

The Carl Junction City Council met in regular session on Tuesday, April 19, 2005 at 7:00 at City Hall. Mayor Jim Wisdom called the meeting to order with the following present: Richard Zaccardelli, Barbara Evans, Mike Moss, Gary Stover, Pat Smith, Walter Hayes and Wayne Smith. Alderman Mike Palmer arrived at 7:25 PM. Also present were City Attorney Mike Talley and City Clerk Maribeth Matney.

AGENDA

Mayor Wisdom stated we needed to amend the agenda to add item 10(a) to accept the resignation of Mike Moss as alderman. Walter Hayes motioned to amend the agenda as requested. Pat Smith seconded. All in favor. No opposed.

Mike Talley stated that we needed to amend the minutes on page 2 to read, "It does apply if this fee is to the entire city and not if it is related to just these services". Pat Smith motioned to approve the minutes as amended. Barbara Evans seconded. All in favor. No opposed. Mayor Wisdom stated that he would like to break out the 2 previous disbursements from the current ones listed. Pat Smith motioned to approve the current disbursements of 4/15/05. Richard Zaccardelli seconded. All in favor. No opposed. Mayor Wisdom stated that he received the information on those 2 disbursements. He didn't have a problem with Briarbrook being paid for the work done; he has a problem that it was not a change order. The check for Dirtworks on Joplin Street sewer line, Kurt Higgins stated that it would need graded and filled around the manhole where the dirt collapsed. We need something for this until it is done. Joe stated we have a performance bond on that company. They have also talked to the company and they have agreed to do it but it needs to settle first. Mayor Wisdom asked if we pay the bill is the bond still good. Joe replied yes. Joe stated on the Briarbrook issue, we had never received a bill for the work done January 2004. It was not discovered until March 2005 and he then sent a bill. Mayor Wisdom pointed out that Asbell did work that SW Bell was supposed to do but never did. It was stated that it was work done on fairway #2. It was stated that the engineer did not think a change order was necessary since they had Asbell do additional work at a different location. Mayor Wisdom stated that all changes should be done by change order. Joe agreed. Richard Zaccardelli explained why #2 needed sod and not seed. Mayor Wisdom stated he understood but a change order should have been done. We need to follow procedures. Mayor Wisdom explained that he would not sign the checks and would pass them on. He stated the Board could approve them. After some discussion Walter Hayes motioned to table those 2 disbursements and move them further down the agenda as item 14(a). Gary Stover seconded. All in favor. No opposed.

PUBLIC FORUM

Chad & Leslie Bowman, 403 Gault, addressed the council about their water bill. Their normal bill is \$40- \$50 a month. This month it was \$287. It is dry under the house, no leaks, they have not watered and they have no explanation as to why it was so high. The City reread the meter and they talked to Joe Barfield. They have consistent water bills except one month their children left on a faucet and it was \$80. Joe stated we did check the meter and the usage is back to normal. All we know is that the water went through the meter but we do not have an answer why. It was discussed about a leaky stool. Leslie Bowman said they did not have a stool hanGup and they do not have the money to pay this bill and asked the City to relook at it. Joe said we could make a payment plan for them. The council asked Joe to contact the manufacturer to see if they might have an explanation.

Mike Palmer is now at the meeting.

Jay & Lucy Tarter, 121 Randolph Court, addressed the council about burning in their neighborhood. He is a firefighter and they have lived here 1-½ years. He used to be a volunteer firefighter for Carl Junction. He stated that his neighbors tend to burn on a routine basis. He presented a packet of information on the health hazards of burning. It causes respiratory illnesses especially to infants. They would like the council to address this issue and put a ban on burning. He stated that he calls and complains but nothing is done. He stated that in 2000 we passed the BOCA 1999 code and it states that a permit is required for burning. This is not being done. He also stated that construction materials are being burned not just vegetative debris. Mayor Wisdom stated that the Council would look at it. There was more discussion between the Fire Chief and Mr. Tarter. It was stated that if a complaint is received they make them put out the fire. Joe stated we are looking at the ICC code now.

