

WAYNESVILLE CITY COUNCIL  
FEBRUARY 18, 2010 – 6:30 P.M.  
MINUTES

CALL TO ORDER: Mayor Hammock called the Waynesville City Council meeting to order at 6:30 p.m.

INVOCATION: Councilman O’Riley gave the invocation and Mayor Hammock led the Pledge of Allegiance.

ROLL CALL: On roll call, Mayor Hammock and six Council members reported as present:

Stanford	O’Riley
Hardman	Conley
Cordry	France

Absent: Mann and Roberts

APPROVAL OF AGENDA: Mayor Hammock asked that the Agenda be approved. Councilman Hardman made a motion to approve the Agenda and Councilman France seconded the motion.

YEAS: 6 – Stanford, O’Riley, Hardman, Conley, Cordry, France  
NAYS: 0

APPROVAL OF MINUTES: Councilman Cordry made a motion to approve the minutes of the January 21, 2010 meeting and Councilman O’Riley seconded the motion.

YEAS: 6 – Stanford, O’Riley, Hardman, Conley, Cordry, France  
NAYS: 0

APPROVAL OF BILLS: Councilman Hardman reported the Finance Committee had met and reviewed the monthly bills in detail. Councilman Hardman made a motion to approve payment of the monthly bills and Councilman O’Riley seconded the motion.

CITIZENS COMMENTS: Steve Kneeland , owner of Caffè’ Italia, was present to announce the date of the 2010 Waynesville Summer Jam. It will be held on June 5, 2010 if there are no objections. Mayor Hammock asked if anyone was aware of any other scheduling conflicts. Councilman Cordry asked Mr. Kneeland if he had checked with the Chamber of Commerce to see if there were any conflicts with their schedule. Mr. Kneeland said he had not but would do so on Friday morning. This year the primary benefactor of the proceeds of the event will be “Shop With A Cop”. Mayor Hammock said he felt that the Council could give tentative approval for the event providing there was no conflict with any Chamber of Commerce events.

#### BOARD/COMMISSION/LIASON REPORTS

PARK BOARD: Councilman France gave a review of the Park Board Meeting in the absence of Roger Olney. There was not a quorum available. The Board was introduced to Brian Cyr and Smith Cade as potential members of the Park Board. The members present reviewed the construction of the Park Maintenance building, the RV Park Bath House, and a review of the upcoming Pride/Arbor Day activities.

The committee also discussed the Campground Host Program and the possibility of a Performing Arts Pavilion. Councilman France indicated that he had been approached by parents of children who have been involved with the sports program as they were unhappy with the way it has been handled in the past as they do not feel the teams are treated equally. He would like to have more input on the sports program. Councilman O'Riley said he had also been approached about the teams being lopsided. He questioned as to who was representing the City in the program. Councilman France told the Council that Charles Kristek was the representative for the Community Recreation Board. He stated he would have Mr. Olney contact him so they could speak with the Board. Councilman France also thanked all those that have volunteered in the past to help with Park programs.

Mayor Hammock presented the name of Brian Cyr for consideration as an appointment to the Park Board. Councilman Conley made a motion to appoint Brian Cyr to the Park Board and it was seconded by Councilman Hardman.

YEAS: 6 – Stanford, O'Riley, Hardman, Conley, Cordry, France

NAYS: 0

Mayor Hammock presented the name of Smith Cade for consideration as an appointment to the Park Board. Councilman Conley made a motion to appoint Cade Smith to the Park Board and it was seconded by Councilman Hardman.

YEAS: 6 – Stanford, O'Riley, Hardman, Conley, Cordry, France

NAYS: 0

**PLANNING & ZONING:** Councilman Hardman reported on the February 9, 2012 meeting. The committee discussed a proposed change to land use regulation regarding Mixed Use zoning, and expansion of the "C-1" Neighborhood Commercial District definition to allow for Residential Mixed Use. The committee also scheduled a Public Hearing to be held on March 9, 2010, at the next Planning & Zoning Meeting for the "C-1" Neighborhood Commercial District. A Public Hearing has also been scheduled on March 9, 2010 for the creation of an Administrative Subdivision which would provide a developer with the ability to make minor changes without having to appear before the Planning & Zoning Board.

