

The Carl Junction City Council met in regular session on Tuesday March 18, 2008 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

Mayor Moss asked that we add Dean Willis as item 6a and the ordinance approving the contract with the County Clerk as item 9f. Pat Smith motioned to approve the agenda as amended. Carl Skaggs seconded. All in favor. No opposed. Carl Skaggs motioned to approve the consent agenda. Pat Smith seconded. All in favor. No opposed.

PUBLIC FORUM

Steve Daniels, 202 Timber Lane was here to voice his support for the Community Center that is to be on our April ballot. He thinks it will be a good addition to our city. He is part of the local unions. He said that they would be proud to build such a building in Carl Junction.

DOUG JENKINS - JOPLIN CHAMBER OF COMMERCE INSURANCE POOL

Mr. Jenkins is here to explain the Joplin Chamber of Commerce Insurance Pool to the council. He gave the background of his company and also how this idea formed. He explained how it started with the school systems banding together. This started in 1997. He also explained how it is now spreading to the private sector which is why the Joplin Chamber looked at putting this together. He explained that when small groups band together to make a larger group it gives them buying power. They will go out to bid as a single entity. They will collect data for this group to go out for bid. This is to provide rate stability. They will hold our entire group accountable and we are accountable to each other. They are asking for a 3 year commitment so that all the healthy groups won't leave. He said that usually the rates hold at 10% or less on renewals. Once the group is put together it is closed. This commitment and closing the group will help avoid adverse selection. He said that that retention rate is 99% for the school group that formed 11 years ago. We would have 2400 employees with 82 companies that attended the planning meeting if all the groups stay in. The only quote they are sure they will get is from Mercy. It is a St. John's affiliate. They have asked others for quotes but no one will commit. If you leave the group before the 3 years are up you can't reapply for 5 years. They are aiming for an October 1st effective date. Mayor Moss said that Dee Lynn, Delmar and himself attended the planning meeting. Doug explained that at this time they do not have any premiums quoted. He said that some companies will not really see a savings but would provide stability. Mr. Jenkins hopes that after the 1st year they hope to get more quotes for renewal. He also said that they would have quarterly meetings as a group to go over claims. Dee Lynn said that the plan is different then what we currently offer as it has a deductible where now we don't. There will also be a buy up plan in this group. There was discussion of the percentages and the deductibles and that there were pros and cons to our program versus their proposed plan. Doug said that he wouldn't expect the City to join of their premium raised 10% - 15%. It should be better or comparable to what we are paying now. Carl said he thought it was a good idea. We are not bound and there is no penalty for withdrawal. They will bid it out every year. After more discussion Walter Hayes motioned to proceed with it. Carl Skaggs seconded. All in favor. No opposed.

DEAN WILLIS – ALLGEIER-MARTIN & ASSOC – SEWER

Dean Willis is here for Kurt Higgins to help explain the letter received by DNR on our capacity of our WWTP. He said that right now we have used 74% of our capacity based on our 2007 data. More as been allocated by plats that have been approved that will impact the plant and that puts it at about 90% with that information. That reflects 370 lots undeveloped. The remaining capacity would handle 210-310 additional lots. That is about 800-1200 people. Mark asked about our I&I problems. Dean said that is not included. They looked at average daily flows and peak flows. He also said that when they designed the last addition they designed it for the next expansion and that we would need it to address our biological issues. Dean said that we would have 1-2 years before we will need to think about an addition and then the plans will take another 2 ½ years. The council discussed APD flows. It was stated that they have a limit on the amount of flow they are allowed.

