

**CITY OF WILLARD
BOARD OF ALDERMEN
REGULAR MEETING
December 28, 2010
7:00 pm**

Board present: Aldermen Richard Simpson; Aldermen David Hemphill; Aldermen Pat Lloyd; Aldermen Tim Magee and Aldermen Bryan Vincent. Mayor Jamie Schoolcraft and Aldermen Doug Johnson were not present.

Staff in attendance: City Clerk, Dale Duvall; Chief Financial Officer, Karen Robson; Parks and Recreation Director, Kevin McDonald; Deputy Clerk, Kendra Adams; Director of Development, Randy Brown, Public Works Director; Justin Reaves, Police Chief; Tom McClain; Reserve Police Officer, Bill Lingenfiesler; Court Clerk, Linda Murray; Aquatics Director, Brandon Eckhart; Sports Coordinator 2, Whitney Shoffner; Terri Hughes, Facility Maintenance and City Attorney, Paul Link.

Guest present: Lucille Murray, Ed Simmons,

Laura Scott for the Cross Country Times was also present.

Board President, Tim Magee called the meeting to order.

Board President, Tim Magee led the Pledge of Allegiance.

Roll Call

Aldermen Simpson-present; Aldermen Hemphill-present; Aldermen Lloyd-present; Mayor Schoolcraft----; Aldermen Johnson----; Aldermen Magee-present; and Aldermen Vincent-present.

Agenda Amendments/Approval of Agenda

Motion by Aldermen Simpson and seconded by Aldermen Lloyd to approve the agenda. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Aye; Aldermen Johnson---; Aldermen Magee-Aye; and Aldermen Vincent-Aye. Five (5) votes Aye. Motion carried.

Approve Minutes of the Special Meeting on December 17, 2010 Meeting

Motion by Aldermen Vincent and seconded by Aldermen Simpson. Aldermen

Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Aye; Aldermen Johnson--
-; Aldermen Magee-Aye; and Aldermen Vincent-Aye. Five (5) votes Aye. Motion
carried.

Approve Minutes of the December 13, 2010 Meeting

Aldermen Lloyd stated that the amount that the Purple Hearts Association had
presented for the veterans memorial was actually \$1500.00 and not \$1000.00.
City Clerk, Dale Duvall stated that she would make the change. **Motion** by
Aldermen Lloyd and seconded by Aldermen Vincent with the above change.
Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Aye; Aldermen
Johnson---; Aldermen Magee-Aye; and Aldermen Vincent-Aye. Five (5) votes
Aye. Motion carried.

Citizen Input

Joe Cosby spoke to the Board and asked, “where the 1 million dollar donation”
was that Mayor Schoolcraft had promised the Board would be presented. Mr.
Cosby stated that this amount would have brought the total cost of the pool for
the city to 1.7 million dollars. Mr. Cosby also stated that the Board at that time
had been misinformed regarding the pool as well as other times. He told the
board that they bear the responsibility of the finances for the City and that it is
going to take quite awhile to get the city back on track financially.

Frank Kaufman spoke to the board and offered his services to meet with the
board and assist the city in solutions for the financial situation.

Financial Report-CFO Karen Robson

November Financial Statements. **Motion** by Aldermen Simpson and seconded by
Aldermen Vincent. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-
Aye; Aldermen Johnson---; Aldermen Magee-Aye; and Aldermen Vincent-Aye. Five (5)
votes Aye. Motion carried.

Audit Update Aldermen Hemphill had requested an update to the status of
implementing the auditor’s recommendations. Karen went over the items that have been
or are in the process of being changed. Kevin McDonald presented a report to the board
that had changes that the parks department wanted to implement to make a considerate
amount of financial savings. Kevin will take it to the park board for input and then bring it
back to the board for approval.

Employee Manual Discussion Aldermen Hemphill and Aldermen Simpson had requested that this item be on the agenda this meeting. Aldermen Simpson explained that he would like to have a special meeting with all of the department heads and the board. The employee manual would be gone over page by page and also discussion of the job descriptions of each of the department heads. The meeting was set for 1-13-11 at 6:00 pm.

