

**WAYNESVILLE CITY COUNCIL MEETING
AUGUST 15, 2013 – 6:30 P.M.
MINUTES**

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PUBLIC HEARING – Setting Ad Valorem Property Tax Rates for the City of Waynesville for the Year 2013 on all Taxable Property.

Mayor Pro Tem France called the Public Hearing to order at 6:30 p.m. The purpose of this hearing is to receive comments from citizens of Waynesville concerning the ad valorem property tax rates to be established for the current taxable year. This hearing also complies with the provisions of Section 67.11 RSMo. City Collector Stephanie Leuthen reported that our assessed valuation for both real estate and personal property have increased since 2012. Following the formula set by the State, a rate of \$0.5370 per \$100.00 assessed valuation is fixed for general revenue fund.

There was no one in attendance that wished to speak. The Public Hearing was closed at 6:35 p.m.

Open City Council Meeting

CALL TO ORDER: In the absence of Mayor Hardman, Mayor Pro Tem France called the August meeting of the Waynesville City Council to order at 6:35 p.m.

INVOCATION & PLEDGE OF ALLEGIANCE: Lindell Mostajo with St. Robert Church of God gave the invocation and Boy Scouts from Troop 202 led us in the Pledge of Allegiance.

ROLL CALL: On roll call, Mayor Pro Tem France and seven (7) council members reported as present:

Stanford, Curtis, Mathews, Mann, Conley, Brown, Paolicelli

STATEMENT FROM MAYOR HARDMAN: Mayor Pro Tem France read a statement prepared by Mayor Hardman explaining her absence at the meeting and expressing her appreciation of all those who helped in various ways during the August flooding and her commitment to the City of Waynesville to help our citizens recover from the devastation.

APPROVAL OF CONSENT AGENDA: Mayor Pro Tem France asked for a motion to approve the Consent Agenda. A motion was made by Councilman Conley and seconded by Councilman Mann.

YEAS: 8 – Stanford, Curtis, Mathews, Mann, Conley, Brown, Paolicelli, France
NAYS: 0

FLOODING DISASTER UPDATE: City Administrator Harrill provided the City Council with a Flooding Disaster Report. City Administrator Harrill said City Engineers estimate that the City was hit with a greater than a 100 year storm which caused the record flooding on both the Roubidoux and Mitchell Creek areas. City Administrator Harrill said the water level at the Roubidoux flood monitoring station in Waynesville reported a high of 21.24 feet which is 2.7 feet above the all time record for the Roubidoux. City Administrator Harrill told the City Council they could be proud of the efforts of the Waynesville Police Department as they responded to save lives and protect our citizens. City Administrator Harrill said the Council could also be proud of our City workers, who worked long and hard to keep our citizens provided with essential services such as electric, water and sewer. City Administrator Harrill also said

the City was thankful for the response and help from many of the surrounding law enforcement and fire departments and the mutual aid received from the City of St. Robert, City of Springfield, City of Crocker, Pulaski County Sewer District, and the Missouri Public Utility Alliance just to name a few. We have also received offers of support from the cities of Lebanon, Rolla, St. James and many others. City Administrator Harrill said as the storm waters recede, the City will continue to evaluate the situation and may call in mutual aid support as needed.

CITIZENS COMMENTS: Dennis McIntire, Director of Strategic Planning for B&B Theatres invited the City Council and the public to the official ground breaking of the Patriot 12 Cinema at the site located at the corner of Old H Highway and G W Lane Road. Mr. McIntire said the ground breaking represents the final step in the process to acquire the new theatre site between B&B Theatres, the City of Waynesville and Havens Commercial LLC. The ground breaking is scheduled for Wednesday, August 21, 2013 at 3:00 p.m.

Steve Hoffman of 1512 Hull Valley Drive was upset about the flooding in his area. City Administrator Harrill said he would have his concerns checked out and see what needed to be done. City Administrator Harrill stated that one of the problems was debris, including trees and a trailer, were caught by the new bridge on Old H Highway and reduced the flow through the existing culverts, however, the bridge did work as designed by allowing the flow to go over the bridge without flowing in to neighboring houses.

