

The Carl Junction City Council met in regular session on Tuesday, March 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, Dee Lynn Davey, Walter Hayes and Wayne Smith. Also present were City Attorney Mike Talley and City Clerk Maribeth Matney.

AGENDA

Mike Talley asked that we amend the agenda to add item 3(a) approving closed minutes of 2/21/06. Walter Hayes motioned to amend the agenda as requested and approve the agenda as amended. Pat Smith seconded. All in favor. No opposed. Walter Hayes motioned to approve the closed minutes as presented. Richard Zaccardelli seconded. All in favor. No opposed. Pat Smith motioned to approve the consent agenda. Barbara Evans seconded. All in favor. No opposed.

PUBLIC FORUM

Jeff Stutesman, 204 Anita Drive, addressed the council as a representative of the Home Builders Association of SW Missouri. He read the attached letter in support of the building codes going to the 2000 ICC codes.

Lenda Anderson, 103 Sunset Loop, addressed the council. She has lived in Carl Junction about a year. They have cocker spaniels that are about 4 years old. Their daughter also had dogs and some puppies that are 4 months old. Our code only allows for 3 dogs per household to be legal. She stated that they didn't receive their P&Z letter due to the fire at their house. They have applied for a kennel license to stay in our guidelines. They have 2 acres to their lot. She said that the neighbors had been told that they were going to build a kennel. That is not true; they plan to raise them in their home. They don't want a kennel; they just want to keep the dogs they have. It will not be a kennel. She wants to know what the next step is. Mayor Moss stated that her public hearing is scheduled later in the meeting. If she would have a seat until then we will call upon her at that time.

Mary Schillaci, 706 Springhill Drive, addressed the council. She attended the code review committee meeting and heard about the \$150/deposit and the stop/start bond that we had already but was not enforcing. She stated that we need to follow up on all insurance policies to make sure they are current and that they have worker compensation when it is required. The codes need to be enforced as well. We have more important issues than a dog poop ordinance. It needs to wait until we deal with the other issues.

P&Z CASES

Case #06-05 – Lenda Anderson, 103 Sunset Loop – Kennel license – special use permit. Public hearing opened at 7:15PM. Mike Talley asked Ms. Anderson if she wanted her earlier comments entered into the public hearing. She stated yes. He also stated that she had 2 yorkies, 1 cocker spaniel and puppies 4 months old. Mike Talley stated that she can keep the puppies up to 6 months. Ms. Anderson stated that they are expecting their 1st grandchild in 60 days. It could run over and she is afraid that they might run over the 6 month time period. It was reported that the P&Z took no action. It is his recommendation that we send it back to P&Z but he is not sure if it is necessary. Dee Lynn Davey stated she is keeping 2 of the puppies and that will put her over the 3 dog limit. It was stated that we should refer it back to P&Z so they can take action. Richard Zaccardelli motioned to send it back to P&Z. Carl Skaggs seconded. Mike Talley stated that the P&Z application was lacking in a legal description of the property and she needs to take a moment to fill it out. It was stated that the legal description is attached. Joe said that the application for a kennel license and the neighbors understood that they were building a structure to raise dogs. The P&Z dismissed it not knowing what she intended to do. All in favor of the motion on the floor. No opposed. Public hearing closed 7:25 PM.

Case #06-04 – code changes. Public hearing opened at 7:25 PM. Mike Talley stated that these were all requested by the P&Z Committee and that he was asked to draw up the ordinances. June Chenot, 128 Forest Drive, stated that she attended the P&Z meeting and heard all the recommendations. She heartily approves of the changes and thanked them for all their work. Public hearing closed at 7:30 PM.

ORDINANCES

Pat Smith motioned to put “AN ORDINANCE AMENDING TITLE IV: LAND USE, CHAPTER 405: ZONING REGULATIONS, SECTIONS 405.010, 405.020, 405.040 AND 405.115, AND CHAPTER 410: SUBDIVISION REGULATIONS, SECTION 410.100, TO MAKE TECHNICAL CHANGES RECOMMENDED BY THE CITY PLANNING AND ZONING COMMISSION, AND TO ADD NEW SECTION 405.114: PRELIMINARY SITE PLAN REVIEW, TO PROVIDE A PRELIMINARY SITE PLAN REVIEW FOR COMMERCIAL LAND DEVELOPMENT” on first reading by title only. Richard Zaccardelli seconded. 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 #06-09 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.

