

The Carl Junction City Council met in regular session on Tuesday December 5, 2023 at 7:00 PM at City Hall. Mayor Mark Powers called the meeting to order with the following present: LaDonna Allen, Mike Burns, Rick Flinn, Bill Maguire, David Pyle, Roger Spencer, and Hollie LaVigne. Bob McAfee was absent. Also present were City Administrator Steve Lawver, City Attorney Mike Talley, City Clerk Alaina Wright and City Administrator Assistant Crystal Winkfield.

### **AGENDA**

Roger Spencer motioned to amend the agenda to remove item 12b, the treasurer's report, from the agenda. LaDonna Allen seconded. All in favor. No opposed with one absent. LaDonna Allen motioned to approve the agenda as amended. Roger Spencer seconded. All in favor. No opposed with one absent. Rick Flinn motioned to amend the minutes to read that Rick Flinn was absent during the vote for ordinance# 23-35, to sell the property at 1203 E. Pennell. Roger Spencer seconded. All in favor. No opposed with one absent. LaDonna Allen motioned to approve the consent agenda as amended. Hollie LaVigne seconded. All in favor. No opposed with one absent.

### **PUBLIC FORUM**

Anna Hammond-10399 County Road 290, Emma McDowell 309 Turf Lane, Alyssa Botts 308 Rustic Ridge – They were present on behalf of Girl Scout Troop #70341. They said they have the can collection behind the Community Center and have collected approximately \$300 so far. They were present because they would like to start a free seed library in Carl Junction. They have collected over 300 packets of seeds from various businesses and they would like to know the most beneficial place to put a seed library. Hollie LaVigne asked what the size of the library would be and they said they hadn't built the box yet so they weren't sure. Steve Lawver said in front of the Community Center, next to the free library would be a great place and there was no objection.

### **APPROVAL OF RADARSIGN QUOTE FOR DIGITAL SPEED LIMIT SIGNS**

Steve Lawver said the quote for two difference sizes and styles were included in the packet. He said the size is determined by the speed limit of the road on which it would be placed. Steve said Briarbrook Drive by the Clubhouse and Briarbrook Drive near Joplin Street are the two places we have more people complaining about the speeds of vehicles driving by. He said if it is approved, he would like to get additional batteries that way they could be swapped out when they run out of charge.

LaDonna Allen said she would prefer to get a couple of portable signs so they could be moved as needed. Steve Lawver said the signs with solar batteries would be permanent, but the signs with replaceable batteries would be portable.

Steve Lawver said he would recommend choosing the 11" LED signs so they could be moved as necessary.

Hollie LaVigne asked if they could be programmed for different speeds at different times and Mayor Powers said yes.

Rick Flinn asked about the optional StreetSmart Data Collection and Steve Lawver said he did like that option because it would give us the same information that the speed trailer gives us.

Mike Burns asked about the bracket option and if it meant the sign could be locked and Steve Lawver said yes.

LaDonna Allen said she would like to start with ordering two and see if there is a need for more. She also asked if it would come from the street fund and Steve Lawver said yes. David Pyle motioned to approve the quote for the 11" display with optional go bracket and StreetSmart Data Collection. Bill Maguire seconded. All in favor. No opposed with one absent.

### **APPROVAL OF BID FROM OMNIGO FOR RECORDS MANAGEMENT SYSTEM**

Chief McCall said this has been under discussion for a while. He said they called with an incentive of reducing the quote by another \$2300. He said several agencies in the area use this system and it is capable of sharing information between agencies. Rick Flinn motioned to approve the bid from Omnigo. LaDonna Allen seconded. All in favor. No opposed with one absent.

### **APPROVAL OF BID FROM DIGITICKET FOR DIGITAL TICKETING SOFTWARE**

Steve Lawver said this is a separate company that works together with Omnigo.

Mike Burns said the council used to receive information about the number of tickets written each month and they no longer receive that report and asked how many citations are issued monthly. Crystal Winkfield said it averaged 20-30 per month. Chief McCall said he thought part of the problem was the issues with the current system and officers don't want to write citations when they have issues. Mike Burns asked what the recurring costs of our current system are and Steve Lawver said those would be roughly \$4,000 per month.

David Pyle asked if these systems would be used for code enforcement citations and Chief McCall said yes.

David Pyle motioned to approve the bid. Hollie LaVigne seconded. All in favor. No opposed with one absent.

