

The Carl Junction City Council met in regular session on Tuesday, February 7, 2006 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Richard Zaccardelli, Barbara Evans, Carl Skaggs, Gary Stover, Pat Smith Walter Hayes, Dee Lynn Davey and Wayne Smith. Also present were City Attorney Mike Talley and City Clerk Maribeth Matney.

AGENDA

Pat Smith motioned to approve the agenda. Carl Skaggs seconded. All in favor. No opposed. Pat Smith motioned to approve item "b" on the consent agenda. Richard Zaccardelli seconded. All in favor. No opposed. Barbara Evans motioned to approve consent item "a". Richard Zaccardelli seconded. 6 (Zaccardelli, Evans, Stover, Davey, Hayes and W Smith) approved. 2 (P Smith, Skaggs) abstained.

PUBLIC FORUM

There was no one for public forum.

PROCLAMATION FOR NATIONAL PATRIOTISM WEEK

Mayor Moss read the proclamation and presented it to the Protective order of the Elks.

INSURANCE RENEWAL QUOTES

Wayne Wilmes from the Insurance Center went over our health renewal rates that have been quoted. He presented 4 options along with our current plan. Our initial renewal was up 19%. He went back to the underwriters and gave them a couple of employee's names that were no longer with the City and it dropped to 11%. Column 2 shows no changes to the plan but what our new rate will be. The next 4 columns give other options on coverage. The highlighted areas are the plan changes. Wayne also stated that there is a \$2000 out of pocket maximum that he can get quotes on if the council would like to see them. He also stated that BC/BS is eliminating the referral system effective 4/1/06. These rates are firm rates. If we go elsewhere we will have to fill out health histories and then get firm rates from them. He received quotes from United Health Care and Principal. These are PPO plans with deductibles instead of co-pays. He said if they wished to change they can help fill out forms and get firm quotes. Their numbers are best case scenarios. They are all A rated companies and have good complaint index records. They are all very reputable companies. There was discussion amongst the council. Gary Stover stated last year we went to the employee having to pay a small % of the family premiums. They also looked at raising the deductibles and out of pocket expenses. Gary said we need to take another step in controlling the health insurance cost. There was a lot of discussion about what avenue the City should take. Walter Hayes suggested we have a committee put together. It was stated we need a decision no later than 2/21/06.

MENSE, CHURCHWELL & MENSE PROPOSAL

The council reviewed the request from Mense, Churchwell & Mense to perform 2006's audit. Joe stated we had advertised for firms but received no response. Walter Hayes motioned to approve their proposal. Pat Smith seconded. All in favor. No opposed.

RESOLUTION FOR SECTION 125 POP

Pat Smith motioned to accept Resolution for Section 125 POP. Carl Skaggs seconded. All in favor. No opposed.

ORDINANCES

Joe stated that there are 1-2 items that need struck off before we pass the ordinance on Building Codes. On Page 14, Section 500.230, we refer to BOCA and we just need to strike BOCA off. Joe also stated that the City Administrator appoints the building inspection, not the Mayor, on page 9. Walter Hayes proposed to do the 1st reading tonight and then if nothing substantial comes along do another reading at the 1st meeting in March. Mayor Moss agreed. This will give the contractor's a heads up on the changes. Walter Hayes also stated that on page 10 we should strike off Building, Plumbing and Electrical Committee and just report to the Board of Alderman. Walter Hayes motioned to amend the ordinance to strike BOCA off of 500.230 and Section 500.130 to strike off Building, Plumbing and Electrical Committee. Pat Smith seconded. All in favor. No opposed. Walter Hayes motioned to put "AN ORDINANCE AMENDING TITLE V: BUILDING CODE, CHAPTER 500: GENERAL PROVISIONS BY REPEALING SECTIONS 500.010, 500.020 AND 500.030 AND ENACTING IN LIEU THEREOF, NEW SECTIONS 500.010, 500.020 AND 500.030 ADOPTING THE 2000 INTERNATIONAL BUILDING CODE, THE 2000 INTERNATIONAL RESIDENTIAL CODE AND THE 2000 INTERNATIONAL MECHANICAL CODE; RENUMBERING EXISTING SECTIONS 500.040 THROUGH 500.170 OF ARTICLES II AND III OF CHAPTER 500; AMENDING PREVIOUS SECTION 500.090, FEES, RENUMBERED AS SECTION 500.150, FEES, SUBPARAGRAPHS A.4.d & A.4.e, TO INCREASE REINSPECTION FEES FROM \$25.00 TO \$50.00; AND REPEALING CHAPTERS 510 AND 515 OF TITLE V: BUILDING CODE, AND ENACTING IN LIEU THEREOF, NEW SECTIONS, 500.040 AND 500.050 ADOPTING THE 2000 INTERNATIONAL PLUMBING CODE AND THE 2002 NATIONAL ELECTRICAL CODE" on first reading by title only. Carl Skaggs seconded. All in favor. No opposed. City Clerk Matney read the ordinance by title only.

