

The Carl Junction City Council met in regular session on Tuesday May 17, 2011 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Richard Zaccardelli, Don Marshall, Carl Skaggs, Steve Daniels, Dee Lynn Davey, Sean Haase and Bob Cook. Alderman Mark Powers was absent. Also present were City Attorney Mike Talley, City Administrator Steve Lawver and City Clerk Maribeth Matney.

AGENDA

Carl Skaggs motioned to approve the agenda. Don Marshall seconded. All in favor. No opposed. Dee Lynn Davey motioned to approve the consent agenda. Steve Daniels seconded. All in favor. No opposed.

PUBLIC FORUM

There was no one for public forum.

CHAMBER REPORT

Gary Stubblefield reported that If Walls Could Talk was a new member of the Chamber. On 5/24/11 there is business after hours and there is a ribbon cutting on 5/18/11. They are getting ready for the Summer Classic on 6/25/11. This will be their 5th year. Gary then asked the City if they would donate \$1000 for them to purchase insurance coverage for the event along with the \$3000 for the fireworks. They are being featured on the Show Me Ozarks again and their next meeting will be 6/2/11.

APPOINTING OF POLICE OFFICER BROCK WESCOTT TO CJPD

Chief Haase then introduced Brock Wescott to the City Council. Mayor Moss stated he would like to appoint Brock Wescott to the CJPD. He will be replacing Brant Bishop. Don Marshall motioned to approve the Mayor's appointment of Brock Wescott to the CJPD. Steve Daniels seconded. All in favor. No opposed. The City Clerk then swore in Brock Wescott.

PRESENTATION OF PROPOSAL FROM LASERFICHE FOR DOCUMENT MANAGEMENT SOFTWARE

Next the council sat through the proposal from Laserfiche. After the presentation Bob Cook asked if it would cost effective. He also asked about the training expense. It is \$1500/day and it should take no more than 2 days. The annual support is \$1020 annually. We do not have to put in a server for it but some companies do and some don't. They have very good safe guards so it is not necessary. We do not need a license for web access. After a lot of discussion it was decided that we would discuss it at the next council meeting.

REVIEW AND APPROVAL OF LIQUOR LICENSE APPLICATION FROM DOLLAR GENERAL

The council reviewed the application requesting a package liquor license from Dollar General. They do not want Sunday sales. After some discussion Carl Skaggs motioned to approve the license request and issue a letter stating that a city license will be issued after receiving a copy of their state liquor license. Don Marshall seconded. All in favor. No opposed.

REVIEW AND APPROVAL OF LIQUOR LICENSE APPLICATION FROM BRIARBROOK CID

The council reviewed the application requesting a package liquor license from Briarbrook CID. It was explained that they do not want a liquor by the drink license at this time. This is so they can sell beer at the Pro Shop. There was some question about drinking beer while driving golf carts. Chief Haase said that this has not been a problem in the past and we can just monitor it to see if it does become a problem. After some discussion Don Marshall motioned to approve the license request and issue a letter stating that a city license will be issued after receiving a copy of their state liquor license. Bob Cook seconded. All in favor. No opposed.

ORDINANCES

The council then reviewed the ordinance amending Chapter 205.210 – Driving animals prohibited.. There are 2 versions. One abolishes that section totally and the other just changes the authority. The City Clerk stated that she felt we needed to just amend our current ordinance and not abolish it totally. Mike Talley agreed and said that the reason we may not have had problems before is because it was on the books. We could just amend sections of it. There was a lot of discussion on this topic. Don Marshall motioned to send it back to the Code/Nuisance Committee. Dee Lynn Davey seconded. All in favor. No opposed.

Next the council reviewed the ordinance amending Chapter 205.030 – Kennels. Chief Haase stated that one amends the special keeping permit process and keeps the kennel section while the other amends it and eliminates the kennel section all together. They are trying to simplify it. We do not have any kennels at this time so there are none to grandfather in. The code enforcement officer will be keeping track of the licenses when they expire. This will also eliminate the P&Z having to meet for special keeping permits. Mike Talley said that he does not have feelings either way on these 2 drafts. Don Marshall motioned to put "AN ORDINANCE AMENDING TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE; CHAPTER 205: ANIMAL REGULATIONS, ARTICLE I. GENERAL PROVISIONS, BY RENAMING AND AMENDING SECTION 205.030: KENNELS AND SPECIAL KEEPING PERMITS, TO REPEAL KENNEL PROVISIONS AND TO PROVIDE NEW RULES FOR SPECIAL KEEPING PERMITS WITHIN THE CITY OF CARL JUNCTION" on first reading by title only. Carl Skaggs seconded. Mayor Moss asked for discussion. There was no discussion. Carl Skaggs motioned to put it on second reading by title only with a roll call vote. Don Marshall seconded. Mayor Moss asked for discussion. There was no discussion. Carl Skaggs motioned for passage of the ordinance. Don Marshall seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-absent, Daniels-y, Davey-y, Haase-y, B Cook-y. Motion on Ordinance #11-16 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.

