

The Carl Junction City Council met in regular session on Tuesday May 6, 2008 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Richard Zaccardelli, Don Marshall, 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 stated that we needed to amend the agenda item 9d to read an ordinance approving the purchase of 303 Industrial Drive from Bryan & Ginger Barnett and add item 9e an ordinance approving the purchase of 1203 E Pennell from the Citizens for Better Life. Pat Smith motioned to amend the agenda as recommended. Dee Lynn Davey seconded. All in favor. No opposed. Pat Smith motioned to approve the agenda as amended. Carl Skaggs seconded. All in favor. No opposed. Wayne Smith then stated we needed to amend our minutes to strike him from attending the 4/15/08 meeting and any reference to his voting yes on Ordinance 08-17. Carl Skaggs motioned to approve the consent agenda as amended. Pat Smith seconded. 7 (Zaccardelli, Marshall, Skaggs, Power, P Smith, Davey, Hayes) 1 abstained (W Smith). The City Clerk then asked that we add a disbursement from Barnett Construction since she shut the disbursements off early for this meeting. Pat Smith motioned to add Barnett Construction to the disbursements. Richard Zaccardelli seconded. All in favor. No opposed.

PUBLIC FORUM

There was no one for public forum.

PRESENTATION OF PLAQUE TO BARBARA EVANS

Mayor Moss then presented a plaque to Barbara Evans for her years of service to the City of Carl Junction as Alderman of Ward I.

PRESENTATION OF CHAMBER OF COMMERCE AWARD TO PUBLIC WORKS

Duane Hukill, President of the Chamber of Commerce, then presented the beautification award to our Public Works Superintendent, Jimmy Chaligoj.

P&Z CASES

Mayor Moss opened the public hearing on Case #08-02 – Rezoning for R-1 to R-2 for Stutesman Construction, at 7:10 PM. This is on the North end of their commercial property. They are planning on putting in a street of duplexes to separate the commercial from the residential areas for a buffer zone. There was discussion of whether it would create more traffic. Steve Lawver stated that they were not sure if they were going with cul-de sac or hooking into Anita Drive. Richard asked if Anita Drive was going to go down to Fir Road. Steve did not know for sure. There was no one for or against the proposal. The public hearing closed at 7:15 PM.

Pat Smith motioned to put “AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED BY THE BOARD OF ALDERMEN OF THE CITY OF CARL JUNCTION, MISSOURI, BY ORDINANCE NO. 99-10 ON THE 18TH DAY OF MAY, 1999, AS AMENDED, TO REZONE PROPERTY LOCATED 355 FEET NORTH, ALONG BRIARBROOK DRIVE AND EXTENDING EAST APPROXIMATELY 1195 FEET, OF THE NE CORNER OF BRIARBROOK DRIVE & FIR ROAD, CARL JUNCTION, MISSOURI, AS MORE FULLY DESCRIBED IN THE BODY OF THIS ORDINANCE, FROM R-1 TO R-2” 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, Marshall-y, Skaggs-y, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #08-18 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.

ORDINANCES

The council reviewed the ordinance approving an agreement with Sprengle & Associates for an environmental site assessment. Steve said that we need this done to apply for FEMA money for our community center. Richard asked if they would be doing the property we are going to buy also. Steve replied yes. Pat Smith motioned to put “AN ORDINANCE APPROVING A CONTRACT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND SPRENGLE & ASSOCIATES, INC., MONETT, MISSOURI, TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR PERFORMING AN ENVIRONMENTAL SITE ASSESSMENT OF THE PROPOSED COMMUNITY CENTER BUILDING SITE FOR THE CITY OF CARL JUNCTION, MISSOURI, IN ACCORDANCE WITH THE CONTRACT DOCUMENTS, FOR SUMS WHICH WILL NOT EXCEED \$7,500.00; 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, Marshall-y, Skaggs-y, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #08-19 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 discussed the ordinance amending Chapter 115, City Administrator’s duties. Mark Powers said that Version #2 said that they wanted to say very eloquently and recommended that we go with Version #2. Carl Skaggs motioned to put “AN ORDINANCE AMENDING TITLE I. GOVERNMENT CODE: CHAPTER 115: OFFICERS AND EMPLOYEES, ARTICLE VII. CITY ADMINISTRATOR, BY AMENDING SECTIONS 115.460, 115.470 and 115.480 TO MODIFY THE CITY ADMINISTRATOR’S DUTIES, POWERS AND WORKING RELATIONSHIP WITH THE BOARD OF ALDERMEN” on first

reading by title only. Richard Zaccardelli seconded. All in favor. No opposed. Carl Skaggs motioned to put it on second reading by title only with a roll call vote. Richard Zaccardelli seconded. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #08-20 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.

