

The Carl Junction City Council met in regular session on Tuesday March 6, 2007 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Richard Zaccardelli, Barbara Evans, Carl Skaggs, Mark Powers, Pat Smith, Dee Lynn Davey, Walter Hayes and Wayne Smith. Also present were City Clerk Maribeth Matney and City Attorney Mike Talley.

### **AGENDA**

Pat Smith motioned to approve the agenda. Carl Skaggs seconded. All in favor. No opposed. Carl Skaggs then motioned to approve the consent agenda. Barbara Evans seconded. All in favor. No opposed.

### **PUBLIC FORUM**

There was no one in the audience for public forum. Mayor Moss recognized Boy Scout Troop 70 that was visiting this evening.

### **P&Z CASES**

The council reviewed P&Z Case #07-02 – Rezoning – CNJ, Brian Moritz from R-1 to R-2. Mayor Moss opened the public hearing at 7:04 PM. Eric Verter, 137 Gum Road addressed the council. His property sits in the middle of the lots requesting rezoning. He is concerned about his property value and the traffic, which is bad already. These are going to be rentals and they are in and out, single family houses are homes that people have committed to. He also pointed out that the original developer did not have the intention of duplexes in her development. It effects him the most. This is an important issue. There are 15 houses effected. Mr. Pounds had written a letter that the council took in consideration. Mayor Moss pointed out the recommendation from P&Z. Attorney Mike Talley pointed out that the council holds it's own public hearing separately from the P&Z. Even though comments may have been made during the P&Z hearing they should also be made during this hearing to be on record. He pointed out that the council has the right to follow the P&Z recommendation or not follow it. Jeff Howe, 25174 Gum Rd, stated he was not a resident but it does effect his property. He pointed out that this rezoning only benefits one person but effects several. He requested that the council consider what benefits all the people in the area. There are a lot of children there and it is a highly traveled road. It is also a nice neighborhood. He stated that this is not the right location for this proposal. Mayor Moss also circulated some pictures with stormwater issues in that area. James Sullivan, 122 Red Oak Loop said that the drainage ditch takes up ½ of the lots. The lots are not big enough to do this project. Richard Vantrease 126 Red Oak Loop stated that there are already more houses in that subdivision than originally designed. He also discussed the drainage ditch across the property. It is a danger to the kids. He stated that there is not enough police protection in that neighborhood the way it is. Mr. Moritz was not at the hearing. Public hearing closed at 7:20 PM. Carl Skaggs motioned to deny the request. Walter Hayes pointed out that we need to revisit the stormwater as a separate issue. The developer spent \$70,000 for the storm water based on our engineer recommendation. She did what she was supposed to do. Walter Hayes then seconded the motion on the floor. All in favor. No opposed. The audience thanked the council and stated it was the right decision.

### **APPOINT NEW POLICE OFFICER**

Chief Haase reported to the council that his department is 3 officers down now since Matt Moore resigned Monday. He has advertised and tested applicants. He has the top applicant here, Brad Piette, to request that he be appointed to the department. He is a Navy veteran and attended the Police Academy. Mayor Moss then stated he would like to appoint Brad Piette with the council's approval. Walter motioned to approve the appointment. Carl Skaggs seconded. All in favor. No opposed.

### **ALLIED WASTE CORPORATION.**

Jennifer Fagan, Allied Waste, addressed the council. She thanked the council for their support in the past years. She has some topics to discuss with the council. The first is the temporary containers for contractor. She is going to work with the City to come up with a hand out on the prices and better educate them on the choices they have. She is also here to ask for an increase of prices on our trash pickup. The fuel prices have increased dramatically (see information handed out) and the fuel cost is 35% of their expenses. Fuel prices have effected other cost considerations also. The containers have also gone up dramatically. In 2005 they were \$150 now they are \$375 plus freight. Also in 2008 new regulations on sulfur fuel will go into effect and they do not know what the full effect of that will be. They are asking to go from \$7.48 to \$9.00. This is a 21 % increase. That is 36 cents a week increase. There are 2 years left in the contract. She also discussed the cost issues that have effected all the trash haulers and that some of the smaller ones have gone out of business. They have left the cities during their contracts. She also pointed out that they have asked surrounding towns for increases and they have all agreed to the increase. She understands that the increase will not be popular but they need our help. She also stated that they would have to stop picking up yard wastes. The State of Missouri does not allow it in their landfills. They have been using the landfill in Kansas but that landfill is closing and they have nowhere to take it. This will go into effect in May. She is also going to be working with City Hall on information to put in our new resident packets regarding trash disposal and the services they offer. Lastly they are going to start a program to put on at the schools regarding safety around trash trucks. Mike Talley asked if they were going to break our contract if the council does not agree. Jennifer stated no. Attorney Mike Talley then stated that legally the council can not approve this unless we get something in return. They can not give money away to a private entity and since we currently have a contract with a lower price we can not accept a higher price for the same service. Jim Whisenant said that they would stand by the contract but that it would have a ratchet effect when it comes up for renewal. It could double. Mike Talley said we could not legally do what has been asked. We would have to negotiate a new contract. Jennifer pointed out that we could go out for bid but it would probably be much higher then \$9.00. Jennifer stated that 20 other communities have approved their request. There was a lot of discussion of fuel prices and CPI. There was also discussion whether it should be a set amount of percentages with a not to exceed clause. Discussion centered around how fuel effects the prices of everything, the cost today versus 2004, quality of service is excellent,

