

**CITY OF BOONVILLE
COUNCIL MEETING**

**AGENDA
(SINE DIE)**

April 10, 2018

7:00 p.m.

**City Council Chambers
525 E. Spring Street
Boonville, Missouri**

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

II. Roll Call

III. Hearing of Citizens' Comments

IV. Approval of the Minutes of the April 2, 2018 Council Meeting

V. Consent Items

- a. Consider Pay Request No. 2 from Byrne & Jones Construction in the amount of \$45,000.00 for Soccer Fields Turf Installation

VI. Presentation of Accounts and Claims

- Report will be available at the meeting to allow time for accurate year-end figures

VII. Unfinished Business

- A) None.

VIII. New Business

- A) First and Second Reading of Bill No. 2018-012 Accepting a Quit Claim Deed for Transfer of Real Estate from Huebert Fiberboard Inc. to City of Boonville for New Animal Shelter
- B) First and Second Reading of Bill No. 2018-013 Accepting the Results of the April 3, 2018 Boonville Municipal Election
- C) 2018-2019 Council Adjournment (Sine Die)
- D) Swearing in of Newly Elected Officials
- E) Call New Council to Order
- F) Election of Mayor Pro-Tem

IX. Reports of Standing Committees

- A) None.

X. Reports of City Officials

City Administrator

Mayor

City Counselor

XI. Miscellaneous

XII. Closed Session RSMO 610.021

- **(1) Legal**
- **(3) Personnel**

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.

**BOONVILLE CLOSED SESSION CITY COUNCIL MEETING
ANNOUNCEMENT**

April 6, 2018

The City Council, Mayor Julie Thacher, and Mayor Elect Ned Beach announce a Closed Session City Council Meeting pursuant to the Closed Meeting Provisions of RSMo 610.021 (1) Legal and (3) Personnel. The meeting will be held Tuesday, April 10, 2018, immediately upon conclusion of the open Council Meeting (Sine Die) scheduled for the same date in the Council Chambers at 525 E. Spring Street, Boonville MO.

DRAFT COPY PENDING CITY COUNCIL REVIEW AND APPROVAL

City of Boonville
City Council Meeting
Minutes
April 2, 2018

The Boonville City Council met in Regular Session on April 2, 2018 at 7:00 p.m. in the Council Chambers. The following officers were present: Julie Thacher, Mayor; Irl Tessendorf, City Administrator; Charissa Mayes, City Counselor; and Kate Fjell, Assistant to the City Administrator. The following officer was absent: Teresa Studley, City Clerk.

CALL TO ORDER – PLEDGE AND PRAYER

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

ROLL CALL

The following Council Representatives were present: Michael Stock, Steve Young (by phone), Susan Meadows, Ned Beach, Henry Hurt, Morris Carter, Whitney Venable, and Vanessa Dorman.

HEARING OF CITIZENS' COMMENTS

Mr. Matt Britt, presented the outcome of Pick Up Boonville, which occurred on March 24th. Mr. Britt explained that he took over from Joan Read. Mr. Britt reported that 120 bags of litter, 50 recyclables, and 8 tires were collected. There was 195 people that participated and provided 310 hours to beautify Boonville. Mr. Britt reported that the volunteer numbers were down a little, but he is looking forward to a bigger and better event next year. He also thanked the staff for their help in putting on the event. Mr. Britt also stated that Holly Hughes' Missouri River Watershed exhibit is now on display at the River, Rails, and Trails Museum and it helps to explain the importance of keeping litter out of our town and out of waterways.

APPROVAL OF THE MINUTES OF THE MARCH 19, 2018 COUNCIL MEETING

The minutes were approved as presented.

CONSENT ITEMS

The following Consent Item was presented for approval:

- a. Consider Pay Request No. 2 from Lehman Construction, LLC in the amount of \$326,146.34 for Wastewater Treatment Facility Improvements Flow Equalization

Mr. Carter moved, and Ms. Meadows seconded the motion to approve the Consent Item. With no questions, roll call was taken. Ayes: Stock, Young, Meadows, Beach, Hurt, Carter, Venable, and Dorman. Total (8). Opposed: None. Total (0). Absent (0) Motion Carried.

PRESENTATION OF ACCOUNTS AND CLAIMS

Ms. Fjell 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. Mr. Carter moved, and Mr. Venable seconded the motion for approval. Roll call was taken. Ayes: Stock, Young, Meadows, Beach, Hurt, Carter, Venable, and Dorman. Total (8). Opposed: None. Total (0). Absent (0) Motion Carried.

UNFINISHED BUSINESS

None.

