

The Carl Junction City Council met in regular session on Tuesday, April 20, 2004 at 7:00 at City Hall. Mayor Jim Wisdom called the meeting to order with the following present: Richard Zaccardelli, Barbara Evans, Pat Smith, Mike Palmer, Walter Hayes and Wayne Smith. Aldermen Carl Skaggs & Oliver Carlson were absent.

AGENDA

Joe stated that he would like to amend the agenda by adding 6(a) an ordinance amending the budget and items 9(a) electing a Mayor Pro-Tem and 9(b) appointing committees by the Mayor. Mike Palmer motioned to amend the budget with those items and approve as amended. Walter Hayes seconded. All in favor. No opposed.

Pat Smith motioned to approve the consent agenda. Richard Zaccardelli seconded. All in favor. No opposed.

PUBLIC FORUM

Greg Steele, 344 Briarbrook Drive, is a board member of CJYAA. He wanted to thank the council's help on getting the parks back together after the tornado. They have been painting the fields the school colors. He said we have great facilities and they have over 700 kids signed up for baseball and softball. He hopes that they will continue to work together.

There were also 3 students from MSSU attending the meeting. There are here for a class.

RECONSIDERATION OF ORDINANCE #04-18

Mike Talley explained that they had passed the ordinance approving \$21987 for expenditures and that when the contract was signed SMC found a typo because it should have read \$22987. They signed the copy with the correction. We need to have a motion for reconsideration and then pass it as an amended ordinance. This is for the lighting at the ballparks. Walter Hayes motioned to reconsider Ordinance #04-18. Wayne Smith seconded. All in favor. No opposed. Pat Smith motioned to amend the ordinance to read \$22987. Barbara Evans seconded. All in favor. No opposed. Pat Smith motioned to put "AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND SMC ELECTRIC SUPPLY, TO SUPPLY 94 1500 WATT METAL HALIDE ENERGY EFFICIENT FIXTURES, WITH LAMP AND LENS, TOGETHER WITH 31 CROSSARM BRACKETS, FOR INSTALLATION OF LIGHTING OF ONE (1) BALL FIELD AT MEMORIAL PARK AND THREE (3) BALL FIELDS AT FRANK DEAN PARK; PROVIDING FOR THE PAYMENT OF THE SUM OF \$22,987.00; 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 by title only. Barbara Evans seconded. Pat Smith motioned to put it on second reading by title only with a roll call vote. Richard Zaccardelli seconded. Zaccardelli-y, Evans-y, P Smith-y, Palmer-y, Hayes-y, W Smith-y, Skaggs-absent, Carlson-absent. Motion on amended Ordinance #04-18 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.

The council reviewed the ordinance amending the budget. Pat Smith motioned to put "AN ORDINANCE AMENDING THE 2004 FISCAL YEAR BUDGET BY AMENDING THE GENERAL FUND, STREET FUND, WWTP FUND BUDGET AND THE SALES TAX FUND BUDGET FOR THE FISCAL YEAR 2004" on first reading. Mike Palmer seconded. Pat Smith motioned to put it on second reading by title only with a roll call vote. Mike Palmer seconded. Zaccardelli-y, Evans-y, P Smith-y, Palmer-y, Hayes-y, W Smith-y, Skaggs-absent, Carlson-absent. Motion on Ordinance #04-25 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.

ACCEPT CERTIFIED RESULTS OF 4/6/04 ELECTION

Mike Palmer motioned to accept the certified election results for the 4/6/04 election. Wayne Smith seconded. All in favor. No opposed.

SI-NE-DIE

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

SWEAR IN NEW ELECTED OFFICIALS

The City Clerk then swore in the newly elected officials, Barbara Evans, Mike Palmer, Mike Moss and Gary Stover. Mayor Wisdom then stated that you need to not talk while another person is holding the floor. If you wish to talk you need to be recognized by the chair and then you can speak. He is looking forward to a good year.

