

**CITY OF WILLARD
BOARD OF ALDERMEN
SPECIAL MEETING
December 13, 2010
7:00 pm**

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

Staff present: CFO; Karen Robson, City Clerk; Dale Duvall, Deputy Clerk; Kendra Adams, Parks and Recreation Director; Kevin McDonald, Public Works Director; Justin Reaves, Director of Development; Randy Brown, Chief of Police; Tom McClain, Willard Reserve Officer; Bill Lingenfiesler, and City Attorney; Doug Harpool.

Also present: Tom Keltner, Brad Erwin, Brian Orr, Marcy Galligher, Marvin Haley, Richard East, Paul Schmitz Sr., Jim Scriggs, Randy Thomas, Ted Scott, Bryce Lockwood and Paul Hood.

Laura Scott with the Cross Country Times was also present.

Aldermen Magee led the Pledge of Allegiance.

PUBLIC HEARING TO CONSIDER AND RECOMMEND TO THE BOARD OF ALDERMEN, CHANGES TO THE CITY OF THE WILLARD MUNICIPAL CODE BOOK, TITLE IV. LAND USE, CHAPTER 400: LAND DEVELOPMENT REGULATIONS.

Attorney Doug Harpool opened the public hearing.

There was no citizen discussion and the public hearing was closed by Attorney Harpool.

PUBLIC HEARING TO CONSIDER AND RECOMMEND TO THE BOARD OF ALDERMEN, THE ZONING CLASSIFICATION FOR THE ANNEXED LAND OWNED BY WILLARD R-II SCHOOL DISTRICT TO BE USED FOR A TRANSITION HOUSE.

Attorney Doug Harpool opened the public hearing.

There was no citizen discussion and the public hearing was closed by Attorney Harpool.

PUBLIC HEARING TO CONSIDER THE REQUEST FOR A CONDITIONAL USE PERMIT FOR MARCY GALLAGHER AND MARVIN HALEY II, TO PERMIT AN IN HOME DAYCARE AT THEIR RESIDENCE LOCATED AT 605 S. MILLER ROAD WILLARD, MO 65781.

Attorney Doug Harpool opened the public hearing.

There was no citizen discussion and the public hearing was closed by Attorney Harpool.

Call to Order

Aldermen Magee called the meeting to order.

Roll Call

City Clerk, Dale Duvall called the roll call. Aldermen Simpson-present, Aldermen Hemphill-present, Aldermen Lloyd-present, Mayor Schoolcraft-----, Aldermen Johnson-present, Aldermen Magee-present, Aldermen Vincent-present.

Agenda Amendments/Approval of Agenda

Aldermen Simpson asked for an item for discussion of the ordinance in relation to the City Attorney. It was placed as the new # 25 on the agenda. **Motion** made by Aldermen Hemphill and seconded by Aldermen Simpson to approve the agenda with the above addition. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. All votes aye. Motion carried.

Approve the Minutes of the Regular Meeting on November 8, 2010

Motion made by Aldermen Lloyd and seconded by Aldermen Vincent to approve the minutes of the meeting on November 8, 2010 Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. All votes aye. Motion carried.

Approve the Minutes of the Special Meeting on November 15, 2010

Motion made by Aldermen Vincent and seconded by Aldermen Hemphill to approve the minutes of the special meeting on November 15, 2010. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Abstained, Aldermen Magee-Aye, Aldermen Vincent-Aye. Five votes aye. One abstention due to absence. Motion carried.

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

Motion made by Aldermen Simpson and seconded by Aldermen Johnson to approve the minutes of the special meeting on November 17, 2010. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. All votes aye. Motion carried.

Citizen Input-Christopher Strong spoke to the Board regarding his frustration over his water/sewer bills and the inconsistencies. He also informed the Board that he had phoned the Mayor and left numerous messages and had never heard back. Aldermen Simpson expressed his concern over the manner in which it was handled. Karen Robson stated that staff would get the meter recertified and that if it was a meter problem that she would look over his bill for the last year and make the proper adjustments. Mr. Strong also spoke of an incident that happened with some brush and trees in the right-of-way that had caused damage to his truck in October. The Mayor had previously stated that Mr. Strong needed to turn the claim into his insurance and that he had done this, but that his insurance would not do

anything because it was below his deductible. The Board asked him to submit the estimate to Karen Robson again.

Pat Strong expressed her frustration over the discontinuance of the shut off notices.

Motion by Aldermen Simpson with a second by Aldermen Vincent to bring the issue of the late notices back to the Board at the next Board meeting. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. All votes aye. Motion carried.

Gordon Strong spoke to the Board regarding his water/sewer bill and the inconsistencies in his bill totals. Karen told Mr. Strong that she thought that the issues with his water bill were taken care of, but that she would look at his account again.

