

The Carl Junction City Council met in regular session on Tuesday June 15, 2010 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, Mark Powers, Steve Daniels, Dee Lynn Davey and Walter Hayes. Alderman Wayne Smith was absent. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

### **AGENDA**

Carl Skaggs motioned to approve the agenda. Mark Powers seconded. All in favor. No opposed. Carl Skaggs motioned to approve the consent agenda. Mark Powers seconded. All in favor. No opposed.

### **PUBLIC FORUM**

Troy Wayne Blair, 203 Heritage Way, Joplin MO 64801 addressed the council. He has had rentals in the Briarbrook area since 1986. He has 2 vacant lots and 2 rental houses. He allowed a sign to be put up by the Briarbrook Country Club with the agreement that the grounds would be maintained. It has since then changed hands 4 times. He keeps it looking nice and it has a natural beauty there. He was told that he needed to clean up the property and remove the growth. He stated that every tenant that he has had living next to that lots loves the natural beauty and it provides isolation to them. He is requesting that we change our weed ordinance. Right now you have to have 1 acre and then just keep it trimmed back. He keeps 30' back from the road but only has about ½ acre. He keeps it looking nice. His other vacant lot is behind 213-215 W Briarbrook Lane. You can't see it from the road and he does not see why it is creating problems. He stated that the foliage nooks nice and has natural beauty. He received a citation for 7/21/10 to go to court. Don Marshall stated that they could call a Code Review Committee meeting to look at it. We will contact Mr. Blair if there are any changes to the code prior to his court date.

### **CHAMBER REPORT**

Gary Stubblefield reported that the Community Center is a popular building. He can't get any work done for visitors coming to the building. They recently held their June meeting here and they will meet again in August. They are preparing for the Summer Classic on the 26<sup>th</sup>. The Chamber had an opportunity to help out the schools this last meeting and they were pleased they had enough to cover what they needed.

### **JASON WILKS-TORNADO SIREN POLICY**

Mr. Wilks was not in attendance.

### **P&Z CASES**

Mayor Moss then opened the public hearing for Case #10-07 – Rezoning of 610 E Pennell – from R-1 to C-2 – Bob Bromley. The public hearing opened at 7:15 PM. Mr. Bromley complimented the council for the new Community Center building. He lives at 30595 Fir Road in Carl Junction and has lived here for 29 years. He has a long standing history with Carl Junction and raised his 4 kids here. He is not an outside investor. In November he bought the old MoDot building. He stated that the old use was an M-1 but since it was a governmental building it was zoned R-1. It was built in 1948 by MoDot. He is not asking for an M-1 zoning but C-2. He thinks that the rezoning gives him the potential to enhance Carl Junction. He said that even if it is rezoned the council has some control over the property. It goes through a site plan process, building permit process and business license process. This property is 3 acres. He wants it to be a positive addition to Carl Junction. There was no one else to speak. Mayor Moss closed the public hearing at 7:25 PM. Steve Lawver reported that there is no recommendation from the P&Z. He gave the council a draft of the minutes so they could see what happened during their meeting. There was a motion to table that died due to lack of a second. There was a motion to approve that failed and there was no motion after that. Mike Talley said that the council's control after rezoning is limited if he meets the code requirements. They just have a ministerial duty to make sure all the requirements are met. He also does not think the council can act without a recommendation from the P&Z. Mike Talley thinks that a recommendation is required. Mike Talley reported back on the recommendation after reviewing the code book. He then read the code to the council. He stated that we need a recommendation and that we should send it back to the P&Z. Dee Lynn asked what the problem was on the rezoning. Steve said that it was the size of the property and they were not comfortable with the information. There was some discussion on what happened during their meeting. Walter said he thinks it ought to be rezoned and that we need to look at our zoning codes. We promised people back when the skating rink wanted rezoned and we never followed through. There was discussion on our planning codes. Mr. Bromley pointed out that every house that adjoins that property was built after MoDot was there. There was some concern about property values but they got a good deal when they bought the property due to MoDot being there. He asked that the council take that into consideration. Steve asked if a no recommendation could be construed as a recommendation. Mike Talley said no. Mark Powers motioned to table this until P&Z makes a recommendation. Carl Skaggs seconded. All in favor. No opposed.

### **REQUEST FOR RV TO BE SET AT 206 JOPLIN STREET**

Ed Kropp, 208 E Pennell, was there to represent his brother for the request to set an RV at 206 Joplin Street. He stated that it was to protect the property while he is remodeling. Carl Skaggs asked if he was going to tap into the sewer system. It was stated that he will have utilities. They expect the remodeling to last 3 months. After some discussion Carl Skaggs motioned to approve the request to set the RV for 3 months during remodeling. Don Marshall seconded. All in favor. No opposed.

### **APPOINTMENT OF NEW POLICE OFFICER**

Chief Haase then introduced Katrina Jackson as the new police officer he would like to appoint. He wants to start her on 6/21/10. Mayor Moss stated he would like to appoint Katrina Jackson as our new police officer. Walter Hayes motioned to approve the Mayor's appointment of Katrina Jackson. Don Marshall seconded. All in favor. No opposed.

### **REVIEW AND APPROVAL OF CLEANER BIDS**

Steve then went over the bids he received for a floor cleaner. The bid he had at the last meeting was \$7200 for a new one and \$4200 for a used one. He has also received a bid from 4 States Maintenance Supply. They have new machines at \$3400 and \$5000. He talked to the CJ School who has a Chariot and they like it. They also use the Chariot at MSSU. He recommends that we go with the Chariot 20 standard. Carl Skaggs asked if they will demo it for the people who will be doing the work and train them. Steve said yes. It is \$2500 less. It also is one that you stand on and ride. It is more efficient. Don Marshall motioned to approve the recommendation by the City Administrator. Richard Zaccardelli seconded. All in favor. No opposed. There was some discussion about our purchasing code. It was said that the Code Review Committee may need to look at this section.