#### STANDING COMMITTEE REPORTS

**ROADS AND GROUNDS:** Councilman Stanford reported on the February 4, 2010 meeting. Topics discussed were snow plowing; RV Park issues; ball fields and street drainage issues. Councilman Stanford also stated that the Committee had discussed the purchase of a used road grader to replace the old grader we are currently using. City Administrator Harrill said that the City had not budgeted for a new road grader; however, based on the need for the road grader and our current financial status, we could possibly amend the budget for FYE 2010 so that the grader could be purchased.

City Administrator Harrill gave an update on the G W Lane Relocation/MoDOT Cost Share Grant. MoDOT would like to bid out this project in March 2010. We still need to obtain right of ways and matching funds. The Waynesville R-VI School has paid their share but issues with some of the property owners concerning the width of the right of way and returning the road to the landowners has resulted in the City being unable to provide the necessary documentation to MoDOT and the funds from the landowners have not been forthcoming. Tom Stehn, with MoDOT, still feels there is another possibility

to correcting the issue we currently have at the intersection of G W Lane and H Highway. A roundabout is a possibility for that area and we would not need to obtain property from other property owners. It will also cost less for the City. We are looking at this as an option if unable to reach agreement with property owners. MoDOT feels this would be a better solution for safety. There are greater economic benefits to the City if we could proceed as originally planned but if we cannot come to an agreement with the landowners, we may have to go to this option. Mayor Hammock stated that we should have a decision within the month. Councilman France said that it was a good plan as long as we have a time frame to follow. Councilman O'Riley said that he used the roundabout in Rolla almost daily. Once you are familiar with it, it moves quickly and effectively. Councilman Hardman said basically, we have not given up on the original proposed but if it does not go through, we have another option.

UTILITY: Councilman France reported on the February 2, 2010 meeting. The topics discussed were impact of cold weather on utility bills; policy of verifying meter operation; water line construction bids and proposals; proposal on amending waste water rates; natural gas update; and the possibility of obtaining a generator for use at City Hall. Councilman France also advised that 13 cities met in Columbia Missouri on February 19<sup>th</sup> to discuss more options to buy electric from different companies or to decide if the City wants to continue in the electric resale business. This meeting is a direct result of the notification by Sho-Me Power that we need to find another source of electric by 2013.

City Administrator Harrill also advised that the City had received a refund of fees paid into an escrow account for a MoGas dispute in the amount of \$273,706.80. The prorated share to Richland was in the amount of \$82,121.04.

Proposed Ordinance #1470 Amending Ordinance #1436 Establishing Waste Water Rates was presented as a bill and introduced to the City Council in writing. It was noted that copies of the proposed ordinance had been made available for public inspection prior to the time of this meeting of the City Council. The proposed ordinance was read by title two times and its passage and adoption was moved by Councilman France and seconded by Councilman Conley.

YEAS: 6-Stanford, O'Riley, Hardman, Conley, Cordry, France

NAYS: 0

Proposed Ordinance #1471 Establishing Rates for Natural Gas Services Furnished by the City was tabled at this time by Mayor Hammock. He felt it should be presented after coming out of closed session. Councilman Cordry asked if the topic was allowed to be discussed in closed session and was advised by City Attorney Muxlow that it was an allowable topic.

FINANCE: Councilman Hardman said the committee had met reviewed the bills, along with discussion of the monthly budget review, the FYE 2011 budget schedule; and a proposed dental plan option for City employees. Councilman Hardman also stated that City Administrator Harrill had been asked to check out some additional information on the purchase of a generator for City Hall before proceeding further. City Administrator Harrill stated he was pleased with how the budget is working and asked the Council to consider the purchase of a used road grader for the Street Department out of the FYE 2010 budget. City Administrator Harrill also asked that the Council approve the purchase of the new police car out of the FYE 2010 budget. Both purchases would be from the contingency fund.

Councilman Hardman made a motion to allow the purchase of a used road grader for the Street Department and a new police car for the Police Car from the contingency fund and to amend the FYE 2010 budget to allow the purchase. Motion was seconded by Councilman Conley.

