

The Carl Junction City Council met in regular session on Tuesday, December 5, 2006 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, Dee Lynn Davey and Wayne Smith. Aldermen Pat Smith and Walter Hayes were absent. Also present were City Clerk Maribeth Matney and City Attorney Mike Talley.

AGENDA

Mayor Moss stated that we needed to add item 4c, approval of the closed meeting minutes of 11/21/06. Carl Skaggs motioned to amend the agenda and add item 4c and approve as amended. Richard Zaccardelli seconded. All in favor. No opposed. Carl Skaggs motioned to approve the consent agenda items 4a & 4b. Richard Zaccardelli seconded. All in favor. No opposed. Mike Talley then handed out copies of the closed minutes for review. There were no corrections. Richard Zaccardelli motioned to approve item 4c of the consent agenda. All in favor. No opposed. Mike Talley then signed the minutes, sealed the envelope and gave them to the City Clerk for retention.

PUBLIC FORUM

Reverend Harrell Boyd, 206 N Main, addressed the council. Since the last meeting he has met with the City administration and they gave him an extension to 2/7/06. He was hand delivered a letter from Ed Reeves with items he had to get done before they could do anything else. He went over the list and stated that the guttering was no problem. He intends to do the curbing but does not have the money at this time. They wanted to get the building done first to get the money. He also would like to see proof that there is a problem with water. He has been looking at the water issue since the snow and there hadn't been any water problems. He also said they need to dig a trench to build the retaining wall and will need permission from Mr. Daniels to get on his property to dig the trench. He stated he received an amended letter after the 1st letter about needing a site plan. He stated he had given it to the prior administration and they approved the building permit. The architect will charge \$1000 to redo it. Mayor Moss stated they should be able to make copies of what they had previously done. He also advised Reverend Boyd that he should be asked to be put on the agenda if he would like to speak more than 5 minutes.

P&Z CASES

Mayor Moss then brought Case #06-15 before the council. It is a site plan for 605 Fir Road for a garage. Steve Lawver said it was just a formality and they do not intend to do it anymore. P&Z recommended that it be denied. Steve reported that the site plan was not complete and they did not have any topography, no driveway and the site plan showed a proposed storm water retention pond. It is zoned commercial and they were not willing to do what it would take to bring it to code. Richard commented that was too bad since they had cleaned up that whole corner. There was a little more discussion about the plan and commercial properties. Wayne Smith asked about buffer zones. Steve said that the old requirement did not require it but now it does. Wayne Smith motioned to deny the site plan based upon the P&Z recommendation. Barbara Evans seconded. All in favor. No opposed.

ORDINANCES

The council reviewed the ordinance enacting the sales tax passed by the voters in November. Mike Talley stated that the original ordinance called for the election but this enacts the sales tax as part of our City Code. Wayne Smith motioned to put "AN ORDINANCE AMENDING TITLE I. GOVERNMENT CODE, CHAPTER 135: FINANCES AND TAXES, ARTICLE IV. SALES TAXES, BY ADDING NEW SECTION 135.205: CAPITAL IMPROVEMENTS SALES TAX, TO IMPOSE A CITY CAPITAL IMPROVEMENTS SALES TAX OF ONE-HALF (1/2) OF ONE PERCENT (1%) FOR THE PURPOSE OF FUNDING CAPITAL IMPROVEMENTS AS PROVIDED BY LAW " on first reading by title only. Carl Skaggs seconded. All in favor. No opposed. Carl Skaggs motioned to put it on second reading by title only with a roll call vote. Richard Zaccardelli seconded. Zaccardelli-y, Evans-y, Skaggs-y, Powers-y, P Smith-absent, Davey-y, Hayes-absent, W Smith-y. Motion on Ordinance #06-47 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.

Next the council reviewed the ordinance amending Section 205.020 – Animal Licenses. There was discussion regarding the certification of the rabies shots. Carl Skaggs motioned to put "AN ORDINANCE AMENDING TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE: CHAPTER 205: ANIMAL REGULATIONS, ARTICLE I. GENERAL PROVISIONS, BY AMENDING SECTION 205.020: LICENSING AND REGISTRATION REQUIREMENTS, TO ALLOW OWNERS TO VACCINATE THEIR OWN DOGS, CATS AND OTHER ANIMALS FOR RABIES WITHIN THE CITY OF CARL JUNCTION " on first reading by title only. Barbara Evans seconded. All in favor. No opposed. Barbara Evans motioned to put it on second reading by title only with a roll call vote. Carl Skaggs seconded. Zaccardelli-y, Evans-y, Skaggs-y, Powers-y, P Smith-absent, Davey-y, Hayes-absent, W Smith-y. Motion on Ordinance #06-48 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 then reviewed the ordinance amending Section 205.030 – Kennels & Special Keeping Permits. They have changed the language on the age of the litters from 6 months to 12 weeks and also the criteria for the special keeping permits. Carl Skaggs motioned to put "AN ORDINANCE AMENDING TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE: CHAPTER 205: ANIMAL REGULATIONS, ARTICLE I. GENERAL PROVISIONS, BY RENAMING AND AMENDING SECTION 205.030: KENNELS, TO PROVIDE NEW RULES FOR KENNELS AND SPECIAL KEEPING PERMITS WITHIN THE CITY OF CARL JUNCTION " on first reading by title only. Barbara Evans seconded. All in favor. No opposed. Carl Skaggs motioned to put it on second reading by title only with a roll call vote. Barbara Evans seconded. Zaccardelli-y, Evans-y, Skaggs-y, Powers-y, P Smith-

