

The Carl Junction City Council met in regular session on Tuesday July 11, 2017 at 7:00 PM at City Hall. Mayor Mark Powers called the meeting to order with the following present: Bob Cook, Don Marshall, Richard Zaccardelli, Roger Spencer, LaDonna Allen, Mike Burns, Jeff Hammons and Randy Hutcheson. 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. Roger Spencer to approve the consent agenda. Richard Zaccardelli seconded. All in favor. No opposed.

PUBLIC FORUM

Connie Merrithew, 115 N Windwood, stated that her son will be receiving his Eagle rank and they would like permission from the city to erect a tent on city property, on the day of the service, that is directly behind their residence. She stated that the state has to inspect the poles to make sure it has been installed correctly. There was some discussion regarding this request. Bob Cook motioned to allow the resident to coordinate the tent placement with the Steve Lawver on the city property as requested. Richard Zaccardelli seconded. All in favor. No opposed.

CHAMBER REPORT

Gary Stubblefield reported that even though the summer is usually the slow time of the year they have 5 new members. They have also helped bring 2 new business in town. We now have a Day Spa at 134 S Main Street. The building has been upgraded and the owner is Terri Johnson. They opened 7/1/17. They will be hosting a wine share event Friday, 8/4/17 in the evening. The Chamber has also rented out the office space in the Chamber building to a retail software solution group. It is a small satellite office for a business based out of Overland Park Kansas. Their flag day on 6/10/17 was a success. They have started on Bluegrass Festival plans. This is the 20th anniversary and they will make it a 2 day event. They have 12 bands this year. Friday night will have a family fun night with 3 bands performing that night and they have added a headline band. It is Missouri Boat Ride which features the last remaining band member of the fictional band "The Darlings" that were featured on the Andy Griffith Show. This is their last year of touring. The Chamber was able to secure this band thanks to a matching grant from the Joplin Convention & Visitors Bureau, and the support of the Titanic Museum Attraction in Branson. The 20th Carl Junction Bluegrass Festival wouldn't be possible, if not for the financial support that they have found from their Chamber members and the Joplin Convention & Visitors Bureau. The Asbell Companies return again this year as the Presenting Sponsor, joined by nine band sponsors, a sound sponsor, a transportation sponsor and a car show sponsor. Additional financial support comes from a tourism grant from the Joplin CVB (which is independent of the matching grant they received from them). They are concurrently working on the 2018 Bluegrass Festival, which the Chamber has already submitted the grant paperwork for. Next year's event will be a three day event, with the addition of "Pickin' & Picnic'n in the Park" on Sunday. Gary also shared with the council that Lisa Knutzen, who works for the Chamber, was honored last month by the Joplin Regional Business Journal as one of its Most Influential Women of 2017. It's an honor that is certainly fitting for someone like Lisa, who is active in the Chamber and our community. Their next monthly First Thursday Breakfast Networking Meeting will be August 3 at 7:30 am.

P&Z CASES

Case #17-02 – Preliminary Site Plan Review – 702 E Pennell. Jeff Hammons stepped down from the dais due to a conflict with this project. Jeff is the contractor on this project. Steve reported that the P&Z met 6/26/17 and are recommending approval of this project. Cindy McNamara, 910 Monroe, is the owner of Pet Styles. They are expanding their business to add boarding and additional grooming. They hope to eventually add retail as well. It was asked what they will do with the old building. The plans show that once the U shape addition is completed the old building will be torn down and it will become a center court (exercise) area. There was no one to speak against this project. Bob Cook motioned to approve the site plan. Richard Zaccardelli seconded. 7 in favor. 1 (Hammons) abstained. Jeff Hammons returned to the dais for the rest of the meeting.

REVIEW INCODE PROPOSALS FOR E-MAILING UTILITY BILLS AND ADDRESS CERTIFICATIONS

City Clerk Matney explained that the online billing would run \$4438 the 1st year and \$688 annually. This not only allows us to send the bills electronically but we can send late notices electronically also. Right now we have about 300 residents pay online. We anticipate that at least those 300 will sign up for paperless and maybe more even though they may not pay online. This will save us postage. The address certification will cost \$1300 the 1st year and then \$900/annually. When the numbers were run last year this program would pay for itself since we would get a reduced postage rate. We pay around \$900 monthly for utility bill mailings. Mike Burns stated that he feels that we should start with the paperless billing and get it going and then look at the address certification again to see how much we would save since it would change the figures. There was a lot of discussion about going paperless and how to get the word out. It was stated that we should give the people the option to go paperless. A lot of companies are going that way. LaDonna Allen motioned to go forward with the online billing as presented. Richard Zaccardelli seconded. Jeff Hammons asked about time frame It was stated it would depend on the software company. We can let residents know by face book, website and bill cards. All in favor No opposed. The City Clerk then stated that OSCA is requiring courts to give people online access to their court cases and online payments. We currently have online payments but we do not have online case access. Incode has a program that would cost \$2000 the 1st year and \$1200/annually. It would work similar to our utility website. It was asked how we would pay for it. Steve replied that the only way would be to raise court costs but that requires legislation. There was a lot of discussion about this

