

The Carl Junction City Council met in regular session on Tuesday, August 16, 2005 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Richard Zaccardelli, Barbara Evans, Gary Stover, Carl Skaggs, Dee Lynn Davey, Walter Hayes and Wayne Smith. Alderman Pat Smith was absent. Also present were City Attorney Mike Talley and City Clerk Maribeth Matney.

AGENDA

Mike Talley asked that we insert the approval of the closed minutes on the agenda after the consent agenda. Joe stated he would like to add to the disbursement Vaughn Dirtworks as item 4 (c). They have completed the bank stabilization project that was approved by ordinance in February 2005. Mayor Moss asked that we add Darren Baker to address the council as 5(b). Gary Stover motioned to amend the agenda as requested and approve as amended. Barbara Evans seconded. All in favor. No opposed. Barbara Evans motioned to approve the consent agenda as amended. Carl Skaggs seconded. All in favor. No opposed. The council then reviewed the closed minutes. Walter Hayes motioned to add Dee Lynn Davey to the attendance list and approve as amended. Barbara Evans seconded. All in favor. No opposed.

PUBLIC FORUM

Steve Carlson, 608 Copper Oaks, addressed the council. He is a developer and contractor in the City of Carl Junction and has 9 new houses started. He is building in Briarbrook and Ruestman Heights. He is here to ask about the installation of his water meters. He stated that he waited 60 days for a meter at 308 Angel Lea and is now over 60 days for a meter at 1004 Briarbrook Drive. He has been told that they are behind 18 meters. He stated that it is critical to have water when laying block and backfilling around the garage to help compact the dirt. He also has to bring back a backhoe when the meter is set to connect the house to the meter. He is asking the council to look at this problem and try to get the meters set in a timely manner. It used to take 10 days to 2 weeks to have one set. Joe stated that he had the crews working on the roads and we were doing the best we could at this point. Richard Zaccardelli asked about hiring outside contractor to get caught up. Joe said that hauling water is not uncommon. He also stated that our hole hog broke and this water meter needs a line under the road. Steve asked when it broke and if it is fixed. Richard stated we need to explore all areas to help the contractors out. Steve Carlson stated that it adds about \$300 to the cost of the house if they have to haul water plus lost days. He then stated that he knew they all volunteered their time and he appreciated their consideration of his request.

DARREN BAKER

Mr. Baker, 206 N Broadway, addressed the council and passed out questions he had for them. He also passed out pictures of North Broadway. He stated he asked 2 weeks ago about the RR bed and if we knew it had contamination. Since then he has found out that Mr. Barfield had explicit knowledge of it. He asked if it was legal for us to dig and haul off contaminated soil. He is not pleased with the answers he is getting on his issues. He is concerned about the safety of all the children there are no sidewalks yet. The City did a good job on the road but where are the sidewalks? There was discussion about no parking along the road and they are not breaking the law. He also asked if this took the vote of the council. He also stated that there are not speed limits signs up yet and we were to barricade the roads and that is not done yet also. He said the work stopped when the road was opened up. We need to do it right. Mayor Moss then stated that Mr. Baker had talked for 5 minutes and asked if the council wanted to extend it. Barbara Evans motioned to extend his time. Mr. Baker also stated that the dust was terrible from the road. He stated he did not trust Mr. Barfield. Mike Talley stated Mr. Baker should not assume that their silence means they agree with Mr. Baker. Mr. Baker said that he was sure there were other streets that needed work on more than Broadway. He also stated that he did not think a whole lot of thought and study went into this project. He asked what happened to their petition they presented in June. Mike Talley stated that the petition brought it to the attention of the council but had no legal status. A petition doesn't cause things to happen. Mike Talley stated that this issue was before the council at the last few meetings. Gary Stover had asked if it needed council action. It was stated that the City Street Engineer was to make the decision but the council needed to motion to support the action. They did that at the last meeting. It was stated that the school asked the City. Mr. Baker replied that he talked to Phil Cook and Mr. Cook said that the City approached the school and that they would use it if they decided to open it. There was considerable more discussion regarding this. Mr. Baker asked when the road was to be paved. Joe Barfield replied in the near future. Mr. Baker asked about gating the streets. Mr. Barfield replied that it might be difficult to gate a street. After some minor discussion about gating the council asked if the City Attorney could look into the legality of gating an open street. There was also some minor discussion about the paving. Carl Skaggs stated he had asked about the school board before he voted on this issue. There was then considerable discussion about the environmental study done on the RR bed and who knew what about it and when they knew about it. It was then commented that a lot of follow up needs to be done on this project.