Dean Hawkins asked if the culvert could be cleaned out because if we get more rain, it rain will back up more. City Administrator Harrill said he would ask what immediate things we can do. There are some things that Department of Natural Resources will not let us do.

Clarence Jones of Hull Valley Drive asked if the City would be able to help with his fence. City Administrator Harrill stated the City had hired engineers to check issues and we would do what e we need to do but we want to do it correctly.

Ruth Gordon – 1801 Historic 66 W gave compliments to the City employees and said they did great jobs. She stated she did not know where the money was coming from for flooding. City Administrator Harrill said the Council would be presented with an ordinance for \$300,000 in emergency funds that were in the City reserve and savings accounts for emergencies. We do not know the exact cost of recovery and repairs. Mrs. Gordon said that since we had just had the flood and had to use emergency funds, why put the City through the expense of the roundabout. Mrs. Gordon stated that there was another way to solve the issue. Mrs. Gordon said that the City did not need the roundabout and 95% of the people she talked to did not want the roundabout – that it was inconvenient and would cause problems. Mrs. Gordon said the Council did not have to pass the ordinance at this time, especially if we had to use our emergency funds for the flooding.

BOARD/COMMISSION/LIAISON REPORTS:

PARK BOARD: No meeting was held.

- a. Mayor Hardman submitted the name of Deanna House to serve on the Waynesville Park Board. A motion was made by Councilman Stanford and seconded by Councilman Curtis to approve the appointment.

YEAS: 8 – Stanford, Curtis, Mathews, Mann, Conley, Brown, Paolicelli, France
NAYS: 0

PLANNING & ZONING: No meeting was held.

STANDING COMMITTEE REPORTS:

ROADS & GROUNDS: Councilman Stanford reported on the August 1, 2013 meeting. The committee discussed the Historic 66/Highway 17 MoDOT Cost Share Project; received an update on the Old Highway H project; received an update on the MoDOT Safe Route to School and Enhancement Grants; discussed requests for additional handicapped parking in front of the Performing Arts Building on the downtown square and received an update about patching of the Tiger Bridge later this year.

PROPOSED RESOLUTION #2013-008 of the City of Waynesville in Support of a Cost Share Project with Missouri Department of Transportation was introduced to Council in writing. It was noted that copies of the resolution have been made available for public inspection prior to the time of this meeting of the City Council. The adoption and passage of the proposed resolution was moved by Councilman Conley and seconded by Councilman Curtis.

City Administrator Harrill said that both projects would cost about the same. City Administrator Harrill said that August 2013 was the target date to let MoDOT know what we were going to do. Councilman Brown said we need to look in to the issue further, that a lot of citizens were against a roundabout. Mayor Pro Tem France said the issue affects more than just residents of Waynesville and there have been several venues for discussion. Councilman Mathews asked if it was a time sensitive issue and City Administrator Harrill stated that MoDOT wants an answer. August was the target date for a decision. Councilman Mathews said it seems to be an emotional issue. We have talked about it for months and see no advantage to postponing the issue. Councilman Curtis said it is also a safety issue and we need to make the road safe to keep our citizens safe.

YEAS: 5 – Curtis, Mathews, Mann, France, Conley
NAYS: 3 – Stanford, Brown, Paolicelli

UTILITY: No meeting was held

FINANCE & HUMAN RESOURCES COMMITTEE: Councilman Stanford reported on the July 18th meeting. The committee received a monthly budget review; reviewed bills for payment; considered a proposed ordinance for changing the City's fiscal year; reviewed requests for banking service bids; discussed investment of bond proceeds; and considered a proposed ordinance for the change of a name of a purchaser on a previously executed contract.

