



City of Ozark Missouri

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November 23, 2009
Board of Aldermen Noon Work Session
12:00 p.m.

The Ozark Board of Aldermen met in their Noon Work Session at 12:00 p.m. at the City Hall in Ozark, Missouri. Mayor Bradley A. Jackson presided with the following Board of Aldermen attending: Alderman Chris Snyder, Alderman Rick Gardner, Alderman Mike Esterl and Alderman Dennis Sparrow. Alderman Mark Spinabella and Alderman Melissa Wagner were absent. Also attending City Administrator Steve Childers, City Attorney David Collignon and City Clerk Lana Wilson.

12:00 p.m.

Approval of the Minutes of the Previous Meeting(s):

Ceremonial Matters: None.

Report on Questions from Previous Meeting(s): None

Bills Open for Public Discussion:

A. Bills Requiring a Public Hearing: None.

B. First Reading Bills: None.

C. Resolutions:

- 1. Resolution #1614-A Resolution of the Board of Alderman of the City of Ozark, Missouri Supporting the Application of Sustainable Housing Solutions, LLC, MHDC Proposal.**

Motion was made by Alderman Snyder to place Resolution #1614 on its first reading by title and description only, seconded by Alderman Esterl with all present voting aye.

City Administrator Steve Childers introduced the representative of Sustainable Housing Solutions, LLC Debbie Shantz Hart to the Board of Aldermen.

Debbie Shantz Hart and Becky Selle were present representing Sustainable Housing Solutions, LLC.

Debbie gave the Board of Aldermen a short history of how Sustainable Housing Solutions, LLC located property to develop in the Laurel Hills Subdivision.

Sustainable Housing will apply for MHDC Federal allocated tax credits then sell the tax credits to investors and use the proceeds to develop the Subdivision.

MHDC is an affordable housing rental program that's actually a lease purchase program. Sustainable Housing's main goal is to bring affordable housing to the economy. The rental rate is \$470.00 a month, with a fifteen (15) year lease purchase option with a discount incentive. The Federal Government places strict guidelines upon the developer. The developer is required to maintain the homes to a certain standard and establish replacement reserves. The tenants are also obligated for the upkeep to their home. If at anytime a tenant fails to maintain their home and property Sustainable Housing will take appropriate action. Sustainable Housing retains well versed team members assigned to the Program. We hope to continue to develop many more of these projects. Our future goals are to offer Budgeting and similar classes to the Community. The owners of the Subdivision have requested Sustainable Housing to design the homes to match the homes already established in the Laurel Hills Subdivision. We will abide by the Laurel Hills covenants; the homes will be brick and built to the established design standards.

Sustainable Housing Solutions, LLC has currently developed these types of homes in two similar Subdivisions in Springfield. Debbie stated Sustainable Housing Solutions is very committed to retain a positive influence in the neighborhood and Community. The development will be 1400sf to 1500sf, three bedroom, 1 1/2 baths and some four bedroom, 2 1/2 bath single family homes. Alderman Gardner stated his concern was with the surrounding established home owner's property values depreciating. He asked what Sustainable Housing will do to protect the property values of the home owners with placing rental properties in the Subdivision.

Debbie Shantz Hart stated Sustainable Housing is required to take immediate action, and will take immediate appropriate action against a tenant who does not maintain their property. In Sustainable Housing Solution's existing projects you are not able to tell MDHC housing from the conventional homes.

Becky Selle stated Sustainable Housing Solution has been extremely successful with their developments. The Federal Government places strict building requirements on MHDC projects. We have three (3) managers assigned to the projects in this area.

Alderman Rick Gardner asked if a preference will be given to Ozark residents.

Becky Selle responded that residents usually stay where they are already located, but we don't give preferences.

Debbie Shantz Hart stated Sustainable Housing would be willing to partner with the Board of Aldermen if there are known families that need to acquire a low income home we encourage you to submit their names.

Alderman Gardner asked if Sustainable Housing had a system in place as a complaint source.

Debbie Shantz Hart stated Sustainable Housing have assigned managers to their projects, we want and are required to keep these homes well maintained.

Alderman Gardner asked if Sustainable Housing would purchase building materials locally.

Debbie Shantz Hart stated Sustainable Housing prefers to buy local, although we do have a bidding process.

Becky Selle stated Sustainable Housing does a strict background check on every tenant. The State conducts annual inspections of the homes along with Sustainable Housing's inspections. City Administrator Steve Childers informed the Board of Aldermen the Final Plat has not been approved for this Phase of the Laurel Hills Subdivision.

Alderman Esterl questioned if the Developer would have to install the infrastructure according to our current Codes and Guidelines Standards.

City Administrator Childers responded the Developer will have to develop this Phase according to our current Codes and Guideline Standards.

Alderman Dennis Sparrow asked if the tenants would be able to qualify as first time home owners.

Becky Selle responded that at the end of the 15 year purchase option MHDC financial will convert their loan according to the home owner's qualifications.

Motion was made by Alderman Snyder to adopt Resolution 1614, seconded by Alderman Gardner with all present voting aye. Alderman Mark Spinabella and Alderman Melissa Wagner were absent.

Silver Sneaker Program-

City Administrator Steve Childers stated the topic of the Silver Sneakers Program was not placed on the Agenda, Park Director Dodee Matthews has requested the Board of Aldermen to take action regarding authoring the Mayor to execute the Agreement during this meeting.

City Attorney David Collignon stated the Agreement has not been formally presented to the Board of Aldermen. Regarding the Agreement memorandum comments he presented to the Board of Aldermen during their last session, David has received satisfied responses back from American Healthways.

