



City of Boonville
Council Meeting Agenda

August 2, 2021

7:00 p.m.

City Council Chambers

525 E. Spring Street

Boonville MO 65233

Meeting Live streamed <https://www.youtube.com/user/cityofboonvillemo> & Channel 3 with Suddenlink Cable TV

I. Call to order – Pledge and Prayer (Steve Young)

II. Roll call

III. Hearing of Citizens' Comments

IV. Approval of the Minutes of the July 19, 2021 Council Meeting

V. Consent Items.

- a) Consider Change Order No. 1 from Frech Paving CO. in the amount of \$11,427.68 for Asphalt Improvements 2021
- b) Consider Pay Request Order No. 1 from Frech Paving CO. in the amount of \$115,349.25 for Asphalt Improvements 2021

VI. Presentation of Accounts and Claims

VII. Unfinished Business

- A) Second Reading of Bill No. 2021-020 Conveying Real Estate to Freedom in Christ Ministries D/B/A Community Impact Center
- B) Second Reading of Bill No. 2021-021 Amending Chapter 2, Article VII- Regarding Advisory Boards and Committees
- C) Second Reading of Bill No. 2021-022 Amending Chapter 6 Regarding Cemeteries Committee

VIII. New Business

- A) Roll Cart Proposal from Waste Management**
- B) First Reading of Bill No. 2021-023 Establishing the Tax Levy for FY 2021-2022**
- C) Consider Resolution R2021-09 an Agreement with Cooper County Clerk Regarding the Collection of City Ad Valorem Taxes**
- D) Consider Resolution R2021-10 an Agreement with Cooper County Sheriff Regarding Animal Control Services**

IX. Reports of Standing Committees

- A) Street, Alley, & Sanitation Board- July 28,2021 (Steve Young**
- B) Board of Public Works- July 29,2021 (Andrew Cowherd)**
- C) Planning and Zoning Commission – July 06, 2021 (Whitney Venable)**

X. Reports of City Officials

- A) City Administrator**
 - Public Works – General Overview/Street – Jeff Ditto
 - Building Inspector/P&Z – Steve Hage
- B) Mayor**
 - Committee Appointments
- C) City Clerk**

XI. Miscellaneous

XII. Closed Session- RSMO 610.021 (2) Real Estate and RSMO 610.021 (12) Documents Related to Negotiated Contract

XIII. Adjourn

NOTICE: The City of Boonville will comply with the Americans with Disabilities Act (ADA). Individuals who require an accommodation due to disability to attend this meeting should contact our office at (660) 882-2332 or Relay Missouri, 1-800-735-2966 TTY at least 48 hours in advance.

DRAFT COPY PENDING CITY COUNCIL REVIEW AND APPROVAL

City of Boonville
City Council Meeting Minutes
July 19, 2021

The Boonville City Council met in Regular Session on July 19, 2021, at 7:00 p.m. in the Council Chambers located at 525 East Spring Street, Boonville Missouri. The following officers were present: Ned Beach, Mayor; Kate Fjell, City Administrator; Amber Davis, City Clerk; and Bobby Welliver, Sergeant at Arms. Doug Abele, Interim City Counselor, is absent.

NOTICE POSTED: Thursday, July 15, 2021 at 12:05 p.m.

CALL TO ORDER – PLEDGE AND PRAYER

The meeting was called to order and Michael Stock led the prayer, after the pledge of allegiance.

ROLL CALL

The following Council Representatives were present: Michael Stock, Steve Young, Susan Meadows, Andrew Cowherd, Theresa Hurt, Barry Elbert, Whitney Venable, and Albert Turner.

HEARING OF CITIZENS' COMMENTS

None.

APPROVAL OF THE MINUTES OF THE JULY 19, 2021 COUNCIL MEETING

The minutes were approved as presented.

CONSENT ITEMS

The following Consent Items were presented for approval:

- a. Consider Change Order No. 1 from Remsel Corp, in the amount of <\$18,372.40> **credit** for Boone Point Sewer Extension
- b. Consider Pay Request Order No. 1 from Remsel Contracting, in the amount of \$32,999.22 for Boone Point Sewer Extension

Mr. Venable moved, and Mr. Stock seconded the motion to approve the Consent Items. Roll call was taken. Ayes: Stock, Young, Meadows, Cowherd, Hurt, Elbert, Venable, and Turner. Total (8) Opposed: None Total (0) Motion Carried.

PRESENTATION OF ACCOUNTS AND CLAIMS

Ms. Davis read the ordinance appropriating money, in its entirety, and a second time, by title only, since a copy of the ordinance had been made available prior to the meeting. Ms. Meadows moved, and Mr. Cowherd seconded the motion for approval of the ordinance. With no discussion, roll call was taken. Ayes: Stock, Young, Meadows, Cowherd, Hurt, Elbert, Venable, and Turner. Total (8) Opposed: None Total (0). Motion Carried.

UNFINISHED BUSINESS

SECOND READING OF BILL NO. 2021-019 APPROVE PROJECT AND FINAL SITE PLAN FOR CMMG EXPANSION

Ms. Davis read, by title only, a copy of the bill. Mr. Venable moved, and Ms. Hurt seconded the motion to approve the bill. With no discussion, roll call was taken. Ayes: Stock, Young, Meadows, Cowherd, Hurt, Elbert, Venable, and Turner. Total (8). Opposed: None (0). Motion Carried.

