

**CITY OF WILLARD
BOARD OF ALDERMEN
REGULAR MEETING**

April 10, 2017

7:00 p.m.

Staff present: City Administrator, Brad Gray; City Clerk, Jennifer Rowe; Director of Public Works, Dave O'Connor; Director of Finance, Carolyn Halverson; Court Clerk, Linda Murray; Director of Development, Randy Brown; Chief of Police, Tom McClain; Police Officer, J.D. Landon; Director of Parks, J.C. Loveland; and Assistant Director of Parks, Jason Knight.

The City Attorney Ken Reynolds was present.

Citizens in attendance: Jim Vaughn, Lucille Murray, Mindy Latham and Madison Ruley.

Pledge of Allegiance.

The Pledge of Allegiance was led by Mayor Hendrickson.

Call to Order.

Mayor Hendrickson called the meeting to order at 7:05 p.m.

Roll Call.

The City Clerk conducted the roll call. Alderman Buckley---, Alderman Snider-present, Alderman Stewart---, Alderman Whitman-present, Alderman Baird-present, Alderman Roggeneses-present and Mayor Hendrickson-present. Student Representative Elisabeth Brooks was also present.

Swearing in of Mayor and Aldermen.

Mayor Hendrickson, Alderman Whitman and Alderman Snider were all sworn in by the City Clerk.

Agenda Amendments/Agenda Approval.

Motion was made by Alderman Baird and seconded by Alderman Snider to approve the Agenda. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggeneses. Student Representative Elisabeth Brooks also voted aye.

Approve the Minutes of the Regular Meeting on March 27, 2017.

Aldermen Roggeneses requested that the Clerk add that he was still interested in using the sixty-one thousand dollars (\$61,000) left over in reserves from last year on the sidewalks to Unfinished Business. Motion was made by Alderman Baird and seconded by Alderman Whitman to approve the Minutes from the regular meeting on March 27, 2017 with the changes requested. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggeneses. Student Representative Elisabeth Brooks also voted aye.

Ceremonial Matters.

Election of a Board of Aldermen representative to serve on the Planning and Zoning Commission.

Alderman Snider volunteered to serve on the Planning and Zoning Commission. Motion was made by Alderman Roggeneses and seconded by Alderman Whitman to appoint Alderman Snider as the representative to serve on the Planning and Zoning Commission. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggeneses. Student Representative Elisabeth Brooks also voted aye.

Citizen Input.

Lucille Murray informed the Board that she had received a letter from Lieutenant Governor Mike Parson stating that she was chosen for the Senior Service Award. She thanked Mayor Hendrickson for submitting her for the award.

City Administrator Report.

The City Administrator Brad Gray presented his report to the Board.

Financial Reports.

- a) Motion was made by Alderman Roggenses and seconded by Alderman Snider to accept the Financial Statements. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggenses. Student Representative Elisabeth Brooks also voted aye.
- b) Motion was made by Alderman Snider and seconded by Alderman Baird to accept the Outstanding Invoices, Paid Invoices, Online Payments and Transfers. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggenses. Student Representative Elisabeth Brooks also voted aye.
- c) Motion was made by Alderman Roggenses and seconded by Alderman Whitman to accept the Adjustments Report. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggenses. Student Representative Elisabeth Brooks also voted aye.

Department Head Reports.

The Department Heads gave their reports to the Board.

Alderman Roggenses discussed the addition of pedestrian crosswalks on Hunt Road at Becky Street, and a sidewalk from Logan Street to the Park.

Ordinance amending Section 125.010 Establishing of Municipal Court. (2nd Read) Discussion/Vote.

The second read was conducted by the City Clerk.

Mayor Hendrickson asked Court Clerk Linda Murray if any changes had been made since the first reading. Ms. Murray stated there had not been any changes. This would be adding a third court day for the second Thursday of the month at 6:00 p.m. Motion was made by Alderman Baird and seconded by Alderman Roggenses to amend Section 125.010 Establishing of Municipal Court. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggenses. Student Representative Elisabeth Brooks also voted aye.

