

The Carl Junction City Council met in regular session on Tuesday December 16, 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 Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

Pat Smith motioned to approve the agenda. Richard Zaccardelli seconded. All in favor. No opposed. Pat Smith motioned to approve the consent agenda. Carl Skaggs seconded. All in favor. No opposed.

PUBLIC FORUM

There was no one for public forum.

MEN OF BRIARBROOK

Toby Teeter, 126 Par Lane, Carl Junction addressed the council. He stated that they had some residents from Carl Junction that are here to request the council to put a ballot issue on the April ballot for the purchase of the Briarbrook Golf Course. This issue is a city wide issue that should be voted on by the entire community. He stated that if the golf course closes the impact will be felt city wide. It is not a financial bail out. The city would be the owner of the course. He said that we would be a community where we have several different recreational facilities. We could also use the ponds for recreation. Mayor Moss said that to put it to a city wide vote we need to come to an agreement with the current owners of the property. Mayor Moss also said that we would have to put the item on the next agenda since it is not on our agenda for tonight. We have 2 meetings before we have to turn it into the County to put it on the ballot.

Randy Wright, 708 Bunker Lane, Carl Junction addressed the council. He said that he is a real estate agent and he has seen property values go down in the last year. He stated that if the golf course goes under it will drastically affect the 600 houses in that area. He estimates they will drop 10%-15% in value. He also stated that new homes have slowed down also.

Scott Cloud, 206 Wedgewood, Carl Junction stated that the golf course is what drew him to Carl Junction in April 2006. He feels it is important that it stay open and that this may be a once in a lifetime opportunity for the City. He said it is a tremendous asset to the community.

Steve Lawver stated that we were doing our due diligence and researching this possibility. We have talked to the property owners about the property. Pat Smith said we need to think about it. Carl Skaggs said that we need to find the bottom line on the numbers. We need to table it for research. We have 2 more meetings to make a decision. Pat Smith motioned to table this issue. Carl Skaggs seconded. 6 (Marshall, Skaggs, P Smith, Davey, Hayes, W Smith) in favor. 2 (Powers, Zaccardelli) opposed.

There was some discussion about the property tax issue, the lake nine property and that it was unreasonable to try to make the lake 9 part of the course. It takes about \$100,000/hole to develop. We are also trying to tie in the walking trail to the lake 9 property. If the city does buy the property we would be responsible for the maintenance of it. It was stated that purchasing the golf course could only help the City. Mayor Moss said it was a complex issue that we needed to take a close look at. It was also stated that it was a quality of life issue. A comment from the audience was that 2 things drew people to Carl Junction, the school and the golf course.

Wayne Smith stated that the council appreciated all of their comments and that the council will try to do everything they can to make it happen. Mark Powers said that there will be a motion on the floor at the next meeting to put it on the ballot. He said that the people need to be heard. The council agreed that this was an important decision. The council also stated that they are not allowed to promote the issue but just provide facts to the residents so they can make an informed decision.

P&Z CASES

Mayor Mike Moss opened the public hearing on Case #08-19 – Site Plan – 303 N Main Street – Community Center. Mike Beatty presented the site plan to the City Council. It is an unusual shape of land and they have tried to get the best use out of the space. He pointed out the change in Main Street and Wise Street. He also went over the plaza area and that they made it a destination point. It will be the focal point in the NW part of town. He went over the storm water plans. They feel that the plan all came together. We will have to relocate a water line. He went over the parking lots and lighting. (Pat Smith had to leave at this point 8:00 PM) There was discussion of Walnut Street to the North. Dee Lynn asked if there was a round-a-bout. Mike Beatty said no that it was a raised intersection. There will also be special paving. Steve reported that P&Z recommended approval. They felt that they did an excellent job on the site plan. Richard Zaccardelli motioned to approve Case #08-19, site plan review for the Community Center. Don Marshall seconded. All in favor. No opposed.

APPOINTMENT JUNE CHENOT TO THE BOARD OF ADJUSTMENTS

Mayor Moss then stated that June Chenot has been acting as an alternate for the Board of Adjustments but due to a vacancy he would like to appoint her to the regular board. Richard Zaccardelli motioned to approve the Mayor's appointment of June Chenot to the Board of Adjustments. Carl Skaggs seconded. All in favor. No opposed.

