

The Carl Junction City Council met in regular session on Tuesday August 18, 2015 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Bob Cook, Don Marshall, Richard Zaccardelli, Mark Powers, Tim Smith, Wayne Smith and LaDonna Allen. Alderman Roger Spencer was absent. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

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

PUBLIC FORUM

Gary Gunlock, 706 W Briarbrook Lane, addressed the council about a letter he received dated 7/29/15 regarding our code for sump pump drains. He read the letter to the council and it gave him 60 days to comply. He has lived here 17 years and this house was built with the sump pump draining where it is. It is 6' from the foundation and pumps into his yard. He said the City must have approved it at one time since they inspected it. He just wants the code to be enforced in all of Carl Junction and not just his neighborhood. He asked the council to consider this situation.

Herb Willoughby, 704 W Briarbrook Lane, stated he received the same letter. He bought his house in July 2010. He has called the Mayor a couple of times and the Mayor has always corrected the issue. He contacted Richard Zaccardelli about the letter and has also spoken to Richard Rogers. He asked why this was not addressed in 2002 when the house was built. He also wanted to know if letters had been sent to all property owners. He said that there are other houses not compliant and if we are going to enforce it we should enforce it to all residences. He enjoys living in Carl Junction and wants all residents to be in compliance.

Richard Bourne, 144 Red Oak Drive, addressed the council about a citation he received about tires in his ditch. He said that 3 other houses have nuisance violations and have not corrected their problems. He said that the PD has to be able to see the violation from the road. He said he can see it but the PD cannot. He thinks he is being harassed. He has received a trash can letter in the past but other houses have not. He asked that the council look at it. He wants the codes enforced for all.

CHAMBER REPORT

Gary Stubblefield thanked the council for all their hard work. He also wanted to point out that the Leo's club was in attendance at the meeting tonight. The Chamber's last meeting was 8/6/15 and there were 60-80 people in attendance. They had their Business after Hours at Mulligan's at the Briarbrook Clubhouse and there were over 200 attendees. They have 12 new members and they are up to 275 members now. They have a lot of upcoming activities and their next meeting is 9/3/15. They would love to see the CJ council there. Gary said that the Bluegrass Festival is coming up and they will need a lot of help. Don Marshall asked about photographers there. Gary said that they have had trouble in the past with them not following through and did not want to get a bad reputation. He will talk to Don about it. LaDonna Allen asked how many new teachers we had in CJ School and Gary said 24 new teachers.

P&Z CASES

Mayor Moss opened the public hearing on Case #15-07-site plan for CJ Chamber-205 N Main Street at 7:18 PM. Steve reported that the P&Z met on it and is recommending approval. Gary Stubblefield said that he appreciated the space that the City has let them use since 2010. Mayor Moss closed the public hearing at 7:21 PM. Mark Powers motioned to approve Case #15-07-site plan for the CJ Chamber of Commerce. Richard Zaccardelli seconded. All in favor. No opposed.

LETTER OF SUPPORT FOR REDWOOD DEVELOPMENT FOR 30 SINGLE FAMILY HOUSES

Steve Lawver explained that this will be a new development north of the CJ High School. We already have some subsidized housing in that area built by Redwood and HSTCC. This is another round of housing that will receive federal tax credits from HUD. There is no property tax abatement. There was a question about the letter of support and asked if it could all be in one letter. Tim Smith asked if we had the infrastructure to handle it. Steve said yes and that the new plat would extend the infrastructure. The lift station in that area has been upgraded already. Steve said these will be patio style homes and they will include storm shelters. LaDonna Allen asked about access to it. Steve said that the plan is to have Nicholas go out to JJ Hwy to give then another access to that subdivision. Bob Cook asked why none of the new developments put in sidewalks. Steve replied that our code does not require sidewalks at this time. That would require a code change. Steve said if the council gave him a few minutes after the meeting he could have the letter ready to sign.

REAPPOINT EXPIRED P&Z COMMISSION MEMBERS

The mayor then explained that 3 P&Z Commission members' terms have expired and he would like to reappoint Dawn Trujillo, Steve Lawver and Randy Lyon. Mark Powers motioned to approve the Mayor's reappointments. Richard Zaccardelli seconded. All in favor. No opposed.

