

The Carl Junction City Council met in regular session on Tuesday, August 15, 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, Mark Powers, Walter Hayes and Dee Lynn Davey. Aldermen Pat Smith and Wayne Smith and City Clerk Maribeth Matney were absent. Also present was City Attorney Mike Talley.

AGENDA

Carl Skaggs motioned to approve the agenda. Walter Hayes seconded. All in favor. No opposed. Carl Skaggs motioned to approve the consent agenda. Dee Lynn Davey seconded. All in favor. No opposed.

PUBLIC FORUM

Matthew Iram, 902 Lexington Avenue, discussed with the city council about our residential fencing code. He wishes to construct a 6' privacy fence on his property and would like to see our code modified. Dee Lynn Davey reported that the Board of Adjustments discussed changing the code at their last meeting. They haven't made a decision and are looking into it. Mr. Talley is drafting an ordinance for discussion.

BIDS

Chief Haase discussed the wireless network system bids. This is part of the Homeland Security Grant. They were as follows: Eclipse Data Systems \$22180; Heartland Technology \$14986. Walter Hayes motioned to approve the bid from Heartland technology for the 30 mbps system. Dee Lynn Davey seconded. All in favor. No opposed.

APPOINTMENT OF POLICE OFFICER

Chief Haase presented the new officer he would like to hire, Gena King. Mayor Moss stated he would like to appoint Gena King to the Carl Junction Police Force. The council voted all in favor to hire Gena King as our new police officer. No opposed.

APPROVAL OF GOING OUT FOR BID

Kurt Higgins reported that we are ready to go out for retention pond bids at the Christian Church. Walter Hayes motioned to go out for bid. Carl Skaggs seconded. All in favor. No opposed.

ORDINANCES

The council reviewed the ordinance authorizing a sales tax levy to go on the November ballot for Capital Improvements. Walter Hayes motioned to put "AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF CARL JUNCTION, MISSOURI, AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 7, 2006, THE QUESTION OF WHETHER THE CITY SHALL IMPOSE A CAPITAL IMPROVEMENTS SALES TAX OF ONE-HALF (1/2) OF ONE PERCENT (1%) FOR THE PURPOSE OF FUNDING CAPITAL IMPROVEMENTS, AND PRESCRIBING A FORM OF BALLOT THEREOF" on 1st reading by title only. Barbara Evans seconded. All in favor. No opposed. Walter Hayes motioned to put it on second reading by title only with a roll call vote. Barbara Evans seconded. Zaccardelli-y, Evans-y, Skaggs-y, Powers-y, P Smith-absent, Davey-y, Hayes-y, W Smith-absent. Motion on Ordinance #06-34 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.

Carl Skaggs motioned to put "AN ORDINANCE AMENDING TITLE 1. GOVERNMENT CODE. CHAPTER 130: MUNICIPAL COURT, BY AMENDING SECTION 130.50: COURT COSTS, TO PROVIDE FOR THE ASSESSMENT OF COSTS THAT MAY BE IMPOSED BY THE MUNICIPAL JUDGE IN ADDITION TO ANY FINE THAT IS IMPOSED" on 1st reading by title only. Barbara Evans seconded. All in favor. No opposed. There is a typo and the section should read 130.250. Carl Skaggs motioned to put it on second reading by title only with a roll call vote. Dee Lynn Davey seconded. Zaccardelli-y, Evans-y, Skaggs-y, Powers-y, P Smith-absent, Davey-y, Hayes-y, W Smith-absent. Motion on Ordinance #06-35 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 PROVIDING FOR A FINANCIAL DISCLOSURE AND CONFLICTS OF INTEREST" on 1st reading by title only. Mark Powers seconded. All in favor. No opposed. Walter Hayes motioned to put it on second reading by title only with a roll call vote. Carl Skaggs seconded. Zaccardelli-y, Evans-y, Skaggs-y, Powers-y, P Smith-absent, Davey-y, Hayes-y, W Smith-absent. Motion on Ordinance #06-36 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.

