

The Carl Junction City Council met in regular session on Tuesday April 7, 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, Pat Smith, Dee Lynn Davey, Walter Hayes and Wayne Smith. Alderman Mark Powers was absent. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

Carl Skaggs motioned to approve the agenda. Pat Smith seconded. All in favor. No opposed. City Administrator asked that we add payment request #2 from Larry Snyder Construction to our disbursements. The council then reviewed the closed minutes of the 3/17/09 meeting. Carl Skaggs motioned to approve the closed minutes. Richard Zaccardelli seconded. 6 (Zaccardelli, Marshall, Skaggs, P Smith, Davey, Hayes) approved. 1 (W Smith) abstained. Pat Smith motioned to approve the minutes and disbursements as amended. Carl Skaggs seconded. All in favor. No opposed.

PUBLIC FORUM

There was no one for public forum.

P&Z CASES

Mayor Moss opened the public hearing on Case #09-05 – Prairie Hills Plat exception. Steve Lawver said that this was brought to our attention by the developer. The center lots missed their rear set backs by 1’8” due to a bay window design. They need this cleared up for the Missouri Housing Development Corporation. The best way was to approve a plat exception. This involves lots 17-36. There was not one to speak against it. Steve reported that the P&Z recommended approval. Carl Skaggs motioned to approve the rear set back plat exception. Pat Smith seconded. All in favor. No opposed.

Mayor Moss then opened the public hearing on Case #09-06 – Rezoning from R-1 to C-2 – 301 E Pennell. This is the Church of Christ lot and the trustee’s asked that it be rezoned to help the sale of the property. It was stated that a body shop does not fit in a C-2 zoning. There was no one in the audience against it. One resident stated that they need to do something about the water that stands in that vacant lot. Steve reported that Planning & Zoning recommended approval. Don Marshall motioned to approve the rezoning request. Carl Skaggs seconded. All in favor. No opposed.

The council then reviewed the ordinance rezoning this property from R-1 to C-2. Carl Skaggs motioned to put “AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED BY THE BOARD OF ALDERMEN OF THE CITY OF CARL JUNCTION, MISSOURI, BY ORDINANCE NO. 99-10 ON THE 18TH DAY OF MAY, 1999, AS AMENDED, TO REZONE 301 E PENNELL, CARL JUNCTION, JASPER COUNTY, MISSOURI OWNED BY CARL JUNCTION CHURCH OF CHRIST, AS MORE FULLY DESCRIBED IN THE BODY OF THIS ORDINANCE, FROM R-1 TO C-2” on first reading by title only. Pat Smith 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-absent, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #09-15 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.

APPOINTMENT OF POLICE OFFICER BERNARD EGIDY

Chief Haase then introduced Bernard Egidy to the council. He was an officer in Kansas and now has his Missouri certificate. He worked for the City of Leawood. Mayor Moss informed the council that he would like to appoint Bernard Egidy as a patrolman. Don Marshall motioned to approve the Mayor’s appointment. Pat Smith seconded. All in favor. No opposed. City Clerk then gave the oath of office to Officer Egidy.

REVIEW AND APPROVAL OF EQUIPMENT BIDS FOR PW DEPARTMENT

The council then reviewed the equipment bids for the PW department and the recommendations (see attached recommendation). Steve reported that they all came in under the budgeted amount. Pat Smith motioned to accept the recommendations for the equipment bids as presented. Carl Skaggs seconded. All in favor. No opposed.

REVIEW AND APPROVAL OF BIDS FOR THE SALE OF 2 POLICE CARS

The council then reviewed the bids received on our old police cars. We only received one bid from Carterville. The total amount was \$5600 for both cars. Chief Haase recommended accepting the bids. It is \$1000 over what trade in would have been. This will give us money to move the equipment to our new cars. Chief Haase will get with Carterville on when we they get the cars. He needs to check the delivery date on our new vehicles. They are built but have to be delivered. Pat Smith motioned to accept the recommendation of Chief Haase. Don Marshall seconded. All in favor. No opposed.

REVIEW AND APPROVAL OF ROOF BIDS FOR 813 JOPLIN STREET

The council then reviewed the bids for the roof repairs of 813 Joplin Street. Steve reported that it came in over budget but since our equipment came in under budget we think we can make up the difference of \$4000. It is a high quality material and has a 12 year warranty (see attached bid). Pat Smith motioned to approve the bid from Midwest Enterprises for \$17850.00. Carl Skaggs seconded. All in favor. No opposed.