Park Director Matthews stated Silver Fit is the only other company in this area that provides this type of service and they are a spin off of Silver Sneaker. Both companies have the same reimbursement per client. Silver Sneaker provides staff training; Silver Fit could not provide a training guarantee for staff.

Silver Sneakers guarantees the City \$250.00 a month. Silver Fit has no pool utilization compensation; Silver Sneaker will compensate the City for pool utilization.

Park Director Matthews stated she would like to get the program started by the first of the year.

Alderman Gardner commented that there does not seem to be a downside to the Program.

Alderman Esterl questioned if the City currently carried a \$1,000,000.00 Liability Insurance Policy on the Community Center.

City Attorney Collignon stated the City did carry a \$1,000,000.00 Liability Insurance Policy on the Community Center.

Mayor Bradley Jackson questioned whether City Attorney Collignon had any legal concerns with the Program.

City Attorney Collignon responded the Company amended the Agreement as per his requests, but refused to amend Page 4, #4-C, Renewal of Agreement, which pertains to the Agreement having an automatic annual renewal. He would of preferred an annual renewal request with a termination provision. David advises the Park Director conducting an annual internal review and prepare a recommendation for the Board of Aldermen.

City Administrator Childers requested the Board of Aldermen taking action on the Silver Sneaker Agreement due to the time constraints.

Park Director Matthews stated she indicated to American Healthways the City would execute the Agreement during today Meeting. If the Agreement is executed today the Program could possibly begin the first of February, if we delay the execution of the Agreement it will be the first of March.

Mayor Bradley A. Jackson questioned if the Board of Aldermen could take action today since it was not placed on the Agenda.

City Attorney Collignon stated since there are no funds expended, just Revenues generated, the Board of Aldermen can take action today with three (3) of the four (4) present voting aye.

Mayor Bradley A. Jackson stated a vote of support could be taken today than we can confirm the action at the next scheduled meeting by Resolution.

Motion was made by Alderman Esterl to show support of the Mayor executing the Agreement with American Healthways Silver Sneaker Program, seconded by Alderman Gardner with all present voting aye.

- D. Emergency Bills:** None.
- E. Public Improvement Bills (Tax Bills):** None.
- F. Grants:** None.

G. Amended Bills:

- 1. Bill #2476-An Amended Ordinance of the Board of Aldermen of the City of Ozark Missouri Amending the Code of Ordinances of the City of Ozark by Deleting Chapter 115 “City Officials” and Enacting in Lieu Thereof One New Chapter Relating to the Organization of City Staff Into Departments and the Revision of Certain other Sections of Various Chapters.**

Discussion-

City Administrator Steve Childers stated since the last meeting staff has had several discussions pertaining to concerns and questions regarding the Board of Aldermen amendments to Bill #2476.

Staff has worked to prepare a functional Organizational Chart in an effort to allow all Department Heads to function as a Department Head. It would be very difficult at this time to declare the City Clerk to only function as a City Clerk; her duties expand farther than just in that capacity, due to lack of staff and space. It would be difficult at this time for the City Clerk to not remain an Administrative member and function with same capacity of responsibilities. Steve stated this amendment may be premature at this time considering the City Clerk’s wide range of duties.

Alderman Esterl stated he felt that the amendment would prove to be premature at this time.

Alderman Sparrow stated his concern was with the City Clerk’s position elected rather than a hired position.

City Administrator Childers stated he is concerned that once this Bill is adopted the processes will have to be implemented and right now we don’t have the process to accommodate the amendment.

City Attorney Collignon stated if the City Clerk continues to function under the current job description that has additional duties beyond the City Clerk’s scope of duties, a provision will have to be added approving the additional duties. The Board of Aldermen can authorize these additional duties under the authority of the City Administrator. Some time in the future these duties will be assigned to other Departments.

City Administrator Childers stated in the future when additional staff and space become available these additional duties can be delegated to other Departments.

Alderman Esterl suggested modifying the Bill and placing it on the December 7, 2009 Agenda as an Emergency Bill.

City Attorney Collignon stated he had no problem with placing the Bill on the December 7, 2009 Agenda as an Emergency Bill, but there are two (2) Aldermen absent. David stated the Bill could be placed on the December 7, 2009 Agenda as an amended Bill than adopted during the December 21, 2009 Board of Aldermen Regular Meeting.

City Attorney Collignon stated at any time in the future an amendment can be made to the Ordinance to placing the direction of the City Clerk’s position under the Board of Aldermen.

Alderman Gardner stated until that time the Board of Aldermen should delegate this duty to the City Administrator.

Alderman Esterl stated until which time the City Clerk can function under the scope of the City Clerk's duties the authority should remain under the City Administrator. Motion was made by Alderman Sparrow to amend Bill #2476 leaving the City Clerk's direction under the authority of the City Administrator, seconded by Alderman Esterl with everyone present voting aye. Mayor Bradley A. Jackson stated Bill #2476 will placed on the December 7, 2009 Agenda as an Emergency Bill.

Report of Officers, Boards and Committees:

1. **Administrative Committee:** None
2. **Public Works:** None
3. **Public Safety Committee:** None
4. **Parks:** None

Unfinished Business: None

New Business/Council Comments: The City has Ward Seats open in Ward I, Ward II and Ward III in the April 6, 2010 General Municipal Election. The first day to file is December 15, 2009 at 8:00 am.

Scheduled Visitors: None

Council Comments: None

Miscellaneous Business: None

Pay Bills-

Motion was made by Alderman Snyder to adjourn, seconded by Alderman Esterl with all present voting aye.

The Meeting adjourned at 1:15 p.m.

Minutes Written By:

Lana Wilson, City Clerk

Approval of Form By:
