

**CITY OF WILLARD
BOARD OF ALDERMAN
REGULAR MEETING
January 14, 2013**

Board present: Alderman Trapp-present, Alderman Roggensees-present, Alderman Hemphill-present, Mayor Keltner-present, Alderman Vincent-present, Alderman Simmons –present and Alderman Johnson - present.

Staff present: City Clerk; Dale Duvall, City Administrator; Nicholas Heatherly, Director of Development; Randy Brown, Chief Financial Officer; Karen Robson, Operations and Aquatics Supervisor; Whitney Shoffner, Community Services Director; J.C. Loveland, Public Works Director; Justin Reaves, Police Chief Tom McClain and Dustin Long of Public Works.
City Attorney Ken Reynolds was present.

Citizens in attendance: Jim Vaughn, Blaine Kennard, Mindy Latham, C. Wendall Forshee, Neil Brady, Brian Turner of Turner Excavating, Doug Renshaw, Chris Upp, Nedalene Renshaw, Kenneth Renshaw, Stacia Buffington and Sam Baird

Call to Order

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

Roll Call

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

Agenda Amendments/Approval of Agenda

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

Approve the minutes of the regular meeting on December 10, 2012

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

Citizen Input

Jim Vaughn spoke to the Board about a piece of plastic that he found in his water faucet. The Public Works Director stated that it could not have come from the City's end, due to the screen at the City's end. The Mayor stated that it looked like a piece of the actual faucet.

Financial Report

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

Questions for the City Administrator and Department Heads

Alderman Hemphill asked the Public Works Director about the cub cadet that Public Works was going to look into repairing. The Public Works Director stated that it had not been looked at yet due to other projects within the department.

Alderman Trapp asked about the Safe Routes to School project and the funding. The City Administrator stated that the Safe Routes to School grant is a zero match. The City has received approval for the other grant, the Transportation Enhancement grant, and it is an 80/20 match. The City should receive notice in the next few weeks regarding qualifying for the Safe Routes Grant.

If the City does receive approval, it will accept the Safe Routes Grant and return the Transportation Grant. The project will put a sidewalk on the north side of Hwy Z from the trail to the Recreation Center. There will also be a sidewalk from Farmer on the west side at Jackson St. down to Willey. The City Administrator discussed his budget update that had been given to the Board.

Staff discussion of the Planning and Zoning Commission's recommendation for the rezoning request from R-1 to C-2 for tract 2 of the MD Subdivision and also an adjacent legal tract.

The City Administrator reviewed the staff report for the rezoning request with the Board and stated that the Planning and Zoning Commission recommended the request be approved.

Alderman Roggensees stated that he approved of business growth, but that storm water drainage for the Fox Creek residents was a concern.

PUBLIC HEARING TO CONSIDER THE REQUEST FOR REZONING FROM R-1 TO C- 2 FOR TRACT 2 OF THE MINOR SUBDIVISION AND ALSO AN ADJACENT LEGAL TRACT

The public hearing was opened by the City Attorney.

There was no public comment.

The public hearing was closed by the City Attorney.

Discussion/Vote on the ordinance for the rezoning request from R-1 to C-2 for tract 2 of the MD Subdivision and also an adjacent legal tract. (1st and 2nd Reading)

First Reading: 01-14-2013

Council Bill No.: 13-01

Second Reading: 01-14-2013

Ordinance No.: 130114

AN ORDINANCE

AMENDING the Willard Land Use Regulations, Section 400.380A, City of Willard Zoning Map, by rezoning Tract 2 of the MD Minor Subdivision and an adjacent remnant tract as described in Book 1758, Page 2133 of the Greene County Recorder's Office, all within the City of Willard, and declaring an emergency.

First read was conducted by the City Clerk

a. Citizen Input-None

b. Discussion/Vote- Alderman Vincent asked where the entrance would be and the City Administrator stated that the City did not know where the entrance would be at this time.

Alderman Roggensees asked if it was known what business would be going in at the site. The City Administrator stated that there is a hardware store interested in lot one of the property, but that any business that complies with the City building regulations for that zoning district would be allowed at the site.

Alderman Roggensees asked about buffers and was told by the City Administrator that the City codes do require buffers.

Motion made by Alderman Simmons and seconded by Alderman Vincent to approve the first read.

Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Second read was conducted by the City Clerk

a. Citizen Input-None

b. Discussion/Vote- Alderman Vincent asked if the MoDot project at Hunt Rd and Hwy 160 would coincide with the timing on this development. The City Administrator stated that he did not know at this time.

