

The Carl Junction City Council met in regular session on Tuesday, September 20, 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, Walter Hayes, Pat Smith, Dee Lynn Davey and Wayne Smith. Also present were City Attorney Mike Talley and City Clerk Maribeth Matney.

AGENDA

Joe Barfield asked that we amend the agenda to add the ordinance amending our tax levy for 2006 and also the ordinance approving change orders #12 & #13 as items 7c and 7d. Walter Hayes motioned to approve the agenda as amended. Pat Smith seconded. All in favor. No opposed. Pat Smith asked a question about the disbursements. It was for the Fall Festival advertising. Pat Smith motioned to approve the consent agenda. Richard Zaccardelli seconded. All in favor. No opposed.

PUBLIC FORUM

Mary Schillacci, 706 Springhill Drive, addressed the council regarding her home addition. She went over the chain of events since 8/12/05 regarding her home and her contractor. She went over the discussions she had with the building inspector, City Administrator, Mayor and City Clerk. She stated that the contractor left her house in a shambles and was dangerous due to an exposed live wire and the framing job that was done. She felt that more should have been done on the part of our building inspector and asked for the dismissal of our Building Inspector. (see attached statement) She also handed out a packet to the council with information regarding the events. (see attached packet) The council reviewed pictures also. Mike Talley stated that this is not the appropriate time for the council to take action regarding the Building Inspector. This City employee is under the direction of the City Administrator and Mayor. This Board meeting is not the time to discuss such an employee's status. Walter Hayes stated that we need to discuss Ms. Schillacci's complaints later in the meeting or add it to the agenda at a better time, but the council does need to discuss this issue. It was stated that this was more than a public forum issue. Carl Skaggs motioned to put it on the next meeting's agenda. Richard Zaccardelli seconded. All in favor. No opposed.

P&Z CASES

Case #05-10 – Annexation – Danny Page – 27398 Gum Road. Mr. Page stated he would like to develop his 16 acres. Joe Barfield recommended that the road be dedicated and brought up to city standards before the annexation. Mr. Page said that he would take care of that. The county has maintained that road for 20 plus years. The trailers will all be moved and sold since the City does not allow trailers anymore. He will get with the county about the roads. There was some discussion about the zoning. Mr. Page said that this is not a spur of the moment project and has been working on it for years. He will have it all prepared by the next meeting. Walter Hayes motioned to approve contingent upon the road being dedicated and the street brought up to code. Then we can go ahead with the annexation. Carl Skaggs seconded. All in favor. No opposed.

Case #05-11 – Rezoning from UD to R-3. There was no action taken during the P&Z meeting due to no quorum. This will be moved to the next meetings agenda.

ORDINANCES

Richard Zaccardelli motioned to put “AN ORDINANCE AMENDING ORDINANCE NO. 02-13 IN CONNECTION WITH CERTAIN OUTSTANDING BONDS OF THE CITY AND PRESCRIBING RELATED MATTERS” 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-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #05-42 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 ordinance on the tax levy. The City Clerk stated that the State Auditor said they were not in compliance. Pat Smith motioned to put “AN ORDINANCE ESTABLISHING THE TAX LEVY FOR THE FISCAL YEAR 2006 ESTABLISHING SAID LEVY \$0.7442 PER HUNDRED ASSESSED VALUATION ESTABLISHING THE ALLOCATIONS OF SAID FUNDS TO GENERAL FUND AND GENERAL OBLIGATIONS SINKING FUND” on first reading. Richard Zaccardelli seconded. Pat Smith motioned to amend the ordinance to say property tax instead of real estate. Walter Hayes seconded. All in favor. No opposed. Pat Smith motioned to put it on 1st reading again by title only. Walter Hayes seconded. 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 #05-43 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 on change orders #12 & #13. Pat Smith motioned to put “AN ORDINANCE APPROVING CHANGE ORDERS #12 AND #13 TO A CONTRACT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND DALTON KILLINGER CONSTRUCTION COMPANY, INC., TO CONSTRUCT A POLICE DEPARTMENT AND MUNICIPAL COURT BUILDING FOR THE CITY OF CARL JUNCTION, MISSOURI, WITH NO INCREASE IN THE TOTAL CONTRACT COST OF \$1,113,442.85; APPROVING REDUCTIONS OF THE \$25,000.00 FUND ALLOWED FOR CONTINGENCIES TO PAY THE COST OF CHANGE ORDER #12 IN THE AMOUNT OF \$2,275.00, AND IN THE AMOUNT OF \$619.00 TO PAY THE COST OF CHANGE ORDER #13, LEAVING A CONTINGENCY FUND BALANCE OF \$617.71; AND AUTHORIZING THE MAYOR TO EXECUTE SAID CHANGE ORDERS FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI” on first reading. 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 #05-44 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. There was no discussion

Memo #1 – Pending Items. There had not been any action on these.