NEW BUSINESS

CONSIDER RESOLUTION R2021-08 AN AGREEMENT WITH BOONVILLE AREA CHAMBER OF COMMERCE REGARDING COMMUNITY CALENDER SERVICES

Ms. Davis read the resolution in its entirety. Ms. Meadows moved, and Mr. Venable seconded the motion to approve the resolution. Mr. Turner Speaks about his opinion on the Community Calendar and how it will be a great resource for the community. Mr. Turner questions the Council on what the best way is to let the community know about the Community Calendar, Gigi Quinlan McAreavy comes before the Council and responds to Mr. Turner. Ms. McAreavy explains how that can be done, for example: Marketing free media, social media, and reaching out to all organizations to let them know about The Community Calendar services. Ms. Fjell adds that all area websites will have a link to The Community Calendar on their web site, she also states the Community Calendar did not exist prior, Ms. McAreavy got a grant from Mid MO Regional Clinic through EDA part of Covid Funds. There has also been a committee formed to market the Community Calendar and someone hired part-time to manage it as well.

FIRST READING OF BILL NO. 2021 -020 CONVEYING REAL ESTATE TO FREEDOM AND CHRIST MINISTRIES D/B/A IMPACT ACTIVITY CENTER

Ms. Davis read, by title only, a copy of the bill.

***FIRST READING OF BILL NO 2021-021 AMENDING CHAPTER 2 ARTICLE VII
REGUARDING ADVISORY BOARDS AND COMMITTEES***

Ms. Davis read, by title only, a copy of the bill.

***FIRST READING OF BILL NO.2021-022 AMENDING CHAPTER 6 REGUARDING
CEMETERIES COMMITTEE***

Ms. Davis read, by title only, a copy of the bill.

REPORTS OF STANDING COMMITTEES

HISTORIC PRESERVATION BOARD- JULY 12, 2021

Ms. Meadows reported that the meeting was cancelled.

PLANNING AND ZONING COMMISSION – JULY 13, 2021

Mr. Venable reported that the meeting was cancelled

BOONVILLE HOUSING AUTHORITY- JULY 14,2021

Mr. Elbert reported the meeting was cancelled but also reported that this committee is at 100 % occupancy

REPORTS OF CITY OFFICIALS

CITY ADMINISTRATOR

Ms. Fjell reminded the Council that we are doing a brief “Road Show” of the various departments in the city. Various Department Heads are coming forward to discuss a little bit about their purpose, activities, and staffing.

- Tourism- Katie Gibson

Ms. Fjell invited Katie Gibson, Tourism Director, before the council Ms. Gibson introduced herself to the council. She gave a brief background of the Tourism Department and what she does as Tourism Director. Ms. Gibson directed the council to the memo that was included in the Council packet. In the report she focused on what goes on behind the scenes. Ms. Gibson discussed examples of tourism attractions around the area for example: Warm Springs Ranch. Mitchell Car Museum, and The Katy Trail. She informed the council tourism numbers are climbing back up from flooding and covid so that is a positive for the city. Mr. Stock inquired If DNR has a plan to fix the Salt Creek Bridge on the Katy Trail, Ms. Gibson responded that the bridge must be replaced with a steel structure, and it is in DNR'S Budget to replace the structure this fall. Ms. Gibson also stated there has been a lot of work done on the Katy Trail from Boonville to New Franklin due to flooding, storms, etc. Mr. Turner inquired who tracks the number of people that come to town on any given event. Ms. Gibson responded that each event keeps track of their own numbers, tourism keeps track of numbers through bed tax that is paid when people come to the community to stay overnight at hotels, motels, and bed and breakfasts. The Tourism also keeps track by seeing how many people come into the Museum on each day. Ms. Gibson also discusses the Community Calendar and how it will benefit them and be a great resource for the entire community. Mr. Cowherd inquired if there had been any discussion about The Peddlers Jamboree being brought back to Boonville, Ms. Gibson responded they are planning to bring The Peddlers Jamboree back to Boonville after the repairs are completed to the trail. Ms. Fjell recommended that the council go check out the museum.

MAYOR

Mayor Beach reported to Mr. Elbert regarding the flooding that occurred at Ms. Brewers house during the torrential rains that we had received, The Mayor stated he has had a couple different conversations with Ms. Brewer about this matter, Mayor Beach states that from the city's standpoint there is nothing that the city is obligated to do. Mr. Mayor had suggested to Ms. Brewer about adding another sump pump in her basement to help if this ever becomes a problem in the future. Mr Elbert inquired that there is nothing further the city can do about the water running off the Hill behind Ms. Brewers house. Mayor Beach stated it is an act of God and there is nothing the city can do about it.

Mayor Beach stated that he feels there had been some information that had not been relayed to the new City Council representatives, Mr. Cowherd and Mr. Elbert. Mayor Beach explained that with the closing of one of the houses in the prison, the closing of the hospital, and the loss of some water district customers, there is a significant loss of sewer and water revenues. Therefore, with the increase of water and sewer rates, the loss in revenue should be thwarted. Mayor Beach gave a brief explanation regarding the budget and the City's fiscal year. Mayor Beach stated that he wants to do a better job with communication to council.

CITY CLERK

No report was offered.

MISCELLANEOUS

Mayor Beach directed the council to the gaming fund information and the City's financial information that was included in the council packet.