NEW BUSINESS

FIRST AND SECOND READING OF BILL NO. 2018-011 AUTHORIZING EXECUTION OF A QUIT CLAIM DEED FOR TRANSFER OF REAL ESTATE TO HUEBERT FIBERBOARD INC. FOR NEW ANIMAL SHELTER

Ms. Fjell read the ordinance in its entirety and a second time by title only, since a copy of the ordinance had been made available prior to the meeting. Mr. Carter moved, and Ms. Meadows seconded the motion for approval. Ms. Dorman inquired about the reasoning behind the land swap. Mr. Cauthon reported that this land swap is necessary because of the unsuitable materials found at the original planned location. With no more questions, roll call was taken. Ayes: Stock, Young, Meadows, Beach, Hurt, Carter, Venable, and Dorman. Total (8). Opposed: None. Total (0). Absent (0) Motion Carried.

REPORTS OF STANDING COMMITTEES

STREET, ALLEY, AND SANITATION BOARD -- MARCH 28, 2018

Mr. Stock reported that the meeting was cancelled.

BOARD OF PUBLIC WORKS -- MARCH 29, 2018

Mr. Meadows reported that the meeting was cancelled.

REPORTS OF CITY OFFICIALS

CITY ADMINISTRATOR

No report was offered.

MAYOR

Mayor Thatcher directed the Council to a commendation the City of Boonville received from a citizen regarding the Yard Waste pick-up.

CITY COUNSELOR

No report was offered.

CITY CLERK

No report was offered.

MISCELLANEOUS

Mr. Cauthon reported that the Yard Waste site is again becoming a dump site for construction debris and other junk. He states that if this misuse continues, he may have to close it again. Mr. Cauthon also reported that this week is bulk pick up week for the City. Citizens can put bulk items out on the curb on their regular trash days for pick up by Advanced Disposal.

CLOSED SESSION RSMO 610.021 (1) Legal and (3) Personnel

Mr. Carter moved, and Mr. Beach seconded the motion for the Council to go into closed session pursuant to RSMO 610.021 (1) Legal and (3) Personnel. Roll Call was taken. Ayes: Stock, Young, Meadows, Beach, Hurt, Carter, Venable, and Dorman. Total (8). Opposed: None. Total (0). Absent (0) Motion Carried.

ADJOURN

Upon returning to open session at 8:55PM, Mr. Carter moved, and Mr. Venable seconded the meeting be adjourned and the voice vote was unanimous.

Respectfully Submitted,

Kate Fjell, Assistant to City Administrator

Approved:

Julie Thatcher, Mayor

APPLICATION AND CERTIFICATE FOR PAYMENT

To Owner: City of Boonville, Missouri
Attn. Irl Tessendorf, City Administration
401 Main Street
Boonville, MO 65233

Project: Boonville Soccer Complex
1690 W Ashley Road
Boonville, MO 65233

Application Number: 4

Period To: 3/31/2018

Project Number: SMRC15208

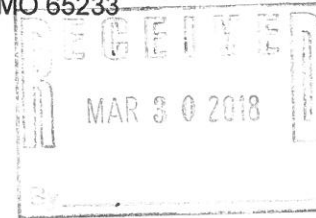
PO #:

Contract Date: 7/17/2017

From: Byrne & Jones Construction
13940 St. Charles Rock Rd.
St. Louis, MO 63044

Architect:

Contract For: Sports



CONTRACTOR'S APPLICATION FOR PAYMENT:

1. Original Contract Sum: (See contract)	\$2,988,000.00
2. Net Change by Change Orders (from breakdown below)	\$ -
3. Contract Sum To Date: (Line 1 +/- 2)	\$2,988,000.00
4. Total Complete/Stored to Date: (from attached form)	\$1,296,000.00
5. Retainage:	
10 % of Completed Work:	\$129,600.00
10 % of Stored Material:	\$ -
Total Retainage:	\$129,600.00
6. Total Earned Less Retained: (Line 4 Less line 5)	\$1,166,400.00
7. Less Previous Payment: (Line 6 from Previous)	\$1,121,400.00
8. Current Payment Due: (Line 6 Less 7)	\$45,000.00
9. Balance To Finish, Includes Retained (Line 3 less Line 6)	\$1,821,600.00

CHANGE ORDERS

The undersigned contractor certifies that to the best of Contractor's knowledge, information and belief the work covered by this Application for Payment has been completed in accordance with the Contract Documents.

Contractor: Byrne & Jones Construction

By: [Signature]

Date: 3/15/18

State of: Missouri

County of: St. Louis

Subscribed and sworn before me this

15th day of March

2018

Notary Public:

Commission Expires:



BARBARA POGUE
My Commission Expires
November 16, 2021
St. Charles County
Commission #17512628

[Signature]
11/16/2021

ARCHITECT'S CERTIFICATE FOR PAYMENT:

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the owner that to the best of the Architect's knowledge, work has progressed as indicated above.

ARCHITECT: _____

By: _____

Date: _____

This certificate is not negotiable.
The amount certified is payable
only to "Contractor" named herein.

Presentation of Accounts and Claims

(Ordinance Appropriating Money)

**Report will be available at the
meeting**

BILL NO. 2018-012

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BOONVILLE, MISSOURI, AUTHORIZING THE MAYOR TO ACCEPT A QUIT CLAIM DEED FOR TRANSFER OF REAL ESTATE FROM HUEBERT FIBERBOARD, INC.

