

**CITY OF BOONVILLE
COUNCIL MEETING
AGENDA**

April 3, 2017

7:00 p.m.

City Council Chambers
525 E. Spring Street
Boonville, Missouri

I. Call to Order – Pledge and Prayer (Henry Hurt)

II. Roll Call

III. Hearing of Citizens' Comments

IV. Approval of the Minutes of the March 20, 2017 Council Meeting

V. Consent Items

- a. None.

VI. Presentation of Accounts and Claims

VII. Unfinished Business

- A) Second Reading of Bill No. 2017-012 Amending Ordinances to Set Forth Policy Prohibiting Conflicts of Interest

VIII. New Business

- A) Consider Parking Restriction Request from Nelson Memorial United Methodist Church for the Motorcycle Prison Ministry Event on June 3, 2017
- B) First Reading of Bill No. 2017-013 Electing Changes Under the Missouri Local Government Employees Retirement System (LAGERS)
- C) Consider Resolution R2017-03 Approving Participation in the Cooper County Natural Hazard Mitigation Plan
- D) First Reading of Bill No. 2017-014 Amending Fees at the Aquatic Center
- E) First and Second Reading of Bill No. 2017-015 Authorizing Renewal of Agreement for Professional Airport Management and Flight Training

IX. Reports of Standing Committees

- A) Cemetery Board – March 23, 2017 (Michael Stock)
- B) Parks and Recreation Board – March 21, 2017 (Steve Young)
- C) Board of Public Works – March 30, 2017 (Morris Carter)

X. Reports of City Officials

City Administrator

- Request for Hearing for Dangerous Buildings at 806 Third Street and 413 West Spring Street
- Code Enforcement Update

Mayor

City Counselor

City Clerk

XI. Miscellaneous

XII. 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
March 20, 2017

The Boonville City Council met in Regular Session on March 20, 2017 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 Teresa Studley, City Clerk.

CALL TO ORDER – PLEDGE AND PRAYER

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

ROLL CALL

The following Council Representatives were present: Ned Beach, Henry Hurt, Morris Carter, Becky Ehlers, Michael Stock, Steve Young, and Susan Meadows. Council Representative Vanessa Dorman was absent.

HEARING OF CITIZENS' COMMENTS

Mr. Matt Schneringer, CEO of Boonslick Heartland YMCA (hereinafter YMCA), came to the City Council to present the YMCA 2016 Annual Report. Mr. Schneringer handed out the 2016 annual report to the council. (**See Attachment A**, herein incorporated and attached to these minutes). Mr. Schneringer stated that the YMCA has served 261 low income families, with 144 children. As reported, the financial assistance that these families received went towards memberships, summer camps, and other youth sports programs. Mr. Schneringer reported that the YMCA gives free swimming lessons to second grade students in the area during the month of April. Mr. Schneringer updated the Council on many of the programs that are provided at the YMCA. Mr. Schneringer reported that the YMCA had a financially solid year for 2016. They have operated at a total net income of just over \$3,200 for the year. Mr. Schneringer stated that the YMCA has seen an increase in participation in all of their programs except for the summer program, which has decreased. Mr. Schneringer stated that 2016 was an over-all successful year.

Mr. David Bates expressed his concern regarding the extreme lack of service that has been provided by Suddenlink Cable Service. Mr. Bates reported the numerous times that there was a cable service outage, with the latest outage lasting 27 hours long. Mr. Bates stated that during these outages, Suddenlink shuts down their phones making it impossible to get answers as to the time-frame of when repairs should be complete. Mr.

Bates was hoping that something could be done to possibly have another option for internet/cable service in Boonville.

Ms. Helen Green, Ward 4, reiterated the same comments as Mr. Bates. Ms. Green stated that during these outages, citizens have not only lost their cable service, but they have also lost their phone service. Ms. Green stated that if someone has an emergency and needs to call 9-1-1, they would not be able to do so. Ms. Green stated that the City of Boonville deserves better than this.

Mayor Thacher requested that Dr. Jim Gann brief the Council and the people at home on his knowledge with the issues involving Suddenlink. Dr. Gann stated that he has worked on this issue for 3 years now to get a solution for the City of Boonville. Dr. Gann described the different options from the 3 major internet services (AT&T, Suddenlink, and I-Land Internet Services) that are provided in the City of Boonville. Dr. Gann stated that when CoMo Connect was announced, he met with Ken Johnson and the manager of the CoMo Connect product, Randy Clint, on the possibility of CoMo Connect providing service to the City of Boonville. Dr. Gann was assured that it would be a possibility. Dr. Gann reported that it has taken four years for CoMo Connect to provide service to Windsor Place and surrounding Boonville. Dr. Gann stated that CoMo Connect is willing to come to Boonville; however there are two issues to overcome:

1. There is an incumbent cable provider in Boonville, which could limit the subscription base needed to take their cable service.
2. The cost of putting fiber optic to every address in town. The cost could be mitigated if they could run fiber optic overhead, however due to the limitations on Ameren UE's poles; it will be very difficult to accomplish.

Dr. Gann consulted with Ameren UE on the possibility of allowing CoMo Connect to be added to their poles. Ameren UE stated that there would be a charge of \$400 per pole to assess that possibility. Dr. Gann then researched the possibility of Ameren UE waiving said fees. Dr. Gann found that the Occupational Health and Safety Administration have guidance for people running fiber optics in the power space. Dr. Gann has consulted the Public Service Commission regarding this issue and he has not received any correspondence from them regarding this.

Dr. Gann stated that he has previously spoken with Suddenlink representatives who had assured him that Suddenlink is interested in the City of Boonville. Since this correspondence with Suddenlink, they have been sold to Altise, a French company. Once the company was sold, the scheduled equipment upgrades have been reduced, along with the reduction of technicians in Boonville. Dr. Gann is trying to resolve the issue and find another provider for the City of Boonville.

Mr. Matt Schneringer stated that AT&T is less reliable than Suddenlink. Mr. Schneringer stated that the YMCA had researched the possibility of going to fiber optics for internet service; however it was cost prohibitive.

