

CITY OF WILLARD
BOARD OF ALDERMEN
MAY 14TH, 2007
7:00 P.M.

Board present: Mayor Jamie Schoolcraft; Aldermen Charles Whitehead; Aldermen Bill Caplinger; Aldermen Gordon O'Quinn; and Aldermen Louie Amodeo.

Also in attendance: City Administrator, Fred Gress; City Clerk, Kathy Blakemore; Municipal Court Clerk, Linda Murray; CFO, Karen Robson; Director of Development, Randy Brown; Director of Public Works, Charlie Jones; Director of Parks & Recreation, Kerri Gates; Emergency Management Director, Donna Gordon; Chief of Police, Tom McClain; Officer Bob Bell; Officer Nathan Kelley; Officer Mike Payne; Planning & Zoning Executive Secretary, Lucille Murray; Recreation Center Receptionist, Sherri Bowen; City Phone Operator, Tami Cobb; Utility Clerk, Pat Zimdars; and City Attorney, Ken Reynolds.

Guest present: Janice Kelley, Karan Kelley, Joyce Cabe, Janelle Andrus, McKayleigh Andrus, Mike L. Finkbiner, Roger Craven, Don Delver, Max McKee, Ryan Nichols, Daniel Nichols, and Evans Ross.

McKayleigh Andrus led the Pledge of Allegiance.

Special Recognition (Awards, Certificates, and Honors)

Chief of Police, Tom McClain presented McKayleigh Andrus with the Character Attribute Award for "Dependability". McKayleigh is a student at the intermediate school.

Chief of Police, Tom McClain swore in Nathan Kelley, a new Willard Police Officer.

Mayor Jamie Schoolcraft called the meeting to order.

Agenda Amendments/Approval of agenda

Mayor Jamie Schoolcraft stated that he would like to add to the agenda Holly Ellis, to discuss a wreck that occurred at Show-Me-Mable. This item will be #11.

Motion made by Bill Caplinger with second by Louie Amodeo to add Holly Ellis-Wreck at Show-Me-Marble. All votes yes. Motion carried.

Mayor Jamie Schoolcraft requested to move item #20-Closed Session to the end of the meeting.

Motion made by Louie Amodeo with second by Gordon O'Quinn to move item #20 Closed Session to the end of the meeting. All votes yes. Motion carried.

Mayor Jamie Schoolcraft requested that item #23-Appointment/Ordinance City Attorney, be removed from the agenda.

Motion made by Gordon O'Quinn with second by Bill Caplinger to remove item #23-Appointment/Ordinance City Attorney, from the agenda. All votes yes. Motion carried.

Aldermen Bill Caplinger made a **motion** to add to the agenda a request to direct the City Attorney to draft an ordinance to require that all appointments by the Mayor are required to be submitted to the Board of Aldermen for approval prior to the appointment being made. This ordinance will supersede all previous ordinances dealing with appointments by the Mayor and would merely require the Board of Aldermen's approval and does not take away the Mayor's authority to make appointments. Aldermen Gordon O'Quinn second the motion listed above. All votes yes. Motion carried.

Minutes

Mayor Jamie Schoolcraft requested approval of the April 9th, 2007 Regular Meeting minutes.

Motion made by Bill Caplinger with second by Charles Whitehead to approve the minutes of the Regular Meeting on April 9th, 2007. All votes yes. Motion carried.

Mayor Jamie Schoolcraft requested approval of the April 12th, 2007 Special Meeting minutes.

Motion made by Gordon O'Quinn with second by Louie Amodeo to approve the minutes of the Special Meeting minutes on April 12th, 2007. All votes yes. Motion carried.

Mayor Jamie Schoolcraft requested approval of the April 16th, 2007 Special Meeting/Study Session minutes.

Motion made by Bill Caplinger with second by Gordon O'Quinn to approve the minutes of the Special Meeting/Study Session minutes on April 16th, 2007. All votes yes. Motion carried.

