

The Carl Junction City Council met in regular session on Tuesday February 21, 2012 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, Steve Daniels, Dee Lynn Davey, Sean Haase and Bob Cook. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

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

PUBLIC FORUM

Mark Tatum, 603 Valley View, addressed the council about the dog on a chain next to his house. He has talked to Chief Haase and said that allowing dogs on a trolley is the same as putting them on a chain. The City of Joplin agreed that it is the same thing and Mr. Tatum asked if the City was going to approve that policy. Mayor Moss stated that nothing has come before the council for consideration yet. Mr. Tatum said that tethering is the same as being on a chain. His neighbor does not clean up after the dog and it barks all the time. He stated a lot of towns are getting rid of this policy. He also said it was up to the council on what they decide but there is no difference between putting a dog on a chain or a trolley. There was some discussion about this policy. Mr. Tatum said he would be back at the next meeting.

Karen Vigil, 201 Karen Drive, said they have a similar problem with a resident on Karen Drive. They have 2 small dogs tied to the rail on the front porch. There is only 1 carrier that only 1 dog can get into for protection. She leaves at 7:30 AM and gets home at 10:30 PM. They bark all the time to get attention. They have a lab in the back yard that is fenced. They don't have any food or water sometimes. She asked why she had the dogs and the lady said it was for her grandkids. The neighbors can hear the dogs 2 blocks away. They are outside in all kinds of weather and someone needs to talk to her. She is interested in what we are going to do with the tethering law also.

CHAMBER REPORT

Gary Stubblefield reported to the council that the Chamber wants to thank them for all their hard work and dedication to the City. It is a thankless job most of the time. They have started their Shop Local, Shop Carl Junction, Shop Chamber campaign. It is an education process that they have started so that people know why they should Shop Local. Their next meeting is Thursday 3/1/12 at 7:00 AM.

APPOINTMENT OF POLICE OFFICER – DUSTIN JENSEN

Chief Haase then introduced Dustin Jenson to the council. He stated that he has just graduated from the academy and Chief Haase has been impressed with his good work ethic. Mayor Moss stated he would like to appoint Dustin Jensen to the Carl Junction Police Department. Richard Zaccardelli motioned to approve Mayor Moss's appointment of Dustin Jensen. Steve Daniels seconded. All in favor. No opposed.

REVIEW AND APPROVAL OF TRASH BIDS RECEIVED

Steve reported that we went out for bid but the only bid received was from Allied Waste. They have met all the qualifications. Jennifer Fagan stated that they had figured a roll back this year anyway so they just put it in their bid. Their bid is \$9.00 per month which is a reduction from \$10.56. They also kept providing the 2nd container at no charge. It still has the 6% cap. They put in the bid a 5 year contract with a 5 year option or a 10 year contract with a 5 year option. There will be no annual adjustment for the 1st 2 years. Then the adjustment will be based on the CPI. Mark Powers stated that we are saving \$1.80 if you figure in the CPI for this year. He suggested we go with the 10 year contract with the 5 year option. He said to change the date to December 2012 and the 1st increase will be 2014. Bob Cook asked about white goods. Jennifer said they cannot take them since they are not accepted in the landfills. They are looking at recycling down the road and they hope to have something soon. We need to get a contract for review so that we can pass the ordinance. Mark Powers motioned to accept the bid that has the 10 year contract with a 5 year option. Don Marshall seconded. All in favor. No opposed. Mark Powers then said that we need to raise our fee from \$1.70 to \$1.80 and put in a clause so that it will have an automatic increase built into it.

PRESENTATION OF THE DRAFT ON THE PROPOSED 2012-2013 BUDGET BY THE BUDGET/FINANCE COMMITTEE

Mark Powers then presented our 2012-2013 budget draft. Other than intentional draws on our reserves it balances. Those are in the Waterworks for the tower maintenance and G.O. Bond Fund so that we did not have to increase our levy. Bob Cook commented on the fact that he liked the policy that the Budget /Finance Committee took to accrue funds for future purchases. The budget is to be presented the 1st meeting in March and passed the 1st meeting in April.

ORDINANCES

The council reviewed the ordinance amending Section 215.220 – maintaining weeds on easements and waterways. Mark Powers motioned to put “AN ORDINANCE AMENDING TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE: CHAPTER 215: NUISANCES, ARTICLE III. WEEDS, BY AMENDING SECTION, 215.220 TO CLARIFY THAT WEEDS AND GRASSES IN UTILITY EASEMENTS AND WATERWAYS ARE THE RESPONSIBILITY OF OWNERS AND RESIDENTS TO