requirement. The deadline was 7/1/17 but they stated if you were working towards this there would not be a penalty. City Clerk Matney reported that this is the last thing we need to come into compliance with all the new OSCA regulations. Mike Talley said that the judge certifies we are complying and that he would recommend we defer to Mark as to if and when we go with this option.

ORDINANCE

LaDonna motioned to put “AN ORDINANCE APPROVING AND CONSENTING TO THE ASSIGNMENT BY AIRE FIBER, LLC TO AIRE COMMUNICATIONS GROUP INC., OF A CERTAIN COMMUNICATION LEASE AGREEMENT DATED JULY 7, 2015, BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND AIRE FIBER, LLC; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE SAID CONSENT 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 the same company but a different legal entity. They have maxed out their system and they have new investors and the name changed. This is no different then what we did with Stouffer and Whisper. Bob Cook asked if this effected the City. Steve said no. LaDonna Allen motioned to put it on second reading by title only. Richard Zaccardelli seconded. All in favor. No opposed. There was no discussion. Bob Cook motioned to put it on final passage. LaDonna Allen seconded. All in favor. No opposed. Cook-y, Marshall-y, Zaccardelli-y, Spencer-y, Allen-y Burns-y, Hammons-y, Hutcheson-y. Motion on Ordinance #17-12 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

REPORTS

The council reviewed the Administration report. Bob Cook asked if we had received any money for the wall on Cambridge. Steve replied no. Bob said that he had agreed to pay and that next time we need a written commitment from the resident. There was a lot of discussion about this wall and why we had to proceed with it due to liability. Bob Cook stated that we should still get a letter. Bob then motioned that we require a letter of commitment from the resident. Mike Burns seconded. Mike Talley said that we had this discussion and decided that we not require one due to the city’s liability. Mike Talley said it ties the hands of the City. The following discussion pertained issues about city liability, the effects it might have on the city’s budget if this happens often and possibly making a motion so that it won’t tie the hands of the city. There was also discussion about it should be a case by case situation. Randy Hutcheson asked how legally binding is a letter. Mike Talley said it depends on how it is worded and if signer promises to pay. It could so vague that it is unenforceable. 1 (Cook) in favor. 7 (Zaccardelli, Marshall, Spencer, Allen, Burns, Hammons, Hutcheson) opposed. Jeff Hammons asked about our land code. Steve said that it is in Section 400 so it has to be advertized. He explained that we are trying to clean up some of the code since it is redundant.

Building Inspector report – there was nothing to add. Steve pointed out that we have already done ¾ of what we did last year in inspections. We have been busy. Jeff stated that Nicholas needs to be paved so that residents have access to County Road 300. It is getting busy out there.

Court report – there was nothing to add.

PW Dept. – Jimmy reported that we found the sewer line leak and we have plugged it off and we are back to 800,000 gallons a day. They have set 8 new meters this week. He also reported that he will be cutting Briarbrook Drive to get water to the house South of the clubhouse. They will start tomorrow. It would take just one day to complete. They have been working on the walking trail and it is back open to the public. It was stated that we have received some mosquito complaints. Jimmy said that he will start spraying. He would like to get a loud speaker and let people know they are coming. They do it late at night starting about 9:00 PM. He will stay away from the bee hives. He also said he needs a part time mower.

Police Dept. – Chief Haase said they arrested some suspects on the thefts. He ordered the last of the LEST grant items. He said it has been a productive 2 weeks. He also reported that the bridge is progressing great and there have been no wrecks attributable to the bridge. There also have been no wrecks at the 4 way stop intersection even with the extra traffic.

COMMITTEE REPORTS

Budget/Finance – Mike Burns had nothing to report.

Code/Nuisance – Don Marshall had nothing to report.

Human Resources – Roger Spencer had nothing to report

Public Facilities & Planning – LaDonna Allen said that they would like to start meeting every quarter before a regular meeting. It was scheduled that they would meet at 6:00 PM before the 1st meeting in September.