Citizens Input

Max McKee asked if the City of Willard was still purchasing the Meadows Water System. Max asked if the surcharge that we charge to the citizens outside the city limits would be charged to the Meadows Water System customers. City Administrator Fred Gress stated that the city's ordinance does require citizens outside the city limit's to pay a surcharge of 20%. Fred stated that the board will have to review the policy when the purchase is final to determine what changes need to be made.

Mike Finkbiner asks if the Meadows residents could not receive information before things happen in the Meadows area. City Administrator Fred Gress stated that the City of Willard has purchased a new billing format which will allow more information to go out to the citizens. Also Fred stated that there would be several meetings. Mike asked if the sewer would stay the way it is or would it be hooked up to the Willard system. Fred stated that it was still being evaluated.

Financial Report

Karen Robson CFO, requested approval on the March Financial Statements.

Motion made by Bill Caplinger with second by Gordon O'Quinn to approve the March Financial Statements. All votes yes. Motion carried.

Karen asked if there were any questions on the April Financial Statements. Mayor Schoolcraft asked what was the item listed as detailing a truck in the amount of \$100 and something. Karen stated it was the truck that Charlie, Director of Public Works used to drive. Since Public Works has purchased three (3) more trucks Charlie's old truck is going to be used at City Hall. Karen stated that it was a complete detail.

Karen requested approval to pay the outstanding bills. **Motion** made by Bill Caplinger with second by Gordon O'Quinn to approve to pay the outstanding bills. All votes yes. Motion carried.

Aldermen Bill Caplinger asked if the city had checked into switching the cell phones from Cingular to Alltel. Karen stated that the city still had two year contracts on most of the phones. Mayor asked if we could possibly get a better contract. Aldermen Amodeo requested a detailed breakdown of the cell phone bills. Karen stated that she would take care of that. Aldermen Bill Caplinger asked Karen in the analysis if she could also put what phones have the long contracts on them. Karen stated that she would have all that information to present at the June 11th, Board of Aldermen Meeting.

Missouri Rural Water Association is having a conference on June 28th & 29th. Karen stated that if the Mayor or any of the aldermen would like to attend just let her know and she will sign them up.

Karen stated that the storage building out back of city hall that we keep records in is leaking and damaging some of the records. Karen asked if she could check into renting a storage unit at Foxfire Mini Storage and EZ Pawn. Mayor and Aldermen stated that they would like her to get prices on renting a storage unit and also get prices for a new building.

Motion made by Louie Amodeo with second by Bill Caplinger to approve Karen checking the prices at a couple of storage facilities, as well as investigate the cost of replacing our existing storage building. All votes yes. Motion carried.

Karen stated that she has been working with the auditor for the past few weeks and a problem was brought to her attention on the way that the city maintains our credit card bills. Some of the invoices were getting lost. Karen stated that she has had our program changed. There is now a column called general ledger number and it will enable a better way to keep track of all the invoices for the auditor. The change on the program cost approximately \$100. Also Karen is changing the way she stores the receipts, rather than in a file folder she is putting them in an envelope so they do not get lost. Another issue that the auditor found was in the receiving area. When the city purchases supplies there is no accountability on the supplies. Karen asked the board how they wanted us to address this issue. Do they want to devote one person in each department to be the receiving agent when supplies are delivered and check them in? Aldermen Bill Caplinger stated that it is only going to get worse as the city continues to grow. Karen stated that the auditor sees this as an area for fraud to occur. The city does not see that this is a problem at this time. Aldermen Louie Amodeo asked if Karen had discussed this with other personnel to get some ideas on how to deal with this issue. Karen said she brought it to the board first. We do not have the full report from the auditor yet, but these two issues came up and Karen wanted the board to be aware of this issue. Karen stated that she would get with all the department heads and get their suggestions and bring them back to the board at the June meeting.