AMERICAN LEGION LOT 80

Joe reported that they had a meeting. They stated they needed 35' for their property and would deed over to the City the rest of the lot. They are going to have the old and new Lions' Club sign off on the deed and then they will deed the property the City needs to them. Joe stated that it gives the City enough land for the current road they need but is not sure for the future. Mike Talley stated that he would like for the Board to approve the agreement as proposed. Mike Palmer motioned to prepare the documents for the council approval at a future meeting that would include a full legal description to accurately reflect the property including a map. Pat Smith seconded. All in favor. No opposed.

ORDINANCES

The council reviewed the ordinance amending the 2005 Budget. Joe explained each change needed. Some of these were projects carried over from last year. Joe also explained the transfer of storm money to the Capital Improvement Fund. We also transferred the \$77,000 from the Sewer Imp Construction Fund to the WWTP. The auditor approved both of these transfers. Mike Palmer pointed out that the second sheet should say 2005 not 2004. Pat Smith motioned to put "AN ORDINANCE AMENDING THE 2005 FISCAL YEAR BUDGET BY AMENDING THE GENERAL FUND, POLICE FUND, WATERWORKS FUND, PARK/POOL FUND, G.O. BOND FUND AND SALES TAX FUND BUDGET FOR THE FISCAL YEAR 2005." on first reading by title only. Barbara Evans seconded. Pat Smith motioned to put it second reading by title only with a roll call vote. Walter Hayes seconded.

Zaccardelli-y, Evans-y, Moss-y, Stover-y, P Smith-y, Palmer-y, Hayes-y, W Smith-y. Motion on Ordinance #05-14 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 City Administrator' report.

Memo #1 – Pending items. Walter Hayes asked why Fast Freedom was on there. Joe said that currently everything is working we are just waiting for the contract to be signed.

UNFINISHED BUSINESS

Walter Hayes stated that last year they had asked Mike Talley and Joe to look at the changes to Title IV regarding P&Z issues. Nothing has been done yet. He asked them to relook at it and bring it back to the council for approval.

Joe reported that at the last meeting he had presented a proposal for trees at Center Creek Park for \$1970. It is not a budgeted item. The forestry department stated the type of trees and the size needed. Mike Talley stated they could do this by motion. Pat Smith motioned to approve the bid for the trees in Center Creek Park. Mike Palmer seconded. All in favor. No opposed.

APPROVE CERTIFIED ELECTION RESULTS

Walter Hayes motioned to approve the certified election results. Richard Zaccardelli seconded. All in favor. No opposed.

ACCEPT LETTER OF RESIGNATION

City Clerk read letter of resignation from Mike Moss. Pat Smith motioned to accept the letter of resignation. Barbara Evans seconded. All in favor. No opposed.

Mike Palmer then presented Mayor Jim Wisdom a plaque for his years of service. Mayor Wisdom then thanked the council and all the residents of the City for all their help while he held office.

SI-NE-DI

Mike Palmer motioned to si-ne-di. Pat Smith seconded. All in favor. No opposed.

SWEARING IN ELECTED OFFICIALS

The City Clerk then swore in the newly elected officials. The new council reconvened the meeting.

DISCUSSION OF RECOMMENDATION & APPOINTMENT OF CHIEF OF POLICE

Joe handed out his recommendation for our Chief of Police. We have a closed session posted if the council has any questions. Joe then went over the procedure they used to select this candidate. Joe is recommending that the Mayor appoint and the council approve the hiring of Delmar Haase as our new Chief of Police. Mayor Moss stated that he would like to appoint Delmar Haase as the new Chief of Police for Carl Junction. Mike Palmer motioned to approve the Mayor's appointment of Delmar Haase. Richard Zaccardelli seconded. All in favor. No opposed. Delmar thanked the council and is pleased to be appointed. The City Clerk then swore in the new Chief.

DISBURSMENTS TABLED PREVIOUSLY

Walter Hayes agreed that change orders should have been done. Walter Hayes then motioned to approve the 2 previous disbursements as presented. Richard Zaccardelli seconded. All in favor. No opposed.

