

CITY OF WILLARD, MISSOURI

224 W. Jackson Street P.O. Box 187 Willard, MO 65781 417-742-3033 417-742-3080 Fax



MEETING AGENDA AND PACKET

BOARD OF ALDERMEN

Regular Meeting

July 11, 2016

7:00 p.m.

Willard City Hall

224 W. Jackson Street

Mayor

Corey Hendrickson

Board Members

Jamie Buckley

Samuel Snider

Sam Baird – Mayor Pro-Tem

Larry Whitman

David Roggensees

Donna Stewart

**CITY OF WILLARD
BOARD OF ALDERMEN
REGULAR MEETING**

**July 11, 2016
7:00 P.M.**

Posted July 6, 2016

Notice is hereby given that the City of Willard, Missouri, Board of Aldermen will conduct a meeting at **7:00 p.m** June 13, 2016 at Willard City Hall, 224 W. Jackson, Willard, Missouri.

The tentative agenda of this meeting includes:
PLEDGE OF ALLEGIANCE

Call the meeting to order

- 1. Roll Call.**
- 2. Agenda Amendments/Approval of Agenda.**
- 3. Approval of the Minutes from the regular meeting June 13, 2016 and the Work Study June 27, 2016.**
- 4. Citizen Input. (5 minutes each)**
- 5. Financial Reports.**
 - a. May 2016 Summaries.
 - b. May 2016 Financial Statements.
 - c. June and July 2016 Outstanding Invoices, Check and Draft Paid Invoices.
 - d. May 2016 Check Register.
 - e. June 2016 Water Loss Report.
 - f. June 2016 Utility Adjustments Report.
- 6. Department Head Reports.**
 - a. Parks Department.
 - b. Public Works.
 - c. Police Department.
 - d. Planning and Development.
- 7. Public Hearing on Annexation WD1512AC.**
- 8. Ordinance accepting the Annexation of WD1512AC. (1st & 2nd Read). Discussion/Vote.**
- 9. Ordinance accepting the Final Plat for Robertson Estates Lot 1. (1st & 2nd Read). Discussion/Vote.**
- 10. Ordinance amending the 2016 Budget. (1st & 2nd Read) Discussion/Vote.**
- 11. Ordinance accepting the contract with Whisler Construction for the Meadows West Lift Station. (1st & 2nd Read) Discussion/Vote.**
- 12. 2016 Code of Ethics Ordinance. (1st Read) Discussion/Vote.**

13. Discussion/Vote authorizing the Mayor to sign the Water Agreement with Ornate Development, LLC.
14. Discussion/Vote authorizing the Mayor to sign an agreement with General Code.
15. New Business.
16. Unfinished Business.
17. Adjourn Meeting.

IF YOU HAVE SPECIAL NEEDS, WHICH REQUIRE ACCOMMODATION, PLEASE NOTIFY CITY PERSONNEL AT CITY HALL. ACCOMMODATIONS WILL BE MADE FOR YOUR NEEDS. REPRESENTATIVES OF THE NEWS MEDIA MAY OBTAIN COPIES OF THIS NOTICE BY CONTACTING THE CITY CLERK AT 417-742-5302.

Jennifer Rowe
City Clerk

**CITY OF WILLARD
BOARD OF ALDERMEN
REGULAR MEETING
June 13, 2016
7:00 p.m.**

Staff present: City Administrator, J. Everett Mitchell; City Clerk, Jennifer Rowe; Community Services Director, J.C. Loveland; Acting Public Works Director, Stacy Winters; Chief Financial Officer, Carolyn Halverson; Chief of Police, Tom McClain; Director of Development, Randy Brown; and Utility Clerk, Abigail Wilson.

City Attorney Ken Reynolds was present.

Citizens in attendance: J.D. Landon, Jim Vaughn, Glenn Cozzens, Caylin Manary, Alex Rowe, Alice Mitchell, Rebekah Brymer, Abe Brymer, Adam Brymer, Sandra Cruz, Wendy Welch, Jenny Marlay, Ryan Cavanaugh, and Crystal Marlay.

Pledge of Allegiance.

The Pledge of Allegiance was led by Mayor Hendrickson.

Call to Order.

Mayor Hendrickson called the meeting to order at 7:00 p.m.

Roll Call.

The City Clerk conducted the roll call. Alderman Buckley---, Alderman Snider-present, Alderman Stewart-present, Alderman Whitman-present, Alderman Baird---, Alderman Roggenses-present and Mayor Hendrickson-present.

Agenda Amendments/Agenda Approval.

The City Administrator recommended a change to the Agenda to add the swearing in of the new police officer Scott Rowe as a ceremonial matter. Motion was made by Alderman Roggenses and seconded by Alderman Snider to accept the agenda with changes. The motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Stewart, Whitman and Roggenses.