Police Department Report

Chief of Police Tom McClain stated that for that the total incidents for the month of April were 348. 239 of those calls were handled by officers without further process and the rest were referred to the prosecuting attorneys office, the juveniles department or municipal prosecution. Chief stated that the phase II on the Police Station is almost

completed. Also chief said that Randy Brown did a great job in orchestrating the process of Phase II. Chief thanked the council for authorizing Phase II. Officer Bob Bell and Officer Alexander trained a number of cities at the school on what to do if you have an active shooter.

Chief requested approval to attend the International Association of Chiefs of Police Conference. This year the conference will be in New Orleans. The total cost of the conference is \$2,240.33.

Motion made by Bill Caplinger with second by Gordon O'Quinn to approve Chief McClain going to the International Association of Chiefs of Police Conference in the amount of \$2,240.33. All votes yes. Motion carried.

Emergency Management Report

Emergency Management Director, Donna Gordon stated that she held an A.W.A.R.E Safety Fair on the 14th of April. It was a great success even though it snowed. April 21st Willard held a CERT refresher class. Donna stated that this event was also a great success. The new apartments behind the Police Department were used to create a mock disaster. Donna has completed the grant for the Interoperable Communications Grant for the Police Department to exchange some older VHF radios that were not narrow-band capable. Donna stated that she is getting ready for the two block parties to promote the CERT and the Neighborhood Watch Program. Fox Creek is scheduled for May 15th, 2007 and one for May 24th in the Whispering Oaks Subdivision.

Public Works Report

Charlie Jones, Director of Public Works stated that Public Works has been doing a lot of patching and sidewalk repair due to the new waterline going in. Poured a concrete pad over at the Recreation Center for the trash dumpster. Charlie said they have repaired a lot of water leaks. Public Works has had a lot of dog calls lately. Removed limbs and trees on New Melville Road. Charlie conducted a safety meeting for all public works employees on entering confined spaces.

Aldermen Bill Caplinger asked how the three (3) new trucks were working out. Charlie stated that one truck has a new water pump put on and repaired the radiator and everything is working great now.

Development Report

Director of Development, Randy Brown stated that he left Stone Creek Subdivision out of his report. This subdivision is in the first phase of putting in twenty (20) lots. Sewer is installed. The water tie in will be on Pine St. This tie in is scheduled for May 15th. Last Thursday Randy and Charlie met at the Meadows with EC West who is a water quality specialist from DNR. The city invited him out to see that area and also to make sure that the city understood the permitting and monitoring requirements. The berm on the outfall cell is leaking. Fred contacted the current owners of the Meadows and they are going to fix the problem. Randy discussed the Hughes Rd. box culvert replacement.

Community Services Directors Report

Director of Parks and Recreations, Kerri Gates stated that soccer ends on Saturday, and Monday baseball starts. The swimming pool will open on Memorial Day. The week

after Memorial Day, Summer Day Camp starts. Adult softball, wiffle ball registration is out. Coming out June 25th is dodgeball registration. Soccer park project has been put on a halt due to all of the rain. Thursday the irrigation system will be installed. Kerri stated that the gym floor has been resurfaced in the Recreation Center.

Show-Me-Marble accident

Mayor Jamie Schoolcraft stated that he had received a call from the owner of the car that was involved in the accident. One of the city's trucks backed into a car at Show-Me-Marble. The owner was asked to bring in two (2) estimates for repair. The city chose R&R Body to do the repair work. R&R needs the car for a week and the family has two (2) working parents and has no other transportation. Mayor stated that the owner was told our insurance does not have a stipulation for a rental car. Karen stated that the two (2) bids that the city got were under \$1000 and she did not turn it into the insurance due to the deductible being \$500. Karen had discussed this with Fred and told the lady that the city was taking care of the accident in house and would not fund a rental car. Mayor asked since we didn't turn it into our insurance company, would our insurance company have paid for a rental car if we had of turned it in? City Administrator Fred Gress stated that it depended on the circumstances. Also Fred stated that we didn't turn it into the insurance company because we were clearly at fault. It would have applied to our deductible, and the city would have had to pay for a large part of it anyway. Mayor stated that he felt it was wrong on our part not to allow a rental car since it was the city's fault.

