

**CITY OF WILLARD
BOARD OF ALDERMAN
REGULAR MEETING
June 10, 2013**

Board present: Alderman Trapp-present, Alderman Roggensees--present, Alderman Hemphill-present, Alderman McDonald, Alderman Vincent-present and Mayor Forshee-present. Alderman Johnson was not present.

Staff present: City Clerk, Dale Duvall; Director of Development, Randy Brown; Chief Financial Officer, Karen Robson; Public Works Director; Justin Reaves, Community Services Director; J.C. Loveland, Police Chief Tom McClain, and Police Reserve, Bill Lingensfielser.

City Attorney Ken Reynolds was present.

Citizens in attendance: Sam Baird, Stacia Buffington, Mindy Latham, Shannon Watson of HPC, Dave Drumm of Hood Rich Inc., Lucille Murray, Ron Crighton and Tim Perriman.

Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Forshee.

Call to Order

Mayor Forshee called the meeting to order at 7:00 pm.

Public Hearing to discuss and vote on the recommendations of the Planning and Zoning Commission for changes to the City of Willard Municipal Code Book, Title IV. Land Use, Chapter 400: Land Development Regulations.

The public Hearing was opened by the City Attorney at 7:05 p.m. and was closed at 7:06 p.m. due to no input.

Roll Call

The City Clerk called the roll call. Alderman Trapp-present, Alderman Hemphill-present, Alderman Vincent-present. Alderman McDonald-present, Alderman Roggensees-present and Mayor Forshee-present. Alderman Johnson-absent.

Agenda Amendments/Approval of Agenda

Motion made by Alderman Hemphill and seconded by Alderman Vincent to approve the agenda with the recommended changes. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye, and Alderman Hemphill-Aye. All votes aye. Motion carried.

Approve the minutes of the regular meeting on May 13, 2013

Motion made by Alderman Vincent and seconded by Alderman Hemphill to approve the minutes. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye, and Alderman Hemphill-Aye. All votes aye. Motion carried.

Approve the minutes of the special meeting on May 20, 2013

Motion made by Alderman Hemphill and seconded by Alderman Vincent to approve the minutes. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill---. All votes aye. Motion carried.

Approve the minutes of the special meeting on May 23, 2013

Motion made by Alderman Hemphill and seconded by Alderman Vincent to approve the minutes. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill---. All votes aye. Motion carried.

Citizen Input

None

Financial Report

Presentation of Auditors 2012 Report-Rebecca Frederick of presented the 2012 audit report to the Board. Copies of the audit were given to the Board as well.

May outstanding invoices –Motion made by Alderman Vincent and seconded by Alderman McDonald to approve the presented invoices. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

April financial statements- Motion made by Alderman Vincent and seconded by Alderman McDonald to approve the presented statements. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Nay. Four votes aye. One vote nay. Motion carried.

April financial summaries- Informational only. No vote required.

Public Hearing to discuss and vote on the recommendations of the Planning and Zoning Commission regarding the request for re-zoning of a portion of the Crighton and Goodwyn Enterprises Inc. Minor Subdivision.

The City Attorney opened the Public Hearing at 7:21 p.m. and there was no citizen input and so the hearing was closed at 7:22 p.m.

Council Bill No.: 13-26

Ordinance No.: 130610A

Ordinance for the re-zoning request for a portion of the Crighton and Goodwyn Enterprises Inc. Minor Subdivision.(1st and 2nd Reading)

An Ordinance

AMENDING the Willard Land Use Regulations, Section 400.380A, City of Willard Zoning Map, by rezoning Part of Tract 1 Part of Tract 3 of the Crighton and Goodwyn Enterprises, Inc. Minor Subdivision located at the Southwest corner of Hughes Road and U.S. Highway 160 all within the City of Willard, MO.

First read was conducted by the City Clerk.

Discussion/Vote- **Motion** made by Alderman Vincent and seconded by Alderman McDonald to approve the first reading. Alderman Vincent-Aye, Alderman Johnson--- Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill- Aye. All votes aye. Motion carried.

Second read was conducted by the City Clerk.