REVIEW AND APPROVAL OF CITY OF CARL JUNCTION LOSS PREVENTION MANUAL

Steve said that we received approval from MIRMA on our new loss prevention manual. We have these policies in place but were in different documents. We have combined them all in one book. Richard Zaccardelli asked about OSHA regulations. Steve said that we are not governed by OSHA. Mike Talley asked if there were areas in our code that will need updated now. Steve replied

yes. LaDonna Allen said that she liked the manual. Mark Powers motioned to approve the Loss Prevention Manual. Richard Zaccardelli seconded. All in favor. No opposed.

ORDINANCES

Mark Powers motioned to put "AN ORDINANCE PROVIDING FOR A FINANCIAL DISCLOSURE AND CONFLICTS OF INTEREST" on first reading by title only. Richard Zaccardelli seconded. Mayor Moss said this is passed every year. Mark Powers motioned to put it on second reading by title only. Bob Cook seconded. 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, T Smith-y, Spencer-absent, W Smith-y, Allen-y. Motion on Ordinance #15-25 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. There were no additional comments.

Public Works report - had nothing to add to report.

Police Department report - had nothing to add to report.

Building Inspector report – had nothing to add to report.

COMMITTEE REPORTS

Budget/Finance - Mark Powers stated he had reviewed the monthly bank statements and everything looked OK.

Code/Nuisance –Don Marshall had nothing to report.

Human Resources – Roger Spencer was absent.

Public Facilities & Planning – Tim Smith discussed possible sidewalks along Broadway from Gault Street to Well Street for the kids to walk to school. It was discussed that if the city bought the concrete the building trades' class could pour them. He also reported that a tornado siren went off over the weekend and it was discovered that a control board went bad. A lowboy trailer got high centered on our railroad tracks and was hit. We will be contacting MoDot to see if they can build up the East side of the tracks. The place where we were going to put soccer fields in Country Club Estates is being tested for lead. There was a concern raised that since it was a mining area there might be some lead. We are waiting to hear back from Jasper County Health Department.

Senior Citizens - Richard Zaccardelli had nothing new to report.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Tim Smith brought up the sump pump issue and stated that if it was not causing erosion or going on other peoples properties then he was OK with it and should leave it alone. LaDonna asked what our code was back then. Steve said that we were under BOCA which is now IRC. It was the 1993 BOCA code that we adopted in 1994. It talked about drains and also that you can't let water drain onto other property. He said it gets murky as the code goes forward. We currently have the 2009 Code in place. He said that the code is ambiguous and he is still researching it. There is no clear cut code about where the drains have to be. For definition purposes sump pumps are not classified as storm water. There was a lot of discussion about this subject. Steve said that Bud Rogers worked all day in researching it and they have also called our engineer. Steve also said that at this time it is complaint driven and that is why the houses on West Briarbrook Lane got the letter. Steve does not agree with Tim Smith about letting it go. People are concerned about drainage and it is a big deal now. Mark suggested that we put all notices sent out on hold until we get this resolved. Richard Zaccardelli said that if it is complaint driven do we make sure that it is a legitimate complaint. Mike Talley agreed with Steve that the code is very unclear. Sometimes the code is not black and white and the problem needs to be resolved by the land owners and not the city. After a lot more discussion it was decided to put it all on hold until we get better answers. Mayor Moss said we should send a 2nd letter to the people. Wayne Smith is concerned about draining to the street because it damages the asphalt. Steve agreed with that but the road is a designated drainage tool. There was a lot more discussion about this issue.

Tim Smith then addressed the complaint from 144 Red Oak Drive. Steve said that he will get with the code enforcement officer but he can assure him he is not being picked on. The officer has 200 open cases right now. He is being very active right now.

Tim Smith then asked the Leo's to introduce themselves to the council. It was stated that they were here to learn how meetings are conducted.

The City Clerk stated that the public hearing on the tax levy will be held next Tuesday 8/25/15 at 7:00 PM. She apologized that we had to have a special meeting but missed the advertising deadline. The good news is that when she and the auditor reviewed the numbers instead of the 10 cent increase we thought it would be it will be a 2 cent increase. Mayor Moss said that this had to be passed by September 1st.

The City Clerk also reminded the council that if they plan to attend the MML conference in September the deadline is approaching fast.

Steve pointed out that there was a survey from the Long Range Transportation Study and this is our voice for projects. It is important that they fill it out.

ADJOURNMENT

Mark Powers motioned to adjourn the meeting. Richard Zaccardelli seconded. All in favor. No opposed. Meeting adjourned at 8:07 PM.


CITY CLERK


MAYOR