

**CITY OF BOONVILLE
COUNCIL MEETING
AGENDA
July 20, 2015
7:00 p.m.**

I. Call to Order – Pledge and Prayer (Vanessa Dorman)

II. Roll Call

III. Hearing of Citizens' Comments

- Evan Melkersman, Central Missouri Community Action-BBQ Contest Update

IV. Approval of the Minutes of the July 6, 2015 Council Meeting

V. Consent Items

- a. Consider Change Order No. 1 from Apex Inc., in the Amount of <\$113,815.00> CREDIT, for the Concrete Street Repairs 2015

VI. Presentation of Accounts and Claims

VII. Unfinished Business

- A) Second Reading of Bill No. 2015-022 Approving Memorandum of Agreement with EPA and Missouri State Historic Preservation for Demolition of Kemper Campus Administration Building
- B) Second Reading of Bill No. 2015-019 Establishing Disclosure of Potential Conflicts of Interest
- C) Second Reading of Bill No. 2015-021 Amending Chapter 4 Animals and Fowl (see attached memorandum with minor revisions to definition and judicial disposition)
- D) Second Reading of Bill No. 2015-018 Amending the Schedule of Administration Fees to include the addition of Animal Control Fees
- E) Second Reading of Bill No. 2015-020 Approving Local Agency Funding Contracts for FY 2015-16

VIII. New Business

- A) Consider Resolution R2015-10 Approving Extension of Johnston Fieldhouse Sublease.
- B) First and Second Reading of Bill No. 2015-023 Intergovernmental Agreement with Cooper County Fire Protection District for Newly Annexed Property Along Hwy 87 Corridor
- C) Consider bid for lot at 724 Fourth Street
- D) First and Second Reading of Bill No. 2015-024 Approving ownership of Union Pacific Railroad Company 2nd Street Spur Property
- E) Consider Resolution R2015-11 Approving an Agreement with Boone Construction Company for MoDot Project STP-1300(506) Katy Bridge Rehabilitation, phase 1

IX. Reports of Standing Committees

- A) Planning and Zoning Commission (Steve Young)
- B) Historic Preservation Board (Susan Meadows)
- C) Boonville Housing Authority (Mark Livingston)

X. Reports of City Officials

City Administrator

- Request for Hearing for Dangerous Building at 1101 Rural Street

Mayor

City Counselor

Economic Development

- July 16, 2015 Report

City Clerk

Building Inspector

XI. Miscellaneous

XII. Closed Session RSMO 610.021 (2) Real Estate

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 REVIEW AND APPROVAL OF CITY COUNCIL

City of Boonville
City Council Meeting
Minutes
July 6, 2015

The Boonville City Council met in Regular Session on July 6, 2015 at 7:00 p.m. in the Council Chambers. The following officers were present: Julie Thacher, Mayor; Irl Tessendorf, City Administrator; Megan McGuire, City Counselor; and Teresa Studley, City Clerk.

CALL TO ORDER – PLEDGE AND PRAYER

The meeting was called to order at 7:00 p.m. and Ms. Becky Ehlers led the prayer after the pledge of allegiance.

ROLL CALL

The following Council Representatives were present: Becky Ehlers, Vanessa Dorman, Steve Young, Kari Evans, Susan Meadows, Ned Beach, Henry Hurt, and Mark Livingston.

HEARING OF CITIZENS' COMMENTS

Ms. Danielle Gearhart, CEO of Cooper County Memorial Hospital, updated the City Council on the progress of the new surgery department. Ms. Gearhart advised that the surgery unit officially opened on the 1st of March and the first surgery was conducted at the end of March. Ms. Gearhart advised that as of last month's financial statement, the Cooper County Hospital is breaking even, which is a \$1.1 million improvement over prior years' financial performance. Ms. Gearhart expressed her gratitude for the City's support for the implementation of the surgery department. Mr. Gearhart brought with her a token of their appreciation (a signed "Thank you" poster that was given to Mayor Thacher at the meeting), for the City of Boonville's economic development support of the surgery department. Ms. Gearhart submitted a handout to each council member (See **Attachment A** herein incorporated and attached to these minutes) outlining the 2015 Accomplishments. Ms. Gearhart briefly highlighted some of the accomplishments.

Ms. Kathryn Ward, founder of Animal Responsibility For Fayette, MO (hereinafter ARFF MO) Pit Bull Rescue from Fayette Missouri, stated that she has rescued over 180 dogs labeled as pit bulls in the past 5 years. Her mission is to promote public safety through education about responsible pet care as an alternative to banning breeds of dogs. She rescues pit bulls that are on death row. She brought a book that has pictures of her death row dogs labeled as pit bulls. Ms. Ward advised that she, along with

Chris and Linda Amsbury, have worked closely with Ms. McGuire and Mr. Tessendorf to advise on a breed neutral dangerous dog ordinance, with hopes of repealing the pit bull ban. Ms. Ward advised that there was extensive research done on the ordinance and the research has been handed out to the City Council members at the meeting (See **Attachment B** herein incorporated and attached to these minutes).

Linda Grant, member of a non-for-profit group called Saving Dogs of Missouri, reiterated the same comments as above.

Jennen Herbst from Columbia, Missouri, reiterated the same comments as above.

Linda Amsbury, speaking on behalf of her husband Chris Amsbury, from Ward 1, reiterated the same comments as above.

Betsy Casteel, volunteer with ARFF MO Pit Bull Rescue, reiterated the same comments as above.

Karen Chums a member of ARFF MO Pit Bull Rescue from Ashland, Missouri, reiterated the same comments as above in reference to repealing the Breed Specific Ordinance.

Sherry Broyles, Ward 1, stated that her and her family used to raise pit bulls. Ms. Broyles advised that pit bulls were bred to grab a hold of the horns of a bull and to hold on. Ms. Broyles advised that there are dogfights that go on in communities, which include pit bulls. Ms. Broyles stated that pit bulls that fight could be triggered to attack by a sound, for instance the dropping of a chain on the ground; once the dog hears the chain drop, it attacks. Ms. Broyles stated that if a child accidentally kicked a chain and made the same noise, which would trigger the pit bull and the child could possibly be attacked. Ms. Broyles advised that there are many pit bulls available in the area to be adopted, but the problem is you don't know where or who they are coming from. Ms. Broyles stated that it was the council's job to protect the public, and not to rescue dogs. Ms. Broyles asked the City Council to consider both sides of the issue.

Liz Davis, Ward 2, stated that she has listened to both sides of the issues and she feels that there is only one decision to be made. Ms. Davis advised that she believes to be fair for both sides; the solution is to not ban the pit bull, but have a DNA test completed and then decide.

Mike Kelley, Ward 1, stated that he disagrees with repealing the pit bull ban, however, he agrees with the enforcement of dangerous dogs. Mr. Kelley advised that death is more likely to occur if attacked by a larger dog verses a smaller dog. Mr. Kelley stated that pit bulls have been responsible for a large amount of deaths in the United States. Mr. Kelley stated that he does agree that not all pit bulls are aggressive, and not all aggressive dogs are pit bulls. Mr. Kelley believes all owners should be responsible for their dogs. Mr. Kelley advised that some homeowners might favor an aggressive pit bull. Mr. Kelley stated that he wants the City Council to keep the pit bull ban.

APPROVAL OF THE MINUTES OF THE JUNE 1, 2015 COUNCIL MEETING

The minutes were approved as presented.

CONSENT ITEMS

The following Consent Items was presented for approval:

- a) Consider Pay Request No. 1 from Concrete Solution LLC, in the amount of \$33,800.00, for Locust Street & Kemper Drive Repairs STP 1300(508).
- b) Consider Change Order No. 1 from Concrete Solution, LLC, in the amount of \$3,288.00 for Locust Street & Kemper Drive Repairs STP 1300(508).

Mr. Livingston moved and Mr. Beach seconded the motion to approve the Consent Items. Ayes: Ehlers, Dorman, Young, Evans, Meadows, Beach, Hurt, and Livingston, Total (8); Opposed: None, Total (0); Absent: None, Total (0). Motion Carried.

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. Mr. Livingston moved and Ms. Ehlers seconded the motion for approval. Ayes: Ehlers, Dorman, Young, Evans, Meadows, Beach, Hurt, and Livingston, Total (8); Opposed: None, Total (0); Absent: None, Total (0). Motion Carried.

UNFINISHED BUSINESS

THIRD READING OF BILL NO. 2015-016 REQUESTING VOLUNTARY ANNEXATION AND ZONING OF APPROXIMATELY 311 ACRES OWNED BY ARTHUR HENRY PROPERTIES LLC AT THE NORTHEAST CORNER OF HWY 87 AND I-70.

Ms. Studley read, by title only, a copy of the bill. Mr. Livingston moved and Ms. Dorman seconded the motion for approval. Ms. McGuire advised that the City of Boonville has received no objections to the annexation and there is on the terms and conditions of an intergovernmental agreement with the Cooper County Fire Protection District in reference to the cooperative issues for that newly annexed area. The intergovernmental agreement will be brought to the City Council for a first and second reading at the next meeting. Roll was taken on Mr. Livingston's motion. Ayes: Ehlers, Dorman, Young, Evans, Meadows, Beach, Hurt, and Livingston, Total (8); Opposed: None, Total (0); Absent: None, Total (0). Motion Carried.

NEW BUSINESS

FIRST READING BILL NO. 2015-022 APPROVING MEMORANDUM OF AGREEMENT WITH EPA AND MISSOURI STATE HISTORIC PRESERVATION FOR STIPULATIONS AND MEASURES TO MITIGATE DEMOLITION OF KEMPER CAMPUS ADMINISTRATION BUILDING

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

FIRST READING OF BILL NO. 2015-019 ESTABLISHING DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

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

FIRST READING OF BILL NO. 2015-021 AMENDING CHAPTER 4 ANIMALS AND FOWL

Ms. Studley read, by title only, a copy of the bill. By way of clarification, Ms. McGuire stated that following the work session at the last meeting in reference to this and due to public discourse, there were a couple changes that have been added to the proposed ordinance in bold print including:

- Definitions of animals at large and dangerous, vicious, or ferocious animals
- Owner responsibility – registration requirements
- Certain animals prohibited – all constrictors
- Animals running at large prohibited
- Animal neglect or abandonment prohibited – tethering of animals
- When confinement or impoundment of animal is authorized – animals in season
- Redemption procedures and fees – adding and increasing animal control impounding fees and daily boarding fees to Schedule of Administrative Fees

FIRST READING OF BILL NO. 2015-018 AMENDING THE SCHEDULE OF ADMINISTRATION FEES TO INCLUDE THE ADDITION OF ANIMAL CONTROL FEES

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

FIRST READING OF BILL NO. 2015-020 APPROVING LOCAL AGENCY FUNDING CONTRACTS FOR FY 2015-16

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

REPORTS OF STANDING COMMITTEES

BOONVILLE HOUSING AUTHORITY

Mr. Livingston advised that he was able to attend the meeting. Mr. Livingston advised the committee is “well run” due to the good attendance of the members.

FIRE BOARD

Ms. Evans was unable to attend the meeting. Ms. Evans advised the minutes are in the packet. Ms. Evans advised that the Fire Department completed the Fats, Oils, and Greases inspections.

INDUSTRIAL DEVELOPMENT AUTHORITY (IDA) and MUNICIPAL FACILITIES AUTHORITY (MFA)

Mr. Livingston advised that he was able to attend the meetings. Mr. Livingston recommended that City Council members, if they have the chance, to occasionally attend the meetings. Mr. Livingston advised that Dr. Gann provides interesting handouts and such to the committees. It is very informative. Mr. Livingston advised the meetings discussed the hay ground bid, property tax, and such.

Mr. Livingston advised with the MFA, there was not much discussion. However, there has been an assessment revaluation increase on the property owned by the MFA. Mr. Livingston advised the increase was very low.

BOARD OF PUBLIC WORKS

Ms. Ehlers advised that she was able to attend the meeting. Mr. Ehlers advised the minutes are in the packet. Ms. Ehlers advised that it was a very interesting meeting.

REPORTS OF CITY OFFICIALS

CITY ADMINISTRATOR

Mr. Tessendorf updated the City Council on the 2nd Street Corridor Property between Spring Street and Vine Street. Mr. Tessendorf advised there has been some progress on the City of Boonville purchasing the property. Mr. Tessendorf stated that Union Pacific is still interested in selling the property. Mr. Tessendorf advised that there is just one item needed to complete the purchase of the property and once we receive that, there will be an ordinance brought to the City Council with a first and second reading possibly at the next council meeting.

MAYOR

No report was provided.

CITY COUNSELOR

No report was provided.

ECONOMIC DEVELOPMENT

Dr. Jim Gann reviewed his June 18, 2015 report with the Council with particular note to several items.

1) Dr. Gann reported that the IDA and MFA have been working on a process of strategic planning for how the City of Boonville does economic development. Dr. Gann advised that there would be more information forth coming to the City Council in reference to this.

2a) Dr. Gann advised that he attended an event called “Lakeside with the Locators” with the Missouri Economic Development Council. Dr. Gann met with seven site selection consultants. Dr. Gann advised that he, along with the seven site consultants, and State Legislators discussed many aspects of economic development on a larger scale (not just locally).

5a) Dr. Gann reported that the Concerned Citizens for a Better Community of Boonville, Inc. (hereinafter CCBC) now has an inspected commercial kitchen that can be used for food entrepreneurs in the community.

CITY CLERK

No report was provided.

BUILDING INSPECTOR

Mr. Hage presented the Council with the monthly report in the packet. Mayor Thacher advised that Mr. Hage is present at the meeting to answer any questions they may have regarding the monthly report. There were no questions.

MISCELLANEOUS

None.

ADJOURN TO CLOSED SESSION RSMO 610.021 (2) REAL ESTATE

Mr. Beach moved and Ms. Ehlers seconded the motion to adjourn to Closed Session RSMo 610.021 (2) Real Estate. Ayes: Ehlers, Dorman, Young, Evans,

Meadows, Beach, Hurt, and Livingston. Total (8), Opposed: None, Total (0), Absent: None, Total (0). Motion carried.

ADJOURN

Following a return to Open Session, Mr. Beach moved and Ms. Evans seconded the motion to adjourn at 8:55 p.m. and the voice vote was unanimous.

Respectfully Submitted,

Teresa Studley, City Clerk

Approved:

Julie Thacher, Mayor

CONTRACT CHANGE ORDER SECTION 00941

Change Order No. 1
Project No. 454-251 Concrete Street Repairs 2015
City of Boonville MO

Sheet 1 of 1
Original 1 of 6

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

To: Apex Inc.
(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):

- 2 sections of the Main Street Shoulder areas, Stewart Drive, and Mid America Drive are being eliminated from the project.
- Logans Lake Road Concrete Street Repair is being changed to Mill and Fill using (Repon 928)

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
1	Construction Signing and Traffic Control	1	L.S.	\$22,000.00			1	LS	1 (\$13,000) L.S.
2	Removal of Improvements	1	L.S.	\$56,000.00			1	LS	1 (\$4,000) L.S.
3	Site Grading	1	L.S.	\$7,500.00			1	LS	1 (\$5,500) L.S.
4	Subgrade Compaction	2,905	S.Y.	\$4.00			-1,028	S.Y.	1,877 S.Y.
5	Geotextile Separation Fabric	2,247	S.Y.	\$4.00			-1,028	S.Y.	1,219 S.Y.
8	6" Type 5 Aggregate Base	2,247	S.Y.	\$12.00			-1,028	S.Y.	1,219 S.Y.
14	8" High Early Strength Concrete	174	S.Y.	\$90.00			-174	S.Y.	0 S.Y.
15	10" PCC Pavement	1,847	S.Y.	\$65.00			-713	S.Y.	1,134 S.Y.
16	10" High Early Strength Concrete	226	S.Y.	\$150.00			-141	S.Y.	85 S.Y.
19	Fertilizing, Seeding, and Mulching	1	L.S.	\$5,000.00			1	LS	1 (\$3,000) L.S.
34	BASF 10-60 Rapid Mortar Patch (1" Depth)	0	S.Y.	\$126.00			100	S.Y.	100 S.Y.
35	Extra Depth (1" Depth)	0	S.Y.	\$46.00			50	S.Y.	50 S.Y.
Total This Sheet:				\$459,598.00				(\$113,815.00)	

1. Original Contract Amount:

2. Add or Deduct This Order Totals:

3. Add or Deduct Previous:

(Line 4 of previous order)

4. Total Add or Deduct to Date (2+3):

5. Revised Contract Amount (1+4):

Recommended: *[Signature]* MECO Engineering Company
Engineer

Date: 7/15/15

Ordered: Owner

Accepted: Contractor

[Signature]

Accepted: Contractor

[Signature]

Accepted: Contractor

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 July 20, 2015 the sum of **\$428,217.87**

General Fund	\$295,998.14
Sanitation	\$21,714.26
CIP Tax	\$10,317.92
Water Works	\$23,863.23
Capital Projects	\$28.00
Waste Water	\$56,270.87
Tourism	\$8,519.50
Gaming	\$2,505.95
Parks/Water	\$9,000.00

Section 2: The Bookkeeper 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 \$428,217.87 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 July 20, 2015 read for the second time this 20th day of July 2015 since a copy was made available prior to the meeting.

Approved July 20, 2015

Mayor

Endorsed July 20, 2015: 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.

Bookkeeper

TO: Mayor and City Council
FROM: Irl Tessendorf and Megan McGuire *WMM*
SUBJECT: Animal Ordinance – Fine Tuning the Definitions and Judicial Options
DATE: July 16, 2015

It would appear that the overall upgrades to and reorganization of the Animal and Fowl Chapter have been well received.

To the extent there are some differences of opinion as to how to best handle dogs with bad behavior, whether individually, case-by-case or more general based specific prescription, the City Staff has continued to take all the input into account and work through it by trying to apply the suggestions in real world situations that the Police Officers, Animal Control Officer and rescue persons face on a routine basis in Boonville.

Here is what our enforcement staff and adjunct rescue persons tell us:

- 1) They spend way too much time trying to identify which dogs are pits and which dogs are not.
- 2) None of our staff have the expertise to testify in court as to what breed a particular dog is.
- 3) Our Animal Control Shelter is not big enough and there is not enough time allocated for our one Animal Control Officer to collect, feed, house, manage and adjudicate all the dogs that someone reports as being a pit.
- 4) Based upon their experiences, the enforcement personnel wonder if the bred specific ban is continued, why other breed dogs are not on the list of banned dogs, as that particular breed can produce just as much viciousness as current named breeds – German Shepherds, Rotweilers, etc.
- 5) All of our staff have experience intervening with owners and dogs that have exhibited bad behavior that would fall into our proposed definitions. They know the dogs in the community for the most part, issue citations based upon observed or witnessed behaviors and track warning incidents responded to by the Police Department that may lead to triggering a more significant violation.
- 6) The revised definitions, owner responsibility and other regulations such as limited tethering, will allow enforcement staff to issue citations and write violations on poor treatments that lead to dog aggression, escalating aggressive behaviors and interactions before a situation rises to the level of an attack and provide the opportunity for enforcement intervention and education on city regulations.
- 7) All the enforcement personnel believe that by adding the calls that the Animal Control Officer handles onto a common database/registry that is accessible to all enforcement personnel will improve the responsiveness and effectiveness of the proposed regulations.

8) Not all the problems get solved at the enforcement level with the Police and Animal Control. This is a system that allows for adversarial debate in the courts with all parties heard and the truth searched out after the initial call and intervention. The enforcement staff believe that the Judge should be allowed the opportunity to hear the facts of the dog behaviors, resultant damages as well as the whether there are rehabilitation or rescue opportunities for a particular dog.

9) The enforcement staff believe they can effectively weigh important factors regardless of breed including the size of the dog, the particular behaviors complained about, previous calls, complaints, violations or interventions, the potential for injury or escalating behaviors and the demeanor/responsiveness of the owner to take corrective actions to effectively remedy the dog's bad behaviors.

The City Staff recommends the following revisions to be incorporated into the final reading of the Animal and Fowl ordinance:

1) Article II, Section J.4.b to read: Order the animal to be destroyed, rehabilitated at a licensed rehabilitation facility , trained by a certified dog trainer **or released to a qualified 501(c)(3) state licensed rescue organization.**

2) Article I, Section B2)c) to read: Because of its size, physical characteristics and **observed aggressive behavior toward a person or domestic animal** is capable of inflicting serious physical injury or death of a human being;

BILL NO. 2015 -021

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF BOONVILLE, MISSOURI, AMENDING
CHAPTER 4 – ANIMALS AND FOWL OF THE CITY OF BOONVILLE CODE OF
ORDINANCES; PROVIDING AN EFFECTIVE DATE THEREFORE AND REPEALING
ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE.**

WHEREAS, in 2001 the City of Boonville adopted breed specific restrictions banning pit bull and related breeds; and

WHEREAS, the City Council has recently been presented studies, testimonials and concerns about the lack of focus on owner responsibility for all animals in the city and unfair application of the breed specific restrictions; and

WHEREAS, the City Council believes that a well written and enforced animal control ordinance that defines vicious, dangerous and ferocious animals, regardless of breed, will better serve the citizens of Boonville.

