

The Carl Junction City Council met in regular session on Tuesday September 18, 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 and Dee Lynn Davey. Aldermen Pat Smith, Walter Hayes and Wayne Smith were absent. Also present were City Clerk Maribeth Matney and City Attorney Mike Talley.

#### **AGENDA**

Carl Skaggs motioned to approve the agenda as presented. Barbara Evans seconded. All in favor. No opposed. The council then reviewed the closed minutes of 9/4/07. Richard Zaccardelli motioned to approve the consent agenda as presented. Dee Lynn Davey seconded. All in favor. No opposed.

#### **PUBLIC FORUM**

Dewayne Wealot, 105 N Lone Elm, addressed the council. About a month ago his daughter was bitten by the neighbor's dog. He said that we have a 1 bite rule and that we won't do anything to the dog unless he bites someone twice. Mr. Wealot said that one bite is not OK and that his daughter is going to have a permanent scar on her face from this bite. He is here asking the council to change our one bite rule. There is also a German shepherd dog on the other side that has also bitten someone already. There are 2 dogs in his neighborhood that have bitten children. Other towns quarantine the animals for 14 days and the owner gets a citation. This dog was a Siberian husky. Any dog can be dangerous not just a pit bull. Chief Haase said that he has drafted an ordinance that will change our ordinance. There is no one bite free rule. He also said that not every bite is vicious. Mike Talley does have a copy of the drafted ordinance. Mr. Wealot said that his daughter was in the neighbors yard playing with their children when she got bit. She has played over there before and has never had any problem. She did not provoke the animal.

#### **RATIFY RESIGNATION LETTER FROM CITY ADMINISTRATOR**

Mark Powers motioned to ratify the mayor's acceptance of City Administrator Jim Whisenant's resignation letter. Richard Zaccardelli seconded. All in favor. No opposed.

#### **APPROVE BID ON THOM'S STATION TRAIL PHASE 1**

The council reviewed the bids received for the construction phase of Thom's Station Trail Phase I. We received one bid from Sproul's Construction. The alternate bid was for an 8' wide trail instead of 10'. Jimmy Chaligoj will do some of the work for our 20% match. This trail is from 2nd Street to Center Creek. There will be a lot of grubbing. We have not received our agreement with MoDot on Phase 2 yet. Carl Skaggs motioned to approve the alternate bid from Sproul's. Barbara Evans seconded. All in favor. No opposed.

#### **ACCEPT PENALTY AMOUNT TO DNR FOR WWTP MO-0025186**

The council reviewed the e-mail from DNR regarding our offer of \$2500. They have stated that they will accept that amount for our penalty. We still also have to pay the investigative cost of \$880.32. Richard Zaccardelli motioned to approve the \$2500 penalty amount from DNR. Carl Skaggs seconded. All in favor. No opposed.

#### **REVIEW AND APPROVE WELL #7 REPAIRS**

Jimmy then reported to the council that the pump on #7 well has gone out. He has received 3 bids for replacement. Layne Western - \$24162.00; Tiff City Pump - \$26082.30; Reavis - \$26984.00. Layne also stated that if they had to replace any extra wiring it would be another \$4000. Jimmy does not believe they will have to replace any wiring. He will watch for that. This pump was put in 2001 with a 1 year warranty. They have also priced a soft start which should make it last longer. Jimmy is recommending that we accept Layne Western's bid with the Franklin motor of \$24162.00. We will now have soft starts on all of our wells except #2 & #3. He also commented that those wells do not have submersible pumps. He reported that #5 & #9 wells are feeding the Briarbrook area now. Mark Powers motioned to approve Jimmy's recommendation of Layne Western. Richard Zaccardelli seconded. All in favor. No opposed.

#### **REVIEW OF STORMWATER MANAGEMENT PLAN**

Steve remitted our renewal of our storm water management plan. Our current license expires in March 2008 and we need to reapply now with our renewal application. We have to readopt the plan every 5 years. He went through our old plan and the engineer has also made some suggestions. They gave us a 60 day extension and it is now due in November. There is a lot in our report and we will have new mandates eventually. We have to provide information materials and make it available on line. Steve stated he has attached some of our brochures. We will eventually have to amend Chapter 425 but not right now. We are also working with the Legislatures to allow 4th class cities to charge storm water fees. At this time we can not charge this fee. We will eventually need to inspect construction sites and develop storm water controls. Any project over 1 acre will have to do abatement. Richard Zaccardelli motioned to approve the application and storm water management plan. Carl Skaggs seconded. All in favor. No opposed.

