

The Carl Junction City Council met in regular session on Tuesday February 3, 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, Walter Hayes and Wayne Smith. Also present were City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

Mayor Moss asked that items 6(a) & 6 (b) be struck from the agenda. He also asked that we add items 9(a) & 9(b) to the agenda which are ordinances approving a change order on Thom's Station Trail Phase II and the collateralization agreement with SMB. Carl Skaggs motioned to approve the agenda as amended. Pat Smith seconded. All in favor. No opposed. Pat Smith motioned to approve the consent agenda. Dee Lynn Davey seconded. All in favor. No opposed.

PUBLIC FORUM

Mary Schillaci, 706 Springhill Drive, addressed the council. She thanked Mayor Moss and Steve for meeting with her about the golf course. She asked that the fact sheet be altered to reflect that we can not use the \$65,000 left over from the bond money for additional revenues. Steve stated during their meeting that those funds can not be used for that. She asked that the information be corrected.

Steve Frederickson, 905 E Pennell, informed the council that former City Collector, Nina Simpson, passed away today. He asked that we keep her family in our thoughts and prayers.

P&Z CASES

Stricken from the agenda earlier.

REVIEW & APPROVAL OF BIDS ON IMPROVEMENTS TO #3 WELL

Jimmy reported that we had 3 bids on the repairs for #3 well. That pump is down to 67 gallons/minute and it should be 300 gallons/minute. It has not been worked on since 1969. He wants to pull the pump, test it and see where the water table is. The bids were as follows: Harper Drilling \$6850, Tiff City Pump \$8900, Flynn \$11000. He reported that Harper drilling is out of Clinton, Missouri. Jimmy is recommending we go with Tiff City Pump for \$8900. It was the middle bid. Don Marshall motioned to accept the bid from Tiff City Pump for \$8900. Pat Smith seconded. All in favor. No opposed.

DISCUSSION OF THE FORMATION OF A DUE DILIGENCE GOLF COMMITTEE

Mayor Moss stated that he would like to form a golf due diligence committee that would consist of a representative from each Ward, Steve Lawver, Jimmy Chaligoj, a representative from the school district and a representative from the fire district. He would like for them to establish a plan if the bond issue passes in April. We need to have a plan ready with how it would operate and a fee structure. We need to have a plan in case it passes. He does not want to be behind the 8 ball. They will establish a budget and they want input from the residents. He will have Mark Powers head up the committee. They are not being established to promote it but to have ideas in place if it passes. Mark Powers pointed out that even if it passes it may still not be possible to exercise the option but we need to investigate it. Pat Smith asked how Mayor Moss came up with the people. Mayor Moss said that he wanted people with golf experience and understands how it works. Wayne pointed out that they do not necessarily need to be a golfer but should have business experience and marketing experience also. It needs to be looked at as a business proposition. Carl pointed out that they need to know what questions to ask. This committee will report to the council and their meetings are open to the public. Mike Talley pointed out that they are an advisory committee with no powers and no control. They are to give advice and recommendations. Mayor Moss then stated that he has talked to Bill Dunn and Phil Cook and they have agreed to serve on the committee. He has also talked to Charlie Long, Randy Sohosky, Joe McKenzie and Robert Ball. That gives us a representative from each Ward, from the taxing districts and city representatives. There was a lot of discussion about the members, their experience and what they need to do. Mayor Moss then stated that Larry Flatt from Jefferson City has agreed to do a feasibility study for us for \$3760. He will make a formal presentation when he is done. He has done some work on it previously for Chad Huffman. Mayor Moss said that we need this information whether it is good or bad so that our voters can make an educated decision. Mayor Moss thinks this is a fair price for his service. The council thought the committee was a good idea and thought the study from Mr. Flatt was a good idea also. This way the people will not go to the polls blind. Pat Smith motioned to accept the Mayor's appointments to the committee. Don Marshall seconded. All in favor. No opposed. Pat Smith then motioned to approve the proposal from Larry Flatt for the feasibility study. Carl Skaggs seconded. All in favor. No opposed. Mayor Moss said that Mr. Flatt is coming tomorrow at 11:00 to talk to him.

