

The Carl Junction City Council met in regular session on Tuesday, September 19, 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, Pat Smith, Dee Lynn Davey, Walter Hayes and Wayne Smith. Alderman Mark Powers was absent. Also present was City Clerk Maribeth Matney.

AGENDA

Barbara Evans stated we needed to amend the minutes. Under New Business she stated she had the tall grass on Roney Street and that we needed a pavilion and swings at Memorial Park. Walter Hayes motioned to approve the agenda. Carl Skaggs seconded. All in favor. No opposed. Pat Smith asked to amend the disbursements to add \$176 for trophies and the City Clerk asked to add \$31778.69 for Crews Construction for the fluoride improvements. Carl Skaggs motioned to approve the consent agenda as amended. Dee Lynn Davey seconded. All in favor. No opposed.

PUBLIC FORUM

There was no one present for public forum.

MEDIACOM

Randy Hollis from Mediacom addressed the council. He thanked the council for having him here to address some issues. He will listen and take notes. Jim Whisenant stated that our residents are frustrated in trying to get through to Mediacom about their issues. Randy stated they are working on improving the call center. They had some staffing issues and they are studying what is driving the calls. They are doing what they can do to minimize calls. It takes longer to train now. It takes 30 days to get them completely trained. We should start seeing an improvement. They have 3 call centers for this region, Missouri, Kansas and West Kentucky. The main call center is in Springfield Missouri, and then they have Pensacola Florida and lastly Des Moines Iowa. There are other call centers for call backs. They also have a separate center for data tech support. Dee Lynn stated she had a good experience in helping her with the high speed internet. She did have 1 channel that goes off during the middle of a show while other channels are still on. Randy stated intermittent problems are the hardest to solve. Dee Lynn expressed disappointment that WB is going off the network. Randy then went through why it was going off the air. They are trying to find something to replace it. The best scenario would be to find an affiliate station to pick up the CW network that took over WB. Jim stated we are also having residents waiting on line for up to 1 ½ hours to get technical support on the line. He asked if there was another means to reach them. Randy stated that they can use the internet through their website, www.mediacomcable.com. Mayor Moss also stated that people have reported problems, they fix them, and then they have the same problem 1-2 days later again. That is why we are tracking the problems. Randy stated he hopes that they have seen an improvement and that they are continuing to work on it. Jim asked if the contractor's are to bury the lines in a specified amount of time. Randy replied yes. Lowell Coulter, 605 Lexington, addressed Randy about being on hold 1 ½ hours for service. Pat Smith asked about being able to pick channels they wanted instead of getting packages. Randy explained that is being discussed in legislature but it will not reduce the cost. It will raise the cost per channel. He stated that 5 companies control 85% - 90% of the programming. LaDonna Allen stated that she was on hold for a 1 hour when she was trying to meet a deadline for the newspaper. She finally had to go to the school so she could use their lines.

Randy then went over new things that were coming our way. We will be getting Video on Demand, HDTV and telephone service here in Carl Junction. They made a commitment 2 years ago and we should be seeing the results at the end of the year. Their telephone service is due to an agreement reached with Sprint. They have a bundle that provides high speed internet, cable and unlimited telephone service. The telephone service as part of that bundle is \$29.95.

ORDINANCES

Pat Smith motioned to put "AN ORDINANCE REPEALING ORDINANCE 06-22 PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF CARL JUNCTION, MISSOURI ON THE 18TH DAY OF APRIL, 2006, TO CLARIFY THAT THE 5% GROSS RECEIPTS TAX ON TELEPHONE COMPANIES SET FORTH IN THE CODE OF ORDINANCES OF THE CITY OF CARL JUNCTION, MISSOURI, TITLE VI. BUSINESS AND OCCUPATION, CHAPTER 605: BUSINESS AND OCCUPATION TAX, SECTION 605.080, HAS REMAINED, AND REMAINS, IN EFFECT IN THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Carl Skaggs seconded. All in favor. No opposed. Pat Smith 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-absent, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #06-38 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.