Mr. Cowherd inquired to Ms. Fjell about Waste Management Trash Service. There had been some feedback from citizens about late pickup, holiday pickup, etc. and he was wanting to know if the city had been in contact with Waste Management about this problem. Ms. Fjell responded that there has been contact made with Waste Management and they now have a direct line to get a hold of someone for future issues. Ms. Fjell mentioned that Waste Management will be at the next council meeting for any questions that they may have.

Mr. Elbert inquired to Public Works department head, Jeff Ditto about the clean out of a culvert in the Trout Dale Area, Mr. Ditto advised they have not got it done, but it is on the schedule.

CLOSED SESSION RSMO 610.021 (2) REAL ESTATE

Ms. Meadows moved, and Mr. Turner seconded the motion for the Council to go into closed session pursuant to RSMO 610.021 (1) Real Estate. Roll call was taken Ayes: Stock, Young, Meadows, Cowherd, Hurt, Elbert, Venable, and Turner

ADJOURN

Upon returning to open session at 8:55 p.m., Mr. Young moved, and Ms. Hurt seconded the motion to adjourn at 8:56 p.m. and the voice vote was unanimous.

Respectfully Submitted,

Amber Davis, City Clerk

Approved:

Ned Beach, Mayor

APPLICATION AND CERTIFICATE FOR PAYMENT
(PAY ESTIMATE)

Original _____ of 6
Page _____ of

PROJECT NO: 454-283 Asphalt Improvements 2021

CONTRACTOR: Frech Paving

OWNER: City Of Boonville MO

APPLICATION NO: _____

1

APPLICATION DATE: _____

2-Aug-21

PERIOD FROM: _____

ORIGINAL CONTRACT SUM:

\$157,149.43

NET CHANGE BY CHANGE ORDERS:

\$0.00

CONTRACT SUM TO DATE:

\$157,149.43

TOTAL COMPLETED & STORED TO DATE:

\$128,165.83

RETAINAGE 10%:

\$12,816.58

TOTAL EARNED LESS RETAINAGE:

\$115,349.25

LESS PREVIOUS CERTIFICATES OF PAYMENT:

\$0.00

CURRENT PAYMENT DUE:

\$115,349.25

CONTRACT TIME LIMIT DATE:

July 31, 2021

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

BY: _____

DATE: _____

7-27-2021

OWNER:

BY: _____



ENGINEER:

BY: _____

MECO ENGINEERING COMPANY, INC.
ENGINEERS * SURVEYORS

2701 INDUSTRIAL DRIVE
JEFFERSON CITY, MO 65109

(573)893-5558

ORDER NO.	DATE APPROVED	ADDITIONS	DEDUCTIONS
TOTALS		\$0.00	\$0.00

NET CHANGE BY CHANGE ORDERS: _____

\$0.00

In accordance with the Contract Documents, based on site observations and the data comprising this application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED OF \$ 115,349.25

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

Pay Estimate No.1 454-283 Asphalt Pavement Rehabilitation

Item No	Description	Contract Quantity	Unit	Unit Price	Total	In Place Prev. Pay App	Installed This Period	\$ Installed This Pay App	Total in Place	Left to Finish	Unit
1	Mobilization	1	LS	\$ 2,000.00	\$ 2,000.00	0	1	\$2,000.00	\$2,000.00	0	LS
2	Traffic Control	1	LS	\$ 1,000.00	\$ 1,000.00	0	1	\$1,000.00	\$1,000.00	0	LS
3	Removal of Improvements	471	SY	\$ 18.05	\$ 8,501.55	0	471	\$8,501.55	\$8,501.55	0	SY
4	Geotextile Separation Fabric	471	SY	\$ 2.45	\$ 1,153.95	0	471	\$1,153.95	\$1,153.95	0	SY
5	6" MoDOT Type 5 Aggregate Base	471	SY	\$ 12.25	\$ 5,769.75	0	471	\$5,769.75	\$5,769.75	0	SY
6	Subgrade Compaction	471	SY	\$ 0.03	\$ 14.13	0	471	\$14.13	\$14.13	0	SY
7	3" BP-1 Wedge Surface Course	471	SY	\$ 27.00	\$ 12,717.00	0	471	\$12,717.00	\$12,717.00	0	SY
8	2" thk BP-1 Surface Course	4727	SY	\$ 10.80	\$ 51,051.60	0	4,727	\$51,051.60	\$51,051.60	0	SY
9	Tack Coat	222	GAL	\$ 4.00	\$ 888.00	0	222	\$888.00	\$888.00	0	GAL
10	2" Milling and Pavement Prep. Including Sweeping Full Width	4256	SY	\$ 6.45	\$ 27,451.20	0	2,088	\$13,467.60	\$13,467.60	2,168	SY
11	30" Roll Back Curb and Gutter	120	LF	\$ 64.70	\$ 7,764.00	0	120	\$7,764.00	\$7,764.00	0	LF
12	30" Type A Curb and Gutter	395	LF	\$ 60.35	\$ 23,838.25	0	395	\$23,838.25	\$23,838.25	0	LF
13	Contingency	1	LS	\$ 15,000.00	\$ 15,000.00	0	0	\$0.00	\$0.00	1	LS

Contract Total	\$	157,149.43		\$128,165.83	\$128,165.83
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**CONTRACT CHANGE ORDER
SECTION 00941**

Change Order No. 1
Project No. 454283

Sheet of
Original _ of 6

Recommended: MECO Engineering Co., Inc.
(Engineer)