Brad Wooldridge, City Prosecuting Attorney, addressed the Council about the revised bill that is before the Council which will amend ordinances setting forth a policy

prohibiting conflicts of interest for the office of city attorney and city counselor. Mr. Wooldridge expressed his opinion that the proposed policy is too restrictive because the city prosecuting attorney would be prohibited from representing any party for any criminal proceeding or municipal ordinance violation in the 18th Judicial Circuit (Cooper County and Pettis County Courts). Mr. Wooldridge explained that this would prohibit the city prosecuting attorney from defending anyone for state statute or municipal violations, such as: speeding tickets, criminal offenses that occurred on Interstate 70, and offenses as minor as a littering violation in Otterville. Mr. Wooldridge does not see how the restrictions, as written in the bill, could put the City of Boonville at the risk of liability. Mr. Wooldridge feels that the bill should be revised to prohibit the city prosecuting attorney from participating in any criminal defense work that involves the Boonville Police Department in any manner. Mr. Wooldridge then addressed his concern about the language used for the conflict of interest on “civil practice of law”.

APPROVAL OF THE MINUTES OF THE MARCH 6, 2017 COUNCIL MEETING

Mr. Beach stated that on page three of the council packet, under Roll Call, “Becky Ehlers and Vanessa Dorman was absent” should say “were”. Ms. Studley noted the amendments to the minutes.

There were no other amendments to be made. The March 6, 2017 minutes were approved as amended.

CONSENT ITEMS

None.

PRESENTATION OF ACCOUNTS AND CLAIMS

Ms. Studley 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. Ms. Ehlers moved and Mr. Carter seconded the motion for approval. Roll call was taken. Ayes: Beach, Hurt, Carter, Ehlers, Stock, Young, and Meadows. Total (7). Opposed: None. Total (0). Absent: Dorman. Total (1). Motion Carried.

UNFINISHED BUSINESS

DISCUSSION/ACTION OF AMENDING ORDINANCES TO SET FORTH POLICY PROHIBITING CONFLICTS OF INTEREST BILL NO. 2017-004 AND NEW BILL NO. 2017-012

Mayor Thacher advised if the Council wishes to discuss the bill, a motion needs to be made to bring it off the table. Mr. Carter moved and Mr. Beach seconded the motion to take the bill off the table, to bring the bill to a vote. Mr. Carter petitioned the Council to vote no on Bill No. 2017-004, and then they can bring forward the new Bill No. 2017-012 to discuss it. Ms. Mayes clarified that the upcoming vote is to remove Bill

No. 2017-004 from the table. Roll call was taken. Ayes: Beach, Hurt, Carter, Ehlers, Stock, Young, and Meadows. Total (7). Opposed: None. Total (0). Absent: Dorman. Total (1). Motion Carried.

Mr. Carter moved and Mr. Stock seconded the motion to vote on Bill No. 2017-004, Amending Sections 2-73 and 2-76 of the Code of General Ordinances to Set Forth the City's Policy Prohibiting Conflicts of Interest. With no discussion, roll call was taken. Ayes: None. Total (0). Opposed: Beach, Hurt, Carter, Ehlers, Stock, Young, and Meadows. Total (7). Absent: Dorman. Total (1). Motion Failed.

Mayor Thacher questioned the Council if they want to make a motion to accept the new Bill No. 2017-012. After brief discussion by council, Mr. Carter moved and Ms. Meadows seconded the motion to have Bill No. 2017-012 read for the First and Second Time at the Council Meeting. Mayor Thacher clarified that this bill changes the boundaries to the 18th Judicial Circuit. Ms. Mayes advised that a vote on Mr. Carter's motion was not necessary and that Ms. Studley may proceed with the reading of the Bill No. 2017-012.

Ms. Studley read the ordinance in its entirety. Mr. Carter questioned that since the ordinance states that the second reading is on the 3rd day of April, whether the second reading should be postponed to that date. Ms. Mayes responded that the date can be changed on the bill, and can be written with the second reading being on the 20th day of March, 2017. Ms. Mayes clarified that if the Council chooses this, it would need to be added to the motion. Ms. Ehlers moved and Mr. Beach seconded the motion that the reading of Bill No. 2017-012 be treated as the first reading on the 20th day of March and then the second reading of the bill will be on the 3rd day of April, 2017. Ms. Mayes stated that since there will be no action on the bill, that it would not be necessary to take a vote on Ms. Ehlers' motion. Mayor Thacher stated that the second reading of Bill No. 2017-012 will be on the April 3, 2017 City Council Agenda.

SECOND READING OF BILL NO. 2017-006 AMENDING CODE OF GENERAL ORDINANCES SECTION 2-35; ADOPTING THE MARCH 2017 CITY OF BOONVILLE PERSONNEL MANUAL

Ms. Studley presented the Council with the final Personnel Manual in hand, available for review by Council, if requested. Ms. Studley read, by title only, a copy of the bill. Mr. Carter moved and Mr. Beach seconded the motion to approve this bill. Roll call was taken. Ayes: Beach, Hurt, Carter, Ehlers, Stock, Young, and Meadows. Total (7). Opposed: None. Total (0). Absent: Dorman. Total (1). Motion Carried.

SECOND READING OF BILL NO. 2017-007 CHANGING RATES TO BE PAID FOR WATER AND WATER SERVICES

Ms. Studley read, by title only, a copy of the bill. Mr. Carter moved and Mr. Stock seconded the motion to approve this bill. With no questions, roll call was taken.

Ayes: Beach, Hurt, Carter, Ehlers, Stock, Young, and Meadows. Total (7). Opposed: None. Total (0). Absent: Dorman. Total (1). Motion Carried.

SECOND READING OF BILL NO. 2017-008 CHANGING RATES TO BE PAID FOR WASTEWATER SERVICES

Ms. Studley read, by title only, a copy of the bill. Mr. Carter moved and Ms. Ehlers seconded the motion to approve this bill. With no questions, roll call was taken. Ayes: Beach, Hurt, Carter, Ehlers, Stock, Young, and Meadows. Total (7). Opposed: None. Total (0). Absent: Dorman. Total (1). Motion Carried.