Approve the Minutes of the Regular Meeting May 23, 2016.

Motion was made by Alderman Stewart and seconded by Alderman Roggenses to approve the minutes. The motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Stewart, Roggenses and Whitman.

Ceremonial Matters.

- a. Motion was made to reappoint Blaine Kennard to the Park Board. The motion carried with a vote of 4-0. Voting aye: Aldermen Snider, Stewart, Whitman and Roggenses.
- b. The Chief of Police presented the Presidential Fitness Awards to the graduates of the Pal Boxing program.
- c. The Chief of Police swore in Officer Scott Rowe as the newest Officer for the Willard Police Department.

Citizen Input.

None.

Alderman Baird arrived at 7:25 p.m.

Financial Reports.

- a) Motion was made by Alderman Snider and seconded by Alderman Whitman to accept the Financial Statements. The motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggenses.
- b) Motion was made by Alderman Baird and seconded by Alderman Snider to accept the Outstanding Invoices, Paid Invoices, Online Payments and Transfers. The motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggenses.
- c) Motion was made by Alderman Stewart and seconded by Alderman Roggenses to accept the Adjustments Report. The motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggenses.

Department Head Reports.

The Department Heads presented their reports to the Board.

Public Hearing for Annexation WD1512AA.

The City Attorney opened the public hearing regarding the Annexation of WD1512AA at 7:59 p.m. No citizens wished to speak so the public hearing was closed at 8:00 p.m.

Ordinance accepting the Annexation of WD1512AA. (1st and 2nd read) Discussion/Vote.

Motion was made by Alderman Baird and seconded by Alderman Roggenses to accept the Annexation of WD1512AA. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggenses.

The second read was conducted by the City Clerk.

Motion was made by Alderman Roggenses and seconded by Alderman Snider to accept the Annexation of WD1512AA. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggenses.

Public Hearing for Annexation WD1512AB.

The City Attorney opened the public hearing regarding the Annexation of WD1512AB at 8:02 p.m. No citizens wished to speak so the public hearing was closed at 8:03 p.m.

Ordinance accepting the Annexation of WD1512AB. (1st and 2nd read) Discussion/Vote.

Motion was made by Alderman Baird and seconded by Alderman Whitman to accept the Annexation of WD1512AB. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggenses.

The second read was conducted by the City Clerk.

Motion was made by Alderman Whitman and seconded by Alderman Roggenses to accept the Annexation of WD1512AB. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggenses.

Ordinance accepting the rezoning request for Robertson Estates. (2nd read) Discussion/Vote.

The Director of Development Randy Brown outlined Robertson Estates and what rezoning was desired. Alderman Baird asked if the Planning and Zoning Commission unanimously approved the request. Mr. Brown said they had. Motion was made by Alderman Stewart and seconded by Alderman Whitman to accept the rezoning request for Robertson Estates. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggenses.

Discussion/Vote authorizing the Mayor to sign the Memorandum of Understanding for Grand Prairie LLC.

The Director of Development Randy Brown outlined the Memorandum to the Board. He informed them that the City had caused damage to Mr. Crighton's property to gain access to the Meadows West Lift Station. This Memorandum was necessary in order to complete the work at Meadows West and satisfy all parties involved. Alderman Roggenses asked the City Attorney if he was ok with it. The City Attorney stated that a lot of work had taken place regarding this Memorandum, and he was ok with this final outcome. Alderman Whitman inquired about the costs associated with this Memorandum. Mr. Brown described the costs

associated. Motion was made by Alderman Baird and seconded by Alderman Roggensees to authorize the Mayor to sign the Memorandum of Understanding for Grand Prairie LLC. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensees.

Discussion/Vote on received bids for the Meadows West Lift Station.

The Director of Development informed the Board that Staff had interviewed the companies who had placed bids to determine who would be the best fit. He stated that the cost estimate is more than what was budgeted, but staff had been able to pull money from other areas and more than cover what was needed. Alderman Baird asked if there was a completion date. Mr. Brown stated that it should be done near the end of September or October if all goes as planned. Alderman Baird also asked what happens if they do not finish on time. The City Attorney informed the Board about a damage clause that can be put in place to help offset the cost of the current generator rental being used at Meadows West if the work is not completed as scheduled. Mr. Brown requested that the Board approve the bid placed by Whisler Construction. Motion was made by Alderman Roggensees and seconded by Alderman Baird to accept the bid from Whisler Construction for the Meadows West Lift Station. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensees.

