

The Carl Junction City Council met in regular session on Tuesday February 21, 2017 at 7:00 PM at City Hall. Mayor Michael Moss called the meeting to order with the following present: Bob Cook, Don Marshall, Richard Zaccardelli, Mark Powers, Roger Spencer, Wayne Smith, LaDonna Allen and Mike Burns. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

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

PUBLIC FORUM

Alan Palmer, 504 Joplin, addressed the council about the 2 houses behind his house. There is trash everywhere and it looks terrible. He asked what procedures need to be done to get something done about those 2 houses. These houses face Main Street. Steve reported that we have sent certified letters to all the lien holes of the properties. We will need to address the trash and that would be our Code enforcement officer. Mike Talley stated that these 2 issues are different procedures. One is demolition and the other is nuisance abatement. He also explained that we can site them for nuisance abatement and they can pay the fines and go on. There was a lot of discussion about our condemnation process and our nuisance abatement. Steve said that the bank agreed that one of the houses needs torn down. He is not sure why the trash has not been addressed but we will contact code enforcement. Sherry Palmer also stated that every night between 9:00 PM and midnight the dogs go crazy and she is not sure what is going on back there. There was a lot of discussion about where we were with the demolition process. The council stated we will try to address the trash issue.

REVIEW AND ACCEPT 2016 AUDIT

Steve Lawver explained that we received our 2016 audit from Taylor & Green. He also pointed out that we are converting from a cash basis to an accrual basis. It is a more in depth audit. This year we have a modified accrual and next year we will try to complete our infrastructure inventory to complete the accrual items needed to complete the audit. The 18 items in the management letter deal with the changeover from cash to accrual. They did not find any faulty bookkeeping. We also need to do a management letter for the audit. We have never done that before and it is a brief description of items that happened through the year. We have never shown our inventory and infrastructure before in our audit. Mark Powers stated after talking with the auditor we are on the right track. Mark Powers motioned to accept the 2016 audit. Richard Zaccardelli seconded. All in favor. No opposed.

REVIEW AND APPROVE DELINQUENT TAX LIST

The council reviewed the delinquent tax list. There was some discussion about pursuing taking taxes through our municipal court. LaDonna Allen motioned to accept the delinquent tax list. Bob Cook asked if we could collect the taxes with the water bill. The City Clerk stated that some cities do, if they shut the water off for nonpayment they have to pay everything they owe to the city to get it reinstated, including taxes. Richard Zaccardelli seconded the motion on the floor. All in favor. No opposed

ORDINANCES

Mark Powers motioned to put "AN ORDINANCE APPROVING A CONTRACT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND ALLGEIER, MARTIN & ASSOCIATES, INC., TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN AND CONSTRUCTION PHASES FOR SIDEWALK IMPROVEMENTS ALONG ROUTE Z (PENNELL STREET) FROM MILLER STREET TO NORTH GRIMES STREET IN THE CITY OF CARL JUNCTION, FOR SUMS WHICH WILL NOT EXCEED \$42,999.63 FOR DESIGN SERVICES AND \$24,319.95 FOR CONSTRUCTION SERVICES, AND SUCH ADDITIONAL SERVICES AND REIMBURSABLE EXPENSES AS PROVIDED IN THE CONTRACT; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE MAYOR TO EXECUTE SAID CONTRACT FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Roger Spencer seconded. All in favor. No opposed. Steve Lawver explained that this is a contract for the sidewalk along Pennell. MODOT will pay 80% and we pay 20%. Bob Cook asked if we went out for bid. Steve said no they are on MODOT's qualified engineering list. We do not have to go out for bid for professional services. Mark Powers motioned to put it on second reading by title only. Don Marshall seconded. All in favor. No opposed. There was no discussion. Mark Powers motioned to put it on final passage. Richard Zaccardelli seconded. All in favor. No opposed. Cook-y, Marshall-y, Zaccardelli-y, Powers-y, Spencer-y W Smith-y, Allen-y, Burns-y. Motion on Ordinance #17-04 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 reported that Jimmy had priced the concrete blocks. If we do 1 block high will still need an easement for grading. If we go 2 blocks high we will not need an easement as it will all be in the right of way. It will reduce the costs and not take as much time. The blocks will run \$5400 to go 2 blocks high. Steve will talk to the owner about paying \$2000-\$3000 as was discussed in an earlier conversation. Mike Burns asked if we were going to have to repair all the retaining walls in the city. Steve said that this retaining wall is on our right of way. Mark Powers pointed out that it is not costing the City labor since we would be paying our employee's anyway no matter what job they are doing unless the work overtime. Bob Cook asked how many other walls in town have problems. It is wear and tear on our equipment. There was discussion as to why it was on our

right of way and what liability we have. It was stated we didn't put it up and now we have to fix it. It should be the owner's responsibility. It was also asked what happens if we build it back on our right of way and someone gets hurt on it. We will be liable. Steve said that he tried to bring to the council 2 years ago an ordinance that made the property owner responsible for the right of ways and the council rejected it. It was stated that this is a dangerous wall and that puts the city at risk since we know it is dangerous and we are not doing something about it. It was stated that we could do the labor but make the owner pay for the materials. Jimmy stated that at first he thought we could repair it but after looking at it he feels we should go with the concrete block wall. Mike Burns stated that if we are going to do that we should put it on the property owners land not the city ROW. He is trying to sell the house. It was also suggested we split it 50/50. Mike Talley said that we would need an agreement with the owner to do that. Once councilman asked if we are going to set a precedent with this. There was a lot of debate on this topic Mark Powers motioned to fix the wall with the concrete blocks and charge Steve Lawver to negotiate with the property owner to contribute towards the project. Richard Zaccardelli seconded. Mike Burns restated that we should put the wall on his property not the city ROW. 7 (Cook, Marshall, Zaccardelli, Powers, Spencer, Smith, Allen) in favor. 1 (Burns) opposed.

Steve also reported that JATSO will pay 80% of our Fir Road traffic study. He will talk to APD Thursday about contributing. Bob Cook said that this is not the right time to be doing the study with the work being done on the bridge. He thinks we should wait until the bridge is completed

PW report – there was nothing to add. Jimmy did say they tested the water lines for the new subdivision on Copper Oaks.

Police report – there was nothing to add. Mike Burns stated that Officer Jensen was named officer of the week. Mike Talley then thanked Mark McCall for his help after the council meeting when he had his flat tire. It was really appreciated.

Court report – there was nothing to add. It was stated that the council really likes Crystal's reports.

COMMITTEE REPORTS

Budget/Finance – Mark Powers reported that they have finished their budget meetings and will present it at the next meeting. He also reviewed the bank statements and all looked OK.

Code/Nuisance – Don Marshall had nothing to report.

Human Resources – Roger Spencer had nothing to report

Public Facilities & Planning – Wayne Smith had nothing to report.

Senior Citizens - Richard Zaccardelli had nothing to report.

UNFINISHED BUSINESS

It was stated that the City has now collected 100% of the BCID that they were collecting for the Briarbrook CID.

NEW BUSINESS

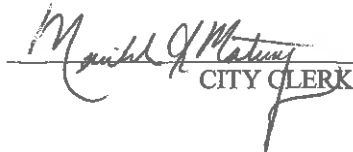
Don Marshall stated he has received several phone calls about people not receiving their utility bills till 2-3 days before the due date. It was reported that they are all mailed at the same time around the 29th – 30th of each month.

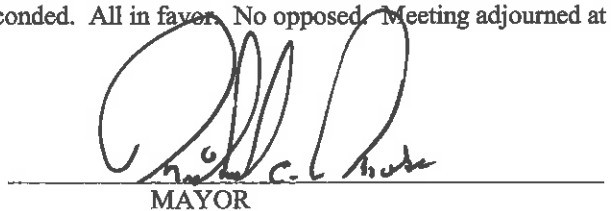
Mayor Moss introduced Mayor Pro-Tem Gary Heilbrun from Duquesne. He was in attendance to see how we conduct our meetings.

Mayor Moss asked for the young gentleman in the audience to introduce himself. He is Blake Willoughby and was in the National Guards and is currently working for the Joplin Globe. He found out that no one is covering Carl Junction at this time and since he was from Carl Junction he thought he would attend the meeting to get a feel of city events.

ADJOURNMENT

Mark Powers motioned to adjourn the meeting. Roger Spencer seconded. All in favor. No opposed. Meeting adjourned at 8:06 PM.


CITY CLERK


MAYOR