SECOND READING OF BILL NO. 2017-009 APPROVING THE BUDGET FOR FISCAL YEAR 2017-18

Ms. Studley presented the Council with the final budget in hand, available for review by Council, if requested. Ms. Studley read, by title only, a copy of the bill. Mr. Carter moved and Ms. Ehlers seconded the motion to approve this bill. Roll call was taken. Ayes: Beach, Hurt, Carter, Ehlers, Stock, Young, and Meadows. Total (7). Opposed: None. Total (0). Absent: Dorman. Total (1). Motion Carried.

CONSIDER RESOLUTION R2017-02 APPROVING AN AGREEMENT WITH CODY MARTIN EXCAVATING LLC FOR THE GRADING OF SOCCER FIELDS AND AN AGREEMENT WITH DYLLON MARSOLF CONSTRUCTION LLC FOR THE "A" BARRACKS CLAY TILE ROOF PROJECT

Ms. Studley read the resolution in its entirety. Mr. Carter moved and Mr. Young seconded the motion for approval. Roll call was taken on Mr. Carter's Motion. Ayes: Beach, Hurt, Carter, Ehlers, Stock, Young, and Meadows. Total (7). Opposed: None. Total (0). Absent: Dorman. Total (1). Motion Carried.

NEW BUSINESS

FIRST AND SECOND READING OF BILL NO. 2017-010 AMENDING THE BUDGET FOR FY2016-2017

Ms. Studley 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 Mr. Stock seconded the motion for approval. Mr. Tessendorf itemized some of the purchases which affected the budget for the year, however none of the purchases were outside of the Council's planning. Mr. Beach confirmed that this budget amendment was procedural. Mr. Tessendorf confirmed that this was a procedural item. Ms. Ehlers noted a typographical error at the bottom of the page 30 of the council packet in Fees-2016 COP. The changed dollar amount should be \$35,000, not \$35,00. Ms. Studley noted the change and the ordinance will reflect said changes. Roll call was taken. Ayes: Beach, Hurt, Carter, Ehlers, Stock, Young, and Meadows. Total (7). Opposed: None. Total (0). Absent: Dorman. Total (1). Motion Carried.

REPORTS OF STANDING COMMITTEES

PLANNING AND ZONING COMMISSION – MARCH 14, 2017

Mr. Young advised that the meeting was cancelled.

HOUSING AUTHORITY – MARCH 8, 2017

Mr. Beach reported that it was a great meeting and the minutes are included in the council packet.

AIRPORT ADVISORY COMMITTEE – DECEMBER 12, 2016

Ms. Meadows stated that she would answer any questions that the Council may have for her. There were no questions. Mayor Thacher confirmed with Ms. Meadows that the airport will be closing on August 21, 2017 due to the total solar eclipse.

HISTORIC PRESERVATION BOARD – MARCH 13, 2017

The minutes are available in the packet.

TOURISM COMMISSION – MARCH 14, 2017

Mr. Beach reported that it was a great meeting and he stated that he is looking forward to the solar eclipse. Mr. Beach stated that he would answer any questions that the Council may have. There were no questions.

REPORTS OF CITY OFFICIALS

CITY ADMINISTRATOR

No report was offered.

MAYOR

Mayor Thacher nominated Ms. Laura Holman for re-appointment for another four years as Commissioner for the Boonville Housing Authority. Mr. Beach moved and Ms. Ehlers seconded the motion to re-appoint Ms. Laura Holman to the Boonville Housing Authority. Ayes: Beach, Hurt, Carter, Ehlers, Stock, Young, and Meadows. Total (7). Opposed: None. Total (0). Absent: Dorman. Total (1). Motion Carried.

CITY COUNSELOR

Ms. Mayes thanked Ms. Studley for reading the Bill No. 2017-012. Ms. Mayes pointed out that reading the bill gave the audience an opportunity to hear the legislative findings in the "whereas clauses" that set out why the bill is being considered and what the bill is supposed to accomplish. She indicated that the Conflict of Interest ordinance is

the only way the City communicates its intentions about how prosecutorial authority should be exercised and the priority it should hold with the lawyer exercising it in the name of the City of Boonville. She indicated that ethics counsel and the disciplinary authority at the Missouri Bar could offer additional insight about prosecutorial conflicts of interest, if any Council members or constituents were moved to ask an outside authority. She also offered the opinion that it is a conflict for the Boonville prosecutor to defend someone for littering in a nearby town while simultaneously enforcing the prohibition against littering in this city. Exercising the City's police power should be consistent with community expectations of appropriate conduct in the city limits here and elsewhere.

ECONOMIC DEVELOPER

Dr. Jim Gann reviewed his March 16, 2017 report with the Council with particular note to several items.

2e) Project Assent – This project has announced that they will be located in Boone County. The Nordyne Plant was not large enough.

3f) Project Pen – Dr. Gann advised that they had a site visit on February 24, 2017.

7) Workforce Development – Dr. Gann expressed that he believes that the State of Missouri is prepared for this with the Work Ready Community Designation. This is the number one issue for economic development projects.

CITY CLERK

No report was offered.

MISCELLANEOUS

Ms. Ehlers expressed her appreciation to the staff for all their hard work on the Personnel Manual. Mayor Thacher stated that Ms. Mayes had worked on the manual.

Mr. Beach inquired the status of the vacant lot on 4th Street and if anyone has responded back to Mr. Jim Edwards in reference to his offer on said lot. Mr. Tessendorf advised that he spoke to Mr. Edwards, and he told Mr. Edwards that he would not be receiving an immediate response. Mr. Tessendorf advised that it would be reviewed internally to see what the next step would be. Mr. Tessendorf believes that Mr. Edwards' offer is low. Mr. Beach confirmed with Ms. Mayes that the title is now a clear title.

Mayor Thacher stated that she attended the Total Solar Eclipse Community Meeting and it was a great meeting. Mayor Thacher stated that since the meeting was so informative, she invited Ms. Kate Fjell, Assistant to the City Administrator, to update the Council on the preparations taken by City Staff for the upcoming Total Solar Eclipse on August 21, 2017.

