

**CITY OF WILLARD
BOARD OF ALDERMAN
REGULAR MEETING
April 8, 2013**

Board present: Alderman Trapp-present, Alderman Roggensees--present, Alderman Hemphill-present, Alderman McDonald, Alderman Vincent-present, Mayor Forshee and Alderman Johnson -present.

Staff present: City Clerk, Dale Duvall; Director of Development, Randy Brown; Chief Financial Officer, Karen Robson; Operations and Aquatics Supervisor, Whitney Shoffner; Programs and Events Coordinator, Amanda Allen; Public Works Director; Justin Reaves, Community Services Director; J.C. Loveland, Police Chief Tom McClain, Parks Department employee, Terri Hughes; Court Clerk, Linda Murray; and Public Works employee; Dustin Long.

City Attorney Ken Reynolds was present.

Citizens in attendance: Jennifer McDonald, Barbara Forshee, Sam Baird, Stacia Buffington, Robert Latham, Mindy Latham, Jim Vaughn, Doug Renshaw, Nedaline Renshaw, Kenneth Renshaw, Brian Turner, John Forrester.

Pledge of Allegiance

The Pledge of Allegiance was led by City Attorney Ken Reynolds

Call to Order

Attorney Ken Reynolds called the meeting to order at 7:00 pm.

Roll Call

The City Clerk called the roll call. Alderman Trapp-present, Alderman Hemphill-present, Alderman Johnson-present, Alderman Vincent-present.

The Aldermen and the Mayor took their places among the rest of the Board at this point.

Agenda Amendments/Approval of Agenda

Motion made by Alderman McDonald and seconded by Alderman Hemphill to approve the agenda. Alderman Vincent-Aye, Alderman Johnson-Aye, 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 March 11 2013

The City Clerk stated that there were a couple of changes that she needed to make to two of the votes and explained which ones they were. There was also a change made regarding the issue of the door locks at the park. **Motion** made by Alderman Hemphill and seconded by Alderman Trapp to approve the minutes. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman McDonald-Abstained. Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. Five votes aye. One abstention due to absence. Motion carried.

Approve the minutes of the special meeting on March 25 2013

Motion made by Alderman Vincent and seconded by Alderman Roggensees to approve the minutes. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman McDonald-Abstained. Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. Five votes aye. One abstention due to absence. Motion carried.

Ceremonial Matters

Elect Acting President

Motion made by Alderman McDonald and seconded by Alderman Trapp to elect Alderman Hemphill as Acting President. Alderman Vincent-Aye, Alderman Roggensees-Aye, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Johnson-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Elect Board Representative for Planning and Zoning Commission

The Board decided to wait to nominate a member for this position. It will be brought up at a future time if decided that it is necessary.

Reappoint Tricia Taylor to the Park Board

The Mayor asked for a motion to reappoint Tricia Taylor to the Park Board. **Motion** made by Alderman McDonald and seconded by Alderman Vincent to approve the appointment. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Citizen Input

Lucille Murray stated that Arbor Day will be held on April 26, 2013 at 3:30 p.m. at Jackson St. Park. The Regional Forester and a local Boy Scout Troop will be there. Lucille invited everyone to come out for the event and asked the Mayor to read the Proclamation at the event.

Stacia Buffington of the Chamber of Commerce spoke and stated that the Chamber of Commerce is behind the proposed change of venue for the Freedom Fest.

Financial Report

March outstanding invoices – There was some discussion on a few of the invoices. **Motion** made by Alderman Johnson and seconded by Alderman Vincent to approve the presented invoices. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

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

Utility Vehicle Purchase- The Community Services Director explained that the City was going with the Kubota due to Public Works having a Kubota and being able to work on them if there is a problem. The Board asked why a diesel was not quoted. Alderman Roggensees stated that he would prefer diesel. After discussion about diesel vs. gasoline a **Motion** made by Alderman Vincent and seconded by Alderman McDonald to approve the purchase. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Nay and Alderman Hemphill-Nay. Four votes aye. Two votes nay. Motion carried.

Change order for the Waterline Project- John Forrester of Olsson Engineering explained the reason for the change order in the amount of \$14,080 and that at the end of the project there will be a credit issued for approximately \$30,000, for work that was estimated to be needed but was not. **Motion** made by Alderman Roggensees and seconded by Alderman Vincent to approve the change order. Alderman Vincent-Aye, Alderman Johnson-Nay, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. Five votes aye. One vote nay. Motion carried.

The CFO informed the Board that she had placed the purchasing policy draft, and the finance officer job description draft at their seat for them to review. Alderman McDonald asked if Gaytha was doing the finance officer position. The CFO told him that Gaytha does accounts payable and some of the internal controls and that this new position is to train someone to do the CFO job.

Questions for the Department Heads

Alderman Roggensees asked the City Clerk about updating the code books and the CFO about a couple of questions on training. The CFO stated that there are certain trainings that staff goes to yearly and that she is preparing a list of those trainings to be brought to the Board in May. Alderman Roggensees also asked about the city retention policy on documents. The City Clerk explained that there is a state retention schedule and that the Board is shown a list of all documents that are due to be shredded for their approval. Alderman Roggensees asked the Public Works Director about the hand held meters.

Codification Ordinance (1st and 2nd Reading)

First Reading: 04-08-13

Second Reading: 04-08-13

Council Bill No.: 13-15

Ordinance No.: 130408

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 Board discussed some of the verbiage in the ordinance regarding the penalty section. **Motion** made by Alderman Vincent and seconded by Alderman Hemphill to approve the first reading. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman McDonald-Nay, Alderman Trapp-Aye, Alderman Roggensees-Nay and Alderman Hemphill-Aye. Four votes aye. Two votes nay. Motion carried.

Second read was conducted by the City Clerk

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

Ordinance accepting the Final Plat of Hwy 160 West Subdivision Phase 1 (1st and 2nd Reading)

First Reading: 04-08-13

Second Reading: 04-08-13

Council Bill No.: 13-16

Ordinance No.: 130408A

AN ORDINANCE

AN ORDINANCE TO ACCEPT THE FINAL PLAT OF HIGHWAY 160 WEST SUBDIVISION PHASE 1 AS AN ADDITION TO THE CITY OF WILLARD GREENE COUNTY, MO.

First read was conducted by the City Clerk

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

Copier Contract Ordinance (1st and 2nd Reading)

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: Alderman Hemphill stated that this contract is a fair market value lease, not a municipal lease. He stated that the City would pay taxes, property taxes and also for the machines to be sent back. Alderman Hemphill stated that this is not a municipal lease and that it is wrong. The CFO said that the previous City Administrator had done the work on this contract and that when the CFO reviewed it, she did not see pricing on the return of the equipment, sales tax, or personal property tax. The CFO said that due to those factors that it was an incomplete bid. Alderman Trapp said that she noticed that the contract states that the City must buy the surge protector from the company, or problems would not be covered. The CFO stated that when she spoke to Alderman Hemphill about this contract, that her proposal to him was to rebid the whole contract. The company does not have a signed contract with the City and so there are no legal ramifications, per the City Attorney. **Motion** made by Alderman Vincent with a second by Alderman Johnson to return these copiers, rebid the contract and rent copiers until the City signs a new contract. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Abstained. Five votes aye. One abstention due to a potential perceived conflict of interest. Motion carried.

The CFO will write a new bid and send it to the Board prior to sending it out.

The City Clerk asked the Mayor to ask for a motion to accept the copier contract, so that the bill could die.

There was no motion and so the bill dies.

Discussion/Vote on the proposed change of venue for the Freedom Fest 2013

Operations and Aquatics Supervisor, Whitney Shoffner; Community Service Director, J.C. Loveland; and Programs and Events Coordinator, Amanda Allen made a presentation to the Board about changing the venue for Freedom Fest from the school property to the Jackson St. Park.

The car show will still be at the Middle School and the fireworks will be set off at the school site as in the past. All of the events: the barbeque competition, vendor booths, games and the bands, will be located at the park. That is also where the spectators will watch the fireworks from.

The parade route will be altered slightly to go down Jackson in front of the park. **Motion** made by Alderman Hemphill and seconded by Alderman Johnson to approve the venue change. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman McDonald-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill- Aye. All votes aye. Motion carried.

New Business

No new business.

Old Business

Alderman Vincent asked about the progress on the audit update. The CFO stated that there had been an update in 2011 and that the previous City Administrator had been working on a new update and that she was currently working on finishing it. Alderman Vincent also asked about the sign ordinance and the City Clerk told him that when the new City Administrator is hired it will be addressed. Alderman Vincent asked about the Mill St project and was told that the issue would be dealt with in closed session.

Alderman Hemphill spoke about changing the utility bills to postcard format. The CFO stated the process of being able to do mailing that way. She stated that she will get more information to the Board.

Alderman Hemphill asked if financial reports could be presented monthly again. The CFO stated that the auditor is recommending that and that they will soon be back on the agenda monthly.

Alderman Hemphill asked that the department heads verbal reports could be put back on the order of business as was done in the past.

Stacia Buffington of the Chamber of Commerce spoke to the Board about attracting vendors to the Freedom Fest. Ms. Buffington also spoke about selling alcohol/beer garden.. Alderman Hemphill asked if a alcohol sales could be added to the Freedom Fest. The City Clerk stated that there is a caterer's license that is available for the selling of alcohol but that our city ordinance does not allow drinking in public places or on city property. The City Attorney explained to the Board that the city ordinances cannot be superseded or ignored for the day and that the ordinance will need to be rewritten. The City Clerk informed the Board that the revision to the alcohol ordinance is being brought to the Board in May and that a special events permit can be looked at to allow for the sale of alcohol on public and city owned properties. Alderman Roggensees stated that he is not very cautious to the idea of a beer garden, but that he believes that it could get out of control if not enough planning is done.

The issue will be discussed at brought up at the next meeting.

Adjourn meeting

Motion made by Alderman Hemphill and seconded by Alderman Vincent 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.

Closed Session

Motion made by Alderman Roggensees and seconded by Alderman McDonald to go into closed session pursuant to Section 610.021 (#1) Legal and (#3) Personnel and that the Board will stand adjourned at the vote to end 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 at 9:50 p.m.

Dale Duvall, City Clerk

Wendell Forshee, Mayor of Willard