REQUEST FOR LIQUOR LICENSE FOR MULLIGAN'S GRILLE

Mike Tracy, 13170 County Lane 270, Webb City, informed the council that he took over LaStazione's restaurant. He is changing the name to Mulligan's Grille and it will be a family style restaurant. He has lived here 30 years. Mike Tracy stated he plans to open in the next couple of weeks. He will not have his liquor license by then but will be opening the restaurant. It was stated that LaStazione's license had been revoked. Walter Hayes motioned to approve the letter to the State that we have a license available. Richard Zaccardelli seconded. All in favor. No opposed.

BIDS ON BLDG INSPECTOR TRUCK

The council reviewed the bids. Herman Ford \$13,000; Floyd Church \$19500. Joe stated that the blue book for the truck from Herman Ford is \$16800. It does not have a lot of miles and they sent photos of the truck. It will stay here at the City. There was a lot of discussion between Wayne Smith and Gary Stover on the value of the truck and if we could get a better deal through the state pricing. It was stated that it was a fair price for the truck. Joe then explained that we would have to go out for bid on another truck since a rod went through the block on another truck. We could get a fleet truck through state contract for \$17000. It will have to be ordered. Walter Hayes then motioned to approve the bid for \$13000 from Herman Ford. Mike Palmer seconded. All in favor. No opposed.

REVIEW OF AGMT WITH AMA FOR BB DRIVE/FIR RD IMP

This is to draw up the plans and oversee the construction of the road improvements of Briarbrook Drive and Fir Road. Gary Stover asked about money. Joe stated that the Joplin Special Road District and the County Commissioners agreed to help.

DISCUSSION OF THE AMENDMENTS OF 605.080

Joe went over our entire business license fees and these are his recommendations. He also pointed out that we are changing the contractor's licenses to simplify them. We will go from what we currently have to just general contractors and then all other contractor's. There has been some confusion about who gets charged what. There was discussion about the Hancock amendment. It was stated that it was safer to go to the vote of the people but not necessary. We just have to prove they are justified. If we stay in line with other communities then we are on fairly safe ground. There was some minor discussion about the changes.

ORDINANCES

The council reviewed the ordinance adding HVAC in Chapter 505. Walter Hayes motioned to put "AN ORDINANCE TO AMEND TITLE V. BUILDING CODE, CHAPTER 505, BY ADDING NEW ARTICLE V. HEATING, VENTILATION AND AIR CONDITIONING ("HVAC"), SECTIONS 505.290 THROUGH 505.360, TO REQUIRE ALL PERSONS DOING HEATING, VENTILATION AND AIR CONDITIONING OR MECHANICAL WORK OF ANY KIND WITHIN THE CITY OF CARL JUNCTION TO BE LICENSED, AND PROVIDING THE TERMS AND CONDITIONS FOR SUCH LICENSE" on first reading by title only. Barbara Evans seconded. Walter Hayes motioned to put it on second reading by title only with a roll call vote. Richard Zaccardelli seconded. Zaccardelli-y, Evans-y, Stover-y, P Smith-y, Palmer-y, Hayes-y, W Smith-y. Motion on Ordinance #05-15 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.

The council reviewed the ordinance changing inspection fees on sewer hook ups. Mike Palmer motioned to put "AN ORDINANCE TO AMEND TITLE VII. UTILITIES, CHAPTER 710: SEWERS, ARTICLE II. RATES FOR USE AND SERVICES OF SEWERAGE SYSTEM, BY AMENDING SECTION 710.320, AND CHAPTER 715: SEWER USE REGULATIONS, SECTIONS 715.030 AND 715.040, TO RAISE SEWER PERMIT AND INSPECTION FEES TO THIRTY-FIVE DOLLARS (\$35.00) TO RECOVER THE COSTS OF SUCH INSPECTIONS IN THE CITY OF CARL JUNCTION" on first reading by title only. Barbara Evans seconded. Mike Palmer motioned to put it on second reading by title only with a roll call vote. Richard Zaccardelli seconded. Zaccardelli-y, Evans-y, Stover-y, P Smith-y, Palmer-y, Hayes-y, W Smith-y. Motion on Ordinance #05-16 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.