Ordinance amending Section 710.460: Basis for computing residential bills. (1st and 2nd read)

Discussion/Vote.

The City Administrator informed the Board that this was just to bring the City Code current to match what was being told to the customers. The Board asked how the residential bills are computed currently. Utility Clerk Abigail Wilson described the process to the Board and informed them that using the National Average was the best solution for both the City and the customers. Motion was made by Alderman Roggensees and seconded by Alderman Whitman to amend Section 710.460: Basis for computing residential bills. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensees.

The second read was conducted by the City Clerk.

Motion was made by Alderman Baird and seconded by Alderman Snider to amend Section 710.460: Basis for computing residential bills. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensees.

Discussion/Vote on received bids for the Main Street and Jackson Street Sidewalk Project.

The Director of Development Randy Brown informed the Board that this project would replace the sidewalks in this area of town, making them look better as well as bringing them to ADA standards. They would be placing steps into some of the businesses and also working on preserving parking in the area. Mr. Brown told the Board that Staff had taken every step to send this project out to companies, as well as having it listed on MoDOT's website and posted for engineers. However, the City still only received one (1) bid for the project from Hunter Chase. The City had budgeted forty thousand dollars (\$40,000), and the project would only cost around seventeen thousand dollars (\$17,000). Motion was made by Alderman Roggensees and seconded by Alderman Snider to accept the bid by Hunter Chase for the Main Street and Jackson Street Sidewalk Project. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensees.

Discussion/Vote on received bids for the Parks Department Parking Lot.

The Community Services Director J.C. Loveland informed the Board that the City had advertised and did their best to reach out to the companies in the area for this project. The City in turn received four (4) bids. Mr. Loveland stated that they had budgeted \$15,000 from Streets to accomplish this project. It was later discovered that the scope of the project would require prevailing wage to be paid, which would increase the cost. He also stated that the longer the City waits on doing this project, the higher the cost is going to be as the parking lot is just going to get worse. Staff recommended that the Board accept the bid made by Ball Paving as it is a local company and is known for this type of work. Motion was made by Alderman Snider and seconded by Alderman Baird to accept the bid by Ball Paving for the Parks Department Parking Lot project. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensees.

Discussion/Vote on received bids for the Front Lobby Security Update.

The Director of Development informed the Board that the bids for the Front Lobby Security Update were opened on May 27th. The City had received three (3) bids for this project and had again interviewed the companies to see who seemed like the best fit. GHN, the Engineer for this project, had also sat in on the bid opening and interviews. Staff requests that the Board approve the bid made by Hamby Construction. Motion was made by Alderman Snider and seconded by Alderman Whitman to accept the bid by Hamby Construction for the Front Lobby Security Update. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensces.

Ordinance accepting the bid for the Front Lobby Security Upgrades. (1st and 2nd read)

Discussion/Vote.

The Director of Development Randy Brown informed the Board that staff had received a contract from Hamby Construction to be signed in the event that their bid was accepted. Mr. Brown requested that the Board approve the contract so the work could begin soon. Motion was made by Alderman Baird and seconded by Alderman Whitman to accept the bid by Hamby Construction for the Front Lobby Security Upgrades. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensces.

The second read was conducted by the City Clerk.

Motion was made by Alderman Roggensces and seconded by Alderman Baird to accept the bid by Hamby Construction for the Front Lobby Security Upgrades. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensces.

New Business.

The City Clerk informed the Board that Alderman Buckley was requesting to use Skype during the meetings that he could not physically attend. The City Administrator informed the Board that while the State allows for it, it does not seem to be a common practice based on information that the Clerk has received from other cities. The Board decided to table this discussion and wait for more information to be obtained by staff. Alderman Snider also inquired about starting a Facebook Page for the City to allow for information for the citizens. Alderman Roggensces stated that he was involved with one for the State and they had a lot of problems. It became more hassle than it was worth. The City Attorney stated that another City he is involved with had many problems with the citizens bad mouthing the city on their page. The Community Services Director discussed the Parks Facebook Page and stated that it is a good source of information for citizens, but using a program such as mail chimp may be a better option.

Unfinished Business.

Alderman Baird inquired about the sound system and if anything had been done with it. The City Clerk informed the Board that repairs were made after the May 23, 2016 meeting and all seemed to be in working order now.

Recess.

Motion was made by Alderman Baird and seconded by Alderman Whitman at 9:30 p.m. to recess before the Executive Session. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensces.

Close Open Session.

Motion was made by Alderman Roggensces and seconded by Alderman Whitman to close the open session of the Meeting. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensces.

Open Executive Session.

Motion was made by Alderman Roggensces and seconded by Alderman Baird to open the Executive Session of the meeting at 9:47 p.m. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensces.