Ms. Fjell handed out important information on the Total Solar Eclipse (**See Attachment B**, herein incorporated and attached to these minutes). Ms. Fjell reported that there will be a Total Solar Eclipse on August 21, 2017. The solar eclipse should begin around 11:00 a.m., with the total solar eclipse occurring at approximately 1:18 p.m. The solar eclipse should end approximately at 3:00 p.m. The City of Boonville will get a full two minutes and thirty-nine seconds of total darkness. The City of Boonville is on the centerline, with perfect totality. Ms. Fjell advised that all lodging in the City of Boonville is occupied for that day. Ms. Fjell anticipates that the City of Boonville will double its population due to visitors viewing the event here. City Staff is planning for this large event in all aspects, which include camping sites, porta potty rentals, food vendors, cooling stations, parking, etc. Ms. Fjell feels this is a perfect opportunity to show-case the City of Boonville and to show what a great town that the City of Boonville really is.

ADJOURN

With no further discussion, Mr. Carter moved and Mr. Stock seconded the motion to adjourn at 8:09 p.m. and the voice vote was unanimous.

Respectfully Submitted,

Teresa Studley, City Clerk

Approved:

Julie Thacher, Mayor

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 April 3, 2017 the sum of **\$413,800.77**

General Fund	\$231,941.04
Sanitation	\$6,637.81
CIP Tax	\$3,522.11
Water Works	\$51,586.63
Capital Projects	\$0.00
Waste Water	\$63,699.16
Tourism	\$5,617.05
Gaming	\$38,824.69
Parks/Water	\$11,972.28

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 \$413,800.77 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 April 3, 2017 read for the second time this 3rd day of April, 2017 since a copy was made available prior to the meeting.

Approved April 3, 2017 _____
Mayor

Endorsed April 3, 2017: 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

**NOTIFICATION OF TEMPORARY STREET CLOSURE / PARKING
RESTRICTION REQUEST**

Organization: NELSON MEMORIAL UNITED METHODIST CHURCH Date: March 8, 2017

Name: LARRY LONG

Phone Number: 882-6462

(MOTORCYCLE PRISON MINISTRY EVENT – JUNE 3, 2017)

Street Closure: N/A

Parking Restriction:

LARRY LONG has requested that parking be restricted on NORTH side
of SPRING STREET between (streets) FOURTH STREET and EAST ALLEY from (time,
day, date) 7:00a JUNE 3, 2017 to 8:00p JUNE 3, 2017.

List the residences and businesses adjacent to the requested closure or restriction. Notify the affected parties and obtain a signature to confirm notification. Parties affected by the closure must sign the form in person, no verbal or phone approval allowed. If a party refuses to sign, please indicate the name and note the denial on this application. Persons with objections must appear before the City Council prior to the request approval to voice their concerns. Use reverse side if necessary.

Business Name:

Signature:

Citizens Bank & Trust

Jean Hampton

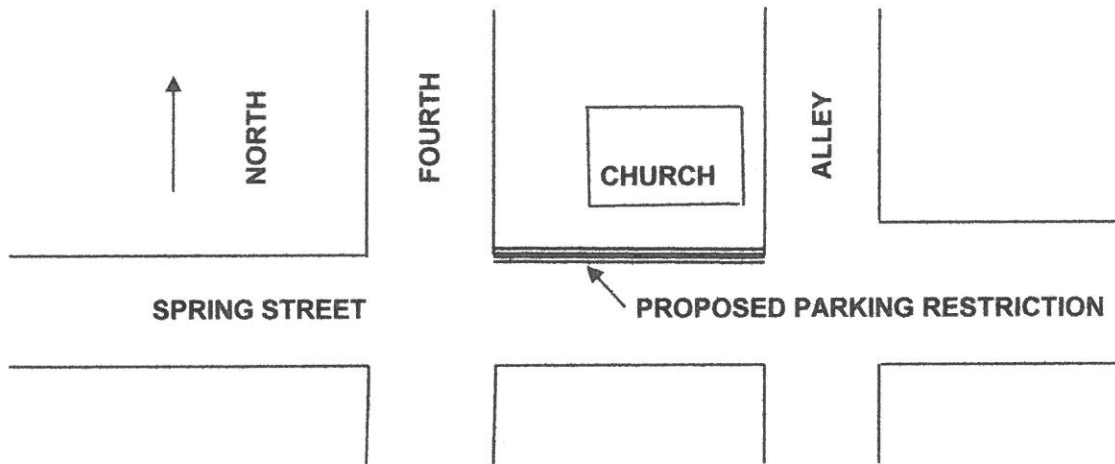
Bonnie Riley & Assocs

Jessica Keene

Form must be submitted to receive Council approval prior to date of closure or restriction request. Council meetings are the 1st and 3rd Monday of each month.

Cc: Police Department, Fire Department, Park Department, Public Works

MOTORCYCLE PRISON MINISTRY EVENT
June 3, 2017



AN ORDINANCE OF THE CITY OF BOONVILLE, MISSOURI ELECTING CHANGES UNDER THE MISSOURI LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM FOR CITY EMPLOYEES; PROVIDING AN EFFECTIVE THEREFOR, AND REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

WHEREAS: The Council of the City of Boonville has complied with the notice and filing requirement of Section 105.675 RSMo; and

WHEREAS: The Council of the City of Boonville understand that, by adopting this benefit change, the Council of the City of Boonville is accepting the legal obligation to fund the elected benefits now and in the future and that it will be financially able to do so; and

WHEREAS: The Accountant of the City of Boonville is authorized to deduct from the wages or salaries of each employee member, the employee contributions, if any, required by Section 70.705 RSMo, and to promptly remit such contributions to LAGERS, along with the employer contributions required by Sections 70.705, 70.730, and 70.735 RSMo.

NOW, THEREFORE, BE IT ORDAINED THAT THE CITY COUNCIL OF THE CITY OF BOONVILLE, MISSOURI, AN EMPLOYER UNDER THE MISSOURI LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM (LAGERS), HEREBY ELECTS THE FOLLOWING:

SECTION 1: To adopt a change in the Benefit Program of covered employees, changing to Benefit Program L-12 in accordance with 70.655 RSMo.