RESOLUTION

Mr. Zaccardelli motioned to approve Resolution #121 recognizing the SW Missouri` Tourism Alliance. Carl Skaggs seconded. All in favor. No opposed.

REPORTS

The council reviewed the City Administrator's report. He reported the meeting he had with Mediacom and the meeting about the new school facilities. Jimmy Chaligoj reported that the wells are running 18 hours a day and the pumps are working too hard. He is asking for volunteer water rationing to be put on the next month's water bills.

COMMITTEE REPORTS

The Nuisance Committee was cancelled due to Mr. Smith having a death in the family.
The Budget/Finance Committee had nothing to report.
The Code Review Committee will meet 9/5/06.
The Public Facilities Committee will be meeting 9/19/06. .
The Human Resource Committee has no meeting scheduled at this time.
The Park/Pool Committee Chairman Pat Smith was absent so there was no report.

UNFINISHED BUSINESS

Mr. Zaccardelli has been in discussion with the Sr. Citizens but has nothing ready to bring to the council yet.

Barbara Evans reported receiving a letter from Darren Baker regarding the sidewalks and curb status along Broadway and Verbryck. City Administrator will research the motion from last year to see if it includes curb & guttering. He will also check into the cost of that project.

Walter Hayes stated he would like a discussion on BOCA to International Codes. If a house is started under BOCA it should be finished under BOCA. He would like to get a consensus from the rest of the council. Mr. Talley stated certainly things completed under BOCA should be inspected pursuant to BOCA. However, for those parts of the building not yet completed upon the adoption of the International Codes, the builder should follow the International Codes - except in those instances where application of the International Codes creates a hardship, or is otherwise prejudicial to the builder, because the building was commenced under BOCA. Each instance should be judged separately in order to encourage application of the new codes, but also to be fair to those who began building under the old codes. Walter Hayes then stated that he filled out the building permit concerning this particular property. Mr. Talley told Mr. Hayes that, given his announced personal interest, it would be improper for Mr. Hayes to continue discussing this issue from his position as a councilman. If Mr. Hayes wished to continue discussing this issue, Mr. Talley advised, it would be necessary for Mr. Hayes to address the Board of Aldermen from behind the podium as any other citizen would. Mr. Hayes stated he would ask to be on the agenda before addressing this issue further. Mr. Zaccardelli said he thinks the consensus is those started under BOCA are finished under BOCA. Ms. Davey asked can the builder that has started under BOCA decide whether he wants to be inspected under BOCA or International. Mayor Moss suggested anything started under BOCA have one year to be completed under BOCA, if not it will revert to International Code. Both the City Administrator and the City Attorney suggested that such an approach could be problematic. Mr. Powers then motioned that houses started under BOCA will be inspected under the International Codes except when application of the International Codes creates a hardship, or is otherwise prejudicial to the builder, because the building was commenced under BOCA. In those instances, the building, or parts of the building, will be inspected pursuant to BOCA. Carl Skaggs seconded. 5 (Zaccardelli, Evans, Skaggs, Powers, Davey) in favor. 1 (Hayes) abstained.

NEW BUSINESS

City Administrator, Jim Whisenant, met with the Cemetery Board and they want some help from the City. He also wanted to make the council aware that the school has proposed a new bus route.

Mayor Moss talked about our property tax levy. We need to set a date for the public hearing so that it can be advertised. The council set the date for 8/29/06 at 6:00 PM. We will call Pat Smith & Wayne Smith to see if they are available. Mark Powers will be out of town. A resident in Quail’s Nest also approached the Mayor about a No-Blow Zone for trains. He has a folder discussing this issue.

Mark Powers discussed the speed limit on Joplin Street at the City limits.

Steve Lawver reported that the State received 90 DREAM applications.

ADJOURNMENT

Barbara Evans motioned to adjourn the meeting. Carl Skaggs seconded. All in favor. No opposed. Meeting adjourned at 8:55 PM.

CITY CLERK

MAYOR