

The Carl Junction City Council met in regular session on Tuesday, January 3, 2006 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Richard Zaccardelli, Barbara Evans, Gary Stover, Carl Skaggs, Pat Smith, Walter Hayes, Dee Lynn Davey and Wayne Smith. Also present were City Attorney Mike Talley and City Clerk Maribeth Matney.

### **AGENDA**

It was stated that an amended agenda was posted at 4:20 PM to add the closed session due to just receiving pleadings today on the Rails to Trails lawsuit and the response back is due before our next council meeting. Therefore Mike Talley asked the City Administrator to amend the agenda to include this closed session. Carl Skaggs motioned to approve the amended agenda. Barbara Evans seconded. All in favor. No opposed. Pat Smith motioned to approve the consent agenda. Carl Skaggs seconded. All in favor. No opposed.

### **PUBLIC FORUM**

Mary Schillaci, 706 Springhill, addressed the council. She had sent all the council a packet of information. She still does not have a signed permit. She went over the information regarding her permit and inspections. She is still waiting on proof that her inspections passed and that he signs her permit. She is here for a recommendation form from the council. Dee Lynn Davey expressed that the council represents the people and she stated that the customer pays for the inspections and should be notified if it passes or fails. She feels it is our responsibility. Richard Zaccardelli also stated that where there is remodeling in the home they need to know if it passes or fails. Ms. Schillaci stated that if Mr. Reeves conducted the inspection there is no way it would have passed. Pat Smith stated if it failed they need to know what failed. Joe stated that Mr. Reeves tells the contractor what needs to be fixed. Ms. Schillaci asked when this all went into effect. Mr. Barfield stated since her last visit at the council meeting. Mr. Reeves is noting by a P or F if the inspection passed or failed. We can't go back and make it retroactive. Ms. Schillaci also stated that reinspections were \$25 in the code book but we charged \$35. It was stated we need to check into that. Gary Stover said that the city needs to have a record of deficiencies on record. After more discussion it was stated that if the council wants to give direction on this a motion would get them there. He stated we need to be specific in the motion. Joe stated that this is day to day operations and we made changes for betterment. Richard Zaccardelli motioned that on any building that is an existing dwelling, any addition or repairs, the contractor needs to be notified if the inspections passed or failed and to notify the homeowner with our form and put passed or failed on it. This is only additions and to list what failed. Pat Smith seconded. Gary Stover stated it should be all construction so that we have a record of problems. We need to note deficiencies. 1 (Zaccardelli) in favor. 7 (Evans, Skaggs, Stover, P Smith, Davey, Hayes, W Smith) opposed. Richard Zaccardelli amended his original motion to add a paper trail on what is being done especially for homes remodeled. Pat Smith seconded. All in favor. No opposed.

### **ORDINANCES**

Joe Barfield stated that the court was notified that we need to adopt this ordinance to not accept credit cards for payment to the court. We are not set up to do those. Walter Hayes motioned to put "AN ORDINANCE AMENDING TITLE I, GOVERNMENT CODE, CHAPTER 130: MUNICIPAL COURT, BY ADDING NEW SECTION 130.275; COSTS AND FINES PAYABLE IN CASH, TO ELECT NOT TO ACCEPT PAYMENTS OF COURT COSTS OR FINES BY MEANS OTHER THAN CASH OR NEGOTIABLE INSTRUMENT" on first reading by title only. Carl Skaggs seconded. Walter Hayes motioned to put it on second reading by title only with a roll call vote. Carl Skaggs seconded. Zaccardelli-y, Evans-y, Skaggs-y, Stover-y, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #06-01 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.

### **RESOLUTION**

Joe Barfield reported that we need to pass this resolution prior to the county passing their ordinance. The EPA is willing to pay the cost of inspections and the health department will do the inspections. Pat Smith motioned to pass this resolution. Walter Hayes seconded. All in favor. No opposed.

### **REPORTS**

The council reviewed the City Administrator's report. Richard Zaccardelli thanked them for the stop signs. Joe also reported that we have submitted fluoridation plans to DNR. Once we get their OK we will go out for bid and contact the lending agency. Gary Stover stated we need to decide when to implement the fees for the costs. We are going to try to recoup the costs over 5 years. It was stated that we increased the rates for 5% for water fees and an additional 5% would be assessed if the fluoridation was approved. There was more discussion about this. It was stated that this needed to be discussed in the future and relook at our rates.

Memo #1 – Pending items. The training of elected officials is required but the sessions are going to be at 1:00 PM. Joe is not sure how this will affect the council.

A memo was found about fluoridation. It was stated that it would need an increase of 7% to pay it off in five years. The estimated cost was to be \$150,050. It would make a difference between \$18/month and \$19.16/month with the average usage of 6200 gallons/month. Mike Talley will discuss the Rails to Trails later.

Memo #2 – City engineering agreement. We advertised for qualifications for engineering firms. We only received one response and it was from Allgeier-martin & Associates. We have dealt with them for the past 12 years with no problems. Joe recommends to the council to continue with their service. There was discussion whether we needed another agreement. Mike Talley stated that we could do a motion tonight and look at the contract to see if any further action is needed. It was suggested we do this every 3 years. Carl Skaggs motioned to approve Allgeier-Martin & Associates as the City’s engineers. Richard Zaccardelli seconded. All in favor. No opposed.

**COMMITTEE REPORTS**

Nuisance Committee – set a date of 2/7/05 at 6:00 PM to meet.

Budget & Finance Committee – nothing.

Code Review Committee – met this evening at 6:00 PM. They would like for the council to make a motion to adopt the ICC building code the same as Joplin’s. Walter Hayes then made the motion to adopt the 2000 ICC Building code the same as Joplin’s. Carl Skaggs seconded. All in favor. No opposed.

Public Facilities Committee – nothing.

Human Resources Committee – nothing.

Park/Pool Committee – they will meet 2/21/06 at 6:00 PM.

**UNFINISHED BUSINESS**

Richard Zaccardelli asked about leaf pickup. Joe said they are trying to finish up this week.

**NEW BUSINESS**

There was no new business.

**CLOSED SESSION**

Carl Skaggs motioned to go into closed session per RsMO 610.021(1) & City Code #110.400 1a – 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. Barbara Evans seconded. All in favor. No opposed. Meeting closed 7:50 PM. Meeting readjourned at 8:12 PM. Mayor Moss stated that they discussed ongoing litigation and no final decision was made.

**ADJOURNMENT**

Pat Smith motioned to adjourn the meeting. Dee Lynn Davey seconded. All in favor. No opposed. Meeting adjourned at 8:14 PM.

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CITY CLERK

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MAYOR