Purple Heart Association Presentation Four members of the Purple Heart Association presented a check for \$1000.00 to the Veterans Memorial Fund.

Advisor Insurance Agency 2011 Proposed Insurance Renewal Kirk Reisner spoke to the Board regarding the property insurance rates for the year 2011. The Board expressed concern that they had not been notified of other bids on the insurance for the year. **Motion** by Aldermen Lloyd with a second by Aldermen Johnson to approve the bid for the 2011 property insurance for the City. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Nay. Five(5) votes aye. One(1) vote Nay. Motion carried. Aldermen Vincent and Aldermen Hemphill asked the records to reflect that they both approved this only due to time constraints.

Financial Report-CFO Karen Robson

October Financials **Motion** made by Aldermen Lloyd and seconded by Aldermen Vincent to approve the October financials. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. All votes aye. Motion carried.

November Outstanding Bills Aldermen Hemphill and Aldermen Simpson asked about the invoice for \$975.00 for the email retrieval due to the sunshine request. Aldermen Simpson asked if the person that requested the emails was billed. Karen stated that staff was waiting for direction from the Board. Aldermen Hemphill stated that he believed that the Board had the right to decide to bill the person that made the sunshine request. Aldermen Simpson concurred. Aldermen Vincent stated that he felt that the bills needed to be approved and paid. **Motion** made by Aldermen Vincent and seconded by Aldermen Johnson to pay the outstanding bills. Aldermen Simpson-Nay, Aldermen Hemphill-Nay, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. Four votes aye. Two votes Nay. Motion carried.

Safe Room Grant Brian Orr of Toth Engineering and Brad Erwin of Paragon Architecture and spoke to the Board regarding the safe room grant. Aldermen Lloyd stated his concern over the funds. Aldermen Magee asked about the potential donations that had been spoken of by Stacy Winters. Karen informed the Board that staff is working diligently on getting donations. Aldermen Simpson reminded the Board that no monies are being committed at this time. He also informed the Board that if the Board turns this grant down, it will be the second time and that might hurt the chances of getting the grant opportunity again. **Motion** made by Aldermen Simpson and seconded by Aldermen Hemphill to approve moving forward with the grant process. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Nay. Five votes aye. One vote nay. Motion carried.

November Utility Adjustment Report **Motion** made by Aldermen Lloyd and seconded by Aldermen Vincent to approve the report. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. Six votes aye. Motion carried.

Backhoe Trade After discussion of the Board regarding the necessity of the trade-in, the Board asked Justin Reaves to look into what a warranty would cover if the City keeps the backhoe for another year. This would save the \$6500.00 for trading this one in at this time. This item will be brought back to the Board at the next meeting.

Group Health Insurance Karen Robson explained to the Board that our current medical insurance carrier is deleting their medical insurance division as of 1/1/2011. She informed the Board that she had found out just two weeks the Board discussed their desire to have multiple bids come to them prior to bringing the final bid for approval. **Motion** made by Aldermen Lloyd and seconded by Aldermen Vincent to accept the health insurance bid that was presented. Aldermen Simpson-Nay, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. Five votes aye. One vote Nay. Motion carried.

Emergency Purchase for the Lift Station Justin Reaves explained to the Board that a rebuilt pump was purchased for \$8500.00 as opposed to the new pump that would- cost \$15.000. Aldermen Hemphill asked Justin to look into the warranty coverage on a new pump for future reference. **Motion** made by Aldermen Simpson and seconded by Aldermen Johnson to pay the outstanding bills. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. Six votes aye. Motion carried.

Police Department Report-Chief Tom McClain

Chief Tom McClain asked the Board if there were any questions regarding his report. There were no questions from the Board.

Emergency Management Report-Stacy Winters

Stacy Winters was not present to give his report.

Public Works Report-Justin Reaves

Justin Reaves asked the Board if there were any questions regarding his report. There were no questions from the Board.

Development Report-Randy Brown

Randy Brown asked the Board if there were any questions regarding his report. There were no questions from the Board. Randy Brown informed the Board that Matt Kelley of Freedom Bank had contacted him and they will be bringing their drawings for the permanent bank back to the Board for approval soon.

Parks and Recreation Report-Kevin McDonald

Kevin McDonald asked the Board if there were any questions regarding his report. There were no questions from the Board.

Rezoning for the Willard High School's Transition House Ordinance 1st and 2nd Reading

BILL NO. 10-33

ORDINANCE NO.101213C

AN ORDINANCE APPROVING THE REQUEST FOR ZONING CHANGE OF PROPERTY FROM AN A-1 DISTRICT TO AN R-1 DISTRICT.

Citizen Input for Bill NO. 10-33

There was no citizen input.