Memo #2 – Finance Fluoridation Project. Attached was a list of rates by the local banks. Joe went over actual rates. Walter Hayes also handed out a sheet where he computed actual cost to the City. It was confusing with the various rates and financing charges. What Walter put together was actual cost to the City based on the payment schedules. MPU appears to be the least cost to the City. This does not include membership fees as he felt that had it’s own benefits. It was asked how much the membership fee was. It was stated about \$500 for the 1st year due to the 50% discount. There is only \$800 difference from the local bank. There was some discussion about the different proposals. Pat Smith motioned to accept the bid from MPU. Carl Skaggs seconded. All in favor. No opposed. Mike Talley stated we would need an ordinance and contract. Joe said that we have to go out for bid and then back to MPU for the financing after council approval.

Memo #3 – MML meeting. It was stated that it was very informative. We all went to different sessions. It is beneficial to all who attend.

COMMITTEE REPORTS

The Nuisance Committee has not met.

The Budget/Finance Committee has nothing new.

The Code Review Committee will be meeting again 10/4/05 at 6:00 PM.

The Public Facilities Committee met tonight at 6:00 PM. It was discussed that if we go to the ballot for a sales tax issue we need to let the people know what it will be used for.

The Human Resource Committee has no meeting scheduled at this time.

The Park/Pool Committee met on 9/7/05 and talked about the Bluegrass Festival. It is Saturday 9/24/05. We have cancelled the chili cook off due to not enough entries. The public works have been working on the park all week. We have also worked on the electricity and everything should be ready. We have also worked on the tennis court lights and have them repaired.

UNFINISHED BUSINESS

Joe reported he went to the Environmental Task Force meeting. We have a map and there are some areas in the City that will be affected. Jasper County is passing an ordinance on required testing. If the present owner builds on this property they have to have it tested. If it tests high it will be up to the property owner to clean it up. EPA is regulating this. The police building is coming along and is still targeted for completion 10/1/05. They will start paving the lot on Monday and then they will start on Main Street, Verbrück and Broadway Street. Blevins Asphalt will do the paving.

Mike Talley said we lost on the telecommunications lawsuit but they will appeal. Mike Talley also has heard from the Lions Club about the land for the road. He hopes to have the documents by the next meeting.

Gary Stover said when we have our open house we need to have it at a time that everyone can come, like on a Sunday. Joe said that we might have to start on Friday for SEMA, FEMA and other associations that have helped since they won’t be able to come on a weekend. Gary also asked about blocking the streets by the school. We told the residents that we were going to do that and Mike Talley was checking into the legality of it. Mike Talley responded that he would get back with them on that.

Richard Zaccardelli asked about the ditch along W Briarbrook Lane and Hedge Drive. Joe said that it was the next highest priority and we will be getting back to that. We have sent a letter to Hoaglin about his weeds along Briarview Drive.

NEW BUSINESS

Gary Stover commented that the land north of the new Casey’s is growing up.

Joe reported that we had one water sample that had to be retested. The rest were all OK.

Wayne Smith stated he would be getting with the police department after they hire a new code enforcement officer.

Joe reported that our retreat would be 11/19/05 at MSSU. Joe stated that Steve Stone has submitted his letter of resignation effective 9/12/05. We are looking for another P&Z member and residents need to contact the Mayor if they are interested and submit a letter of interest. Pat Smith motioned to accept the letter of resignation from Steve Stone. Dee Lynn Davey seconded. All in favor. No opposed. The council then discussed the contract with Blevins Asphalt. Mike Talley read section 140.240 on waiving procurement procedures. Pat Smith motioned to proceed with section 140.240 on waving procurement requirements and using the county bid. Richard Zaccardelli seconded. All in favor. No opposed.

ADJOURNMENT

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

CITY CLERK

MAYOR