ELECT MAYOR PRO-TEM

Mayor Wisdom explained that he acts in the Mayor's absence. Pat Smith nominated Mike Palmer. There were no other nominations. Mike Moss motioned that nominations cease. Pat Smith seconded. Gary Stover asked if he should abstain since he works with Mike Palmer. Mike Talley he did not see any conflict in voting on this. All in favor of the motion on the floor. No opposed. Walter Hayes motioned to elect Mike Palmer as Mayor Pro-Tem by acclamation. Wayne Smith seconded. All in favor. No opposed.

COMMITTEES

Mayor Wisdom discussed with Joe Barfield about the committees needed. The council needs to decide what committees they want. He also stated that they need to meet quarterly or more often. He stated the City Administrator needs to be involved also. He also instructed the council that we all work out of the same codebook. They need to vote on what is best for the City. He would like a Nuisance Committee to look at our codebook. He has talked to Wayne Smith, Richard Zaccardelli, Joe Barfield and John Hofer about this committee and they all agreed to serve on it. He would like Wayne to Chair that committee. Joe stated he would like Human Resource Committee to look at our codebook and establish a handbook for the employees. Mayor Wisdom stated we need a Park/Pool Committee. The Bluegrass Committee can be a subcommittee of that. Mayor Wisdom would also like a Public Facilities Committee.

Mike Talley suggested a committee to look at codebook inconsistencies. He will assist them but would like the council to control it. Mike Palmer suggested a Finance Committee that would look at the budget all year long and put it together. They also need to look at revenue issues. Walter Hayes stated they need to look at appointing someone to the P&Z for the upcoming year. Mayor Wisdom said we could do that later. Pat Smith stated she would Chair the Park/Pool Committee with the following members: Barbara Evans and Wayne Smith. Nuisance Committee: Wayne Smith (Chair), Richard Zaccardelli and Barbara Evans. Code Review Committee: Mike Palmer (chair), Pat Smith and Walter Hayes. Budget/Finance Committee: Walter Hayes (chair), Mike Palmer and Mike Moss. Human Resource Committee: Richard Zaccardelli (chair), Mike Moss and Gary Stover. Public Facilities Committee: Gary Stover (chair), Mike Palmer and Wayne Smith. Again the Mayor stated he would like them to meet at least quarterly and turn in a report to the City Clerk.

ROY DEEM – BRIDGE

He stated that the Chamber of Commerce has been talking the last 2 months about the feasibility of a bridge across Center Creek. He stated that it was been talked about since 1970. It would give residents access to our parks, help the downtown area, address safety issues and help the community as a whole. It is a big project but they walked the trail and it is there. He will do whatever he can to help with the project. Mayor Wisdom stated it would also give us the opportunity to connect our 2 water systems. We need to give it some consideration. Pat asked where we would start. Steve Lawver stated we need to update our study that was done in 1999. Then we could apply for some grants, but they would all require a study to be done first. Steve said we could also talk about a pedestrian trail if the specs were changed. Mayor Wisdom stated he talked to Roger Heckert and Dick Ruestman in 2000 and they were agreeable to give us the corridor needed to do this. Steve stated other towns had passed a sales tax for road issues. Mike Palmer said that there are traffic concerns all over town we need to look at. There was considerable discussion about this issue. Joe Barfield stated he would have Steve start to look for funds for a feasibility study.

P&Z CASES

Public hearing on Case #04-03, rezoning of 200-202 N Roney, Top Notch Inc from R-1 to R-2 started at 8:08 PM. Russell Ward, 1150 S Cambridge, Joplin, spoke to the council about the rezoning. He stated they bought the property after the tornado. They would like to build a duplex on it. They would be 1600-1800 square feet. His builders are Jim Rea and Jim Hoaglin. Walter Hayes reported that P&Z recommend approval. There was no one in the audience for or against the rezoning. Public hearing closed at 8:10 PM.

Walter Hayes 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 PROPERTY LOCATED AT 200-202 N RONEY, CARL JUNCTION, MISSOURI, AS MORE FULLY DESCRIBED IN THE BODY OF THIS ORDINANCE, FROM R-1 TO R-2” on first reading by title only. Richard Zaccardelli 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, Moss-y, Stover-y, P Smith-y, Palmer-y, Hayes-y, W Smith-y. Motion on Ordinance #04-26 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.