Pat Smith motioned to put "AN ORDINANCE AMENDING ORDINANCE 08-09 PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF CARL JUNCTION, MISSOURI ON THE 18TH DAY OF MARCH, 2008, ESTABLISHING SALARIES FOR THE CITY EMPLOYEES EFFECTIVE MAY 1, 2008, TO PROVIDE A ONE-TIME, LUMP-SUM PAYMENT OF \$1,200.00 EACH TO CERTAIN EMPLOYEES WHO WILL BE PERFORMING EXTRA DUTIES DURING THE FIRST QUARTER OF SAID FISCAL YEAR" 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, Marshall-y, Skaggs-y, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #08-21 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 real estate contract with Bryan & Ginger Barnett. There was some discussion about the metal building. Steve said that the shell of a building that size and construction would be \$82000. Steve thought the price was fair. He had hauled a lot of dirt at that site. Pat Smith motioned to put "AN ORDINANCE APPROVING A CONTRACT FOR THE SALE OF AN INTEREST IN REAL ESTATE BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND BRYAN L. BARNETT & GINGER L. BARNETT, HUSBAND AND WIFE; AUTHORIZING THE CITY TO PURCHASE A TRACT OF LAND, LYING WITHIN SECTION 6, TOWNSHIP 28, RANGE 33, IN THE CITY OF CARL JUNCTION, JASPER COUNTY, MISSOURI, AS MORE FULLY DESCRIBED IN THE BODY OF THIS ORDINANCE; AUTHORIZING THE CITY TO ACCEPT A WARRANTY DEED TO SAID LAND FROM BRYAN L. BARNETT & GINGER L. BARNETT; AUTHORIZING THE PAYMENT OF TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) TO PURCHASE SAID LAND; AND AUTHORIZING THE MAYOR, CLERK AND SUCH OTHER OFFICERS OF THE CITY AS MAY BE NECESSARY TO EXECUTE AND PROCESS SUCH DOCUMENTS AS MAY BE NECESSARY TO CONCLUDE SAID PURCHASE" 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. Dee Lynn Davey seconded. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #08-22 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. Mayor Moss stated that this contract was the subject of our closed session during the last council meeting. This is our public announcement of the results of that discussion. Mike Talley said that the closing is set for 9:00 AM tomorrow. We will take possession in June. Steve said that we need to decide what we are going to do with the building. Delmar and Jimmy have been discussing it. We don't think we can use the sheet metal if it is moved. Delmar said he could use it for storage. Jimmy said he would love to have it but doesn't think it would be worth the cost to move it. We can blend it in to look like our police station. We have plenty of time to decide and weigh our options.

The council then reviewed the ordinance approving the real estate contract with the Citizens for Better Life. Pat Smith motioned to put "AN ORDINANCE ACCEPTING A WARRANTY DEED TO ALL OF LOTS NUMBERED FOUR (4) AND FIVE (5) IN MEADOW HILLS SECOND ADDITION TO THE CITY OF CARL JUNCTION, JASPER COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF, FROM CITIZENS FOR A BETTER LIFE, INC., A NOT-FOR-PROFIT CORPORATION; AND AUTHORIZING THE CLERK TO RECORD SAID WARRANTY DEED 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, Marshall-y, Skaggs-y, Powers-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #08-23 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. There was nothing to add to the Administration report.

Public Works reported that our playground equipment will start arriving Friday. Pat Smith said we should check with them to see what they would charge to assemble them. Jimmy will check into it. Steve reported that PSU will be here 5/20/08 to present their master plan. There was some more discussion about our parks.

Steve reported that PSU will be here at 6:00 PM for a work session on 5/20/08 for the master plan. Pat Smith also congratulated Richard Zaccardelli as being selected as Citizen of the Year.

Jimmy reported that the pool is filled and they are ahead of schedule. Mayor Moss thanked them for all they do.

