

The Carl Junction City Council met in regular session on Tuesday November 2, 2010 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 and Walter Hayes. Alderman Wayne Smith 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. Walter Hayes seconded. All in favor. No opposed. Carl Skaggs motioned to approve the consent agenda. Steve Daniels seconded. All in favor. No opposed.

PUBLIC FORUM

Sharon Clark, postmaster of the Carl Junction Post Office brought poodle skirts for the council. She raised \$25581.00 in stamps this year during Breast Cancer Awareness Month. She thanked the council for their support. The date for the poodle skirt is set for 11/16/10. She is not sure how she ranked in the nation but was 12th at \$18,000.

Karen Rutledge, 702 Springhill Drive, addressed the council about the golf cart ordinance. There is some misconception about insurance. You can get insurance on golf carts but she thinks the ordinance needs to be more specific in the minimum liability limits. The cost is \$70/year so it is not expensive coverage. Her company issues an ID card to be carried in the golf cart. It is a recreational vehicle policy. Karen stated that any company that provides auto insurance should provide recreational vehicle insurance. Chief Haase found out the same information that Karen provided.

Mary Schillacci, 706 Springhill Drive, addressed the council about the CID agreement. Ms. Schillacci then went over several items regarding the CID special assessment and the legalities of it along with the City collecting for the County. She pointed out that the CID has no debt service at this time and should not be collecting assessments until they do. She is also questioning their budget process. (see attached report).

Donnie Rion, 117 Hedge Drive, stated that as a resident he can take legal action against the City if they collect money that is not a legal tax.

Bob Cook, 202 E Allen, stated that the state law says a landlord can be held liable for tenant's utility bill. He said that we either need to collect a bigger deposit or shut them off earlier. He also questioned the Council if we need the 95 acres. He said that he does not understand why we are pursuing this. We need to listen to the people, they said no on Briarbrook. Walter Hayes said that the vote was about the bond issue to purchase Briarbrook. He informed the audience that it did have a majority, it just didn't have the super majority. Bob Cook said that majority rules. Walter agreed that it does and they said yes. They are listening to the people.

CHAMBER REPORT

Gary Stubblefield wanted to commend Sharon Clark on surpassing her goals. With everything that Carl Junction did they contributed \$10,000 towards Breast Cancer Awareness. He then reported that the Chamber now has 90 members and they have doubled their membership. They are also giving \$2500 to provide electricity at the garden at the entrance to town. This will be used for lighted displays. They have 15 candidates for Ms. Jingle Bells and Mr. Elf. The Chamber's next meeting is 11/4/10 here at the Community Center at 7:30 AM.

P&Z CASES

Mayor Moss opened the public hearing on Case #10-08 – Chapter 425 – Stormwater. Mike Talley pointed out that there is a revised ordinance for the council tonight. They had to make a few changes and took out some redundancy in the old ordinance. This has been approved by DNR. It was approved by the P&Z Committee. DNR is waiting for us to pass these changes.

Carl Skaggs motioned to put AN ORDINANCE AMENDING TITLE IV: LAND USE, CHAPTER 425: STORMWATER MANAGEMENT, BY ADOPTING EPA PHASE II, STORMWATER MANAGEMENT CODE, AUGUST 2010, WHICH CREATES NEW ARTICLE I. GENERAL PROVISIONS, INCLUDING EXISTING SECTIONS 425.010 AND 425.020, AND CREATES NEW ARTICLE II. EROSION AND SEDIMENT CONTROL, AND ADDS NEW SECTIONS 425.030 TO 425.100, INCLUSIVE, AND CREATES NEW ARTICLE III. ILLICIT DISCHARGES, AND ADDS NEW SECTIONS 425.200 TO 425.410, INCLUSIVE, TO THE CARL JUNCTION, MISSOURI CITY CODE on first reading by title only. Steve Daniels seconded. Mayor Moss asked for discussion. There was no discussion. Carl Skaggs motioned to put it on second reading by title only with a roll call vote. Steve Daniels seconded. Mayor Moss asked for discussion. There was no discussion. Walter Hayes 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, Hayes-y, W Smith-absent. Motion on Ordinance #10-41 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.

DUSTIN GRIFFBERG-HOOKING MOBILE HOME ON CITY SEWER

Dustin Griffberg, 801 S Roney, addressed the council about hooking a mobile home onto city sewer. He has 20 acres that is outside the city. He is currently hooked onto city sewer but they have moved a 16X8 trailer onto their property so that they can take care of his wife's mother. The ground is not satisfactory for a septic system. He would like permission to hook on our sewer main. They do not have a problem in paying more for this service since they are outside city limits. He hopes that the council will work with them. He said that there was a rumor out there that they were going to put more trailers and houses on their 20 acres, but that is not true. They only want to set the one mobile home for his mother-in-law so that they can take care of her and just want the one hook up for her trailer. There was some minor discussion about having to set another water meter for the trailer also. Don Marshall motioned

to allow them to hook onto city utilities. Steve Daniels seconded. All in favor. No opposed. Mayor Moss said that we need an agreement signed with them regarding this hook up. Mike Talley said they can come up with something.