ORDINANCES

The council then reviewed the ordinance approving a contract with Joplin Family Y for pool management for the upcoming season. The City Clerk reported that the only changes from last year's contract were the opening and closing dates. Mayor Moss commented that the pool was really busy last year. Don Marshall motioned to put "AN ORDINANCE APPROVING A POOL MANAGEMENT CONTRACT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND THE JOPLIN FAMILY Y, INC., TO MAINTAIN AND OPERATE THE CARL JUNCTION POOL; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE MAYOR TO EXECUTE SAID CONTRACT 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. Richard Zaccardelli 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-absent, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #09-16 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. Pat Smith asked about the fence along Thom's Station Trail. Steve stated he and Jimmy went to look at the trail. Jimmy said that he could see putting a fence by the trail but not by his property line. Pat Smith stated she does not think we should put up a fence. Richard said if he is willing to pay for it we should. Jimmy and Steve agreed that if we put it up it would be a chain link fence 4' high. Pat was worried about the liability of it. Steve said it was no different then the fence we have around our parks now. She was also concerned that other people along it would want a fence and it could snowball on us. Dee Lynn said we should have the City Administrator make a recommendation. It was stated that Jimmy has listed conditions and that could be a directive to Steve. Mike Talley said that this was not a City Administrator decision. Walter viewed it like participation in a sidewalk match and that we could do it for fences also. It would be on the City's property not the residents. There was a lot of discussion regarding this issue. Mike Talley summarized the conversation that the consensus he perceived from the council was that it was OK to build the fence only under the conditions that Jimmy set out.

Public Works report – Jimmy added that ACE Pipe Cleaning has been in the area cleaning out sewer lines in the north part of town. He had 2 plug ups in the last week and it took 4 hours to clean them out. We had a back up in a resident's basement and he has reported it to DNR. Ace Pipe Cleaning is de-rooting, cleaning and will camera the lines so that we will know what repairs we will have to contend with. He would like to have the Public Facilities Committee meet when they are done so that they can review their report. He did report that we have a lot of damaged lines in this area. We used the emergency clause to hire them since we were having a lot of problems. We are using I&I funds for this project. We may have to put liner in some of the bad spots. He also reported that the state is ready to put a 1" asphalt overlay on Pennell Street. He uncovered all the manholes for the project. Jimmy also reported that it would take about \$6000 for a shelter 30'X20'.

Police Department report – Chief Haase reported that they will be testing for another officer Saturday.

COMMITTEE REPORTS

The Nuisance Committee had nothing to report.

The Public Facilities Committee reported that they met 4/1/09 and discussed the security lighting and cameras and the entry card system.

The Park/Pool reported that they had met and talked about the Veteran's Memorial. Jimmy got prices on a prefab bathroom and they run \$43,000. They had discussed putting one in Country Club Park. There was some discussion about it and that we will need to start putting money aside for that project. The sewer and water are available. Pat also reported that they had updated the bluegrass flyers.

The Code Review Committee had nothing to report.

The Budget/Finance Committee had nothing to report.

The Citizen's for Better Life reported that they had met to discuss the Community Center, the parking lot and green space.

UNFINISHED BUSINESS

Walter Hayes asked about getting our web site updated. It has not been updated since February 2009. Steve said he has talked to AJ about it and will get back with him.

Pat Smith asked if we were going to have to have a special meeting if the Briarbrook issue passed on the ballot. Steve said no we would just deal with it at the next council meeting if it passes. It was also stated that we can't proceed without a meeting because the council needs to make the decision.

Richard Zaccardelli asked Wayne if he had looked at the flood light shining in his neighbor's house. Wayne replied that it was not a real problem and that a lot of lights shine in neighbor's yards. There was some discussion about it and Richard commented that it should fall under the nuisance category.

Steve showed the council our new city flag. He also stated that MoDot called him about Hwy Z. They have offered us the building if we take over and maintain Hwy Z. After making some inquiries to our engineers and other people it was the consensus that we needed to make them do some improvements before we take it over. They are doing a 1" overlay now but Jimmy said that will break up in a few years. They are not repairing the road before they overlay it. Jimmy said he would like the building but not at that cost. Steve said we would like to see some curb and guttering and storm water control measures put in first. Steve is working with MoDot on that end of it. MoDot also said that they would take care of all the environmental issues on their property and survey it before we would take it over.

NEW BUSINESS

Dee Lynn said that she had received a comment from a resident on why we didn't do anything about the property across the street from City Hall. They said it was an eyesore. Chief Haase said he would have David look into it.

The City Clerk asked if the council could review the letter from Mense, Churchwell and Mense to see if they wanted to approve the proposal for next year's audit. After reviewing the letter Carl Skaggs motioned to approve the proposal. Pat Smith seconded. All in favor. No opposed.

The City Clerk then pointed out the letter from Allied Waste on the trash rates that will change effective May 1, 2009.

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 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. Pat Smith seconded. Zaccardelli-y, Marshall-y, Skaggs-y, Powers-absent, P Smith-y, Davey-y, Hayes-y, W Smith-y. 8:00 PM

Council reconvened into open session at 8:10PM. Mayor Moss stated that they met in closed session to discuss personnel issues and no decision was made.

ADJOURNMENT

Pat Smith motioned to adjourn the meeting. Carl Skaggs seconded. All in favor. No opposed. Meeting adjourned at 8:11 PM.

CITY CLERK

MAYOR