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

SECTION 1: To amend and substitute the following Chapter 4, Articles I, II, III and IV provisions of the Code of Ordinances regarding Animals and Fowl as follows:

CHAPTER 4 - ANIMALS AND FOWL

Cross reference— Live animals in food service establishments, § 8-63; nuisances, Ch. 13; disposition of stolen, lost or abandoned animals, § 19.1-7; zoning, App. C.

State Law reference— Power of city to regulate animals, RSMo 77.510, Chapters 273, 578

ARTICLE I. - IN GENERAL

A. PURPOSE:

The purpose of this Chapter is to regulate and control the possession and ownership of dogs, cats and other animals in the City to promote public health and safety of the residents of the City from the diseases of dogs, cats and other animals, particularly rabies; to promote responsible ownership of dogs, cats and other animals so that the owners and community are able to fully enjoy the benefits derived therefrom; and to regulate and control nuisance dogs, cats and other animals, those running at large and/or those that are dangerous, vicious or ferocious. The vaccinating, registering, impounding and other provisions of this Chapter are for the purposes of controlling the incidence of rabies in dogs, cats and ferrets in the City as well as promoting responsible pet ownership within the City.

B. DEFINITIONS:

- 1) AT LARGE - an animal is “at-large” when off the property of the owner or controlling party and unleashed. **Dogs off their leash and supervised by their owner or controlling party in the City Dog Park shall not be considered running at large.**
- 2) DANGEROUS, VICIOUS OR FEROCIOUS ANIMAL - Any animal which:
 - a) Has caused death or serious injury to a person engaged in a lawful activity; or
 - b) Without provocation, attacks or bites, or has attacked or bitten, a human being or domestic animal; or
 - c) **Because of its size, physical characteristics and vicious propensities is capable of inflicting serious physical injury or death on a human being;**
 - d) Has a known propensity, tendency or disposition to attack unprovoked, to cause injury to, or otherwise threaten the safety of human beings or domestic animals; or
 - e) Has been trained for fighting or is owned or kept for the purpose of fighting; or
 - f) Has been determined to be vicious by the Municipal Judge or pursuant to the procedures set forth in this Chapter.
 - g) No dog may be deemed a vicious animal under this ordinance if a threat, injury or damage was sustained by a person who, at the time, was committing a willful trespass, or other tort upon the premises occupied by the owner or keeper of the dog, or if a person at the time of such threat, injury or damage was teasing, tormenting, abusing or assaulting the dog, or was threatening or committing an assault or other bodily harm to the owner, the owner’s or keepers’ immediate family or their invitees; furthermore, dogs used by commissioned officers for law enforcement shall not be deemed dangerous, vicious or ferocious for purposes of this ordinance.
- 3) FAILURE TO CONTROL
Failure on the part of an owner, competent person or controlling party to exercise adequate control over or properly govern the behavior of an animal to the point that the animal bites, attacks or injures a person or other domestic animal; chases, lashed out at or approaches a person in a menacing fashion; or exhibits an unprovoked threat of attacking or biting a person, domestic animal or farm animal.

C. ANIMAL CONTROL OFFICER

There is hereby established the position of Animal Control Officer. The officer shall be appointed by the City Administrator with the advice and consent of the City Council. The Animal Control Officer shall be of good character. It shall be the officer's duty to enforce all provisions of this Chapter for animals within the City limits.

D. CITY ANIMAL SHELTER

There is hereby established a City Animal Shelter under the supervision and direction of the Animal Control Officer for the temporary care and adoption of dogs and cats within the city limits who have been impounded pursuant to these regulations.

E. ENFORCEMENT

The Animal Control Officer and Police Department shall have the power to enforce the provisions of this Chapter, including, but in no way limited to, the powers to issue notice of violation and, as far as permissible under the laws of the state and ordinances of the city, to enter upon private property after observing any violation of the provisions of this Chapter for the purpose of enforcement hereof. It shall be unlawful for any person to refuse to deliver up to the animal control officer or police officer, any animal, fowl or reptile, when requested to do so under the provisions of this chapter.

F. PENALTY

Any person violating the provisions of this Chapter, shall be subject to the general penalty provisions of Section 1-9 and 1-10 of the Code of General Ordinances. Upon conviction under this section the city enforcement personnel shall have the right to seize and impound the animal(s).

ARTICLE II. – OWNER RESPONSIBILITY

A. OWNER ACCOUNTABILITY

In an effort to promote personal accountability and responsible animal ownership, it is the intent of the City Council to govern the behavior of animal owners so that animals in their care are kept and controlled in a manner that is amenable to the City and the residents within, therefore, all violations that are cited in this Chapter are to the owner regardless of whether the same or different animals are the subject of the offense. Therefore, as an example of this meaning, a violation of this Chapter shall be considered a second (2nd) or subsequent violation regardless if the first (1st) violation involved a different animal.

B. REGISTRATION

The City shall keep a registry of all dogs, cats and ferrets within the City which:

- 1) are voluntarily registered by their owners;**
- 2) are adopted from the City Animal Shelter;**
- 2) have been diagnosed with rabies;**
- 3) have bitten or attacked a person or domestic animal; or**
- 3) have been impounded, given a warning or charged with any violation under this ordinance.**

This registry shall serve three functions: 1) to be of assistance to the Animal Control Officer/ Police Officers in returning animals to their owners, 2) to alert to trends or incidents of public health significance including rabies outbreaks or vicious animals, and 3) to provide a running account of animal interventions for proper enforcement of this ordinance. The registry will collect the animal name, breed, rabies vaccination status, physical description and whether or not the animal has a microchip along with the owner's name, address, phone number and emergency or back up person contact information.

C. RABIES VACCINATIONS AND CONTROLS

- 1) Inoculation of Dogs and Cats Required.**

Every resident person who owns, controls, manages, possesses or has part interest in any dog, cat or ferret any time during the year or who permits a dog, cat or ferret to come

upon, or in, and remain in or about such person's home, place of business or other premises in this City shall have the dog, cat or ferret inoculated against rabies at least once each year or given the veterinarian approved multi-year inoculation, provided that the inoculation requirement shall not apply to dogs, cats or ferrets less than four (4) months of age.

2) Quarantine Order to Be Issued by Mayor — to Be Published and Posted.

Whenever rabies becomes prevalent in the City, the Mayor shall, according to the necessity of owner or person in charge of any dog or dogs within the limits of the City, to either kill or impound his/her dog or dogs, or to have such dog or dogs immunized. Said order shall be published once in the paper officially publishing the business of the City; and in the absence of such paper, shall be posted as in case of sales of personal property. The Mayor is authorized by proclamation to terminate any such quarantine whenever, in his/her judgment, the necessity for it no longer exists.

3) Exposure to Rabid Animals.

a) To the extent permitted by law, every physician shall report to the Animal Control Officer pertinent information concerning any resident of the City who has been bitten by an animal suspected of being rabid, and every veterinarian shall report to the Animal Control Officer all pertinent information concerning rabid animals in the area under his/her care.

b) Any person destroying an animal affected with rabies or suspected of being affected with rabies shall immediately notify the Animal Control Officer and shall provide the Animal Control Officer with all pertinent information respecting persons bitten or suspected of being bitten by the animal, and also with all pertinent information respecting any other animal exposed to the animal destroyed.

c) The Animal Control Officer shall have the power to have examined and impounded any animal bitten by or exposed to any animal affected with rabies.

D. NUMBER OF ANIMALS LIMITED

1. It shall be unlawful for any resident owner to possess more than a total of four (4) dogs, cats and/or other domestic animals that are legal to be possessed in the City over the **age of four (4) months**. The total number of domestic animals over the **age of four (4) months** allowed to be owned, controlled or residing upon a given contiguous property shall not exceed four (4).

2. This section shall not apply to properly zoned, agricultural operations with farm animals.

E. ANIMAL FECES TO BE CLEANED UP

A. It shall be unlawful for the owner or controlling party to allow or permit their animal to excrete on sidewalks, driveways, rights-of-way, private property, public property including public parks without removing feces from the property not owned or controlled by such person.

F. CERTAIN ANIMALS PROHIBITED IN CITY LIMITS

It shall be unlawful to keep, harbor, own or in any way possess within the corporate limits of the City of Boonville, Missouri:

1. Any warm-blooded, carnivorous or omnivorous, wild or exotic animal (including but not limited to non-human primates, raccoons, skunks, foxes and wild and exotic cats; but excluding fowl, ferrets and small rodents of varieties used for laboratory purposes).
2. Any animal having poisonous bites **and all constrictors.**

G. ANIMALS CREATING PUBLIC NUISANCE PROHIBITED

It shall be a public nuisance for any owner or controlling party to allow or permit an animal to:

1. Frequently and habitually barking, crying, yelping or howling thereby causing the peace of any person to be disturbed multiple times in a compressed time period at the discretion of the Animal Control Officer or other empowered City official; or
2. Cause reasonably articulable fear or annoyance to a person in the immediate area or substantially interferes with the rights of persons, other than its owner to enjoyment of life or property by frequently displaying aggressive behavior, including, but not limited to, growling, charging, showing of the teeth, hissing or raising of fur as determined by an Animal Control Officer or other empowered City official.
3. Damages the property of anyone other than its owner's.
4. If an animal is impounded as a result of creating a public nuisance, then all fees associated with impoundment shall be made payable to the City Animal Shelter in addition to any fines imposed by the court.

H. ANIMALS RUNNING AT LARGE PROHIBITED

It shall be unlawful for any owner or controlling party to permit any animal to run at large at any time at any place in the City. An animal is "at-large" when off the property of the owner or controlling party and unleashed. **Dogs off their leash and supervised by their owner or controlling party in the City Dog Park shall not be considered running at large.**

1. Animals found running at large will be collected by an Animal Control Officer and:
 - a. If the owner or controlling party is known, the animal may be returned to the owner and enforcement action taken at the discretion of the Animal Control Officer; or
 - b. If the owner or controlling party is unknown, the animal will be impounded at the City Animal Shelter and all fees associated with impoundment shall be made payable to the City Animal Shelter in addition to any fines imposed by the court.
2. Animals found running at large that are dangerous, vicious or ferocious or display qualities of dangerousness, viciousness or ferociousness shall be handled as set forth in Section J.
3. If an animal is impounded as a result of running at large, then all fees associated with impoundment shall be made payable to the City Animal Shelter in addition to any fines imposed by the court.

I. FAILURE TO CONTROL ANIMALS PROHIBITED.

1. It shall be unlawful for an owner or controlling party to fail to control animal regardless of whether the animal is on or off a leash. Failure to control is the failure on the part of an owner, competent person or controlling party to properly govern the behavior of an animal to the point that the animal bites a person or other domestic animal

or exhibits an unprovoked threat of attacking or biting a person, domestic animal or farm animal.

2. If an animal is impounded as a result of an owner or controlling party's failure to control, then all fees associated with impoundment shall be made payable to the City Animal Shelter in addition to any fines imposed by the court.

J. DANGEROUS, VICIOUS, FEROCIOUS ANIMALS PROHIBITED

1. It shall be unlawful for any person to keep, harbor, possess or allow in or upon their premises any dangerous, vicious or ferocious animal as defined in Article 1, Section B, regardless of whether or not the animal is on its owner's property. Mere possession or knowledge of presence of a dangerous, vicious or ferocious animal shall be a violation of this Section.

2. The Animal Control Officer or Police Officer shall, upon determination that an animal is demonstrating or has recently demonstrated behavior that would classify the animal as a dangerous, vicious or ferocious animal, take custody of said animal and transport it to the City Animal Shelter, where it shall be held until the Municipal Court hears the matter for final determination. The City Animal Shelter shall not place for adoption an animal that is found to be dangerous, vicious or ferocious or awaiting adjudication for same.

The Animal Control Officer or Police Officer may:

a. Destroy the animal on site with no risk of liability, if the animal is so dangerous, vicious or ferocious that taking custody of the animal would put the officer or others at risk of attack and injury.

b. Order in-home confinement of the animal if certain strict conditions can be met.

3. After the animal is impounded or confined, the Municipal Court shall determine whether the animal is a dangerous, vicious or ferocious animal in violation of this Section based upon evidence and testimony presented by the owner and the City through the Prosecuting Attorney.

4. Upon adjudication by the Municipal Court finding an animal to be dangerous, vicious or ferocious, the Municipal Judge will:

a. Punish the owner according to Article I, Section F with a fine and/or jail time;

b. Order the animal to be destroyed, rehabilitated at a licensed rehabilitation facility or trained by a certified dog trainer;

b. Order the owner to pay for any costs to impound the animal;

c. Order the owner to pay for costs to euthanize the animal if so ordered; and/or

d. Order the owner to pay for costs of rehabilitation or training and provide the Court with certification of successful completion.

5. Persons who destroy a dangerous, vicious or ferocious animal in defense of themselves, other persons or other domestic animals shall not be held criminally responsible.

6. Owners whose animals attack, bite or injure another party in defense of their owner, other persons or domestic animals shall not be guilty under this Section.

7. Dogs owned by governmental or law enforcement agencies when being used in the services of those agencies are exempt from being classified as dangerous, vicious or ferocious.

K. KNOWINGLY RELEASING AN ANIMAL PROHIBITED

1. A person commits the offense of knowingly releasing an animal if that person, acting without the consent of the owner or controlling party of an animal, intentionally releases any animal that is lawfully confined.

2. The provisions of this Section shall not apply to a public servant acting in the course of such servant's official duties.

ARTICLE III. – ANIMAL CRUELTY AND NEGLECT

A. ANIMAL ABUSE PROHIBITED

It shall be unlawful for a person to abuse an animal by:

1. Intentionally or purposely killing an animal in any manner not allowed by or expressly exempted from the provisions of RSMo Sections 578.005 to 578.023 and 273.030; or

2. Purposely or intentionally causing injury or suffering to an animal.

B. ANIMAL NEGLECT OR ABANDONMENT PROHIBITED

1. Animal Neglect. An owner or controlling party is guilty of animal neglect when he/she fails to provide adequate care, shelter or control of an animal which creates an unreasonable risk of injury to an animal or results in harm to the animal or harm to a person or other domestic animal, including failure to comply with one (1) or more of the following:

a. Owners or controlling parties will ensure that all animals are kept in an environment that has both shelter and temperature suitable for that species and/or breed. This includes environments that are inside and outside.

b. Owners or controlling parties will ensure that all areas where animals are kept are cleaned regularly so that fecal matter is disposed of so not to attract insects or rodents, become unsightly or cause objectionable odor.

c. Owners or controlling parties must provide animals with access to clean, unfrozen water in a tip-proof bowl at all times as well as nutritious food at least once daily.

d. Owners or controlling parties will ensure that animals confined to outside pens have not less than one hundred fifty (150) square feet of open space per each animal housed.

e. Owners or controlling parties leave an animal tethered outdoors for more than 9 continuous hours a day.

f. No owner or controlling party shall have an animal in their possession that is known to, or suspected to, have an untended injury, accidental injury or deliberate injury, or to exhibit any signs of disease, shock, temperature fluctuations, tremors, swelling, open wounds, inability to eat, blistering or abnormal bleeding, partial paralysis, discharging blood or mucus or any other sign that the animal is not in good health. Owners or controlling parties are required to seek professional veterinary medical attention.

2. Animal Abandonment. An owner or controlling party is guilty of animal abandonment when he/she has knowingly abandoned an animal in any place without making provisions for adequate care or fails to redeem the animal from the City animal shelter upon notification. This includes, but is not limited to, any owner or controlling party that

moves from a residence or business and leaves any domestic or farm animal without returning to provide adequate care for the animal(s).

C. WARRANT FOR ENTRY TO INSPECT

Any duly authorized animal control or law enforcement official may seek a warrant from the appropriate court to enable him/her to enter private property in order to inspect, care for or impound neglected or abused animals. All requests for such warrants shall be accompanied by an affidavit stating the probable cause to believe a violation of this article has occurred. A person acting under the authority of a warrant shall not be liable for necessary damage to property while acting under such warrant.

D. ANIMALS CONFINED IN VEHICLES PROHIBITED

It shall be unlawful for the owner or operator of a motor vehicle to leave an animal confined in a motor vehicle under circumstances that could endanger its life. In the event the Animal Control Officer determines an animal is confined under these circumstances and unable to locate the owner of the vehicle, the Animal Control Officer, with the assistance from the Police Department is hereby authorized and may enter said vehicle and rescue the endangered animal and thereafter impound it. The officers will attempt to locate the vehicle owner prior to removal if possible and if personal notification is unsuccessful, a prominent written notice shall be left on or in the vehicle advising that the animal has been removed under the authority of this section and impounded at the City Animal Shelter.

E. ANIMAL HABITATS SHALL BE CLEAN; INSPECTION AUTHORIZED

All structures, pens, coops or yards wherein animals or fowl are kept or permitted to be, shall be maintained in a clean and sanitary condition at all times, devoid of all rodents and vermin, and free from offensive, disagreeable or noxious smell or odor to the injury, annoyance or inconvenience of any inhabitant of the neighborhood. The enclosed area of all such structures shall be constructed in such a way as to be dry at all times on the inside. The Animal Control Officer may at any time inspect, or cause to be inspected, any structure or premises and issue any such order as may be necessary to carry out the provisions of this section.

ARTICLE IV – CONFINEMENT, IMPOUNDMENT AND REDEMPTION

A. WHEN CONFINEMENT OR IMPOUNDMENT IS AUTHORIZED

1. Any animal in violation of the provisions of this Chapter may be impounded at the City Animal Shelter by the Animal Control Officer or designee.
2. Whenever a report is made of a person being bitten, injured or attacked by any dog, cat or ferret or a notice is received by the Animal Control Officer, Police Department, or Health Center of a dog, cat or ferret having bitten a person or other animal, but no summons or warrant is sworn up charging maintenance of a dangerous, vicious or ferocious dog, the Animal Control Officer shall immediately issue an order to the owner to confine the animal and keep the animal under observation at the owner's residence for a period of ten (10) days during which time the Animal Control Officer shall check on and observe the animal during the ten(10 day observation period for signs of rabies. If

the owner refuses to comply with the provisions of this section, the Animal Control Officer shall immediately impound the animal at the City Animal Shelter, a licensed veterinarian's business or secured compound at the owner's expense for the remainder of the period of the ten (10) day observation period. It shall be at the sole discretion of the Animal Control Officer to impound an animal if there have been prior complaints of the animal running at large, or neglected or abused, or if the owner is not willing to comply with the observation period. If within the observation period, such animal does not develop or manifest rabies, the owner of the animal shall be released from any further requirement of this Section. If the animal develops rabies during such period, it shall be put to death. The animal shall be subject to testing at the owner's expense.

3. Any dog or cat observed running at large shall be impounded and kept at the City Animal Shelter. If the dog or cat has upon it the name or address of the owner, or such or address is known to the Animal Control Officer, the owner shall be notified of the seizure of the animal and redemption procedures followed as below.

4. Whenever a summons or warrant is sworn out against the owner of a dog charging dangerous, vicious or ferocious animal, the dog in question shall be impounded and kept at the City Animal Shelter, licensed veterinarian's business, rescuer/rehabilitation center or under in house confinement at the discretion of the Animal Control Officer, pending final disposition of the case.

5. Any female dog or cat in season shall be confined in an enclosure. If there is any question of whether or not said animal is in season, it shall be verified by the veterinarian at the owner's expense if it is in season; or at the City's expense if it is not in season.