ORDINANCES

This ordinance is a change order with Sproul's Construction to change the piers for the bridge for the walking trail. Pat Smith motioned to put "AN ORDINANCE APPROVING CHANGE ORDER #1 TO A CONTRACT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND SPROULS CONSTRUCTION, INC., TO CONSTRUCT THOM'S STATION TRAIL, JASPER COUNTY, MISSOURI, FOR THE CITY OF CARL JUNCTION, MISSOURI, SAID CHANGE ORDER #1 TO ELIMINATE PARKING AREA, MODIFY PLANS TO DRILL PILES IN PLACE AND TO ADD PIPE BOLLARDS FOR AN ADDITIONAL COST OF \$14,292.00, AND INCREASING THE TOTAL CONTRACT COST TO \$247,690.00; AND AUTHORIZING THE MAYOR TO EXECUTE SAID CHANGE ORDER 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 #09-05 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 formally approves a collateralization agreement with Southwest Missouri Bank. It just formalizes what they are already doing. Pat Smith motioned to put "AN ORDINANCE APPROVING A COLLATERALIZATION AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND SOUTHWEST MISSOURI BANK, TO REQUIRE SOUTHWEST MISSOURI BANK TO SECURE WITH PLEDGED COLLATERAL ALL FUTURE DEPOSITS OF PUBLIC FUNDS BY THE CITY OF CARL JUNCTION WHICH EXCEED THE APPLICABLE INSURANCE PROVIDED BY THE FEDERAL DEPOSIT INSURANCE CORPORATION; 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. Don Marshall 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 #09-06 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. City Clerk reported that MIRMA was here for our annual evaluation and we scored better than last year.

Public Works report – there was nothing to add. Don Marshall said that he had a lot of compliments of the good job they did on the icy roads we had. Pat also wanted to thank Jared Richmond in helping with the kids and the buses. It was really appreciated.

Police Department report – there was nothing to add.

COMMITTEE REPORTS

The Nuisance Committee had nothing to report.

The Public Facilities Committee had nothing to report.

The Park/Pool reported that the flag ballot will be in the paper for the next 2 weeks. David Wehmeyer's daughter is also putting it in the Junior High school paper.

The Code Review Committee reported that he had sent out an e-mail about our procurement procedures. He needs comments back on it.

The Budget/Finance Committee reported that they have been meeting every Friday at 10:00 AM. They met with the PD last Friday. They will not have a meeting this Friday because Steve is out of town. It was stated that we need to make a decision on our health insurance. Mark Powers stated that the budget committee is recommending that we change to United Health Care. The rates are better. They are also recommending that the employee's pay a little more. He went over the spreadsheet that was handed out in the packet. The employee will have to pay 6% of the premium. He discussed the plans and the deductibles. If we switch to this plan it will make the increase 6% for the City. We are also going to start offering dental and vision insurance but it will be 100% on the employee if they want to participate. It requires at least 2 employees to participate to activate the plan. We will still be with Freeman Hospital. Mayor Moss asked about any other groups. It was stated that MOPEG is still higher and they are with the same company, United Health Care. There was some discussion of employee contributions. Pat Smith motioned to accept the recommendation from the budget Committee. Dee Lynn seconded. All in favor. No opposed.

Human Resource Committee reported that he has an evaluation form he would like to use to evaluate the City Administrator. He will get it typed up and get it out to the council.

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

UNFINISHED BUSINESS

Pat Smith asked about the old car wash. Chief Haase reported that they are getting there. He has 14 days to do something. He will check with David to see when the time is up.

NEW BUSINESS

Chief Haase then stated that he had a complaint from a city employee. He has a car port that violates our set backs but he says that there are 49 other car ports that violate our set backs and he stated he is being singled out. Delmar is concerned that if we cite everyone we may be opening a can of worms. We could make them all go in front of the Board of Adjustments but that cost \$50 unless the council will waive that fee. This is the first complaint that he has had. The car ports according to our code have to meet accessory building set back requirements. He needs direction from the council on how they want to handle it. He asked if they might be grandfathered in or not. We need to research the situation. Dee Lynn asked if they could be moved. Delmar said they could be but it would be difficult. Chief Haase said that they usually handle these by complaint basis. Wayne stated we can't show favoritism. We have to do them all if we do one. There was considerable discussion about this situation. Mark Power suggested that Delmar research them to see if they all really violate our code. Some may have had variances done on them. Chief Haase agreed. There was discussion about the problem with grandfathering them in with a new code because we will be back in the same situation 5-10 years from now. Mike Talley pointed out that in 2006 the code was amended to clarify car ports and at that time the council kept the set back as they were. The code stayed the same except clarifying the definition of a car port. Chief Haase said he will research it and get a better list for the next meeting.

ADJOURNMENT

PM. Carl Skaggs motioned to adjourn the meeting. Pat Smith seconded. All in favor. No opposed. Meeting adjourned at 8:25

CITY CLERK

MAYOR