

The Carl Junction City Council met in regular session on Tuesday February 2, 2010 at 7:00 PM at City Hall. Mayor Mike Moss called the meeting to order with the following present: Richard Zaccardelli, Don Marshall, Carl Skaggs, Steve Daniels and Walter Hayes. Aldermen Mark Powers, Dee Lynn Davey and Wayne Smith were absent. Also present were City Administrator Steve Lawver, City Clerk Maribeth Matney and City Attorney Mike Talley.

### **AGENDA**

Mayor Moss stated we needed to add the closed minutes of 1/19/10 and the public hearing minutes of 1/28/10 to the agenda. He would like to act on these separately. Carl Skaggs motioned to approve the agenda as amended. Don Marshall seconded. All in favor. No opposed. Carl Skaggs motioned to approve the regular minutes of 1/19/10. Steve Daniels seconded. All in favor. No opposed. The council reviewed the closed session minutes. Carl Skaggs motioned to approve the closed minutes of 1/19/10. Don Marshall seconded. All in favor. No opposed. Carl Skaggs motioned to approve the public hearing minutes of 1/28/10. Don Marshall seconded. All in favor. No opposed. Carl Skaggs motioned to approve the disbursements. Richard Zaccardelli seconded. All in favor. No opposed.

### **PUBLIC FORUM**

Mary Schillaci, 706 Springhill Drive, thanked the Mayor for a fair public hearing on the Briarbrook CID. She then went over copies of items she had received regarding the renovations of the Briarbrook clubhouse and pool that are talked about in the CID. She also stated that she had submitted her questions in advance as she was asked to do by the City Clerk and was surprised that she was called out on it. The City Clerk had stated that we wanted them in advance so that Mike Talley could research them. She also questioned the budget by the CID board. Mike Talley stated that he had said that having the questions ahead of time would be helpful - and it was; however, he had never stated to anyone that he would research the questions in advance of the Board meeting. Customarily, he would not undertake such a research project unless requested by the Mayor, Board of Aldermen or other City official - and it was not in this case.

There was no one else for public forum.

### **PAT SMITH**

Mayor Moss stated that Pat Smith had wanted to speak at the public hearing but did not get her name called. He put her on the agenda so that she could speak now to the council. Pat then explained that she thought the public hearing was to learn more about the CID. She is concerned if the golf course would come back to the City. She also wondered what will happen 1-5 years down the road. She is worried about the extra burden on the residents with the economic times as they are. She said that the residents voted no once. It will need upkeep and maintenance and what will happen when the Men of Briarbrook are not willing to do it anymore. Mayor Moss then stopped Pat since her 5 minutes were up. She asked for more time and the Mayor stated no, that 5 minutes was all she would have had at the public hearing.

### **CHAMBER OF COMMERCE REPORT**

Garry Stubblefield reported that they meet this Thursday at 7:30 AM. They also have 2 ribbon cuttings that day. Summerfresh is at 9:00 AM and Bravo's is at 11:00 AM. They will also be discussing business education.

### **REVIEW AND APPROVAL OF HEALTH INSURANCE PLAN FOR 2010-2011**

Steve Lawver reported that we had our meeting with the Budget Committee and had 2 employee's (one from Public Works and one from the Police Department) at the meeting. Steve also went to talk to both departments after that meeting. It is the consensus that we go with the plan we have at the renewal rate that came in from United Health Care. The budget committee laid out a plan and the employee's seem pleased with it. Richard Zaccardelli motioned to renew our current health care plan with United Health Care. Chief Haase stated that his employee's seem satisfied with the proposal. Carl Skaggs seconded. All in favor. No opposed.

### **REVIEW AND APPROVAL OF BIDS FROM FELLERS FIXTURES FOR KITCHEN EQUIPMENT**

Steve Lawver reported that the bid for all new kitchen equipment for the Senior Center was \$31,857.00. The budget committee agreed that it would be better if we could get all new equipment, it would certainly be more efficient. The equipment they have now is about 20 years old. The Agency for Aging is trying to get donations to help offset some of the costs. Carl Skaggs motioned to approve the bids for the new equipment. Richard Zaccardelli seconded. All in favor. No opposed.