B. REDEMPTION PROCEDURES AND FEES

a. In the event a dog or cat impounded is registered with the city or otherwise identifiable as to it's owner, the Animal Control Officer shall send written notice to the address of the person shown to be the owner. Said notice shall indicate that unless the owner redeems the dog or cat within five (5) days from the date of this notice, it may be sold, adopted out, or destroyed by the Animal Control Officer.

b. Any dog or cat may be redeemed by the owner within five (5) days after impoundment after showing proof of vaccinations, consent to enter animal city registry if not already registered and payment of impound fees and costs.

c. The impound fee and daily board costs are authorized under the Schedule of Administrative Fees by the City Council. The impounding fee and daily boarding costs shall be paid in addition to fines and court costs levied if applicable. If the owner of said dog or cat can be determined, the impounding fee and board fee shall be paid regardless of whether or not the owner redeems said animal.

d. In addition to any other fees, costs or penalties imposed by this Section, the owner or controlling party shall be responsible to pay all reasonable costs and expenses necessary for:

1. The care and maintenance fees as well as fees for implantation of identifying technology imposed by the City animal shelter of neglected or abandoned animals during their impoundment;
2. The disposal of any dead or diseased animals within the person's custody or ownership;
3. The reduction of resulting organic debris affecting the immediate area of the neglect or abandonment; and
4. The avoidance or minimization of any public health risks created by the neglect or abandonment of the animals.

e. In the event the impounded dog or cat is not registered with the City and not redeemed or claimed by the owner for five (5) days, the Animal Control Officer shall sell, adopt out or destroy said animal.

C. TRANQUALIZING DANGEROUS DOGS.

(a) Any dog, which is required to be impounded under this chapter and cannot safely be taken up and impounded may be tranquilized by the animal control officer or any police officer, if in his judgment such is reasonable and necessary. The animal shall then be impounded.

(b) If any animal is found running-at-large without a license or otherwise in violation of this chapter and cannot be safely taken up and impounded by means such as humane trap, tranquilizer dart gun, or other conventional means the animal may be destroyed by the animal control office or a police officer.

SECTION 2: To amend and reorganize the following Kennel Licensing provisions to Chapter 10 – Licensing and Taxation as follows:

KENNEL LICENSING

A kennel license will be administered as other city business licenses under the control and regulation of the City Administrator with special conditions herein stated.

(a) *Required.* It shall be unlawful for any person, persons, association, firm or corporation to own and keep or harbor upon a single location more than four (4) dogs or four (4) cats, or a combination of the two, totaling four (4), over six (6) months of age without a kennel license. Said kennel may harbor no more than fifty (50) dogs or fifty (50) cats or a combination of the two totaling fifty (50). Such owner shall file application, therefor, on a form provided by the city clerk, prescribed by the city administrator, which application shall provide information to indicate whether or not the proposed kennel and its operation thereof will not be in violation of state laws and city ordinances. If it appears that such kennel and the operation thereof will not be in violation of state laws and city ordinances, the city clerk shall issue a kennel license to said applicant upon payment of twenty dollars (\$20.00). This fee will be in lieu of individual dog and cat licenses. However, the kennel license does not preclude the need for each dog or cat to be vaccinated according to Chapter 4, Section _____ or the need to obtain other city or state licenses when engaged in a commercial business.

(b)*Expiration/Revocation.* Such license shall become due on or before the first day of July and shall permit the applicant to operate such kennel described in the application until the license expires on the first day of July next following the issuance unless said license is revoked. Two (2) or more violations of this section as determined by the municipal court after all appeals have been decided and the decision has become final, or two (2) or more violations of RSMo 578.009 or 578.012 shall constitute sufficient cause for revocation of such license.

(c)*Separate enterprise.* Every facility regulated by this section shall be considered a separate enterprise with each facility requiring an individual license.

(d)*Zoning.* It shall be unlawful for kennels to operate in an area unless it is zoned C-2 or greater with enough land, distance and/or buffers to contain the noise of barking dogs in a kennel. This section shall not apply to those kennels in possession of valid kennel licenses on October 1, 1989. Licenses issued to kennels in districts other than C-1 or greater prior to October 1, 1989, shall be valid for only the location for which the license was issued.

(e)*Regulations.* It shall be unlawful for a person to operate a kennel without meeting the following conditions:

(1)Housing facilities shall be provided the animals, and such shall be structurally sound, shall be maintained in good repair and shall be constructed to provide shelter from excessive sunlight, rain, snow, wind or other elements. In addition such facilities shall be constructed to provide sufficient space for the proper exercise and movement of each animal contained therein; to provide drainage to prevent the accumulation of water, mud, debris, excreta, or other materials and shall be designed to facilitate the removal of animal and food wastes. The housing facilities shall be designed so as to protect the animals from injury, shall contain the animals and shall restrict the entrance of other animals.

(2)Suitable food and bedding shall be provided and stored in facilities adequate to provide protection against infestation or contamination by insects or rodents. Refrigeration shall be provided for the protection of perishable foods.

(3)Provisions shall be made for the removal and disposal of animal and food wastes, bedding, dead animals and debris on a daily basis. Waste disposal facilities shall be maintained in a sanitary condition; and the kennel shall be free from the infestation or contamination of insects, rodents or disease and from obnoxious or foul odors.

(4)Water must be conveniently available for cleaning purposes.

(5)Sick animals shall be separated from those appearing healthy and normal. Sick animals shall be removed from display or sale and kept in isolation quarters with adequate ventilation to keep from contaminating well animals.

(6) If the operation of the kennel includes the sale of animals, then there shall be an employee or owner on duty at all times during the hours any store is open whose responsibility in that shop or department shall be the care and welfare of the animals held for sale or display.

(7) If the operation of the kennel includes the sale of animals, then an employee or owner shall come in to feed, water and do necessary cleaning of animals on days the store or shop is closed.

(8) No person, persons, association, firm or corporation shall knowingly sell a sick or injured dog or cat.

(9) No person, person, association, firm or corporation shall knowingly misrepresent a dog or cat to a customer in any way.

(10) The animal control officer, health inspector and the police shall have the right to inspect such kennels at reasonable hours and to enforce state statutes pertaining to neglected or abused animals (RSMo 578.018).

(11) Kennel operators shall exercise the proper care and control of their animals so as to prevent such animals from becoming noisy animals.

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

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

FIRST READING: July 6, 2015

READ FOR THE SECOND TIME AND PASSED ON THIS 20th DAY OF July 2015, AFTER A COPY OF THIS ORDINANCE HAS BEEN MADE AVAILABLE FOR PUBLIC INSPECTION PRIOR TO ITS FIRST READING.

President of the Council

APPROVED THIS 20th DAY OF July 2015

Julie Thacher, Mayor

ATTEST:

Teresa Studley, City Clerk

RESOLUTION NO. R2015-10

A RESOLUTION OF THE CITY OF BOONVILLE, MISSOURI, APPROVING A TWO YEAR EXTENSION OF THE SUBLEASE OF A PORTION OF JOHNSTON FIELDHOUSE TO THE BOONVILLE R-I SCHOOL DISTRICT AND PROVIDING AN EFFECTIVE DATE THEREFORE

WHEREAS, the Boonslick Heartland YMCA and the Boonville R-I School District have requested approval from the City under the terms of the Johnston Fieldhouse Lease to execute a two year extension of the Alternative School Program Agreement for the School District to lease two classrooms on the upper level of the Johnston Fieldhouse beside the gymnasium for the Alternative School Program; and

WHEREAS, the plans to rebuild a facility on the formerly demolished Central School on Main Street have not yet been finalized or financed and therefore, the Alternative School Program still needs a temporary home; and

WHEREAS, the Facility Lease between the City and YMCA contains reasonable use and sublease clauses requiring prior written notice and consent by the City for a sublease; and

WHEREAS, the City believes that providing a suitable location for youth education in a supervised environment by the School District is a reasonable use of the Facility.

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

SECTION 1: That the YMCA is hereby authorized to continue to sublease a portion of the Johnston Fieldhouse to the Boonville R-I School District under the provisions of the Facility Lease, the Alternative School Program Agreement and Johnston Fieldhouse Sublease Approval Agreement, a copy of which are marked "Exhibit A" attached hereto and made a part hereof.

SECTION 2: That the Mayor is hereby authorized to execute the Johnston Fieldhouse Sublease Approval Agreement 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 20th day of July 2015, by the City Council of Boonville, Missouri

Julie Thacher, Mayor

ATTEST:

Teresa Studley, City Clerk

JOHNSTON FIELDHOUSE SUBLEASE APPROVAL AGREEMENT
July 20, 2015

WHEREAS, The Boonville R-1 School District Alternative School Program has successfully utilized the Johnston Fieldhouse during the 2014/15 school year under the terms and conditions of the lease between the City of Boonville and the Boonslick Heartland YMCA as well as the Alternative School Program Agreement between the YMCA and School District; and

WHEREAS, the City Council agrees to extend approval of the sublease for the 2015/16 and 2016/17 school years as described herein with the following conditions:

- 1) R-1 School District hereby provides the City of Boonville a Certificate of Liability Insurance naming the City of Boonville as an additional insured for the specific activity and building. See attached Certificate.
- 2) YMCA and School District will take the steps necessary to encourage students and teachers to park in the YMCA lot to the south of the pool building to minimize parking along Third Street.
- 3) Since the designated entrance to Johnston Fieldhouse for the Alternative School Program is the gymnasium entrance on Third Street, the YMCA will need to make arrangements for proper and timely snow and ice removal as the City is unable to commit to the gymnasium outside steps on a priority basis to meet the needs of the students and teachers that entrance. Ice Melt Chemical, not rock salt, must be used on the steps.
- 4) YMCA shall assure completion of the installation of an emergency light at the north entrance/exit door.
- 5) If the School District desires any upgrades, changes or alterations to the facility, the School District may request in writing approval of same from the City and YMCA prior to any upgrades, changes or alterations to the facility.
- 6) The Alternative School Program Agreement and this Agreement does not alter the remaining rights and responsibilities of the YMCA and City to perform under the Facility Lease executed on March 16, 2009. Pursuant to Paragraph 13 – Subletting/Assignment, the YMCA agrees to continue to be bound to the City for the performance of all duties called for under the terms and provisions of the Facility Lease as though such subletting had not occurred.

THEREFORE, if the above stated provisions are satisfactory to the YMCA and School District, the City of Boonville approves the Sublease of Johnston Fieldhouse to the School District for use of the upstairs classrooms for the Alternative School Program for the **periods of the 2015/16 and 2016/17 school years** this 20th day of July, 2015.

CITY:

Julie Thacher, Mayor, City of Boonville

YMCA:

Matt Schneringer, CEO, Boonslick Heartland YMCA

DISTRICT:

Mark Ficken, Superintendent, Boonville R-I School District

BILL NO. 2015- 023

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BOONVILLE, MISSOURI AUTHORIZING AND APPROVING AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF BOONVILLE, MISSOURI AND COOPER COUNTY FIRE PROTECTION DISTRICT FOR THE PROVISION OF FIRE PROTECTION AND EMERGENCY FIRST RESPONDER SERVICES IN THE NEWLY ANNEXED PROPERTY ALONG THE HIGHWAY 87 CORRIDOR; PROVIDING AN EFFECTIVE DATE THEREFORE; AND REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

WHEREAS, the two recent annexations along the Highway 87 corridor to Interstate 70 encompasses approximately 554 acres of land that was served and taxed by the Cooper County Fire Protection District; and

WHEREAS, the City and Cooper County Fire Protection District have negotiated an intergovernmental agreement detailing the terms and conditions including 1) the Boonville Fire Department taking primary responsibility for the newly annexed property under the provisions of state and federal law, utilizing the equipment and organizational capacities of each agency pending further city infrastructure development to the area and providing a mechanism to protect the District's financial obligations in lieu of property tax revenues.

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 shall accept and authorize the mutual aid agreement as set forth in "Exhibit A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

SECTION 2: City clerk shall record with the Cooper County Recorder of Deeds and provide a certified copy to the Cooper County Collector.

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

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

FIRST READING: July 20, 2015

READ FOR THE SECOND TIME AND PASSED THIS 20th DAY OF July, 2015, AFTER A COPY OF THIS ORDINANCE AND REFERENCED INTERGOVERNMENTAL AGREEMENT HAS BEEN MADE AVAILABLE FOR PUBLIC INSPECTION PRIOR TO ITS FIRST READING.

APPROVED THIS 20th DAY OF July, 2015

JULIE THACHER, MAYOR

ATTEST

TERESA STUDLEY, CITY CLERK

**INTERGOVERNMENTAL AGREEMENT
FOR SERVICES BETWEEN THE CITY OF BOONVILLE, MISSOURI AND
THE COOPER COUNTY FIRE PROTECTION DISTRICT**

I. Parties

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

Cooper County Fire Protection District
c/o District Fire Chief
17010 Highway 87
Boonville, MO 65322
Business Phone: (660) 882-6111

II. Recitals

WHEREAS, the City of Boonville, Missouri, a third class statutory city, (hereinafter "City ") has completed an involuntary annexation of 243 acres along the Highway 87 corridor under the provisions of RSMo 70.015 as evidenced by the Judgment entered by Judge Koffman in the Cooper County Circuit Court on March 23, 2015 and effective on April 24, 2015, Judgment and Boundary Map herein attached and incorporated to this agreement as Exhibits "A" and "B" respectively; and

WHEREAS, in addition to the 243 acres successfully annexed effective on April 24, 2015, the City received a petition on May 5, 2015 to voluntarily annex 311 acres of land commonly known as Hail Ridge Golf Course and additional property owned by Arthur Henry Properties, LLC. The annexation petition and zoning application were approved at the July 6, 2015 City Council meeting under Ordinance No. 4375 herein attached and incorporated to this agreement as Exhibit "C"; and

WHEREAS, together these two annexations, hereinafter referred to as "Annexed Properties" encompass 554 acres along the Highway 87 corridor and extend the city limits down all three corridors from Interstate 70 into the City of Boonville and provide for economic opportunities in residential, commercial and recreational developments served by integrated and improved city services; and

WHEREAS, the Annexed Properties are currently served by and in the Cooper County Fire Protection District, a political subdivision, (hereinafter "District") taxing jurisdiction and service area for fire protection and emergency first responder services; and

WHEREAS, the District is currently servicing bond debt for capital and facility upgrades until 2018 utilizing the District tax from their designated jurisdiction, including the Annexed Properties; and

WHEREAS, the City has a statutory duty to provide normal municipal services, including fire protection and emergency first responder services, to the Annexed Properties. The City is not equipped with water tank capabilities which will continue to be required until adequate fire hydrants and water pressure are provided to this newly annexed area; and

WHEREAS, the parties have negotiated terms of this Agreement which will provide fire protection and emergency first responder services to the Annexed Properties in the most efficient and effective manner, meet the City's statutory duty to provide fire protection and emergency first responder services, maintain an income stream to allow the District to pay its outstanding bond debt and continue a successful working relationship for joint service delivery needs along this valuable development corridor.

NOW THEREFORE, the parties enter into this Agreement and the covenants contained herein in order to carry out their responsibilities:

III. Agreements

Section 1. In the event of a structure fire, the District and Boonville Fire Department will both be dispatched to respond by the Cooper County Emergency Management System to the Annexed Properties until such time as adequate fire hydrants are installed and water pressure in the lines supporting the fire hydrants are adequate to fight a structure fire with City equipment.

Section 2. In the event of all other fires and emergency first responder services, the Boonville Fire Department will be the primary service provider. If additional man power, services and/or equipment in the Annexed Property are determined to be necessary, the Boonville Fire Department will request mutual aid from the District.

Section 3. Based upon the assessed value of the Annexed Properties and in consideration for services of the District in fire protection services, the City will pay the District ten thousand (\$10,000.00) dollars per year for seven (7) years. This payment will be made during the month of January of each year, starting in January 2016.

Section 4. The property owners in the Annexed Properties will not be assessed the District Tax effective starting in the 2015 tax year. The property owners in the Annexed Property will be assessed the City property tax effective starting in the 2015 tax year.

Section 5. Each party shall notify the other of its adoption of this Intergovernmental Agreement.

Section 6. The effective date of this Intergovernmental Agreement shall be July 7, 2015 and will be subject to renewal at the end of seven years depending upon the service area needs and level of commercial, residential and recreational development which has occurred.

Section 7. The parties intend that this Intergovernmental Agreement 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. The agreement may be amended only in writing, executed by the authorized persons for each party, and only after adoption of said amendments by resolution of the governing body of each party.

Section 8. 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 9. 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 10. The parties warrant that they have taken the appropriate action to adopt this Intergovernmental Agreement and that the execution of the Intergovernmental Agreement represents proof that the authorization to enter into this Intergovernmental Agreement was made.

Executed this _____ day of _____, 2015

For the CITY OF BOONVILLE, MISSOURI

By: _____
Mayor

ATTEST:

(Seal) _____
City Clerk

Executed this _____ day of _____, 2015.

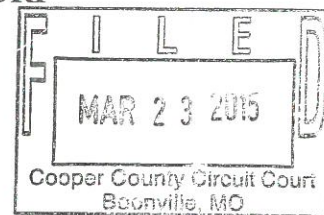
For the COOPER COUNTY FIRE PROTECTION DISTRICT

By: _____
Chairman

ATTEST:

(Seal) _____
Board Secretary

IN THE CIRCUIT COURT OF COOPER COUNTY, MISSOURI



City Of Boonville, Missouri,
A Municipal Corporation

Plaintiff.

v.

Ag Co-Op Services, Inc.

et al.

Defendants.

Case No. 14CO-CC00024

JUDGMENT

This matter came on for hearing before this Court on Monday, March 23, 2015 at 1:30 PM in the Circuit Court of Cooper County, Missouri. The Plaintiff appeared by its designated representative, Megan McGuire, and its legal counsel, Louis J. Leonatti. The Defendants failed to appear. Evidence was presented by the Plaintiff in the form of testimony under oath and exhibits.

After considering the testimony, the exhibits, and reviewing the Petition filed in this matter, the Court makes the following Findings and enters the following judgment:

Findings

1. The City of Boonville, Missouri is a Municipal Corporation organized and existing under the laws of the State of Missouri, located in Cooper County, Missouri.
2. The City of Boonville is organized as a Third-Class City with the Mayor-Council form of government.
3. The City has filed a Petition for a Declaratory Judgment pursuant to *Section 71.015 RSMo.* seeking authorization to annex into the City limits of the City of Boonville, Missouri the real estate described in Exhibit "A" which

is attached to this Judgment and incorporated by reference. This real estate is located in Cooper County, Missouri.

4. The real estate and area to be annexed complies with the statutory requirements of *Section 71.015.1 (1) RSMo.* because the length of the contiguous boundary common to the existing City limits and the proposed area to be annexed is at least fifteen percent (15%) of the length of the perimeter of the area proposed for annexation.
5. The individuals, corporations, limited liability companies, trusts, and estates named as Defendants in this lawsuit were properly served with a Summons and Petition. These Defendants assure adequate representation of all who may be sued or named as defendants in this Petition for Declaratory Judgment because they share a common question of law and fact effecting the rights of the Defendants. The joining of these entities and individuals as Defendants complies with *Section 507.070 RSMo.*
6. On July 15, 2013, the City Council for the City of Boonville passed a Resolution approving a plan to annex approximately 327 acres of land containing over 50 parcels along the Highway 87 "Corridor" and reviewed a Plan of Intent.
7. A public hearing was scheduled and held concerning the Plan of Intent on August 19, 2013 in the City Council Chambers in the City of Boonville. Notice of the Public Hearing was given by publication of an appropriate notice on July 25, 2013; August 1, 2013 and August 8, 2013 in the *Boonville Daily News* and on July 23, 2013, July 30, 2013 and August 6, 2013 in the *Cooper County Voice* which are newspapers of general publication and circulation within the City of Boonville, Missouri and Cooper County, Missouri. Letters were also mailed to the owners of property in the area proposed to be annexed and to owners within 185 feet of the real estate proposed to be annexed.

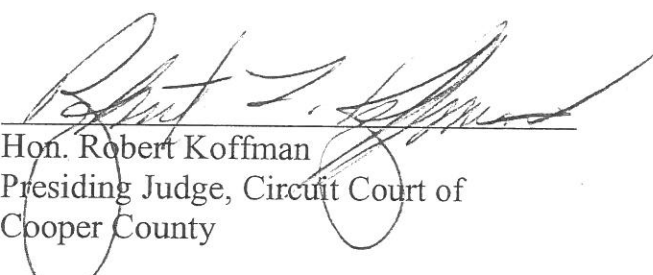
8. On August 19, 2013, the City Council for the City of Boonville met and held a public hearing concerning the Plan of Intent and received public comment. Based on the public comment, the area proposed for annexation was reduced from 327 acres to 243 acres.
9. On August 26, 2013 the City Council of the City of Boonville duly enacted Bill No. 2013-025, Ordinance Number 4324 extending the corporate limits and boundaries of the City of Boonville by annexing the property described in Exhibit A, approving and adopting the Plan of Intent, and ordering an election pursuant to *Section 71.015 RSMo.* The election was held on November 5, 2013, residents of the City voted in favor of the annexation, residents in the area proposed for annexation defeated the proposal.
10. On November 18, 2013, the City Council of the City of Boonville approved and passed into law Bill No. 2013-032, Ordinance No. 4332. This authorized the City Clerk to conduct a second election pursuant to *Section 71.015 RSMo.* and submitted to the voters of the city of Boonville and the residents located in Exhibit A the question of whether or not the annexation of the real estate described in Exhibit A should be approved.
11. On April 8, 2014 the municipal election was held in the City of Boonville and in the unincorporated area proposed to be annexed. The results of the election were 750 votes in favor of the annexation and 300 votes opposed to the annexation.
12. On April 15, 2014, the City Council for the City of Boonville duly enacted and passed into law Bill No. 2014-012, Ordinance Number 4345, accepting and certifying the results of the election held on April 8, 2014. This ordinance also approve the annexation of the Highway 87 Corridor described in Exhibit A.
13. The court further finds that:
 - a. The area described in Exhibit A satisfies the condition precedent set forth in *Section 71.01 5.1 (1) RSMo.*;

- b. That the proposed annexation is reasonable and necessary to the proper development of the City of Boonville, Missouri;
- c. That the City of Boonville has developed a Plan of Intent to provide services to the area proposed for annexation;
- d. That the City of Boonville is able to furnish the normal municipal services provided by the City of Boonville to the area described in Exhibit A within a reasonable time not to exceed three years after the annexation becomes effective.