Ordinance accepting the reappointment of the Willard Municipal Judge, Kristoffer Barefield. (1st Read) Discussion/Vote.

The first read was conducted by the City Clerk.

Court Clerk Linda Murray informed the Board that this was just reappointing the same Judge that has been used in the past. Mr. Barefield has been with Willard for over ten (10) years as a prosecutor and then Judge. The rates would not change. Alderman Snider asked if the one hundred and forty dollars (\$140) was a good rate and how Judges were chosen. Mayor Hendrickson stated it was average. City Attorney Ken Reynolds stated that this was the same Judge for two (2) other cities he works for and they all paid the same rate. Motion was made by Alderman Snider and seconded by Alderman Whitman to accept the reappointment of the Willard Municipal Judge Kristoffer Barefield. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggenses. Student Representative Elisabeth Brooks also voted aye.

Ordinance accepting the reappointment of the Willard City Attorney, Ken Reynolds (1st Read) Discussion/Vote.

The first read was conducted by the City Clerk.

Mayor Hendrickson stated this was to reappoint Mr. Reynolds for two (2) more years. Mr. Reynolds stated it was the same rate as the Judge. Alderman Snider asked how long Mr. Reynolds has worked for the City and Mr. Reynolds said since 2002, other than a few years in between he was not reappointed. Motion was made by Alderman Snider and seconded by Alderman Roggenses to accept the reappointment of the Willard City Attorney, Ken Reynolds. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggenses. Student Representative Elisabeth Brooks also voted aye.

Ordinance accepting the contract with Hillyard for the cleaning supplies (1st and 2nd Read) Discussion/Vote.

The City Clerk informed the Board that Staff had requested a contract from Hillyard for the one year term agreed by the Board following the bid opening. The contract presented by Hillyard was just a letter agreeing to the set price for the next year. The Clerk stated that Staff had worked with our Hillyard representative who had discussed a cheaper option, but his boss had declined to accept it. The original prices on the bid proposal would be the accepted contract other than a few items that had been reduced further due to the option of the cheaper products being removed. Mr. Loveland also informed the Board that the Hand Sanitizer and Soap Dispensers will now be cartridge style instead of refilling with bottles which will save time, money, and be more convenient for staff. City Attorney Ken Reynolds stated that this contract would not work and suggested tabling until a real contract could be drafted and signed. Motion was made by Alderman Snider and seconded by Alderman Roggensees to table the Hillyard Ordinance until a contract could be drafted. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggensees. Student Representative Elisabeth Brooks also voted aye.

Ordinance accepting the contract with Blevins Construction for the Resurfacing of Hunt Road and Farm Road 103 Project. (1st Read) Discussion/Vote.

The first read was conducted by the City Clerk.

Mr. O'Connor informed the Board that this contract was what was agreed to after the bid opening. This contract was provided by Attorney Reynolds. Motion was made by Alderman Roggensees and seconded by Alderman Whitman to accept the contract with Blevins Construction for the Resurfacing of Hunt Road and Farm Road 103 Project. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggensees. Student Representative Elisabeth Brooks also voted aye.

Ordinance accepting contract with HM Benefits for Health Information Services. (1st Read) Discussion/Vote.

The first read was conducted by the City Clerk.

Finance Director Carolyn Halverson informed the Board that this was the agreement with the Broker for Health Services. This company goes out to get bids on Health Services for the City and gives the City information when needed. The City does not pay anything for the service as that is billed to the Health Insurance company. This company replaces Connell Insurance. Mr. Reynolds stated that he had a problem originally with the contract not addressing termination, however that was fixed. The contract can be terminated with thirty (30) days' notice. Alderman Roggensees asked why the effective date was December 1, 2016. Ms. Halverson stated that the date reflected when the services started for the City. The City has been working without a contract until this passes. Alderman Snider asked what the issue was with the previous broker. Ms. Halverson stated there were some issues with things being done in a timely manner. Mayor Hendrickson asked how the new company was found and the change took place. Ms. Halverson stated she spoke with several companies but did not bid it out. The previous City Administrator requested going with HM Benefits. Motion was made by Alderman Whitman and seconded by Alderman Baird to accept the contract with HM Benefits for Health Information Services. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggensees. Student Representative Elisabeth Brooks also voted aye.