Discussion/Vote- **Motion** made by Alderman Vincent and seconded by Alderman Roggensees to approve the second reading. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Council Bill No.: 13-27

Ordinance No.: 130610B

Ordinance for the approval of the Fortner Minor Subdivision

AN ORDINANCE

AUTHORIZING the approval of the Fortner Minor Subdivision and acceptance of all right-of-way and easements to the City of Willard; and authorizing the City Clerk to sign the Minor Subdivision survey upon compliance with the terms of the Land Development Regulations of the City of Willard.

First read was conducted by the City Clerk.

Discussion/Vote- **Motion** made by Alderman Vincent and seconded by Alderman Trapp to approve the first reading. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill- Aye. All votes aye. Motion carried.

Second read was conducted by the City Clerk.

Discussion/Vote- **Motion** made by Alderman Vincent and seconded by Alderman McDonald to approve the second reading. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Questions for the Department Heads

Alderman Roggensees asked Randy Brown, Director of Development if the City had approached the owners of Eagle Stop and the car wash on Hunt Rd regarding their conversation with the previous Mayor regarding paying all or a portion of the sidewalk cost in front of their stores. Randy stated that he would look into it.

Generator Agreement with Red Cross and the City of Willard Emergency Management (Resolution)

Discussion/Vote- **Motion** made by Alderman Vincent and seconded by Alderman Roggensees to approve the Mayor to sign the resolution. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Council Bill No.: 13-25

Ordinance No.: 130610

Order of Business (2nd Reading)

AN ORDINANCE

AMENDING Title I, Government Code, Chapter 110, Mayor and Board of Aldermen, Article II, Order of Business, Section 110.090 Order of Business of the Willard Municipal Code, by amending Section 110.090, of the Municipal Code of the City of Willard.

First read was conducted by the City Clerk on 05-13-13

Second read was conducted by the City Clerk.

Discussion/Vote: Motion made by Alderman Vincent and seconded by Alderman McDonald to approve the Mayor to approve the second read. Alderman Vincent-Aye, Alderman Johnson--, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Council Bill No. 13-28

Ordinance No.: 130610C

Amendment to the Tree Board Ordinance (1st and 2nd Reading)

AN ORDINANCE REGULATING THE PLANTING, MAINTENANCE, AND REMOVAL OF TREES, SHRUBS, AND OTHER PLANTS; AND CREATING A TREE BOARD IN THE CITY OF WILLARD, STATE OF MISSOURI.

First read was conducted by the City Clerk

Discussion/Vote- The City Clerk explained to the Board that there were two options being presented to them on this ordinance. The difference between the two dealt with the member requirements. The Board asked that a change be made to delete the distance that a member can live outside the city. The City Clerk stated that she will make the change and bring it back to the Board next month. The Mayor asked for a motion and there was none. The item dies.

Council Bill No. 13-29

Ordinance No.: 130610D

Ordinance approving amendments to Chapter 400 of the Willard Land Development Regulations (1st and 2nd Reading)

AN ORDINANCE APPROVING A MUNICIPAL CODE AMENDMENT TO SECTIONS 400.480, 400.530, 400.590, 400.600, 400.1180, AND 400.1190 OF THE MUNICIPAL CODE OF THE CITY OF WILLARD PERTAINING TO LAND DEVELOPMENT REGULATIONS.

First read was conducted by the City Clerk

Discussion/Vote: Motion made by Alderman Vincent and seconded by Alderman Roggensees to approve the first reading. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Second read was conducted by the City Clerk

Discussion/Vote: Motion made by Alderman Vincent and seconded by Alderman Hemphill to approve the second reading. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Council Bill No. 13-30

Ordinance No.: 130610E

Ordinance approving amendments to Section 500.030: Permits and Inspections and Section 500.290: Adoption of National Electrical Code. (1st and 2nd Reading)

AN ORDINANCE APPROVING A MUNICIPAL CODE AMENDMENT TO SECTION 500.030 OF THE MUNICIPAL CODE OF THE CITY OF WILLARD PERTAINING TO PERMITS AND INSPECTION AND SECTION 500.290 ADOPTION OF NATIONAL ELECTRICAL CODE