The council reviewed the ordinance approving an agreement with Mediacom. We couldn't get a 5-year contract, so this is a 7-year contract. Pat Smith motioned to put "AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO MEDIACOM SOUTHEAST, LLC., ITS SUCCESSORS AND ASSIGNS, FOR A TERM OF 7 YEARS TO OPERATE AND

MAINTAIN A CABLE TELEVISION SYSTEM IN THE CITY OF CARL JUNCTION, MISSOURI AND SETTING FORTH CONDITIONS AND REGULATIONS ACCOMPANYING THE GRANTING OF THIS FRANCHISE” on first reading by title only. Walter Hayes seconded. All in favor. No opposed. Pat Smith motioned to put it on second reading by title only with a roll call vote. Barbara Evans seconded. Zaccardelli-y, Evans-y, Skaggs-y, Stover-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #06-05 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 with the American Legion. Mike Talley explained that it is part of the agreement to exchange land. Pat Smith motioned to put “AN ORDINANCE APPROVING THE EXCHANGE OF PROPERTY BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND CARL JUNCTION MEMORIAL AMERICAN LEGION POST 781 OF JASPER COUNTY, MISSOURI; AUTHORIZING THE CITY TO CONVEY BY QUIT-CLAIM DEED ALL OF LOT EIGHTY (80) IN CARL JUNCTION ORIGINAL, CITY OF CARL JUNCTION, JASPER COUNTY, MISSOURI, TO CARL JUNCTION MEMORIAL AMERICAN LEGION POST 781 OF JASPER COUNTY, MISSOURI; AUTHORIZING THE CITY TO ACCEPT A ROAD EASEMENT FROM CARL JUNCTION MEMORIAL AMERICAN LEGION POST 781 OF JASPER COUNTY, MISSOURI BEGINNING AT THE NORTHEAST CORNER OF LOT EIGHTY (80) IN CARL JUNCTION ORIGINAL, CITY OF CARL JUNCTION, JASPER COUNTY, MISSOURI, CONTAINING 0.02 ACRES (881.5 SQ. FEET), MORE OR LESS, AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; AUTHORIZING THE CITY TO ACCEPT A QUIT-CLAIM DEED FROM CARL JUNCTION MEMORIAL AMERICAN LEGION POST 781 OF JASPER COUNTY, MISSOURI OF ALL OF LOT EIGHTY (80) EXCEPT THE SOUTH SIXTY (60) FEET THEREOF IN CARL JUNCTION ORIGINAL, CITY OF CARL JUNCTION, JASPER COUNTY, MISSOURI; AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AND PROCESS FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION SUCH DOCUMENTS AS MAY BE NECESSARY TO CONCLUDE SAID EXCHANGE” on first reading by title only. Richard Zaccardelli seconded. All in favor. No opposed. Pat Smith motioned to put it on second reading by title only with a roll call vote. Richard Zaccardelli seconded. Zaccardelli-y, Evans-y, Skaggs-y, Stover-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #06-06 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 next ordinance was on the sales tax holiday. This will be good now until we want to change it. Pat Smith motioned to put “AN ORDINANCE TO OPT OUT OF STATE IMPOSED ANNUAL SALES TAX HOLIDAY” on first reading by title only. Carl Skaggs seconded. All in favor. No opposed. Pat Smith motioned to put it on second reading by title only with a roll call vote. Carl Skaggs seconded. Zaccardelli-y, Evans-y, Skaggs-y, Stover-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #06-07 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.

Joe stated that the ordinance for lead protection is the next ordinance. This approves the Memorandum of Understanding with Jasper County to provide tests on residential sites. Joe has the maps. Pat Smith motioned to put “AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN JASPER COUNTY, MISSOURI, AND THE CITY OF CARL JUNCTION, MISSOURI, TO MONITOR THE DEVELOPMENT OF LAND IN DESIGNATED CONTAMINATED AREAS THROUGH THE USE OF THE BUILDING PERMIT SYSTEM, ALL IN ACCORDANCE WITH THE TERMS AND CONDITIONS SET FORTH IN THE MEMORANDUM OF UNDERSTANDING; PROVIDING FOR TESTING OF SOIL AND DEVELOPMENT OF MEDIATION PLANS, AND AUTHORIZING THE MAYOR TO EXECUTE SAID MEMORANDUM OF UNDERSTANDING FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI” on first reading by title only. Carl Skaggs seconded. All in favor. No opposed. Pat Smith motioned to put it on second reading by title only with a roll call vote. Carl Skaggs seconded. Zaccardelli-y, Evans-y, Skaggs-y, Stover-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #06-08 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 City Administrator’s report. Richard Zaccardelli asked if we could start leaf pick up again since there is a burn ban. The council agreed. It was decided that we could pick up every Tuesday and that the residents needed to call City Hall to be put on a list for the Public Works Department.

