

**BOARD OF ALDERMEN
REGULAR MEETING
JUNE 28, 2010**

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

Staff in attendance: City Clerk, Dale Duvall; Community Relations Officer, Kate Gould; Chief Financial Officer, Karen Robson; Parks and Recreation Director, Kevin McDonald; Director of Development, Randy Brown; Reserve Police Officer Bill Lingenfiesler; and City Attorney, Paul Link.

Guest present: Gene Thomas, Darrell Biellier, Lucille Murray, Richard East, Joe Eldred, Sheri Eldred, Mary Wheeler, Garth Adcock of T-Mobile Central LLC., and Blaine Kennard.

Sarah Overstreet of the Willard Cross Country Times was also present.

Mayor Schoolcraft led the Pledge of Allegiance.

Mayor Schoolcraft called the meeting to order at 7:00 p.m.

Roll Call

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

Agenda Amendments/Approval of Agenda

Aldermen Hemphill asked that old business be added to the agenda. The Mayor stated that it would be the new number 14. **Motion** made by Aldermen Simpson and seconded by Aldermen Magee to approve the agenda with the change. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Aye; Aldermen Johnson----; Aldermen Magee-Aye; and Aldermen Vincent-Aye. All votes aye. Motion carried.

Approve Minutes of the June 7, 2010 Regular Meeting

Motion made by Aldermen Lloyd and seconded by Aldermen Magee to approve the minutes from the June 7, 2010 meeting. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Aye; Aldermen Johnson----; Aldermen Magee-Aye; and Aldermen Vincent-Aye. All votes aye. Motion carried.

Approve Minutes of the June 8, 2010 Special Meeting with Springfield

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

Approve Minutes of the June 9, 2010 Regular Meeting

Motion made by Aldermen Vincent and seconded by Aldermen Magee to approve the minutes from the June 9, 2010 meeting. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Aye; Aldermen Johnson----; Aldermen Magee-Aye; and Aldermen Vincent-Aye. All votes aye. Motion carried.

Citizen Input

Sheri Eldred spoke to the Board requesting a change to the current ordinance regarding family home daycares in R-1 districts to allow up to ten (10) children, as this is what the State of Missouri allows.

Mary Lou Wheeler of Educare told the Board that she believes that Sheri Eldred is very capable and is going through all of the proper state requirements to open this business.

The Board stated that they would like this to be looked into further. The Mayor stated that City staff would look into this and get information to the Board.

Financial Report-CFO Karen Robson

May Financials

Karen Robson asked that the Board approve the May financial statements. **Motion** by Aldermen Simpson and seconded by Aldermen Magee to approve the May financials. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Aye; Aldermen Johnson----; Aldermen Magee-Aye; and Aldermen Vincent-Aye. All votes aye. Motion carried.

AT&T Contract

The Board asked Karen Robson and Paul Link questions regarding the contract. After the discussion was over, Karen Robson asked that the Board approve the Mayor to sign the agreement. **Motion** by Aldermen Lloyd and seconded by Aldermen Simpson. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Aye; Aldermen Johnson----; Aldermen Magee-Aye; and Aldermen Vincent-Aye. All votes aye. Motion carried.

Firewall Maintenance Agreement

Karen Robson asked that the Board approve the Mayor to sign the agreement. **Motion** by Aldermen Lloyd and seconded by Aldermen Vincent. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Aye; Aldermen Johnson----; Aldermen Magee-Aye; and Aldermen Vincent-Aye. All votes aye. Motion carried.

Discussion of Newsletters Options

Kate Gould presented the Board with four options to help cut the cost of the City Newsletter. After discussion a motion was made to begin printing the City Newsletter on a bi-monthly basis in ledger size beginning in August and to look into a new folding machine so that the newsletters can be done in house. Karen Robson stated that she will be doing bids on folding machines and postage meters in the next few months. The Board also wants to do a City survey at the end of one year of the new schedule and see how it is being received. **Motion** made by Aldermen Lloyd and seconded by Aldermen Vincent. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Aye; Aldermen Johnson-----; Aldermen Magee-Aye; and Aldermen Vincent-Aye. All votes aye. Motion carried.

Discussion of Speed Limit on Jackson Street

Mayor Schoolcraft stated to the Board that this was brought to him by Aldermen Johnson and that Aldermen Johnson would like to have the speed limit from City Hall to the North end of Jackson at the edge of town raised to 35 mph from 30 mph. Aldermen Lloyd spoke about his concern on the intersection of Jackson Street and Highway Z. and that he would like to have a 4 way stop sign there. Mayor Schoolcraft told the Board that staff would look into the proper protocol for both situations and get information to the Board later in the week.