Therefore, it is Ordered, Adjudged, and Decreed that the City of Boonville, Missouri is authorized to annex the real estate described in Exhibit A, the costs of this matter are taxed against the Plaintiff.

Dated: _____

3/23/15

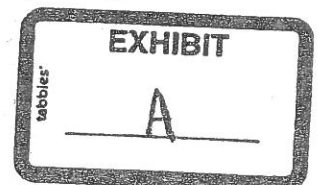


Hon. Robert Koffman
Presiding Judge, Circuit Court of
Cooper County

**Boundary Description of Proposed Land Annexation
to the City of Boonville, Cooper County, Missouri.**

All that part of Section 1, Township 48 North, Range 17 West, and all those parts of Sections 6, 7 and 8 of Township 48 North, Range 16 West, Cooper County, Missouri bounded as follows:

Commencing at the northwest corner of the Northeast Quarter of Section 1, Township 48 North, Range 17 West, City of Boonville, Cooper County, Missouri; thence south along the quarter section line for a distance of 33.5 chains, (2,211 feet), to the current southern City Limits of the City of Boonville per Ordinance #1872, and the point of "Beginning" for this annexation boundary description; thence east along said current city limits line, parallel with the north line of said Section 1 for 29 chains, (1,914 feet); thence north along said city limits line, parallel with the west line of said Northeast Quarter of Section 1, for approximately 1,100 feet to a point 284 feet north of the northern right-of-way line of Jefferson Road, (also known as Old Highway 98); thence departing said current city limits line southeasterly, parallel with said north line of Jefferson Road for approximately 930 feet to the east line of a tract conveyed to Thoma per Book 472, page 032*; thence south along said east line for a distance of 284 feet to the north line of said Jefferson Road; thence easterly along said northern right-of-way line for approximately 880 feet to the southwest corner of a tract conveyed to Tutin per Book 360, Page 747*; thence along the boundary of the last said tract on the following three courses, north for 271 feet to the northwest corner thereof; thence east for 225 feet to the northeast corner thereof; thence south for 271 feet to the southeast corner thereof at the north line of said Jefferson Road; thence easterly along the northern right-of-way line of said road for approximately 222 feet to the point where said northerly right-of-way line meets the northern right-of-way line of present Missouri Route 98 at SR Connection Station 3+25.94; thence easterly along said northern right-of-way line of Missouri Route 98 for approximately 680 feet to PT Station 8+31.6 / 60 feet left of centerline; thence southerly, directly across said right-of-way for 120 feet to PT Station 8+31.6 / 60 feet right of centerline; thence east along the south right-of-way of present Route 98 for approximately 800 feet to the westerly line of a tract conveyed to Smith per Book 323, Page 303*; thence along the boundary of the last said tract on the following courses, south for approximately 725 feet; thence easterly for approximately 1,422 feet to the southeast corner of the last said tract, also being a southern corner of a tract conveyed to Smith per Book 198, Page 237*; thence easterly, along the south boundary of the last said tract for a distance of approximately 273 feet to the southeast corner thereof on the east line of Section 6, Township 48 North, Range 16 West; thence south along said east line of Section 6 for approximately 1,920 feet to the northeast corner of a tract conveyed to Hage per Book 377, Page 332*, (said corner described in said deed as being north 430 feet, more or less, from the southeast corner of said Section 6); thence along the boundary of the last said tract on the following three courses, west for 750 feet, more or less, to the northwest corner thereof; thence southeast for 270 feet, more or less; thence west for 150 feet; thence south, directly across said tract for a distance of 190 feet, more or less, to a point on the south line of said tract, said point being 750 feet west from the southeast corner thereof, and said south line of the last said tract also being the south line of Section 6; thence east along said south line of Section 6 for 750 feet to the Section Corner common to Sections 5, 6, 7 and 8, Township 48 North, Range 16 West; thence east along the north line of said Section 8 for approximately 1,058 feet to the northeast corner of a tract of land conveyed to Four Bees Company per Book 155, Page 704*; thence southwesterly along the



eastern boundary of the last said tract for approximately 952 feet to the northwest corner of a tract to Schrader per Book 196, Page 038*; thence along the boundary of the last said tract to Schrader on the following courses, easterly for approximately 259 feet to the northeast corner thereof; thence southerly for approximately 464 feet to the southeast corner thereof on the northerly right-of-way line of the present Missouri Route 87, (said southeast corner located approximately at Station 149+02, and said right-of-way line also being the current limits of the Village of Windsor Place); thence northwesterly along said northerly right-of-way and city limits line for approximately 1152 feet to Station 137+50, (said Station being the northwestern end of the current limits of said Village of Windsor Place); thence crossing said right-of-way at a right angle to the centerline for a distance of 187 feet, more or less, to the southerly right-of-way line of said Route 87 at Station 137+50; thence northwesterly along said southerly right-of-way line of present Route 87 for approximately 4,780 feet to the northeast corner of a tract conveyed to Ag Co-op Services, Inc per Book 157, Page 492*, (said corner being located approximately at Station 89+90 of said Route 87); thence departing said southerly right-of-way, and now along the boundary of the last said tract on the following three courses, southeast for 624 feet, more or less, to the southeast corner thereof; thence west for 320 feet, more or less, to the southwest corner thereof; thence north for 449 feet, more or less, to the northwesterly corner thereof, also being the southwest corner of a tract to Potter per Book 326, Page 442*; thence north along the west line of the last said tract for approximately 50 feet to the southeast corner of a tract conveyed to Stone per Book 505, page 131*; thence west, along the south line of the last said tract for 527 feet, more or less, to the southwest corner thereof on the west line of Section 6, Township 48 North, Range 16 West, (said corner previously described as being 548.43 feet south from the southern right-of-way of Route 87); thence continuing west directly across a tract conveyed to Snapp per Book 344, Page 400, for a distance of 500 feet, more or less, to a point on the west line of the last said tract, said point being 243 feet north from the southwest corner thereof; thence north along the west line of the last said tract for approximately 280 feet to the south line of the Northeast Quarter of Section 1, Township 48 North, Range 17 West; thence west along said Quarter Section Line for approximately 2,200 feet to the southwest corner of the Northeast Quarter of said Section 1; thence west along the south line of the Northwest Quarter of said Section 1 for approximately 2,707 feet to the southwest corner of said Northwest Quarter; thence north along the west line of said Northwest Quarter for a distance of 3 feet, more or less, to the south line of the current City Limits of the City of Boonville per first-said Ordinance #1872; thence east along said current city limits line for approximately 2,709 feet to the point of "Beginning", containing 243 acres, more or less. (* = All "Book & Page" numbers pertain to the files of the Cooper County Recorder's Office.) See also the map titled "Southeast Corridor Annexation"

(End of Description)

Prepared by: MECO Engineering Co., Inc., August 22, 2013 / REK

10.01 Acres

41

UPDATED	ORG. DNG	CHECKED	APPROVED	DATE:
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SURVEYED

DRAWING NO.	PROJECT NO.	SHEET NO.
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	Boon
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Cooper County, MO

Exhibit "C"



Legend

Road

- <all other values>
- Interstate
- US Highway
- Numbered State Highway
- Lettered State Highway

Railroad

Parcel

Parcel Number/Acres

Corporate Limit Line

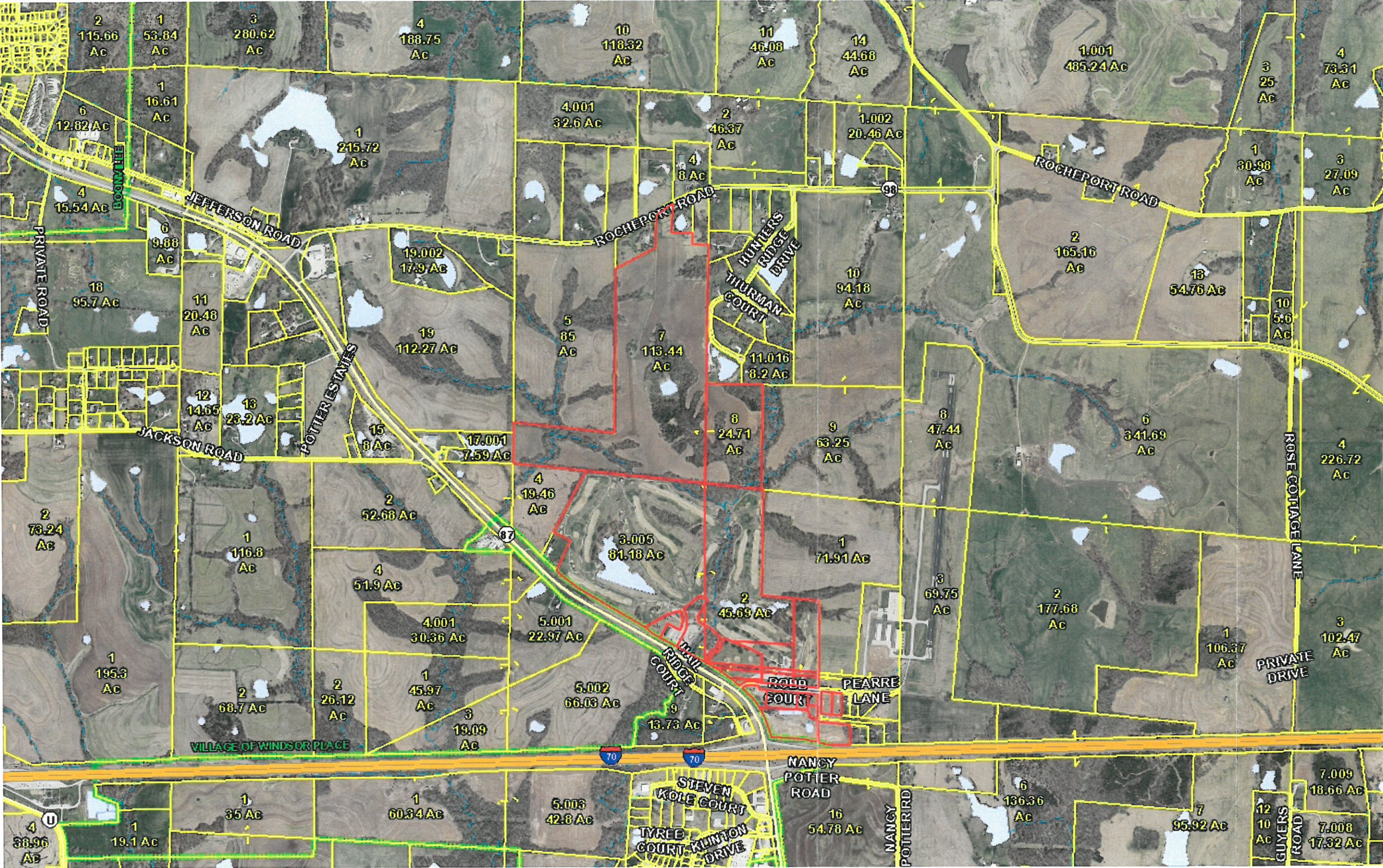
Land Hook

- DASHED LAND HOOK
- SOLID LAND HOOK

Stream

Water Boundary

County Boundary



2,655.8 0 1,327.92 2,655.8 Feet

NAD_1983_StatePlane_Missouri_Central_FIPS_2402_Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

1: 15,935

Notes



* 2 0 1 5 - 1 7 1 6 4 1 *

2015-1716

NANCY FISHER
RECORDER OF DEEDS
COOPER COUNTY MISSOURI
RECORDED ON
07/09/2015 04:04PM

REC FEE: \$169.00
PAGES: 41

BILL NO. 2015-016ORDINANCE NO. 4375

AN ORDINANCE OF THE CITY OF BOONVILLE, MISSOURI ANNEXING CERTAIN CONTIGUOUS TERRITORY AT THE NORTHEAST CORNER OF HIGHWAY 87 AND INTERSTATE 70, COMMONLY KNOWN AS HAIL RIDGE GOLF COURSE AND ARTHUR HENRY PROPERTIES, LLC, INTO THE CITY OF BOONVILLE, MISSOURI; PROVIDING AN EFFECTIVE DATE THEREFORE, AND REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

WHEREAS, the verified petition, herein attached as "ATTACHMENT A" and made a part hereof, signed by all the owners of the real estate hereinafter described and commonly referred to as Hail Ridge Golf Course and Arthur Henry Properties, LLC, Boonville, Cooper County, Missouri requesting annexation of said territory into the City of Boonville, Missouri was filed with the City Clerk on May 5, 2015; and

WHEREAS, the current petition describing 311 acres is requesting annexation into the City of Boonville pursuant to the Pre-Annexation Agreement executed on September 17, 2010 and following the successful annexation on April 24, 2015 of 243 acres along the Highway 87 corridor making this 311 acres contiguous to the current city boundaries ; and

WHEREAS, the Planning and Zoning Commission conducted a public hearing on June 9, 2015 and approved the zoning districts of R-A, R-1, R-2, R-3, C-1 and C-P as described in "ATTACHMENT A" incorporated hereto; and

WHEREAS, said real estate as hereinafter described is contiguous and compact to the present corporate limits of the City of Boonville, Missouri; and

WHEREAS, notice of said Public Hearings was given by publication of notice thereof, on May 22, 2015 in the Boonville Daily News, a daily newspaper of a general publication in Cooper County, State of Missouri; and

WHEREAS, presentation of the petition for voluntary annexation concerning said matters were held at the City Council Chambers Building in Boonville, Missouri on June 15, 2015 before the City Council with a public hearing; and

WHEREAS, at said Public Hearings, all interested persons, corporations, or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation and zoning; and

WHEREAS, no written objection to the proposed annexation was filed with the City Council of the City of Boonville, Missouri within fourteen days after the public hearings; and

WHEREAS, the City is able to furnish normal municipal services to said area within a reasonable time after annexation; and

WHEREAS, the City Council of the City of Boonville, Missouri, does find and determine that said annexation is reasonable and necessary to the proper development of the City of Boonville.

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

SECTION 1: Pursuant to the provisions of Section 71.012 RSMo as amended, the real estate described to wit in "ATTACHMENT A" attached hereto and made a part hereof, is hereby annexed into the City of Boonville, Missouri.

SECTION 2: The boundaries of the City of Boonville, Missouri are hereby altered so as to encompass the real estate described to wit in "ATTACHMENT A" lying contiguous and compact to the present corporate limits.

SECTION 3: The City Council of the City of Boonville, Missouri does approve and amend the zoning districts as described in "ATTACHMENT A".

SECTION 4: The City Clerk of the City of Boonville is hereby ordered to cause three certified copies of this ordinance to be filed with the Cooper County Clerk.

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

SECTION 6: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

FIRST READING: May 18, 2015

READ FOR THE SECOND TIME: June 15, 2015

READ FOR THE THIRD TIME AND PASSED THIS 6th DAY OF JULY, 2015, AFTER A COPY OF THIS ORDINANCE AND EXHIBITS REFERENCED HEREIN HAVE BEEN MADE AVAILABLE FOR PUBLIC INSPECTION FOLLOWING ITS FIRST AND SECOND READINGS AND PUBLIC HEARING ON THE ANNEXATION MATTERS WERE PROPERLY HELD.



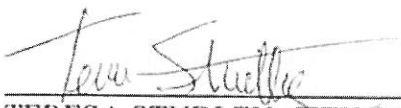
PRESIDENT OF THE COUNCIL

APPROVED THIS 6th DAY OF July 2015



JULIE THACHER, MAYOR

ATTEST:



TERESA STUDLEY, CITY CLERK

5:00 P.M.

Bid Price

46

8 July 2015

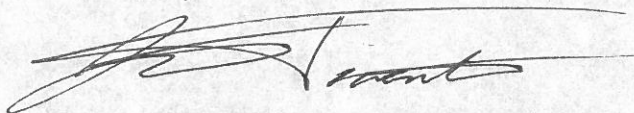
City of Boonville
401 Main Street
Boonville, MO 65233

TO: Whom It May Concern

The undersign submits a bid of \$3,800.00 (thirty-eight hundred dollars) for the property located at 724 Fourth Street, Boonville, MO. 65233 as offered by the City of Boonville. I understand that I will be responsible for partial taxes for the year of 2015 and obligated to no other taxes.

This offer will be terminated on ²³~~4~~ July 2015.

Sincerely:

A handwritten signature in black ink, appearing to read "J.D. Twenter", written over a horizontal line.

J.D. TWENTER
612 Poplar Street
Boonville, MO 65233
660.888.3705

Legal Ad

The City of Boonville will accept bids for the following described real property: being a part of Lots 5 and 6 of Block 1 of Jacob Wyans Addition to Boonville, Missouri (724 Fourth Street). Lot is 42.5'x187.5'. Sealed bids must be submitted to the City Clerk, Boonville City Hall, 401 Main Street, Boonville, MO 65233, no later than 5:00 p.m., Wednesday, July 8, 2015. This property is being offered with a recorded collector's deed for taxes. The City reserves the right to reject any or all bid and waive informalities. For further information, contact the City Administrator at 660-882-2332.

First insertion: June 26, 2015

Second insertion: June 29, 2015

Third and Final insertion: July 1, 2015

BILL NO. 2015-024

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BOONVILLE, MISSOURI APPROVING AND ACCEPTING OWNERSHIP OF THE UNION PACIFIC RAILROAD COMPANY SECOND STREET SPUR PROPERTY IN BOONVILLE, COOPER COUNTY, MISSOURI BY QUIT CLAIM DEED TO THE CITY OF BOONVILLE; PROVIDING AN EFFECTIVE DATE THEREFORE, AND REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

WHEREAS, Union Pacific Railroad Company is the current fee simple owner of the three pieces of land consisting of 3.286 acres, as described and shown in the Quit Claim Deed and attachments as Exhibit “A” attached herein and incorporated by reference, as a connector spur line between the former M-K-T and MO Pac rail lines; and

WHEREAS, this connector line has not been used since the M-K-T line was rail banked and this spur to the MO Pac line was placed out of service following the conversion of the rail corridor to the Missouri Katy Trail State Park for pedestrian and bicycle use in 1987; and

WHEREAS, the City of Boonville desires to improve the safety and keep City public areas clean and free from blight within the City limits; and

WHEREAS, there are several grant opportunities to fund the clean-up and cultural tourism amenities once the City takes ownership of the property; and

WHEREAS, the City of Boonville accepts the transfer of property from the Union Pacific Railroad Property with the intent to clean up the property and incorporate the three plus acres into the tourism hub and connection to the Frederick T. Kemper Park.

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

SECTION 1: That the City Council of Boonville hereby approves and accepts the transfer of this property from Union Pacific Railroad Company by Quit Claim Deed attached hereto and made a part hereof as “EXHIBIT A.”

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

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

FIRST READING: July 20, 2015

READ FOR THE SECOND TIME AND PASSED THIS 20th DAY OF JULY 2015 AFTER A COPY OF THIS ORDINANCE AND REFERENCED QUIT CLAIM DEED HAVE BEEN MADE AVAILABLE FOR PUBLIC INSPECTION PRIOR TO ITS FIRST READING.