Mayor Jim Wisdom opened the public hearing on Case #04-10 – rezoning the NW corner of Lone Elm & Fir Rd from R-1 to C-2 at 8:12 PM. The 7th Day Adventist Church owns it. They stated that they have had it for sale about 8 years and everyone who looks at it wants it for commercial use. The rezoning will enhance the sale of the property. It costs the church about \$300/month to maintain it. Walter Hayes reported that the P&Z recommended that it be rezoned to C-2. They determined that the City has appropriate controls to take care of the issues the residents may have. Some of the complaints the residents had were lighting, traffic and trash. During the site plan we can control these issues. There was lengthy discussion about whether it would be feasible to build houses there. Walter did state that most of the inquiries were for a daycare. There was discussion about the feasibility of duplexes there. Joe reported that he has started talks with Jasper County and the Joplin Special Road District on the traffic problems in that area. Cindy Bontrager, 104 Birch, spoke that she lives right behind the property. She is concerned about trash dumpsters and lighting. She also stated that they were not guaranteed buffers if we do not have a site plan. She stated it was already a horrible intersection. Jason Vieselmeyer, 105 Timer Lane, had concerns about it becoming a vehicle rebuilder. He also was concerned about lighting, trash and traffic. Mayor Wisdom stated that we would try to make sure the site plan is compatible with the neighborhood. Mike Moss asked if we had denied this before. It was stated yes. There was discussion about trying to provide a balance to both sides, notifying the residents about the site plan review and protecting both sides. There was more discussion about alleviating resident’s fears and notifying them about the site plan review. It was stated that the church has taken excellent care of the property and have been good neighbors. There has been no vandalism. The church representative stated that they have lost about \$70,000 in value on that property. Public hearing closed at 8:35 PM.

Pat Smith 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 PROPERTY LOCATED AT THE NW CORNER OF LONE ELM DRIVE & FIR ROAD, CARL JUNCTION, MISSOURI, AS MORE FULLY DESCRIBED IN THE BODY OF THIS ORDINANCE, FROM R-1 TO C-2” on first reading by title only. Barbara Evans seconded. Pat Smith motioned to put it on second reading by title only with a roll call vote. Barbara Evans seconded. Zaccardelli-y, Evans-y, Moss-y, Stover-n, P Smith-y, Palmer-y, Hayes-y, W Smith-y. Motion on Ordinance #04-27 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. Mike Palmer motioned that when the City has an application for a site plan for that piece of property the city will notify the property owners with a notice so they can address issues that concern them. Pat Smith seconded. All in favor. No opposed.

Mayor Jim Wisdom motioned to open the public hearing on Case #04-11 - #1 Industrial Drive – rezoning from M-1 to C-2 at 8:38 PM. This is the 4.19 acres that the City bought from Dawson Cabinet for the new Police Department. We want to expand the retail area of our downtown area and this is the 1st phase of it. Walter Hayes stated that the P&Z recommended approval. There was no

one in the audience for or against it. Richard Burrows asked if the City was going to sell any of the property. Mayor Wisdom stated it would all be used for public facilities. He asked where the traffic would be coming from. It was stated that it would be along Wise Street and Main Street. Public hearing closed 8:43 PM.

Pat Smith 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 PROPERTY LOCATED AT #1 INDUSTRIAL DRIVE, CARL JUNCTION, MISSOURI, AS MORE FULLY DESCRIBED IN THE BODY OF THIS ORDINANCE, FROM M-1 TO C-2" on first reading by title only. Walter Hayes seconded. Pat Smith motioned to put it on second reading by title only with a roll call vote. Barbara Evans seconded. Zaccardelli-y, Evans-y, Moss-y, Stover-y, P Smith-y, Palmer-y, Hayes-y, W Smith-y. Motion on Ordinance #04-28 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.