absent, Davey-y, Hayes-absent, W Smith-y. Motion on Ordinance #06-49 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, Jim Whisenant, stated that in his notes in the paper he discussed the changes in our animal codes that we passed tonight. Wayne said we will put it on the water bills also. On #4 of the pending items he included an e-mail from Kurt Higgins that they will be applying for a DNR permit in March. In item #12 he discusses 206 N Main, Reverend Boyd. He gave the council the background of the 2 letters. He was unable to go on the first inspection with Ed but did go on the 2nd inspection that prompted the second letter. He would like to give Reverend Boyd more time with the council approval. He said that we have asked for elevations to understand the runoff. He also said that Reverend Boyd could do curbing and not a retaining wall to save money. Reverend Boyd said that they can utilize their parking lot better if they do a retaining wall. Reverend Boyd stated that the water runoff goes to the east. Jim Whisenant also stated that the splicing on the beams needs to be addressed. It will only take slight modifications. Jim said that if they make a good faith effort by 2/1/07 they can come back to the council to extend the permit. Mike Talley said that if Reverend Boyd complies with the letter it could be an implied obligation to extend the permit. Carl Skaggs motioned to ratify the letter. Mark Powers seconded. All in favor. No opposed. Jim said they are proceeding with Economic Development activities on business retention. He also pointed out that Maribeth will be going to Rolla for training on 12/7/06. Steve has an economic development meeting on 12/8/06.

Steve reported that our Community Guide is about ready. We have the final proof for review now. We are receiving responses back from our MoCAPP letters. It looks good so far.

COMMITTEE REPORTS

The Nuisance Committee did not have anything new. Chief Haase reported that they have narrowed the Code Enforcement Officer down to 2 applicants. They will do interviews on Monday. Wayne Smith said he could sit in on the interviews.

The Budget/Finance Committee had nothing to report but that we will be starting on our budget for next year.

The Code Review Committee had nothing to report.

The Public Facilities had nothing to report but still needs 2 street light reviews from the council.

The Park/Pool Committee had nothing to report.

The Human Resources Committee met tonight. They discussed the probationary period we currently have on the books and discussed the City retirement program. Jim Whisenant said that we will need the attorney to work on the language for the probationary code changes.

UNFINISHED BUSINESS

Mark Powers asked who was going to handle our storm water requirements. Jim stated that he and the City Clerk will be preparing a report for DNR. There is not time line but we need to move fairly quickly.

City Administrator then reported that he has met with MoDot about a traffic light at Hartley and Highway Z. They will be doing a traffic count to see if it meets their standards. He has also talked to them about the signs on Arlington & Hwy Z. They do not allow anything on the right of way. They will mark the right of way so that we can determine if the signs need moved.

Chief Haase reported that they are doing their Shop with A Cop on 12/16/06. They plan on 100 kids. It will be at the 15th Street Wal-Mart at 7:00 AM. He also reminded the council that the voice recorder system will run out of warranty 12/20/06. It is \$1926 for the annual maintenance fee. It is not something he has in the budget, but feels that we need to take it out this year to make sure all the bugs are worked out. Their service fee is \$200/hour and they travel from Wichita, Kansas. The system is working well for them and is very handy. He is also doing the final interviews for the Corporal position. They should be done by next week.

Steve Lawver reported that our city pins are in and he gave each council 5 pins. We ordered 300 pins.

NEW BUSINESS

Mayor Moss asked that we switch agenda items #11 & #12. Dee Lynn Davey motioned to amend the agenda to switch items #11 & #12. Carl Skaggs seconded. All in favor. No opposed.

CLOSED SESSION PER RSMO 610.021

Carl Skaggs motioned to go into closed session per RsMO 610.021 (3) Hiring, firing disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. Barbara Evans seconded. All in favor. No opposed. Council went into closed session 8:00 PM.

Council meeting reconvened at 8:30PM. Mayor Moss reported that they talked about an evaluation of an employee and personal information was discussed about the employee and was recorded. Mike Talley then asked if he could leave the meeting.

NEW BUSINESS

City Administrator, Jim Whisenant, said he would set a date to meet with the Budget Chairman, Dee Lynn Davey.

Mayor Moss pointed out the dates for the upcoming election and the candidate filing dates. He also pointed out that no candidate is eligible if they owe the City any past due money, such as taxes, utility bills, or other monies. He said that all candidates need to make sure everything is paid up to date.

Richard Zaccardelli then stated that he wanted to commend Jimmy Chaligoj for the great job he is doing on the water system, sewer lines, leaf pick up and the snow removal from this last storm. He is doing a tremendous job. He also stated that the Chamber

wanted to know if Public Works could move and store the Chamber's new Christmas tree without taking it apart. Jim said he would get with Jimmy on it.

City Clerk, Maribeth Matney, stated we were having our Christmas dinner 12/22/06 at 12:00 PM. It is a covered dish and all the council is invited. It was the consensus of the council to continue with the employee morale program we have practiced in the past.

Chief Haase reported he has received a grant for new light bars for the cars. It is a 90%-10% grant. We will receive the money after the first of the year. He also said we need to bid out the new police cars early. Wayne Smith suggested he check with the dealers to find out the cut off date.

ADJOURNMENT

Carl Skaggs motioned to adjourn the meeting. Barbara Evans seconded. All in favor. No opposed. Meeting adjourned at 8:40 PM.

CITY CLERK

MAYOR