PROPOSED ORDINANCE #2054 Authorizing the Mayor and/or City Administrator of the City of Waynesville to Take Care of Certain Actions in the Event of An Emergency was introduced to the Council in writing. It was noted that copies of the proposed ordinance have 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 adoption and passage was moved by Councilman Curtis and seconded by Councilman Mann

YEAS: 8 – Stanford, Curtis, Mathews, Mann, France, Conley, Brown, Paolicelli

NAYS: 0

PROPOSED ORDINANCE #2055 Fixing the Ad Valorem Property Tax Rates For the City of Waynesville For the Year 2013 on All Taxable Property Within Said City was introduced to the Council in writing. It was noted that copies of the proposed ordinance have 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 adoption and passage was moved by Councilman Curtis and seconded by Councilman Mann

YEAS: 8 – Stanford, Curtis, Mathews, Mann, France, Conley, Brown, Paolicelli

NAYS: 0

POLICE COMMITTEE: Councilman Brown reported on the August 1st meeting. The committee received a report on focusing on back to school safety; reviewed a new contract pending 911 dispatching services; and received an update on Police Department issues.

Applications for Chief of Police have been received and are in the process of being reviewed. Interviews will begin soon so that a new Police Chief can be appointed at the September City Council meeting.

JOINT AIRPORT COMMITTEE: No meeting was held

COMMUNICATIONS COMMITTEE: No meeting was held

ECONOMIC DEVELOPMENT: No meeting was held

OTHER BUSINESS: NONE

CITY ADMINISTRATOR REPORT: City Administrator Harrill reported he had provided a written report for the Council. The report provided a budget update as of July 31, 2013 with revenue at 28% and expenses at 30% of yearly budget projections. The report also updates on responding to the flood and recovery process; OTC Open House for the new facility; ground breaking for the new Patriot 12 Cinema; and an employee update on old and new employees.

COUNCIL COMMENTS:

Stanford – Employees did a great job during the flood. Lots of people were devastated and it has taken its toll but our people are going to make it.

Curtis – Our hearts go out to the Lee family. We lost someone from our community but our residents are working together and trying to help each other out. City Staff is under a lot of stress but they have done a great job and we thank them.

Mathews – I was inside City Hall on the day of the flooding. City employees, City Administrator and Mayor were unbelievably great. They calmly handled issues and made decisions. It was truly impressive.

Mann – Thanks to City workers for all you have done and thanks to community for stepping forward to help.

Conley – Flood was a disaster but the outpouring of help from residents and strangers has been fantastic.

Brown – I echo the thoughts and sympathies of the Council. We will come together.

Paolicelli – Thank you to everyone.

Mayor Pro Tem France – first, a speedy recovery to Paul. We hope you are up and on the go soon. From the outset, there was a speedy response by all to the flood. Everyone is under a great deal of stress and a lot has been lost but people are still smiling and looking after each other. You have no idea what the Mayor, City Administrator, Public Works Director and our employees have been through to help and continue to help our citizens. Thanks to the Red Cross for helping our community.

CLOSED SESSION: Mayor Pro Tem France stated there was a need to go in to Closed Session for the discussion of Real Estate; Personnel and Legal Issues in accordance with RSMo. 610.021(1) (2) (3). A motion was made by Councilman Brown and seconded by Councilman Mann at 8:00 p.m. to go in to Closed Session.

YEAS: 8 – Stanford, Curtis, Mathews, Mann, France, Conley, Brown, Paolicelli
NAYS: 0

At 8:30 p.m. Council came out of Closed Session.

PROPOSED ORDINANCE #2056 Authorizing Mayor to Execute An Amendment To The Contract Between B&B Theatres LLC and the City of Waynesville Dated August 16, 2012, Amending Contract Closing was introduced to the Council in writing. It was noted that copies of the proposed ordinance have 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 adoption and passage was moved by Councilman Conley and seconded by Councilman Stanford.

YEAS: 8 – Stanford, Curtis, Mathews, Mann, France, Conley, Brown, Paolicelli
NAYS: 0

PROPOSED RESOLUTION #2013-009 Of the City of Waynesville In Support of A Lease Agreement Between the City of Waynesville as Lessor and B&B Theatres Operating Company, Inc. as Lessee was introduced to Council in writing. It was noted that copies of the resolution have been made available for public inspection prior to the time of this meeting of the City Council. The adoption and passage of the proposed resolution was moved by Councilman Conley and seconded by Councilman Mann.

City Administrator Harrill said the resolution was requested by the attorney for B&B Theatres as part of their closing documentation.

