

CITY OF WILLARD  
BOARD OF ALDERMEN  
REGULAR MEETING  
APRIL 8, 2024  
6:00 p.m.

Staff present: Project Engineer Steven Bodenhamer, Director of Finance Carolyn Halverson, Police Officer J.D. Landon, Director of Parks and Rec Jason Knight, Public Works Director Justin Sorgen, City Clerk Dona Slater, and City Attorney Holly Dodge.

Attendees: Steve Cobb, Debbie Ihrig, Angie Wilson, Burnis Coleman, Charlee Biellier, Mark Lancaster, Larry Whitman, and Jeff Wooden.

**Call to Order**

Mayor Sam Baird called the meeting to order at 6:00 p.m.

**Pledge of Allegiance**

Mayor Baird led the Pledge of Allegiance.

**Roll Call**

The City Clerk conducted the Roll Call.

Present: Aldermen Troy Smith, Casey Biellier, David Keene, Joyce Lancaster, Landon Hall, Scott Swatosh, Mayor Sam Baird

**Agenda Amendments/Agenda Approval**

Mayor Baird requested the removal of agenda item 17 a. Administration of Oath of Office for Mayor since the election ended in a tie.

Motion was made by Alderman Lancaster and seconded by Alderman Keene to approve the Agenda as amended.

Motion carried with a vote of 6-0. Voting aye: Aldermen Biellier, Lancaster, Keene, Hall, Swatosh, and Smith.

**Consent Agenda**

Motion was made by Alderman Smith and seconded by Alderman Hall to approve the Consent Agenda.

Motion carried with a vote of 6-0. Voting aye: Aldermen Biellier, Hall, Lancaster, Keene, Swatosh, and Smith.

**Citizen Input**

None.

**Current outstanding invoices, draft and check paid invoices for March/April 2024. Discussion/Vote**

Motion was made by Alderman Hall and seconded by Alderman Smith to approve the current outstanding invoices, and draft and check paid invoices for March/April 2024.

Motion carried with a vote of 6-0. Voting aye: Aldermen Smith, Biellier, Keene, Lancaster, Hall, and Swatosh.

**Citizen Input**

None.

**Ordinance approving amendments to the City of Willard Municipal Code Book, Chapter 705: Waterworks System, Section 705.040: Water Rates. (2<sup>nd</sup> Read) Discussion/Vote**

Ms. Stewart said this is the same Ordinance that was brought to the Board March 25, 2024. Nothing has changed since the first reading of the Ordinance. This will increase water rates by ten percent (10%). It will get the city closer to being financially in balance.

The second read was conducted by the City Clerk.

Motion was made by Alderman Keene and seconded by Alderman Hall to adopt the Ordinance approving amendments to the City of Willard Municipal Code Book, Chapter 705: Waterworks System, Section 705.040: Water Rates as read.

Motion carried with a vote of 5-0.

Voting aye: Aldermen Smith, Keene, Lancaster, Hall, and Swatosh.

Abstained: Aldermen Biellier abstained because we do not have results from the Water Rate Study.

**Ordinance approving amendments to the City of Willard Municipal Code Book, Chapter 710: Sewer Use and Sewer Rates, Section 710.470: Rates. (2<sup>nd</sup> Read) Discussion/Vote**

Ms. Stewart said nothing has changed since the first read of this Ordinance on March 25, 2024

The second read was conducted by the City Clerk.

Motion was made by Alderman Hall and seconded by Alderman Biellier to adopt the Ordinance approving amendments to the City of Willard Municipal Code Book, Chapter 710: Sewer Use and Sewer Rates, Section 710.470: Rates as read.

Motion carried with a vote of 6-0. Voting aye: Aldermen Smith, Biellier, Keene, Lancaster, Hall, and Swatosh.

**Ordinance accepting a Memorandum of Understanding (MOU) with the Joint Municipal Water Commission to re-establish membership. (2<sup>nd</sup> Read) Discussion/Vote**

Ms. Stewart said this is a contract with the Southwest Missouri Joint Municipal Water Commission that was presented to the Board on March 25, 2024. This focuses on water allocation from Stockton Lake. We were members before.

The second read was conducted by the City Clerk.

Motion was made by Alderman Smith and seconded by Alderman Hall to approve the Ordinance accepting a Memorandum of Understanding (MOU) with the Joint Municipal Water Commission to re-establish membership as read.

Motion carried with a vote of 6-0. Voting aye: Aldermen Smith, Biellier, Keene, Lancaster, Hall, and Swatosh.

**Ordinance authorizing the Mayor to accept a proposal and contract with DeLong Plumbing Heating and Air for HVAC Unit Replacement at the Willard Recreation Center. (2<sup>nd</sup> Read) Discussion/Vote**

Mr. Knight said there is no new information. Alderman Lancaster asked if the equipment is still on hand and Mr. Knight said he does not know.

The second read was conducted by the City Clerk.

Motion was made by Alderman Keene and seconded by Alderman Lancaster to approve the Ordinance authorizing the Mayor to accept a proposal and contract with DeLong Plumbing Heating and Air for HVAC Unit Replacement at the Willard Recreation Center as read.

Motion carried with a vote of 6-0. Voting aye: Aldermen Smith, Biellier, Keene, Lancaster, Hall, and Swatosh.

