

**CITY OF WILLARD
BOARD OF ALDERMEN
April 26, 2010
7:00 P.M.**

Board present: Mayor Jamie Schoolcraft; Aldermen Richard Simpson; Aldermen Hemphill; Aldermen Pat Lloyd; Aldermen Doug Johnson; Aldermen Tim Magee; and Aldermen Bryan Vincent.

Staff in attendance: City Clerk, Dale Duvall; Deputy City Clerk, Kate Gould; Chief Financial Officer, Karen Robson; Chief of Police, Tom McClain; Parks and Recreation Director, Kevin McDonald; Public Work Director, Justin Reaves; Emergency Management Director, Stacy Winters; Director of Development, Randy Brown; Court Clerk, Linda Murray; Police Officer Bill Lingenfiesler; David Blakemore, Dustin Goodman, Amanda Beasley, Amy Shell, Kevin Bell, Kenny Herbert, Mark Gott, Andy Farmer, Terri Hughes, and City Attorney, Paul Link.

Guest present: Brandon Beck, Gene Thomas, Darrell Biellier, Cindy Trapp, Dave Helton, Jimmy Hughes, Paul Hood, Melissa Smith, Joe Cosby, Barbara Cosby, Tom Keltner, Brenda Keltner, Tami Cobb, Richard East, Lucille Murray, Kathy Blakemore, and Pam Tillery and Natalie McNish of the Missouri State Auditor's office. 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.

Roll Call

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

Agenda Amendments/Approval of Agenda

Mayor Schoolcraft stated that item number 8 should be removed from the agenda. Aldermen Hemphill asked that old business be put on the agenda. The Mayor stated that it would be the new number 13. **Motion** made by Aldermen Vincent and seconded by Aldermen Simpson to approve the agenda with the changes. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Aye; Aldermen Johnson-Aye; Aldermen Aldermen Magee-Aye; and Aldermen Vincent-Aye. All votes aye. Motion carried.

Approve Minutes of the April 12, 2010 Regular Meeting

Mayor Schoolcraft stated that the Bill numbers from the meeting on April 12, 2010 needed to be changed. Aldermen Vincent stated a change needed to be made regarding the Ordinance readings. Aldermen Vincent asked that a statement that he had made to the Mayor be included in the minutes. There was discussion between the Board, the City Clerk and the Attorney as to what is required to be included in the minutes. **Motion** made by Aldermen Simpson and seconded by Aldermen Hemphill to wait to approve the minutes from the April 12, 2010 meeting until the requested changes can be made and approved by the Board at the next Council meeting. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Aye; Aldermen Johnson-Aye; Aldermen Magee-Aye; and Aldermen Vincent-Aye. All votes aye. Motion carried.

Citizen Input

Brandon Beck, a Willard citizen, spoke to the Board requesting that fireworks be allowed to be sold and used in the City of Willard. Mr. Beck stated that he did not know the exact reason for the ban but that he had done some research on injuries as well as fires due to fireworks. He stated that he would like to see the ban lifted, noting that Nixa had recently reversed their city ban. Mr. Beck also told the Board that his reasons for wanting the reversal is so that he can open a fireworks stand as well as being able to enjoy setting them off with his family.

Melissa Smith spoke to the Board regarding the ban on fireworks. Ms. Smith owns and operates two firework stands in the Willard area. Ms. Smith stated that there would be potential for many stands, not just one. Ms. Smith stated that Willard would have their own regulations regarding fireworks. She told the Board that she just wanted to be aware of these things to consider in their conversation.

State Auditor's Office-Natalie McNish

Audit Manager, Ms. Tillery spoke to the Board regarding the audit. Ms. Tillery stated that the State needed 362 valid signatures for the audit to be approved and that 490 valid signatures had been received. Ms. Tillery said that the audit would take 4-6 months to complete and would cost the City \$15,000-\$30,000. If the audit is to cost more than \$30,000 then the City will be notified immediately. Ms. Tillery explained to the Board how the audit would be done.