Pat Smith motioned to put “AN ORDINANCE AMENDING TITLE IV: LAND USE, BY AMENDING CHAPTER 420: FLOOD DAMAGE PREVENTION TO UPDATE THE FLOODPLAIN MANAGEMENT ORDINANCE FOR THE CITY OF CARL JUNCTION, MISSOURI, TO PROVIDE FOR NEW FLOOD MAPS FOR THE CITY OF CARL JUNCTION, MISSOURI, AND PROVIDING AN EFFECTIVE DATE” on first reading by title only. Carl Skaggs seconded. 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 #06-10 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.

Gary Stover then 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 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 #06-11 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 Wild & Dangerous Animal ordinance. Mike Talley said that it referred to Class I & Class II, which he attached to the information handed out. Pat Smith motioned to put “AN ORDINANCE AMENDING TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE: CHAPTER 205: ANIMAL REGULATIONS, ARTICLE II. OTHER ANIMALS BY AMENDING SECTION 205.220: WILD AND DANGEROUS ANIMALS, TO CHANGE THE TITLE TO “WILD, DANGEROUS AND EXOTIC ANIMALS” AND TO CLARIFY WHICH ANIMALS ARE DEEMED WILD, DANGEROUS AND EXOTIC, AND THE CONDITIONS UNDER WHICH SUCH ANIMALS MAY BE KEPT WITHIN THE CITY OF CARL JUNCTION” on first reading by title only. Richard Zaccardelli seconded. 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 #06-12 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.

Walter Hayes motioned to put “AN ORDINANCE AMENDING TITLE V: BUILDING CODE, CHAPTER 500: GENERAL PROVISIONS BY AMENDING SECTION 500.150, FEES, BY ADDING NEW SUBPARAGRAPH A.4.F TO PROVIDE FOR THE WAIVER OF BUILDING FEES FOR THE PURPOSE OF PROMOTING ECONOMIC DEVELOPMENT” on first reading by title only. Barbara Evans seconded. Walter Hayes 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 #06-13 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.

Mike Talley stated that we have an amended ordinance regarding Section 205.180. Richard Zaccardelli stated he know is sounds foolish but it really isn't. He has received several calls with complaints regarding this issue. Richard Zaccardelli motioned to amend the ordinance to restrict to just in somebody else's yard and if not removed then they are in violation. Walter Hayes seconded. All in favor. No opposed. Richard Zaccardelli motioned to put the amended ordinance titled “AN ORDINANCE AMENDING TITLE II, PUBLIC HEALTH, SAFETY AND WELFARE: CHAPTER 205: ANIMAL REGULATIONS, ARTICLE 1. GENERAL PROVISIONS, BY ADDING SECTION 205.180: ANIMAL WASTE TO BE REMOVED BY OWNER, TO REQUIRE ANIMAL OWNERS TO REMOVE AND PROPERLY DISPOSE OF ANIMAL WASTE WITHIN THE CITY OF CARL JUNCTION” on first reading. Carl Skaggs seconded. Richard Zaccardelli 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-n, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #06-14 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.

MEMORANDUM AGMT WITH BULLDOG YOUTH ATHLETIC ASSOCIATION

Joe went over the agreement with the council. He explained that they had changed their name from CJYAA to BYAA and they have their 501 C-3. They are to give the city an annual report each year. Richard Zaccardelli motioned to approve the agreement. Pat Smith seconded. All in favor. No opposed.

REPORTS

The council reviewed the City Administrator's report. Richard Zaccardelli pointed out that dogs were the number one phone calls listed. He also went over some of the phone calls he received regarding dogs.

Memo #1 – Pending Items. We listed all the pending items but we took care of some of them tonight.