Alderman Roggensees asked about storm water concerns. The Mayor and the City Administrator stated that the developer cannot increase the flow but it may stay the same. The Mayor also stated that having the City work with the developer to reduce the storm water issue was an option. **Motion** made by Alderman Vincent and seconded by Alderman Hemphill to approve the second read. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

MoDot/City of Willard Ordinance for the Hwy160/Hunt Rd. Intersection(1st and 2nd Reading)

AN ORDINANCE

AUTHORIZING the Mayor, on behalf of the City of Willard, to execute an agreement between the City of Willard and the Missouri Highways and Transportation Commission to provide improvements or reconstruction of the intersection of Route 160 and Hunt Road in the City of Willard.

First read was conducted by the City Clerk

- a. Citizen Input-None
- b. Discussion/Vote- The City Administrator stated that this is the second agreement for this project. The first was previously approved by the Board for the set up of the cost share. **Motion** made by Alderman Simmons and seconded by Alderman Roggensees to approve the first read. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Second read was conducted by the City Clerk

- a. Citizen Input-None
- b. Discussion/Vote- **Motion** made by Alderman Roggensees and seconded by Alderman Hemphill to approve the second read. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Ordinance accepting the 2013 Land O' Frost Contract (1st and 2nd Reading)

AN ORDINANCE

AUTHORIZING the Mayor on behalf of the City of Willard, to execute an agreement between the City of Willard and Land O' Frost, Inc. to accept Land O' Frost as the exclusive jersey sponsor for the Willard Parks and Recreation 2013 sports programs.

First read was conducted by the City Clerk

- a. Citizen Input-None
- b. Discussion/Vote- **Motion** made by Alderman Johnson and seconded by Alderman Vincent to approve the first read. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Second read was conducted by the City Clerk

- a. Citizen Input-None
- b. Discussion/Vote- Alderman Hemphill asked how many bids were received for this sponsorship and the City Administrator informed him that this was the only bid received. **Motion** made by Alderman Simmons and seconded by Alderman Vincent to approve the second read. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Ordinance Amending the Olsson Associates Contract (1st and 2nd Reading)

AN ORDINANCE

AUTHORIZING the Mayor to execute an contract amendment between the City of Willard and Olsson Associates to provide on-call engineering services; and Amending the budget of the General Fund for Fiscal Year 2013.

First read was conducted by the City Clerk

- a. Citizen Input-None
- b. Discussion/Vote- The City Administrator explained to the Board that the City has received task orders that exceed the amount that was agreed to in the original contract by approximately \$8,000 to date. After the City Administrator explained the projects that these charges were for there was a **Motion** made by Alderman Simmons and seconded by Alderman Vincent to approve the first read. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Second read was conducted by the City Clerk

- a. Citizen Input-None
- b. Discussion/Vote- Alderman Vincent asked which budget year the funds would come from and the City Administrator stated that the monies would come out of the 2013 budget. **Motion** made by Alderman Simmons and seconded by Alderman Vincent to approve the second read. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Amendment to the Order of Business Ordinance (1st 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

- a. Citizen Input-None
- b. Discussion/Vote- **Motion** made by Alderman Simmons and seconded by Alderman Vincent to approve the first read. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Discussion and Action of Board of IRS Mileage Reimbursement Changes

The City Administrator asked for Board approval to raise the reimbursement rate to the new IRS standard at 56.5 cents per mile. **Motion** made by Alderman Simmons and seconded by Alderman Vincent to approve the increase. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill- Aye. All votes aye. Motion carried.

Discussion/Action of the Board of change order #2 for the City Waterline Project

The City Administrator asked for Board approval for the Mayor to sign the change order. **Motion** made by Alderman Vincent and seconded by Alderman Simmons. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill- Aye. All votes aye. Motion carried.

Old Business

Alderman Vincent asked about the Mill St. project and the City Administrator stated that there is one homeowner who has not yet signed. The Mayor spoke of possible condemnation by the City, if necessary to get the project completed.

Alderman Roggensees stated that he would like to review the information provided to the Board on nepotism and also the city clerk/administrator structure. Alderman Vincent stated that he was fine with the wording in the current City employee manual.

The City Administrator discussed the waterline project pay request and stated that the water loss report from Public Works would be completed soon.

Adjourn meeting

Motion made by Alderman Simmons and seconded by Alderman Hemphill to adjourn the meeting. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill- Aye. All votes aye. Motion carried.

Closed Session

Motion made by Alderman Johnson and seconded by Alderman Simmons 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.

Adjourn Closed Session

Motion made by Alderman Simmons and seconded by Alderman Hemphill to adjourn the meeting. 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 9:58 p.m.

Dale Duvall, City Clerk

Tom Keltner, Mayor of Willard