

The Carl Junction City Council met in regular session on Tuesday March 4, 2008 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 as presented. Carl Skaggs seconded. All in favor. No opposed. Carl Skaggs motioned to approve the consent agenda as presented. Barbara Evans seconded. All in favor. No opposed.

PUBLIC FORUM

Gary Stubblefield, Citizens for a Better Life, came to thank everyone for their help after the accident at their premises. They are reopening on Wednesday and it would not have been possible without everyone's help. The Fire Department and Police Department went above and beyond the call of duty. The City Hall and Building Inspector responded quickly and the first thing they said is what can we do to help. They will serve the first 76 people and they are at full capacity now. They are leaving the barricades up around the bricks for now.

P&Z CASES

Case #08-01 – Rezoning certain lots of Fall Creek Estates from R-1 to R-2. Mayor Moss stated that he had a request to postpone the discussion from Steve Moore. He also stated that he had a conflict of interest since this property borders his. He can either turn it over to the President of the Board or just direct the flow of conversation if the council does not see a problem with that. The council agreed that he could direct the flow of conversation. Mayor Moss then opened the public hearing on Case #08-01 at 7:05 PM. He asked if there was anyone who was in favor of the rezoning. There was no one. Mayor Moss then stated that the applicant had asked for a postponement. The council will listen to the people opposed to it. The applicant has asked for the postponement for a later date to explain to the council and the residents against it.

Nick Rhea, 408 Rustic Ridge, said that there was no designated spokesperson for the group. He is afraid it will affect the monetary value of his house and increase the traffic. It would have effects on streets, water and WWTP and when those need improvements who would have to pay for them. We do not need more rapid growth; we have a hard time keeping up with our growth now. He does not feel it would be good for the community.

Joe Williamson, 305 Rustic Ridge is concerned about maintaining his property value. They also did not have any particulars on the duplexes and they are just trying to recoup some of their money. He also agrees about the traffic. It is bottlenecked now.

Ray Uber, 407 Ashmore, stated that if you want duplexes you should start with them and not build houses then put in duplexes. He also said that if the rest of the people had time to attend the meeting they should have made time also.

Adams Grimes, 503 Angel Lea, stated he just moved here. He looked quite a while for a house. He is worried about the extra traffic and other issues. He does not want something to go up just so they can recoup their money. It should fit the town.

Randy Morris, 307 Rustic Ridge, is worried about population density. There are some duplexes on the edge but these will be much deeper in the neighborhood. He also had traffic concerns.

Ed Reeves, 1006 Sheridan, addressed the council. Mayor Moss said he felt this would be a conflict of interest. Ed stated he was also a resident. Mike Talley said that although he was an employee of the City he is entitled to voice his opinion. Ed said he didn't know why Steve and Ron were not here tonight. He has concerns about traffic on Hodge, Angel Lea and has talked to Steve about it. Steve said that Commerce Bank will take back the land from him if he doesn't sell some lots. He doesn't understand why responsible people have to take care of irresponsible people. That is all he wants to say.

Dereka Swaim, 1008 Remington Circle, stated she had also talked to Steve Moore. He called her at the office. He wanted to get her updated on what he wanted to do and said he had to sell 20 lots in 1 year. If he couldn't build duplexes he would have to build smaller houses. They are having financial problems.

Michael Wilcox, 1102 Remington Circle, said he just bought his house this last year and likes the smaller communities. He said that if the subdivision was 40-50% built and they discovered they needed to rezone that was one thing but to do it when there are only 1-2 houses there is not right.

Dereka Swaim said that the problems in Angel Lea area are not new and were there when they started their development. They should have taken that into consideration.

Janice Henderson, 304 Rustic Ridge, said they had faith in the restrictions when they bought the property. She said that if they build 1100 square foot houses they will not take it lightly. They feel it will devalue their homes.

Jennifer Lasswell, 502 Angel Lea, just moved here in February. They are starting their family here and had heard great things about Carl Junction. She does not want to see anything happen that would not want her to raise her family there.

Mike Talley pointed out that the applicant was not here to speak on his behalf during the public hearing. He stated that the Board of Alderman should consider his request to postpone the public hearing. This would mean that we would adjourn the current public hearing and reconvene the public hearing at the next meeting. The Board of Aldermen need to address this before the public hearing is closed. Dee Lynn asked why they wanted to postpone it. Mayor Moss said they wanted to table it to be able to talk to the residents and the Mayor about his plans. It was stated that the filing fee was paid on 2/6/08. Mayor Moss said that Mr. Moore called him at 12:30 today and asked for the postponement. He was supposed to call the Mayor back after 3:00 but he never did.

It was stated that there were 2 representatives at the P&Z public hearing. It was also stated that they were not prepared and had no information about the buildings they were going to build. They had ample time to put this together. The people took time out

of their schedules to research and be prepared. They threatened to change the restrictions and build smaller houses. Dereka Swaim said that they had a committee together to talk about it and they could have met before today but he just called her today also. Mike Talley said that he did not imply they should postpone it just that they needed to decide if they were before the public hearing was closed. Mark Powers asked what happens if they decide not to postpone it and deny the request. Mike Talley said that they can reapply at a later date. There are no date restrictions in our code. They would just have to repay the fees. After some discussion Richard Zaccardelli motioned to deny the applicants request for an extension. Barbara Evans seconded. All in favor. No opposed. Public hearing was closed at 7:27 PM.

Walter Hayes then motioned to deny the rezoning request on Case #08-01. Pat Smith seconded. All in favor. No opposed.

Walter then stated that we can't enforce the restrictions on the subdivision. It will be up to the residents to make sure the restrictions are followed. They would have to take the developer to court for that.