Utility Reminder Notice Discussion Aldermen Simpson asked when online bill paying would be implemented and Karen stated that it should be in February. Aldermen Vincent stated concern over the amount of disconnects that would occur by stopping the late notices. Karen stated that it is generally the same people every month that are late and that it will save the city in the range of \$12,000 to \$15,000 a year.

Street Lights Agreement The board asked for information as to why the cost is higher if the bulbs that were installed are energy efficient. The board asked for this information prior to the acceptance of this cost. Randy Brown will get the information and bring it to the board at the next regular meeting.

Land O' Lakes Agreement The board asked Kevin if bids had been sent out. Kevin told them that they had not. The board asked for bids to be and then to bring the item back to the board. **Motion** by Aldermen Simpson and seconded by Aldermen Hemphill to approve the Mayor to sign the agreement. Aldermen Lloyd asked that the item be placed out for bid. Kevin stated that the state auditor did not require that rfq's be put out. Aldermen Simpson removed the motion due to Aldermen Lloyd's request. It will be brought back at the next meeting.

Discussion of hiring procedure of the attorney Aldermen Hemphill and Aldermen Simpson had asked that this item be placed on the agenda. After discussion among the attorney and the board, Paul Link stated that he would bring back a proposal for the board to look at.

Vote of no confidence of Mayor Schoolcraft

Citizen Input-None

Discussion/Vote

This item was requested by Aldermen Vincent at the special meeting that was held on 12-17-10. Aldermen Vincent stated that his concern was due to the Mayor's comments in

the newspaper regarding his lack of time to devote to being the Mayor, and the fact that he has been missing city functions.

Aldermen Vincent stated that he was leaving the vote as was presented at the last meeting. Since the Mayor was not present, due to his son being born earlier in the day, Aldermen Vincent did not think it was right to add anything else to the motion.

Motion by Aldermen Vincent and seconded by Aldermen Hemphill. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Nay; Aldermen Johnson---; Aldermen Magee-Aye; and Aldermen Vincent-Aye. Four (4) votes Aye. One(1) vote Nay. Motion carried.

Conditional Use permit for Marcy Galligher and Marvin Haley Ordinance 2nd Reading

BILL NO. 10-36

ORDINANCE NO. 101228

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR A FAMILY DAY CARE HOME IN AN R-1 SINGLE FAMILY RESIDENCE DISTRICT.

Citizen Input for Bill NO. 10-36

None

Discussion/Approval for Bill NO 10-36

Second reading by title was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Simpson and seconded by Aldermen Vincent to accept the second reading. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Nay, Aldermen Johnson---, Aldermen Magee-Aye, Aldermen Vincent-Aye. Four(4) votes aye. One vote Nay. Motion carried.

AMENDMENT TO THE R-1 DISTRICT PERMITTED USES AND CONDITIONAL USES ORDINANCE 2nd READING

BILL NO. 10-38

ORDINANCE NO.101228B

AN ORDINANCE APPROVING A MUNICIPAL CODE AMENDMENT TO SECTION 400.420(A) AND SECTION 400.420(B) OF THE MUNICIPAL CODE OF THE CITY OF WILLARD PERTAINING TO R-1 SINGLE-FAMILY RESIDENCE DISTRICT.

Citizen Input for Bill NO. 10-38

There was no citizen input.

Discussion/Approval for Bill NO 10-38

Second reading by title was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Simpson and seconded by Aldermen Vincent to accept the second reading. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Nay, Aldermen Johnson---, Aldermen Magee-Aye, Aldermen Vincent-Aye. Four (4) votes aye. One (1) vote nay. Motion carried.

AMENDMENT TO THE BUILDING AND CONSTRUCTION FEES ORDINANCE
2nd READING

BILL NO. 10-37

ORDINANCE NO.101228A

AN ORDINANCE APPROVING A MUNICIPAL CODE AMENDMENT TO SECTION 500.330 OF THE MUNICIPAL CODE OF THE CITY OF WILLARD PERTAINING TO BUILDING AND CONSTRUCTION FEES.

Citizen Input for Bill NO. 10-37

There was no citizen input.

Discussion/Approval for Bill NO 10-37

Motion by Aldermen Lloyd and seconded by Aldermen Vincent to accept the second reading. Aldermen Simpson-Nay, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson----, Aldermen Magee-Aye, Aldermen Vincent-Aye. Four (4) votes aye. One (1) vote Nay. Motion carried.