#### **ORDINANCES & RESOLUTIONS**

The council reviewed the resolution for Zimmerman Properties. Mayor Moss stated he had a letter from DNR dated 1/17/06 with deficiencies in their water mains that have not been corrected yet. James McDonald, Zimmerman Properties, asked for a copy of that letter. He apologized and stated he had never seen this letter until tonight. He will get these addressed. He then went into their

development that they started in October 2003, Prairie Hills Subdivision. They are 100% leased and have a waiting list now. The Missouri housing Development governs the affordable housing grants. They have very restrictive income guidelines. This resolution just shows that the City is supportive in their efforts in obtaining this grant. James McDonald said that he would have to go back to the office and talk to the construction manager and get a time line on these repairs. Mike Talley stated that they could pass the resolution contingent that the Mayor is satisfied with getting the corrections done. The application has to be turned in by 10/1/07 and has to have the resolution attached to it. Carl Skaggs motioned to approve Resolution #123 in support of Zimmerman Properties LLC developing housing in Carl Junction contingent that the Zimmerman Properties satisfies the Mayor that the repairs will be done. Dee Lynn Davey seconded. All in favor. No opposed. Mr. McDonald said he would get with the City tomorrow.

### **REPORTS**

The Administration report was reviewed. The City Clerk reported that Gene McMeen had been e-mailed regarding the street lights and he will be finalizing the list this week and get back with us next week. Dee Lynn Davey also followed up on that and the person she talked to was to get with Gene McMeen also. There was some discussion about the Verizon settlement articles. The City Clerk also reported that AT&T filed another law suit. It was reported that the sink hole has been repaired and DNR declared it safe. DNR will only repair sink holes that are a hazard to the public.

Jimmy Chaligoj reported that they have drained the pool and he would like to get bids to sand blast it and get it repaired. The council thought that was a good idea. It was discussed whether we should wait to paint it until next spring. Richard Zaccardelli asked if we could move the flag poles here at City Hall to the PW building and get a bigger pole for City Hall and put it out front somewhere. Dee Lynn said that Empire will donate old poles for flag poles. Richard also thanked the Mayor for lowering the flags to half mast for the former Mayor Jim Wisdom. His funeral will be Thursday at 10:00 AM.

Steve Lawver reported that he is getting a report from Tracy Skaggs and she would like to see the City do a master plan of all our parks. Steve contacted a PSU professor about doing that as part of a class project. The professor said they could start in January and Steve commented that it would be considerably cheaper then getting a professional firm. They did the City of Pittsburg parks. It was asked about our transportation committee. Steve reported that committee had not been following MoCAPP initiatives and hopefully they have redirected and are on the right track. Mark Powers asked about the time line on the bypass. Steve said it would be probably 10 years out since it has no funding yet but it is on the board if the funding comes through. Mark said we need to be thinking about it right now and be prepared. Steve said that we have been very adamant that we want it to go down JJ. Richard Zaccardelli said that Fir Road also needs improvements. There was more discussion about transportation issues. Steve then directed the council's attention to the drafted letter to the Representatives about the storm water language that we need. They are having a session in November and we need to get this to them to get it on the legislative calendar.

### **COMMITTEE REPORTS**

The Nuisance Committee had nothing to report.

The Public Facilities Committee had nothing to report.

The Park/Pool Committee had nothing. Richard Zaccardelli said he had 2 golf carts lined up for the Bluegrass Festival. We need to pick them up Friday and put them under cover.

The Code Review had nothing to report.

The Budget/Finance Committee had nothing to report.

Human Resource Committee had nothing to report.

The Citizen's for Better Life Committee had nothing to report.

### **UNFINISHED BUSINESS**

Richard Zaccardelli asked about the resident who came to the council about her pit bull. She was to go to court. Chief Haase said he was not sure what the judge ruled.

Barbara Evans said that the entrance light is still out. The City Clerk reported that it had been fixed and that we were waiting on Empire to put the power back on to the light.

### **NEW BUSINESS**

Richard Zaccardelli commented that we had a lot of good black dirt behind the Public Works building from our compost pile. It is available for any resident to pick up. Jimmy also stated he put 3% lime in it.

The City Clerk then stated that Pat Smith asked permission to dedicate the pavilion that acts as our band stand to our former Mayor Jim Wisdom and asked that we have a plaque made. The council agreed that would be a good idea and to go ahead and do that on Saturday during the Bluegrass Festival. The City Clerk also stated she had received a phone call from a person wanting to plant a tree in the park in memory of Jim Wisdom. She said that they would buy the tree and we could plant it but she wanted it in the general vicinity of the pavilion that was being dedicated. It was asked what happened if the tree died. After some general discussion the council agreed that we could probably do something like that and to let her know. Lastly the City Clerk reported that she had a call from one of our engineering firms with tickets to the shrimp fest this Thursday and asked if anyone wanted free tickets. It was counted that we needed 8 tickets if we could get them.

**ADJOURNMENT**

Carl Skaggs motioned to adjourn the meeting. Barbara Evans seconded. All in favor. No opposed. Meeting adjourned at 8:20 PM.

---

CITY CLERK

---

MAYOR

DRAFT