

The Carl Junction City Council met in regular session on Tuesday December 7, 2010 at 7:00 PM at City Hall. Mayor Michael Moss called the meeting to order with the following present: Richard Zaccardelli, Carl Skaggs, Mark Powers, Steve Daniels, Dee Lynn Davey, Walter Hayes and Wayne Smith. Aldermen Don Marshall was absent. Also present were City Administrator Steve Lawver and City Clerk Maribeth Matney.

AGENDA

Carl Skaggs motioned to approve the agenda. Dee Lynn seconded. Mark Powers motioned to amend the agenda and add Donnie Rion to the agenda. Carl Skaggs seconded. 2 (Smith & Skaggs) in favor. 5 (Zaccardelli, Powers, Daniels, Davey, Hayes) opposed. Motion failed. Carl Skaggs motioned to approve the agenda as presented. Steve Daniels seconded. All in favor. No opposed.

The City Clerk has asked that Gateway Restoration invoice be added to the consent agenda. Carl Skaggs motioned to approve the consent agenda as amended. Steve Daniels seconded. All in favor. No opposed.

PUBLIC FORUM

Donnie Rion, 117 Hedge Drive, stated that he had asked to be put on the agenda and was declined. He attended the CID meeting last night and asked them if their taxes would be returned if they don't buy the property. Mayor Moss said that was not city business but CID business. He said that we are not going to revisit the past and we need to move on. Mr. Rion stated he had filed a complaint against the Mayor with the ACLU.

Mayor Moss called twice for public forum and no one else came forward.

CHAMBER REPORT

Gary Stubblefield reported they had their Christmas parade last Sunday. They raised \$2600 this year and the money will be to help fund the sound system for the Senior Center. They have a new member, Mo-Kan Dragway and then went over the highlights of the 1st half of the year. He will go over the 2nd half at the next meeting.

P&Z CASES

Mayor Moss opened the public hearing on Case #10-09 – Special Keeping Permit - Daqueta Frazier – 211 Miller at 7:12 PM. Mrs. Frazier explained that they are keeping her mother-in-law's dog while she is ill. Steve reported that the P&Z met and there was no one at the meeting against the request. They did not set a time limit on this request. Mrs. Frazier said it was a chihuahua puppy. Mark Powers motioned to approve the request. Carl Skaggs seconded. All in favor. No opposed. Public hearing closed at 7:15 PM.

Mayor Moss then opened the public hearing on Case #10-10 – Rezoning from UD to R-2, C-2 – Redwood Development at 7:15 PM. Rick Schroeder addressed the council and explained that this is the property north of the High School. It adjoins property that is already zoned C-2. This is consistent with our plan. It will house 14 duplexes. Steve Lawver explained that the P&Z reviewed it and recommended approval. Mark Powers motioned to approve the recommendation of the P&Z. Richard Zaccardelli seconded. All in favor. No opposed.