SECTION 2: The City Clerk shall certify this election to the Missouri Local Government Employees Retirement System with ten (10) days hereof. Such election shall be effective on the first day of May, 2017.

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

SECTION 4: That this Ordinance shall take effect and be in full force from and after its passage and approval.

FIRST READING: APRIL 3, 2017

READ FOR THE SECOND TIME AND PASSED THIS 11TH DAY OF APRIL, 2017, AFTER A COPY OF THIS ORDINANCE HAS BEEN MADE AVAILABLE FOR PUBLIC INSPECTION PRIOR TO ITS FIRST AND SECOND READINGS.

PRESIDENT OF THE COUNCIL

APPROVED THIS 11TH DAY OF APRIL, 2017

JULIE THACHER, MAYOR

ATTEST:

TERESA STUDLEY, CITY CLERK

RESOLUTION NO. R2017-03

A RESOLUTION OF THE CITY OF BOONVILLE, MISSOURI, AUTHORIZING AND APPROVING PARTICIPATION IN THE COOPER COUNTY NATURAL HAZARD MITIGATION PLAN; AND PROVIDING AN EFFECTIVE DATE THEREFOR

WHEREAS, the Cooper County Hazard Mitigation Plan is a multi-jurisdictional hazard mitigation plan prepared in accordance with FEMA requirements at 44 C.F.R.201.6; and

WHEREAS, the City of Boonville, Missouri participated in the preparation of the Cooper County Hazard Mitigation Plan; and

WHEREAS, the citizens of the City of Boonville, Missouri have been afforded an opportunity to comment and provide input on the Plan and the mitigation actions therein; and

WHEREAS, the City of Boonville, Missouri has reviewed the Plan and affirms that the Plan will be updated no less than every five years.

THEREFORE, be it resolved by the City Council that the City of Boonville, Missouri, adopts the Cooper County Hazard Mitigation Plan as this jurisdiction's Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

Passed this 3rd day of April 2017, by the City Council of Boonville, Missouri

Julie Thacher, Mayor

ATTEST:

Teresa Studley, City Clerk

Executive Summary

The Cooper County Natural Hazard Mitigation Plan is a multi-jurisdictional plan prepared and written with the participation of Cooper County government and the following Cooper County communities: Boonville, Bunceton, Otterville, Pilot Grove, and Wooldridge.

The communities of Blackwater, Prairie Home, and Windsor Place were notified of the planning process and invited to meetings but have chosen not to participate. The following special districts participated in all aspects of the planning process but have not formally adopted the plan at this time: Linneman-Weekly Levee District, Overton-Wooldridge Levee District, and Prairie Home R-V School District. All other school districts in Cooper County were also notified and invited to meetings, but have chosen not to participate.

The plan profiles twelve natural hazards (dam failure, drought, earthquake, extreme heat, flood, levee failure, land subsidence/sinkhole, severe winter weather, wildfire, windstorm, tornado, and hailstorm) which threaten lives and/or property in some, or all, of the participating jurisdictions. All hazards were evaluated with regard to previous occurrence, probability and severity of future occurrence, existing mitigation strategies, and the potential impact on each jurisdiction.

An overall mitigation strategy was developed through the consideration of potential threats, resources, and willpower available to mitigate their effects. The goals of this mitigation strategy are:

- Goal 1: Mitigation Planning - Mitigate effects of future natural hazards through public and private cooperation. (Need to add specific planning goals.)
- Goal 2: Mitigation Policy - Develop policies that limit the impact of natural hazards on lives and property. (Need to add specific policy goals.)
- Goal 3: Mitigation Programs - Implement cost effective and feasible mitigation programs to protect lives and property. (Need to add specific program goals.)
- Goal 4: Public Awareness - Increase public awareness of natural hazards. (Need to add specific public awareness goals.)
- Goal 5: Future Development - Promote hazard-proof development. (Need to add specific future development goals.)

Specific mitigation actions have been developed and prioritized to further the goals of the overall mitigation strategy in each participating jurisdiction.

The Cooper County Natural Hazard Mitigation Plan will be formally adopted by each of the participating jurisdictions after a final draft is approved by FEMA. Participation in, and formal adoption of, the plan qualifies a jurisdiction to apply for Federal Emergency Management

Agency (FEMA) pre-disaster mitigation grants and the mitigation portion of post-disaster mitigation grants.

The plan will be updated in five years, as required by FEMA. It will be evaluated and maintained on an annual basis prior to this update. More information on the maintenance process can be found in Section 5.

BILL NO. 2017-014

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF BOONVILLE, MISSOURI AMENDING
THE FEE FOR A FAMILY PASS TO THE AQUATIC CENTER AND
PROVIDING AN EFFECTIVE DATE THEREFOR**

WHEREAS: On March 21, 2017, the City of Boonville Park Board recommended a modest increase to the above-referenced charge for Aquatic Center admission and use for the 2017 summer season; and

WHEREAS: The last time parks and recreation fees were changed was in February of 2013; and

WHEREAS: The proposed increase is based on recovery of actual costs involved in providing this recreational activity for City residents, prospective residents, and guests.

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

SECTION 1: That for this amendment to the Code of General Ordinances of the City of Boonville, Appendix G, set forth herein at Section 2 of this ordinance, text that is bracketed ([]) and ~~struck through~~ shall be deleted, and text in **bold print** shall be added.