WHEREAS: the Huebert Fiberboard, Inc. owns a certain unimproved parcel of real estate near the southeast corner of Al Bersted Drive and Morgan Street in the city limits; and

WHEREAS: the City Council has determined that it is in the City's best interest to accept transfer by quitclaim deed of 0.60 acres more or less, more particularly described in the quitclaim deed attached hereto and marked as Exhibit B in exchange for a similar parcel quitclaimed to Huerbert Fiberboard, Inc. by the City in a separately recorded instrument.

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

SECTION 1: That the 0.60-acre parcel of real estate, more particularly described in the quitclaim deed at Exhibit B, attached hereto, should be and is hereby accepted by the City.

SECTION 2: That the Mayor is hereby authorized to sign the deed, accepting transfer of the property to the City of Boonville and that the deed shall thereafter be filed with the Cooper County Recorder of Deeds.

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

FIRST AND SECOND READING: APRIL 10, 2018

READ FOR THE FIRST AND SECOND TIME AND PASSED THIS 10TH DAY OF APRIL 2018, AFTER A COPY OF THIS ORDINANCE AND REFERENCED DOCUMENT WERE MADE AVAILABLE FOR PUBLIC INSPECTION PRIOR TO ITS FIRST AND SECOND READING.

President of the Council

APPROVED THIS 10TH DAY OF APRIL, 2018

Ned Beach, Mayor

ATTEST:

Teresa Studley, City Clerk

Teresa Studley

From: M.L. Cauthon
Sent: Friday, April 6, 2018 11:54 AM
To: Teresa Studley
Subject: RE: City of Boonville; New Animal Shelter Building Site

*If the document referred to here
is not received by Tues, we will table
the Ordinance.*

From: Dave Carey <DaveCarey@wrmeadows.com>
Sent: Thursday, April 5, 2018 11:38 AM
To: Phil Menk <PMenk@huebertfiberboard.com>
Cc: M.L. Cauthon <mcauthon@boonville-mo.org>
Subject: Re: City of Boonville; New Animal Shelter Building Site

Hey Guys

Someone from Hampshire will sign

Dave

Sent from my iPhone

On Apr 5, 2018, at 11:14 AM, Phil Menk <PMenk@huebertfiberboard.com> wrote:

Thanks, M.L. I am waiting to hear back from Dave Carey on who is going to sign it.

From: M.L. Cauthon <mcauthon@boonville-mo.org>
Sent: Thursday, April 5, 2018 11:12 AM
To: Phil Menk <PMenk@huebertfiberboard.com>
Subject: RE: City of Boonville; New Animal Shelter Building Site

Phil,
I have a notary on staff. She can come to your office if necessary.

M. L. Cauthon III

BILL NO. 2018-013

ORDINANCE NO. _____

**AN ORDINANCE DECLARING THE RESULTS OF THE MUNICIPAL
ELECTION HELD IN BOONVILLE, MISSOURI ON APRIL 3, 2018
REGARDING MAYOR AND CITY COUNCIL MEMBERS**

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

SECTION 1: It is hereby found and declared that the vote at the municipal election held in the City of Boonville, Missouri on April 3, 2018 for City Council Members and City Attorney as certified by Keat Catlett, Cooper County Clerk, attached hereto as Exhibit A is hereby accepted.

FIRST AND SECOND READING: April 10, 2018

**READ FOR THE FIRST AND SECOND TIME AND PASSED THIS 10th DAY OF
APRIL, 2018, AFTER A COPY OF THIS ORDINANCE HAS BEEN MADE
AVAILABLE FOR PUBLIC INSPECTION PRIOR TO ITS FIRST AND SECOND
READING.**

APPROVED THIS 10th DAY OF APRIL 2018.

Julie Thacher, Mayor

ATTEST:

Teresa Studley, City Clerk



CERTIFICATION OF ELECTION RESULTS

By County Clerk

To: City of Boonville

The following is an Official Certificate of Election Results of the Municipal Election held at Cooper County, Missouri on April 3, 2018

We hereby certify that:

MAYOR

Four Year Term
(Vote for One)

Edward "Ned" Beach

Received

187

Votes

COUNCILMAN WARD 1

Two Year Term
(Vote for One)

Steve Young

Received

28

Votes

COUNCILMAN WARD 2

Two Year Term
(Vote for One)

Susan Meadows

Received

69

Votes

COUNCILMAN WARD 3

Two Year Term
(Vote for One)

Brent Bozarth

Received

69

Votes

COUNCILMAN WARD 4

Two Year Term
(Vote for One)

Henry P. Hurt

Received

34

Votes

I, Keat Catlett County Clerk/Election Authority of Cooper County, Missouri do hereby certify that the foregoing is a full and accurate return of all votes cast both FOR and AGAINST all propositions and FOR all candidates at said election as certified to me by the duly qualified and acting Judges of said election.

Certified this 4th day of April, 2018

, County Clerk

Cooper

County, MO

, Deputy Clerk