Motion made by Louie Amodeo with second by Bill Caplinger that the city agree to reimburse this citizen for rental expenses for a med-size car for a term not to exceed five (5) days. All votes yes. Motion carried.

Paving Agreement with Greene County

Motion made by Bill Caplinger with second by Gordon O'Quinn to allow the Mayor to sign the Paving Agreement with Greene County. All votes yes. Motion carried.

Condemnation-101 Southview

City Administrator, Fred Gress stated that this house has had fire damage. Fred requested that the board authorize to send a letter giving the owner 45 days to repair or demolish the structure.

Motion made by Bill Caplinger with second by Louie Amodeo to approve sending a letter giving the owner 45 days to repair or demolish. All votes yes. Motion carried.

Augusta Heights Sidewalks

City Administrator, Fred Gress stated that a portion of the sidewalks on Emily in Augusta Heights Subdivision are in need of repair. Fred requested that the board condemn the sidewalks and authorize to send a letter giving the developer 30 days to repair or the sidewalks.

Motion made by Gordon O'Quinn with second by Bill Caplinger to approve condemning the sidewalks and sending a letter giving the developer 30 days to repair. All votes yes. Motion carried.

Tree Board Appointment

Mayor Jamie Schoolcraft reappointed Valorie Simpson to the Tree Board. **Motion** made by Bill Caplinger with second by Charles Whitehead to reappoint Valorie Simpson to the Tree Board. Charles Whitehead-yes. Bill Caplinger-yes. Gordon O'Quinn-yes. Louie Amodeo-yes. All votes yes. Motion carried.

Planning & Zoning Appointment

Mayor Jamie Schoolcraft appointed Robert Taylor to the Planning & Zoning Commission. **Motion** made by Bill Caplinger with second by Charles Whitehead to appoint Robert Taylor to the Planning & Zoning Commission. Charles Whitehead-yes. Bill Caplinger-yes. Gordon O'Quinn-yes. Louie Amodeo-yes. All votes yes. Motion carried.

Water Rate Ordinance (Annual Missouri Primacy Fee)

BILL NO. 07-15

ORDINANCE NO. 070514

AN ORDINANCE RELATING TO THE RATES TO BE CHARGED FOR THE USE OF WATER FROM THE WATER WORKS SYSTEM OF THE CITY OF WILLARD, MISSOURI, PROVIDING FOR A METHOD FOR THE COLLECTION OF SAME, PROVIDING FOR DEPOSITS AND FEES FOR THE USE OF WATER SOLD FROM SAID SYSTEM, PROVIDING FOR AND ESTABLISHING THE COSTS OF THE METER AND INSTALLATION, AND PROVIDING PENALTIES FOR THE VIOLATION OF SAID ORDINANCE.

First reading by City Clerk, Kathy Blakemore.

Motion made by Charles Whitehead with second by Bill Caplinger to approve the first reading. Charles Whitehead-yes. Bill Caplinger-yes. Gordon O'Quinn-yes. Louie Amodeo-yes. All votes yes. Motion carried.

Second reading by City Clerk, Kathy Blakemore.

Motion made by Gordon O'Quinn with second by Louie Amodeo to approve the second reading. Charles Whitehead-yes. Bill Caplinger-yes. Gordon O'Quinn-yes. Louie Amodeo-yes. All votes yes. Motion carried.

Open Meetings and Records Ordinance

BILL NO. 07-16

ORDINANCE NO. 070514A

AN ORDINANCE PRESCRIBING THE MISSOURI OPEN MEETINGS AND RECORDS LAW ENACTED BY THE MISSOURI GENERAL ASSEMBLY.

First reading by City Clerk, Kathy Blakemore.

Motion made by Bill Caplinger with second by Gordon O'Quinn to approve the first reading. Charles Whitehead-yes. Bill Caplinger-yes. Gordon O'Quinn-yes. Louie Amodeo-yes. All votes yes. Motion carried.