AMENDMENT TO 400.350 OF THE LAND DEVELOPMENT REGULATION
ORDINANCE 2nd READING

BILL NO. 10-39

ORDINANCE NO.101228C

AN ORDINANCE APPROVING A MUNICIPAL CODE AMENDMENT TO SECTION 400.350 OF THE MUNICIPAL CODE OF THE CITY OF WILLARD PERTAINING TO AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS.

Citizen Input for Bill NO. 10-39

There was no citizen input.

Discussion/Approval for Bill NO 10-39

Second reading by title was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Vincent and seconded by Aldermen Hemphill to accept the second reading. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye,

Aldermen Johnson---, Aldermen Magee-Aye, Aldermen Vincent-Aye. Five (5) votes aye. Motion carried.

2010 BUDGET AMENDMENT ORDINANCE 1st AND 2nd READING

BILL NO. 10-41

ORDINANCE NO. 1011228E

AN ORDINANCE TO AUTHORIZE PASSAGE. ENFORCEMENT AND UTILIZATION OF THE 2010 BUDGET AMENDMENT.

Citizen Input for Bill NO. 10-41

There was no citizen input.

Discussion/Approval for Bill NO 10-41

There was no discussion from the Board. First reading by title was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Lloyd and seconded by Aldermen Vincent to accept the first reading. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson---, Aldermen Magee-Aye, Aldermen Vincent-Aye. Five (5) votes aye. Motion carried.

Citizen Input for Bill NO. 10-41

There was no citizen input.

Discussion/Approval for Bill NO 10-41

There was no discussion from the Board. Second reading by title was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Vincent and seconded by Aldermen Simpson to accept the second reading. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson---, Aldermen Magee-Aye, Aldermen Vincent-Aye. Five (5) votes aye. Motion carried.

AMENDMENT TO SECTIONS 400.270, 400.280, 400.290, 400.420(B)(6), 400.600(H)(2), 400.800(F), 400.830(B), 400.1150, 400.1160(2), 400.1170(B), 400.1180(A), 400.1230(G)(3), 400.1450(A), 400.1490, 400.1500(E)(3)(a), AND 400.1510 OF THE LAND DEVELOPMENT REGULATIONS. 2nd READING

BILL NO. 10-40

ORDINANCE NO.101228D

AN ORDINANCE APPROVING A MUNICIPAL CODE AMENDMENT TO SECTIONS 400.270, 400.280, 400.290, 400.420(B)(6), 400.600(H)(2), 400.800(F), 400.830(B), 400.1150, 400.1160(2), 400.1170(B), 400.1180(A), 400.1230(G)(3), 400.1450(A), 400.1490, 400.1500(E)(3)(a), AND 400.1510 OF THE LAND DEVELOPMENT REGULATIONS.

Citizen Input for Bill NO. 10-40

There was no citizen input.

Discussion/Vote for Bill NO 10-40

Second reading by title was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Simpson and seconded by Aldermen Hemphill to accept the second reading. . Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson---, Aldermen Magee-Aye, Aldermen Vincent-Aye. Five (5) votes aye. Motion carried.

Department Heads Discussion Session Aldermen Simpson made a motion to postpone the department heads discussion until the meeting on 1-13-11 with all of the department heads. **Motion** by Aldermen Simpson and seconded by Aldermen Vincent. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson---, Aldermen Magee-Aye, Aldermen Vincent-Aye. Five (5) votes aye. Motion carried.

Old Business

Pat Lloyd spoke to the board regarding creating a citizens advisory committee.

Board president announced that the board would be going into closed session to discuss (1) Legal.

Adjourn

Motion made by Aldermen Vincent and seconded by Aldermen Hemphill to adjourn the open meeting and open the executive session. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson---, Aldermen Magee-Aye, Aldermen Vincent-Aye. Five (5) votes aye. Motion carried.

Meeting adjourned at 8:27 pm.

Motion made by Aldermen Hemphill and seconded by Aldermen Simpson to adjourn the executive session and open the open session and adjourn. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson---, Aldermen Magee-Aye, Aldermen Vincent-Aye. Five (5) votes aye. Motion carried.

Attested by:

Dale Duvall, City Clerk

Approved by:

Jamie Schoolcraft, Mayor