BOB WENTWORTH-BYAA

Bob Wentworth, 119 Briar Meadow, and Blake Mertens, 603 Copper Oaks, addressed the council about BYAA proposal. Thee asked the council if they had any questions after the last meeting. Steve said that he gave the council a proposed budget if they consider this proposal. It shows that there would be no cost to the city. Mark Powers asked about volunteers. Bob said that they want to reduce the numbers on their Board but that each member would be responsible for 1-2 sports. They intend to keep volunteering to help. They want the Parks & Recreation director to do the paper work and scheduling. They would be the support group. They are not leaving CJ youth. Steve said it would be creating a new position. He has been researching job descriptions. We could work this to become effective with our next budget. Bob said that there are grants out there but they do not have time to deal with them. That would be another duty for the Parks and Recreation Director. He stated that there is a lot of untapped money out there. The BYAA is a 501C3 and people can make donations so that they can write the donations off. Steve said it might mean another seasonal employee. Dee Lynn said that the City has been thinking about it for awhile. It was recommended that the Budget Committee look into it. After some discussion it was decided that they would meet Friday 11/12/10 at 11:00 AM. Steve would like for the Human Resource Committee to look at the job description also. He will e-mail it to them.

DISCUSSION OF 95 ACRE PROPOSAL

Dee Lynn reported that the Budget & Finance Committee looked at the proposal of purchasing 95 acres and stated that if the council decides to go ahead and purchase it they could use ½ of the sales tax money to pay for it. It would be a 6 year loan. It would improve the parks for the whole city. She personally feels that it would be a good purchase for the City. We have so little green space available inside the city limits and we could use the park land. She feels that it is the best thing we could do with the sales tax money. We would need an additional seasonal worker but that could be combined with the one we were going to hire if we have a Parks & Recreational director. The Budget & Finance Committee is recommending the City purchase the 95 acres. Mike Talley said that we need to start the paperwork if the council wants to proceed with this. Dee Lynn Davey motioned to approve the purchase of the 95 acres and proceed with the proper paperwork. Mark Powers seconded. There was some discussion regarding the CID and the property. Carl asked if we had tried to negotiate on the price. Steve said he did and although Mr. Gehrs extended the deadline date he was firm on the price. Steve said that there are 6 parcels of land and it totals about 93 acres. 5 (Zaccardelli, Powers, Daniels, Davey, Hayes) in favor. 2 (Marshall, Skaggs) opposed. Mike Talley said we will come back with contracts for the council's approval.

ORDINANCES

The council then considered the ordinance amending Chapter 340.25 – golf carts on streets. Carl Skaggs motioned to put “AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARL JUNCTION, MISSOURI, BY AMENDING TITLE III. TRAFFIC CODE, CHAPTER 340 – MISCELLANEOUS DRIVING RULES, BY ADDING NEW SECTION 340.125, GOLF CARTS – OPERATION ON CITY STREETS - PROHIBITIONS, TO PERMIT AND REGULATE THE OPERATION OF GOLF CARTS ON CITY STREETS” on first reading by title only. Don Marshall seconded. Mayor Moss asked for discussion. Mark Powers said he could not support this version. There was some discussion about Section 390.140 of our code. Steve said some people don't realize they need riders on their insurance for this. Linda Teeter then talked about how golf carts are not supposed to be street vehicles. They are off road vehicles. Also she asked if they get a ticket on the golf cart will it be a violation on their driver licenses. A golf cart is to get to the course so that you can golf not drink a cup of coffee. Richard questioned the issue of a title and registration and if that was needed for insurance. Chief Haase said that the state allows for an ordinance to be on the books. If they want to drive it on the streets they would have to meet the minimum requirements. Dee Lynn Davey motioned to put it on second reading by title only with a roll call vote. Walter Hayes seconded. Mayor Moss asked for discussion. There was no discussion. Walter Hayes motioned for passage of the ordinance. Dee Lynn Davey seconded. 3 (Davey, Hayes, Marshall) approved 4 (Powers, Zaccardelli, Skaggs, Daniels) opposed. There was some discussion as what to do now. It was stated that we can't take a roll call vote since the motion did not pass. Mark Powers motioned for passage of the ordinance. Richard Zaccardelli seconded. All in favor. No opposed. Zaccardelli-no, Marshall-y, Skaggs-no, Powers-no, Daniels-y, Davey-y, Hayes-y, W Smith-absent. Ordinance failed to pass.

REPORTS

The council reviewed the Administration. There was nothing new to report.
Public Works report – there was nothing to add to the report.
Police Department report – there was nothing to add to the report.

COMMITTEE REPORTS

The Nuisance Committee had nothing to report.
The Long Range Planning Committee had nothing to report.
The Budget/Finance Committee will be meeting 11/12/10 at 11:00 AM.
The Human Resource Committee had nothing to report.
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

Walter Hayes then stated again that it is a myth around the city that the City did not vote for Briarbrook. It was the bond issue that did not pass because it needed a super majority. It did pass a majority vote. The Capital improvements sales tax was passed to help improve the parks in the City.

Steve Lawver then submitted the bid on lapel microphones. It was \$1993.80.

Steve also submitted a proposal for more fitness equipment in our cardio room. We have the space and the money. We received a grant for \$1700 that we need to spend and the money from the cards (which was 460 yesterday) that we can spend. It is being used every day. This includes the delivery, set up and rearranging the equipment. Steve Daniels stated that it needs to be complete. Steve has also received a phone call from a trainer that said he would start a program over here to help people with a fitness training schedule. Steve then requested a meeting with the code review committee.

NEW BUSINESS

Chief Haase said that his tower is ready to be put up.

Richard Zaccardelli reminded everyone that the Lion's Club is having a pancake feed this Saturday.

ADJOURNMENT

Carl Skaggs motioned to adjourn the meeting. Steve Daniels seconded. All in favor. No opposed. Meeting adjourned at 8:30 PM.

CITY CLERK

MAYOR