ED REEVES, BLDG INSPCTION-DEMOLITION BIDS

Ed Reeves submitted the bids to the council regarding 2 demolitions. One is for 305 E Pennell and the other is 605 Cherry Street. He had several bids but is recommending we accept Lynn Rowe Demolition for \$12400 for the 305 E Pennell address. They were the low bid for that address. He said that the trustee's have a check for \$3000 that they can put towards the demolition. They are willing to do that to offset some of the costs. We will put a tax lien on the property for the balance. He is also recommending Wheeler Excavating for \$2940 for the 605 Cherry address. They were the low bid on that address. He also explained that we have spent \$1450 for asbestos inspections and abatement for the 305 E Pennell address. Mike Talley said that we will need contracts for these bids. Ed said that he is working with Joplin and Webb City for the demolition permits and sign off sheets. Mike Talley said that is different then a contract for an ordinance to approve the work. There was some discussion of these items. Ed also said that we have to send a report to DNR and then there is a 10 day waiting period in case they want to inspect it. Mike Talley explained to the council that this is against the property and not the owner. We can put a lien on the property but not go after the owner for our expenses. Richard stated that it poses safety hazards that the City could be liable for. Dee Lynn asked about the grant. Ed said that it didn't happen. Mike Talley said he did not agree with the statement Richard made about the City being liable. Walter Hayes motioned to

approve the bids from Lynn Rowe for \$12400 and Wheeler Excavating for \$2940 and Mike Talley should proceed with the contracts and ordinances. Richard Zaccardelli seconded. All in favor. No opposed.

REVIEW AND APPROVAL OF SHINGLING BIDS FOR POOL ROOF

Next the council reviewed the bid on the reshingling of the roof at the pool. Jimmy made several calls and we advertised but only received the one bid from Taylor's Roofing for \$5585.00. Jimmy would like to get it done before the pool opens. Pat Smith motioned to approve the bid. Richard Zaccardelli seconded. All in favor. No opposed.

ORDINANCES

The council reviewed the ordinance for the SAFE ROUTES TO SCHOOL grant. Steve said it was a 100% grant. Pat Smith motioned to put "AN ORDINANCE APPROVING A CONTRACT BETWEEN THE CITY OF CARL JUNCTION AND TOOLE DESIGN GROUP, LLC TO PROVIDE PLANNING ASSISTANCE TO THE CITY OF CARL JUNCTION FOR A SAFE ROUTES TO SCHOOL (SRTS) PROGRAM INVOLVING CARL JUNCTION PRIMARY K-1, PRIMARY 2-3, INTERMEDIATE, AND JUNIOR HIGH SCHOOLS IN THE CITY OF CARL JUNCTION, MISSOURI; 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. All in favor. No opposed. 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, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #08-07 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 then looked at the ordinance approving the budget. Pat Smith motioned to put "AN ORDINANCE ADOPTING THE 2009 FISCAL YEAR BUDGET" on first reading by title only. Carl Skaggs seconded. All in favor. No opposed. 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, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #08-08 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 approving the salaries for the next fiscal year. Pat Smith motioned to put "AN ORDINANCE ESTABLISHING SALARIES FOR CITY EMPLOYEES EFFECTIVE MAY 1, 2008" on first reading by title only. Richard Zaccardelli seconded. Walter Hayes asked about the City Administrator hiring as needed employees. He stated that we should strike City Administrator off of it. Pat Smith withdrew her motion. Walter Hayes motioned that we strike "City Administrator with the approval of the" off of the ordinance. Pat Smith seconded. All in favor. No opposed. Pat Smith motioned to put "AN ORDINANCE ESTABLISHING SALARIES FOR CITY EMPLOYEES EFFECTIVE MAY 1, 2008" on first reading by title only as amended. Richard Zaccardelli seconded. All in favor. No opposed. 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, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #08-09 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.

The council then looked at the ordinance appointing officers for the next year. Pat Smith motioned to put "AN ORDINANCE APPOINTING CITY OFFICERS TO THE CITY OF CARL JUNCTION TO SERVE THE ENSUING YEAR UNTIL NEW OFFICERS ARE DULY APPOINTED" on first reading by title only. Richard Zaccardelli seconded. All in favor. No opposed. 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, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #08-10 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.

The council then looked at the ordinance approving a contract with the Joplin Family Y. Pat Smith motioned to put "AN ORDINANCE APPROVING A POOL MANAGEMENT CONTRACT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND THE JOPLIN FAMILY Y, INC., TO MAINTAIN AND OPERATE THE CARL JUNCTION POOL; 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. Carl Skaggs seconded. All in favor. No opposed. 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, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #08-11 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.