REVIEW AND APPROVAL CONSORTIUM AGMT WITH COUNTY

The council then reviewed the agreement with Jasper County to participate in the pictometry project. This provides 3D pictures, has GIS capabilities and comes with the software to operate it. The whole project is \$105801.00. Our share is \$3174 which will be paid \$1587 down and \$1587 in one year. Walter asked about maintenance. The City Clerk was not sure if there was an annual maintenance cost. Walter, Mark and Richard all thought it was worth it. Mike Talley said that there is no protection to the City in this contract. There was some discussion about that and it was decided that for \$3000 we probably do not need it. The formal contract will be with the county. Pat Smith motioned to approve the agreement and participate in the project. Richard Zaccardelli seconded. All in favor. No opposed.

REVIEW AND APPROVE PROPOSED CONTRACT WITH JOPLIN FAMILY Y

The council then reviewed the preliminary contract with the Joplin Family Y to manage the pool this summer. The City Clerk explained that they would manage and hire the guards. They would also provide the chemicals for the cost in the contract. The budget committee reviewed it and the cost is about the same and they assume a lot of the work as far as the guards, training and chemicals. The Budget committee feels that we should pursue this contract. Walter also mentioned that it would also help get the Y programs over here. The City Clerk said that they were still willing to hold the private parties in the evenings and indicated that they would be looking at doing extra programs outside of the regular pool hours at no cost to the City. Rick Flinn, 206 S Summitt, asked about hiring the guards. The City Clerk responded that they said they would give preference to Carl Junction guards as long as they were qualified and could be certified. There was some discussion about gate fees and insurance coverage. Walter Hayes then motioned to proceed with the contract with the changes our attorney sees necessary. Richard Zaccardelli seconded. All in favor. No opposed.

REVIEW AND APPROVE 2008-2009 BUSINESS LICENSE RENEWALS

Council reviewed the business license list. Pat Smith motioned to approve the renewal of the business license list. Walter Hayes seconded. All in favor. No opposed.

REVIEW OF PROPOSED 2008-2009 BUDGET

The council reviewed the proposed budget for FY 2008-2009. Dee Lynn went over the budget. There was nothing major that changed this year. They reviewed the request of each department head for next year. Electricity and gasoline and the insurance for the employees went up. We gave a 3% cost of living raise and 5% for the Police officers. Walter said it was a tight budget this year. Every department was a balanced budget except for the General Fund. It was hard to estimate what the telephone franchise fees were going to be for this next year but we were conservative with that figure. Mayor Moss asked if we put in the \$3000 for fireworks. It was stated that it was not in there but we would add it for the final passage. Dee Lynn said she would like to pass this budget at the next meeting.

REPORTS

The council reviewed the department reports. The PSU students are working on our master plan for our parks and some of the street lights are starting to be installed.

Public Works had nothing to add. Richard Zaccardelli said that they have done a great job. Mayor Moss said he has heard nothing but praise.

Economic Development had nothing to add. Steve is away for his annual MEDC conference.

Police Department reported that they are losing Officer Nick Booe. Delmar said it was not unexpected. He was offered twice what he makes working for his dad. Richard wanted to thank David for having the Blazer removed that he had received complaints about.

COMMITTEE REPORTS

The Nuisance Committee had nothing to report.

The Public Facilities Committee had nothing to report.

The Park/Pool reported they will meet on Thursday at 4:15 PM. The Bluegrass Committee will meet on Monday at 6:00 PM. Tracy Skaggs, Randy Corbin, Steve Lawver and Pat will be filling out grant applications and then at 6:30 PM the rest of the committee will meet about the festival.

The Code Review Committee met tonight and finalized their draft of the sign ordinance. They will be getting it out to the P&Z and to the Chief for comments. They will then get it to the City Attorney for the final copy.

The Budget/Finance Committee reported that they had finalized the budget.

Human Resource Committee reported they had met but Mark had been ill. They decided to go ahead with the ad for the City Administrator. They updated the ad. They will decide later if they are going to fill it or not. The next meeting will be to put a job description together. Pat asked why we were advertising if we don't know if we are going to fill it. Richard responded that it takes so long for those ads to come out they want to get a start on it. There is still no commitment to hire one. We can see if we get qualified people applying for the position. Mayor Moss said it takes 45 days to get it in the trade magazines. Richard Zaccardelli motioned to put the ad in the trade magazines. Dee Lynn Davey seconded. 7 (Zaccardelli, Evans, Skaggs, Powers, Davey, Hayes, W Smith) in favor. 1 (P Smith) opposed.

The Citizen's for Better Life Committee reported that the Senior Center will open tomorrow. The City will not take ownership until all the issues are resolved and we have slowed down the process until that happens. They have put up a temporary wall that has been approved.

UNFINISHED BUSINESS

The City Clerk reported that the Joplin Chamber was having another insurance meeting 3/11/08 and she was not going to be able to attend since she will be out of town. Mayor Moss, Chief Haase and Dee Lynn Davey said that they would attend.

NEW BUSINESS

Mayor Moss pointed out the letter from DNR stating that our plant has not reached the 80% mark yet. This will give us some time before we need to think about expansion. Richard asked if Kurt could come and explain his letter to them.

Walter said he needed to talk to the City Attorney later.

The City Clerk reported that we had received our Verizon settlement and they have released the taxes they paid under protest.

ADJOURNMENT

Carl Skaggs motioned to adjourn the meeting. Wayne Smith seconded. All in favor. No opposed. Meeting adjourned at 8:35 PM.

CITY CLERK

MAYOR