

CITY OF WILLARD
BOARD OF ALDERMAN
REGULAR MEETING
April 9, 2012

Board present: Alderman Trapp-present, Alderman Roggensees-present, Alderman Hemphill-present, Mayor Keltner-present, Alderman Vincent-present and Alderman Simmons-present. Alderman Magee- was not present.

Staff present: City Clerk, Dale Duvall; CFO, Karen Robson; City Administrator; Nicholas Heatherly; Director of Development, Randy Brown; Willard Police Chief, Tom McClain; and Willard Reserve Officer, Bill Lingenfielser.

City Attorney Ken Reynolds was also present.

Citizens in attendance: Lucille Murray, Mindy Latham, Robert Latham, Sam Baird, Doug Johnson and Jim Vaughn.

Mayor Tom Keltner led the Pledge of Allegiance.

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 Magee---, Alderman Vincent-present and Alderman Simmons-present.

Swear/Affirm Newly Elected Officials

City Clerk, Dale Duvall swore in newly elected Alderman Doug Johnson from Ward I, for a two (2) year term.

City Clerk, Dale Duvall swore in re-elected Alderman David Hemphill from Ward III, for a two (2) year term.

City Clerk, Dale Duvall swore in re- elected Alderman Bryan Vincent from Ward II, for a two (2) year term.

Alderman Johnson took his seat among the rest of the Board at this point.

Elect Acting President

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

Elect Board Representative for Planning and Zoning Commission

Motion made by Alderman Hemphill and seconded by Alderman Vincent to re-elect Alderman Trapp as the Planning and Zoning Commission Representative for the Board. Alderman Vincent-Aye, Alderman Magee--, Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Agenda Amendments/Approval of Agenda

Motion made by Alderman Simmons and seconded by Alderman Vincent to approve the agenda. Alderman Vincent-Aye, Alderman Magee--, 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 March 12, 2012

Motion made by Alderman Vincent and seconded by Alderman Hemphill. to accept the minutes from the meeting on 2-3-2012. Alderman Vincent-Aye, Alderman Johnson--Abstained, Alderman Simmons-Aye, 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 28, 2012

Motion made by Alderman Simmons and seconded by Alderman Trapp to accept the minutes from the meeting on 2-28-2012. Alderman Vincent-Aye, Alderman Johnson-Abstained, Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. Five votes aye. One abstention due to absence. Motion carried.

Ceremonial Matters

City Administrator, Nick Heatherly publicly commended Director of Development, Randy Brown for passing the Residential Building Code Inspector Test.

Citizen Input

Sam Baird discussed the handling of a recent situation where a City permit was denied for a special event. Mr. Baird stated that he would like to have better communication between the City and those wishing to bring business here.

Financial Report

March Outstanding Invoices- Motion made by Alderman Vincent and seconded by Alderman Simmons to approve the 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.

March Utility Adjustment Report- Motion made by Alderman Vincent and seconded by Alderman Trapp to approve the adjustment report. Alderman Vincent-Aye, Alderman Johnson-Aye, Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye and Alderman Hemphill-Aye. All votes aye. Motion carried.

Report from the City Administrator The City Administrator briefly discussed his monthly budget update.

Ordinance Amending the City of Willard Employee Manual Ordinance (2nd Reading)

Bill # 12-10

Ordinance #120409

ADOPTING amendments to the City of Willard Employee Manual.

Second read was conducted by the City Clerk.

Citizens Input –None

Discussion/Vote- None

Motion made by Alderman Vincent and seconded by Alderman Hemphill to approve the second read. Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye, Alderman

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

Ordinance declaring the 2012 February Election results (2nd Reading)

Bill #12-11

Ordinance #120409A

DECLARING the results of a Special Election held on the 7th day of February 2012, in the City of Willard, Missouri

Second read was conducted by the City Clerk.