PRESIDENT OF THE COUNCIL

APPROVED THIS 20th DAY OF JULY, 2015

JULIE THACHER, MAYOR

ATTEST:

TERESA STUDLEY, CITY CLERK

**RECORDING REQUESTED BY AND
WHEN RECORDED, RETURN TO:**

City of Boonville
401 Main Street
Boonville, Missouri 65233

Space Above Line for Recorder's Use Only

2918-13

QUITCLAIM DEED

This QUITCLAIM DEED is made on _____, 2015, by **UNION PACIFIC RAILROAD COMPANY**, a Delaware corporation (formerly known as Southern Pacific Transportation Company, a Delaware corporation, successor in interest through merger with Union Pacific Railroad Company, a Utah corporation, successor in interest through merger with Missouri Pacific Railroad Company, a Delaware corporation) ("Grantor"), whose address is 1400 Douglas Street, Mail Stop 1690, Omaha, Nebraska 68179, to **CITY OF BOONVILLE**, a Missouri municipal corporation ("Grantee"), whose address is 401 Main Street, Boonville, Missouri 65233.

Grantor, in consideration of the sum of Ten Dollars (\$10.00), and other valuable consideration to it duly paid, the receipt whereof is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM unto Grantee, its successors and assigns forever, all of Grantor's right, title, interest, estate, claim and demand, both at law and in equity, of, in, and to the real estate ("Property") situated in Boonville, Cooper County, State of Missouri, as more particularly described in **Exhibit A**, attached hereto and made a part hereof.

EXCEPTING from this quitclaim and RESERVING unto Grantor, its successors and assigns, forever, all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered underlying the Property, including without limiting the generality of the foregoing, oil and gas and rights thereto, together with the sole, exclusive and perpetual rights to explore for, remove and dispose of said minerals by any means or methods suitable to Grantor, its successors and assigns, but without entering upon or using the surface of the Property, and in such manner as not to damage the surface of the Property, or to interfere with the use thereof by Grantee, its successors and assigns.

The Property is quitclaimed by Grantor subject to the following covenant, condition

and restriction which Grantee, by the acceptance of this Quitclaim Deed, covenants for itself, its successors and assigns, faithfully to keep, observe and perform:

Restriction on Use. The Property must not be used for (i) residential, (ii) lodgings or accommodations (including, without limitation, hotels, motels, boarding houses, dormitories, hospitals, nursing homes, or retirement centers), or (iii) educational or child-care facilities (including, without limitation, schools, kindergartens or day-care centers).

The foregoing covenant, condition and restriction shall run with the Property, and a breach of the foregoing covenant, condition and restriction, or the continuance thereof, may, at the option of Grantor, its successors or assigns, be enjoined, abated or remedied by appropriate proceedings.

IN WITNESS WHEREOF, Grantor has caused this Quitclaim Deed to be duly executed on the date first written above.

Attest:

**UNION PACIFIC RAILROAD COMPANY,
a Delaware corporation**

B. J. Kubat
Assistant Secretary

By: _____
Tony K. Love
Assistant Vice President – Real Estate

(Seal)

STATE OF NEBRASKA)
) ss.

COUNTY OF DOUGLAS)

On _____, 2015, before me, Notary Public in and for said County and State, personally appeared Tony K. Love and B. J. Kubat, who are the Assistant Vice President – Real Estate and the Assistant Secretary, respectively, of UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, and who are personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to in the within instrument, and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public

(Seal)

CERTIFICATION OF NON-FOREIGN STATUS

Under Section 1445(e) of the Internal Revenue Code, a corporation, partnership, trust, or estate must withhold tax with respect to certain transfers of property if a holder of an interest in the entity is a foreign person. To inform the transferee, CITY OF BOONVILLE, that no withholding is required with respect to the transfer of a U.S. real property interest by UNION PACIFIC RAILROAD COMPANY, the undersigned hereby certifies the following on behalf of UNION PACIFIC RAILROAD COMPANY:

1. UNION PACIFIC RAILROAD COMPANY is not a foreign corporation, foreign partnership, foreign trust, or foreign estate (as those terms are defined in the Internal Revenue Code and Income Tax Regulations);
2. UNION PACIFIC RAILROAD COMPANY is not a disregarded entity as defined in Section 1.445.2(b)(2)(iii) of the Internal Revenue Code;
3. UNION PACIFIC RAILROAD COMPANY'S U.S. employer identification number is 94-6001323; and
4. UNION PACIFIC RAILROAD COMPANY'S office address is 1400 Douglas Street, Omaha, Nebraska 68179, and place of incorporation is Delaware.

UNION PACIFIC RAILROAD COMPANY agrees to inform the transferee if it becomes a foreign person at any time during the three year period immediately following the date of this notice.

UNION PACIFIC RAILROAD COMPANY understands that this certification may be disclosed to the Internal Revenue Service by the transferee and that any false statement contained herein could be punished by fine, imprisonment, or both.

Under penalties of perjury I declare that I have examined this Certification and to the best of my knowledge and belief it is true, correct and complete, and I further declare that I have authority to sign this document on behalf of UNION PACIFIC RAILROAD COMPANY.

**UNION PACIFIC RAILROAD COMPANY,
a Delaware corporation**

By: _____

Tony K. Love
Assistant Vice President – Real Estate

Date: _____



NOTE: BEFORE YOU BEGIN ANY WORK, SEE AGREEMENT FOR FIBER OPTIC PROVISIONS.
 EXHIBIT "A"
 UNION PACIFIC RAILROAD COMPANY
 BOONVILLE, COOPER COUNTY, MO
 OPP. M.P. 171 - RIVER SUB.
 TO ACCOMPANY AGREEMENT WITH
 CITY OF BOONVILLE, MO
 MP V-L-1-MO / S-L-1
 SCALE: 1" = 200'
 OFFICE OF REAL ESTATE
 OMAHA, NEBRASKA DATE: 5/19/2015
 JOB FILE: 2918-13

LEGEND:	
SALE AREA	
UPRRCO. R/W OUTLINED	
TOTAL SALE AREA: 3.286 ACRES	
CADD FILENAME	0291813.dgn
SCAN FILENAME	0291813_vg1.mxd.tif

Source: Esri, DigitalGlobe, GeoEye, AEX, Geomapping, Aerogrid, IGN

RECEIVED
 5/22/2015

DESCRIPTION: North Part

All that portion of the West part of Section 35, Township 49 North, Range 17 West, Cooper County, Missouri more particularly described as follows:

Beginning at the intersection of the Southerly line of Spring Street and the Westerly line Second Street in the City of Boonville, Missouri;

Thence along the Southerly line Spring Street $S76^{\circ}55'40''W$ 88.26 feet to the intersection with the center of Roupe's Branch;

Thence along the center of Roupe's Branch the following courses:

1. $S15^{\circ}24'22''E$ 59.72 feet;
2. $S20^{\circ}27'42''W$ 50.00 feet;
3. $S17^{\circ}09'27''E$ 68.38 feet;
4. $S03^{\circ}57'29''W$ 96.97 feet;
5. $S28^{\circ}57'00''E$ 151.80 feet to the intersection with the Northerly line of Adams Street (a.k.a. Chestnut Street);

Thence along said Northerly line, $N77^{\circ}03'22''E$ 90.62 feet to the intersection with the westerly line of Missouri Pacific Railroad Co. Right-of-Way said Right-of-Way being parallel to and 50 feet distant from the centerline of the Missouri Pacific Railroad Co. tracks;

Thence along said westerly line the following courses:

1. Along a non-tangent 428.34 foot radius curve to the right, a distance of 48.83 feet to the Point of Tangency (chord $S01^{\circ}55'12''W$ 48.81 feet);
2. $S05^{\circ}11'10''W$ 54.80 feet to the Point of Curvature of a 762.71 foot radius curve to the right;
3. Along said curve 505.42 feet to the intersection with the Northerly line of land conveyed to the Missouri Kansas and Texas Railway Company by deed recorded in Deed Book P2, Page 50 in the Cooper County Recorder's Office (chord $S24^{\circ}10'12''W$ 496.22 feet);

Thence leaving said West line and along the North lines of said conveyance the following courses:

1. $N84^{\circ}41'42''E$ 25.47 feet;
2. $S35^{\circ}18'18''E$ 23.46 feet to the intersection with a line that is parallel to and 10 feet Westerly from the centerline of Missouri Pacific Railroad Co. tracks;
3. Along a non-tangent 802.71 foot radius curve to the right a distance of 119.64 feet Point of Tangency (chord $S46^{\circ}23'55''W$ 119.53 feet);

Thence leaving said Line 10 feet Westerly of the centerline of the Missouri Pacific Railroad Co. track $S51^{\circ}18'18''E$ 31.66 feet to the easterly right of way;

Thence leaving said Easterly line and along the South and East lines of conveyance the following courses:

1. $S51^{\circ}18'18''E$ 69.56 feet;
2. $N42^{\circ}41'40''E$ 92.40 feet;
3. $N35^{\circ}18'18''W$ 63.61 feet to the intersection with the Right-of-Way line being 21 feet Easterly of Missouri Pacific Railroad Co. centerline;

Thence continuing along said Easterly Right-of-Way line the following courses:

1. Along a non-tangent 833.71 foot radius curve to the left a distance of 266.65 feet (chord $N33^{\circ}27'13''E$ 265.12 feet to a point being 21 feet Easterly from Missouri Pacific Railroad Co. centerline Station xx;
2. Along a radial line, $S65^{\circ}41'44''E$ 29.00 feet;
3. Along a non-tangent 862.71 foot radius curve to the left a distance of 125.52 feet (chord $N20^{\circ}08'11''E$ 125.41 feet to the intersection with the West Right-of-Way line of Second Street;

Thence along the West Right-of-Way line of Second Street N12°40'55"W 687.51 feet to the Point of Beginning.

The above described tract of land contains 2.19 acres more or less. Subject to easements and restrictions of record or not of record, if any.

This description was written in accordance with the MOPAC Railroad Alignment & Right of Way Survey/Exhibit. Prepared by Gene C. Bowen (Trabue, Hansen & Hinshaw Inc.) dated July 23, 2013 for the City of Boonville.



Steven R. Proctor
Professional Land Surveyor #2000148666



DESCRIPTION: South Part

All that portion of the West part of Section 35, Township 49 North, Range 17 West, Cooper County, Missouri more particularly described as follows:

Beginning at the intersection of the Southerly line of Spring Street and the Westerly line Second Street in the City of Boonville, Missouri;

Thence along the Southerly line Spring Street $S76^{\circ}55'40''W$ 88.26 feet to the intersection with the center of Roupe's Branch;

Thence along the center of Roupe's Branch the following courses:

1. $S15^{\circ}24'22''E$ 59.72 feet;
2. $S20^{\circ}27'42''W$ 50.00 feet;
3. $S17^{\circ}09'27''E$ 68.38 feet;
4. $S03^{\circ}57'29''W$ 96.97 feet;
5. $S28^{\circ}57'00''E$ 151.80 feet to the intersection with the Northerly line of Adams Street (a.k.a. Chestnut Street);

Thence along said Northerly line, $N77^{\circ}03'22''E$ 90.62 feet to the intersection with the westerly line of Missouri Pacific Railroad Co. Right-of-Way said Right-of-Way being parallel to and 50 feet distant from the centerline of the Missouri Pacific Railroad Co. tracks;

Thence along said westerly line the following courses:

1. Along a non-tangent 428.34 foot radius curve to the right, a distance of 48.83 feet to the Point of Tangency (chord $S01^{\circ}55'12''W$ 48.81 feet);
2. $S05^{\circ}11'10''W$ 54.80 feet to the Point of Curvature of a 762.71 foot radius curve to the right;
3. Along said curve 505.42 feet to the intersection with the Northerly line of land conveyed to the Missouri Kansas and Texas Railway Company by deed recorded in Deed Book P2, Page 50 in the Cooper County Recorder's Office (chord $S24^{\circ}10'12''W$ 496.22 feet);

Thence leaving said West line and along the North lines of said conveyance the following courses:

1. $N84^{\circ}41'42''E$ 25.47 feet;
2. $S35^{\circ}18'18''E$ 23.46 feet to the intersection with a line that is parallel to and 10 feet Westerly from the centerline of Missouri Pacific Railroad Co. tracks;

Thence leaving said conveyance and along a line being 10 feet Westerly of the centerline of the Missouri Pacific Railroad Co. track the following courses:

1. along a non-tangent 802.71 foot radius curve to the right a distance of 280.35 feet to its Point of Tangency 10 feet Westerly of centerline Station 39+26.7 (chord $S52^{\circ}08'01''W$ 278.93 feet);
2. $S62^{\circ}07'10''W$ 313.32 feet to the Point of Curvature of a 1442.67 foot radius curve to the left 10 feet Westerly of centerline Station 42+46.0 Back = 41+58.5 Ahead;
3. Along said 1442.67 foot radius curve to the left 141.54 feet (chord $S59^{\circ}18'30''W$ 141.48 feet) to the True Point of Beginnings;

Thence continuing along said curve 260.99 feet (chord $S51^{\circ}18'55''W$ 260.63 feet) to its Point of Tangency 10 feet Westerly of centerline Station 45+58.2 Back = 45+68.5 Ahead;

Thence along said line $S46^{\circ}07'59''W$ 165.37 feet;

Thence leaving said line $S00^{\circ}39'15''W$ 51.89 feet to a point being 27 feet Easterly from Missouri Pacific Railroad Co. centerline Station 47+71.1;

Thence $S00^{\circ}39'15''W$ 8.42 feet to a point being 33 feet Easterly from Missouri Pacific Railroad Co. centerline Station 47+76.2;

Thence N46°08'00"E 207.66 feet to Point of Curvature of a 1399.67 foot radius curve to the right said being 33 feet Easterly from Missouri Pacific Railroad Co. centerline Station 45+68.5 Back = 45+58.2 Ahead;

Thence along said 1399.67 foot radius curve to the right 314.93 feet (chord N52°34'45"E 314.27 feet) to the intersection with the East-West Quarter Section line said point being 33 feet Easterly of Missouri Pacific Railroad Co. centerline Station 40+62.2;

Thence along said East-West Quarter Section line, N87°47'10"W 21.71 feet to a point being 21 feet Easterly of from Missouri Pacific Railroad Co. centerline Station 40+81.1;

Thence along said East-West Quarter Section line, N87°47'10"W 54.28 feet to the True Point of Beginning.

The above described tract of land contains 0.51 acres more or less. Subject to easements and restrictions of record or not of record, if any.

This description was written in accordance with the MOPAC Railroad Alignment & Right of Way Survey/Exhibit. Prepared by Gene C. Bowen (Trabue, Hansen & Hinshaw Inc.) dated July 23, 2013 for the City of Boonville.



Steven R. Proctor
Professional Land Surveyor #2000148666



RESOLUTION NO. R2015-11

A RESOLUTION OF THE CITY OF BOONVILLE, MISSOURI, AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN BOONE CONSTRUCTION COMPANY AND THE CITY OF BOONVILLE, MISSOURI PERTAINING TO STP PROJECT 1300(506), KATY BRIDGE REHABILITATION PHASE 1; AND PROVIDING AN EFFECTIVE DATE THEREFORE

WHEREAS, the City of Boonville has solicited and received bids for this project and determined that **Boone Construction Company** represents the best bid pursuant to the purchasing code set forth in Section 2-20 of the City of Boonville Code of Ordinances;

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

SECTION 1: That a certain Agreement between **Boone Construction Company** and the City of Boonville, Missouri relating to the **STP Project 1300(506) Katy Bridge Rehabilitation, Phase 1**, a copy of which is marked "Exhibit A" is attached hereto and made a part hereof, is hereby approved.

SECTION 2: That the City Administrator and the City Clerk are hereby authorized to execute and attest said agreement 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 20th day of July 2015, by the City Council of Boonville, Missouri

Julie Thacher, Mayor

ATTEST:

Teresa Studley, City Clerk

Boonville, MO STP 1300 (606)
Katy Bridge Conversion, Phase 1

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	Engineer's Estimate		Boone		APAC		Widell	
				UNIT PRICE (\$)	COST (\$)	UNIT PRICE (\$)	COST (\$)	UNIT PRICE (\$)	COST (\$)	UNIT PRICE (\$)	COST (\$)
TRAIL ITEMS											
201-30.00	CLEARING AND GRUBBING	ACRE	0.2	5,000.00	1,000.00	20,000	4,000.00	15,000	3,000.00	6,000	12,000.00
202-20.10	REMOVAL OF IMPROVEMENTS	LS	1	7,500.00	7,500.00	5,000	5,000.00	1,500	1,500.00	6,100	6,100.00
203-10.00	CLASS A EXCAVATION	CY	117	10.00	1,170.00	29	3,393.00	22	2,574.00	50	5850.00
203-55.00	EMBANKMENT IN PLACE	CY	11	11.00	121.00	140	1,540.00	40	440.00	60	660.00
203-60.00	COMPACTING EMBANKMENT	CY	117	2.50	292.50	28	327.60	5	585.00	30	3510.00
203-70.75	COMPACTING IN CUT	STA	1.0	450.00	450.00	3300	3,300.00	360	360.00	1200	1200.00
304-05.04	4" TYPE 5 AGGREGATE	SY	267	6.00	1,602.00	5	1,335.00	12	3,204.00	9	2,403.00
502-11.06	6" CONCRETE	SY	267	55.00	14,685.00	71	18,957.00	55	14,685.00	52.5	14,017.50
607-10.11A	48" CHAIN LINK FENCE	LF	156	25.00	3,900.00	16	2,496.00	48	7,488.00	46	7,176.00
611-30.20	FURNISHING TYPE 2 ROCK BLANKET	CY	169	33.00	5,577.00	30	5,070.00	33	5,577.00	38.57	6,518.33
611-30.40	PLACING TYPE 2 ROCK BLANKET	CY	169	15.50	2,619.50	20.25	3,422.25	9	1,521.00	18	3,042.00
617-39.02	BOLLARD	EA	1	250.00	250.00	900	900.00	1300	1,300.00	415	415.00
MOBILIZATION											
618-10.00		LS	1	82,500.00	82,500.00	65000	65,000.00	104000	104,000.00	180000	180,000.00
624-10.03A	PERMANENT EROSION CONTROL GEOTEXTILE	SY	254	3.00	762.00	3	762.00	2.5	635.00	3.75	952.50
627-40.00	CONTRACTOR FURNISHED SURVEYING	LS	1	7,305.45	7,305.45	3000	3,000.00	2500	2,500.00	12000	12,000.00
720-10.00	MECHANICALLY STABILIZED EARTH WALL SYSTEMS	SF	963	42.50	40,927.50	65	62,595.00	30	28,950.00	35	33,705.00
805-10.00A	SEEDING COOL SEASON MIXTURE	ACRE	0.2	1,750.00	350.00	8000	16,000.00	5000	10,000.00	7500	15,000.00
806-10.18	SEDIMENT REMOVAL	CY	4	25.00	100.00	69	276.00	65	260.00	30	120.00
806-10.19	SILT FENCE	LF	390	2.25	877.50	3	1,170.00	3	1,170.00	2.6	1,014.00
BRIDGE ITEMS											
215-35.02	PARTIAL REMOVAL OF SUBSTRUCTURE CONCRETE	LS	1	2,190.00	2,190.00	15000	15,000.00	4000	4,000.00	4500	4,500.00
216-99.03	REMOVAL OF RAILROAD TIES	LF	250	10.00	2,500.00	65	16,250.00	50	12,500.00	67	16,750.00
607-99.03	PEDESTRIAN RAILING	LF	478	125.00	59,750.00	144	6,832.00	160	7,840.00	146	6,978.00
703-20.03	CLASS B CONCRETE (SUBSTRUCTURE)	CY	22.9	800.00	18,320.00	1050	20,405.00	900	20,610.00	725	16,602.50
703-99.05	PRECAST DECK PANELS	SY	356	250.00	89,000.00	295	105,020.00	365	129,940.00	305	108,580.00
703-99.05	PREFABRICATED TRUSS CONCRETE BRIDGE DECK	SY	95	133.00	12,635.00	280	27,560.00	200	19,000.00	268	25,460.00
706-10.60	REINFORCING STEEL (BRIDGES)	LB	1840	1.33	2,447.20	2	368.00	1.7	3,128.00	1.48	2,723.20
712-11.22	FABRICATED STRUCTURAL LOW ALLOY STEEL (I-BEAM)	LB	15430	5.00	77,150.00	5.6	86,408.00	7	108,010.00	9.2	141,956.00
712-11.00	FABRICATED STRUCTURAL LOW ALLOY STEEL (PLATE)	LB	2340	5.00	11,700.00	12	26,880.00	12	28,080.00	14.25	33,345.00
712-52.01	SURFACE PREPARATION FOR OVERCOATING	SF	3900	4.00	15,600.00	11	42,900.00	11.5	44,850.00	10	39,000.00
STRUCTURAL STEEL											
55	CALCIUM SULFONATE PRIMER	SF	3900	2.50	9,750.00	5	19,500.00	5	19,500.00	5	19,500.00
712-59.21	CALCIUM SULFONATE TOP COAT	SF	3900	2.50	9,750.00	5	19,500.00	5	19,500.00	5	19,500.00
718.99-01	PREFABRICATED TRUSS	LS	1	105,000.00	105,000.00	70000	7,000.00	75000	7,500.00	102000	102,000.00
				\$ 6,053,304.65		\$ 7,743,927.25		\$ 8,244,450.00		\$ 9,904,988.03	

HDR has reviewed the bids and recommends awarding the contract to Boone Construction.