### **DISCUSSION OF CONTRACT WITH RETAIL STRATEGIES, LLC FOR CONSULTING SERVICES**

Hollie LaVigne said they met John with Retail Strategies at the MML conference in September. She said they would map the town and go street by street to look for areas that could be developed. They would put together a market analysis and retail guide and would help bring in businesses. She said it would create more jobs in town and provide more services and businesses for the residents. Hollie said she reached out to several cities that work with Retail Strategies and said that two cities responded and said they have been very helpful. Hollie LaVigne said they usually work with cities with populations of 6,500-15,000 people.

Bill Maguire asked how many cities came back with positive feedback. Hollie said they reached out to five cities and two responded and both had positive feedback. She said Retail Strategies likes to have a three-year commitment but the city could walk away at any time.

LaDonna Allen said this company can get data from multiple companies and actually know how to use that data to help cities. She said she thinks it would be a good idea to use money from the sale of 1203 E. Pennell to start this contract.

Mike Burns asked if there were any guarantees and Hollie LaVigne said there is not.

Mike Burns said with the recent expenditures he doesn't feel spending this money right now is the right time.

Hollie LaVigne said that the information they've already put together shows that Carl Junction has around \$21 million per year in online sales.

LaDonna Allen motioned to bring an ordinance to sign the contract with Retail Strategies. Bill Maguire seconded. Hollie LaVigne, Rick Flinn, Roger Spencer, LaDonna Allen, and Bill Macguire were in favor. Mike Burns and David Pyle were opposed with one absent.

### **DISCUSSION OF SCHUBER MITCHELL'S REQUEST TO CHANGE DUPLEX LOTS TO SINGLE FAMILY AT RAINER FARMS**

Jacob Lett with Schuber Mitchell was present to speak about the request to change some lots in Phase 1 lots from duplex lots to single family.

Mike Talley said this was a planned unit development that underwent an entire plan through the Board of Adjustments, Planning and Zoning and the City Council. He said the idea behind the planned unit development is that it is developed in its entirety and the plan would need to be completed as originally planned. Mike Talley said he believed Shuber Mitchell would need to go through the steps of the approval again to change the units to single family. Mayor Powers asked Jacob if they were willing to go through the whole process again and Jacob Lett said they were.

Mike Burns asked what would happen if the development in its new form was voted down. Mike Talley said his recommendation would be for Schuber Mitchell to offer the change as an amendment so that if it isn't approved, the previous plan could still be developed. Mike Burns asked which lots were in question and Steve Lawver said it would be the first eight lots on either side of Abdereen Avenue.

### **ORDINANCES**

LaDonna Allen motioned to put "AN ORDINANCE CALLING AN ELECTION TO AUTHORIZE A USE TAX IN THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Roger Spencer seconded. All in favor. No opposed with one absent.

Discussion: Steve Lawver said in section 1 of the ordinance there was a slight change in the language. He said according to statute we cannot change the language in the ballot language, but the ordinance now says it will be used in the interest of public safety.

Rick Flinn asked what else could fall under public safety. Steve Lawver said he has a very narrow view of public safety.

Mike Burns asked if the general public would see the language in the ordinance and Steve Lawver said no. Mike Burns said it is deliberately misleading because we would decrease the amount coming from the General Fund.

Mike Talley said the wording doesn't obligate the city to use it for public safety, it just declares the intent of the current city council.

Mike Burns asked how many times this question has been on the ballot and Mayor Powers said four times.

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

Discussion: Steve Lawver said the electronic voting program was not working and all votes would have to be done with roll call votes.

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

LaVigne-yes, McAfee-absent, Flinn-yes, Spencer-yes, Allen-yes, Burns-no, Maguire-yes, Pyle-yes. Motion on Ordinance #23-38 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.

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 355 – STOPPING, STANDING, PARKING PROHIBITED IN SPECIFIED PLACES, BY AMENDING SECTION 355.010, STOPPING, STANDING, PARKING PROHIBITED, TO PROHIBIT PARKING WITHIN TEN (10) FEET OF A MAILBOX AND TO PROHIBIT PARKING WITHIN TWENTY-FIVE (25) FEET OF A STOP SIGN" on first reading by title only. David Pyle seconded. All in favor. No opposed with one absent.

Discussion: Rick Flinn said the Code & Nuisance Committee met earlier and are recommending approval.

Mike Burns asked what the previous code read that was being amended. Mike Talley said it previously said 30 feet and now this said 25 feet and the mailbox was added.