To: Frech Paving Co.
(Contractor)

From: City of Boonville MO
(Owner)

You are hereby directed to make the following changes:

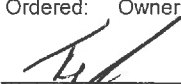
I. Reason for change and effect on completion time (if any):
During Construction of Highland Lane redesign took place due to the existing asphalt being to thin

II. Cost of work affected by this Change Order:

Item No.	Item Description	Bid Amount			Previous Change Orders		This Change Order		Revised Contract
		Quantity/Units	Unit Price	Value	C.O. #	Quantity Changed	Increase Qty. Decrease Qty.	Amount Added or Deducted	Quantity/Unit
3	Removal of Improvements	471 SY	\$18.05	\$8,501.55			676 SY	\$12,201.80	1,147 SY
4	Geotextile Separation Fabric	471 SY	\$2.45	\$1,153.95			676 SY	\$1,656.20	1,147 SY
5	6" MoDOT Type 5 Aggregate Base	471 SY	\$12.25	\$5,769.75			676 SY	\$8,281.00	1,147 SY
6	Subgrade Compaction	471 SY	\$0.03	\$14.13			676 SY	\$20.28	1,147 SY
7	3" BP-1 Wedge Surface Course	471 SY	\$27.00	\$12,717.00			676 SY	\$18,252.00	1,147 SY
10	2" Milling and Pavement Prep Including Sweeping Full Width	4,256 SY	\$6.45	\$27,451.20			-2,168 SY	-\$13,983.60	2,088 SY
13	Contingency	1 LS	\$15,000.00	\$15,000.00			0 LS	-\$15,000.00	0 LS
Total This Sheet:								\$11,427.68	

- | | | |
|---------------------------------------|--------------|--------------|
| 1. Original Contract Amount: | | \$157,149.43 |
| 2. Add or Deduct This Order Totals: | \$11,427.68 | |
| 3. Add or Deduct Previous: | \$0.00 | |
| (Line 4 of previous order) | | |
| 4. Total Add or Deduct to Date (2+3): | \$11,427.68 | |
| 5. Revised Contract Amount (1+4): | \$168,577.11 | |

Recommended:  Engineer - MECO Engineering Company Date 7/28/21

Ordered: Owner Date _____
Accepted:  Contractor Date 7-27-2021

Change Order is subject to all provisions of the Contract Documents and is not in effect unless signed by all parties.

ORDINANCE APPROPRIATING MONEY

Be it Ordained by the Council of the City of Boonville as follows:

Section 1: For the purpose of paying salaries and various accounts against the City of Boonville, which have been allowed by the Council, at the regular meeting thereof on **August 2, 2021** the sum of **\$435,262.90**

General Fund	\$200,745.94
Sanitation	\$21,685.68
CIP Tax	\$15,370.83
Water Works	\$87,808.29
Capital Projects	\$0.00
Waste Water	\$81,216.02
Tourism	\$6,661.75
Gaming	\$17,431.77
Parks/Water	\$4,185.62
Kemper Sales Tax	\$157.00
Economic Development Projects	\$0.00

Section 2: The Accountant is hereby authorized and instructed to draw checks on the respective City bank accounts, in favor of the persons whose salaries and accounts have been allowed as above, amounting to **\$435,262.90** being the total amount of money above appropriated.

Section 3: This ordinance shall take effect and be in force from and after its passage. First reading on **August 2, 2021** read for the second time this **August 2, 2021** since a copy was made available prior to the meeting.

Approved **August 2, 2021** _____
Mayor

Endorsed **August 2, 2021** : I hereby certify that a sufficient sum of money stands to the credit of the City, unappropriated, in the various funds to meet the requirements of this ordinance.

Accountant

BILL NO. 2021-023

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BOONVILLE, MISSOURI, ESTABLISHING THE RATE OF TAXES TO BE LEVIED ON ALL PROPERTY SUBJECT TO TAXES IN THE CITY OF BOONVILLE, MISSOURI, FOR THE FISCAL YEAR BEGINNING APRIL 1, 2021

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOONVILLE, MISSOURI, AS FOLLOWS:

SECTION 1: The rate of taxes for the use and benefit of the City of Boonville, Missouri, for the fiscal year beginning April 1, 2021, are hereby established as follows:

- 1.) The rate of taxes for the General Fund shall be Seventy Thirty-One Hundredth Cents (\$.7031) per One Hundred Dollars (\$100.00) assessed valuation.

SECTION 2: This ordinance shall be in full force and effect from and after its passage and approval.

SECTION 3: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

FIRST READING: August 2, 2021

READ FOR THE SECOND TIME AND PASSED THIS 16th DAY OF AUGUST, 2021, AFTER A COPY OF THIS ORDINANCE HAS BEEN MADE AVAILABLE FOR PUBLIC INSPECTION PRIOR TO ITS FIRST READING AND BASED UPON INFORMATION RECEIVED SUBSEQUENT TO THE FIRST READING FROM THE MISSOURI STATE AUDITOR'S OFFICE INCLUDING FINAL NUMBERS AND PRO FORMA TAX RATE CALCULATIONS REGARDING TAX RATE CEILINGS AND COMPLIANCE WITH SECTION 137.073 RSMO AND ARTICLE X SECTION 22 MISSOURI CONSTITUTION, ALL OF WHICH HAVE BEEN INCLUDED IN A NOTICE OF PUBLIC HEARING AS PROVIDED BY LAW.