Kevin C. Krieger P.E.
Project Manager

Mayor/Council – I provided this memo to the Katy Bridge Coalition last week. It outlines the financing of the project as it now stands.

Irl

Katy Bridge Phase 1 Financing

These figures are for the remaining project costs from 7-1-15 onward. Previously paid bills or monies received are not included or relevant.

Remaining Expenses:

Engineering	\$37,987.00
Construction Bid	\$713,844.25
Pole Relocation (Ameren/UP)	<u>\$7000.00</u>
TOTAL	\$758,831.25

Sources of Funds:

Remaining Grant	\$356,593.69
Tax Credits (Assumption fully sold)	<u>\$124,000.00</u>
TOTAL	\$480,593.69

Shortfall/ Gap ***=(278,237.56)***

This gap was always intended to be filled by the Katy Bridge Coalition and the Katy Bridge Redevelopment Fund created by the City.

A split yields a \$139,118.78 respective share. For planning purposes, we should assume some amount of cost increases as the construction progresses. I would start with an allowance of \$20,000 from each group.

The amount to plan for and proceed with (at this time) is then \$160,000 from each group.

This amount has increased over the life of the project as estimates have increased. The first amount was \$60K each, then \$100K and now \$160K.

Counting past expenditures (some of which the Coalition paid for) the present project total is \$911,831. This is without any additional cost increases which are almost a certainty.

I have attached a page from an early conversion study completed by Hardesty and Hanover which shows an estimate of \$3.2M for the entire project. It is at least 50% underestimated based on current information. It is anticipated that the contributions will be needed later this year (2015)

Teresa Studley

From: Teresa Studley <teresa.studley@boonville-mo.org>
Sent: Thursday, July 9, 2015 11:01 AM
To: Bob Bosma; Dave Day; Dick Casanova; Edward Lang; Irl Tessendorf; Julie Thacher; Kate Fjell; M.L.--work; Matt Billings--Home; MECO-Scott Vogler; Megan McGuire--Boonville address; Steve Hage; Steve Young; Ted Bleil; Tom Maxwell
Subject: July 14, 2015 Planning and Zoning Meeting
Follow Up Flag: Flag for follow up

Good Morning,

The Planning and Zoning Meeting has been cancelled on July 14, 2015, due to lack of Agenda Items.

Thank you,

Teresa M. Studley

Teresa M. Studley
City Clerk
City of Boonville
401 Main Street
Boonville MO 65233
(660)882-2332
teresa.studley@boonville-mo.org

Make It A GREAT DAY!!

Teresa Studley

Historic Preservation
Meeting

From: Kate Fjell <kate.fjell@boonville-mo.org>
Sent: Thursday, July 9, 2015 11:05 AM
To: Edward Lang; Jim Wilson; Kate Johnson; Lesley Oswald; 'Paula Shannon'; Sherry Broyles; Susan Meadows; Tamara Inge
Cc: teresa.studley@boonville-mo.org
Subject: Meeting Cancelled for Monday, July 13

Follow Up Flag: Flag for follow up

Good morning everyone-

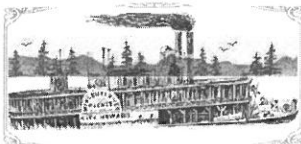
I am going to cancel our meeting scheduled for Monday, July 13th for lack of agenda items. Our next meeting will be on Monday, August 10th at 6PM.

Thanks!

Kate

Assistant to City Administrator
660-882-4003
401 Main Street
Boonville, MO 65233

We've moved! Please note our new address



HOUSING AUTHORITY of the City of Boonville

506 Powell Ct. Office: 660-882-7332
Boonville, MO 65233-1521 Fax: 660-882-6811



MINUTES OF THE REGULAR MEETING OF THE HOUSING AUTHORITY OF THE CITY OF BOONVILLE, MO HELD ON JULY 8, 2015

**On the 8th day of July, 2015 at 12:00 P.M. the Housing Authority Commissioners met in the
Community Room at 506 Powell Court, Boonville, MO.**

ROLL CALL

A roll call of the following members were present:

PRESENT:	Mark Livingston	City Council Rep.
	John Linville	Chairperson
	Marilyn Adkins	Vice-Chairperson
	Charles Green	Commissioner
	Albert Turner	Commissioner
	Don Smith	Commissioner
	Robert Rorah	Secretary / Executive Director

ABSENT: None

GUESTS: Nancy Drew, Scott Purvis

**There being a quorum present Chairperson, John Linville called the meeting to
order and the following business was transacted:**

READING AND APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

**Chairperson, John Linville asked if all Commissioners had read the minutes of the previous
meeting June 10, 2015 and then asked if there were any corrections to be made.
Commissioner, Charles Green made the motion to approve the minutes as written. Vice
Chairperson, Marilyn Adkins seconds the motion. Chairperson, John Linville asked all
Commissioners present in favor to vote "AYE". All Commissioners present voted "AYE" -
None Opposed. Chairperson, John Linville then declared the minutes as written to be
approved.**

BILLS AND COMMUNICATION

UMB BANK BALANCE & BILLS PAID IN JUNE, 2015 -- BHA BANK RECONCILIATION STATEMENT AND OPERATING BUDGET TRIAL BALANCE AS OF MAY 31, 2015.

Secretary, Robert Rorah distributed copies of the UMB Bank balance as of July 8, 2015 to all Commissioners present reflecting \$63,691.96 in available funds. Mr. Rorah then distributed a report of the bills paid in June, 2015 to all Commissioners present for discussion and review. Mr. Rorah then distributed to all Commissioners present for discussion and review the BHA Bank Reconciliation Statement, Operating Budget Trial Balances and Board Summary Report from May 31, 2015.

All Commissioners present discussed and agreed monitoring of the BHA Banking accounts receivables and payables are a priority.

REPORT OF THE SECRETARY

REPORT ON "PIC" RATING FROM HUD

Secretary, Robert Rorah reported the St. Louis Office of Public Housing monitors on a monthly basis each housing agency's computer reporting rate to HUD. Mr. Rorah then reported the Housing Authority's (PIC) "Public and Indian Housing Information Center" electronic data reporting score for month ending June 30, 2015 was 100%. Mr. Rorah also reported HUD may impose funding sanctions with Housing Authorities whose (PIC) score falls below 95% at fiscal year-end. BHA's fiscal year end is June 30, 2015 and the Boonville Housing Authority (PIC) Score was 100%.

All Commissioners present discussed and agreed the Housing Authority needs to maintain a high electronic computer reporting level to HUD.

JUNE, 2015 PROJECT PERFORMANCE REPORTS

Secretary, Robert Rorah distributed copies of the June 30, 2015 Project Performance Reports to all Commissioners present for discussion and review. Boonville Housing Authority had a total of fifty (50) occupied units or 100% occupancy on June 30, 2015. Mr. Rorah also reported HUD may impose funding sanctions with Housing Authorities whose occupancy levels fall below 95% at fiscal year-end. BHA's fiscal year end is June 30, 2015 and our occupancy level was 100%.

All Commissioners present discussed and agreed the dwelling units need to be fully occupied as Operating Subsidies are based on percent of occupancy.

UNFINISHED BUSINESS

FYE JUNE 30, 2015 – FINANCIAL STATEMENTS

Secretary, Robert Rorah reported the Fiscal Year End June 30, 2015 Financial Statements are being prepared for submission to HUD by August 31, 2015. As a result, Secretary, Robert Rorah reported there is one account totaling \$12.51 that needs to be cleared off the rental register as the tenant moved out on June 3, 2015 and has no intention to pay the remaining debt. Mr. Rorah then recommended the Board of Commissioners approve write off of tenants accounts receivable Resolution No. 521 for the amount of \$12.51.

All Commissioners present discussed and agreed Resolution No. 521 should be approved. Chairperson, John Linville made the motion to approve Resolution No. 521. Commissioner, Don Smith seconds the motion. Chairperson, John Linville asked all Commissioners present in favor to vote “AYE”. All Commissioners present voted “AYE” - None Opposed. Chairperson, John Linville then declared Resolution No. 521 Tenant Accounts Receivable Writ-Off approved. All Commissioners present discussed and agreed the Ban and Bar “No Trespass” policy is good for the Housing Authority.

NEW BUSINESS

BAN & BAR “NO TRESPASS” POLICY

Executive Director reported there have been six additional persons this month who have been placed on the “No Trespass” for being reported as unauthorized residents at the Housing Authority. Mr. Rorah then reviewed the policy with all Commissioners present including the Board Resolution #447 including persons having been evicted from Boonville Housing Authority or who have had their lease terminated by Boonville Housing Authority.

Chairperson, Don Smith reported the “Ban and Bar” policy was created back in 2005 and he was an iatrical part of the policy’s implementation that included the Boonville Police Department, the Prosecuting Attorney’s office, the Board of Commissioners along with guidance from HUD. Mr. Smith also reported the policy remains an effective tool for trespassers at the Housing Authority.

PARKING ON WINN DRIVE

Executive Director, Robert Rorah reported tenants are assigned one parking space per dwelling unit on Winn Drive. Mr. Rorah also reported there is plenty of parking space for guests to park on the north side of Winn Drive without parking in a tenant assigned parking space. There has been a resident request for three additional parking spaces to be added to the south side of Winn Drive. Mr. Rorah then reported the cost for constructing three additional parking spaces and sidewalks would be around \$10,000. Furthermore, Mr. Rorah he has discussed the issue with other residents in the surrounding area who say they believe they have adequate parking for themselves and their guests.

All Commissioners discussed and agreed there already appears to be adequate parking spaces available for residents and guests on Winn Drive and that spending an additional \$10,000 for three more parking spaces at this time, would not be a wise use of taxpayer dollars.

MAINTENANCE SERVICE CALLS AFTER HOURS

Secretary, Robert Rorah distributed an emergency maintenance repair report along with an invoice from Dye Heating & Cooling for an after-hours service call in the amount of \$130.00 to all Commissioners present for discussion and review. A resident called Maintenance Supervisor, Scotty Purvis for an emergency repair on Saturday, June 20, 2015 at around 1:00 PM. Maintenance Supervisor, Scotty Purvis was in St. Louis and Executive Director, Robert Rorah was in Tipton. As a result, Mr. Purvis scheduled the emergency repair with Dye Heating & Cooling (the resident was informed the serviceman was on his way and would be there within the hour). Then the resident left the dwelling unit to go grocery shopping. As a result, the Dye Heating & Cooling repairman was unable to enter the dwelling unit to make the necessary repairs because no one was home to let him in the dwelling unit.

All Commissioners present discussed and agreed when a resident calls for an emergency repair on a weekend, and he then leaves the dwelling unit resulting in a wasted service call, the resident should then be responsible for paying the invoice from Dye Heating & Cooling in the amount of \$130.00.

MISCELLANEOUS

Commissioner, Albert Turner made motion to prepare a one page "Back Up Plan" to be used in the event of a catastrophic incident, i.e., death or inability of existing Executive Director continuing job. Chairperson, John Linville second the motion. Chairperson, John Linville then asked all Commissioners present in favor to vote "AYE". All Commissioners present voted "AYE" and Chairperson, John Linville declared the "Back Up Plan" motion approved.

ADJOURNMENT

Chairperson, John Linville asked if there was any further business to come before the Board. Hearing none, Chairperson, John Linville declared the meeting adjourn.

CHAIRPERSON _____ Date _____

SECRETARY _____ Date _____

DATE: July 16, 2015

TO: Irl Tessendorf, City Administrator
Julie Thacher, Mayor and President of City 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 property has been inspected and found to be a public nuisance and dangerous building according to the definitions and codes of the City:

1101 Rural

Parcel #057025003005004000

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 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 Monday, August 17, 2015, at 6:15 p.m.

Respectfully,



Steve Hage
Building Inspector

Dr. Jim Gann

Director of Economic Development

City of Boonville, Missouri

401 Main Street

Boonville, MO 65233

660/882-4001-www.boonvillemo.org



A collaboration between the City of Boonville, County of Cooper and the University of Missouri

Economic Development Report

July 16, 2015

1. Follow up Items

a. Strategic Planning – Work Continues – Committee Met on 6/11

i. More development work on: (On Hold at the Moment – See Below)

1. Opportunity Intake Process
2. Deal Structuring Flowchart
3. Incentive Decision Matrix

ii. Discussion of Establishment of an Enhanced Enterprise Zone (EEZ)

1. Brief history of EEZ, Generally and Locally

- a. Resolution R2012-01 (Handout)
- b. IDA Minutes of 8/9/12 (Handout)
- c. IDA Minutes of 10/18/12 (Handout)
- d. Proposed Benefit Levels (Handout)

2. Recent Experience – State, Lakeside with Locators, Eligible Lands (Handout of 2 runs – consideration of “Option 1”)

3. Process (Handout – See Information Booklet)

4. Other Communities Experience for background:

- a. Centralia Ordinance (Handout – See Information Booklet)
- b. Springfield Information Sheet (Handout – See Information Booklet)
- c. Excelsior Springs Coverage (Handout – See Information Booklet)
- d. Columbia Coverage (Handout – See Information Booklet)
- e. Sedalia Overview Presentation (Handout – See Information Booklet)

iii. Discussion of Bond Issuance as an incentive

1. Do we want to define the conditions we would consider Industrial Revenue Bonds? (Handout – See Information Booklet)

- a. Chapter 100
- b. Chapter 353

2. Attraction Activities

a. Missouri Partnership Projects:

- i. NEW Project Clean – Responded with Nordyne Facilities (Handout)
- ii. Project House – Responded to second round of questions – No Activity
- iii. Project Bavarian Barn – No Activity

b. Missouri Partnership Inquiries:

- i. CORE Memo (Handout)

c. Locally Generated – Inquiry and Site Visit to Nordyne Distribution

- i. Hosted by Teddy Reed of Binswanger Realty (6/24)
- ii. May have zoning questions to be resolved should it move forward

d. CORE Generated – Inquiry and meeting with Tier II Automotive manufacturer

e. Status of real estate ownership for ED purposes by the MFA

- i. Megan continues to review

3. Expansion Activities

a. No Report

4. **Economic Gardening Activities**
 - a. **Energy Americas LLC**
 - i. Wilbert for update
 - ii. Work on multiple USDA Grant Submissions
 - b. Met with 1 potentially new downtown businesses since last report
5. **Community Engagement Initiatives**
 - a. No Report
6. **Workforce Development**
 - a. Extension Granted on "Certified Work Ready Community" Designation (Handout)
 - i. Improvement from 17% when I started – Now 70% (Handout)
 - ii. Nordyne workers may not yet be showing up in data
 - iii. Reaching out to Chamber for help in recruitment of businesses
 - iv. May consider advertising for test takers
7. **Project Reports**
 - a. **"Project Carbon" – Advanced manufacturing of agricultural supplements**
 - i. No Activity
 - b. **"Project Corn" – Alternative energy project to serve military needs**
 - i. No Activity
 - c. **"Project Bed" – Quasi-governmental service provider – green fields project**
 - i. Mayor is in the process of appointing a committee of advisors.
 - d. **"Project Sapphire" – Manufacturer - Supplier to Project Egg**
 - i. No Activity
8. **Kemper Campus**
 - a. "Notice to Proceed" received from EDA
9. **Other Matters**
 - a. MTC awards grants to KC for LaunchCode (Handout)
 - b. EB-5 Reauthorization (Handout)
10. **Upcoming Activities**
 - a. CORE board meeting – July 30
 - b. Late Fall – CORE Summit

Gann, Jim

From: Joel McNutt <joel@missouricore.com>
Sent: Thursday, July 09, 2015 6:03 PM
To: Gann, Jim
Subject: Re: Project Clean ID#3661 - Flyer Requested by Noon Tomorrow

Thanks Jim. I appreciate the quick response.

Sent from my Sprint phone.

----- Reply message -----

From: "Gann, Jim" <gannj@missouri.edu>
To: "Joel McNutt" <joel@missouricore.com>
Subject: Project Clean ID#3661 - Flyer Requested by Noon Tomorrow
Date: Thu, Jul 9, 2015 5:07 PM

Joel,

See attached.

Jim

From: Missouri Partnership [mailto:realestate@missouripartnership.com]
Sent: Thursday, July 09, 2015 3:57 PM
To: Deborah Price
Cc: Cara Weber; Missouri Partnership; Steve Johnson; Subash Alias; Dennis Pruitt; Clint O'Neal
Subject: Project Clean ID#3661 - Flyer Requested by Noon Tomorrow

Good afternoon, Partners!

We have a new, fast-moving project that Deborah Price is leading for our team. We've named it Project Clean. Deborah is working directly with the company to find a building that fits the company's needs. The company manufactures medical grade wet wipes. The capital investment is \$15 million (excluding purchase/lease of property), and the job creation is estimated at 150. Wages have not been determined, as they will depend on the average wage of the location chosen and will be in the top 1/3 of wages. The company prefers a location in the eastern and/or southern area of the state. This is due to logistics.

At this point, we are **only requesting a flyer from you**. We are not classifying this as an active project at the moment. But, if the company receives an option that suits its needs, it will quickly become an active project and move fast thereafter. The company plans to identify its top site and begin negotiations by the end of August 2015. Please review the requirements below, and if you have a suitable real estate option, please send a flyer to realestate@missouripartnership.com with a copy to deborah@missouripartnership.com **by noon tomorrow (Friday, July 10)**. We are aware this is a fast turnaround, and we truly appreciate your help with this project.

The building requirements are as follows:

- Minimum 250,000 sf (would prefer 500,000 sf or more, but willing to look at smaller options IF there is adjacent acreage to allow expansion)
- 20' ceiling minimum

- Rail served or nearby preferred
- Willing to purchase at competitive price. Prefer to lease with an option to purchase (highly prefer to lease from a local government or ED organization)
- The company stores drums of alcohol, so it needs to locate in an area away from residential with neighbors who are accommodating

If you have any questions at all, please give us a call at 314-725-0949.

Thank you,

Janelle Higgins

Business Recruitment Manager, Missouri Partnership
120 South Central Avenue, Suite 1535, St. Louis, MO 63105

phone 314.725.0949 | **cell** 314.541.4911

[website](#) • [twitter](#) • [facebook](#)



Gann, Jim

From: Joel McNutt <joel@missouricore.com>
Sent: Friday, June 26, 2015 10:46 AM
To: Gann, Jim
Subject: Need Information

Jim,

I am working with Subash. He has got a client that has specifically asked for site/building information to locate a 200KSqft distribution center in the CORE region. The client (Subash does not know who they are) is looking at existing buildings in the CORE region with a ceiling height of at least 24'ft. Your two Nordyne buildings fit the bill the best. Subash is putting together a list of available buildings and sites for the project. I was wondering if you could send my informational flyers for the two Nordyne properties. I will submit those to Subash for the project. I thought that I had them, but cannot find them for some reason.

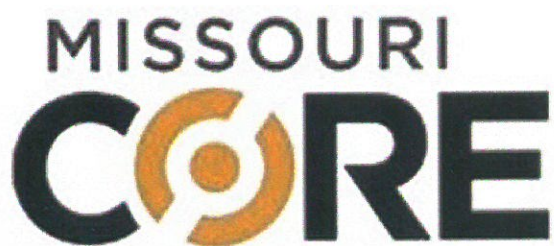
I got your VM. Glad to hear that you guys are going to move forward on the EEZ and I know that you are in a meeting all morning. If you could get that requested info sometime this afternoon that would be great.

Thanks,

Joel

Joel McNutt

Director
Missouri CORE
Ph: 573-638-3593
Cell: 573-230-4080
E-mail: Joel@MissouriCore.com
www.MissouriCore.com



DRAFT 0.1

ACT Work Ready Communities – County Goal Completion Date Extension – State

To be completed by WRC State Leadership Team Leader

ACT offers the opportunity for a county in a participating state to apply for an extension of its ACT Work Ready Communities Common Criteria goals due date, as tracked on the ACT Work Ready Communities website [www.workreadycommunities.org]. Please supply the information requested below to outline obstacles that may have caused the county not to meet all the criteria, and an action plan for a six month ☒ or twelve month ☐ extension. Only counties who are at less than 50% of reaching their goals may qualify for a twelve month extension. Extensions may be granted after plan is received, reviewed and accepted. Additional sheets should be attached to this form

County: <u>COOPER</u>	State: <u>MISSOURI</u>
County Leader: <u>DR. JIM GANN</u>	Title: <u>DIRECTOR & ED</u>

Action Plan

Please define delay in achieving goals:
 Goals outstanding and gap identified
 Root cause factors linked to not meeting goals

Outline the plan of action to overcome challenges and achieve goals in a 6/12 month period, some examples:
 Leadership team changes
 Policy revisions
 Funding sources identified
 Service Delivery improvements
 Communication outreach efforts

Progress

Please outline your intended ACT WRC goals percent complete progress each month during the extension period requested.