ORDINANCES

The council then considered the ordinance approving the contract with BBG for the purchase of 95 acres. Steve had made copies of the maps and appraisals to go along with it. Mark Powers motioned to put "AN ORDINANCE APPROVING A CONTRACT FOR THE SALE OF REAL ESTATE BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND BBG CORPORATION; AUTHORIZING THE CITY TO PURCHASE CERTAIN TRACTS OF LAND, LYING WITHIN SECTION 16, TOWNSHIP 28, RANGE 33, AND A PORTION OF LAND LOCATED IN THE EAST HALF OF SECTION 17, TOWNSHIP 28, RANGE 33, MORE COMMONLY KNOWN AS THE LAKESIDE PROPERTY OR THE +/- 95 ACRES OF BRIARBROOK GOLF AND CONUTRY CLUB, AND AS MORE FULLY DESCRIBED IN THE LEGAL DESCRIPTION ATTACHED TO SAID CONTRACT FOR SALE OF REAL ESTATE; AUTHORIZING THE CITY TO ACCEPT A WARRANTY DEED TO SAID PROPERTY FROM BBG CORPORATION; AUTHORIZING THE PAYMENT OF THREE HUNDRED FIVE THOUSAND DOLLARS (\$305,000.00) TO PURCHASE SAID PROPERTY; AND AUTHORIZING THE MAYOR AND SUCH OTHER OFFICERS OF THE CITY AS MAY BE NECESSARY TO CONCLUDE SAID PURCHASE" on first reading by title only. Richard Zaccardelli seconded. Mayor Moss asked for discussion. Richard Zaccardelli commented that it included the ponds, spillways, walking paths and that the property is used by the school sports teams also. Steve Daniels asked if it linked the walking trails together. It was replied that is almost does. Wayne Smith asked how we planned to develop it. Steve responded that is up to the council. He suggested we do a parks master plan. There was discussion about our Sales Tax fund and our Capital Improvements fund. Wayne pointed out that if we use 1/2 of it for the purchase it will throw our other projects behind. Dee Lynn stated that although it will take 6 years to pay for it she feels it will be a valuable asset in the end. She feels it will be something we can be proud of for years to come. Wayne thinks that is a lot for undeveloped land. He is not sure he agrees with that. Wayne said that it puts several projects on hold such as the Veteran's Memorial, tennis courts, basketball court at CC Park and other items. There was more discussion about the benefits and considerations that need to be reviewed on the 95 acres. It was discussed about buying part of it but Steve said that was not the offer. Steve Daniels said he looked it over and the cart paths are still there and Steve Lawver replied that the ponds are stocked. Mark Powers motioned to put it on second reading by title only with a roll call vote. Richard Zaccardelli seconded. Mayor Moss asked for discussion. There was no discussion. Mark Powers motioned for passage of the ordinance. Steve Daniels seconded.

All in favor. No opposed. Zaccardelli-y, Marshall-absent, Skaggs-n, Powers-y, Daniels-y, Davey-y, Hayes-y, W Smith-n. . Motion on Ordinance #10-43 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 then considered the ordinance amending Section 205 - Animal regulations. Mark Powers motioned to put “AN ORDINANCE AMENDING TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE; CHAPTER 205: ANIMAL REGULATIONS, ARTICLE I. GENERAL PROVISIONS, BY AMENDING SECTION 205.010: DEFINITIONS, SECTION 205.040: LEASHING REQUIREMENTS AND SECTION 205.130: REDEMPTION OF ANIMALS GENERALLY, TO PROVIDE NEW LEASHING REQUIREMENTS WITHIN THE CITY OF CARL JUNCTION, AND TO INCREASE THE FEES CHARGED FOR THE REDEMPTION OF ANIMALS” on first reading by title only. Carl Skaggs seconded. Mayor Moss asked for discussion. Richard Zaccardelli asked about electronic leashing. He thought that should be included in the ordinance. After some discussion Chief Haase said he did not mind postponing this until he could investigate that option. Carl Skaggs motioned to table this ordinance until the next meeting. Richard Zaccardelli seconded. All in favor. No opposed.