Senior Citizens - Richard Zaccardelli reported that Bob Cook had brought in some vegetables to give to the Seniors.

UNFINISHED BUSINESS

Kurt Higgins, Allgeier Martin & Associates, was here to give an update on the sewer line break. He stated that we are going to apply to SEMA to help with the costs. If so it would be a 75% reimbursement. Kurt said that the amount had to exceed \$425,000 and their estimate to fix the line is \$492,000. Mayor Powers said that we already had approved the \$225,000. It took 2 weeks to find the problem and they want to get the ball rolling on the repairs. Kurt stated that DNR had been very cooperative regarding this problem. They originally thought it would just need a 2’ pier to put the pipe on but it came out to be 6’ and they do not think the Corp of Engineers will let them do that. What they are proposing is an inverted siphon line similar to what we have in Oscie Ora Acres. It will be bedded in solid rock. They don’t like to do this unless it is necessary but they do work. It was asked if they had planned for future development since this would not be an easy upgrade to do if necessary. Kurt said it was a good point and they might change

the 6" pipe to 8" pipe. Steve reported that we have about \$600,000 in I&I fund and about \$400,000 in our WWTP Fund. Kurt said that there is another area downstream that they might have to look at due to erosion. Jimmy said he thought that line would be OK since it veers off. Kurt responded that would affect the bid by about \$30,000. There was a lot of discussion about this project including can we be reimbursed for costs we already have paid. Kurt stressed this is an estimate. Things can change once we get started. Richard asked if the dam on the South side of the creek would affect the flooding. Steve and Kurt both said no. Kurt explained that a tree hit the pipe and dislodged it. It was asked what we need to do tonight. Kurt explained that since this is an emergency situation SEMA might make some allowances so we can expedite this project, including going back to pay some costs we have already incurred. It was asked about the bidding process that FEMA requires. Kurt agreed it is strict but if we go by their guidelines we could be out 4 months for the repair. They do want to go out for the boring bids and just give them a brief time to bid it out. Steve asked that the council allocate funds for all of it and he will bring back a contract for the council. Bob Cook motioned to allocated the necessary funds to get it fixed up to \$500,000. LaDonna Allen seconded. All in favor. No opposed.

Bob Cook asked about the sidewalk along Marie Lane. Steve reported that we called in the line locates. The owner has agreed to pay for the concrete and we do the labor. Bob Cook asked if we had that in writing from the owner. Steve said it was verbal. It was discussed and we could possibly do an e-mail. Mike Talley will review it. Bob Cook then asked if we could not print the court report. It takes a lot of paper. Mr. Cook then stated that there are some old barns behind him on Allen Street that are harboring coyotes. Steve stated that we sent the owner a letter today to get rid of the vermin. Mr. Cook then asked if we should look at a Jake brake law. Steve said that they are hard to enforce.

Roger Spencer asked if Jimmy was going to finish the ditch on Schimm Circle. Jimmy said he needs to order black dirt so they can seed and straw it.

Mayor Powers reported that the CID is favorable in giving us some land to put a parking lot for the Lake side Park. They will address it at their next meeting and if agreed there will be a Memorandum of Understanding drawn up so both the CID and the city can sign it and it will be legally binding.

Jeff Hammons asked about Deerfield Estates and the drainage. He said that Redwood did a good job but it is backing up. It was explained that part is not in the city and we will have to contact Carl Junction Special Road District to finish it up.

NEW BUSINESS

LaDonna Allen said she would like to see the 4way stop stay at Lone Elm and Fir Road after the bridge is done. It was stated that Jimmy is short staffed right now. Steve said we have \$35000 in the budget for part time mowers and he would like to see us put on a full time employee with that money. Mayor Powers asked that Mike Burns look into it to see if we can afford it. Steve said he would get the number to Mike Burns.

Roger stated that they have a problem with parking in the cul de sac on Schimm Circle and the trash truck and other vehicles can't get around it.

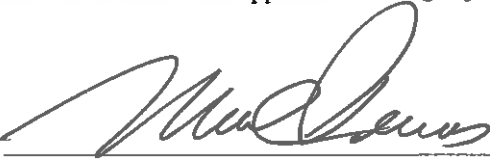
Richard Zaccardelli asked how much in taxes Ward III pays to the Special Road District. Steve said it is all of the area south of Gum Rod. He can try to get an estimate.

ADJOURNMENT

Roger Spencer motioned to adjourn the meeting. Bob Cook seconded. All in favor. No opposed. Meeting adjourned at 8:37 PM.



CITY CLERK



MAYOR