Chief Haase reported that the high school graduation will be at the college this year. They have requested 2 officers to help work it.

Steve also pointed out the eggs and issues with the legislatures that will be 5/30/08. They do this every quarter.

COMMITTEE REPORTS

The Nuisance Committee had nothing to report. Wayne Smith did ask Mike Talley about our tall grass ordinance Section 215.230 and whether we needed a court order to abate the nuisance. Mike Talley said that the code was written to avoid having a court order. This is not the same as entering a premise or structure though. Delmar reported that they give a 14 day letter and then they are cited into court if they fail to abate it. Most of the time they are abated voluntarily and only a handful of times have they gone to court. The judge has the ability to fine them up to \$500 if not taken care of. Most comply with the letter. Delmar said that most of their problems are with foreclosures. Mike Talley said that they would need a court order to go into a house. He said that our risk for

abating open nuisances is minimal. Wayne said he just wanted a code that worked and if we needed to change it then we should. Chief Haase said that at a MML seminar they advised that we needed a court order for all nuisances even grass. Mike Talley said he has heard some concern also about it but still feels that the risk is minimal. He will check into it.

The Public Facilities Committee reported that the deadline for statements of interest for architectural design is 5/9/08. We need to schedule a meeting to review them. Carl said that either the 19th or 21st after 3:00 works for him. It was decided that they would meet on 5/21/08 at 3:30 PM.

The Park/Pool reported that at the last meeting we talked about renaming Memorial Park. The committee couldn't meet but she talked to them and they are recommending Everett Shira Memorial Park. They donated the land in 1947. Pat Smith then motioned to rename Memorial Park to Everett Shira Memorial Park. Don Marshall seconded. All in favor. No opposed. Pat Smith suggested we wait on the signage until we hear from PSU. She would like to do a dedication at that time. She would also like to have a Park/Pool Committee meeting after PSU comes. After some discussion it was decided to have the Park/Pool meeting on Thursday 5/22/08 at 5:30 PM.

The Code Review Committee had nothing to report. Steve said that P&Z will meet on the 5/12/08 on the sign ordinance recommendations.

The Budget/Finance Committee had nothing to report.

Human Resource Committee had nothing to report.

The Citizen's for Better Life asked if the contract had been signed by the AAA yet. Mike Talley said that he has contacted Chuck Brown. He changed some minor part of the contract and would like for our Senior committee to re-look at the contract and make a recommendation. We are set to take possession on 5/21/08 if all goes well.

UNFINISHED BUSINESS

Mike Talley said he would look at our nuisance ordinance for Wayne Smith

Pat Smith said that she has some suggestions for City flags and that if anyone else has any concept drawings to get them to her before 5/22/08.

NEW BUSINESS

Walter Hayes said that he would not be here the next meeting.

Mayor Moss informed Walter that he might have to chair some meetings for him in June & July.

Pat Smith asked about the mess at the new Jr. High construction site. She said that the roads are bad and there is trash everywhere. Jimmy agreed and was up there yesterday talking to them. Delmar said he would send David up there tomorrow.

Mayor Moss has asked Walter to head up the search committee for the City Administrator. He will be soliciting some council members and the community at large to serve on the committee. Mayor Moss said that we need to move forward on this. It was also brought up that some of the discussion of the insurance pool we are looking into had a 19% increase one year but they average 7%-10% normally. It was reported that in the past year 2 groups had decreases. We are not locked into the group yet and if it is too high they do not expect us to change our insurance.

Mark Powers stated that he also would not be at the next meeting as he will be out of town.

Don Marshall asked if we could start enforcing people to put house numbers on their residences. Chief Haase said he will talk to his day shift to have them start making notations of houses with no addresses. It was also stated that Woodland's street sign is down.

The City Clerk pointed out the Legislative wrap up dinner is June 4th and we need to know who plans on attending so we can make reservations. She also pointed out the letter from our trash company adjusting our trash rates for the next year. This is part of their annual rate review.

Chief Haase said that he has a draft of an animal control ordinance that he would like for our nuisance committee to look at.

ADJOURNMENT

Pat Smith motioned to adjourn the meeting. Carl Skaggs seconded. All in favor. No opposed. Meeting adjourned at 8:20 PM.



[Signature]
CITY CLERK

[Signature]
MAYOR