The council then considered the ordinance amending Section 500.150 – Call back fees. Steve explained that there are 2 different fees in 2 different sections of the code and we are changing them to read the same. Walter Hayes motioned to put “AN ORDINANCE AMENDING TITLE V: BUILDING CODE, CHAPTER 500: GENERAL PROVISIONS BY AMENDING SECTION 500.150, FEES, TO INCREASE THE MINIMUM FEE FOR EACH CALL-BACK INSPECTION FROM \$5.00 TO \$50.00, AND TO ADD LOT AND SLAB/FLOOR INSPECTIONS TO THE REQUIRED INSPECTION PHASES” on first reading by title only. Dee Lynn Davey seconded. Mayor Moss asked for discussion. There was no discussion. Walter Hayes motioned to put it on second reading by title only with a roll call vote. Carl Skaggs seconded. Mayor Moss asked for discussion. There was no discussion. Mark Powers motioned for passage of the ordinance. Carl Skaggs seconded. All in favor. No opposed. Zaccardelli-y, Marshall-absent, Skaggs-y, Powers-y, Daniels-y, Davey-y, Hayes-y, W Smith-y. . Motion on Ordinance #10-44 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 then considered the ordinance amending Section 705.100 – Deposits required. Steve explained that there had been a request to look at this code. We had discussed this in the office a couple of months ago also. Carl Skaggs motioned to put “AN ORDINANCE AMENDING TITLE VII. UTILITIES; CHAPTER 705: WATER ARTICLE I. GENERAL PROVISIONS BY AMENDING SECTION 705.100: DEPOSITS REQUIRED, TO INCREASE THE DEPOSIT REQUIRED TO INSTALL WATER SERVICE FROM \$75.00 TO \$125.00 FOR PERSONS RENTING THE PREMISES, AND TO INCREASE THE DEPOSIT REQUIRED TO INSTALL WATER SERVICE FROM \$35.00 TO \$50.00 FOR PERSONS OWNING THE PREMISES” on first reading by title only. Walter Hayes 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. Walter Hayes seconded. Mayor Moss asked for discussion. There was no discussion. Mark Powers motioned for passage of the ordinance. Steve Daniels seconded. All in favor. No opposed. Zaccardelli-y, Marshall-absent, Skaggs-y, Powers-y, Daniels-y, Davey-y, Hayes-y, W Smith-y. . Motion on Ordinance #10-45 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 then considered the ordinance approving a contract with MoDot for the sidewalk grant. Mark Powers motioned to put “AN ORDINANCE TO AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF CARL JUNCTION AND THE MISSOURI HIGHWAY TRANSPORTATION COMMISSION PROVIDING FOR STP ENHANCEMENT FUNDS FOR STP-9900(731)” on first reading by title only. Carl Skaggs seconded. Mayor Moss asked for discussion. Steve stated that this was an 80%-20% grant. It will go from Roney to Chitwood. Mark Powers motioned to put it on second reading by title only with a roll call vote. Carl Skaggs seconded. Mayor Moss asked for discussion. There was no discussion. Mark Powers motioned for passage of the ordinance. Carl Skaggs seconded. All in favor. No opposed. Zaccardelli-y, Marshall-absent, Skaggs-y, Powers-y, Daniels-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #10-46 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.

Public Works report – there was nothing to add to the report.

Police Department report – stated that they had from 175-200 kids lined up for Shop With A Cop on Saturday. They will start at 7:00 AM at Wal-Mart on 15th Street.

COMMITTEE REPORTS

The Nuisance Committee had nothing to report.

The Long Range Planning Committee had nothing to report.

The Budget/Finance Committee met regarding the health insurance proposal. Steve will be holding a meeting with the employee’s next week and it will be on our next meeting’s agenda.

The Human Resource Committee said that we need to start the City Administrator’s evaluation process. He would like for the employee’s to have their evaluations done by the end of December and the Council will do theirs in January.

The Public Facilities Committee had nothing to report.

The Code Review Committee had nothing to report.

The Senior Citizen Committee reported they had fund raisers for the PA system.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Mayor Moss then explained why he is approving the agenda's now. He is using his right to control the agenda so that we conduct the business of the City and its residents.

Steve Daniels then stated that according to State Statute 67.1561 they had 90 days after the CID was formed to file a petition. That date is past.

Chief Haase suggested that if we do buy the 95 acres with the ponds that we research ordinances on water regulations for the City for enforcement. The council agreed that was a good idea.

ADJOURNMENT

Mark Powers motioned to adjourn the meeting. Carl Skaggs seconded. All in favor. No opposed. Meeting adjourned at 7:50 PM.

CITY CLERK

MAYOR