**Ordinance authorizing the Mayor to accept a purchase agreement with Greenhaw Buildings for a metal building for Public Works. (1<sup>st</sup> & 2<sup>nd</sup> Read) Discussion/Vote**

Mr. Sorgen said they found a contractor that had time to work with us this year. The foundation and plumbing have been roughed in and we just need to frame up a building. All interior work will be completed by staff.

The first read was conducted by the City Clerk

Motion was made by Alderman Biellier and seconded by Alderman Hall to approve the Ordinance authorizing the Mayor to accept a purchase agreement with Greenhaw Buildings for a metal building for Public Works.

Motion carried with a vote of 6-0. Voting aye: Aldermen Smith, Biellier, Keene, Lancaster, Hall and Swatosh.

The second read was conducted by the City Clerk.

Motion was made by Alderman Hall and seconded by Alderman Keene to approve the Ordinance authorizing the Mayor to accept a purchase agreement with Greenhaw Buildings for a metal building for Public Works.

Motion carried with a vote of 6-0. Voting aye: Aldermen Smith, Biellier, Keene, Lancaster, Hall and Swatosh.

### **Announcement of Election Results**

The City Clerk read the results of the April 2, 2024, election. The mayoral race ended in a tie. Aldermen Casey Biellier (Ward I) and Joyce Lancaster (Ward II) retained their seats. Carol Wilson was elected to the Ward III Alderman seat.

### **Unfinished Business**

#### **1. Mayoral Remarks**

Mayor Baird said due to the tie of the mayoral race the city will be reaching out to both candidates to see how they would officially like to resolve the election. If both parties agree, it can be determined with a coin toss. If either party does not agree then it will go to a run-off election. The County Clerk's office said it will take a couple of months before the election can take place. In the meantime, we will continue business as normal.

#### **2. Aldermen Remarks**

No Aldermen wished to speak.

### **Recess Open Session**

Motion was made by Alderman Hall and seconded by Alderman Smith to Recess the Open Session.

Motion carried with a vote of 6-0. Voting aye: Aldermen Smith, Biellier, Keene, Lancaster, Hall, and Swatosh.

The Open Session recessed at 6:22 p.m.

### **Open the Executive Session pursuant to RSMO Section 610.021 #(3) Personnel, and #(13) Personnel**

Motion was made by Alderman Hall and seconded by Alderman Smith to Open the Executive Session pursuant to RSMO Section 610.021 #(3) Personnel, and #(13) Personnel.

Motion carried with a vote of 6-0. Voting aye: Aldermen Smith, Biellier, Keene, Lancaster, Hall, and Swatosh.

Mayor Baird opened the Executive Session at 6:22 p.m.

### **Close the Executive Session and Reconvene the Open Session**

Motion was made by Alderman Hall and seconded by Alderman Biellier to Close the Executive Session and Reconvene the Open Session.

Motion carried with a vote of 6-0. Voting aye: Aldermen Smith, Biellier, Keene, Lancaster, Hall, and Swatosh.

The Executive Session closed at 6:40 p.m.

The Open Session reconvened at 6:40 p.m.

### **Adjourn Sine Die**

Motion was made by Alderman Smith and seconded by Alderman Biellier to adjourn sine die.

Motion carried with a vote of 6-0. Voting aye: Aldermen Smith, Lancaster, Keene, Biellier, Hall, and Swatosh.

**Administration of Oaths of Office for elected officials**

- a. Alderman Ward I – Casey Biellier
- b. Alderman Ward II – Joyce Lancaster
- c. Alderman Ward III – Carol Wilson

The City Clerk administered the Oath of Office to the newly elected Aldermen.

**Call to Order**

Mayor Baird called the meeting to order.

**Roll Call**

The City Clerk conducted the Roll Call

Present: Aldermen Troy Smith, Casey Biellier, David Keene, Joyce Lancaster, Scott Swatosh, Carol Wilson, Mayor Sam Baird

**Sanitary Sewer Project status report**

Mr. Bodenhamer said Lumix is working on minor data problems regarding the variable frequency drive. We have received approval from the Environmental Protection Agency (EPA) regarding our non-discrimination policies and this satisfies our obligation under the 180-day agreement. Allgeier Martin is working on plans and profile for the gravity sewer line at the Meadows.

**Jackson Street Overlay Project status update**

Mr. Bodenhamer said CJW, Inc. plans to have a preliminary design available for review next week. The next step is to submit these plans to the Missouri Department of Transportation (MODOT) for approval.

**New Business**

**1. Code of Conduct training. Discussion**

Attorney Dodge said that on April 22 at 4:30 p.m. there will be Sunshine Law training. Also, her office provides City Officials Training that will be available in May. She said the State regulates what the requirements are for elected officials. You can't create your own Code of Ethics.

**2. Law Enforcement Bill of Rights. Discussion**

Ms. Dodge said in 2021 the Legislature passed a specific protection for all law enforcement officers other than the highest-ranking officer of a law enforcement agency. She outlined the Bill of Rights. This Law Enforcement Bill of Rights is being challenged in the Missouri Supreme Court.

**Adjourn the Meeting**

Motion was made by Alderman Smith and seconded by Alderman Biellier to Adjourn the Meeting. Motion carried with a vote of 6-0. Motion carried with a vote of 6-0. Voting aye: Aldermen Smith, Biellier, Keene, Lancaster, Swatosh and Wilson.

The meeting adjourned at 7:05 p.m.

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Dona Slater, City Clerk

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Sam Baird, Mayor