

CITY OF WILLARD
BOARD OF ALDERMEN
REGULAR MEETING
August 28, 2023
7:00 p.m.

Staff present: Director of Finance, Carolyn Halverson; Police Officer, JD Landon; Project Engineer, Steven Bodenhamer; City Inspector, Randy Brown; Planning and Zoning Associate, Tammy Nephew; Director of Public Works, Justin Sorgen; Director of Parks and Rec, Jason Knight; and City Clerk, Dona Slater.

Attorney Ken Reynolds was in attendance.

Citizens in attendance: Kim Holaday, Adam Horton, Justin Orf, Jim Vaughn, Dylan Dempsey, Debbie Ihrig, Larry Whitman, John Little, and Colton Rice.

Call to Order.

Mayor Snider called the meeting to order at 7:00 p.m.

Roll Call.

The City Clerk conducted the Roll Call.

Alderman Smith-present, Alderman Swatosh-present, Alderman Keene-present, Alderman Baird-present, Alderman Hall-present, and Mayor Snider-present. Alderman Hendrickson-not present.

Agenda Amendments/Approval of Agenda

Motion was made by Alderman Smith and seconded by Alderman Hall to approve the Agenda.

Motion carried with a vote of 5-0. Voting aye: Aldermen Baird, Smith, Hall, Keene, and Swatosh.

Consent Agenda

Motion was made by Alderman Hall and seconded by Alderman Baird to approve the Consent Agenda.

Motion carried with a vote of 4-0. Voting aye: Aldermen Smith, Hall, Keene, and Swatosh. Alderman Baird abstained.

Current and Outstanding Invoices, and Draft and Check Paid Invoices for July/August 2023. Discussion/Vote

Motion was made by Alderman Smith and seconded by Alderman Hall to approve the Current Outstanding Invoices, and Draft and Check Paid Invoices for July/August 2023.

Motion carried with a vote of 5-0. Voting aye: Aldermen Keene, Smith, Hall, Baird, and Swatosh.

Citizen Input

None.

Appointment of Park Board Members. Discussion/Vote

Mr. Knight, Director of Parks and Rec, presented two candidates to the Board of Aldermen. He stated that each candidate came to Park Board meetings and requested appointment to the Board. He recommends the appointments.

Motion was made by Alderman Smith and seconded by Alderman Baird to appoint Eric Wilkins and Alicia Lloyd to the Park Board.

Motion carried with a vote of 5-0. Voting aye: Aldermen Keene, Smith, Hall, Baird, and Swatosh.

Public Hearing for the 2023 Tax Levy

Mayor Snider opened the Public Hearing at 7:04 p.m.

No one wished to speak.

Mayor Snider closed the Public Hearing at 7:04 p.m.

Ordinance approving the 2023 Tax Levy (1st and 2nd Read) Discussion/Vote

Ms. Halverson, Director of Finance, said our assessment has increased. Greene County sent the information to the City and our tax rate has been lowered. The Levy is set by the State and required by law.

The first read was conducted by the City Clerk.

Motion was made by Alderman Baird and seconded by Alderman Hall to approve the 2023 Tax Levy.

Motion carried with a vote of 5-0. Voting aye: Aldermen Hall, Smith, Keene, Baird, and Swatosh.

The second read was conducted by the City Clerk.

Motion was made by Alderman Baird and seconded by Alderman Hall to approve the 2023 Tax Levy.

Motion carried with a vote of 5-0. Voting aye: Aldermen Baird, Hall, Smith, Swatosh, and Keene.

Ordinance adopting the 2023 updates to General Code. (1st and 2nd Read) Discussion/Vote

Mr. Reynolds, Attorney, said each year General Code makes changes based on new State laws and statutes. This yearly Ordinance adopts all updates to the City's code from our Ordinances and new laws passed at the State level.

The first read was conducted by the City Clerk.

Motion was made by Alderman Baird and seconded by Alderman Keene to adopt the 2023 updates to General Code.

Motion carried with a vote of 5-0. Voting aye: Aldermen Smith, Baird, Keene, Hall, and Swatosh.

The second read was conducted by the City Clerk.

Motion was made by Alderman Keene and seconded by Alderman Hall to adopt the 2023 updates to General Code.

Motion carried with a vote of 5-0. Voting aye: Aldermen Smith, Baird, Keene, Hall, and Swatosh.

Approval of Agreement with CJW Transportation Consultants, LLC for professional consulting services in all facets of engineering operations and maintenance. Discussion/Vote

Mr. Bodenhamer, Project Engineer, said the project to resurface Jackson Street is on the books but fell through the cracks and never got locked in. We need an engineering plan for the Ozark Transportation Organization (OTO) and a contract to put together plans and specifications to get this on the books with OTO for 2024. A formal agreement is necessary.

Motion was made by Alderman Smith and seconded by Alderman Hall to approve the agreement with CJW Transportation Consultants, LLC for professional consulting services in all facets of engineering operations and maintenance.

Motion carried with a vote of 5-0. Voting aye: Aldermen Baird, Hall, Smith, Swatosh, and Keene.

Public Hearing of the re-platting request for Generations Village and accepting the Final Development Plan.

Mayor Snider opened the Public Hearing at 7:20 p.m.

No one wished to speak.

Mayor Snider closed the Public Hearing at 7:20 p.m.

Ordinance to approve the Final Development Plan and Re-plat of Generations Village. (1st and 2nd Read) Discussion/Vote

Mr. Brown, City Inspector, said that in 2021 Kim Haase began a 52-unit development. There were problems with storm water easement and utilities. Since then, everything has been addressed. The re-plat will just be one development southwest of the Police Department. The Planning and Zoning Commission has approved the Final Development Plan and Re-plat of Generations Village.