P&Z CASES

Case #05-06 – Site plan – Gary Nelson & Brian Schmidt – car wash on Fir Rd. Gary Nelson, 25459 Tabor Main Road addressed the council about the site plan proposed for a car wash along Fir Road. They went to the P&Z meeting 8/8/05 and they approved with the written approval from the engineer. Gary stated that most of the items on Kurt's letter was in the original plan presented in June 2004. It was stated that P&Z has looked at this 2-3 times already. There was some discussion on what our code requires versus what Kurt has asked for in his letter. Gary said that the 15' utility easement around the perimeter would interrupt their plans for the rest of the area. Richard Zaccardelli motioned to approve Case #05-06 as outlined and upon approval from the engineer. Barbara Evans seconded. All in favor. No opposed.

Case #05-10 – Annexation – Danny Page – 27938 Gum Rd. Mr. Page owns 16.8 acres along Gum Rd off of Joplin Street. He would like the property annexed so he can have access to city water and city sewer. It was stated that the road needs straightened out.

P&Z recommended approval. Gary Stover said he had not looked at it prior to the P&Z meeting but had a chance to look at it since. He said that it was about 1000' to our city water and sewer lines. Mr. Page said he realized that and he has permission from Mr. Rowden for an easement to access them. He realizes that he has to come to the City, that the City will not run the lines to his property. It was also pointed out that Gum Rd is very narrow. Mr. Page stated that he widened the road himself. There was discussion about donating frontage to maintain the road. There was also discussion that he would get police protection if annexed. It was stated that we need our engineer to look at the road situation. Danny Page said whatever the engineer decides to do is fine with him. There are 5 houses on this property now. There was no one in the audience for or against the annexation. Public hearing closed at 8:00 PM. Mike Talley said that we couldn't take action this meeting. Walter Hayes stated we needed to check into it and if the engineer needs more time he can take more time. Richard Zaccardelli motioned to table. Barbara Evans seconded. 3 (Davey, Zaccardelli, Evans) in favor. 4 (Hayes, W Smith, Skaggs, Stover) opposed. Motion failed. Walter Hayes motioned to table until the next council meeting and then draw up the ordinance for approval for the following meeting. Wayne Smith seconded. All in favor. No opposed.

ORDINANCES

Carl Skaggs motioned to put "AN ORDINANCE APPROVING A CONTRACT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND DONALD SPARLIN, DOING BUSINESS AS SPARLIN'S FREEDOM YARDWORKS, TO MOW, CUT DOWN AND REMOVE WEEDS AND HIGH GRASSES CONSTITUTING A NUISANCE WITHIN THE CITY OF CARL JUNCTION, MISSOURI, IN ACCORDANCE WITH THE CONTRACT DOCUMENTS, AT THE RATE OF \$35 PER HOUR; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE MAYOR TO EXECUTE SAID CONTRACT FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" 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. Carl Skaggs seconded. Zaccardelli-y, Evans-y, Skaggs-y, Stover-y, P Smith-absent, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #05-37 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 was the ordinance approving the radio bid. We received 4 bids. This is being paid for by the Homeland Security Grant. We came in \$40,000 under allowed amount. We might be able to convert that to other equipment. Mike Talley noticed a typing error. It should be Radio Communication Specialists, Inc in the title and Section 1. They had reference letters and Chief Haase stated they were all satisfied with their equipment and service. Walter Hayes motioned to change the title and Section 1 to read Radio Communication Specialists, Inc. Carl Skaggs seconded. All in favor. No opposed. Walter Hayes motioned to put "AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND RADIO COMMUNICATIONS SPECIALISTS INC., TO SUPPLY, INSTALL AND IMPLEMENT DISPATCHING EQUIPMENT AND LAND MOBILE TWO-WAY COMMUNICATIONS FOR THE CARL JUNCTION POLICE DEPARTMENT AND THE CITY OF CARL JUNCTION, MISSOURI, IN ACCORDANCE WITH THE BID SPECIFICATIONS AND STATEMENT OF WORK, FOR THE SUM OF \$71,124.40, INCLUDING THE SECOND OPTION FOR PORTABLE RADIOS AND ALL OPTIONS FOR THE NICE CALL FOCUS III; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Carl Skaggs seconded. Barbara Evans 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-absent, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #05-38 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 City Clerk then explained the Financial Disclosure ordinance. Richard Zaccardelli motioned to put "AN ORDINANCE PROVIDING FOR A FINANCIAL DISCLOSURE AND CONFLICTS OF INTEREST" on first reading by title only. Dee Lynn Davey 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-absent, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #05-39 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. Joe stated that the Briarbrook Drive & Fir Road project came in higher than anticipated. The low bid was \$269,000. It was estimated to be \$250,000. We have gone back to the low bidder to see if we could get them to do it for \$250,000. Joe is also going to contact the County Commissioners and the Joplin Special Road District to see if we can get additional money. Chief Haase also reported that they had some leads on the person who ran over our signs.