### **ORDINANCES**

The council then reviewed the ordinance clarifying the public comment code. Mark Powers motioned to put "AN ORDINANCE AMENDING TITLE I. GOVERNMENT CODE: CHAPTER 110: MAYOR, BOARD OF ALDERMEN, BOARD MEETINGS: ARTICLE IV. PROCEDURES AND PARLIAMENTARY RULES FOR BOARD MEETING BY AMENDING SECTION 110.250 "PROCEDURE OF PUBLIC COMMENT", TO CLARIFY THE DISPOSITION OF QUESTIONS ASKED DURING SUCH PUBLIC COMMENT PORTION OF THE MEETING" 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. Mark Powers seconded. Mayor Moss asked for discussion. There was no discussion. Carl Skaggs motioned for passage of the ordinance. Steve Daniels seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-y, Daniels-y, Davey-y, Hayes-y, W Smith-absent. Motion on Ordinance #10-21 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 proposed sewer rate ordinance. Mark Powers motioned to put "AN ORDINANCE AMENDING TITLE VII. UTILITIES: CHAPTER 720: USER CHARGE SYSTEM BY ADOPTING A NEW APPENDIX "A" TO SEWER USE CHARGE ORDINANCE (ACTUAL USE RATE STRUCTURE) (APRIL 2010) AND BY AMENDING SECTION 720.040 "USER CHARGE RATES" TO REFLECT SAID CHANGES IN RATES; AND ESTABLISHING AN EFFECTIVE DATE FOR SAID NEW RATES" on first reading by title only. Carl Skaggs seconded. Mayor Moss asked for discussion. Mike Talley asked about APD. The City Clerk had a report from the engineer that APD's engineer has looked at it and he is going to recommend they accept the proposed rates. 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. Steve Daniels seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-y, Daniels-y, Davey-y, Hayes-y, W Smith-absent. Motion on Ordinance #10-22 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.

The council reviewed the ordinance approving the 10<sup>th</sup> Addendum with APD. Carl Skaggs motioned to put "AN ORDINANCE APPROVING THE TENTH ADDENDUM TO THE SERVICE CONTRACT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND THE VILLAGE OF AIRPORT DRIVE, MISSOURI, AND AUTHORIZING THE MAYOR TO EXECUTE SAID TENTH ADDENDUM FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Mark Powers 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. Mark Powers 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-y, Daniels-y, Davey-y, Hayes-y, W Smith-absent. Motion on Ordinance #10-23 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 is putting an ad in the paper for the concession/bathroom facility for Country Club Park. Dee Lynn said that our current bid is \$180/square foot. That seems high and thinks we can get it done cheaper than that. Steve agreed. Steve also reported that we got the engineering for the sidewalks for along Hwy Z from MoDot.

Public Works report – Jimmy said that they are getting ready to put decorative lighting on North Main Street. Walter said we need some by the Community Center. We also need signs and our address is not on our building. Steve said that we are getting some signs. We will have a directional sign in front.

Police Department report – there was nothing new to report.

Court report – there was nothing to add to the report.

### **COMMITTEE REPORTS**

The Nuisance Committee had nothing to report.

The Long Range Planning Committee had nothing to report. We are still waiting on our report from Brian Ross.

The Budget/Finance Committee had nothing to report.

The Human Resource Committee reported that they met tonight about our work weeks. Mark said that they are recommending that we change our code allow the department heads to determine their work week. That is section 125.090. It will help with controlling comp time. It would be in our Human Resource policy manual.

The Public Facilities Committee had nothing to report.

The Code Review Committee said that they need to meet. It was decided after some discussion that they will meet 6/29/10 at 6:00 PM.

The Citizen's for Better Life had nothing to report.

**UNFINISHED BUSINESS**

Steve then reported to the council that he had met with MoDot regarding the sidewalks along Pennell. From Roney Street to Karen Drive the project cost would be \$700,000 - \$800,000 since there is no acquisition involved. There are some utilities that need to be moved. MoDot has 4 pools of money. One is the match program but it is very competitive and they are scheduled out to 2013 and we probably would not get it. MoDot has financing and the interest rate would be 3% to 3.25%. It is a 10 year loan. They review projects on a semi-annual basis. There is the Safe Routes to School Program but it has not been funded for 2 years now. The last one is the Transportation Enhancement Program which has helped us with our trails. Steve said that from Roney to Ballard would be a replacement program. We can do the work ourselves but it has to be put in to MoDot's specs. We don't have a number on those costs. MoDot does not have a revolving fund.

Chief Haase said that he has put the truck out for bid.

**NEW BUSINESS**

Walter reported that during our public meeting 5/22/10 it was suggested that we might benefit from having a satellite police station in the Briarbrook area. It was suggested that we might share the Fire Department building. He asked that the Chief look at that suggestion.

Mayor Moss said that we have been busy giving tours and that we would be happy to show anyone around during regular office hours.

Richard complimented the Chief on the quickness of solving the burglaries in town.

Steve reported that he will be on vacation the last week of June but will be back for the council meeting 7/6/10. He then reported that we are going up the ladder at Mediacom trying to get cable. They said that they were waiting for the cost to run the main line. Steve said that the contract calls for them to give us cable and asked if they were going to break their contract. They are supposed to call back with a resolution.

**ADJOURNMENT**

Carl Skaggs motioned to adjourn the meeting. Don Marshall seconded. All in favor. No opposed. Meeting adjourned at 8:26 PM.

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CITY CLERK

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MAYOR