The council discussed the ordinance amending the business license chapter. Walter Hayes motioned to put "AN ORDINANCE TO AMEND TITLE VI BUSINESS AND OCCUPATION, CHAPTER 605: BUSINESS AND OCCUPATION TAX, BY AMENDING SECTION 605.080, TO RAISE ANNUAL LICENSE FEES FOR SELECTED OCCUPATIONS AND BUSINESSES TO RECOVER THE COSTS OF ISSUING SUCH LICENSES IN THE CITY OF CARL JUNCTION, AND TO CLARIFY THE LICENSE FEES FOR GENERAL CONTRACTORS AND ALL OTHER CONTRACTORS AND SUBCONTRACTORS" on first reading by title only. Barbara Evans seconded. Barbara Evans motioned to put it on second reading by title only with a roll call vote. Gary Stover seconded. Zaccardelli-y, Evans-y, Stover-y, P Smith-y, Palmer-y, Hayes-y, W Smith-y. Motion on Ordinance #05-17 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.

Walter Hayes motioned to put "AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND ALLGEIER, MARTIN & ASSOCIATES, INC., TO PROVIDE PROFESSIONAL ENGINEERING SERVICES TO THE CITY OF CARL JUNCTION IN ALL PHASES OF THE PROJECT TO CONSTRUCT THE BRIARBROOK DRIVE/FIR ROAD INTERSECTION TO PROVIDE LEFT AND RIGHT TURN LANES ON FIR ROAD AND A LEFT TURN LANE ON BRIARBROOK DRIVE, ALL IN ACCORDANCE WITH THE ATTACHED AGREEMENT, FOR A SUM NOT TO EXCEED \$18,000.00; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT FOR AND ON BEHALF OF THE CITY OF CARL JUNCTION, MISSOURI" on first reading. Wayne Smith seconded. Mike Palmer motioned to put it on second reading by title only with a roll call vote. Pat Smith seconded. Zaccardelli-y, Evans-y, Stover-y, P Smith-y, Palmer-y, Hayes-y, W Smith-y. Motion on Ordinance #05-18 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.

NEW BUSINESS

Mayor Moss then stated he would like to elect our mayor pro-tem at this time and opened the floor for nominations. Richard Zaccardelli nominated Mike Palmer. There were no other nominations. All in favor of the nomination. No opposed. Mayor Moss then stated that he would like to keep the committee's as they currently are and is considering maybe some other committee's.

There was some discussion about the special meeting to appoint a council member to Ward II. After considerable discussion it was decided to hold the special meeting on 5/3/05 at 6:30 PM before our regular meeting.

Richard Zaccardelli has had several complaints about speeding along West Briarbrook Lane and Copper Oaks. Joe asked that they give us the time of day and description of the vehicles if they can.

Gary Stover stated he was glad they started the dirt work for the new Casey's.

Walter Hayes also reported that Karen Drive is also a speed track. There was also some discussion about the current budget and starting balances.

Mike Palmer stated that we had a good council and he was going to enjoy working with them for the citizens of Carl Junction.

Pat Smith stated there are several stop signs faded out and need replaced.

Joe reported there is a newly elected officials meeting held by MML in June. If anyone is interested in going we need to know to make reservations. Also MML is having a meeting in Springfield on 5/24/05 at 4:30 PM. It is a regional update of the legislative actions. They will bring us up to date and the state representatives will be there. All our water tests came back OK again. There is a prayer breakfast being held 4/28/05. It starts at 7:00 AM. He would also like the authority to have our property on North Main Street

appraised. We have someone interested in building spec buildings at that location. He would like to move forward but couldn't without an appraisal. It should be less than \$1000. It was the consensus of the council to proceed with the appraisal.

Joe asked to go out for bids for a new truck for the public works. They had a truck throw a rod through the block. It would cost too much to repair it.

Mike Palmer stated we need to decide how much to keep in our reserves. We discussed 15%, but should it be per fund or overall.

ADJOURNMENT

Mike Palmer motioned to adjourn the meeting. Walter Hayes seconded. All in favor. No opposed. Meeting adjourned at 9:30 PM.

CITY CLERK

MAYOR