Citizens Input –None

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

Ordinance Amending Section 400.170 (Guarantees for Lift Stations and Force Mains) (2nd Reading)

Bill# 12-12

Ordinance #120409B

AN ORDINANCE approving municipal code amendments to Title IV, Land Use Regulations, Article XVI, Guarantees for Public Improvements, Section 400.1470, Guarantees for Lift Stations and Force Mains, by adding a new paragraph H, of the Municipal Code of the City of Willard.

Second read was conducted by the City Clerk.

Citizens Input –None

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

Ordinance amending Section 400.720 (Landscaping) (2nd Reading)

Bill# 12-13

Ordinance #120409C

AN ORDINANCE approving municipal code amendments to Title IV, Land Use Regulations, Article VIII, Landscaping, Screening and Buffering Requirements, Section 400.720, Landscape Planting Standards of the Municipal Code of the City of Willard.

Second read was conducted by the City Clerk

Citizens Input-None

Discussion/Vote- None. **Motion** was made by Alderman Simmons and seconded by Alderman Roggensees to approve the second read. Alderman Simmons-Aye, Alderman Trapp-Aye,

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

Ordinance adding Section 400.705(Landscaping) (1st Reading)

Bill# 12-14

Ordinance #120409D

AN ORDINANCE approving municipal code amendments to Title IV, Land Use Regulations, Article VIII, Landscaping, Screening and Buffering Requirements, by adding a new Section 400.705, Enforcement, to the Municipal Code of the City of Willard.

Second read was conducted by the City Clerk

Citizens Input-None

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

Ordinance amending Section 400.120 (Definitions) (2nd Reading)

Bill# 12-15

Ordinance #120409E

AN ORDINANCE approving municipal code amendments to Title IV, Land Use Regulations, Article II, Definitions and Interpretations, Section 400.120, Definitions, by adding new definitions to the Municipal Code of the City of Willard.

Second read was conducted by the City Clerk

Citizens Input-None

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

Ordinance amending Section 400.780 (Commercial Vehicles) (2nd Reading)

Bill# 12-16

Ordinance #120409F

AN ORDINANCE approving municipal code amendments to Title IV, Land Use Regulations, Article IX, Parking and Loading Area Requirements, Section 400.780, Off-Street Parking General Requirements, by adding amending paragraph F. Commercial Vehicle Parking in Residence Districts, of the Municipal Code of the City of Willard.

Second read was conducted by the City Clerk

Citizens Input-None

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

Ordinance amending Section 410.080 (General Regulations-Zoning) (1st Reading)

Bill# 12-17

Ordinance #120409G

AN ORDINANCE approving municipal code amendments to Title IV, Land Use Regulations, Article I, General Provisions, Section 400.080, General Regulations - Zoning, by adding amending paragraph H., Accessory Structures And Uses, of the Municipal Code of the City of Willard.

Second read was conducted by the City Clerk

Citizens Input-None

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

Ordinance amending Section 400.1440 (Escrow) (1st Reading)

Bill# 12-18

Ordinance #120409H

AN ORDINANCE approving municipal code amendments to Title IV, Land Use, Chapter 400, Land Development Regulations Article XVI, Guarantees for Public Improvements, Section 400.1440, of the municipal code of the City of Willard pertaining to escrow agreements and Land Use Regulations.

Second read was conducted by the City Clerk

Citizens Input-None

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

Ordinance amending Section 365.080 (Traffic Code) (1st Reading)

Bill# 12-19

Ordinance #120409I

AN ORDINANCE approving municipal code amendments to Title III, Traffic Code, Chapter 300, General Provisions, Section 300.010, Definitions, by amending the definition of Commercial Vehicle, and Chapter 365, Stopping, Standing or Parking restricted or Prohibited on Certain Streets, and Section 365.080 Operation of Commercial Vehicles and Trucks Prohibited on Certain Streets, of the Municipal Code of the City of Willard.