SECTION 2: Appendix G of the Boonville Code of General Ordinances shall be amended as follows:

* * *

Aquatic Center Admittance

* * *

Individual Season Pass	\$125.00
Family Season Pass	[\$180.00 (up to 5 members + \$20.00 per add'l member)] \$200.00 (up to 5 members + \$20.00 per add'l member)

* * *

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

FIRST READING: April 3, 2017

**READ FOR THE SECOND TIME AND PASSED THIS 11th DAY OF APRIL, 2017
AFTER A COPY OF THIS ORDINANCE WAS MADE AVAILABLE FOR
PUBLIC INSPECTION PRIOR TO ITS FIRST READING.**

PRESIDENT OF THE COUNCIL

APPROVED THIS 11th DAY OF APRIL, 2017

JULIE THACHER, MAYOR

ATTEST:

TERESA STUDLEY, CITY CLERK

AN ORDINANCE OF THE CITY OF BOONVILLE, MISSOURI AUTHORIZING RENEWAL OF AN AGREEMENT FOR PROFESSIONAL AIRPORT MANAGEMENT AND FLIGHT TRAINING SERVICES BY AND BETWEEN THE CITY OF BOONVILLE, MISSOURI AND LAMINE AVIATION, LLC; PROVIDING AN EFFECTIVE DATE THEREFOR; AND REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

WHEREAS; John Taylor has successfully managed the Jesse P. Viertel Memorial Airport operation and flight training services since November 2, 2009; and

WHEREAS; The City desires to continue the Agreement with John Taylor, pilot, flight instructor and managing member of Lamine Aviation, Inc., to manage the airport and maintain a professional flight training program pursuant to the terms, conditions and recitals in the Agreement herein attached and incorporated by reference as Exhibit "A".

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

SECTION 1: That the City of Boonville, Missouri hereby agrees and executes the agreement attached hereto as "Exhibit A" 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 this Agreement on behalf of the City of Boonville.

SECTION 3: This Ordinance shall take effect and be in full force on its passage.

SECTION 4: That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

FIRST READING: April 3, 2017

READ FOR THE FIRST AND SECOND TIME AND PASSED THIS 3rd DAY OF APRIL, 2017, AFTER A COPY OF THIS ORDINANCE HAS BEEN MADE AVAILABLE FOR PUBLIC INSPECTION PRIOR TO ITS FIRST AND SECOND READING.

APPROVED THIS 3rd DAY OF APRIL, 2017.

JULIE THACHER, MAYOR

ATTEST:

TERESA STUDLEY, CITY CLERK

AGREEMENT FOR AIRPORT MANAGEMENT AND FLIGHT TRAINING SERVICES

THIS AGREEMENT made and entered in to this 3rd day of April 2017, by and between THE CITY OF BOONVILLE, MISSOURI, a Municipal Corporation, hereinafter referred to as "OWNER" and LAMINE AVIATION, LLC, a Missouri corporation, in good standing hereinafter referred to as "OPERATOR".

WHEREAS, OWNER owns the land, buildings and equipment constituting the Municipal Airport act Boonville, Missouri, commonly known at The Jesse P. Viertel Memorial Airport, hereinafter referred to as "AIRPORT"; and

WHEREAS, OWNER desires to continue the relationship with OPERATOR as an independent contractor for the management and daily operation of the AIRPORT as well as perform and maintain a flight training program and the OPERATOR desires to be retained by the OWNER to manage and operate the AIRPORT and perform and maintain a flight training program based at the AIRPORT.

NOW, THEREFORE, in consideration of the fee and other valuable consideration paid to the OPERATOR, as hereinafter set forth, and the mutual covenants and agreements herein contained to be kept and performed by the parties, it is contracted and agreed as follows:

- 1. TERM AND OPTION FOR RENEWAL:** The term of this Agreement shall be for three (3) years beginning on May 1, 2017 and ending on April 31, 2020. The Agreement shall automatically extend an additional term of three (3) years to April 31, 2023, unless either party serves notice of such on the other party no later than February 1, 2020.
- 2. DUTIES OF THE OPERATOR:** The OPERATOR will be responsible for the daily operation and management of the AIRPORT in accordance with the established rules of the OWNER and pursuant to all applicable federal and state laws and regulations pertaining to airport operations and aviation activities. The duties of the OPERATOR shall include, but not be limited to, the following:
 - (a) Shall operate and manage AIRPORT with sufficient knowledgeable and trained personnel to provide personal, customer service as well as limited self-serve activities at the AIRPORT.
 - (b) Shall perform and maintain a professional flight training program based at the AIRPORT.
 - (c) Shall coordinate with the OWNER all necessary bookkeeping and record keeping activities connected with the operation of the AIRPORT and shall coordinate payment of authorized bills and expenses.
 - (d) Shall provide for the reasonable fear and maintenance of all airport facilities, grounds and equipment, including but not limited to, buildings, hangars, taxiways and runways, lights, radios and all other fixed assets connected with

the AIRPORT. This provision includes grounds maintenance and mowing the grounds during the summer mowing season. It is to be understood that OPERATOR'S obligation in this regard is only to assure that such facilities are functional and in good working order and will perform routine maintenance items at the airport, but will not be responsible for the expense of repair or maintenance other than OPERATOR'S labor.

- (e) Shall coordinate with the City Administrator all arrangements concerning services to be provided by other City departments for the AIRPORT including but not limited to snow removal on the airport access road and runways.
- (f) Shall assist in long and short range planning concerning AIRPORT needs and improvements and shall provide a budgetary recommendation to the Boonville City Administrator upon request.
- (g) Shall administer the City budget for the AIRPORT as approved by the Boonville City Council, including the implementation of appropriate supervisor controls.
- (h) Shall manage and coordinate all special events pertaining to AIRPORT operations.
- (i) Shall meet with the Boonville Airport Board on a regular basis and assist in setting and posting the agenda.
- (j) Shall keep the City Administrator regularly informed of airport activities and shall promptly advise him/her of any unusual or emergency situations. Shall keep the City Administrator informed of any major repairs of maintenance expenditures.
- (k) Maintain good public relations with all persons using and visiting said airport.
- (l) Shall provide and maintain a proper liaison with federal and state aviation authorities and shall perform all necessary actions in connection therewith to insure the continuing proper accreditation of the AIRPORT
- (m) Shall actively investigate possible grants and aid which may be available for the purpose of funding airport operations or improvements and shall promptly complete the necessary paper work and oversee the administration of such grants.
- (n) Shall provide and maintain an adequate comprehensive liability insurance policy to cover their interest in managing the AIRPORT, performing flight training and provide the City with certificate of such insurance.

3. DUTIES OF OWNER: The duties of the OWNER shall include:

- (a) OWNER shall compensate OPERATOR by paying OPERATOR a fee in the amount of Two Thousand dollars (2000.00) per month, to begin on July 1st, 2017 and continue on the first (1st) day of each month thereafter for the term of this Agreement. It is expressly agreed and understood that payment of compensation shall cease on the date of termination as above provided.
- (b) OWNER shall compensate OPERATOR in the amount of six percent (6%) of the gross cash monthly receipts collected from the sale of gasoline at the Municipal Airport of the City of Boonville, Missouri. Payment shall be made on the first Tuesday following the first Monday of the month.