YEAS: 6 – Stanford, O’Riley, Hardman, Conley, Cordry, France  
NAYS: 0

Proposed Resolution 2010-02 of the City Council of the City of Waynesville, Missouri, Determining Its Intent to Reimburse Itself for Certain Capital Expenditures was presented to the Council. City Administrator Harrill stated the purpose of the resolution is to allow the City to reimburse itself for the cost of constructing, extending and improving the City’s combined waterworks and sewerage system with proceeds from the Mo-Clean Water State Revolving Fund (CWSRF) loan for Wastewater System Improvements issued by the State of Missouri. Councilman Hardman made a motion to approve the resolution and it was seconded by Councilman Conley.

YEAS: 6 – Stanford, O’Riley, Hardman, Conley, Cordry, France  
NAYS: 0

Proposed Resolution 2010-03 of the City Council of the City of Waynesville, Determining Its Intent to Reimburse Itself for Certain Capital Expenditures was presented to the Council. City Administrator Harrill stated that the purpose of the resolution is to allow the City to reimburse itself for expenditures in connection with the development of a Community Improvement District to support economic development growth initiatives. Councilman Hardman made a motion to approve the resolution and it was seconded by Councilman Stanford.

YEAS: 6 – Stanford, O’Riley, Hardman, Conley, Cordry, France  
NAYS: 0

POLICE COMMITTEE: Councilman Conley stated the Police Committee met on February 4, 2010. Topics of discussion at the meeting were a proposed Ordinance update for Assault; the Communications Grant Update; and the possibility of obtaining a grant from State Farm Insurance for a speed trailer. Police Chief Carter also presented a proposed intergovernmental agreement with the City of St. Robert for the construction and operation of a joint animal control facility and shelter. The Committee agreed to present the agreement to City Council for approval. Police Chief Carter also was excited that the new police car was in and ready to process.

Councilman Conley also provided the City Council with information on a major drug bust that took place earlier in the week. He commended the Waynesville Police Department and the well trained officers who watch out for this community.

Proposed Ordinance # 1465 Defining the Offense of Assault, Creating Penalties, was presented as a bill and introduced to the City Council in writing. It was noted that copies of the proposed ordinance had been made available for public inspection prior to the time of this meeting of the City Council. The proposed ordinance was read by title two times and its passage and adoption was moved by Councilman Conley and seconded by Councilman Cordry.

YEAS: 6 – Stanford, O’Riley, Hardman, Conley, Cordry, France  
NAYS: 0

Proposed Ordinance #1469 Approving an Intergovernmental Agreement Between the City of St. Robert and the City of Waynesville for Construction and Operation of a Joint Animal Control Facility and Shelter was presented as a bill and introduced to the City Council in writing. It was noted that copies of the proposed ordinance had been made available for public inspection prior to the time of this meeting of the City Council. The proposed ordinance was read by title two times and its passage and adoption was moved by Councilman Conley and seconded by Councilman Hardman.

YEAS: 6 – Stanford, O’Riley, Hardman, Conley, Cordry, France  
NAYS: 0

AIRPORT: Councilman France gave an update on the Committee meeting of January 28, 2010. Figures were not yet available for January totals but would be provided at the next meeting. City Administrator Harrill would have the information from the February 4, 2010 meeting with the Boyd Group at the next meeting. Councilman France said Mr. Voss, with Great Lakes Airlines, had agreed to come down for a meeting with the board and Ft. Leonard Wood staff to discuss flights from our airport to St. Louis. Councilman France also advised that the FBO Building was moving along. Floor plans and roof line options have been submitted by the architect. Councilman France noted that Randy Pratt had volunteered to serve on the Airport Committee.

Mayor Hammock presented the name of Randy Pratt for consideration as an Airport Committee member. A motion was made by Councilman France and seconded by Councilman Stanford to appoint Randy Pratt to the Airport Committee.

YEAS: 6 – Stanford, O’Riley, Hardman, Conley, Cordry, France  
NAYS: 0

COMMUNICATIONS: Councilman Stanford gave an update on the Communications Committee in the absence of Councilman Mann. Councilman Stanford stated the Communications Committee would like to expand its role and the committee was reviewing suggestions obtained from MML and other cities.

