

**CITY OF WILLARD
BOARD OF ALDERMAN
REGULAR MEETING
May 13, 2013**

Board present: Alderman Trapp-present, Alderman Roggensees--present, Alderman Hemphill-present(arrived at 7:05 p.m.), 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; Operations and Aquatics Supervisor, Whitney Shoffner; Public Works Director; Justin Reaves, Community Services Director; J.C. Loveland, Police Chief Tom McClain, Public Works employee; Dustin Long and Police Reserve, Bill Lingensfielser.

City Attorney Jon Gold was present.

Citizens in attendance: Sam Baird, Stacia Buffington, Robert Latham, Mindy Latham, Jim Vaughn, Roscoe Killingsworth, Marchelle Roe, Robert Nobriga, David Helton, Rick Shirell of American Business Systems, Adam Shelledy, Stephanie Shelledy, Tim Perriman, Matt Kelley, and John Forrester.

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.

Roll Call

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

Agenda Amendments/Approval of Agenda

Motion made by Alderman Roggensees and seconded by Alderman Trapp to approve the agenda. 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 regular meeting on April 8, 2013

Motion made by Alderman Vincent and seconded by Alderman McDonald 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 April 22, 2013

Motion made by Alderman Roggensees and seconded by Alderman McDonald 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.

Alderman Hemphill arrived at 7:05 p.m.

Ceremonial Matters

Appointments to the Planning and Zoning Commission –The Mayor asked for a motion to appoint David Helton to the Planning and Zoning Commission. **Motion** made by Alderman McDonald and seconded by Alderman Trapp. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

The Mayor asked for a motion to appoint Adam Shelledy to the Planning and Zoning Commission. **Motion** made by Alderman Vincent and seconded by Alderman Roggensees. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Citizen Input

None

Financial Report

April outstanding invoices – There was some discussion on a few of the invoices. **Motion** made by Alderman Trapp 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.

March Financial Summary- This was presented by the Chief Financial Officer. No vote needed. Informational only.

Quarterly Utility Adjustments Report- Motion made by Alderman Vincent and seconded by Alderman McDonald. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye . All votes aye. Motion carried.

First Quarter Financial Statements- Motion made by Alderman Roggensees and seconded by Alderman Vincent. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye . All votes aye. Motion carried.

Purchasing Policy Discussion-Alderman McDonald asked if this was much different than when he was an employee of the City and if the procedures are not followed, are there ramifications. The CFO answered yes to both questions.

Bus Bids- The Community Services Director explained to the Board that the bus that the City was going to buy was sold by the bus company. The Aldermen asked questions as to why it was necessary to purchase a new bus. Community Services Director stated that the bus needed many items on it to be fixed and that it is not safe. Alderman McDonald stated that he had spoken with Mark Gott of Public Works and he said the bus is fine. After discussion, it was decided to have the bus looked at by an automotive repair shop before doing anything else. Anything over \$5000.00 will be brought back to the Board for discussion in June.. **Motion** made by Alderman Vincent and seconded by Alderman McDonald. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye . All votes aye. Motion carried.

Meter Bids- Motion made by Alderman Vincent and seconded by Alderman Hemphill. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye . All votes aye. Motion carried.

Copier Bids- The CFO reviewed the bids with the Board and told them that American Business Systems was the lowest bidder. Rick Shirrel of American Business Systems addressed the Board and after much discussion the Board made a motion .**Motion** made by Alderman Vincent and seconded by Alderman Trapp to accept the bid of American Business Systems. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Abstained. Four votes aye. One abstention due to the potential conflict of interest Motion carried.

Finance Officer Job Description Approval/Vote- Motion made by Alderman Hemphill and seconded by Alderman Roggensees. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye . All votes aye. Motion carried.

Equipment Lease Discussion-Not Discussed.