Walter Hayes motioned to put "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARL JUNCTION, MISSOURI, BY AMENDING TITLE VI. BUSINESS AND OCCUPATION, CHAPTER 610: MISCELLANEOUS BUSINESS REGULATIONS, BY AMENDING ARTICLE I. PEDDLERS AND SOLICITORS, BY REPEALING EXISTING SECTIONS 610.010 AND 610.020 AND ADOPTING SECTIONS 610.001 THROUGH 610.019 TO PROVIDE COMPREHENSIVE RULES REGULATING PEDDLERS, SOLICITORS AND CANVASSERS WITHIN THE CITY OF CARL JUNCTION, MISSOURI" on first reading by title only. Richard Zaccardelli seconded. All in favor. No opposed. Walter Hayes 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-absent, P Smith-y, Davey-y, Hayes-y, W Smith-y. Motion on Ordinance #06-39 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.

RESOLUTION #122

The Mayor read "THE RESOLUTION OF THE CITY OF CARL JUNCTION, MISSOURI, STATING INTENT TO FULLY SUPPORT THE EFFORTS OF A LOCAL ORGANIZATION, NAMED BELOW, IN THEIR EFFORTS TO PURSUE THE COMPLETION OF THE MISSOURI COMMUNITY ASSESSMENT AND PLANNING PROCESS". Pat Smith motioned to approve the resolution. Carl Skaggs seconded. All in favor. No opposed.

BIDS ON LEXINGTON RETENTION POND

The bid amounts were as follows: Darnell Bulldozing: \$9095.00 (deductive bid alternate \$660.00), Jeff Asbell Excavating: \$12315.00 (deductive bid alternate \$1000.00), Big John's Heavy Equipment: \$14050.20 (deductive bid alternate \$2500.00). It was stated that we have a construction easement from the neighbor. Wayne Smith motioned to accept the bid from Darnell Bulldozing. Carl Skaggs seconded. All in favor. No opposed.

APPROVAL OF CJPD PROMOTION POLICY

Mayor Moss read the e-mail from Mr. Talley. It stated that Chief Haase the authority to promote within the department. Chief Haase stated that our policy needed updated and he would like for the council to approve the new policy. He also stated he wanted to leave the wording so that the City Administrator and the Chief would work together. Pat Smith motioned to approve the policy. Carl Skaggs seconded. All in favor. No opposed.

REPORTS

The council reviewed the City Administrator's report. Jim pointed out the Town Hall Meeting notice. He stated that MoDot wanted to use the commons area that is right across the hall from the Performing Arts Center. We received a letter from MoDot awarding the grant for our Thom's Walking Trail. We have also chosen Choice Marketing to put together a community guide and will be drafting a letter endorsing them. The chamber will also send an endorsement. We will be using \$1000 of city funds and the Chamber is putting \$1000 towards this project. We will be receiving 5000 copies. Richard Zaccardelli stated that all the council needs to be at the Town Hall meeting Monday 9/25/06. He also asked the council if they would be willing to pay anything for any changes. Mayor Moss stated he would like to see what the people wanted first before we made any commitments. We need to be diligent and listen before we make a commitment. Richard reminded the council that MoDot needs to know by the end of September. We might have to have a special meeting. It was stated that we will need to post it if we do have one. City Administrator, Jim Whisenant, reported that there might be some other additional costs on top of the \$30,000 quoted. There might be additional cost due to the high pressure gas line and engineering fees. We have asked MoDot for a realistic amount and for some clarification.

The council reviewed the department reports.

COMMITTEE REPORTS

The Nuisance Committee will meet 10/5/06 at 6:00 PM.

The Budget/Finance Committee had nothing to report.

The Code Review Committee had nothing to report.