REVIEW AND APPROVE BIDS FOR THOM'S STATION TRAIL PHASE II

Steve then presented the tabulation sheet for the bids on Thom's Station Trail Phase II. We received 3 bids and Sproul's was the low bidder. MoDot has to approve the bids yet. It came in under budget. Carl Skaggs motioned to approve the bid from Sproul's Construction. Walter Hayes seconded. All in favor. No opposed.

RESOLUTION FOR SECTION 125 PREMIUM ONLY PLAN

Walter Hayes motioned to approve the Resolution. Richard Zaccardelli seconded. All in favor. No opposed.

ORDINANCES

The council then looked at the ordinance approving an amendment to our code to separate out our charges in Section 342 that is being mandated by Mo Department of Revenue. Carl Skaggs motioned to put "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARL JUNCTION, MISSOURI, BY AMENDING TITLE III. TRAFFIC CODE, CHAPTER 342 -- ALCOHOL AND DRUG RELATED TRAFFIC OFFENSES, BY AMENDING SECTION 342.010, DRIVING WHILE INTOXICATED, AND BY ADDING NEW SECTION 342.011 DRIVING WHILE UNDER THE INFLUENCE OF DRUGS, TO COMPLY WITH MANDATES FROM THE MISSOURI DEPARTMENT OF REVENUE" on first reading by title only. Don Marshall 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-absent, Davey-y, Hayes-y, W Smith - y. Motion on Ordinance #08-48 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 next ordinance changes our all terrain vehicle chapter and separates out the charges that the Mo Department of Revenue wanted changed. This involved Chapter 340. Carl Skaggs motioned to put "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARL JUNCTION, MISSOURI, BY AMENDING TITLE III. TRAFFIC CODE, CHAPTER 340 -- MISCELLANEOUS DRIVING RULES, BY AMENDING SECTION 340.120, ALL-TERRAIN VEHICLES, PROHIBITED - EXCEPTIONS, AND BY ADDING NEW SECTION 340.121 ALL-TERRAIN VEHICLES NOT TO BE OPERATED WHILE UNDER THE INFLUENCE OF ALCOHOL OR ANY CONTROLLED SUBSTANCE, AND BY ADDING NEW SECTION 340.122 ALL-TERRAIN" on first reading by title only. Don Marshall 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-absent, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #08-49 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 report. Steve reported that we had our pre-bid meeting and about 27-28 people attended. We have had 11 general contractor's pick up plans.

Public Works report – there was nothing to add.

Police Department report – Delmar stated that the Shop with a Cop will be at the 15th Street Wal-Mart at 7:00 AM.

COMMITTEE REPORTS

The Nuisance Committee had nothing to report. They will meet on 1/6/09 at 6:00 PM.

The Public Facilities Committee had nothing to report.

The Park/Pool reported had nothing to report.

The Code Review Committee had nothing to report.

The Budget/Finance Committee will meet on 1/9/09 at 10:00 AM.

Human Resource Committee had nothing to report.

The Citizen's for Better Life had nothing to report.

UNFINISHED BUSINESS

Wayne asked if the trash rate will go down since gas prices dropped. It was replied that they went to a fixed rate but Mike Talley will look at it.

Mayor Moss reported that they went into closed session earlier but that no action was taken during that meeting.

Mike Talley said he is looking at our green space proposed code. He needs to talk to someone who is an expert in this area. He knows someone he can call. There has been no progress on the T-Mobile law suit.

Steve Lawver reported that he has received generator bids and that Joplin Industrial Electric was the low bidder. Jim Chaligoj and Marvin Lundien also looked at these bids and they are recommending that we approve the bid from Joplin Industrial Electric for \$19424.97. Richard Zaccardelli motioned to approve the bid from Joplin Industrial Electric for \$19424.97. Carl Skaggs seconded. All in favor. No opposed.

NEW BUSINESS

It was stated that our Christmas dinner will be the 24th at noon. It is a covered dish lunch.

Chief Haase reported that he will be going out of town but will be back Friday. He is attending the Mo Police Chief's Conference.

ADJOURNMENT

Mark Powers motioned to adjourn the meeting. Carl Skaggs seconded. All in favor. No opposed. Meeting adjourned at 8:35 PM.

CITY CLERK

MAYOR