMBRIDGE, CARL JUNCTION, JASPER COUNTY, MISSOURI OWNED BY MIBSI INVESTMENTS, LLC AS MORE FULLY DESCRIBED IN THE BODY OF THIS ORDINANCE, FROM R-1 TO R-2”** on first reading by title only. Roger Spencer seconded. All in favor. No opposed with two absent.

Discussion: Mayor Powers said he would like the ordinance to be tabled until the meeting on December 3rd. LaDonna Allen motion to table the ordinance until the public hearing can be resumed and concluded at the meeting on December 3rd. Carole Wofford seconded. Rick Flinn, Roger Spencer, LaDonna Allen, David Pyle and Carole Wofford were in favor. Hollie LaVigne was opposed.

REPORTS

Long-Term Project report – LaDonna Allen asked about dirt contract for the dog park and Steve Lawver said contract had been approved but the work has not started yet. She also asked about buying the items for the dog park, Steve said he still needs to order them.

Roger Spencer asked Steve Lawver if he had heard anything from Liberty about the Veterans Memorial lighting project. He said he spoke to them last week and asked them to check and hasn't heard back yet.

Rick Flinn asked about road improvements at Center Creek. Steve Lawver said it is to improve the road that is already at Center Creek Park, not move the road away from the creek.

Treasurer's report – No discussion.

Police Dept. report – David Pyle said he noticed on the last few reports the benefit of Detective Dagnan and congratulated Chief McCall for bringing him on.

Rick Flinn asked about Shop with a Cop. Chief McCall said the fundraising is behind since they're no longer eligible for the Walmart grant, but he met with the Asbell Foundation about getting another grant. David Pyle suggested he speak with Tracy Skaggs about working with the Education Foundation which is already a 501 c3.

Public Works report – Hollie LaVigne asked Harvey Kitzberger how much it would cost to widen the cart path at Lakeside Park. Mayor Powers said stormwater work has to be done first. Harvey Kitzberger said it would take about 28 yards of concrete which would be around \$2,800 plus base rock.

COMMITTEE REPORTS

Budget/Finance: LaDonna Allen said there was a work session at 6:00 PM to discuss Enterprise. She would like everyone to think about having one Budget Committee meeting on a Saturday in February, rather than having multiple meetings and only discussing one fund at a time.

Code/ Nuisance: Rick Flinn said there will be a meeting at 6:30 PM on December 3rd to discuss the proposed changes to the golf cart ordinances.

Human Resources: Roger Spencer said he needs a closed session during the next meeting.

Public Facilities & Planning: David Pyle said he was glad to see progress on technology upgrades for PD

Economic Development: Hollie LaVigne had nothing to report

UNFINISHED BUSINESS

David Pyle said previously when the MOU between the school district and the city was discussed, he was advised to recuse himself from discussion and the vote, and he disagreed with that advice. He said he should not have recused himself because there is nothing in the city code that would prohibit him from being involved. David said it says in the ethics ordinance that "if an elected official has information germane to the discussion" they should be involved in the discussion. He said this item has been on the agenda twice and the decision was made not to discuss it. David Pyle thinks the ordinance should be on the agenda and discussed fully and voted on by the council.

LaDonna Allen said she wanted to discuss and decide what the city wanted last time so it could go to the other party involved and they could vote on it, and that she thought it was tabled tonight because we were waiting for the other party. David Pyle said if the council voted on the ordinance there would be a definitive position from the city. Rick Flinn asked if he heard back from the school. Steve Lawver said Dr. Cook spoke with him today because the school board meeting was last night. Dr. Cook told Steve the school board didn't talk about the MOU, they talked about the funding mechanism within the MOU, and his indication from the school board was they would go with two of their own employees and not use a police officer at all. Steve Lawver said SROs are commissioned officers just like ours, so there will still be qualified people in that position, regardless of their employer. David Pyle said he believes there's more to this than money and it would be beneficial to consider the ordinance and vote on it. Mayor Powers directed the ordinance to be placed on the agenda for the meeting on December 3rd. Rick Flinn clarified with Steve Lawver that Dr. Cook said the school would hire their own employees rather than paying the city more and Steve said that was a simplistic version but in his opinion is correct.

Steve Lawver said a discussion was necessary about services provided to Airport Drive. He said we received a letter from the Airport Drive attorney asking the city to give them enough time to find someone else to perform the jobs the city currently performs for them. Steve Lawver said we would be providing the services until they are able to find someone. He said the only service dropped was leaf pickup. There was discussion about giving Airport Drive a deadline to find people to handle the services for them, versus looking at raising fees for the city to provide the services. David Pyle asked what the services are, and Steve Lawver said it is lift station maintenance, building inspections, sewer tap inspections, and line locates. Mike Talley asked if any of the sewer services are services we provide to protect our own sewer system and Steve Lawver and Harvey Kitzberger said no because they will be required to do their own testing. There was a consensus among the council to give Airport Drive until April 30 to find other parties to do the services for them.

Chief McCall said the current SROs need to be considered when discussing the MOU with the school district. He said his concern is if this partnership ends, he will lose two very good officers that will go to another school.

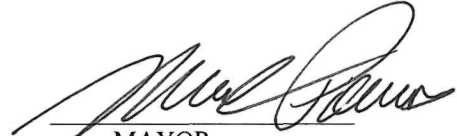
NEW BUSINESS

LaDonna Allen said she was contacted by a resident on Red Oak Loop with several concerns and she said the resident feels as if they don't have any patrols in the area. LaDonna Allen told the resident she would pass the information along.

ADJOURNMENT

Hollie LaVigne motioned to adjourn the meeting. David Pyle seconded. All in favor. No opposed with two absent. Meeting adjourned at 8:21 PM.


CITY CLERK


MAYOR