Discussion/Vote to go out for bid for pool maintenance.

Parks Director JC Loveland informed the Board that he was seeking permission to go out for bid for the pool maintenance for budget year 2018. This would give staff an idea on the cost for work that will need to be accomplished next year so he can budget accordingly. Alderman Baird asked how many bids would be a good amount for this job. Mr. Loveland stated three (3) bids would be ideal. Alderman Whitman asked if there were concerns about using the slides and equipment this summer. Mr. Loveland stated that repairs have been done to keep it safe and working well, this however would help to maintain the equipment for a longer time for the City. Motion was made by Alderman Baird and seconded by Alderman Roggensees to approve staff going out for bid for pool maintenance. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggensees. Student Representative Elisabeth Brooks also voted aye.

Discussion/Vote to accept new Park Board Member Pat Lloyd.

Mr. Loveland informed the Board that Patrick Lloyd had submitted his application to serve on the Park Board. He had previous served on the Park Board as well as the Board of Aldermen. He stated that the Park

Board unanimously approved Mr. Lloyd as a new member. There will be one more member brought to the Board of Aldermen for approval to be added and then the Park Board will be almost fully staffed. Motion was made by Alderman Roggensces and seconded by Alderman Snider to accept the new Park Board Member Pat Lloyd. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggensces. Student Representative Elisabeth Brooks also voted aye.

Discussion/Vote on background checks for the Parks Department.

Mr. Loveland informed the Board that background checks are done on the Volunteer Coaches currently. This new system would do a nationwide check on the individuals instead of just a statewide check. The cost would be seventeen dollars and fifty cents (\$17.50). Mr. Loveland stated that one idea would be to have the coaches pay up front and once they coached a full season, they would receive a twenty-dollar (\$20) credit to the Parks Department for anything but concessions. He stated that Springfield currently uses this company and has for several years. The coaches would apply directly through the company and we would set what parameters to stick to, so no sensitive information would come through Staff's hands, we would just get a yes or no from the company. This would potentially remove some of the liability off staff's hands if something went wrong. Mayor Hendrickson asked who all would have the checks done on them and Mr. Loveland stated all volunteer coaches. Alderman Roggensces asked how many coaches the Parks Department sees each year and Mr. Loveland stated between two hundred (200) and two hundred and fifty (250). Alderman Baird stated that he had issues with forcing volunteers to pay for the service, maybe we could reimburse if they are cleared. Mayor asked Chief McClain if the police can conduct the checks and Chief stated that police cannot run checks on anyone but those involved in criminal issues. They currently pay to have checks run on themselves for the PAL Boxing program as well. Alderman Roggensces stated he was hesitant to impose a fee on the coaches as it could cause a backlash. Mr. Loveland stated he was open to doing a budget amendment and paying for them through his budget as he feels if we charge we will lose some coaches. Alderman Snider stated that he agrees with doing the checks, and there was some leftover money from not passing the stipend for Aldermen that could potentially be used. He asked the Student Representative Elisabeth Brooks what her opinion was. She stated that it was a good idea as even churches require checks to work in the nurseries. Alderman Baird asked if other companies were offering the same services and if so, at what cost? Mr. Loveland stated there were several companies out there. The Board requested more research to be done to see what was available. Alderman Whitman asked about reimbursing sooner if they did pay. Mr. Loveland stated that he did not want to have people volunteer to coach just to get the twenty dollars in credit, then back out of coaching. Mr. Knight stated that the financial incentive could also entice more to volunteer without the proper skills to coach. The Board asked Chief McClain what a reasonable time would be to run the checks. Chief McClain stated that every three (3) to five (5) years would be feasible unless there was reason to believe it was needed sooner. Mr. Reynolds stated that for volunteers it should be conducted yearly to ensure nothing slips through the cracks. New Hires should also have a background check completed and a policy needs to be in place to support that. The Board decided to table the discussion until more information could be brought back.