APPROVED THIS 16TH DAY OF AUGUST 2021.

Ned Beach, Mayor

ATTEST:

Amber Davis, City Clerk

RESOLUTION NO. R2021-09

A RESOLUTION OF THE CITY OF BOONVILLE, MISSOURI AUTHORIZING AND APPROVING A COOPERATIVE AGREEMENT BETWEEN THE COOPER COUNTY CLERK AND THE CITY OF BOONVILLE, MISSOURI REGARDING THE COLLECTION OF CITY AD VALOREM TAXES; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, the City of Boonville, Missouri and the Cooper County Clerk desire to enter into a Cooperative Agreement authorized and permitted by Sections 50.322, 70.220 to 70.320 inclusive, and Sections 140.670 to 140.750 inclusive, of the Revised Statutes of Missouri, for the cooperative efforts of the parties to collect the taxes of the City of Boonville on property located within the boundaries of said City, which is located in Cooper County, Missouri; and

NOW THEREFORE, be it resolved by the City Council of the City of Boonville, Missouri as follows:

SECTION 1: That a certain Cooperative Agreement between the Cooper County Clerk and the City of Boonville, Missouri, a copy of which is marked "**Exhibit A**" and is attached hereto and made a part hereof, is hereby approved.

SECTION 2: That the Mayor and the City Clerk be and are hereby authorized to execute, and attest said Agreement, in multiple counterparts, on behalf of the City of Boonville.

SECTION 3: That the fully executed Agreement and counterparts be delivered to the Cooper County Commission for consideration and approval as soon as practicable.

SECTION 5: This resolution shall take effect and be in full force from and after its passage and approval.

Passed this 2nd Day of August, 2021, by the City Council of Boonville, Missouri

Ned Beach, Mayor

ATTEST:

Amber Davis, City Clerk

COOPERATIVE AGREEMENT

THIS AGREEMENT is made and entered as of this 28th day of July, 2021, by and between the City of Boonville, Missouri, a municipal corporation, and hereinafter "City," and Sarah Herman, duly-elected County Clerk of Cooper County, Missouri, and hereinafter referred to as "Clerk," under the following terms and conditions.

WHEREAS, statutory provisions set out in Section 50.332, RSMO., allow county officers to contract with municipalities of the third class to perform services for such municipality of the same type the county officer performs for the county; and

WHEREAS, the parties are not currently under a contractual arrangement for the Clerk to perform services which have been customarily performed by her office for the City in past years relating to the collection of City taxes, including certifying or authenticating tax information to the Cooper County Collector; and

WHEREAS, the parties are aware of a currently pending dispute regarding the validity of this Agreement between the Cooper County Commission and the Cooper County Clerk in case 20CO-CC00009 (the "Case"); and

WHEREAS, the parties wish to enter into an agreement for the Clerk to perform such services as are necessary for extending the 2021 City taxes as generally described in Section 137.290 RSMo., and reporting such information to the County Collector for collection on property located within the boundaries of said City pursuant to a separate contractual arrangement between the City and the Cooper County Collector.

NOW, WHEREFORE, THE PARTIES HEREBY AGREE AS FOLLOWS:

1. The City and Clerk covenant and agree that if the Case shall determine the Clerk has a ministerial duty to extend the City's taxes then this agreement shall be deemed null and void. Further, the City and Clerk agree that until the parties in the Case have exhausted all rights of appeal and the case is fully resolved no payments will be issued by the City to the Clerk. Upon final resolution of the Case, the City shall determine the amount of fees earned pursuant to Paragraph 3 and remit all fees earned pursuant to the terms in Paragraph 4, if the agreement is not deemed null and void pursuant to this paragraph.

2. The Clerk covenants and agrees:

a. That the Clerk will extend tax rates for all real and personal property within the City of Boonville.

b. That the Clerk will provide to the City a copy of the final tax printouts, for the current year, including a list of taxpayers, valuations, assessments, amounts of taxes due, and other pertinent information vital to the tax billing system, not later than November 10th of each year.

c. That the Clerk may meet with a representative of the City by March 31st of each year to determine provisions for renewal of this Agreement. If no changes are desired by either party, this Agreement will automatically renew annually for an additional one-year term, until such time as either party gives the other written notice of termination hereof prior to March 31st.

3. The City covenants and agrees:

- a. To compensate the Clerk for the aforementioned services at the rate of one and one-half percent (1.5%) of the current and delinquent taxes collected by the County Collector.
- b. To compensate the Clerk for services previously performed in the 2019 and 2020 tax years pursuant to Paragraph 3.

4. The County remits all Boonville taxes to the City on a monthly basis, along with a spreadsheet and report. At the first regular monthly City Council meeting following receipt of the Boonville taxes and associated spreadsheet and report, the City Council shall take the actions necessary to appropriate, for payment to the Clerk, the amount of funds needed to pay for the Clerk's services at the rate set forth in Section 2 of this Agreement. Within 3 business days of the City Council's appropriation, the City shall remit payment to the Clerk. The City shall timely issue the Clerk a 1099 after the close of each calendar year.

IN WITNESS WHEREOF, the parties have hereunto set their hands and affixed their official seals as of this _____ day of _____, 2021.