Fireworks Ordinance Amendment (1st and 2nd Reading)

BILL NO. 10-13

ORDINANCE NO. 100628

AN ORDINANCE APPROVING A MUNICIPAL CODE AMENDMENT TO SECTION 210.207(B) OF THE MUNICIPAL CODE OF THE CITY OF WILLARD PERTAINING TO FIREWORKS.

Citizen Input- Darrell Biellier spoke to the Board about safety concerns that he has regarding fireworks being allowed in residential areas. Mr. Biellier also expressed his concern on the lack of description in the ordinance of illegal places to light off fireworks.

Discussion- First reading was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Magee and seconded by Aldermen Vincent to accept the first reading. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Aye; Aldermen Johnson-----; Aldermen Magee-Aye; and Aldermen Vincent-Aye. All votes aye. Motion carried.

Second reading 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; and Aldermen Vincent-Aye. All votes aye. Motion carried.

T-Mobile Cell Tower Application Ordinance (1st and 2nd Reading)

BILL NO. 10-14

ORDINANCE NO. 100628A

AN ORDINANCE APPROVING TOWER LICENSE APPLICATION REGARDING T-MOBILE.

Dale Duvall explained to the Board that T-Mobile had submitted a request for an extension on their conditional use permit. She explained that the permit was only for six months and that it had expired on June 14, 2010. **Motion** by Aldermen Vincent and seconded by Aldermen Magee to approve the extension. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Aye; Aldermen Johnson----; Aldermen Magee-Aye; and Aldermen Vincent-Aye. All votes aye. Motion carried.

Citizen Input- None

Discussion- Randy Brown told the Board that all requirements had been met and that the Planning and Zoning Commission had recommended the approval of the application by the Board.

First reading was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Vincent and seconded by Aldermen Hemphill to accept the first reading. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Aye; Aldermen Johnson----; Aldermen Magee-Aye; and Aldermen Vincent-Aye. All votes aye. Motion carried.

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

Willard Parks and Recreation Tournament Facility Rental Agreement (1st Reading)

BILL NO. 10-15

ORDINANCE NO. 100712

AN ORDINANCE APPROVING THE WILLARD PARKS AND RECREATION TOURNAMENT FACILITY RENTAL AGREEMENT.

Citizen Input- No Citizen Input

Discussion- Aldermen Vincent asked for an ordinance to add the soccer fields to the properties that are rented out. First reading was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Simpson and seconded by Aldermen Magee to accept the first reading. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Aye; Aldermen Johnson----; Aldermen Magee-Aye; and Aldermen Vincent-Aye. All votes

aye. Motion carried.

Second reading will be conducted at the regular Board meeting on July 12, 2010.

Old Business

Aldermen Simpson asked for closed session to be added to all regular meeting agendas.

Attorney Paul Link stated that it is not proper practice to do that. Mr. Link also stated that there does need to be clarification as to who decides what can be and what is placed on the agenda. **Motion** by Aldermen Simpson and seconded by Aldermen Hemphill to change the agenda to add closed session automatically. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Nay; Aldermen Johnson---; Aldermen Magee-Aye; and Aldermen Vincent-Nay. Three votes Aye. Two votes Nay. Motion is denied due to the necessity of needing four votes to pass an ordinance. Paul Link told the Board that he will come back to the Board with some ideas to address the issue.

Aldermen Hemphill asked what was going on in regards to a new City attorney. Mayor Schoolcraft stated that there cannot be a firing done in old business and that the firing at the last meeting did not count. Aldermen Hemphill asked why the Mayor insisted on retaining Mr. Harpool as the City Attorney despite the fact that a majority of the Aldermen voted against renewing his contract and that per Mr. Harpool stated in previous minutes that he did not want to renew his two year contract. The Mayor stated that Mr. Harpool stated that he would like to stay as the City Attorney until the end of the Mayor's term. The Attorney, the Mayor and the Board discussed the legality of a new topic being brought up in old business and Paul Link stated that it needed to be an actual agenda item or an ordinance on its own or done as closed session personnel. There was discussion over the semantics of firing versus not renewing the Attorney's ordinance. Aldermen Vincent asked for an agenda item for the next meeting regarding the appointment of a temporary Attorney.

Adjourn

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

Meeting adjourned at 8:30 p.m.

Jamie Schoolcraft, Mayor of Willard

Dale Duvall, City Clerk