Memo #1 – Pending Items. There is no change on the list. Mayor Moss stated that we received a flier on how to deal with the news media when a disaster happens.

Memo #2 – School Traffic/Road Improvements. Joe reported that the roads were opened and that we did not haul off the roadbed. We did some ditch work and graded the ditches to drain. We are going to try to pave in 30 days. We have contacted a contractor to get a bid on the sidewalks and will try to do them as soon as possible. The school sent drop off information out to the parents.

Memo #3 – MML Meeting. Joe stated we needed to know who was going. It is from 9/11 to 9/14. Richard Zaccardelli said he was going.

Memo #4 – Center Creek Park/Bank Stabilization. This project is done and looks good. It was a good improvement to the park.

COMMITTEE REPORTS

The Nuisance Committee has not met yet but will be meeting with Chief Haase soon.

The Budget/Finance Committee is meeting Tuesday 8/23/05 at 4:00 PM.

The Code Review Committee will be meeting Tuesday 9/6/05 at 6:00 PM.

The Public Facilities Committee will be meeting 9/20/05 at 6:00 PM.

The Human Resource Committee met on 8/8/05. Those attending were Joe Barfield, Mayor Moss, Carl Skaggs, Gary Stover and Richard Zaccardelli. Richard reported that they went over the organizational chart. They discussed about having job descriptions for every position and doing job evaluations. Joe reported that most of the employee's now have the employee handbook.

The Park/Pool Committee will be meeting at 9/7/05 at 4:00 PM.

UNFINISHED BUSINESS

Joe reported that Jack Butler would be here 9/6/05 to go over a proposal for financing the fluoridation issue. He is with the Missouri Rural Public Alliance.

Mayor Moss had a hand out that re-emphasized items that he had brought up for discussion previously.

Mike Talley reported that he has not heard back from the judge on the Rails to Trails lawsuit.

Barbara Evans reported that the Great Outdoor Grill Co. donated a smoker to be raffled off at the Bluegrass Festival.

Richard Zaccardelli stated that the residents on West Briarbrook Lane were pleased with the job that the public works did on the sewer out there.

NEW BUSINESS

Joe reported to the council that we needed a special meeting for our tax levy. We can hold it 8/29 or 8/30. We need to pass it before 9/1/05. Our CPA firm is recommending that we keep the levy at the same rate as last year. After some discussion the council decided to have a special meeting 8/30/05 at 7:00 PM. Our 6 water samples came back good. And we had to sign off on our 1-year certification on the WWTP expansion. There are no outstanding issues. Pat Smith and Joe Barfield talked to a radio group and they will advertise the Bluegrass Festival with 6 spots for \$150.00. The City of Joplin also waived their sign ordinance so we could put up our Festival signs.

ADJOURNMENT

Barbara Evans motioned to adjourn the meeting. Carl Skaggs seconded. All in favor. No opposed. Meeting adjourned at 8:30 PM.

CITY CLERK

MAYOR