First read was conducted by the City Clerk

Discussion/Vote: Motion made by Alderman Hemphill and seconded by Alderman Trapp to approve the first reading. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Second read was conducted by the City Clerk

Discussion/Vote: Motion made by Alderman Vincent and seconded by Alderman Hemphill to approve the second reading. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Council Bill No. 13-31

Ordinance No.: 130610F

Ordinance approving amendments to Section 400.520: Accessory Uses and Structures. Amending Section 400.520(B) (1a), (1b), (D)(4) and (D)(5). (1st and 2nd Reading)

AN ORDINANCE APPROVING A MUNICIPAL CODE AMENDMENT TO SECTIONS 400.520 OF THE MUNICIPAL CODE OF THE CITY OF WILLARD PERTAINING TO LAND DEVELOPMENT REGULATIONS.

First read was conducted by the City Clerk

Discussion/Vote: Motion made by Alderman Vincent and seconded by Alderman Trapp to approve the first reading. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Second read was conducted by the City Clerk

Discussion/Vote: Motion made by Alderman Hemphill and seconded by Alderman Vincent to approve the second reading. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Council Bill No. 13-32

Ordinance No.: 130610G

2013 Budget Amendment (1st and 2nd Reading)

AN ORDINANCE TO AUTHORIZE PASSAGE, ENFORCEMENT AND UTILIZATION OF THE 2013 BUDGET AMENDMENT

First read was conducted by the City Clerk

Discussion/Vote: Motion made by Alderman Vincent and seconded by Alderman McDonald to approve the first reading. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Second read was conducted by the City Clerk

Discussion/Vote: Motion made by Alderman McDonald and seconded by Alderman Trapp to approve the second reading. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Council Bill No. 13-33

Ordinance No.: 130610H

Ordinance for the Lease/Purchase of police cars (1st and 2nd Reading)

AN ORDINANCE

AUTHORIZING the Mayor, and the Chief Financial Officer, to execute a loan between the City of Willard and Great Southern Bank, for the purpose of financing police cars and police car equipment.

First read was conducted by the City Clerk

Discussion/Vote: Motion made by Alderman McDonald and seconded by Alderman Vincent to approve the first reading. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Second read was conducted by the City Clerk

Discussion/Vote: Motion made by Alderman Roggensees and seconded by Alderman Trapp to approve the second reading. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Ethics Policy Discussion

Alderman Roggensees read the ethics policy handbook that had been included in the packets. He asked that two items be added to the policy manual that he had created using the Missouri state policy as a template:

- 1.A department head will not be allowed to be a direct supervisor over a family member.
- 2 Romantic fraternization between a supervisor and subordinates in a direct reporting relationship is prohibited, including, but not limited to: dating; romantic e-mails; adult subject jokes, cartoons, e-mails and internet sites; and participating in a romantic/intimate relationship.

The City Attorney stated that he thought that the policy should be implemented into the employee manual, not as its own ordinance/document.

The policy will be amended as suggested by Alderman Roggensees and brought back to the Board in July.

New Business

Alderman Roggensees asked about employee evaluations and state that he thought that raises should only be given when an employee has received a favorable evaluation by their supervisor. He stated that this should be being completed once yearly and was told by the CFO that they are done yearly. The department heads all turn in evaluations on the employees that they oversee. The CFO stated that the department heads are the ones that have not had evaluations done on a regular basis. This is due to past administrations completing some of the evaluations, but not for all of the department heads.

Old Business

None

Adjourn meeting

Motion made by Alderman Roggensees and seconded by Alderman Trapp to adjourn the meeting. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill- Aye. All votes aye. Motion carried. The Mayor announced that the Board would be going into closed session pursuant to RSMo Section 610.021 (#1) Legal and (#3) Personnel.

Open meeting adjourned at 10:00 p.m.

Closed Session

Motion made by Alderman McDonald and seconded by Alderman Vincent to go into closed session pursuant to Section 610.021(#1) Legal and (#3) Personnel. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Motion made by Alderman McDonald and seconded by Alderman Vincent to close the closed session. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill- Aye. All votes aye. Motion carried.

Meeting Adjourned at 10:52 p.m.

Dale Duvall, City Clerk

Wendell Forshee, Mayor of Willard