[signature page to follow]

CITY OF BOONVILLE, MISSOURI

ATTEST:

By: _____
Ned Beach, Mayor

By: _____
Boonville City Clerk
Amber Davis,

SEAL:

COOPER COUNTY CLERK

By: *Sarah J. Herman*
Sarah Herman, County Clerk

**APPROVED BY:
COOPER COUNTY COMMISSION**

By: _____
Presiding Commissioner

By: _____
Eastern Commissioner

By: _____
Western Commissioner

RESOLUTION NO. R2021-10

A RESOLUTION OF THE CITY OF BOONVILLE, MISSOURI AUTHORIZING AND APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COOPER COUNTY SHERIFF, MISSOURI AND THE CITY OF BOONVILLE, MISSOURI, TO PERFORM ANIMAL CONTROL SERVICES BY THE BOONVILLE ANIMAL CONTROL OFFICERS; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, the Sheriff of Cooper County is responsible for enforcing State related Animal Control Laws for the health and safety of the residents of Cooper County; and

WHEREAS, the Sheriff of Cooper County does not have the need for an on-staff animal control officer and has asked the City of Boonville to provide animal control services on an as-needed basis under the terms and conditions of the attached Intergovernmental Agreement; and

WHEREAS, the Boonville Animal Control Officer believes that this service can be scheduled in such a way and is not too numerous so as to be easily accommodated; and

WHEREAS, the City Council of Boonville, Missouri believes that this is an opportunity to share expertise to another community in Cooper County without any undue burden on the citizens of Boonville or city staff.

THEREFORE, be it resolved by the City Council of the City of Boonville, Missouri as follows:

SECTION 1: That the City Council of the City of Boonville, Missouri shall approve and authorize an Intergovernmental Agreement with the Cooper County Sheriff for limited Animal Control Services as set forth in "**Exhibit A**" attached hereto and made a part hereof as fully as if set forth herein verbatim.

SECTION 2: That the Mayor and the City Clerk are hereby authorized to execute, and attest said contract on behalf of the City of Boonville.

SECTION 3: This resolution shall take effect and be in full force from and after its passage and approval.

Passed this 2nd Day of August 2021, by the City Council of Boonville, Missouri

Ned Beach, Mayor

ATTEST:

Amber Davis, City Clerk

**INTERGOVERNMENTAL AGREEMENT
TO CONTRACT FOR ANIMAL CONTROL SERVICES BETWEEN THE CITY OF
BOONVILLE, MISSOURI AND THE COOPER COUNTY SHERIFF, MISSOURI**

I. Parties

City of Boonville, MO
c/o The City Administrator
401 Main Street
Boonville, MO 65233
Business Phone: (660) 882-2332

Cooper County Sheriff Department, MO
c/o Cooper County Sheriff
200 Main Street
Boonville, MO 65233
Business Phone: (660) 882-2771

II. Recitals

WHEREAS, the Sheriff of the County of Cooper, Missouri (hereinafter referred to as the "Sheriff") has determined that enforcing its State related Animal Control Laws is in the best interests of the health and safety of its residents; and

WHEREAS, the Sheriff has no current animal control officer and generally has neither the need nor the funds to hire one, but would like to have the City of Boonville, Missouri (hereinafter referred to as the "City"), through its Animal Control Department, assist the Sheriff with its animal control needs; and

WHEREAS, Section 70.220, RSMo, authorizes local governmental entities to contract for the provision of services that are within their mutual scope of powers by law.

NOW THEREFORE, in consideration of the compensation to be paid to the City, and the mutual covenants, conditions and undertakings to be kept and performed by the parties, it is hereby contracted and agreed as follows:

III. Agreements

Section 1. The City will provide the Sheriff with certain animal control services by its Animal Control Officers in accordance with the provisions of this Agreement.

Section 2. The Sheriff will coordinate with the City's Animal Control Officers in order to reach its stated goals (herein attached Attachment A). Provided however, it is understood and agreed that in the event need shall simultaneously arise for animal control services in both the City and the Sheriff, priority will be given to the City.

Section 3. In consideration for such services, the Sheriff shall pay the sum of \$50.00 per hour for each officer on site, in addition, the Sheriff shall reimburse the City for animal care fees in accordance with the City's adopted schedule of fees (herein attached Attachment B) and for mileage at the current rate established by the IRS from time-to-time. Such compensation and reimbursement shall be paid to the City no later than 30 days after completion of the work by the City and upon receipt of a written invoice therefor.

Section 5. If the City amends the Schedule of Fees referenced in this Agreement during the initial term or any renewal term hereof, the Boonville City Clerk shall promptly notify the Sheriff and the new fees shall be the reimbursement rate effective as of the date such revised fees are adopted by the City.

Section 6. Both the City and the Sheriff shall notify the other of the adoption of this Intergovernmental Agreement by its respective governing bodies prior to any services being rendered to the Sheriff hereunder.

Section 7. The effective date of this Intergovernmental Agreement shall commence on the date last accepted by the official act of a governing body and shall terminate one year from the date of commencement, unless both parties shall mutually consent to renew or revise the Agreement.

Section 8. The parties intend that this Intergovernmental Agreement and its Attachments shall be the sole agreement between the parties related to the subject matter and that no other documents or understandings are to be in any way incorporated into this Agreement by reference or otherwise.

Section 9. Copies of this Agreement or any amendments hereto, bearing facsimile or electronic images of the true signatures of the parties shall be deemed to be valid and binding in the same manner as copies containing original signatures.

