

The Carl Junction City Council met in regular session on Tuesday, August 19, 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

Wayne Smith asked for the agenda to be amended to include the animal ordinance that the Nuisance Committee reviewed tonight as item 8(b) if it can read by title only. Mike Talley stated that it could be read by title only after reviewing the city code requirements. Wayne Smith motioned to add the ordinance amending Title II as item 8(b). Richard Zaccardelli seconded. All in favor. No opposed. Wayne Smith motioned to approve the agenda as amended. Carl Skaggs seconded. All in favor. No opposed. The council then reviewed the closed minutes of 8/5/08. Carl Skaggs motioned to approve the consent agenda as presented. Dee Lynn Davey seconded. All in favor. No opposed.

PUBLIC FORUM

There was no one for public forum.

REVIEW AND APPROVAL OF BIDS ON LEAF VACUUM

Steve Lawver reported that we advertised in 2 papers and received only 1 bid on the leaf vacuum from ODB, which is the same machine we have now only this one will be bigger. The bid came in at \$29000 which is \$3000 higher then we planned on. We have a grant for \$24500 from Region M. Pat Smith motioned to accept the bid. Richard Zaccardelli seconded. All in favor. No opposed. It was stated that we will run 2 crews when we get the new machine.

REVIEW AND APPROVAL OF BIDS ON METAL BUILDING AT 303 N MAIN

Steve Lawver then reviewed the 6 bids we received for the metal building at 303 N Main Street. They are as follows: R&R Excavating \$7860, Greg Matney \$7175, Norms General Cont. \$3150, Graham Properties \$4003, Carlson Homes \$1100, Robert Mills \$4675. Steve asked that they delay approving the bids on this. He talked to Jimmy and questioned him about trying to get competitive bids to move it to the Public Works facility. Jimmy said if we could get a bid for \$20,000-\$25,000 it would be more acceptable. Steve asked the council to table this until we see if we get any bids to move the building. Pat Smith motioned to table the bids. Richard Zaccardelli seconded. All in favor. No opposed. It was the consensus of the council to advertise for the moving of the building.

ORDINANCES

Pat Smith then motioned to put "AN ORDINANCE PROVIDING FOR A FINANCIAL DISCLOSURE AND CONFLICTS OF INTEREST" 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. 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 #08-33 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 animal ordinance added to the agenda. The nuisance committee had a meeting tonight and it looks good. It amends Title II and gives some clarification to the code and gives the code enforcement officer more latitude. Mark Powers asked if it was OK'ed by the Chief. Delmar replied yes. Pat Smith then motioned to put "AN ORDINANCE AMENDING TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE; CHAPTER 205: ANIMAL REGULATIONS, ARTICLE I. GENERAL PROVISIONS, BY AMENDING SECTION 205.010: DEFINITIONS, TO ADD THE TERM "ABANDONED" TO THE TERMS DEFINED, BY AMENDING SECTIONS 205.060 AND 205.080, BY AMENDING AND RENAMING SECTION 205.090: QUARANTINE OF ANIMALS BITING/SCRATCHING HUMANS OR SUSPECTED OF HAVING RABIES, BY AMENDING AND RENAMING SECTION 205.160: RESTRICTIONS ON REDEMPTION, BY ADDING NEW SECTION 205.165: DISPOSITION OF ABANDONED ANIMALS, BY ADDING NEW SECTION 205.166: DISPOSITION OF ANIMALS NOT REDEEMED BY OWNER, BY AMENDING ARTICLE II. OTHER ANIMALS, BY AMENDING SECTION 225.220, BY RENAMING ARTICLE III. PROHIBITED DOGS, AND BY AMENDING ARTICLE III. PROHIBITED DOGS, BY ADDING NEW SECTION 205.265: VICIOUS DOGS OR OTHER ANIMALS" on first reading by title only. Dee Lynn Davey 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 #08-34 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.

REPORTS

The council reviewed the administration's report. Richard stated that the street lights in Briarbrook are starting to be activated.

Economic Development report – there was nothing to add.

Police Department – there was nothing to add. Mayor Moss added that MIRMA did an article on our "Picture Them Home Campaign". Chief Haase stated that the pictures are from the 4 state area. They had 3 families show up for the unveiling of the cars.

Public Works report – there was nothing to add. Pat Smith commented that Country Club Estates Park was looking good. Richard also stated that Barnett Construction did a good job in Briarbrook on the sewer line.

COMMITTEE REPORTS

Nuisance Committee reported that they had met tonight regarding the animal ordinance they passed tonight.

Public Facilities Committee reported that they will be meeting 8/21/08 with the architects on our Community Center.

Park/Pool Committee then asked that the council consider transferring money out of our Sales Tax Fund to allow us to buy some picnic tables for Center Creek Park in time for the Bluegrass Festival. Steve said it would cost about \$5200-\$5300 for 5 tables and 3 benches plus freight. Jimmy said that they need 1 ADA table. These tables are made out of steel and coated. Carl asked if the high school students at the school might be able to make them. Steve said that first the tables are covered and he is not sure if they could get them scheduled for this year. They can ask for next year maybe. We need to order them as soon as possible for them to be here in time. They are coming out of Indiana. Steve said that the tables are \$560/piece. Pat said that they are for the park but would be used during the festival. Dee Lynn said that they had talked about purchasing tables earlier. Dee Lynn then motioned to transfer the money out of Sales Tax to the Park Repair Fund for what is needed. Richard Zaccardelli seconded. All in favor. No opposed.