Month 1 <u>70</u> % complete	Month 2 <u>75</u> % complete	Month 3 <u>80</u> % complete	Month 4 <u>85</u> % complete	Month 5 <u>90</u> % complete	Month 6 <u>100</u> % complete
Month 7* _____ % complete	Month 8* _____ % complete	Month 9* _____ % complete	Month 10* _____ % complete	Month 11* _____ % complete	Month 12* _____ % complete

* Complete only for twelve month extension

By signing this form, I understand that the above named county will not meet all of its ACT Work Ready Communities Common Criteria goals by the scheduled completion date. I further verify it intends to complete these goals in a period of 6 months to be named a certified ACT Work Ready Community using the action plan included with the extension request.

Cheri June

State WRC leader signature

Director, CWRC

Title

7-6-15

Date

MO - DWD

Organization

Approval:

Lori Bullock

ACT Representative

Director CWRC

Title

7/7/15

Date

ACT is accepting county applications for next Academy session beginning August 18-19, 2015 in Atlanta.

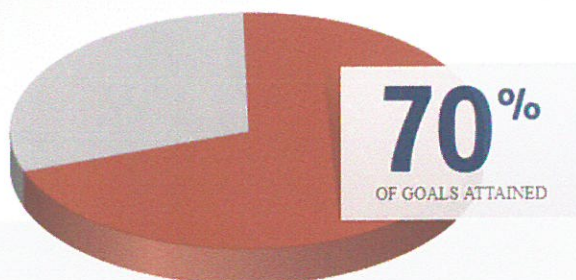
UNITED STATES

MISSOURI

COOPER

CHOOSE COUNTY

COOPER COUNTY



Showing: Jan 1, 2012 to May 31, 2015

[Print County Data](#)

[County Web Page Guide](#)

Goals updated only for participating counties

Workforce	Goals	Actual NCRC
Emerging	67	60
Current	13	17
Transitioning	97	57
Totals	177	134
Workforce category not identified		0
Total NCRC		134

	GOAL	ACTUAL
EMPLOYERS SUPPORTING	24	12

Timeline for completing goals is January 2014 to on or before January 2016

COOPER COUNTY

ACT NATIONAL CAREER READINESS CERTIFICATE [NCRC]

WORKFORCE	TOTAL NCRC	BRONZE NCRC	SILVER NCRC	GOLD NCRC	PLATINUM NCRC	NOT EARNED	NCRC PLUS
CURRENT PRIVATE	15	+	10	+	0	-	0

IMPROVED ACT NCRC

TO/FROM	BRONZE	SILVER	GOLD	PLATINUM
NOT EARNED	0	0	0	0

Public Works Monthly Report
June 2015

WWTP:

Total flow processed - 39,220,000 gallons

Average daily flow - 1,307,000 gallons

Sludge disposed - 70.25 tons

Remarks -

WTP:

Gallons pumped from river - 31,920,000 gallons

Gallons pumped to customer - 29,528,000 gallons

Precipitation - 5.83" total

Remarks -

Water Distribution / Sewer Collection:

Installed or renewed water service - 1

Remarks - Reset meter lid and ring at 512 West Street; flushed fire hydrants in 900 block of Shamrock Ave.; replaced water sample station at Hospital Water Tower; capped sewer cleanout at 1511 Arrowhead Trail; assisted with Lift Station #1 overflow clean-up; assisted contractor with storm drain investigation at Katy Trail Head project construction site; jetted pit drain lines at transfer station; jetted sewer lines for Pilot Grove; video inspected storm drain pipe behind 321 E. Ashley Road; continued systematic inspection of manholes; continued updating sewer system maps; routine sewer jetting and TV inspection; assisted with concrete pour on Smith Street project; dug grave, set vault and filled grave at Memorial Gardens cemetery; washed AC unit at City Hall.

Street Department:

Rebuilt Smith Street from Ashley Road to Wingate Drive; continued spring street sweeping routine; patched pot holes and street cuts.

Central Garage:

Vehicles serviced and inspected -13

Vehicle and equipment repairs - 18

Remarks: Assisted with concrete pours on Smith Street

Project Status:

1) Locust Street and Kemper Drive Repairs (STP Project) - Contractor: Concrete Solutions. Contractor on-site.

2) Concrete Street Repairs 2015 - Contractor: Apex Inc. Contractor scheduled on-site late July '15.



**PROUDLY
SERVING**

MISSOURI

Atchison County
Bonne Terre
Bowling Green
Buchanan County #1
Boonville
Cameron
Cape Girardeau
Carroll County #1
Craig
East Central Missouri
Water & Sewer
Authority
Elsberry
Fayette
Franklin County #1
Franklin County #3
Henry County
Water Company
Henry County #3
Lake Ozark/
Osage Beach
Lincoln County #1
Nevada
Parkville
Phelps County #2
Platte County #C-1
Ralls County #1
Russelville
St Charles County #2
St Genevieve
Sedalia
Versailles

IOWA

Maquoketa
Tipton

REPORT OF OPERATIONS

Boonville Mo.

Water Treatment System

Month of June 2015

Submitted by Alliance Water Resources, Inc. for

July 2015

City Council Meeting



June 2015 Report to the City of Boonville

PROUDLY SERVING

MISSOURI

Atchison County

Bonne Terre

Bowling Green

Buchanan County #1

Boonville

Cameron

Cape Girardeau

Carroll County #1

Craig

East Central Missouri
Water & Sewer
Authority

Elsberry

Fayette

Franklin County #1

Franklin County #3

Henry County
Water Company

Henry County #3

Lake Ozark/
Osage Beach

Lincoln County #1

Nevada

Parkville

Phelps County #2

Platte County #C-1

Ralls County #1

Russellville

St Charles County #2

St Genevieve

Sedalia

Versailles

IOWA

Maquoketa

Tipton

Water Treatment Plant Operations & Maintenance

- Normal operations and maintenance were performed this month.
- Staff fabricated mounting stands for the basin wash down water gun. This will make washing basins a lot faster and safer.
- Staff performed long blow downs on the mud pocket this month to reduce torque.
- Staff cleaned coils on the air conditioner at the river pump house.
- Staff cleaned vents on the plant aerator.
- Staff inspected all eyewashes, emergency showers and fire extinguishers.
- Staff repaired the CL-17 chlorine analyzer at the main street booster station.

Regulatory

- Ten Microbiological samples were taken in the distribution system. All samples tested were absent of Total Coliform and E-Coli. Report sent to DNR. (see attach)
- Distribution and Turbidity Report for Surface Water Systems was filled out and sent to DNR. (see attach)
- On May 20th & 21st the Missouri Department of Natural Resources conducted a Compliance and Operation Inspection of Boonville's public water system. (The result of this inspection are attached)

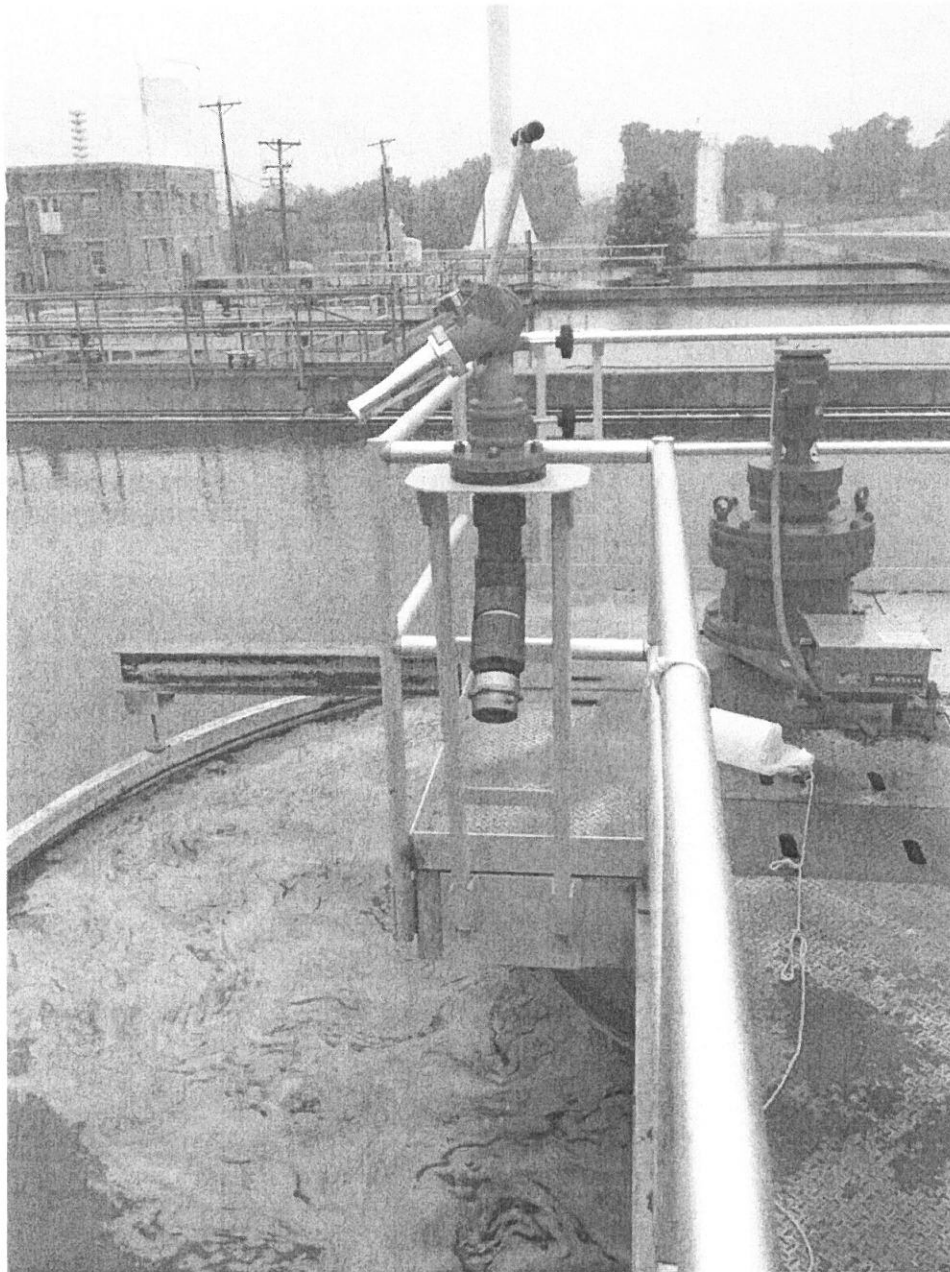
Project Updates

- Utility service was here 4/29/15 to perform a washout and inspection on Cat Tower. Report will be forth coming.

Safety

- Staff fabricated a gate to block off stair well to the basement of the old plant.

Basin Wash Water Gun



Cleaned Coils on AC Unit at River Pump House



ALLIANCE WATER RESOURCES BOONVILLE DIVISION

MONTH

WEATHER & RIVER CONDITIONS						
1. River Stage:	Average:	22.63	Maximum:	27.77	Minimum: 16.27	
2. High Temperature:	Average:	85.57	Maximum:	97	Minimum: 64.2	
3. Low temperature:	Average:	67.73	Maximum:	74	Minimum: 56	
4. Precipitation:		5.83	liquid inches			
PUMPING						
1. Million Gallons Pumped:	31.92		Average /day:		1.06	
2. Million Gallons Filtered:	31.92		Average /day:		1.06	
3. Hours #1 Pump Operated:	144.5		Average /day:		4.82	
4. Hours #2 Pump Operated:	56.25		Average /day:		1.88	
5. Total Hours River Pumps Operated:	200.75		Average /day:		6.69	
6. Main St. Booster Station Gallons Pumped:	2.532		Average /day:		0.0844	
FILTRATION						
1. Hours Transfer Pumps Operated:	147.50		Average/day:		4.92	
2. Hours Tower Pump Operated:	0.25		Average/day:		0.01	
3. Filters Washed:	18					
4 Gallons Washwater Used:	1.855					
5. % Treated water used in backwashing:	5.81					
MATERIALS PRECIPITATED DURING TREATMENT (IN TONS)						
Calcium Carbonate	1.036073					
Magnesium Hydroxide	0.149384					
Aluminum Hydroxide	0					
Lime Inerts	0					
Polymer	3.456					
Others	0					
Total	4.641457					
Effect Of Materials Precipitated On Missouri River						
Increase In River Water Suspended Solids:		0.0002936433175 mg/L				
LABORATORY ANALYSIS						
TESTS	RAW	PRESET	PRIMARY	FILTERS	BOF	TAP
Temperature	23 ° C	X	X	X	X	23 ° C
Fluoride (ppm)	X	X	X	0.32	X	0.56
Free Cl2 Residual (ppm)	X	X	X	3.75	1.84	0.29
Total Cl2 Residual (ppm)	X	X	X	4.01	X	1.73
Turbidity (NTU)	663	2.96	1.03	0.46	X	0.04
pH	7.65	7.7	7.7	7.4	X	7.7
Total Alkalinity (ppm)	X	146	X	X	X	136
Non Carb Hardness (ppm)	X	39	X	X	X	42
Total Hardness (ppm)	X	186	X	X	X	178
Calcium Hardness (ppm)	X	118	X	X	X	112
Magnesium Hardness (ppm)	X	68	X	X	X	66
Total Iron (ppm)	0.03	X	0.02	0.02	X	0.01
Manganese (ppm)	0.03	X	0.03	0.03	X	0.01
Copper (ppm)	X	X	X	X	X	0.11
Total Dissolved Solids (ppm)	X	X	X	X	X	393
Bacteriological Samples Examined:				10		
Bacteriological Samples Positive:				0		
Bact. Samples Below 0.2 ppm Cl2:				0		
Average Free Chlorine in Dist. System at time of Bact. Samples (ppm):				0		
Average Total Chlorine in Dist. System at time of Bact. Samples (ppm):				1.92		
Total # tap turbidity samples taken for month:				209		
Average # of tap turbidity samples taken daily:				6.966667		
Total # tap turbidity samples taken for month below 0.3 NTU:				209		
Total # tap turbidity samples taken for month above 1.0 NTU:				0		
Total # tap turbidity samples taken for month above 5.0 NTU:				0		
Average lowest Total Chlorine to distribution system:				1.73		
Duration Total Chlorine fell below 1.0 ppm:				0		

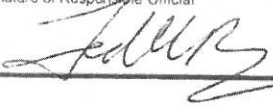
MISSOURI DEPARTMENT OF NATURAL RESOURCES
WATER PROTECTION PROGRAM - PUBLIC DRINKING WATER BRANCH
**DISINFECTION AND TURBIDITY REPORT FOR SURFACE WATER
SYSTEMS < 10,000 POPULATION**

PWS NAME CITY OF BOONVILLE		PWS ID MO3010089	MONTH June
ADDRESS 901 RIVIERA DRIVE		PHONE (660) 882-4021	2015
CITY BOONVILLE, MO	ZIP CODE 65233	COUNTY COOPER COUNTY	PLANT Main Plant

(See instructions on back of this sheet)

DISTRIBUTION DISINFECTION 1. Number of samples analyzed, A: <u>10</u> 2. Number of samples below 0.2 mg/L, B: <u>0</u> $[(A-B)/A \times 100 = C]$: <u>100</u> % meeting minimum disinfection required. 3. Avg. dsfcnt residual for month: <u>1.92</u> mg/l	TURBIDITY 1. Total number measurements taken monthly, A: <u>209</u> 2. number of measurements below 0.3 NTU, B: <u>209</u> $[B/A \times 100 = C]$: <u>100</u> % meeting turbidity requirements.
---	---

Date	Hours of Operation	Finished Water Temperature (C)	Lowest disinfectant at entrance to distribution system (mg/L) ☐ Free Chlorine ☒ Chloramines	Highest turbidity measurement of the day	Duration disinfectant fell below 0.5 mg/L free Cl2 or 1 mg/L chloramines	Value of turbidity measurements that exceed	
						1 NTU	5 NTU
1	5.75	20	1.70	0.04	0	0	0
2	5.00	20	2.01	0.05	0	0	0
3	4.75	20	1.94	0.05	0	0	0
4	5.00	19	2.20	0.04	0	0	0
5	4.25	20	2.36	0.04	0	0	0
6	5.25	20	2.50	0.04	0	0	0
7	4.25	21	2.42	0.04	0	0	0
8	4.50	21	2.23	0.03	0	0	0
9	4.75	22	2.00	0.03	0	0	0
10	6.00	22	2.00	0.03	0	0	0
11	5.25	22	1.81	0.03	0	0	0
12	5.25	23	1.72	0.03	0	0	0
13	5.00	23	1.47	0.04	0	0	0
14	4.00	24	1.27	0.04	0	0	0
15	5.50	24	1.23	0.04	0	0	0
16	5.75	24	1.06	0.05	0	0	0
17	4.25	24	1.09	0.04	0	0	0
18	5.25	24	1.77	0.04	0	0	0
19	4.50	27	1.23	0.04	0	0	0
20	4.50	24	1.30	0.04	0	0	0
21	4.75	24	1.33	0.05	0	0	0
22	5.00	23	1.61	0.04	0	0	0
23	5.00	24	1.81	0.04	0	0	0
24	5.00	24	1.80	0.03	0	0	0
25	5.00	24	1.79	0.03	0	0	0
26	3.75	25	1.56	0.04	0	0	0
27	4.50	25	1.71	0.03	0	0	0
28	4.50	25	1.80	0.04	0	0	0
29	5.00	25	1.44	0.03	0	0	0
30	6.50	25	1.63	0.05	0	0	0

Name of Person Preparing Report Todd W. Baslee	Signature of Responsible Official 	DATE 7/2/2015
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MO 780-1904 (12-04)

INSTRUCTIONS: DISINFECTION AND TURBIDITY REPORT FOR SURFACE WATER SYSTEMS < 10,000 POPULATION

1. Please fill out information completely and legibly.

Distribution Disinfection

1. On Line 1., enter the total number of samples from the distribution system that were analyzed for residual disinfectant concentration (total chlorine or combined chlorine) during the month. The residual disinfectant concentration measurements must be taken at the same time and location as your routine monthly coliform samples. This is the value for A.
2. On line 2., enter the number of samples for the distribution systems that had less than 0.2 mg/l residual disinfectant concentration. This is the value for B.
3. Subtract B, from A. (A-B). Divide that number by A. Then multiply by 100. This will give you the value for C. For example: if A = 20 and B = 3, then C = $[(20-3)/20] \times 100 = 85\%$
4. On line 3., enter the arithmetic average for all residual disinfectant samples taken during the month.

Turbidity:

1. On line 1., enter the total number of combined filter turbidity measurements taken during the month. This is the value for A.
2. On line 2., enter the number of combined filter turbidity measurements taken during the month, which are less than or equal to 0.3 NTU. This is the value for B.
3. Divide B, by A. (B/A). Then multiply that number by 100. This will give you the value for C. For example: if A = 120 and B = 117, then C = $(117/120) \times 100 = 97.5\%$

Hours of Operation

For each day, record the number of hours each water treatment plant was in operation.

Finished Water Temperature

For each day, record the temperature of water entering the distribution.

Lowest Residual Disinfectant at Entrance to Distribution System:

For each day, record the lowest measurement of residual disinfectant (mg/L) in water entering the distribution system (free available chlorine or chloramines).

Duration Residual Disinfectant Fell Below Requirement:

For each day, record the duration (hours, tenths) of each period (if any) when the residual disinfectant concentration in water entering the distribution system fell below 0.5 mg/L free chlorine or 1 mg/L chloramines. Note: should this occur, the public water system must notify the department as soon as possible, but no later than by the end of the next business day.

Value of Turbidity Measurements that exceed 1 NTU and 5 NTU:

For each day, record the value of any turbidity measurements taken during the month, which exceed 1 NTU and 5 NTU. Note: should this occur, the public water system must notify the department as soon as possible, but no later than by the end of the next business day.

INDIVIDUAL FILTER MONITORING & REPORTING

1. Was filter continuously monitored for turbidity and results recorded every 15 minutes?
2. Was there a failure of the continuous turbidity monitoring equipment?