they can close divisions even though they are a nationwide company, the chances of this happening with an extended contract and the cost of doing business-good years and bad years. Walter Hayes suggested we have the City Administrator look into this and negotiate a new package with the trash service and bring it back to the council.

### **REPORTS**

City Administrator went over his report. On page 3 number 4 is about the light at Hartley & Z Highway. He has recently talked to the school about looking at their whole north campus and drop off site all at one time. They also talked to the school about storm water detention. They would like to review all that information before they talk about making one way streets for drop off areas. On page 4 number 4 they have made inquiries about their preliminary plat. Regarding #5 they have had discussions with Jeff Stutesman regarding connecting Country Club Park to the Briarbrook area. They have asked for a wet detention pond and they will dedicate an access to the park. We are very excited about this project.

Chief Haase reported they had another officer resign this week and they are still 2 officers short.

Jimmy Chaligoj reported that DNR inspected the WWTP and they said it looks good. They did tell Jimmy we had to start addressing I&I in our lines. Our next permit for the WWTP will not allow us to discharge from our lagoon. We have started on our I&I and have met with our engineers to do a study on the old part of town. Next month DNR will be down to inspect our Water system. We pumped 241 million gallons of water in 2006. Richard Zaccardelli asked if we could possibly pick up leaves this spring. Jimmy said that if they call in they would try to get them picked up.

Steve Lawver stated he had put the draft of the Task Force's Vision Statement in the council's packet. We will need to formally adopt this once it is finalized.

### **COMMITTEE REPORTS**

The Nuisance Committee had nothing to report.

The Public Facilities Committee had nothing to report.

The Park/Pool Committee reported they had a Bluegrass meeting and they had 10 people attend. They talked about creating a website and try to do some kind of art contest for kids. They are changing their entry form and they will get those mailed out. Their next meeting will be 4/23/07.

The Code Review Committee met tonight. They reviewed the sign ordinance and are concentrating on safety issues.

The Human Resources Committee reported that they had a draft of the City Administrator's evaluation finished. They will give a draft of the form to the City Administrator for him to review.

The Budget/Finance Committee will be meeting on 3/9/07 at 9:00 AM. They hope to present a draft for the council at the next meeting.

The Citizen's For Better Life Committee handed out some information regarding costs. They will be meeting next week. They are trying to set it up during Spring Break. After some discussion they decided to meet 3/15/07 at 12:30 PM.

### **UNFINISHED BUSINESS**

City Administrator, Jim Whisenant, reported he is trying to get a copy of Carthage's agreement with their Senior Center. Mr. Short is out of the office due to illness.

Mayor Moss reported that he called MoDot and he is waiting to hear back from them regarding the markers in Briarbrook. Lori Marble told him that they are going to put 6' shoulders on Hwy 171, but is going to check to see why the markers were on the Briarbrook golf course. He also thanked the council for allowing him and the others to attend the MML meeting. It was very informative and they were able to meet with the legislatures to let them know our stand on certain issues.

Mike Talley said that on the Vision Statement a motion would serve the purpose in adopting it. He also received word from Mr. Mulligan that he will be representing the cities in the law suite with Sprint and Nextel. He has looked into the annexation of property in rural water districts issue. It can be done but we have to have an agreement with the water district.

### **NEW BUSINESS**

City Administrator, Jim Whisenant, reported that we are looking into getting access on the Briarbrook side for the south part of a future bridge. They will be meeting with Mr. Heckert next week. We also had a request from CJBVA to put in switches for turning the lights on and off instead of using the current handle they have. It has put a lot of wear and tear on the boxes the way it is set up now. The quote came in at \$10,000. We will be getting back to Mr. Wentworth about the work. They might have a qualified electrician that could donate the labor.

Pat Smith asked about Fir Road and Hwy 171. Mayor Moss responded that we have not heard anything lately.

Walter Hayes stated he would not be at the next meeting. He also invited everyone to his son's wedding next Saturday at 2:00 PM. The wedding is in Webb City and the reception is in Carl Junction.

### **ADJOURNMENT**

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

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CITY CLERK

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MAYOR