The first read was conducted by the City Clerk.

Motion was made by Alderman Smith and seconded by Alderman Hall to approve the Final Development Plan and Re-plat of Generations Village.

Motion carried with a vote of 5-0. Voting aye: Aldermen Keene, Smith, Hall, Baird, and Swatosh.

The second read was conducted by the City Clerk.

Motion was made by Alderman Hall and seconded by Alderman Smith to approve the Final Development Plan and Re-plat of Generations Village.

Motion carried with a vote of 5-0. Voting aye: Aldermen Swatosh, Hall, Baird, Keene, and Smith.

Public Hearing of an amendment to the Final Development Plan for Stone Creek Phase II.

Mayor Snider opened the Public Hearing at 7:32 p.m.

John Little, Flintrock Construction, LLC, said there was confusion with the original covenant. The Planning and Zoning Commission voted down the amendment to the Final Development Plan for Stone Creek Phase II. He said they came to a consensus to use vertical siding.

Mayor Snider closed the Public Hearing at 7:33 p.m.

Ordinance to approve an amendment to the Final Development Plan for Stone Creek Phase II. (1st and 2nd Read) Discussion/Vote

Mr. Brown, City Inspector, said there has been a lengthy discussion about this. Stone Creek was originally developed by Kim Haase for 42 lots. The original agreement was to put brick on the seven homes on Hughes Road. After the Final Plat was approved Flintrock Construction, LLC purchased the development. They want to amend the original agreement, so they do not have to place brick on

these houses and use vinyl siding instead. The original agreement states no vinyl siding but maintenance free materials at the developer's discretion. They had completed two houses and one house was partially sided with vinyl before they received a letter from the City's attorney. Mr. Reynolds, Attorney, said we have to be careful not to violate our own Ordinances. Alderman Hall stated the original plan said no vinyl siding and that's pretty clear. Alderman Baird said it sounds like they are trying to downgrade the quality of the homes. Mr. Brown recommends allowing the developer to use vinyl siding if they agree to brick four houses and let the first three go with vinyl. Alderman Smith said there seems to be a lot of miscommunication and bending of rules and regulations. He disagrees that we should let it go. If it's in writing, then it's in writing he said.

The first read was conducted by the City Clerk.

There was no motion made. This Ordinance died.

Motion was made by Alderman Smith and seconded by Alderman Hall to send this item back to the Planning and Zoning Commission for clarification of maintenance free materials.

Motion carried with a vote of 4-0. Voting aye: Aldermen Smith, Hall, Swatosh, and Baird. Alderman Keene abstained.

Resolution authorizing Steven D. Bodenhamer, Project Engineer to file an application with the U.S. Environmental Protection Agency (EPA) Community Grants Project Program. Discussion/Vote

Mr. Bodenhamer, Project Engineer, stated this resolution will allow him to sign documents. The City is at the point to start the application filing process. City Attorney Ken Reynolds has reviewed this resolution and it is good to go.

Motion was made by Alderman Swatosh and seconded by Alderman Smith to approve the Resolution authorizing Steven D. Bodenhamer, Project Engineer to file an application with the U.S. Environmental Protection Agency (EPA) Community Grants Project Program.

Motion carried with a vote of 5-0. Voting aye: Aldermen Smith, Hall, Baird, Keene, and Swatosh.

Sanitary Sewer Projects Status Report

Mr. Bodenhamer, Project Engineer, said the deadline for response to the Formal Request for Qualifications (FRQ) was last Friday, August 25, 2023. Three proposals were received. These proposals will be presented to the review team of Steven Bodenhamer, Mayor Snider, Justin Sorgen, Trevor Hoffman, Greg Williams, and Darren Proctor. Mr. Bodenhamer said there will be more information at the next meeting.

New Business

Alderman Swatosh said we need to look at the completed Stone Creek houses before sending the item back to the Planning and Zoning Commission. Alderman Smith said we need to clean up our definitions so we can be consistent.

Unfinished Business

Alderman Hall asked where we are at with the City Administrator and Director of Planning and Zoning open positions. The City Clerk stated that the Director of Planning and Zoning position is posted on Indeed and two planning websites. The City Administrator position is not posted. Mayor Snider said he will address these items in the Closed Session.

Close the Open Session

Motion was made by Alderman Baird and seconded by Alderman Hall to close the Open Session.

Motion carried with a vote of 5-0. Voting aye: Aldermen Smith, Swatosh, Keene, Hall, and Baird.

The Open Session closed at 8:11 p.m.

Open the Executive Session

Motion was made by Alderman Baird and seconded by Alderman Smith to open the Executive Session.

Motion carried with a vote of 5-0. Voting aye: Aldermen Hall, Baird, Smith, Swatosh, and Keene.

The Executive session opened at 8:22 p.m.

Close the Executive Session

Motion was made by Alderman Smith and seconded by Alderman Baird to close the Executive Session.

Motion passed with a vote of 5-0. Voting aye: Aldermen Swatosh, Keene, Baird, Hall, and Smith.

The Executive Session closed at 9:25 p.m.

Adjourn Meeting

Motion was made by Alderman Baird and seconded by Alderman Swatosh to adjourn the meeting.

Motion carried with a vote of 5-0. Voting aye: Aldermen Swatosh, Smith, Hall, Baird, and Keene.

The meeting adjourned at 9:25 p.m.


Dona Slater, City Clerk


Samuel Snider, Mayor