### **COUNCIL DISCUSSION OF CID PUBLIC HEARING COMMENTS**

The Mayor then opened the discussion of the CID. Richard stated he appreciated the way the Mayor handled the public hearing. He then stated that they are a community and the golf course is part of it. They would also like to have a park in their ward. It is the only Ward that doesn't have a park in it. He said that a lot of people have returned to Carl Junction so that they can retire by the golf course. Don Marshall stated that if they wanted it the CID is the way it should go. Carl Skaggs agreed that they are taking care of themselves. They were told if they really wanted it they needed to find a way and they have. Mayor Moss pointed out some e-mails that we received after the public hearing. He stated he appreciated the citizens input to help them make their decision. Steve Daniels agreed that we received a lot of e-mails for and against the proposal. He was impressed with the turn out of the people that wanted the CID at the public hearing. He feels that this is democracy working and the majority want it and as long as they can meet

all the requirements he doesn't see why he shouldn't vote for it. Walter Hayes said that he wanted to clarify the vote in April. Everyone keeps saying that it failed but the majority voted for it but it needed a super majority. The 2<sup>nd</sup> thing is that he has looked at the sales of homes from 2004-2009. He has found that the Briarbrook area has been impacted at a much greater degree than any other area of the town and school district. Even taking in the economy the Briarbrook area's sales show a greater reduction than any other area in the school district and he feels that this will not stop until this issue is resolved. It has had an impact on the home values. He also said that 56% of the assessments in the BB area want it and 52% of the actual property owners want it and he will not vote against them. It was stated that the next step is to get an ordinance in place to vote on it. They would like to see it at the next meeting. Richard Zaccardelli motioned to put an ordinance in place for the next meeting. Steve Daniels seconded. All in favor. No opposed. Mike Talley then stated that he would like for the minutes of the public hearing to reflect the documents that were given to the City Clerk at the public hearing held 1/28/10. Walter Hayes motioned to amend the minutes to include the handouts that were presented at the public hearing. Richard Zaccardelli seconded. All in favor. No opposed. Mike Talley also commented that the e-mails that were sent to the council are public documents. Lastly he stated that in his experience as a city attorney for other communities – and even, he thought, in years past in Carl Junction, former council members were usually given some deference when asking to address the council upon which they had previously served, and that they were customarily not held to strict rules, such as the 5 minute limitation, that we normally apply. Mayor Moss then yielded the floor back to Pat Smith.

Pat then stated that her concern is that people are struggling to pay their bills now and if we end up with the golf course can people afford to pay extra taxes. There are many unanswered questions and hates to see the city commit to anything. She feels people come here for the school not the golf course and there is not enough support for it. She asked that the council think of what will happen if it is given to the City.

### **REPORTS**

The council reviewed the Administration report. There was nothing to add.

Public Works report – Jimmy stated that Jay, Greg and he will go to Springfield to get our final rule on the Groundwater rule. We have all the wells set up and ready to hook into the SCADA system. Steve reported that the schools thanked Jimmy and his crew for their street clearing. They did not have any trouble with the buses in Carl Junction.

Police Department report – there was nothing new to report. Chief Haase pointed out the year end animal report. Everyone thank the Police Department for their help during the public hearing.

Court Report – there was nothing to add.

### **COMMITTEE REPORTS**

The Nuisance Committee had nothing to report.

The Long Range Planning Committee reported they will be meeting 2/8/10 at 6:30 PM before the P&Z meeting that evening.

The Budget/Finance Committee had nothing to report.

The Human Resource Committee had nothing to report.

The Public Facilities Committee had nothing to report.

The Code Review Committee had nothing to report.

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

### **UNFINISHED BUSINESS**

Steve reported that to add concrete to the intersection would be \$3455.00. It is a raised intersection. Jimmy's preference would be concrete instead of asphalt. Carl Skaggs motioned to approve the change order for concrete. Don Marshall seconded. All in favor. No opposed.

### **NEW BUSINESS**

Steve reported that he is trying to get a 3 year contract worked out for our sludge removal to lock in the price. He will get the newest version to Mike Talley.

Chief Haase said that they can not set off our tornado sirens at dispatch and it will cost \$4500 to get everything they need to repair it. After some discussion it was decided that this was an emergency situation and that we needed to proceed with repairs. Chief Haase will get the process started.

### **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.**

It was stated that the chair of Human Resources was not in attendance and he was the one who called for a closed session. The council decided to table this item until the next meeting. Richard Zaccardelli motioned to table the closed session until the next meeting. Carl Skaggs seconded. All in favor. No opposed.

### **ADJOURNMENT**

Carl Skaggs motioned to adjourn the meeting. Steve Daniels seconded. All in favor. No opposed. Meeting adjourned at 8:05 PM.

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CITY CLERK

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MAYOR