Second reading by City Clerk, Kathy Blakemore.

Motion made by Gordon O'Quinn with second by Charles Whitehead to approve the second reading. Charles Whitehead-yes. Bill Caplinger-yes. Gordon O'Quinn-yes. Louie Amodeo-yes. All votes yes. Motion carried.

Request to set Public Hearing to address Sewer Rate Ordinance

City Administrator, Fred Gress stated that the city has received a letter for the City of Springfield. The City of Springfield receives our wastewater that the city pumps through a force main to them. Fred requested for the board to set a Public Hearing for a rate increase due to the City of Springfield raising the city's rate for this process.

Motion made by Bill Caplinger with second by Charles Whitehead to set a Public Hearing on June 11th, 2007 to discuss this issue. All votes yes. Motion carried.

Safe Routes to School

City Administrator, Fred Gress stated that this grant provided for pedestrian crosswalks at Farmer Rd. and 160, provided for the installation of crosswalks with pedestrian signals. And sidewalks on the South side of 160, also sidewalk up to Knight St. in front of the North intermediate complex. It also provided for some improvements on Miller Road North of Jackson St. we are purposing pedestrian flashers along with vehicle speed indicators and then we are going to construct some sidewalk and also correct crosswalks. The state program we will not have an answer on that grant application until June 29th. The review committee has met and they have approved all of the non-infrastructure grants which we have submitted one. So that will be approved on the 29th. It's a maximum of \$25,000. It will be used for curriculum development and materials to teach the use of bicycle safety and also how to walk to school correctly. It's a program that the state is pushing very hard. The city was successful in getting that grant application. Fred stated that the other grant application rated high in District 8, but it has to compete at the state level too. Fred said he was told that we would have a 50/50 chance of getting that grant. This grant would be 100% grant. Fred stated that the grant that the board had in front of them now is the exact same proposal only it will go to the OTO (Ozark Transportation Organization) and it is a minimum 80/20% grant request. The way the grant is written, it is written so that the City of Willard and the school district will put in equal amounts for local share which is \$31,000 each, which is equivalent to 31% match. The reason it was written that way is because we will get extra points during the evaluation if we put a little more money in. The city does not have to do that but Fred stated that he would recommend it so that we would stand a better chance at being funded. If the city receives the state grant, the city will withdraw this grant request because the state grant is 100% funding.

The city is in the process of putting together another grant with the school. This grant consist of sidewalk installation along Farmer Rd. from Willey down to Knight St., the installation of sidewalk over on Tiger Alley, from Miller Rd. east to the exit road coming North out of the high school, a sidewalk installation from Jackson St. on the new entrance into the high school to the high school, almost 800' of sidewalk there, and then also sidewalk coming out the South side of East Elementary going south to connect with the new sidewalk on Tiger Alley. The way the grant is written right now the City of Willard

will be sharing 20% on the projected cost for Farmer Rd. That share is \$17,000. The school district will be doing the 20% on the other sidewalks due to them being on private property.

Council Meetings Ordinance

BILL NO. 07-17

ORDINANCE NO. 070514B

AN ORDINANCE AMENDING ORDINANCES NO. 741111A, 75512, AND 870413A. PRESCRIBING GENERAL PROVISIONS FOR REGULAR AND SPECIAL MEETINGS OF THE BOARD OF ALDERMEN OF THE CITY OF WILLARD; PRESCRIBING RULES OF ORDER OF REGULAR AND SPECIAL MEETINGS; AND EXTENDING INVITATION TO GENERAL PUBLIC FOR ATTENDANCE.

First reading by City Clerk, Kathy Blakemore.

Motion made by Gordon O'Quinn with second by Bill Caplinger to approve the first reading. Charles Whitehead-yes. Bill Caplinger-yes. Gordon O'Quinn-yes. Louie Amodeo-yes. All votes yes. Motion carried.