Section 10. The invalidity or unenforceability of any particular provision of this Agreement, shall be construed in all respects as if such invalid and unenforceable provision were omitted and all other provisions of this Agreement shall remain in full force and effect.

Section 11. The City shall not be liable for any claims, causes of action, judgments or damages (whether for personal injuries or property damage) arising from the activities of its Animal Control Officers while performing animal control services for the Sheriff under this Agreement. The Sheriff further hereby agrees to indemnify and hold the City harmless therefrom.

Section 12. The Sheriff hereby covenants and agrees that it shall reimburse the City of Boonville up to \$5000 for any loss, costs or damages arising under the provisions of Chapter 287 (Workers' Compensation), RSMo, if the Animal Control Officers sustain any compensable injury while fulfilling their obligations on behalf of the Sheriff under this Agreement.

Executed this _____ day of _____, 2021.

For the CITY OF BOONVILLE, MISSOURI

By: _____
Ned Beach, Mayor

ATTEST:

(Seal) _____
Amber Davis, City Clerk

Executed this _____ day of _____, 2021.

For the Cooper County Sheriff

By: _____
Chris Class, Sheriff

ATTEST:

(Seal) _____
Cooper County Commission

Animal Shelter Schedule of Fees (City of Boonville Ordinances, Appendix B)

Daily board fee	\$15.00 per day
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**CITY OF BOONVILLE
STREET, ALLEY & SANITATION BOARD
CANCELLATION**

July 28, 2021

6:30 p.m.

**City Services Building
1200 Locust Street
Boonville, Missouri**

The **Wednesday, July 28, 2021** meeting of the **STREET, ALLEY AND SANITATION BOARD** has been cancelled for **lack of agenda items**. The next regularly scheduled meeting is **WEDNESDAY, August 25, 2021**.

Date Posted:

Time Posted:

**CITY OF BOONVILLE
BOARD of PUBLIC WORKS
CANCELLATION**

July 29, 2021

5:30 p.m.

**City Services Building
1200 Locust Street
Boonville, Missouri**

The **Thursday, July 29, 2021** meeting of the **BOARD of PUBLIC WORKS** has been cancelled due to lack of agenda items. The next regularly scheduled meeting is **August 26, 2021**.

Date Posted:

Time Posted:

**CITY OF BOONVILLE
PLANNING AND ZONING COMMISSION MEETING
MINUTES OF JULY 6, 2021**

VOTING MEMBERS PRESENT

- 1) Josh Snoddy
- 2) Steve Hage, Building Inspector
- 3) Whitney Venable
- 4) Matt Billings, Chairman
- 5) Ned Beach, Mayor
- 6) Zach Simpson

VOTING MEMBERS ABSENT: Clark Greis, Sonny Warren

STAFF/PRESENTERS/GUESTS

Scott Vogler	Tim Crockett, Crockett Engineering
Kate Fjell	Ryan Stockcamp, CMMG, Inc.
Jeff Ditto	Jeff Overstreet, CMMG Inc.
	Ryan McCullem, PCE

1. CALL TO ORDER: Mr. Venable called the meeting to order at 5:15 p.m. Roll call was taken with six (6) of eight (8) members present constituting a quorum.
2. MINUTES: Mr. Beach moved, and Mr. Venable seconded a motion that the minutes be approved. Motion passed unanimously.
3. HEARING OF PUBLIC COMMENTS:
None
4. OLD BUSINESS:
None
5. NEW BUSINESS:

a. Final Site Plan for CMMG, Inc. 2301 Boonslick Dr.

Mr. Hage stated that CMMG, Inc. has submitted final site plans for a 32,000 square foot addition at their present location. This addition will expand onto their existing parking lot and they will be reconfiguring a new parking lot for employees. The addition is pushing the building within the defined corridor on Hwy B, necessitating a site plan review by this Commission. Mr. Hage stated that he has completed his review and has no concerns. Mr. Hage asked if Mr. Vogler had any additional concerns or comments. Mr. Vogler said that all of his comments or concerns have been addressed. Mr. Hage did state that CMMG is asking for a variance from the corridor standards, specifically minimum exterior building standards. Mr. Hage stated that the variance is appropriate as the proposed exterior building materials look and design will be in keeping with the existing adjacent buildings in the area.

Mr. Billings stated that the request seems straightforward and will be an upgrade to the area.

Mr. Venable moved, and Mr. Beach seconded a motion to approve the site plan and recommend to Council approval of the variance. Ayes: Snoddy, Simpson, Venable, Billings, Beach, Hage (6); Nays: None (0); Abstain: None (0)

6. MISCELLANEOUS:

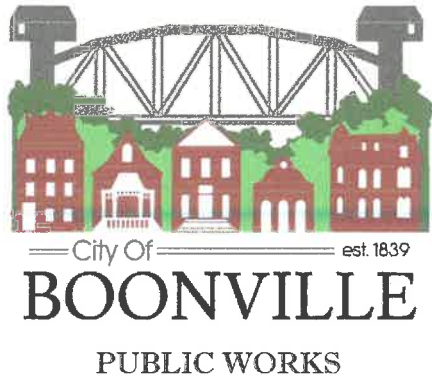
Ms. Fjell told the Planning and Zoning Commission that there would be no meeting next week.