ORDINANCES

This ordinance is an agreement with Insurancenter for HIPAA regulations. Pat Smith motioned to put AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF CARL JUNCTION, MISSOURI AND GIG OF MISSOURI, INC. DBA THE INSURANCENTER, TO PROVIDE FOR THE USE AND DISCLOSURE OF PROTECTED HEALTH INFORMATION AS REQUIRED BY THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA); 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 by title only. Barbara Evans seconded. Pat Smith motioned to put it on second reading by title only with a roll call vote. Richard Zaccardelli seconded. Zaccardelli-y, Evans-y, Moss-y, Stover-y, P Smith-y, Palmer-y, Hayes-y, W Smith-y. Motion on Ordinance #04-29 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

City Administrator went over his report. He stated that 2 police officers have dogs they would like to train to sniff drugs. They will not be attack dogs just sniffing dogs. John stated that they have started training already and they will be certified by the State. The dogs are housed with the officers and if the council approves this they will continue with the training. There were no objections from the council. Pat Smith asked about the meeting with the Special Road District. Joe stated it has been postponed until 4/27/04 at 11:00 AM at Community Bank & Trust. He also had a meeting with Chad Huffman and they are going to wait until they can see if there are any spots where grass is not growing. There is one place where it is flat and water is standing. That is the way it was before also. There was some discussion about this particular area and what it would take to improve it. Richard Zaccardelli also reported that Asbell used chat and not base rock in some areas. He stated that was not worth \$3000. Joe stated he would check it out.

John Hofer reported that our sign at the City entrance has been damaged and the railroad admitted to doing it. They will repair it. Joe then reported that they are replacing the crossing with a pre-cast concrete. It should last indefinitely. They started today.

Memo #1 – Media Event – Joe encouraged all the council to attend if possible. It is for the \$69,000 we received in grants from USDA for our police department. Blunt & Bond's office will be here. Joe will not be in town for this event due to his City Managers Seminar at the Lake Ozarks.

Memo #2 – Mayor's Prayer Breakfast – We have put a notice in the paper and are sending out some invitations. He would like to have a lot of the council members attend if possible. He also reported that the Fire Department is having an open house and serving hot dogs and hamburgers from 4-8 PM on Tuesday, 5/4/04. We will be recognizing Dee Dannelly at that meeting. Mike Palmer, Richard Zaccardelli, Walter Hayes, Wayne Smith and Gary Stover will be attending the breakfast.

Memo #3 – Homeland Security Grant – This grant is for \$27,690 and we are considering a generator that will keep the police department operational if electricity goes out. It will run the radios, heating and air conditioning.

Memo #4 – City Engineer's Recommendation for City specs – Joe reported that we are having some problems with our roads due to not having a good base. We hope this will be corrected when we get a fulltime building inspector trained. It was stated we need somebody watching developers as they put in the infrastructure. Mike Palmer asked how much #3 would cost the developer. Joe estimated about \$800 depending on the infrastructure. Joe is hoping that having a building inspector will take care of a lot of issues. Joe also reported that we have advertised for the building inspector's job and have received 2-3 applications. He also has finished the job description.

Memo #5 – Agreement with CJYAA – This is the standard agreement we sign with them and it is not binding. It is only good for this year. He has been going to their meetings to coordinate activities. They are willing to help out and save the City considerable money since all their work is volunteer labor. Richard Zaccardelli motioned to approve the memorandum agreement for 1 year and the intent of the responsibilities reflected in this agreement as revised by the City attorney. Barbara Evans seconded. All in favor. No opposed.

Memo #6 – Update on CJSRD – Joe reported they had to postpone the meeting until 4/27/04 at 11:00 AM at Community Bank & Trust. The county commissioners will be there also. Walter Hayes stated that they need to rezone because the non-conforming use went away. That has been discussed. There was some discussion about that particular code. Walter stated that letting them rebuild there is not good for the city and the County Commissioners don't think so either. He stated that we have bent over backwards to accommodate them. There was then some discussion about the 25% that is to be spent on City's streets. Joe also reported that the assessor's office is correcting the error on the tax books. All property South of Gum Rd is supposed to go to Joplin Special Road District and some of it has been going to the Carl Junction Special Road District. Joe also reported that the legislature just passed a bill with it only taking 50 residents to sign a petition to get on the ballot for a road district to be disbanded. There have been 3 districts ask to be disbanded. There was more discussion about Code 405.050 non-conforming use. It was stated they had asked for a building permit. It was stated also that there are too many unresolved issues to issue a building permit. There was also further discussion about the traffic on Fir Road. Mike Moss talked about how Wal-Mart does their agreement with MoDot when they do improvements.