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

Discussion: There was no further discussion.

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

LaVigne-yes, McAfee-yes, Flinn-yes, Spencer-yes, Allen-yes, Burns-no, Maguire-yes, Pyle-yes. Motion on Ordinance #23-39 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 II. PUBLIC HEALTH, SAFETY AND WELFARE; CHAPTER 205: ANIMAL REGULATIONS, ARTICLE III. DANGEROUS DOGS, SECTION 205.265: VICIOUS DOGS OR OTHER ANIMALS OF THE CARL JUNCTION, MISSOURI, CITY CODE, TO PROHIBIT DANGEROUS DOGS FROM ENTERING THE CITY OF CARL JUNCTION, MISSOURI**” on first reading by title only. Rick Flinn seconded. All in favor. No opposed with one absent.

Discussion: Rick Flinn said the Code & Nuisance Committee is recommending approval.

Mike Talley said this was requested by code enforcement and the police department.

David Pyle 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.

David Pyle 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, Burns-yes, Maguire-yes, Pyle-yes. Motion on Ordinance #23-40 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.

David Pyle 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 CONFORM COMMERCIAL WATER RATES TO RESIDENTIAL RATES**” on first reading by title only. LaDonna Allen seconded. All in favor. No opposed with one absent.

Discussion: Steve Lawver said this came about because DNR mandated that commercial and residential rates be the same and the code was never adjusted to reflect that. Rick Flinn said the Code & Nuisance Committee is recommending approval.

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

Discussion: There was no further discussion.

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

LaVigne-yes, McAfee-yes, Flinn-yes, Spencer-yes, Allen-yes, Burns-yes, Maguire-yes, Pyle-yes. Motion on Ordinance #23-41 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 Lawver said #4 was written before the PD had more issues with the ticketing system over the past weekend.

Mayor Powers asked about the stormwater issue #2, Steve Lawver said currently we don't have the money to do that in the budget.

Steve Lawver said the security camera presentation was very interesting. He said that the school is working with the same company and it could be possible for the police department to monitor the cameras at the school.

Police Dept. report – Hollie LaVigne asked how SWAC fundraising is going and Chief McCall said they finally made their goal today and he has authorized up to 250 children attending.

Public Works report – Mayor Powers asked if there was a problem with the leaf vac and Jay said it is working again now.

## **COMMITTEE REPORTS**

**Budget/Finance:** LaDonna Allen said there was a joint meeting earlier with the HR Committee and they discussed adding the corporal position back in for the police department and hiring temporary labor for public works and both items were recommended by both committees.

**Code/ Nuisance:** Rick Flinn said they met earlier tonight and discussed ordinances that were passed earlier tonight.

**Human Resources:** Roger Spencer said there is a closed session later in the meeting.

**Public Facilities & Planning:** Mike Burns had nothing to report.

**Economic Development:** Hollie LaVigne said there was discussion regarding the Retail Strategies contract and they are still looking at a mixed zoning for Pennell Street.

## **UNFINISHED BUSINESS**

LaDonna Allen asked if P&Z would meet on the combined use zoning and Steve Lawver said he was just beginning his research. Bill Maguire asked if there would be anything done about the striping on Briarbrook Drive and Steve Lawver said it would have to be put into the next budget cycle.

Hollie LaVigne asked if there was anything from Water's Edge on the pool and Steve Lawver said no.

Hollie LaVigne asked about getting a light at Elliott and Tara and what would have to be done. Steve Lawver said development would have to happen for a street light to be put in there.

## **NEW BUSINESS**

Mike Burns said at the last meeting there were six members and wondered if the rezoning ordinance should be brought back before the full council. Mike Talley said he wasn't sure if the vote could be reconsidered this far out past the original vote.

**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**

LaDonna Allen motioned to go into closed session. Hollie LaVigne seconded. Roll call vote: LaVigne-yes, McAfee-absent, Flinn-yes, Spencer-yes, Allen-yes, Burns-yes, Maguire-yes, Pyle-yes. Council went into closed session at 8:26 PM. Council meeting reconvened at 9:12 PM. Mayor Powers said no votes or action was taken.

**ADJOURNMENT**

Roger Spencer motioned to adjourn the meeting. Hollie LaVigne seconded. All in favor. No opposed with one absent. Meeting adjourned at 9:12 PM.

  
CITY CLERK

  
MAYOR