YEAS: 8 – Stanford, Curtis, Mathews, Mann, France, Conley, Brown, Paolicelli
NAYS: 0

ADJOURNMENT: There being no further business to come before this session of the Waynesville City Council, Mayor Pro Tem France adjourned the meeting at 8:40 p.m.

Respectfully submitted,

Carol Welch, MRCC
City Clerk

**WAYNESVILLE CITY COUNCIL
SPECIAL MEETING
AUGUST 20, 2013 – 5:30 P.M.**

CALL TO ORDER: Mayor Hardman called the Special Meeting of the Waynesville City Council

INVOCATION & PLEDGE: Councilman Conley gave the invocation and Mayor Hardman led us in the Pledge of Allegiance.

ROLL CALL: On roll call, Mayor Hardman and 7 council members reported as present:

Stanford, Mathews, Mann, Conley, Brown, Paolicelli, France

APPROVAL OF AGENDA: Mayor Hardman asked for a motion to approve the Agenda. A motion was made by Councilman France and seconded by Councilman Conley.

YEAS: 7 – Stanford, Mathews, Conley, Brown, Paolicelli, France

NAYS: 0

COMMENTS: Mayor Hardman thanked the City Council and the community for everyone's thoughts, prayers and concern for her husband and for her during her surgery. Mayor Hardman also thanked the community, volunteers, City employees, and others for the generous help given to the City of Waynesville during the August 2013 flooding. (Mayor's Statement attached for record.)

Mayor Hardman also advised there would be a "Thank-You Dessert Social" sponsored by the community churches in the Waynesville City Park on Sunday, August 24th at 3:00 p.m. and reminded everyone of the Flood Benefit Concert to be held on Thursday, September 5th at the Waynesville High School Auditorium.

REPORT ON SPECIAL INVESTIGATION Conducted by Missouri State Highway Patrol:

City Administrator Harrill said the City had received the final investigative report from the MSHP on the Ronda West case. City Administrator Harrill met with Officer Scott Mertens and reviewed the report. City Administrator Harrill stated that the MSHP conducted a very thorough investigation into the allegations of misconduct. City Administrator Harrill provided a report on the findings of the MSHP and it is attached to and made a part of these minutes.

Mayor Hardman read a prepared statement offering condolences to the West family and hopes that the information from the report will put to rest many of the questions the family had.

Councilman Brown stated after a thorough investigation by the MSHP, their findings and conclusions showed no evidence of any misconduct by the City of Waynesville or the Waynesville Police Department in regards to the allegations brought against them. Councilman Brown also stated that "all of us in the City and the Waynesville Police Department are satisfied with the findings of the MSHP report. It is time to move on and put this chapter behind us".

CLOSED SESSION: Mayor Hardman stated there was a need to go in to Closed Session for the discussion of Real Estate-610.021(2); Personnel-610.021(3) (13) and Legal Issues-610.021(1).

A motion was made by Councilman Conley at 5:45 p.m. and seconded by Councilman Stanford.

YEAS: 7 – Stanford, Mathews, Mann, Conley, Brown, Paolicelli, France
NAYS: 0

At 6:00 p.m. Council came out of Closed Session.

Mayor Hardman said the City was pleased to be working with the Bagby family and the City is thrilled to see the start of construction of the new theatre. Dennis McIntire with B&B Theatres said the proposing date of completion was in August 2014.

PROPOSED ORDINANCE #2057 Authorizing Mayor to Execute a Lease Agreement Between the City of Waynesville, Missouri as “Lessor” and B&B Theatres Operating Company Inc. as “Lessee” was introduced to the Council in writing. It was noted that copies of the proposed ordinance have 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 adoption and passage was moved by Councilman Councilman Conley and seconded by Councilman France

YEAS: 7 – Stanford, Mathews, Mann, Conley, Brown, Paolicelli, France
NAYS: 0

ADJOURN: There being no further business to come before this session of the Waynesville City Council; Mayor Hardman adjourned the meeting at 6:10 p.m.

Respectfully submitted,

Carol Welch, MRCC
City Clerk