Memo #1 – Pending items. Joe reported that there will be the second session on NIMS 2/21/06. Mayor Moss stated that Joe Perkins, Carl Junction Fire Department, is certified to give the training and has offered to train the council. It can be done in 2 sessions and has to be taken by 9/30/06. All elected officials have to take it. Each session will last 2 hours.

Memo #2 – Mediacom cable service - PD. Richard Zaccardelli motioned to approve the \$1480 for cable to the Police/Court Building. Carl Skaggs seconded. All in favor. No opposed.

Memo #3 – Briarbrook Country Club - storm water problem. Joe reported that there are 3 streets that all channel water onto the #13 fairway. He has been negotiating to resolve this problem. Briarbrook stated they would hire a contractor to install the piping if the City would buy the materials. It has been going on for years. (Joe distributed pictures) Richard Zaccardelli motioned to approve the agreement outlined. Pat Smith seconded. All in favor. No opposed.

Memo #4 – Bair Drive. Joe stated that there is a piece of property 50X100 that had been reserved for a road easement that will not be used. Mr. Smart has inquired about purchasing it. As of this date we have not heard back from him. He was to talk to his neighbor.

Memo #5 – Huckaby request to purchase RR property. Joe said he is currently using the property to park his trucks and equipment. Our main sewer line runs across the property. If we sell it we will need an easement and restrictions. After some discussion it was decided to not make a decision at this time. Joe will talk to the Huckaby's.

COMMITTEE REPORTS

Nuisance Committee – They met tonight and looked at ordinances on peddlers, wild animals, dumpsters and animal waste.
Budget & Finance Committee – D Davey, Joe and Mayor Moss met and need to meet again.
Code Review Committee – will meet 3/7/06 at 6:00 PM.
Public Facilities Committee – nothing.
Human Resources Committee – will set a date with Joe.
Park/Pool Committee – will meet 2/21/06 at 6:00 PM.

UNFINISHED BUSINESS

Barbara Evans asked about the street lights on Valley View Drive. Joe stated he went out with Empire and we need to get an easement from a property owner. Gary Stover asked if street lights are something we require from our developers. Joe stated that we hit a snag with the decorative lighting with Empire. Joe said that they did negotiate with Fall Creek Estates to have lights at intersections. We are starting to make it part of our negotiations.

Mike Talley said he had requested a closed session for the Rails to Trails but he does not see a need for that. It can be discussed in open session. He received 13 pages from the attorney, after withdrawing our motion, of objections to our withdrawal and is now asking for attorney fees. His reply will be simple in that we want to be done with this lawsuit and withdrew our motion when they requested our withdrawal. Mike Talley also stated that he personally will not file another motion for attorney fees. If the Board wishes to file another motion they will retain other council to do that. We did as they asked. He reserved the right for the City to revisit attorney fees at a later date.

City Clerk Matney asked who was all attending the MML Legislative Conference this month. Wayne Smith, Richard Zaccardelli, Walter Hayes, Joe Barfield, Mayor Moss and City Clerk Matney will all be attending.

NEW BUSINESS

Joe is filing with MoDot for an enhancement grant to clean up the north/south railroad we own from Briarbrook to Pennell. We need a name for the trail for the grant application. Joe suggested Thom Station Trails. The council agreed. Joe also reported that this last week we have had a number of issues with contractors. We need to do something for contractor's who do not want to cooperate and follow rules. There was a lot of discussion of fines, higher deposits and penalties.

Dee Lynn Davey said she had several elderly residents complain about the new voting polls. They have to walk almost 2 blocks and that is too far for some people so they are not voting. It was explained about why they consolidated polling places. Joe will talk to Ron Mosbaugh about accommodations for the elderly.

Delmar Haase reported that the DARE graduation is this Thursday, 2/9/06 at 7:00 PM. We also have our tasers in and have been trained on them. 75% was paid for by a grant from MIRMA.

CLOSED SESSION

Carl Skaggs motioned to omit the closed session on the agenda. Barbara Evans seconded. All in favor. No opposed.

ADJOURNMENT

Pat Smith motioned to adjourn the meeting. Carl Skaggs seconded. All in favor. No opposed. Meeting adjourned at 8:36 PM.

CITY CLERK

MAYOR