Sealed Bids for Police Car-There were no bids received. The Police Chief presented a presentation asking the Board to approve a loan to purchase new police cars. The Board asked the Chief to bring back replacement costs to the June meeting

Public Works Truck Purchase- The Public Works Director informed the Board that the current truck had locked up and cannot be repaired. The new truck is 4wd.and is being purchased through a state bid. Motion made by Alderman McDonald and seconded by Alderman Roggensees. 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

The Director of Development spoke of the sidewalk project, an upcoming Farmers Market and a site plan that has been presented to the City for a car lot. The Board did not have any questions for the Department Heads.

Amendments to the Alcohol Ordinance (1st Reading)

AN ORDINANCE

An ordinance adopting and enacting a new Code of Ordinances of the City of Willard; establishing the same; providing for the repeal of certain ordinances not included therein, except as herein expressly provided; providing for the manner of amending such Code of Ordinances; providing penalty for the violation thereof; and providing when this ordinance shall become effective.

First read was conducted by the City Clerk

Discussion/Vote: The City Clerk informed the Board that she had found language that she wanted them to review regarding the matter of distance to a school or church. She stated she had just received it and asked the Board to put off voting on the ordinance until the June meeting. Sam Baird spoke to the Board with his concern that the proposed fees were too high and not business friendly. Marchelle Roe of the No Name Saloon asked that the City look at noise ordinance changes for commercial areas. She has received tickets for loud noise at the bar in the past. Stacia Buffington of Top Hat Liquor said that she knows that fees are part of the business. The special events permit was discussed by the city clerk and it was decided to hold a special meeting on Monday May 20, 2013 at 6:00 for a work study session on the alcohol ordinance. There will be a special meeting on May 23, 2013 at 6:30 p.m. to discuss and vote on the alcohol ordinance. This will allow the beer garden to be permitted at the Freedom Feast. The Mayor asked for a motion on first reading. There was no motion made and so the item dies.

Copiers Contract Ordinance (1st and 2nd Reading)

First Reading: 05-13-13
Council Bill No. 13-18

Second Reading: 05-13-13
Ordinance No.: 130513

AN ORDINANCE

AUTHORIZING the Mayor, or his designee, to enter into a municipal lease agreement with American Business Systems for the purpose of leasing copy systems and equipment for three municipal operations.

First read was conducted by the City Clerk

Discussion/Vote- Motion made by Alderman Roggensees and seconded by Alderman Vincent to approve the first reading. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Abstained. Four votes aye. One abstention due to the potential conflict of interest Motion carried.

Second read was conducted by the City Clerk

Discussion/Vote- Motion made by Alderman Roggensees and seconded by Alderman Vincent to approve the second reading. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Abstained. Four votes aye. One abstention due to the potential conflict of interest Motion carried.

Ordinance accepting Intergovernmental agreement between the City of Willard and Greene County (1st and 2nd Reading)

First Reading: 05-13-13
Council Bill No. 13-19

Second Reading: 05-13-13
Ordinance No.: 130513A

AN ORDINANCE

AUTHORIZING the Mayor on behalf of the City of Willard, to execute an intergovernmental agreement between the City of Willard and Greene County to provide asphalt overlay services.

First read was conducted by the City Clerk

Discussion/Vote: Motion made by Alderman Roggensees 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 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.

STP Funding Ordinance (1st and 2nd Reading)

First Reading: 05-13-13
Council Bill No.:13-20

Second Reading: 05-13-13
Ordinance No.: 130513B

AN ORDINANCE

*AUTHORIZING AND ACCEPTING THE SURFACE TRANSPORTATION PROGRAM
(STP)FUNDS FOR THE CONSTRUCTION OF SIDEWALK IMPROVEMENTS FOR PROJECT STP-9901 (806)*

First read was conducted by the City Clerk

Discussion/Vote: Motion made by Alderman Trapp 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 Roggensees 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.