- (c) Owner will pay for all costs of repairing facilities owned by the City and for the upkeep and maintenance of the land, it being understood that Operator will not be paid extra for any labor, which OPERATOR performs in upkeep or maintenance of facilities, or land.
- (d) OWNER will provide to OPERATOR, through various departments of OWNER, manpower and equipment to maintain lands and facilities of AIRPORT indicated in paragraph 3(c) is responsible for the routine maintenance of the airport.
- (e) OWNER will provide adequate comprehensive insurance coverage on the AIRPORT facility and equipment, including liability coverage to insure the interest off the OWNER in the AIRPORT.

4. DEFAULT:

- (a) In the event the OPERATOR shall be in default under any of the covenants or provisions herein contained, then in any such even, OWNER shall deliver written notice to OPERATOR stating what covenants or provisions upon which OPERATOR is in default, and if such default shall continue five (5) days after the date the notice is delivered, the OWNER shall have the option to immediately terminate this Agreement without further notice, and the terms and provisions hare of shall be void, inoperative and of no effect.
- (b) For the purpose of this paragraph, notice shall be deemed as served and delivered upon the OPERATOR, if delivered in person to any officer of the OPERATOR, or if a copy thereof be mailed by certified or registered mail, postage prepaid, addressed to the OPERATOR at 20044 Pearre Lane, Boonville, Missouri 65233. Notice given by certified or registered mail aforesaid shall be deemed duly delivered as of the date it is so mailed.

5. TERMINATION BY OWNER: Notwithstanding any other provision herein contained, the OWNER shall have the option, privilege, and right to immediately terminate this agreement without notice, upon the occurrence of any of the following:

- (a) The death of John Taylor, managing member of Lamine Aviation, LLC
- (b) The filing of Articles of Dissolution by Lamine Aviation, LLC with the Secretary of State.
- (c) The filing of a Petition for Bankruptcy in the Uniter Stated Bankruptcy Court. Upon termination by the OWNER, for any of the reasons, it is understood and agreed that the compensation provided for in paragraph 3(a) and (b) above shall be prorated to the date of termination and the OWNER shall be relieved of all further liability for payments to the OPERATOR under said paragraphs 3(a) and (b).

6. SUCCESSORS: This Agreement will inure to the benefit of and be binding upon the parties hereto and their successors and will not confer any rights upon any other person.

7. **THIS AGREEMENT:** Shall be subordinate to the provisions of any existing or future agreement entered into between the City of Boonville and the United States to obtain Federal Aid for the improvement or operation and maintenance of the AIRPORT.

IN WITNESS WHEREOF, the parties have hereunto set their hands on the day and year first above written.

CITY OF BOONVILLE

LAMINE AVIATION, LLC

MAYOR

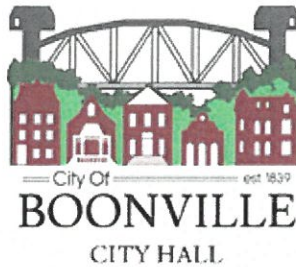

MANAGING MEMBER

ATTEST:

ATTEST:

CITY CLERK

SECRETARY



04/03/2017

TO: Irl Tessendorf, City Administrator
Julie Thacher, Mayor and President of the Council
From: Steve Hage, Building Inspector

Subject: Dangerous Building Report and Request for Hearing

Pursuant to Section 13-13 of the Boonville Code of Ordinances, I hereby report to the City Council that the following properties have been inspected and found to be a public nuisance and dangerous building according to the definitions and Codes of the City:

806 3rd Street, Boonville, MO 65233
413 W. Spring Street, Boonville, MO 65233

057035004006006000
057035002016028000

The Building Inspection Department has: 1) determined the owner(s) of the above property, 2) provided notice of the inspection findings and 3) detailed the requirements for remediation of the problems. The owner(s) have failed to commence demolition or repair to proceed continuously with the demolition or repair process without unnecessary delay within the time established by the codes and communicated in the notification letter.

The Council has the authority to set a hearing upon the matter pursuant to Section 5-21(b) to conduct a full and adequate hearing. All parties shall receive at least twenty-one (21) days notice and have the right to be represented by the counsel and present evidence at said hearing. A final decision shall be rendered by the Council based upon the evidence.

In consultation with the City Administrator and Legal department, I hereby recommend setting an evidentiary hearing for May 1st at 6:30 PM.

Respectfully,

A handwritten signature in black ink that reads "Steve Hage".

Steve Hage
Building Inspector

Code Enforcement Update 4/3/17

Properties in **BOLD** have been filed and/or are now pending in Court

Properties on 8/31/16 Prosecutor List

Derelict Building

523 High Street (Lueck/Parish) filed 11/23, written work plan offered, no compliance, trial set 6/28/17

904 6th Street (Kelly) filed 3/15, summons issued but on hold/not delivered to the sheriff, property has transferred and new owner (Porter) is working with Steve on a plan

916 6th Street (Gaus), after review of file/re-inspection with progress noted, sent back to Glenn/Paula/Steve to monitor for continued progress

105 Rear High (Elley), filed 3/15, return date/first appearance 4/12

803 E. Morgan Street (CAMP Properties), filed 3/14, return date/first appearance 4/12

819 6th Street (Saling), filed 1/20, return to court 4/19, repairs and siding underway

