

The Carl Junction City Council met in regular session on Tuesday April 3, 2007 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, Mark Powers, Pat Smith, Dee Lynn Davey, Walter Hayes and Wayne Smith. Also present were City Clerk Maribeth Matney and City Attorney Mike Talley.

### AGENDA

Pat Smith motioned to approve the agenda. Carl Skaggs seconded. All in favor. No opposed. Dee Lynn Davey then motioned to approve the consent agenda. Pat Smith seconded. All in favor. No opposed.

### PUBLIC FORUM

There was no one in the audience for public forum.

### P&Z CASES

The council reviewed P&Z Case #07-03 – Preliminary Plat – Prairie Breeze. Walter Hayes reported that the P&Z meeting was straightforward. They had a couple of e-mails from Kurt Higgins and he had a couple of conditions he asked for. Rick West, engineer for Mr. & Mrs. Brown, stated that they had no problems in meeting those conditions. The lot sizes are meeting the minimums. They had originally requested a 70' wide lot but they are now 80', as code requires. This gives them 60 lots. They lost about 10 lots in increasing the lot width. Walter Hayes motioned to approve the preliminary plat with the conditions being met as indicated in the e-mails by our City Engineer, Kurt Higgins. Mark Powers seconded. All in favor. No opposed.

### ORDINANCES

This ordinance is to approve the change order requested for our fluoridation system. Jimmy Chaligoj stated that the containment centers for the barrels collapsed under the barrels weight. These are for if there is a leak it will contain the fluoride. Allgeier Martin recommended we go to a bladder container. The change order is for \$2915. Jimmy reported that it is a better system. They hope to have the fluoride on line in another month. It is almost ready. Carl Skaggs motioned to put "AN ORDINANCE APPROVING CHANGE ORDER #1 TO A CONTRACT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND CREWS CONSTRUCTION, INC., TO PERFORM ALL WORK FOR THE INSTALLATION OF A WATER FLUORIDATION SYSTEM FOR THE CITY OF CARL JUNCTION, MISSOURI, SAID CHANGE ORDER # 1 BEING TO PROVIDE BLADDER CONTAINMENT UNITS FOR EACH OF THE SEVEN (7) WELL HOUSES FOR AN ADDITIONAL COST OF \$2,915.00, AND INCREASING THE TOTAL CONTRACT COST TO \$249,724.00; AND AUTHORIZING THE MAYOR TO EXECUTE SAID CHANGE ORDER FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on 1<sup>st</sup> reading by title only. Barbara Evans seconded. Carl Skaggs motioned to put it on second reading by title only with a rollcall vote. Barbara Evans seconded. Zaccardelli-y, Evans-y, Skaggs-y, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #07-04 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.

### APPOINT NEW POLICE OFFICERS

Chief Haase stated he had 2 candidates that he would like to hire that are in the Police Academy. They are good candidates. He asked for a conditional offer of employment if they graduate the academy. They are Brant Bishop and Stephanie Castlebury. Brent lives in Carl Junction and he likes it. They could start part time but not be a sworn officer. They can start after May 12<sup>th</sup>. Mike Talley suggested he get a consensus of the council of support. Chief Haase asked for the consensus of the council so he can talk to them so they will not start looking for jobs. Chief Haase said he would still have another opening after that. There was no objection from the council that the Chief talk to the candidates.

### ALLIED WASTE CORPORATION.

Jennifer Fagan addressed the council about the rate increase Allied Waste has requested due in part to the fuel expenses. She presented some graphical information (see attached). She met with Jim Whisenant, City Administrator for possible options. They came up with 2 options for the council to review (see attached). She has talked to 20 towns and so far has had 100% success in negotiating the increases. She assured the council they are not trying to take advantage of Carl Junction. They are just asking for where they need to be. Webb City is currently with a competitor of Allied Waste. Jennifer said that they were all long-term contracts and they were in mid stream of those contracts, all except Quapaw. They are year to year. Many have added additional years. One of the options is eliminating the roll off service out of the contract. There was some discussion about complaints from contractors. They are asking for a \$9.00 residential rate effective 5/1/07. Then on each anniversary date they will adjust the rates according to the CPI and TI not to exceed 6% a year total. This would coincide with the City's fiscal year. Jennifer also reminded the council that as of April the yard waste would no longer be picked up. There was also discussion about the consideration of a pilot program for automated trash pick up. There was some lengthy discussion regarding this. The council was reminded that it was an option for consideration but the city council has the final decision whether they would want to go with automation. It is a big investment on the part of Allied Waste. Jennifer stated that it would be what the city wants, they would not force the city into it. It was also stated that if they want to stay with Allied Waste for roll off they are available. They are just opening up the market. Jennifer thanked Jim Whisenant for his input and help. Mike Talley said that we would need an ordinance to change our current contract. He needs some direction from the council tonight and we can pass the ordinance at the next meeting. He also stated that if Jennifer had copies of what the other town passed it would be helpful for him. There was more discussion of which option would be the best for our residents. Jennifer said that there are about 3-4 haulers now. The council asked the City Administrator for his recommendation. After careful consideration he state Option 2. There was

discussion about the poly-carts and whether there were grants for those. Steve said we could check with Region M Solid Waste and Jennifer said that they might be able to help the city also. Carl Skaggs stated he did not want the Senior Citizens hit hard. The council was reminded that they are in control of this program. After more discussion it was the consensus of the council was to go with Option 2.