Discussion/Approval for Bill NO 10-33

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

Citizen Input for Bill NO. 10-33

There was no citizen input.

Discussion/Approval for Bill NO 10-33

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 Johnson to accept the second reading. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. All votes aye. Motion carried.

Conditional Use permit for Marcy Galligher and Marvin Haley Ordinance 1st 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

Marvin Haley and Marcy Galligher spoke to the Board regarding their request for an in-home daycare conditional use permit.

Discussion/Approval for Bill NO 10-36

Aldermen Simpson stated that he approved of the permit and that he would like to discuss at some point, allowing up to 10 children in a in-home daycare in a R-1. district. First reading by title was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Simpson and seconded by Aldermen Vincent to accept the first reading. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Nay, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. Five votes aye. One vote Nay. Motion carried.

Open Meetings Policy and Agenda Policy (2nd Reading)

BILL NO. 10-30

ORDINANCE NO. 101213

AN ORDINANCE APPROVING MUNICIPAL CODE AMENDMENTS TO CHAPTER 120 OF THE MUNICIPAL CODE OF THE CITY OF WILLARD PERTAINING TO THE ORDER OF MEETINGS, RECORDS, AND AGENDA POLICY.

Citizen Input for Bill NO. 10-30

There was no citizen input.

Discussion/Approval for Bill NO 10-30

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 Lloyd to accept the second reading. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. All votes aye. Motion carried.

Order of Business Ordinance 2nd Reading

BILL NO. 10-31

ORDINANCE NO.101213A

AN ORDINANCE AMENDING ORDINANCE NO.100412A APPROVING A MUNICIPAL CODE AMENDMENT TO SECTION 110.090 OF THE MUNICIPAL CODE OF THE CITY OF WILLARD PERTAINING TO ORDER OF BUSINESS.

Citizen Input for Bill NO. 10-31

There was no citizen input.

Discussion/Approval for Bill NO 10-31

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

Employee Manual Ordinance 2nd Reading

BILL NO. 10-32

ORDINANCE NO.101213B

AN ORDINANCE AUTHORIZING AND ADOPTING AN EMPLOYEE POLICY MANUAL REGARDING ALL EMPLOYEES OF THE CITY OF WILLARD, MISSOURI.

Citizen Input for Bill NO. 10-32

There was no citizen input.

Discussion/Approval for Bill NO 10-32

Aldermen Simpson and Aldermen Hemphill stated that they believed that the employee manual needed to be gone through page by page by the department heads and the Board. Aldermen Lloyd stated that he wanted it to pass "as is" for now. Second reading by title was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Lloyd and seconded by Aldermen Johnson to accept the second reading. Aldermen Simpson-Nay, Aldermen Hemphill-Nay, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. Four(4) votes aye. Two (2) votes nay. Motion carried.

2011 Election Ordinance 1st and 2nd Reading

BILL NO. 10-34

ORDINANCE NO.101213D

AN ORDINANCE CALLING FOR THE REGULAR ELECTION IN THE CITY OF WILLARD, MISSOURI, FOR THE PURPOSE OF HAVING THE QUALIFIED VOTERS OF SAID CITY ELECT THREE (3) ALDERMEN AND A MAYOR, DESIGNATING A TIME OF HOLDING SAID ELECTION, PRESCRIBING THE INFORMATION FROM THE BALLOT TO BE USED, AND AUTHORIZING THE CITY CLERK TO GIVE SUCH INFORMATION AND NOTICE OF SAID ELECTION TO THE COUNTY CLERK OF GREENE COUNTY.

Citizen Input for Bill NO. 10-34

There was no citizen input.

Discussion/Approval for Bill NO 10-34

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-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. Six(6)votes aye. Motion carried.

Citizen Input for Bill NO. 10-34

There was no citizen input.

Discussion/Approval for Bill NO 10-34

Motion was made by Aldermen Lloyd with a second by Aldermen Vincent to amend the ordinance adding the following verbiage: Section 3. **Filing shall open on December 14, 2010.** The filing deadline to be a candidate for any of the above offices to be filled at said election is 5:00 p.m. on January 18, 2011.**The order in which a name appears on the ballot shall, for those who file on the first day be determined by random drawing and thereafter by the time of filing.**

First reading by title with the above changes was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Johnson and seconded by Aldermen Simpson to accept the second reading. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. Six (6) votes aye. Motion carried.

Citizen Input for Bill NO. 10-34

There was no citizen input.

Discussion/Approval for Bill NO 10-34

There was no discussion from the Board. Second reading by title with the above changes was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Lloyd and seconded by Aldermen Vincent to accept the second reading. Aldermen Simpson-

Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. Six (6) votes aye. Motion carried.