Second reading by City Clerk, Kathy Blakemore.

Motion made by Bill Caplinger with second by Louie Amodeo to approve the second reading. Charles Whitehead-yes. Bill Caplinger-yes. Gordon O'Quinn-yes. Louie Amodeo-yes. All votes yes. Motion carried.

Request Attorney to Draft an Ordinance

Discussion between Aldermen Bill Caplinger and Mayor Schoolcraft as to whether the City Prosecuting Attorney is an appointment or a hired position. Aldermen Bill Caplinger requested that the city attorney draft an ordinance to require board approval to appoint a City Prosecutor. Mayor stated he had contacted Missouri Municipal League and it was not deemed to them an appointed position. It is an actual employee of the city who is at the discretion of the Mayor. Aldermen Bill Caplinger stated then he would like to consider asking the attorney to draft an ordinance that requires the mayor to seek board approval for any hiring or firing of any contract employees or city employees as well as any appointments. After some discussion Mayor stated that we should just make the Prosecutor an appointed position rather than a hired position. City Clerk Kathy Blakemore asked the City Attorney Ken Reynolds if it would not be easier to just change the wording in our Municipal Court Ordinance to reflect the Mayor getting board approval to hire or fire city prosecutor rather than doing another ordinance. Aldermen Bill Caplinger stated whatever was easier. Attorney stated that that would be the easiest way to make the change.

Motion made by Bill Caplinger with second by Gordon O'Quinn to modify the current Municipal Ordinance to make the City Prosecutor an appointed position instead of a hired position. All votes yes. Motion carried.

Appointment for the Judge

Motion made by Bill Caplinger with second by Charles Whitehead to appoint Andrew J. Hager Jr. as the Judge for the City of Willard. Charles Whitehead-yes. Bill Caplinger-yes. Gordon O'Quinn-yes. Louie Amodeo-yes. All votes yes. Motion carried.

Municipal Court Judge-Ordinance

BILL NO. 07-18

ORDINANCE NO. 070514C

AN ORDINANCE APPOINTING THE MUNICIPAL COURT JUDGE FOR THE CITY OF WILLARD, GREENE COUNTY, MISSOURI, FOR THE TERM COMMENCING ON MAY 14TH, 2007 THROUGH MAY 2008, AND ESTABLISHING THE JUDGES HOURLY RATE.

First reading by City Clerk, Kathy Blakemore.

Motion made by Bill Caplinger with second by Gordon O'Quinn to approve the first reading. Charles Whitehead-yes. Bill Caplinger-yes. Gordon O'Quinn-yes. Louie Amodeo-yes. All votes yes. Motion carried.

Second reading by City Clerk, Kathy Blakemore.

Motion made by Gordon O'Quinn with second by Bill Caplinger to approve the second reading. Charles Whitehead-yes. Bill Caplinger-yes. Gordon O'Quinn-yes. Louie Amodeo-yes. All votes yes. Motion carried.

Old Business

City Administrator, Fred Gress stated that the City of Springfield has requested a meeting to discuss Urban Growth Area. The City of Springfield gave Fred four dates to consider for the meeting, May 30th or 31st, June 6th or 7th. If we end up with a quorum we will have to post a notice of the meeting.

Aldermen Gordon O'Quinn asked if we are doing anything about the vacant houses that have tall grass. Fred stated that City Clerk Kathy Blakemore has given the police notice to the areas that the city has been notified that need attention. Fred said he was more concerned about the lots that still have trees and limbs in their yards from the ice storm. Some of these residents still have hangers in the trees.

Aldermen Bill Caplinger asked if there had been any response from Chris Upp on the letter that the city had sent. Fred stated that there has been no response.

Mayor stated that the board would be going into closed session to discuss personnel issue (Chapter 610.021 #3).

Motion made by Bill Caplinger with a second by Louie Amodeo to adjourn the open session to the closed session. All votes yes. Motion carried.

Meeting adjourned.

Kathy Blakemore, City Clerk