### **PROPOSED FY 2008 BUDGET**

Dee Lynn Davey reported that this was the final draft of the proposed budget and it has full support of the committee. She stated that have spent about 20 hours in meetings on this budget and it has been a learning process. They will answer any questions that the council has. Mark Powers pointed out that we had a new fund "Capital Improvement Fund" for the new sales tax. They put as much as possible in park improvements. We had to guess on the income that it is projected to create. We will need to pass the budget at the next meeting. We can have another meeting next week if we need it to discuss items. It was stated that if we were going to have a special meeting the City Staff would need to know by Thursday. Dee Lynn thanked the City Administrator and City Clerk for their help in the final product. Mayor Moss thanked the committee for their hard work.

### **REVIEW AND APPROVAL OF DELINQUENT TAX LIST**

The council reviewed the list. Pat Smith motioned to approve the list as presented. Carl Skaggs seconded. All in favor. No opposed.

### **ADOPTION OF VISION STATEMENT**

Steve Lawver reported that this vision statement was put together by the MOCAPP Task Force. They are asking for the City council to formally adopt it. Pat Smith motioned to adopt the vision statement. Barbara Evans seconded. All in favor. No opposed.

### **REPORTS**

City Administrator went over his report. On page 1, #1, Charlie William lawsuit, we have received verbal notification that the appeals court has ruled in our favor. They can now appeal to the US Supreme Court. On #5, APD is doing a survey of their residents to see who is interested in leaf pickup. On page 2, #5, they have been working with the Residential Care Center about the sidewalks and we think we have a solution. We have agreed to do the labor if they pay for the materials to provide sidewalks for the seniors. Jim heard today that they are interested in this sharing project. Their cost will be \$2500 for a 4' sidewalk and \$2900 for a 5' sidewalk. We will be getting with them to get it in the schedule. The council agreed to participate in the project. On page 3, #7, we are applying for a grant for phase 2 of our trail project. The maximum we can apply for is \$300,000. The deadline is mid May. #10, the water line, we are going to need more time. Page 5, #3, Steve Lawver was instrumental in this project. #3, Jim reported that he, Steve Lawver and Mike Talley met with Richard Russell. They are progressing on this project. On page 6 Jim informed the council that there is an Economic Summit on Friday April 27 at MSSU. It is a one-day event. We need to know by 4/17/07 if you are attending.

Mike Talley stated that Richard Russell was amendable in transferring their agreement to the City of Carl Junction. As owner of the facility it could be used for other activities. Mike Talley suggested that a Board is set up with members of the Senior Citizens Committee, the City Council and other residents that might help guide the use of the facility. We need to draft an ordinance to allow the creation of the Board. Mike Talley needs guidance on how many people should be on the Board and who should all be on the Board. There will be a lot of time that it is not in use. We can have better use of the facility and not encroach on the Senior Citizens. There was also discussion of the equipment. Mike Talley said it was not set in black and white and it was case by case. Mike Talley suggested 9 members, 5 to consist of the City Council and Senior Citizens and 4 at large. Pat Smith asked about the appraisal of the building. Mike Talley said we need to do our due diligence. Richard Zaccardelli said that they need time for the Senior Citizens to discuss this also.

The council was invited to look at the sidewalks on Broadway. Jimmy said that Verbyck would be done later this year. Jimmy also said that DNR inspected our WWTP. We got a good report on it. It did state that our plant is close to its parameters. They also said that infiltration is a problem, but we are working on that.

### **COMMITTEE REPORTS**

The Nuisance Committee had nothing to report.

The Public Facilities Committee had nothing to report.

The Park/Pool Committee reported that the Bluegrass would be meeting 4/16/07 at 6:30 PM.

The Code Review Committee met tonight to discuss the sign ordinance again.

The Budget/Finance Committee reported that the draft of the proposed budget has been given to the council for review and is ready for passage.

Human Resource Committee reported that a draft of the City Administrator's evaluation had been handed out. There were no comments on it and it is ready to go. Mayor Moss asked that the council evaluate the City Administrator and return the forms to him. Mayor Moss said he needs the evaluations back as soon as possible so that they can get a meeting scheduled.

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

### **UNFINISHED BUSINESS**

Wayne Smith stated that he has had 3 calls complaining about Mediacom. Mayor Moss reported that there is proposed legislation regarding the cable companies. He encouraged the council to contact the state legislatures regarding their feelings on this legislation. It is a complex issue. They are trying to move it through quickly.

City Administrator informed the council that he intends to negotiate his contract with the City. There is a provision in the contract that allows negotiation. He stated he would like to ask for a modest increase in salary. Mike Talley suggested that they perform the evaluation first. He said that we have not abided by the contract in his evaluation process. The contract states that if he gives a 30-day notice before the automatic renewal that the contract is negotiable. To be fair to Jim we need to allow him to negotiate. Mayor Moss reminded the council that he needs the evaluations as soon as possible so that we can get a special meeting called.

Carl Skaggs asked about the City's website. It was stated that the deadline for the RFP's is 5/1/07.

Richard Zaccardelli stated that the evaluation forms are here at City Hall if the council would take them home with them tonight they can return them to City Hall, attention to the Mayor, in a sealed envelope.

**NEW BUSINESS**

City Administrator, Jim Whisenant, reported to the council that we are having problems with the Jasper County assessor's office. We have received criticism due to the fact that we are not receiving information from the assessor's office. We are going to go over there to discuss this problem and try to get it resolved.

Chief Haase reported he completed the traffic study on Marie Lane. They had over 100 cars and there were not any speeders. The average speed was 24-25 MPH. He also got approval for the COPS technology grant. They will be opening bid packages for the wireless program for the Police Department.

Steve Lawver reported that he put a copy of the ad that we are taking part in with the SW Missouri Development Alliance. This will be distributed nationwide. We paid \$500 to participate.

**ADJOURNMENT**

Pat Smith motioned to adjourn the meeting. Mark Powers seconded. All in favor. No opposed. Meeting adjourned at 9:15 PM.

---

CITY CLERK

---

MAYOR