

The Carl Junction City Council met in regular session on Tuesday February 17, 2009 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 and Wayne Smith. Alderman Walter Hayes was absent. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

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

PUBLIC FORUM

Steve Frederickson, 905 E Pennell, stated that we had a meeting planned for 2/24/09 for a presentation of the feasibility study. He would like to ask that the council postpone the meeting to get the information out to the people. He would also like to ask that we meet at the auditorium at the school. We did not have enough seating for all the people at the last meeting about Briarbrook and they expect that there will be a lot of people. Mary Schillaci is out of town until 3/5/09 and asked that we postpone it so she can be here. Mayor Moss said he would like to make the study available as soon as possible for the people. He stated that Mr. Flatt's travel arrangements have already been set for Tuesday. He said that if the council wishes to change it they could but he already agreed to that date. Mayor Moss wants the information out as soon as possible whether it is good or bad. Mayor Moss also said he had it set up for here. Mr. Flatt said he would have the final report done sometime Friday. We will send out notices to the TV and post it here also. Steve Lawver said we could call to see if he could move it. Steve Frederickson said the Mr. Cook said that they would make anything available. It was suggested we hold it at the Police Department. It holds more people. Pat Smith agreed that we need more space for the people who are going to come. Don Marshall motioned to move the meeting of 2/24/09 to the Police Department. Pat Smith seconded. All in favor. No opposed.

P&Z CASES

Next the Mayor opened Case #09-04-purchase of 205 N Roney from Margaret Hall. There was no one for or against the purchase. City Clerk Maribeth Matney stated that the P&Z recommended approval as presented. Pat Smith motioned to put "AN ORDINANCE APPROVING THE FIRST ADDENDUM TO THE CONTRACT FOR SALE OF REAL ESTATE BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND LEONARD LEROY HALL, NOW DECEASED, AND MARGARET L. HALL, HUSBAND AND WIFE, APPROVED BY ORDINANCE NO. 08-03, PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF CARL JUNCTION, MISSOURI, ON JANUARY 8, 2008; AUTHORIZING THE CITY TO ACCEPT A QUIT-CLAIM DEED WITHOUT TITLE INSURANCE FOR THE VACATED BURLINGTON NORTHERN RAILROAD RIGHT OF WAY MORE FULLY DESCRIBED IN THE AFORESAID ORDINANCE NO. 08-03, BUT IN ALL OTHER RESPECTS RATIFYING THE ORIGINAL CONTRACT FOR SALE OF REAL ESTATE" 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-absent, W Smith-y. Motion on Ordinance #09-07 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.

APPROVAL OF BUSINESS LICENSE LIST FOR RENEAL

Pat Smith motioned to approve the business license list for renewal. Carl Skaggs seconded. All in favor. No opposed.

ORDINANCES

The first ordinance approves 3 addendums for professional services with SDA Architects. These include mechanical modifications, interior decorating and fitness equipment bids. Pat Smith asked who decides on the interior decorating. There was a lot of discussion of whether these should have been included in our original contract. Steve said that they could do a presentation to the council on the interior design before approval. We did not have it as part of the original contract because we thought the bids would come in higher than they did. Pat Smith motioned to put "AN ORDINANCE APPROVING CHANGE ORDERS NO. 1, NO. 2 AND NO. 3 TO AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND SAPP DESIGN ASSOCIATES ARCHITECTS, P.C., OF SPRINGFIELD, MISSOURI, TO PROVIDE PROFESSIONAL ARCHITECTURAL SERVICES IN CONNECTION WITH THE CONSTRUCTION OF A NEW COMMUNITY MULTI-PURPOSE FACILITY FOR THE CITY OF CARL JUNCTION, MISSOURI, SAID CHANGE ORDER NO. 1 TO PROVIDE A FINISHES AND FURNITURE PACKAGE FOR THE SUM OF \$9,500.00, CHANGE ORDER NO. 2 TO PROVIDE A FITNESS EQUIPMENT PACKAGE FOR A SUM EQUAL TO 6.4% OF THE COST OF THE FITNESS EQUIPMENT ITEMS DESIGNED, SPECIFIED OR COORDINATED, AND CHANGE NO. 3 TO PROVIDE MECHANICAL MODIFICATIONS AS A RESULT OF UNFORESEEABLE SITE CONDITIONS FOR THE SUM OF \$9,350.00, ALL IN ACCORDANCE WITH SAID CHANGE ORDERS, SAID SUMS TO BE IN ADDITION TO COMPENSATION PROVIDED IN THE AGREEMENT; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE MAYOR TO EXECUTE SAID CHANGE ORDERS FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Richard Zaccardelli seconded. All in favor. No opposed. Pat Smith asked if these amounts were the same as the original amount that we struck from the contract. Steve said they were probably cheaper since they were based on the construction cost. 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-absent, W Smith-y.

Motion on Ordinance #09-08 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 next ordinance amends Chapter 140 – Purchasing System. Mayor Moss, Steve Lawver and Walter Hayes drafted these changes. They have not been changed since 1971. It is to the point that we can't buy anything without approval. Pat Smith motioned to put "AN ORDINANCE AMENDING TITLE I. GOVERNMENT CODE: CHAPTER 140: PURCHASING, ARTICLE I. PURCHASING SYSTEM, BY AMENDING SECTIONS 140.020: DUTIES GENERALLY, 140.060: FORMAL CONTRACT PROCEDURE AND 140.080: NOTICE DEFINED TO CLARIFY AND INCREASE THE PURCHASING AUTHORITY OF DEPARTMENT HEADS AND THE CITY ADMINISTRATOR FOR THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Carl Skaggs seconded. All in favor. No opposed. Mike Talley stated that we need to amend the title of the ordinance to include the Mayor after the Department Heads. Carl Skaggs motioned to amend the caption to include the Mayor after Department Heads. Dee Lynn Davey seconded. All in favor. No opposed. Pat Smith motioned to put it on second reading as amended 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-absent, W Smith-y. Motion on Ordinance #09-09 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.