Next the council reviewed the ordinance adding Chapter 240 – Parks & Recreation Rules and Regulations. This will be a new section in our code book. Chief Haase went over it reviewing the highlights of the ordinance. There was discussion about needing regulations especially regarding our waterways and lakes. It was also asked if this would include Center Creek. Chief Haase will research to see if we can regulate Center Creek. It was stated we need to protect the City. Steve Daniels motioned to put “AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARL JUNCTION, MISSOURI, BY AMENDING TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE BY ADOPTING A NEW CHAPTER 240: PARKS AND RECREATION TO ESTABLISH RULES AND REGULATIONS FOR USE OF CITY PARKS WITHIN AND FOR THE CITY OF CARL JUNCTION” on first reading by title only. Richard Zaccardelli seconded. Mayor Moss asked for discussion. There was no discussion. Carl Skaggs motioned to put it on second reading by title only with a roll call vote. Steve Daniels seconded. Mayor Moss asked for discussion. There was no discussion. Steve Daniels motioned for passage of the ordinance. Richard Zaccardelli seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-absent, Daniels-y, Davey-y, Haase-y, B Cook-y. Motion on Ordinance #11-17 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. It was stated that the Country Club concession stand is now done. Richard Zaccardelli asked about the prevailing wage issue. Steve reported that HB28 is still tied up in committee.

Public Works Department report – there was nothing to add. Richard Zaccardelli said that the park signs look good.

Police Department report – there was nothing to add.

Court report – there was nothing to add.

COMMITTEE REPORTS

The Code/Nuisance Committee had nothing to report.

The Budget/Finance Committee had nothing to report.

The Human Resource Committee had nothing to report.

The Public Facilities & Planning Committee met tonight. After some discussion they are recommending that we name one of the lakes Bulldog Lake. We will need an ordinance approving that name. It is the largest body of water and is by Sunnybrook Drive. They will name the other lakes at a future date. Steve also reported that at the end of June they will have a comprehensive plan meeting with P&Z and the Public Facilities Committee.

The Senior Citizen Committee had nothing to report.

UNFINISHED BUSINESS

Mayor Moss thanked the council for the flowers and gift cards for his mother. He also thanked Mark for chairing the meeting he missed.

Steve pointed out the letter from DNR that approves our operating permit for our WWTP but also has a deadline of 8/10/11 to have a completed plan for updating our plant. We have to eliminate outfall #2 within 5 years. That will mean a bond to expand our plant within the next 5 years. Our operating permit is also a lot different than our old one. We have new testing that we have to comply with.

Mike Talley and the Steve Lawver consulted for a few minutes. When they re-entered the Chambers it was reported that the Circuit Court of Appeals ruled on the Prather case. We lost the appeal. Mike Talley was critical of the briefings filed and MIRMA has since then fired that attorney. The Prather case will be settled but the Britton case they are still reviewing and we are not sure if they will settle or not.

NEW BUSINESS

The council then discussed the tornado siren issue. They reviewed the memo from the City Clerk regarding a complaint taken by phone that the sirens had not sounded when rotation was above Carl Junction according to the weather forecaster. It was stated that Bill Dunn is the emergency coordinator. Chief Haase said that if he had felt they needed to go off he would have set them off himself. He said that the storm turned and he never seen a funnel cloud. The spotters never saw one either. It was discussed that Bill’s theory is not to cry wolf or people will not take it seriously. Mayor Moss said that Bill Dunn and Chief Haase both have the authority to set the sirens off. We also have reverse 911 as a 3rd backup. There was a lot of discussion regarding our policy on setting off our sirens. Steve reminded the council that the police department also have trained spotters. After more discussion the council agreed that as long as Chief Haase was the backup we would leave our current policy in place.

Sean Haase asked about medical equipment at the Community Center to treat people. It was stated with the Fire Department so close we only have small items to treat cuts and scrapes. We also have personnel trained in CPR.

Mike Talley commented on MIRMA’s newsletter. He agreed with MIRMA’s stance and said that this was very important legislation. It could be very damaging to the city’s and the work comp insurance.

Steve reported that we went out for bid for nuisance abatement. The bids were as follows: B&T Lawn Services at \$25/hour with a \$25 minimum, All American Dream Lawn at \$45/hour + \$20 per each additional person; A&Z Lawn & Home Care at \$48/hour and does not include landfill charge. It is the recommendation of Steve to approve the bid from B&T Lawn Service \$25.00/hour. He is recommending we enter into a contract with them. It was the consensus of the council to enter into a contract with B&T lawn services.

ADJOURNMENT

Steve Daniels motioned to adjourn the meeting. Don Marshall seconded. All in favor. No opposed. Meeting adjourned at 9:31 PM.

CITY CLERK

MAYOR