Financial Report-CFO Karen Robson

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

Citizen Input for Bill NO. 10-08-No Citizen Input

Commerce Bank(Jackson Street Park)Lease Agreement 1st Reading

BILL NO. 10-08

ORDINANCE NO. 100510

AN ORDINANCE TO RENEW THE LEASE AGREEMENT BETWEEN COMMERCE BANK, AS TRUSTEE, AND THE CITY OF WILLARD, MISSOURI, ORIGINALLY DATED SEPTEMBER 1, 1992, AND RENEWED THEREAFTER, ANNUALLY, EFFECTIVE THOUGH APRIL 1, 2011, AND AS NOW RENEWED THEREAFTER FROM YEAR TO YEAR, FOR ONE YEAR TERMS.

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

Citizen Input for Bill NO. 10-09- No Citizen Input

Commerce Bank(Willard Sports Complex)Lease Agreement 1st Reading

BILL NO. 10-09

ORDINANCE NO. 100510A

AN ORDINANCE TO RENEW THE LEASE AGREEMENT BETWEEN COMMERCE BANK, AS TRUSTEE, AND THE CITY OF WILLARD, MISSOURI, ORIGINALLY DATED APRIL 1, 2001, AND RENEWED THEREAFTER, ANNUALLY, EFFECTIVE THOUGH APRIL 1, 2011, AND AS NOW RENEWED THEREAFTER FROM YEAR TO YEAR, FOR ONE YEAR TERMS.

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

Citizen Input for Bill NO. 10-10- No Citizen Input

Greene County Assessor Website Agreement Ordinance 1st Reading

BILL NO. 10-10

ORDINANCE NO. 100510B

AN ORDINANCE ACCEPTING THE GREENE COUNTY WEBSITE ACCESS AGREEMENT.

Aldermen Simpson asked that on section 3 it be changed to designate who the appropriate officer was to be. The motion was made to make the change from “appropriate officer” in section 3 to “City Clerk”. **Motion** by Aldermen Simpson and seconded by Aldermen Magee. Aldermen Simpson-Aye; Aldermen Hemphill-Aye; Aldermen Lloyd-Aye; Aldermen Johnson-Aye; Aldermen Magee-Aye; and Aldermen Vincent-Aye. All votes aye. Motion carried.

First reading was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Hemphill 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; and Aldermen Vincent-Aye. All votes aye. Motion carried.

Citizen Input for Bill NO. 10-11- No Citizen Input

2010 Codification Ordinance 1st Reading

BILL NO. 10-11

ORDINANCE NO. 100510C

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES FOR THE CITY OF WILLARD; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREIN EXPRESSLY PROVIDED; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE OF ORDINANCES; PROVIDING PENALTY FOR THE VIOLATION THEREOF; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

First reading was conducted by City Clerk, Dale Duvall. **Motion** by Aldermen Vincent 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; and Aldermen Vincent-Aye. All votes aye. Motion carried.

Old Business

Discussion was held among the Aldermen regarding the employee survey that was sent out to the employees of the City, per Aldermen Simpson’s request.

Motion by Aldermen Vincent with a second by Aldermen Lloyd to return the surveys to the City Clerk’s possession and to shred the employee surveys after the City Attorney has confirmed that it is legal to do so. Aldermen Vincent withdrew his motion followed by Aldermen Lloyd withdrawing his second. Due to confusion, misinformation and uncertainty surrounding whether employee responses to the recent employee survey would be confidential as represented and promised or subject to public disclosure the motion was made by Alderman Hemphill that the city reject the surveys without review or action and return them to the employees without consideration. In the event the identity of the employee who completed a survey could not be determined without review of the survey contents, the survey should be immediately shredded. **Motion** by Aldermen Vincent and seconded by Aldermen Lloyd to reject the return the surveys immediately to the employees. Aldermen Simpson-Aye; Aldermen Hemphill-Aye;

Aldermen Lloyd-Aye; Aldermen Johnson-Nay; Aldermen Magee-Aye; and Aldermen Vincent-Aye. Five (5) votes aye. One (1) vote nay. Motion carried.

Adjourn

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

Motion made by Aldermen Vincent and seconded by Aldermen Lloyd to close the executive meeting, open the open session and adjourn. 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

Jamie Schoolcraft, Mayor of Willard