Second read was conducted by the City Clerk

Citizens Input-None

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

Ordinance repealing Section 400.1420(Park in Lieu of fee) (1st Reading)

Bill# 12-20

Ordinance #120409J

AN ORDINANCE approving municipal code amendments to Title IV, Land Use Regulations, Article XV, Required Public Improvements, Section 400.1420, Park/Recreational Development, Dedication or Fee in Lieu Of, by repealing Section 400.1420 in its entirety and reserving the Section for future amendments, additions and modifications, of the Municipal Code of the City of Willard.

Second read was conducted by the City Clerk

Citizens Input-None

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

Ordinance between the City of Willard and Olsson Engineering (1st and 2nd Reading)
Bill# 12-21 **Ordinance #120409K**

AUTHORIZING the Mayor on behalf of the City of Willard, to execute an agreement between the City of Willard and Olsson Associates to provide on-call engineering services.

First read was conducted by the City Clerk

Citizens Input-None

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

Second read was conducted by the City Clerk

Citizens Input-None

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

Ordinance approving the Mayor to sign the advertising contracts (1st and 2nd Reading)
Bill# 12-22 **Ordinance #120409L**

AUTHORIZING the Mayor to execute lease agreements between the City of Willard and a variety of business, non-business and private entities, for the purpose of leasing advertising space at various Willard Parks and Recreational facilities.

First read was conducted by the City Clerk

Citizens Input-None

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

Second read was conducted by the City Clerk

Citizens Input-None

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

Ordinance approving an agreement between the City of Willard and Combined Ozarks Multi-jurisdictional Enforcement Team (COMET) (1st Reading)

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

Citizens Input-None

Discussion/Vote- The City Administrator explained to the Board that this was basically a renewal of a preexisting ordinance. **Motion** was made by Alderman Vincent and seconded by Alderman Hemphill to approve the first read. Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye, Alderman Hemphill-Aye, Alderman Vincent-Aye and Alderman Johnson-Aye. All votes aye. Motion carried.

Ordinance amending Chapter 205.070 (1st Reading)

AN ORDINANCE approving municipal code amendments to Title II, Public Health Safety and Welfare, Chapter 205, Animal Regulations, Article I, General Provisions, Section 205.070, Limitation of Number of Dogs or Cats, of the Municipal Code of the City of Willard.

First read was conducted by the City Clerk

Citizens Input-None

Discussion/Vote- The Board discussed the verbiage of this ordinance. **Motion** was made by Alderman Hemphill and seconded by Alderman Simmons to approve the first read. Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-Aye, Alderman Hemphill-Aye, Alderman Vincent-Nay and Alderman Johnson-Aye. Five votes aye. One vote nay. Motion carried.

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

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.

Citizens Input-None.

Discussion/Vote- The City Administrator explained this ordinance to the Board. **Motion** was made by Alderman Roggensees and seconded by Alderman Hemphill to approve the first read.

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

Discussion of the enforcement of Section 215.010-215.060 Willard Codes(Nuisance)

The Mayor requested that this subject be discussed and the City Administrator went through the process that is called for in the Code book to enforce these nuisances. **Motion** was made by Alderman Simmons and seconded by Alderman Vincent to amend the nuisance ordinance including the section on the towing process. Alderman Simmons-Aye, Alderman Trapp-Aye, Alderman Roggensees-N, Alderman Hemphill- N, Alderman Vincent-Aye and Alderman Johnson-N. Four votes aye. Two votes nay. Motion carried.

Discussion of the enforcement of Ordinance #111219C Sections 400.520 and 400.570 (Fowl)

The Mayor requested that this subject be discussed and the City Administrator went through the process that is called for in the Code book to enforce these nuisances.

Discussion/Review of the Police Department reports This item was requested by Alderman Simmons. The Board discussed the report with the Chief of Police.

Old Business-The Board asked about customer service training for the City staff. The CFO informed them that it is being planned for sometime soon.

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

Meeting adjourned.

Dale Duvall, City Clerk

Tom Keltner, Mayor of Willard