REPORTS

The council reviewed the Administration report. Mayor Moss reminded the council that the groundbreaking is set for 2/20/09 at 3:00 PM. It was asked about ball fields. Steve Lawver said that Country Club Park has room for 2 softball fields. Jimmy said that he would start next week on putting an access to Country Club Park from Anita Drive. Steve reported that the Thom's Station Trail preconstruction meeting is for Wednesday 2/18/09 at 10:00 AM. It will be with Sproul's, MoDot and Sprengle and Associates. Mayor Moss also stated that he would be out of town the next 2 days along with Wayne Smith, Richard Zaccardelli and Maribeth Matney.

Public Works report – Jimmy reported that they were finished with the sidewalk at the school except for dirt work. They pulled #3 well and they are running pump tests. Pat Smith commented that the sidewalks at the school are real nice. Jimmy then asked if he could order the dump truck that he has budgeted next year for Public Works. It will take 6-8 weeks for delivery. Mayor Moss said that they are making them now and if we wait until later it will not be the best of vehicles. Jimmy said he is getting it on state bid. It is a single axle diesel with a snow plow and a stainless steel spreader. Mark Powers and Dee Lynn Davey said they thought his budget was OK in that department. Steve reported that the majority of the money is what is left from FEMA. Don Marshall motioned to order the dump truck. Pat Smith seconded. All in favor. No opposed.

Police Department report – Chief Haase said that the DARE graduation is next Thursday. He will also be out of town Thursday & Friday in Jefferson City at a meeting.

COMMITTEE REPORTS

The Nuisance Committee had nothing to report.

The Public Facilities Committee had nothing to report.

The Park/Pool reported that the voting for the city flag ends Friday 2/20/09.

The Code Review Committee had nothing to report.

The Budget/Finance Committee reported that they will be meeting this Friday at 10:00 and then again on the 27th.

Human Resource Committee reported that they had handed out a job evaluation form for the City Administrator and he needs them back as soon as possible.

The Citizen's for Better Life asked if we had plans for a memorial for Jim Wisdom. There was some discussion about it. It was suggested that we commemorate all the Mayors with a plaque at the new Community Center. It was stated that we could ask the consultant.

UNFINISHED BUSINESS

Mayor Moss reported that the Golf Committee is meeting every Wednesday at 6:00 PM at the American Legion. Steve reported that they will not meet this Wednesday. Mark Powers said that he did not make the last meeting but sent his agenda and it went well.

Steve Lawver stated that he put a transportation plan survey in the council packets. He asked that they fill them out and get them back to Steve. He will give it to the P&Z, employees and the Chamber to try to get as much input as they can. He will also make it available to the public for input.

Steve then stated that they had an employee meeting last Friday with Wayne Wilmes. There were several employees that expressed dissatisfaction with the plan we ended up with. He told the employee's that the process was not perfect but would be better next year and it was a whole lot better then it was last year. He had not planned on the council to act as fast as they did. David Wehmeyer then addressed the council. He stated he talked to several PD and public works employees that were dissatisfied. (See attachment). He stated that it was poorly executed and it could have been a whole lot better. He said that the employee's were not served very well. Pat Smith said that the school does not ask the employees what plan they want. Dee Lynn said that she understood that the deductible was higher which is why the buy up had the 100% after the deductible was paid. David said that the employee's would have helped pay the difference to stay with the better plan. He went over his proposal which had the employee's picking up 12% and the city 13% of the increase. There was discussion about decrease in revenues, salary freezes and trying to dig in our heels until these tough times pass. David just asked that in the future we do a better job of talking to the employee's. Chief Haase

suggested next year that the committee include an employee from each department along with some of the council. Mark said that was not a bad idea. There was some more discussion about insurance.

Chief Haase then reported that the 49 car ports that were discussed at the last meeting has been narrowed down to 10 that are not compliant that were not there before 2006. He suggested that we contact those people to go before the Board of Adjustments. It was stated that we need to keep a better handle on them. There was discussion about waving the fees to come before the Board of Adjustments. Mike Talley said that we would need to draw up an ordinance.

NEW BUSINESS

Mayor Moss reported again that the ground breaking is 2/20/09 at 3:00 PM. He also reminded the council that the special meeting for 2/24/09 had been changed to the Police Department.

Steve Lawver then addressed the letter from Allgeier-Martin & Associates regarding their rate structure. Their current rates expired 12/2008. They are requesting a 4% increase that would be good until 12/2010. Steve recommended approval of these rates. Mark Powers asked some questions about the mileage rate. It was sated that the maximum is .55 cents per mile. Richard Zaccardelli asked about the special services. Steve reported that we usually go out for bid for those items. There was discussion whether we needed an ordinance. Mike Talley will draft an ordinance for these changes. Steve then addressed the letter from MPUA protesting the new DNR regulation regarding the standards of lagoons. They are doing this on behalf of their members.

ADJOURNMENT

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

CITY CLERK

MAYOR