7. ADJOURN

Mr. Hage moved, and Mr. Snoddy seconded a motion to adjourn the meeting. The motion passed unanimously. The Meeting adjourned at 5:33 PM

Respectfully submitted,

Kate Fjell, City Administrator



BOONVILLE PUBLIC WORKS

1200 LOCUST STREET

PHONE: 660-882-5257

FAX: 660-882-8218

Jeff Ditto, Director

jeff.ditto@boonville-mo.org

Director of Public Works:

The divisions under supervision of the Director are the Water Treatment Plant, Water Distribution, Wastewater Treatment Plant, Wastewater Collection, Street Department, Transfer Station, Central Garage and Water/Sewer Administration.

Office:

Administrative Assistant to the Director

Billing Clerk

Utility Clerk/Part-time

Street and Alley:

Foreman

Five Employees

Four BCC Inmates

Water Distribution/Sewer Collection

Foreman

Five Employees

Mechanic

One Employee – Servicing All City Vehicles

Total

17 employees

4 BCC Inmates

Also housed in the Public Works Building are:

Building Inspector – Steve Hage

Health Inspector – Glenn Bishop

We are proud of our employees. They are dedicated and take pride in their work. They know what their jobs are and need very little supervision. We have employees that have been with the Public Works Department for as much as 45 years.

We have a rotation of people who are “on call” for emergencies at all times so we have the City covered 24 hours a day seven days a week. All the public must do is call the BPD and they will reach out to the “on call” person for that week.

STREET & PUBLIC WORKS EQUIPMENT LIST

<u>Discription</u>	<u>Department</u>	<u>Call Number</u>
Case Trackhoe	Street	#9030
Catapillar Trackhoe	Street	#320
Takeuchi Mini Trackhoe	Street	#290
John Deere Backhoe	Street	#310
Case Backhoe	Street	#16
Case Uniloaders	Street	#450
Cat Motor Grader	Street	#10
Welder on Trailer	Street	#42
Hamm Roller	Street	#HD-12
Wacker Roller	Street	#74
Tennant Street Sweeper	Street	#830
Elgin Street Sweeper	Street	#831
Catapillar Backhoe	Public Works	#420

Steve Hage
Building Inspector/Floodplain Manager
Years of service 18

Phone (660)882-5124
Email bldginspector@boonville-mo.org

Committees include
Planning & Zoning
Boca Board of Appeals
Board of Adjustments
City Central Overlay District

Duties as follows

City of Boonville Code of Ordinances

Chapter 5 - Building and building regulations
Chapter 7.5 - Floodplain Management
Chapter 13 – Nuisances/Article III Unsafe or dangerous buildings
Chapter 17 Planning and redevelopment
Appendix A Subdivisions
Appendix C Zoning

Enforcement of Building Codes/Includes

International Building Code
International Residential Code
International Plumbing Code
International Mechanical Code
International Fire Code
National Electric Code

Building Inspections

Inspections of all new construction commercial/residential and
Inspection of all remodels and additions to ensure compliance
With building codes listed above.

I have also over the years, designed and helped with construction of
New Animal Shelter. Designed and helped with the construction of
soccer park building. Helped Street department with concrete pours and
snow removal. Helped health department with mowing when needed.

VACANT COMMITTEE POSITIONS & COMMITTEE APPOINTMENTS

Airport – 5 Seats – TOTAL NEEDED 4

Vacant – 3

Needs Renewed if they Choose – 1

Architectural Review Committee – 5 seats – TOTAL NEEDED 5

Vacant – 0

Needs Renewed if they Choose – 5

Board of Adjustments – 5 Seats – TOTAL NEEDED 5

Vacant – 3

Needs Renewed if they Choose – 2

Board of Public Works – 4 Seats – TOTAL NEEDED 1

Vacant – 1

Needs Renewed if they Choose – 0

BOCA Board of Appeals—7 Seats – TOTAL NEEDED 1

Vacant – 1

Needs Renewed if they Choose – 0

Boonville Housing Authority Board – 5 Seats – TOTAL NEEDED 1

Vacant – 1

Needs Renewed if they Choose – 0

Cemetery Board – 5 Seats – TOTAL NEEDED 3

Vacant – 2

Needs Renewed if they Choose – 1

Fire Board – 5 Seats

Vacant – 0

Needs Renewed if they Choose – 0

Historic Preservation Commission – 7 Seats – TOTAL NEEDED 3

Vacant – 2 (both seats expire May 2022)

Needs Renewed if they Choose – 1

Industrial Development Authority – 8 Seats

Vacant – 0

Needs Renewed if they Choose – 0

Bob Irish- Expires May 2027

Tabitha Greis- Expires May 2027

Chad Gaines- Expires May 2027

Local Agency Funding – 5 Seats

Vacant – 0

Needs Renewed if they Choose – 0

Parks and Recreation Board – 5 Seats – TOTAL NEEDED 2

Vacant – 2 (expire May 2022 & May 2023)

Needs Renewed if they Choose – 0

Planning and Zoning Commission – 5 Seats

Vacant – 0

Needs Renewed if they Choose – 0

Police Board – 5 Seats

Vacant – 0

Needs Renewed if the Choose – 0

Street, Alley, and Sanitation Board – 5 Seats – TOTAL NEEDED 3

Vacant – 0

Needs Renewed if the Choose – 3

Tourism Committee – 5 Seats – TOTAL NEEDED 2

Vacant – 0

Needs Renewed if the Choose – 2

Transportation Development District Committee – 5 Seats

Vacant – 0