

The Carl Junction City Council met in regular session on Wednesday February 09, 2011 at 7:00 PM at City Hall. Mayor Michael Moss called the meeting to order with the following present: Richard Zaccardelli, Don Marshall, Carl Skaggs, Mark Powers, Steve Daniels, Dee Lynn Davey, Walter Hayes and Wayne Smith. Also present were City Administrator Steve Lawver, City Attorney Mike Talley and City Clerk Maribeth Matney.

AGENDA

Carl Skaggs motioned to approve the agenda as presented. Steve Daniels seconded. All in favor. No opposed Carl Skaggs motioned to approve the consent agenda. Steve Daniels seconded. All in favor. No opposed.

PUBLIC FORUM

Steve Lawver reported that CJR-1 School Superintendent, Phil Cook, wanted to be here to commend the Public Works Department on the great job they did on the roads during this last storm.

CHAMBER REPORT

LaDonna Allen reported for Gary Stubblefield. He asked that the council be invited to their 1st Chamber After Hours next Tuesday night from 5-7. It is being sponsored by Joplin Floor Designs. It will be here at the Community Center

ALDERMAN HAYES – COUNCIL MINUTES

Walter Hayes then stated that he has always liked the way we do our minutes and years ago we had talked about changing them to the minimum requirement when Mike Palmer was on the council and he was not for it at that time. He now would like to have the council consider changing it since lately they seem to be used for propoganda against the council. Mark Powers agreed with Walter. Mike Talley stated that he likes the way our minutes are done which gives the minutes historical significance. He goes back to them occasionally to research certain discussions in the past or decisions made. Walter agreed that he liked the minutes but they seem to be used against the council. Mike Talley said that most of the problems have been discussion that was heard by the audience and not necessarily the minutes. Dee Lynn said we don't want the appearance of trying to hide anything. Walter agreed that we are not trying to hide anything. Mayor Moss agreed that we have all been frustrated lately and that things are taken out of context. Mike Talley also pointed out that he sometimes edits the minutes to clarify issues he has talked about on the legal standpoint and sometimes that lengthens the minutes. He felt that the City Clerk does a great job summarizing the minutes. There was more discussion on the pro's and con's of changing the form of the minutes. The council agreed that we do not want the appearance of hiding items. Walter just wanted discussion on the matter. Mike Talley cautioned the council that since our meetings are taped that comments needs to be considered before they are voiced.

REPORTS

The council reviewed the Administration report. They complimented the Public Works on their handling of the snow. Walter asked about the fiber optics. Steve reported they are working on it. He also said he has talked to Empire with no results. We are waiting from MoDot to approve our engineering selection on the sidewalk project and then we can enter into an agreement with AMA. We should have the project done by the end of the year.

Public Works report – there was nothing to add to the report.

Police Department report – had nothing to add to the report.

COMMITTEE REPORTS

The Nuisance Committee had nothing to report.

The Long Range Planning Committee said that there is a meeting tomorrow regarding a master park plan.

The Budget/Finance Committee stated that they have started their budget talks with the department heads.

The Human Resource Committee will have a closed session scheduled for later this meeting.

The Public Facilities Committee had nothing to report.

The Code Review Committee had nothing to report.

The Senior Citizen Committee had nothing to report.

UNFINISHED BUSINESS

Mark Powers asked about the procedures on the 2 closed sessions and whether we have to come back into open session between the closed sessions. Mike Talley said that is the way he would prefer it to happen.

Walter asked if we considered taping with our laptop so that it can be put on the website. Steve said we can check into it but Total Electronics said we would like our tape player better. We can check about putting it on our website.

NEW BUSINESS

Mayor Moss said he received a letter from the County about collecting our taxes for the City. They would charge 4% of the collections and \$1000 for the set up fee. It was stated that way the residents would have to pay the City taxes when they paid the County taxes before their car would could get licensed. Mike Talley said that he has not found any case law regarding taking city taxes through the municipal court system. He would like to see if the City Clerk could find a town that practices that procedure. Right now our fine is \$500 for violations and if the taxes are more then that he is not sure what would happen. It has been proven

effective though. There was some discussion regarding state statutes in this area. The council asked that the City Administrator and City Clerk research the pro's and con's of having the county collect our city taxes and report back to them. The Mayor pointed out that we will need to decide before March 1st.

Chief Haase said that if we are going to order Crown Victoria's for our new police cars this year he has 26 days to put his order in. There was discussion about whether we should go with another make. The Tahoe and Explorer were discussed. Chief Haase said he has 2 4 wheel drives now and at the most he would want 3, but 2 seems to be working. The Tahoe is \$10,000 more than the Crown Vic's. He also said it would cost more to outfit the Tahoe and Explorer then the Crown Victoria. The council will try to let him know by the next council meeting.

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.

Mark Powers motioned to go into 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. Carl Skaggs seconded. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-y, Daniels-y, Davey-y, Hayes-n, W Smith-y. Meeting closed at 7:52 PM. Meeting reconvened at 8:10 PM. Mayor Moss reported that personnel issues were discussed and that no action was taken.

CLOSED SESSION PER RSMO 610.021(1): LEGAL ACTIONS, CAUSES OF ACTION OR LITIGATION INVOLVING A PUBLIC GOVERNMENTAL BODY AND ANY CONFIDENTIAL OR PRIVILEGED COMMUNICATIONS BETWEEN A PUBLIC GOVERNMENTAL BODY OR ITS REPRESENTATIVES AND ITS ATTORNEYS...LEGAL WORK PRODUCT SHALL BE CONSIDERED A CLOSED RECORD.

Carl Skaggs motioned to go into Closed session per RsMO 610.021(1): Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys...Legal work product shall be considered a closed record. Don Marshall seconded. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-y, Daniels-y, Davey-y, Hayes-n, W Smith-y. Meeting closed at 8:12 PM. Meeting reconvened at 9:12 PM.

Mike Talley said we need to add the settlement to the agenda. Richard Zaccardelli motioned to add the settlement agreement with Yvonne Ball for \$10,000 and the authorization for the City Administrator to sign it to the agenda. Carl Skaggs seconded. All in favor. No opposed. Mike Talley then reviewed the law suit and the settlement papers. This is for a resident who was knocked down by one of our signs when a gust of wind blew it off the posts it was attached to. MIRMA has been handling the claim. Walter Hayes motioned to approve the settlement agreement and have the City Administrator sign off on it. Dee Lynn Davey seconded. All in favor. No opposed.

Mike Talley reported that other items had been discussed but no action had been taken during the closed session.

ADJOURNMENT

Walter Hayes motioned to adjourn the meeting. Steve Daniels seconded. All in favor. No opposed. Meeting adjourned at 9:15 PM.

CITY CLERK

MAYOR