The council then looked at the ordinance approving a contract with the Jasper County Clerk for the upcoming tax books. Pat Smith motioned to put "AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND BONNIE EARL, CLERK OF THE JASPER COUNTY COMMISSION, AND THE COUNTY OF JASPER, MISSOURI TO RENT CERTAIN BOOKS, COMPUTERS, DATA AND TAX BOOK PAPER NEEDED TO PREPARE TAX BOOKS AND STATEMENTS, AND TO PREPARE SUCH TAX BOOKS AND STATEMENTS; 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. Barbara Evans seconded. All in favor. No opposed. 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, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #08-12 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.

REPORTS

The council reviewed the department reports. The City Clerk said that there was nothing to add to the Administration report except that they have started some street lighting projects.

Steve asked that we have a work session before our next council meeting to discuss wireless internet options.

COMMITTEE REPORTS

The Nuisance Committee had nothing to report.

The Public Facilities Committee had nothing to report.

The Park/Pool reported that they met with Jimmy and he is getting quotes.

The Code Review Committee had nothing to report.

The Budget/Finance Committee had nothing to report.

Human Resource Committee reported they had met and handed out some changes on the City Administrator job description and would like for the council to look at them.

The Citizen’s for Better Life reported that they have started the repairs to the Senior Center. They hope to have it done by the 1st of the month. He also said that they are promoting the current bond issue and hoped that everyone got out to vote this April.

UNFINISHED BUSINESS

Mark Powers asked Mike Talley about the developer changing their restrictions. Mike Talley read their restrictions they had filed and it does give them the power to change their restrictions legally. Mayor Moss reported that they had requested 10 building permit packets. The City Clerk said that they had returned 3 of them ranging from 1100 square feet to 1300 square feet. Walter said that there are some 1400 square feet houses in Ruestman Heights. It was stated that the residents might want to talk to a lawyer to see what they can do. Mike Talley said that the City can’t get involved in that process. He is not sure if they have any recourse. There was some discussion about how sometimes the restrictions are not followed. Ed Reeves cited 2 other subdivisions where the restrictions were violated.

Mike Talley asked about the letter from the Fredrickson’s regarding the easement rights. We are getting close to the deadline. The City Clerk said she would call Mike tomorrow regarding that issue.

Walter said that he has checked with Verizon and the internet he talked about is not in our area. Mayor Moss said that Steve ran into the same problem.

NEW BUSINESS

Pat Smith reported that the Park/Pool Committee would like to have a city flag designed. She has approached the school and there is a class that would like to try to design it. They are going to have a contest and narrow it down to 7 for the council to look at. We have tried this before but never got it accomplished.

Mayor Moss said that he would like to hire an interim City Administrator until we can hire one. He said that he has issues that keep popping up that need to be dealt with right away. He has 2 people in mind with the council’s approval. We would have to compensate the person. He said that there have been days that we needed hands on. It could potentially expose us to a law suit if we don’t react quickly enough some times. Pat Smith said that there is nothing wrong in making them wait until the next day. Mayor Moss said that if it happens over the weekend it might be too late to correct on Monday. Mayor Moss said he could talk to Pat after the meeting to give her some circumstances. They are personnel issues. Walter said that if the Mayor had people in mind we could amend the agenda and have a closed session. Mike Talley said that unless we were going to personally identify the individual we have to keep it in the open session. If it is the decision to hire an interim it needs to be in open session then go into closed session to decide on whom. Pat Smith asked how much he had in mind to pay them. It was stated that there is money in the budget. Mayor Moss said that he sees things happening. Mike Talley suggested speeding up the hiring process. Mayor Moss said it would take 90 days to get it in some of the professional magazines. Dee Lynn said that unless it was a current employee this person would have to be trained. She also said that if the Mayor needs help then we should get him some help. We could get someone here when the Mayor is not in the office. Walter Hayes motioned to allow the Mayor to bring to the next council meeting a list of interim City Administrator candidates. Dee Lynn Davey seconded. 7 (Zaccardelli, Evans, Skaggs, Powers, Davey, Hayes, W Smith) in favor. 1 (P Smith) opposed.

ADJOURNMENT

Walter Hayes motioned to adjourn the meeting. Barbara Evans seconded. All in favor. No opposed. Meeting adjourned at 9:15 PM.

CITY CLERK

MAYOR