MAINTAIN” on first reading by title only. Carl Skaggs seconded. Mayor Moss asked for discussion. Mike Talley said what was underlined is what is new the rest was there already. Bob Cook asked about the waterway easement in particular the one by Pennell. It was stated that it is the resident’s responsibility unless deeded to the City. There was some discussion of this and the old railroad bed (nature trail). Mark Powers motioned to put it on second reading by title only with a roll call vote. Carl Skaggs seconded. Mayor Moss asked for discussion. Mike Talley stated that there was a sentence left out of the old ordinance regarding poisonous ivy, oak and sumac. He was not sure if it was intentional or accidentally taken out. There was some discussion about this and the council decided it should be included. Sean Haase motioned to amend the ordinance by adding the sentence back into the ordinance. Dee Lynn Davey seconded. All in favor. No opposed. Mark Powers motioned to put “AN AMENDED ORDINANCE AMENDING TITLE II, PUBLIC HEALTH, SAFETY AND WELFARE: CHAPTER 215: NUISANCES, ARTICLE III. WEEDS, BY AMENDING SECTION, 215.220 TO CLARIFY THAT WEEDS AND GRASSES IN UTILITY EASEMENTS AND WATERWAYS ARE THE RESPONSIBILITY OF OWNERS AND RESIDENTS TO MAINTAIN AND TO ADD BACK THE SENTENCE REGARDING VEGETATION HARMFUL OR IRRITATING TO THE HUMAN TOUCH AND POISONOUS VEGETATION” on 3rd reading by title only with a roll call vote. Richard Zaccardelli seconded. Mark Powers motioned for passage of the ordinance. Carl Skaggs seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-y, Daniels-y, Davey-y, Haase-y, Cook-y. Motion on Ordinance #12-03 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. Mark Powers left the meeting at 7:50 PM.

The council then reviewed the ordinance amending Section 210.350- burning on road right of ways. Carl Skaggs motioned to put “AN ORDINANCE AMENDING TITLE II, PUBLIC HEALTH, SAFETY AND WELFARE: CHAPTER 210: OFFENSES, ARTICLE IV. OFFENSES CONCERNING PUBLIC SAFETY, BY AMENDNG SECTION 210.350: BURNING YARD DEBRIS, TO PROHIBIT THE BURNING OF YARD DEBRIS ON PUBLIC RIGHT-OF-WAYS” on first reading by title only. Don Marshall seconded. Mayor Moss asked for discussion. Steve Lawver stated that we have people burning in the ditches which damage the culverts and our road beds. People can still burn but not in our right of ways. It usually is about 10’-15’ from the road bed. Carl Skaggs motioned to put it on second reading by title only with a roll call vote. Don Marshall seconded. Mayor Moss asked for discussion. There was no discussion. Don Marshall motioned for passage of the ordinance. Carl Skaggs seconded. All in favor. No opposed. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-absent, Daniels-n, Davey-y, Haase-y, Cook-y. Motion on Ordinance #12-04 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 also reported that we now had a map on fiber optic lines and we have a company that appears to be interested in this project and is looking at it. It would include all 4 wards.

Public Works report – nothing to add to the report.

Police Department report – nothing to add to the report.

COMMITTEE REPORTS

The Budget/Finance Committee reported that they have finished with their meetings on the budget.

The Code/Nuisance Committee is continuing to gather information on tethering of animals.

The Human Resource Committee will be having a closed session later in the meeting.

The Public Facilities Committee had nothing to report.

The Senior Citizen Committee asked that we look at the floor in the dining room. It needs to be redone.

UNFINISHED BUSINESS

Steve Lawver asked that the council make a motion to refinance our G.O. Bond on the Community Center with Piper Jaffray. Richard Zaccardelli motioned to proceed with the refinancing of our General Obligation Bonds on the Community Center with Piper Jaffray. Steve Daniels seconded. All in favor. No opposed.

Steve then brought to the council’s attention the water report on 507 E Pennell. You can see where he used 914 gallons in the 1st 24 hours it was installed. They council had some minor discussion about it and liked the report.

NEW BUSINESS

Sean Haase reported that people like our recycling and he has friends that are moving over here because we have recycling. Steve asked if they would like to become recycling coordinators. Sean said he would ask them.

Richard thanked the Mayor and his wife for attending the party for the new Leo’s club. They all had great comments about our Community Center.

Chief Haase said he would have his other candidate for police officer at the next meeting. It was stated that the Mayor and City Clerk would both be gone. After some discussion it was decided to wait until the 2nd meeting in March to appoint the officer.

The Mayor then recognized the 3 students from PSU attending the 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.

Don Marshall 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. Dee Lynn Davey seconded. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-absent, Daniels-y, Davey-y, Haase-y, Cook-y. Council went into closed session 8:10 PM. Council reconvened open session at 8:40 PM. Mayor Moss said that there was discussion of personnel and no action was taken.

Alderman Steve Daniels pointed out the breakfast on Friday 2/24/12 that the FFA is putting on. It was also stated that Drury College will be here 2/27/12 for another meeting and that the DARE graduation is Thursday 2/23/12. There is also a severe weather drill 3/13/12 and there are free classes being held 3/6/12 for training to spot severe weather.

ADJOURNMENT

Carl Skaggs motioned to adjourn the meeting. Sean Haase seconded. All in favor. No opposed. Meeting adjourned at 8:42 PM.

CITY CLERK

MAYOR