Memo #2 – City Administrator Search Committee. Walter reported that they met 2/24/06 and reviewed the 14 applications they received. There were only 4 worth serious consideration. They decided to extend the deadline due to the MML magazine coming out late to this Friday. We sent out questionnaires to the 4 candidates and have received 3 back. 2 are very good. They will meet again in a couple of weeks to decide who to interview.

Memo #3 – Methodist Church Youth Event – 4/22/06. This is for the council's information only.

COMMITTEE REPORTS

The Nuisance Committee nothing to report. There is no meeting scheduled.

The Budget/Finance Committee will set up a meeting. A draft of the budget was sent out in the packet that was put together by the City Clerk, City Administrator and department heads. After some discussion it was decided that a committee meeting will be held at 6:00 PM on 3/21/06 before our regular council meeting.

The Code Review Committee met tonight. They had a sample ordinance from MML for solicitors. They want to shorten it and have asked Joe to get with the City Attorney. Their next meeting will be 4/4/06 at 6:00 PM.

The Public Facilities Committee had nothing to report.

The Human Resource Committee had nothing to report but asked that Joe list things not done yet before he leaves. The Park/Pool Committee nothing scheduled at this time.

UNFINISHED BUSINESS

Gary Stover asked about accessory building set backs. Two neighbors have been going at it over a portable building. Joe knows a case was brought before our courts. Joe reported it is a case by case situation and that the one single decision does not have an overall effect on the code.

Joe has contacted the City of Webb City and the Mining Day Festival will not be the same day as our Bluegrass Festival this year. The Mining Festival will be 9/29/06, the week after our Bluegrass Festival. He also found out that Joplin will still allow banners in Joplin. There was a complaint about one particular banner. He also inquired about installing hooks on our sign at the entrance of town at Hwy 171. They will allow us to put up hooks to install 2-sided banners for our Farmer's Market and other things. Joe then reported that we had a number of old radios pulled from our police cars. He would like to donate them to McDonald County Sheriff's department. After some discussion and the statement that they have no value, they told Joe to work something out with them.

Joe reported that Ken Williams, who now lives in Carl Junction, would like to serve on our P&Z Committee. He served on the P&Z Commission in Joplin. He is very knowledgeable about these issues and would be an asset.

Walter Hayes reported that our new website is now up and running. He would like for the council to look at it and make recommendations on changes and additions. He also stated we have our e-mail addresses for city officials and elected officials. If you do not have a computer we can have those e-mail addresses sent to City Hall. The website address is www.carljunction.org. Walter then motioned to waive fees for the HBA home that is being built in Briarbrook for Economic Development reasons as deemed appropriate. Richard Zaccardelli seconded. All in favor. No opposed. This house is at 123 Zachary. The money from the sale of the house will go to fund a scholarship program for the youth in our area.

NEW BUSINESS

Joe reported to the council that he promoted Jay Morton to Assistant Public Works Supervisor effective 3/1/06. He also stated that the council had approved the final payment to Dalton Killinger, but he would like to split that check into 2 separate checks. He will keep 5% of the total contract until we have all the paperwork that the CDBG office needs. We need another key to the jail cell and with this payment they will be able to provide that to the City.

Mayor Moss then stated he wanted to appoint Ken Williams to the P&Z Committee. Pat Smith motioned to approve his appointment. Dee Lynn Davey seconded. All in favor. No opposed. Mayor Moss then thanked the council in letting us attend the MML Legislative Conference in Jefferson City. He went through the information that was covered at the conference.

Mike Talley reminded the council that he would not be in attendance for the next council meeting. He hopes to hear from the Judge on the Rails to Trails law suit by then.

Richard Zaccardelli then commented on the e-mail received from Stan Lewis. He went into the reason he asked for the ordinance that the council passed tonight. He also expressed concern about geese migrating from Canada that might contain the bird flu. The council discussed that you can contact the conservation department in trying to displace large flocks of birds.

ADJOURNMENT

Walter Hayes motioned to adjourn the meeting. Pat Smith seconded. All in favor. No opposed. Meeting adjourned at 8:25 PM.

CITY CLERK

MAYOR