Code Review had nothing to report.

Budget Finance Committee had nothing to report.

Human Resources Committee had nothing to report.

Committee for Better Life reported that they are having fund raisers for the needs of the new Community Center.

UNFINISHED BUSINESS

Pat Smith said that she wanted to update the council on what she is doing on the veteran's memorial. She is still working on it. Jim Dawson has come over and looked at the area. He has given her ideas of where we need to put it and she will be trying to get it drawn up. She is also getting the names of the veterans and she has contacted the librarian from Webb City and a retired history teacher who are willing to help with that project. Mr. Dawson did not think it would cost a lot to do the memorial. He suggested we use a lot of shrubs and flowers. She said that the wall would be reserved for veterans who lost their lives in active duty and the paving stones for all veterans. They are looking at the new side of our park for the memorial. She has taken pictures of the Webb City and Pittsburg memorials. This is an ongoing process but she wanted to update the council. She talked to the American Legion but they have no records. Carl Skaggs suggested we contact the county recorder's office for a list of veterans. Richard also said that the Regional office for the VFW is in St. Louis and he would try to look into that avenue for Pat. Pat then also asked for volunteers for the Bluegrass Festival. It is 9/27/08.

Mayor Moss sent a letter to Allied Waste today. Jennifer with Allied Waste has been in a couple of times but the Mayor has been out when she has been here.

Carl Skaggs reported he looked at the Senior Center regarding their lights. He said it would be a good idea to get automatic photo sensors to put up. That would be the less expensive way to go and they would automatically turn on and off from dusk to dawn. There are 2 lights on top of the building now that we can use.

Richard Zaccardelli reported that the Meals on Wheels saved an elderly women's life last week. They found her unconscious.

Steve Lawver reported that he has received promises of \$18000 to go towards our long range transportation plan and he is making the recommendation to the Public Facilities Committee to proceed with that plan.

NEW BUSINESS

Don Marshall then reported that he had been asked to see if the council would put a fence around the playground equipment at Center Creek Park. They asked that a chain link fence be put around it for safety. Jimmy said he had looked at that but does not think it needs it. The speed limit is 10 MPH in the park. Don Marshall agreed but he was asked to bring it up.

Mike Talley reported that his daughter got married this last week to a marine.

Pat Smith reported that McKenzie Burnett painted 160 fire hydrants for a Girl Scout project. Also her Brother Alex Burnett installed a flag pole at Frank Dean Park and the dedication will be Saturday at noon. Mayor Moss said he will send a letter to them for their community service.

Dee Lynn asked if we received our flag poles from Empire yet. Jimmy said he has not seen them yet. Dee Lynn will follow up on those. The council asked about the garden work. Jimmy said that he has done what he is supposed to do.

Chief Haase reported that he will be out of town Wednesday through Friday to a conference.

Steve reported to the council that the Chamber of Commerce is having a Movie on Main Street night this Saturday. It starts early evening.

Jimmy reported that they are starting their smoke testing again in the SW area of Briarbrook. They are picking up where they left off. He also stated that the Center has a water leak in their service line that we are having replaced. We are also going to have to put in a grease trap. Last week their lines were clogged and he found 2' of grease in the manhole. He has asked the women to put their grease in a bucket from now on.

The City Clerk then stated that we needed to set our tax levy hearing date so that she can get it in the paper. The only day available to have it in time is Friday 8/29/08 due to advertising time. 3 of the 8 council members will be out of town that day. There was a lot of discussion on what time the remaining 5 could be there. After this discussion the City Clerk said she would research if it had to be passed by 9/1 or if it could be passed on 9/1 while the council was in closed session.

CLOSED SESSION PER RSMO 610.021(2): LEASING, PURCHASE OR SALE OF REAL ESTATE BY A PUBLIC GOVERNMENTAL BODY WHERE PUBLIC KNOWLEDGE OF THE TRANSACTION MIGHT ADVERSELY AFFECT THE LEGAL CONSIDERATION THEREFOR.

CLOSED SESSION PER RSMO 610.021 (3): HIRING, FIRING, DISCIPLINING OR PROMOTING OF PARTICULAR EMPLOYEES BY A PUBLIC GOVERNMENTAL BODY WHEN PERSONAL INFORMATION ABOUT THE EMPLOYEE IS DISCUSSED OR RECORDED.

Walter Hayes motioned to go into closed session per RSMo 610.021(2): leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore. Mark Powers seconded. All in favor. No opposed. Wayne Smith then motioned to automatically go into closed session for item 13, closed session per RSMo 610.021 (3): hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded, following the previous closed session regarding real estate. Dee Lynn Davey seconded. All in favor. No opposed. Meeting closed at 8:00 PM

Meeting reconvened at 9:15 PM.

There was no decision made during the closed session.

The City Clerk reported that the tax levy can be passed on September 1st. It was then pointed out that was a holiday. After much discussion it was decided to have our tax levy hearing on Friday 8/29/08 at 6:45 AM so that we can have a quorum to pass the tax levy ordinance.

ADJOURNMENT

Mark Powers motioned to adjourn the meeting. Carl Skaggs seconded. All in favor. No opposed. Meeting adjourned at 9:17 PM.

CITY CLERK

MAYOR