YES

NO

If yes on 2., was the equipment repaired within 5 working days, or 14 days with department approval?

N/A

3. Was any individual filter level >1.0 NTU in two (2) consecutive recording fifteen (15) minutes apart?

NO

{If YES, perform "follow-up actions" no. 1}

4. Was any individual filter level, for three (3) months in a row > 1.0 NTU in two (2) consecutive recordings, fifteen (15) minutes apart?

NO

{If YES, perform "follow-up actions" no.2}

5. Was any individual filter turbidity level >2.0 NTU in two (2) consecutive recordings, fifteen (15) minutes apart for two (2) consecutive months?

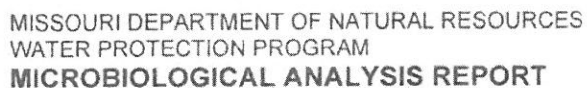
NO

{If YES, perform "follow-up actions" no. 3}

"FOLLOW-UP ACTIONS to PERFORM"

1. Report filter number(s); turbidity measurements which exceed 1 NTU; and date(s) the exceedance(s) occurred and causes if known.
2. Conduct a "Self-Assessment" of the filter(s) within fourteen (14) days of the triggering event. The system must report the date the self-assessment was triggered and the date it was completed.
3. The system must arrange to have a "Comprehensive Performance Evaluation" (CPE) performed not later than sixty (60) days following the triggering event. The CPE must be completed and submitted to the department within 120 following the trigger event.

The Missouri Department of Natural Resources-Public Drinking Water Branch recommends contacting your local regional office if any individual filter exceeds 1.0 NTU, the lowest trigger in the individual filter standards.

MO 780-0438 (05-13)

Return completed form to Department of Natural Resources, Public Drinking Water Branch, P.O. Box 176, Jefferson City, MO 65102-0176

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

www.dnr.mo.gov

3.200 Boonville
Cooper County
PWS ID #3010089

June 25, 2015

Mr. M. L. Cauthon III, Public Works Director
Boonville Public Works
1200 Locust Street
Boonville, MO 65233

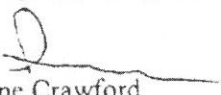
Dear Mr. Cauthon:

Enclosed is a copy of a Compliance and Operation Inspection Report on the public water system serving the City of Boonville. The inspection reviewed all eight (8) critical components that are applicable to the public water system. Please direct your attention to the recommendations contained in the report and then send a response to this inspection within 60 days. Your response should be specific in detailing how you intend to correct the problems identified.

If you have any questions, please contact Mr. Rich Morrow at (660) 385-8000 in our Northeast Regional Office, 1709 Prospect Drive, Macon, MO 63552.

Sincerely,

NORTHEAST REGIONAL OFFICE


Irene Crawford
Regional Director

IC/rmb

Enclosures: Compliance and Operation Inspection Report, Model Lead Ban Policy, Guidelines for the Proper Repair and Disinfection of Water Mains, Model Valve Record form, Model End-cleanout Record form, Model Fire Hydrant Record form, Model Water Utility Leak Repair Record form

c: Mr. Jim Ianke, General Manager, Alliance Water Resources
Mr. Todd Baslee, Chief Water Treatment Operator, Alliance Water Resources
Mr. Irl Tessendorf, City Administrator
Ms. Teresa Studley, City Clerk



COMPLIANCE AND OPERATION INSPECTION REPORT
PUBLIC WATER SYSTEM
CITY OF BOONVILLE
BOONVILLE, MISSOURI
PWS #3010089
June 25, 2015

INTRODUCTION

On May 20th and May 21st, 2015, Mr. Richard Morrow of our Northeast Regional Office conducted a Compliance and Operation Inspection of the Boonville public drinking water system. Mr. Jim Ianke, Mr. Todd Baslee and Mr. Russell Gerling represented the system during the inspection. The purpose of the inspection was to inspect and investigate conditions relating to system construction, operation and maintenance, and to determine the system's compliance with the Missouri Safe Drinking Water Act and Missouri Public Drinking Water Program Regulations. Recommendations to correct deficiencies found during this inspection are outlined as follows.

FINDINGS

The following items from the previous inspection have been addressed: Upgrades to the high service pump station have been completed. Reportedly, the crack in the wall of the pre-sedimentation basin (mud pit) has been repaired. A screened panel has been installed on the end of the old clearwell overflow pipe. A panic bar was installed on the access door to the chlorine dioxide room as recommended but the system is no longer using chlorine dioxide as a disinfectant. The system is currently recording headloss of the filters on a daily basis and before/after backwash cycles. The safety shield on the west transfer pump's shaft has been replaced. Reportedly, the system has inspected all commercial laundry facilities to determine if an RPZ device is needed to ensure compliance with the system's cross-connection policy. Reportedly, the local fire department is in the process of testing the hydrants for flow and residual pressure. To meet Bin 2 requirements, the system is in the process of installing ultraviolet light (UV) to achieve an additional log removal to meet the Long Term 2 Surface Water Treatment Rule (LT2). The prompt actions taken to address these deficiencies are commendable.

The inspector examined the testing procedures used by the operator to conduct tests at the water plant including free and total chlorine, iron, manganese, fluoride, and copper. The parameters were within acceptable ranges and were comparative to the monitoring conducted by the plant operators according to the daily bench sheets. A bacteriological sample was not collected because of time constraints. The system collects a minimum of five routine bacteriological samples a month and the system's overall history does not indicate a bacteriological problem.

Administration

1. The system is currently in violation for failing to designate a certified chief operator that has responsible charge of the distribution system. Please provide the name of the individual that has been designated to have overall responsibility for distribution system

operation and their back-up in case of vacancy or consult with the department to agree on a schedule of activities and a timeline for the system to have a certified chief operator who has met all applicable certification requirements.

2. The system does not have an up-to-date lead ban ordinance that takes into account the January 4, 2014 revisions to the Lead-Copper Regulations. A newly revised model lead ban ordinance that takes into account the reduced lead standards in distribution and residential fittings is attached for the system to review and consider for adoption.
3. According to the information provided by the city during the inspection, total water loss is calculated above 22%. This is an excessive amount of water loss and could cost the city a large amount of revenue. Water loss should be maintained well below 10%. The department recommends an accounting method be developed to better determine water loss in the distribution system. This needs to include water used in system services, flushing the system, and any other known water use during the month. Finally, a leak detection and location program should be implemented.
4. An operational management plan should be completed by the chief distribution operator detailing daily procedures conducted to operate and maintain the distribution system. This plan would serve as a checklist and guide for the backup operator. Operational plans should include unidirectional system flushing procedures, valve exercising program procedures, leak repair and disinfection procedures, scheduled flushing of dead ends if applicable, master meter information and record keeping, frequency and methods of portable field analytical equipment calibration, testing procedures, and any other functions that are required to keep the system running in a safe and efficient manner.

Treatment

5. Reportedly, the aerator has not been opened, inspected, and cleaned for several months. Distributor pan nozzles can plug from accumulated sediment and chemical deposition limiting water distribution and partially plugged air inlet screens limit air transfer through the water column. Treatment plant operators should routinely check the aerator's efficiency through appropriate analysis, maintain the aerator's internal components, and keep the intake screens open so air flow through the unit is optimized. Improving the process efficiency can lower the amount of additional chemical treatment necessary. Travis Boss of our office is available to discuss operational controls upon request.
6. The aerator discharge pipe freezes in the winter even through the aerator's two feet thick concrete pad and results in the aerator being taken out of service. Reportedly, the pipe from the pad to the presedimentation mud pit is only 18-inches deep. The discharge pipe above the concrete pad to the bottom of the aerator has been insulated as recommended but still freezes.

7. There were trees growing in the old plant settling basin. The trees should be removed to help protect the concrete basin from deterioration caused by the trees' root systems.
8. Please understand that a system is required to submit a request to the department and get proper approval(s) prior to any change of chemicals being applied or the ceasement of existing approved chemicals. Each is a modification and a deviation from original plant and system design.
9. There was oil apparently leaking around the flocculator rake drive motors of the secondary basins. The system needs to investigate the situation to find out what is causing the leakage and make applicable repairs. System operators should routinely clean the area around each motor.
10. The system does not monitor for aluminum. The system feeds two separate polymers, one as a coagulant to form floc and promote settling, and the other as a filter aid to reduce turbidity. At least one of the polymers is aluminum based thus the system should monitor aluminum routinely to ensure the system does not exceed the secondary standard.
11. There was an extreme amount of staining inside the potassium feed building. Routine maintenance and good housekeeping practices should be provided to keep the piping, equipment, and room clean, painted, and maintained.

Storage

12. According to a past tank inspection report, there were leaks discovered in the old clearwell but repairs were made. The old clearwell needs to be routinely inspected to ensure there are no more leaks in the tank.
13. According to the last tank inspection report, there is only one course screen provided on the Main Street Tower vent. A second #18 mesh frost-proof/insect proof screen should be installed inside the outer course screen to prevent small insects and other contamination access to the storage tank and in the event the outer screen were to fail. If unable to install the finer screen, then a department approved dual screened frost-proof/insect proof vent should be installed the next time maintenance is conducted on the tank.
14. The ground has settled near the Caterpillar Tower. The area around the foundations of the storage facility should be graded in manner to promote water drainage away from the storage facility. Standing water near the foundations of the facility will lead to deterioration of the concrete and coating due to freezing and thawing, potential algae growth and erosion.

15. To prevent corrosion and damage to the Water Plant and Hospital Towers, the grout and/or caulking compound between the bottom of the tanks and the foundations need to be repaired or replaced.
16. There were large holes in the side of the Krohn's Tower where electrical conduit was installed. The holes need to be plugged or sealed to prevent insects and small rodents access to the inside of the tank.

Distribution

17. The system does not have an approved Owner Supervised Program (OSP) to replace old problematic mains, valves, or hydrants. System officials should contact their engineering firm and consider the development of a five year OSP to replace problematic infrastructure throughout the distribution system. Please understand that prior to the initiation of any facility construction, the system must also submit to the department an Application for an Approval to Construct, two sets of plans and specifications, and obtain the required approvals; failure to do so is a violation.
18. As a reminder, system personnel should develop an entire list of required backflow devices and track inspections annually as needed. Missouri Public Drinking Water Regulation 10 CSR 60 11.010 prohibits unprotected cross-connections and requires yearly inspections of the devices that protect the public water system from contamination. System officials are required to verify that the customers have their backflow prevention devices inspected and tested yearly by a certified backflow tester. The customer must provide the inspection record to the system for review and filing.
19. As a reminder, the system must follow proper water main disinfectant procedures when repairs are made to the system. The Missouri Public Drinking Water Regulation 10 CSR 60 4.080(6) governs the operation of public water systems by requiring that every supplier of water to a public water system must disinfect all newly constructed or repaired water distribution mains, finished water storage facilities, or wells by methods acceptable to the department before being placed in or returned to service. Minimum Design Standards for Missouri Community Water Systems Chapter 8, Section 5.6 states that all new, cleaned, or repaired water mains shall be disinfected in accordance with the latest edition of the AWWA Standard. The specification shall include detailed procedures for the adequate flushing, disinfection, and microbiological testing of all water mains. Department of Natural Resources guidance for the proper disinfection of water mains is attached.
20. The system needs to develop individual valve records that include valve exercising and maintenance information. Pertinent records would include manufacturer, model and type, valve size, direction and number of turns required to fully open the valve, date installed, depth of valve, valve box type, triangulated or GPS location, and any operation or

maintenance activities. The department recommends all system valves be exercised annually to identify maintenance or replacement requirements. A model valve record form is attached.

21. The water system does not have a routine valve operation and maintenance program. The system needs to develop a valve operation and maintenance program to ensure valves are accessible, exercised, functional, will fully open and close, and will work properly when needed. The capability of valving off the existing system for operational and maintenance purposes should be evaluated and consideration given for repair, replacement, or new installation of sufficient valves to limit disruption of service.
22. The system does not have a meter change-out program. The department recommends that service meters are changed out every 10 years or one million gallons and meters one inch or larger are calibrated or changed out every two years or per manufacturer's specifications. Inaccurate metering could account for a large percentage of the overall system water loss reported and in lost revenue for the utility.
23. The system does not have an overall map of the entire distribution system including the latest upgrades. Reportedly, MECO engineering is to develop a current up-to-date overall map of the system. The city needs to submit a copy of the up-to-date overall map to our office when available for the system's records and department review.
24. Reportedly, the system does not maintain flushing device records. The system needs to develop individual flushing device records. These records should include information on routine flushing, maintenance, pressure and flow testing and of chlorine residuals prior to and following flushing. An end clean-out record form and fire hydrant record form are attached.
25. Reportedly, a flushing device has not been installed on each dead-end located throughout the distribution system. A properly-sized flushing device should be installed on each dead-end line in the system to allow removal of any accumulated sediment and provide flushing capability for operation and maintenance requirements. The system should flush the entire system at least annually in a unidirectional manner. Dead-ends should be flushed at least semiannual or more as needed to maintain water quality. Chlorine residuals should be measured and recorded prior to and after flushing is completed.
26. The system needs to develop a written unidirectional flushing plan with procedures to ensure proper flushing is performed in the absence of the chief operator. This plan should be made part of the system's Operational Management Plan. Additionally, system personnel should number each flushing device in the system to use in developing individual records and the written flushing plan.

Compliance and Operation Inspection Report
City of Boonville
June 24, 2015
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27. Reportedly, the water supplied to Harley Park is not metered. All city services should be metered to better track water loss and to help in leak detection.
28. The inspector was unable to determine if the system maintains leak repair records. Leak repair records should be separated out and include measurements describing the location of the repair, the problem and form of repair made, the size and type of main repaired, a listing of repair components, and any other costs related to the total cost of the repair. A model utility leak repair record form is attached.
29. The system should acquire basic leak detection equipment to enable the operator to locate and repair leaks, investigate customer concerns over high usage, and determine responsibility for service line repairs. If you need assistance regarding this issue, please contact Mr. Travis Boss, Water Specialist at our Northeast Regional Office, at (660) 385-8000.
30. When your system's Drinking Water Treatment Plant discharge permit (MO-0004081) expired you submitted a permit application for renewal to the department in a timely manner. Due to issues out of your control many years have transpired since the last application for renewal was received. Your system must fill out a new permit application. If you have any questions or concerns, please contact Mr. Logan Cole in the Water Protection Program at (573) 751-1300.

TMF & Safety

31. The large meter and valve vaults do not provide proper ventilation and are considered confined spaces. The necessary safety measures and precautions need to be taken prior to entry as no forced air ventilation system is provided. The system should also discuss the need for gas monitoring equipment for use prior to entry.

SUBMITTED BY:



Rich Morrow
Environmental Specialist
Northeast Regional Office

APPROVED BY:



John Gibson
Environmental Supervisor
Northeast Regional Office

RAM/bb



Missouri Gaming Commission State/Local Allocation of Gaming Revenues

For the Period 6/1/2015 through 6/30/2015

Year beginning: 6/1/2015

RPT MGC/3

RECEIVED
7/14/15



Gaming Date	Day	Admission Tax Remitted	Gaming Tax Remitted	Total Tax Remitted	State & Local Portion of Adm Tax	State Portion of Gaming Tax	Local Portion of Gaming Tax	Total Local Adm & Gaming Tax
Isle of Capri IB								
06/01/2015	Monday	\$7,102.00	\$31,350.36	\$38,452.36	\$3,551.00	\$28,224.32	\$3,136.04	\$6,687.04
06/02/2015	Tuesday	\$7,394.00	\$43,977.50	\$51,371.50	\$3,697.00	\$39,579.75	\$4,397.75	\$8,094.75
06/03/2015	Wednesday	\$8,954.00	\$47,188.24	\$56,142.24	\$4,477.00	\$42,469.42	\$4,718.82	\$9,195.82
06/04/2015	Thursday	\$9,302.00	\$37,858.82	\$47,160.82	\$4,651.00	\$34,072.94	\$3,785.88	\$8,436.88
06/05/2015	Friday	\$14,000.00	\$67,116.40	\$81,116.40	\$7,000.00	\$60,404.76	\$6,711.64	\$13,711.64
06/06/2015	Saturday	\$14,140.00	\$63,853.77	\$77,993.77	\$7,070.00	\$57,468.39	\$6,385.38	\$13,455.38
06/07/2015	Sunday	\$10,662.00	\$52,072.36	\$62,734.36	\$5,331.00	\$46,865.12	\$5,207.24	\$10,538.24
06/08/2015	Monday	\$6,284.00	\$27,869.39	\$34,153.39	\$3,142.00	\$25,082.45	\$2,786.94	\$5,928.94
06/09/2015	Tuesday	\$7,272.00	\$27,683.69	\$34,955.69	\$3,636.00	\$24,915.32	\$2,768.37	\$6,404.37
06/10/2015	Wednesday	\$7,904.00	\$34,692.21	\$42,596.21	\$3,952.00	\$31,222.99	\$3,469.22	\$7,421.22
06/11/2015	Thursday	\$8,074.00	\$40,442.32	\$48,516.32	\$4,037.00	\$36,398.09	\$4,044.23	\$8,081.23
06/12/2015	Friday	\$10,972.00	\$53,874.47	\$64,846.47	\$5,486.00	\$48,487.02	\$5,367.45	\$10,873.45
06/13/2015	Saturday	\$15,302.00	\$51,179.38	\$66,481.38	\$7,651.00	\$55,061.44	\$6,117.94	\$13,768.94
06/14/2015	Sunday	\$11,516.00	\$54,100.76	\$65,616.76	\$5,758.00	\$48,690.68	\$5,410.08	\$11,168.08
06/15/2015	Monday	\$5,996.00	\$29,044.28	\$35,040.28	\$2,998.00	\$26,139.85	\$2,904.43	\$5,902.43
06/16/2015	Tuesday	\$8,386.00	\$39,271.44	\$47,657.44	\$4,193.00	\$35,344.30	\$3,927.14	\$8,120.14
06/17/2015	Wednesday	\$9,392.00	\$43,818.42	\$53,210.42	\$4,696.00	\$39,436.58	\$4,381.84	\$9,077.84
06/18/2015	Thursday	\$8,380.00	\$41,331.67	\$49,711.67	\$4,190.00	\$37,198.50	\$4,133.17	\$8,323.17
06/19/2015	Friday	\$15,040.00	\$62,793.58	\$77,833.58	\$7,520.00	\$56,514.22	\$6,279.36	\$13,799.36
06/20/2015	Saturday	\$14,670.00	\$65,415.74	\$80,085.74	\$7,335.00	\$58,874.17	\$6,541.57	\$13,876.57
06/21/2015	Sunday	\$11,746.00	\$64,709.64	\$76,455.64	\$5,873.00	\$58,238.68	\$6,470.96	\$12,343.96
06/22/2015	Monday	\$6,096.00	\$32,061.94	\$38,157.94	\$3,048.00	\$28,855.75	\$3,206.19	\$6,254.19
06/23/2015	Tuesday	\$7,612.00	\$33,035.97	\$40,647.97	\$3,806.00	\$29,732.37	\$3,303.60	\$7,109.60
06/24/2015	Wednesday	\$8,352.00	\$30,265.97	\$38,627.97	\$4,181.00	\$27,239.37	\$3,026.60	\$7,207.60
06/25/2015	Thursday	\$8,912.00	\$47,752.60	\$56,664.60	\$4,456.00	\$42,977.34	\$4,775.26	\$9,231.26
06/26/2015	Friday	\$16,558.00	\$73,805.44	\$90,364.44	\$8,279.00	\$66,425.80	\$7,380.64	\$15,659.64
06/27/2015	Saturday	\$14,984.00	\$60,223.07	\$75,207.07	\$7,492.00	\$54,200.76	\$6,022.31	\$13,514.31
06/28/2015	Sunday	\$16,144.00	\$62,932.93	\$79,076.93	\$8,072.00	\$56,639.64	\$6,293.29	\$14,365.29
06/29/2015	Monday	\$6,452.00	\$30,814.66	\$37,266.66	\$3,226.00	\$27,733.19	\$3,081.47	\$6,307.47
06/30/2015	Tuesday	\$6,982.00	\$27,164.46	\$34,146.46	\$3,491.00	\$24,448.01	\$2,716.45	\$6,207.45
Casino Report Totals:		\$304,590.00	\$1,387,712.48	\$1,692,302.48	\$152,295.00	\$1,248,941.22	\$138,771.26	\$291,066.26
Casino YTD Totals:		\$304,590.00	\$1,387,712.48	\$1,692,302.48	\$152,295.00	\$1,248,941.23	\$138,771.25	\$291,066.25