Discussion/Vote on amending Section 605.025 Business Licenses.

The City Attorney discussed the ordinance he drafted as requested by the Board. Discussion was made regarding the threat of violating Constitutional rights of the citizens wishing to open a business. The current draft sends any appeal to the Municipal Court to go in front of the Judge. The other option, as other cities are doing, is to have the Board of Aldermen be the appeal level. Mr. Reynolds stated that Stuart Haynes from MML was concerned about the language as the threat to constitutional rights could be there. Discussion was made on what would constitute denial of a license or revocation and who would make that call. Mayor Hendrickson discussed the idea of having a temporary suspension until investigations could take place instead of a revocation. Mr. Reynolds stated the threat of revoking a license would be the individual suing the city in Circuit Court for violations of their constitutional rights. Alderman Roggensces discussed the option of the Chief or Clerk holding a license until it could be reviewed by the Board of Aldermen instead of ~~just issuing it~~ or revoking it. He then asked Mr. Reynolds if that would have to be done in Closed Session. Mr. Reynolds stated he would get back to him on that. Alderman Snider asked Ms. Brooks what her opinion was, and she stated that the city should not be able to stop someone who wants to do something like open a business. Alderman Snider brought up the worry that someone with a bad past many years ago could be turned down

only if
revoking it

even if they have changed. Mr. Gray asked Attorney Reynolds if there is case law showing that this type of code has been challenged. Mr. Reynolds stated that he did not know of any. Mr. Gray stated this could be a deterrent to those wanting to cause problems if they know a background check and potential for denial was there. Alderman Whitman asked if staff could speak with other cities to see how many times they have had to enforce this code. Alderman Baird then stated that there should be a policy in place allowing background checks, even on public information, for business license applications. Alderman Roggenses stated that there was fraud everywhere. Personal information could cause damage to someone, or to a business. The City needs something in place to protect its' citizens and the community. He would be open to this being in place and delegating the authority to bring the issues to the Board of Aldermen, but would hope it would rarely be used. Alderman Snider stated that this was a small town, and if someone wrongs someone else, word would travel fast. There are laws in place to protect people so we should not have to do this as well. Alderman Baird stated that he would like to see the background check fee on the business license and that verbiage added into the ordinance.

New Business.

The City Clerk informed the Board that she and the City Administrator were requesting a Work Study to go over the Comprehensive Plan. The Board discussed the options and set a date for Monday April 17, 2017 at 6:00 p.m. before the ECDTF Meeting which will now be at 7:30 p.m.

Alderman Snider informed the Board that he spoke with Matt Brunner from the Student Representatives at Willard High School. He stated that the representatives were recently recognized at an MSU conference. Alderman Roggenses requested that the Board pass a resolution to acknowledge and thank Mr. Bentley for his time and service as Interim City Administrator. The City Clerk was asked to type a Proclamation for the Mayor to read at the next Board of Aldermen Meeting.

Unfinished Business.

None.

Recess Open Session.

Motion was made by Alderman Baird and seconded by Alderman Roggenses to recess the Open Session. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggenses. Student Representative Elisabeth Brooks also voted aye.

Open Executive Session.

Motion was made by Alderman Baird and seconded by Alderman Roggenses to open the Executive Session at 10:05 p.m. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggenses.

Close Executive Session.

Motion was made by Alderman Snider and seconded by Alderman Baird to close the Executive Session. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggenses.

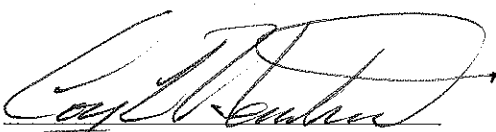
Adjourn.

Motion was made by Alderman Snider and seconded by Alderman Whitman to adjourn. Motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Whitman, Baird and Roggenses.

The meeting was adjourned at 11:03 p.m.



Jennifer Rowe, City Clerk



Corey Hendrickson, Mayor of Willard