Ordinance Appointing the City Attorney (1st and 2nd Reading)

First Reading: 05-13-13
Council Bill No. 13-20

Second Reading: 05-13-13
Ordinance No.: 130513C

AN ORDINANCE

AN ORDINANCE APPOINTING THE CITY ATTORNEY FOR THE CITY OF WILLARD, GREENE COUNTY, MISSOURI FOR THE TERM COMMENCING APRIL 08, 2013 THROUGH APRIL 13, 2015.

First read was conducted by the City Clerk

Discussion/Vote: Motion made by Alderman Trapp and seconded by Alderman Hemphill 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 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.

Ordinance Appointing the City Judge (1st and 2nd Reading)

First Reading: 05-13-13
Council Bill No. 13-21

Second Reading: 05-13-13
Ordinance No.: 130513D

AN ORDINANCE

AN ORDINANCE APPOINTING THE MUNICIPAL COURT JUDGE FOR THE CITY OF WILLARD, GREENE COUNTY, MISSOURI, FOR THE TERM COMMENCING ON APRIL 08, 2013 THROUGH APRIL 13, 2015, AND ESTABLISHING THE JUDGES HOURLY RATE.

First read was conducted by the City Clerk

Discussion/Vote: Motion made by Alderman Trapp 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 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.

Ordinance Appointing the City Administrator (1st and 2nd Reading)

First Reading: 05-13-13
Council Bill No. 13-22

Second Reading: 05-13-13
Ordinance No.: 130513E

AN ORDINANCE

AN ORDINANCE APPROVING THE HIRING OF A CITY ADMINISTRATOR FOR THE CITY OF WILLARD, GREENE COUNTY, MISSOURI FOR A SIX MONTH PERIOD, COMMENCING MAY 01, 2013 THROUGH OCTOBER 01, 2013.

First read was conducted by the City Clerk

Discussion/Vote: Motion made by Alderman Trapp 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 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.

Ordinance Accepting the COMET Agreement (1st and 2nd Reading)

First Reading: 05-13-13

Second Reading: 05-13-13

AN ORDINANCE

AUTHORIZING the Mayor, on behalf of the City of Willard, to execute an agreement between the City of Willard and the Combined Ozarks Multi-jurisdictional Enforcement Team (COMET) and for the Willard Police Department to participate as a member agency in COMET.

First read was conducted by the City Clerk

Discussion/Vote: Motion made by Alderman Trapp 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 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.

Amendment to Ordinance 110711-Conceal and Carry (1st and 2nd Reading)

First Reading: 05-13-13
Council Bill No. 13-24

Second Reading: 05-13-13
Ordinance No.: 130513G

AN ORDINANCE

AN ORDINANCE APPROVING MUNICIPAL CODE AMENDMENTS TO SECTION 210.287 OF THE MUNICIPAL CODE OF THE CITY OF WILLARD PERTAINING TO CITY OFFICIALS CARRYING CONCEALED WEAPONS ON CITY PROPERTY.

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 Hemphill 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.

A motion to take a recess at 9:15 p.m. was made by Alderman Hemphill with a second by Alderman Vincent. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

A motion to go back into open session was made at 9:30 p.m. was made by Alderman Vincent with a second by Alderman Hemphill. Alderman Vincent-Aye, Alderman Johnson---, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Order of Business Ordinance (1st Reading)

First Reading: 05-13-2013

Second Reading: 06-10-2013

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

Discussion/Vote: Motion made by Alderman Roggensees and seconded by Alderman Hemphill 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.

Discussion/Vote on Informational Business License Brochures

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

Change Order Request for the Waterline Project Discussion/Vote

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

New Business

The meeting schedule for the week of May 20, 2013 was discussed.

Old Business

None

Adjourn meeting

Motion made by Alderman Hemphill and seconded by Alderman Roggensees 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 (#3) Personnel.

Closed Session

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

Meeting Adjourned.

Dale Duvall, City Clerk

Wendell Forshee, Mayor of Willard