The Public Facilities Committee met tonight about the street light issue. Carl asked each council member to check within their ward for places that might need lighting. He is also going to ask P&Z to put together language to include street lighting in new developments. Pat Smith stated that in the past we only put lights on existing poles. Carl stated that if there is an intersection that needs lighting for safety the City needs to pick up the costs. We might have to do this as a multi year project and phase it in.

The Human Resource Committee met with the Chief of Police on the promotion policy and recommended approval. They will also be looking at other policies as they are rewritten.

The Park/Pool Committee reported that the Bluegrass Festival is this weekend. Pat thanked City Hall and the Public Works department for all their help. We have 6 contestants for the chili cook-off.

UNFINISHED BUSINESS

Richard Zaccardelli asked if it would be possible to stripe Briarbrook Drive at the Fir Road intersection. Jimmy Chaligoj said he is looking at his budget to see if there are funds to stripe it. There is concern about the right lane. Jimmy stated it has been discussed and we are looking into it.

Jimmy reported that on 10/6/06 the City of Joplin is having their auction on used equipment. He will be attending to try to purchase dump trucks and possibly a pickup. They have \$20,000 budgeted for the dump trucks. Pat Smith asked if he could see if they had a couple of used golf carts for shuttles at the Bluegrass Festival. Jimmy stated he is going later this week to look at what they will have at the auction.

Jim Whisenant asked if any of the council is able to go to the MML meeting. Richard stated he is planning on going. Steve Lawver will be attending the Governor's Conference next week. They are going to announce the "DREAM" application winners.

Dee Lynn Davey reported that the City Clerk, City Administrator and herself met to discuss the sales tax issue. They are compiling a factual sheet for our residents.

Walter Hayes stated that when we look at a new website we need to make sure that it is something that we can change ourselves if we need to. That is where we ran into trouble the last time. It got outdated and we couldn't make any changes. Mayor Moss stated that there is a lot of information not on our website. Walter replied that was because we are still building on it. The only items on it are what Walter had done.

NEW BUSINESS

Mayor Moss commented that we have been having trouble getting a quorum at the Board of Adjustments meetings. He would like to appoint a 3rd alternate member. June Chenot has agreed to serve as an alternate. They will be meeting again on 9/27/06 at 6:00 PM regarding a fence issue. The Council can't supercede the Board of Adjustments. An appeal has to go to the Circuit Court. They have met 3 times on the same issue. We need to proceed with this so that we are not in violation of our code. Richard agreed that this fence issue needs to be resolved. The P&Z looked over the draft requested to be drawn up and they want to leave the code as it is. They do not recommend any change right now. They did not like the way the draft was worded. Steve stated they were stuck with the definition of mid-point and where that mid-point should be. Richard stated that some people want to come up the side of their houses to fence in their heating & air conditioning units since they are being stolen. After more discussion Walter Hayes motioned to approve Mayor Moss's appointment of June Chenot to the Board of Adjustments. Richard Zaccardelli seconded. All in favor. No opposed.

Walter Hayes asked about a high water meter reading for Mark Smith at 107 Joplin. The City Clerk reported that we had checked the readings and they appeared to be correct. The resident did state that they had repaired a gasket in their water hose. The resident's usage is back to normal now.

A resident asked that we look at the speed limit at the Deerfield Estates entrance. It is 30 MPH now and they think that is too fast. Chief Haase stated that his department would do a speed study. Chief Haase also reported that he is losing his School Resource Officer. Jasper County Sheriff's office did not have one and they came and recruited our officer. He has accepted the job. Delmar reported that he has spent over 1/2 of his training budget for this officer and he has asked the Sheriff's office about reimbursement of our expenses or to pick up the training of our new officer. The Sheriff's department stated he can't do for one what he can't do for others. Chief Haase said we need to look at higher pay to stay competitive. It was discussed that when we send them for specialized training that they should be required to stay for a certain period of time or reimburse the City for the training.

ADJOURNMENT

Pat Smith motioned to adjourn the meeting. Barbara Evans seconded. All in favor. No opposed. Meeting adjourned at 8:45 PM.

CITY CLERK

MAYOR