ECONOMIC DEVELOPMENT: Councilman Hardman gave an update on the February 2<sup>nd</sup> committee meeting. Topics of discussion were an update of the City brochure; the upcoming 2010 Census; and projects such as West Gate; Downtown; and G W Lane. Councilman Hardman also said that the Route 66 Association was putting together a corridor management plan for Route 66. That will put the City of Waynesville in line to become a National Scenic By-Way. Federal money would be available for many things and would have no impact on property owners or businesses. Councilman Hardman also stated that Waynesville has the only original County Courthouse that sits directly on Route 66.

CITY ADMINISTRATOR’S REPORT: City Administrator Harrill had previously provided the City Council with a written report which gave them a budget update; proposed budget amendments; a press release regarding a large drug seizure by the Waynesville Police Department; winter weather cost factors, and construction/building permit updates.

#### COUNCIL COMMENTS:

Stanford: Thanks to Street Department and all employees for snow removal. Waynesville Police Department – job well done.

O’Riley – kudos to all employees and thanks for your hard work.

Hardman – Compliments to WPD on a job well done. Spoke with Charlie Hartley, glad she is home and getting better. At this time Councilman Hardman addressed someone who she thought was a college student but who turned out to be Barbara Wall, former manager of a local trailer court. She said she had been told that someone had made the statement that people who live in trailers are trash. She said it was not appropriate and she did not appreciate it. She said she had also been accused of running a kennel but she did not board animals. Councilman Conley said that one of the ladies in the trailer court had contacted him and he told her the comment was not true and the comment was not made by the City Council. Councilman Hardman said the comment was not made in a public meeting. Councilman Cordry said if Ms. Wall knew who made the comment to tell the Council so we can address the issue. Even if it was an employee, the Council cannot control the feelings or opinions of the employee. At this point, all Ms. Wall could provide was he said/she said and the Council did not have any way to address the issue. City Administrator Harrill said he had addressed the issue; the message did not come from a City employee nor were there any grounds to the message.

Conley – Everyone in the community is not as fortunate as some of us. The United Methodist Church is having a free breakfast on February 27, 2010 and everyone is invited.

Cordry – Congratulations to Waynesville Police Dept.

France- Both he and City Administrator Harrill attended a MML conference in Jefferson City and met with Senator Barnitz and Representative David Day. They learned a lot and accomplished a lot.

Hammock – appreciate all the hard work put forth by City employees, volunteers and Council members.

EXECUTIVE SESSION: At 8:00 p.m. a motion was made by Councilman Hardman to go in to closed session for the purpose of Real Estate and Legal Issues and the motion was seconded by Councilman Cordry.

YEAS: 6 – Stanford, O’Riley, Hardman, Conley, Cordry, France

NAYS: 0

At 8:50 p.m. Councilman Cordry made a motion to come out of closed session and the motion was seconded by Councilman Stanford.

Proposed Ordinance #1471 Amending Ordinance #1453 Establishing Rates for Natural Gas Services Furnished by the City of Waynesville was presented as a bill and introduced to the City Council in writing. It was noted that copies of the proposed ordinance had been made available for public inspection prior to the time of this meeting of the City Council. City Attorney Muxlow requested that a few words be changed to better clarify the purpose of the ordinance. With those changes, the proposed ordinance was read by title two times and its passage and adoption was moved by Councilman Conley and seconded by Councilman Stanford.

Mayor Hammock stated that utility bills had been high and he thought the decrease in the rate would be a good gesture to the community.

YEAS: 5 – Stanford, O’Riley, Hardman, Conley, Cordry

NAYS: 1 - France

ADJOURN: There being no further business to come before the City Council, Mayor Hammock adjourned the meeting at 9:00 p.m.

NOTE TO MINUTES: Upon the completion of the February 18, 2010 City Council meeting and in the process of preparing the minutes of said meeting, it was determined that some of the ordinances presented at the Council meeting had been numbered incorrectly. I have made the changes and correctly numbered the ordinances in order to have continuity in the future ordinance numbers. This is considered to be a scrivener's error and does not affect the validity of the ordinances approved at the Council meeting.

Respectfully submitted

Carol Welch  
City Clerk