Code Enforcement – Cars

1004 Locust (Schmittou), filed 12/15, dismissed 2/8 due to compliance

816 3rd Street (HARWIL/Harrison), filed 12/9, dismissed 11/11 due to compliance

732 Santa Fe (Gerke), referral withdrawn/property under routine monitoring

1017 Santa Fe (Huffman), referral withdrawn, currently no violation

911 Pendleton (Wilmoth/Woodhurst), referral withdrawn, currently no violation

108 W. Morgan (Van Abbema/Jones), referral withdrawn, currently no violation

1118 Hickam (Farnsworth), referral withdrawn, currently no violation

206 Hart (Wright), filed 12/8, dismissed 1/11 due to compliance

1114 6th Street (Wassman), referral withdrawn, currently no violation

821 4th Street (Sellbach/Parker), referral withdrawn, currently no violation

Code Enforcement – Weeds & Debris

814 11th Street (Grayson), filed 11/7, dismissed 1/11 due to compliance

800 11th Street (Jackson), filed 11/7, dismissed 1/11 due to compliance

732 Santa Fe (Gerke), see above under CARS

Code Enforcement – General Public Nuisance

305 E. Morgan (Carter), filed 11/15, written work plan offered, no compliance, trial set 6/28/17

Referrals since 11/1/17

Vehicles

1240 Golden Drive (West), filed 12/6, dismissed 2/8 due to compliance

216 6th Street (Smith/Grant), filed 12/8, dismissed 1/11 due to compliance

1010 Jefferson Road (Dunn/Noland), filed 12/15, dismissed 2/8 due to compliance

913 7th Street (Edwards/Livermore), filed 12/15, dismissed 2/8 due to compliance

908 Shamrock Terrace (Cates/Dickinson), filed 1/20, dismissed 3/1 due to compliance

1022 6th Street (I & W Properties/Bax), filed 2/14, dismissed 3/29 due to compliance

600 Krohn Street (Glasscock), filed 2/22, dismissed 3/29 due to compliance

1112 ½ Hickam Street (Zoeller), filed 2/22, dismissed 3/29 due to compliance

1217 Commercial Street (Kemp), filed 3/23, return date/first appearance 5/3

18065 Jefferson Road (Crockett), filed 3/23, return date/first appearance 5/3

18095 Jefferson Road (Cooper), filed 3/23, return date/first appearance 5/3

Property Maintenance

911 E. Morgan Street (Dotson [Conway]), filed 1/4, motion to dismiss argued 3/22 and denied 3/27, will get trial setting 4/19

821 6th Street (Dotson [Conway]), filed 1/4, motion to dismiss argued 3/22 and denied 3/27, will get trial setting 4/19

931 Locust Street (Thomas), filed 3/24, summons returned without service, return date/first appearance 4/12

818 6th Street (Kuhlmann), filed 3/24 and served 3/26, return date/first appearance 4/12

250 Pawnee (O'Rourke), resolved informally in February

1218 6th Street (Dotson/Schoen), resolved informally 3/30

MEMORANDUM

Posted
20 MAR 17
/shg

TO: Cemetery Board

FROM: Gary W. Nauman, Director of Parks *GN*

DATE: March 20, 2017

SUBJECT: March 2017 Cemetery Board Meeting

After talking to Judy, we are canceling the meeting due to a lack of Agenda items.

Next meeting will be May 25, 2017.

Park Board Minutes
March 21, 2017

Present: Terry Davis, Kathleen Conway, Albert Turner, Kevin Griffy, Steve Young, Council Representative and Gary W. Nauman, Director of Parks

Absent: Jimi Barbarotta and Matt Schneringer, YMCA

Kathleen Conway moved, seconded by Terry Davis to approve February 22, 2017 Minutes as presented. Motion carried.

Public Comments: None

Old Business: None

New Business:

A. Activity Report: Gary Nauman reviewed the March 2017 Activity Report with the Board

B. Consider Changes to Lions Park Aquatic Center Fee Structure: The Board discussed the fee structure at the Lions Park Aquatic Center and the proposal from Gary Nauman to raise the base Family Season Pass rate from \$180.00 to \$200.00. Gary Nauman reported to the Board that 105 family season passes were sold in 2016 for a total of \$18,900.00. By raising the rate to \$200.00, we would make an additional \$2,100.00 or \$21,000.00. There was discussion about other rates in the fee structure. Gary Nauman reported that our day pass rates of \$4.25 for adults are higher than any other area Aquatic Center. Columbia and Sedalia charge \$4.00 for adult day passes while Marshall and Mexico charges \$3.00. While we have a larger and better facility than those communities there was concern about raising day pass rates and pricing ourselves out of the market. A motion was made by Kathleen Conway to recommend raising the 2017 base Family Season Pass rate to \$200.00 and leave the other rates unchanged. The motion was seconded by Kevin Griffy and passed.

Miscellaneous: None

There being no other business, Albert Turner moved to adjourn.
The motion was seconded by Kevin Griffy and the motion carried.

Respectfully submitted,


Gary W. Nauman
Director of Parks



CITY SERVICES • 1200 LOCUST STREET • BOONVILLE, MISSOURI 65233-1358 • 660-882-5257 • FAX 660-882-8218

MEMORANDUM

TO: Board of Public Works

FROM: M. L. Cauthon III, Director of Public Works

DATE: March 27, 2017

RE: March 30, 2017 Meeting Cancellation

The Board of Public Works regularly scheduled meeting for Thursday, March 30, 2017 is cancelled. Because of prior, out-of-state and other commitments, not enough board members can attend for a quorum.

M. L. Cauthon III



RECEIVED
3/23/17

PARKS & RECREATION • 1221 11TH STREET • BOONVILLE, MISSOURI 65233 • 660-882-7447 • FAX 660-882-5585

March 22, 2017

Mayor Julie Thatcher
City Hall
401 Main Street
Boonville, MO 65233

Dear Mayor Thatcher:

I know that we have discussed this on numerous occasions over the past year, but I felt that I needed to make it "Official".

I intend to retire with an effective date of July 1, 2017. My current plans are to use my accrued vacation time beginning on June 5th which means my last day in the office will be June 2, 2017.

I truly appreciate the support that I have received during my tenure as Director of Parks from you, the City Council and all City Staff, past and present. Without that support, my job would have not been near as easy or enjoyable.

I feel that I am leaving a Department that can continue to do the job with ease. The Staff are highly competent and more than capable of continuing to provide the Citizens of Boonville with first class Parks and facilities. They know that I will be available to answer questions or assist them anytime they need me.

Sincerely,

Gary W. Nauman
Director of Parks

Cc.
Irl Tessendorf, City Administrator