Floodplain Management Ordinance 1st and 2nd Reading

BILL NO. 10-35

ORDINANCE NO.101213E

AN ORDINANCE APPROVING A MUNICIPAL CODE AMENDMENT TO SECTION 400.1410, SECTION 400.1520(b)(1), AND SECTION 400.1520(d)(1)(c) OF THE MUNICIPAL CODE OF THE CITY OF WILLARD PERTAINING TO FLOODPLAIN MANAGEMENT.

Citizen Input for Bill NO. 10-35

There was no citizen input.

Discussion/Approval for Bill NO 10-35

There was no discussion from the Board. First reading by title was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Simpson and seconded by Aldermen Lloyd to accept the first reading. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. Six (6) votes aye. Motion carried.

Citizen Input for Bill NO. 10-35

There was no citizen input.

Discussion/Approval for Bill NO 10-35

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-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. Six (6) votes aye. Motion carried.

AMENDMENT TO THE BUILDING AND CONSTRUCTION FEES ORDINANCE

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

Randy Brown explained that this was an update to the building and construction fees. Staff is updating the permit software and in doing so found that the schedule needed to be updated. First reading by title was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Lloyd and seconded by Aldermen Simpson to accept the first reading. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. Six (6) votes aye. Motion carried.

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

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

The Board discussed the details of this ordinance. The ordinance was recommended to the Board by the Planning and Zoning Commission. Aldermen Lloyd stated that he is against this ordinance passing due to the City losing its rights to control the situation in regards to safety. First reading by title was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Simpson and seconded by Aldermen Vincent to accept the first reading. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Nay, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. Five (5) votes aye. One(1) vote nay. Motion carried.

AMENDMENT TO 400.350 OF THE LAND DEVELOPMENT REGULATION ORDINANCE

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

Randy Brown and Dale Duvall explained the changes to 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-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. Six (6) 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.

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/Approval for Bill NO 10-40

Randy Brown and Dale Duvall explained the changes to the Board. First reading by title was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Vincent and seconded by Aldermen Johnson to accept the first reading. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Aye, Aldermen Johnson-Aye, Aldermen Magee-Aye, Aldermen Vincent-Aye. Six (6) votes aye. Motion carried.

ORDINANCE PERTAINING TO FARM ANIMALS WITHIN CITY LIMITS

Citizen Input.

There was no citizen input.

Discussion/Approval

Aldermen Hemphill, Aldermen Simpson and Doug Harpool discussed why the ordinance was being brought to the Board without the knowledge of the Board. Doug Harpool discussed the ordinance. First read by title only was conducted by City Clerk, Dale Duvall. The motion died due to a lack of a motion.

The Attorney Ordinance

Aldermen Simpson proposed that the attorney ordinance be changed to be the way it was prior to the current ordinance. He would like the attorney position to be put out for applications/bids at yearly intervals. The Board would then vote on the attorney from the applicants. Aldermen Simpson stated that he would like this done within 30 days of the election date each April. Attorney Harpool stated that by state statute the Mayor is the only person that can appoint a new one. The Board then votes on the Mayor's appointment. After discussion Doug Harpool stated that he would type something up for the Board to look at.

Old Business

Randy Brown spoke to the Board about the floodplain situation on Arrowhead Drive. He spoke with Justin Reaves to see if Public Works could fix the problem in-house, so as to help these residents that are impacted by this problem. Doug Harpool stated that his office will look into the legalities of the situation.

Aldermen Simpson spoke to the Board regarding his request to bring the department heads into speak to the Board. Aldermen Vincent asked if it needed to be in closed session. Attorney Harpool stated that he will look into the perimeters of the questions and see how this can be done.

Motion was made by Aldermen Simpson that the department heads be asked to come into closed session (one department head at each meeting), and discuss anything that they would like to speak to the Board about. Aldermen Vincent asked that it be optional. Aldermen Hemphill suggested that he would like it to be mandatory. The employees would be clarifying their job title and description and discuss any ideas that they have to help the City run more smoothly. If they wanted to discuss problems with other employees that it could be taken into closed session. Aldermen Simpson's motion was seconded by Aldermen Hemphill to have the department heads come to speak to the Board in open/closed session regarding any ideas and or suggestions. The attorney will come up with a guideline of questions to distribute to the department heads. Aldermen Simpson-Aye, Aldermen Hemphill-Aye, Aldermen Lloyd-Nay, Aldermen Johnson-Nay, Aldermen Magee-Aye, Aldermen Vincent-Aye. Four (4) votes aye. Two (2) votes nay. Motion carried.

The City Clerk asked if there was any business for closed session and the Board stated that there was none.

Adjourn

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

Meeting adjourned.

Dale Duvall, City Clerk

Tim Magee, Board President
Acting as Mayor