UNFINISHED BUSINESS

Mike Palmer stated he would like to get back to the code changes they had been looking at and would like them on the agenda. He also wanted to thank OB Carlson and Carl Skaggs for the help on the council. He would like to give them plaques when members go off the council. Joe said it runs about \$35/plaque. Mike Palmer said it was a good effort and a small token for what they contributed. There were no objections to that. He also welcomed Mike Moss back to the council and Gary Stover as a new member. He stated we had a great group.

Pat Smith said that they have the entry forms for the Bluegrass Festival ready and would be mailing them out to people who had stands last year. Entry forms are at Bruner's Drug, Randy's Drive In and City Hall. They will not meet again until June.

Joe reported that they will be meeting with SEMA and FEMA 4/29/04 at 2:00 PM updating them on the police building. We are keeping in close contact with them to make sure we are doing it by their specs. They will give us extra assistance to bring it up to ADA standards. We have run advertisements for the 2 trucks we want to sell, the building inspector and the pool lifeguards and manager. Joe also stated that we have some letters for the Mayor to sign off on to prepay on the 1994 Bonds. We received this information from Randy Irey and we will be paying \$500,000 on the bonds to pay some of them off. The City Clerk then explained for the new members as to why we are doing this. Pat Smith motioned to have the mayor sign off on the papers. Richard Zaccardelli seconded. All in favor. No opposed.

NEW BUSINESS

Walter Hayes stated that when we get the codebook updated again he would like to see what it would take to get the code available on our web site. He stated that Sullivan's have the ability to link the code to our web site. It cost \$300 up front and \$30/month to give us a link. The City Clerk is to inquire when she updates our codebook this next time. Walter also talked about long term planning. He asked if the council was interested in doing a session or two on strategy. He has done this in the past with the Joplin Board of Realtors. We have a tendency to react and our planning is spotty. This teaches a top down approach. We should have achieved a vision of the community when done. They had 5 meetings in 5-6 months and each meeting was 3-4 hours each. Walter then stated we needed to appoint someone to the P&Z again for next year. Mayor Wisdom said that Walter is doing a good job on P&Z and had hoped he would stay. Walter replied that he is happy to do it but wanted to offer it to the other council. Pat Smith motioned to appoint Walter to the P&Z Commission. Barbara Evans seconded. All in favor. No opposed. The City Clerk stated that she could get the code on CD to any council who wanted it. Mike Palmer requested it.

Pat Smith asked about grants for the Bluegrass Festival. Steve Lawver said he would try to find some and get applications.

Joe reported that all of our latest water samples have come back good. We have received permission from MoDot to put in sidewalks that were damaged by the tornado. This is good through July. Joe then reported that he is looking for an internet server. We are currently using Joplin.com and we have had a lot of viruses again. Currently we pay \$2850/annually for internet service and phone lines. If we went to Mediacom it would cost \$2603. With Fast Freedom they want to put antennas on our towers. They will provide us with free wireless internet service plus an additional \$200/month in antenna rent. Currently we receive \$800/month and \$950/month from our other companies. There was also some discussion about SW Bell about DSL lines. There was more discussion of the internet services. The council told Joe to keep pursuing it.

Mike Palmer asked if there was a conflict of interest in having Allgeier-Martin involved with the drawing of our Police Department building and then reviewing it. Joe reported they did the site plan and the impact review for FEMA & SEMA but they did not draw up the plans. They will review the other plans. Mike Palmer stated as long as they don't review what they normally would review for another company. He doesn't want them signing off on their own work.

Jim Wisdom stated that there is a newly elected official's seminar in Jefferson City on 6/11/04. You would go up the night before and spend the next day in conferences and come back that night. It is well worth the trip. We need to know if anyone wants to go up for it so we can make the reservations.

ADJOURNMENT

Mike Palmer motioned to adjourn the meeting. Barbara Evans seconded. All in favor. No opposed. Meeting adjourned at 10:10 PM.

CITY CLERK

MAYOR