Close Executive Session.

Motion was made by Alderman Roggensees and seconded by Alderman Whitman to close the executive session of the meeting at 10:07 p.m. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensees.

Adjourn.

Motion was made by Alderman Roggensees and seconded by Alderman Whitman to adjourn. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensees.

The meeting was adjourned at 10:08 p.m.

Jennifer Rowe, City Clerk

Corey Hendrickson, Mayor of Willard

**CITY OF WILLARD
BOARD OF ALDERMEN
WORK STUDY
June 27, 2016
7:00 p.m.**

Staff present: City Clerk, Jennifer Rowe; Chief Financial Officer, Carolyn Halverson; Acting Public Works Director, Stacy Winters; and Director of Development, Randy Brown.

Citizens in attendance: David O'Connor, Jerry Jesky and Peter Bryant.

Pledge of Allegiance.

The Pledge of Allegiance was led by Mayor Hendrickson.

Call to Order.

Mayor Hendrickson called the meeting to order at 7:00 p.m.

Roll Call.

The City Clerk conducted the roll call. Alderman Buckley-present, Alderman Snider-present, Alderman Stewart-present, Alderman Whitman---, Alderman Baird-present, Alderman Roggenses-present and Mayor Hendrickson-present.

Presentation by Olsson & Associates regarding the city wide wastewater master plan.

Jerry Jesky of Olsson & Associates presented the city wide wastewater master plan to the Board. Mr. Jesky outlined the three (3) main issues with the Willard wastewater system, and the proposed solutions to address them.

Recess Work Study.

Motion was made by Alderman Roggenses and seconded by Alderman Buckley to take a short recess from the work study at 9:30 p.m. Motion carried with a vote of 5-0. Voting aye: Aldermen Buckley, Snider, Stewart, Baird and Roggenses.

Open Executive Session.

Motion was made by Alderman Baird and seconded by Alderman Roggenses to go into closed session. The motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Buckley, Baird and Roggenses.

Close Executive Session.

At 9:46 p.m. a motion was made by Alderman Buckley and seconded by Alderman Snider to go out of closed session. The motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Buckley, Baird and Roggenses.

Adjourn.

Motion was made by Alderman Stewart and seconded by Alderman Snider to adjourn the Meeting. The motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Buckley, Baird and Roggenses.

The meeting was adjourned at 9:47 p.m.

Jennifer Rowe, City Clerk

Corey Hendrickson, Mayor of Willard

CITY OF WILLARD, MISSOURI

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AGENDA ITEM # 6

Department Head Reports.

- a. Parks Department
- b. Public Works
- c. Police Department
- d. Planning and Development

Parks and Recreation - Director's Report – July 11, 2016

Project Report

- **New Programs for 2016**
 - Dive-In Movie Nights @ THE WAC – Planning in Progress
 - Late Summer / Fall Concert in the Park – Planning in Progress
 - Other programs are in the planning stages
- **2016 Capital Improvements**
 - Jackson Park Pavilion Roof – Project Complete
 - Small Pavilion – Project Complete
 - Baseball Field Repairs – Project Completed
 - Baseball Dugouts – Project Completed
 - Baseball Bathrooms – Project Underway
 - GYM Floor Resurfacing – Project Completed
 - Pool Feature – Project Completed
 - Rec. Center Parking Lot – Project Out for Bid #2
- **Summer Baseball/Softball**
 - Resident: 195
 - Non-Resident: 153
- **Summer Adventure Camp**
 - Week #1: 117 Kids
 - Week #2: 99 Kids
 - Week #3: 92 Kids
 - Week #4: 87 Kids
 - Week #5: 93
 - Week #6: 188
 - Week #7: 169
 - Enrolment as of July 5th – 251 Kids – Revenue: \$52,441.00

Upcoming Programs / Events

- **Youth Baseball / Softball:** May 31
- **Adult Basketball:** Week of June 27
- **Adult Volleyball:** Week of June 27
- **THE WAC Opening Day:** May 21 – Revenue as of July 5th: \$47,443.80
- **Summer Adventure Camp First Day:** May 23
- **Freedom Fest:** June 25
- **Back to School Dance:** Aug. 26

Other Information

- **Website – Visitors From 6/7/16 to 7/5/16**
 - www.willardparks.com – 3,451 unique visitors, 10,853 visitors
 - www.willardfreedomfest.com – 7,569 unique visitors, 18,945 visitors
 - www.willardaquatics.com – 2,842 unique visitors, 7,567 visitors
- **Facebook – 1710 likes as of 7/05/16**
 - <https://www.facebook.com/WillardParksAndRec>
- **Open Gym – Visitors From 4/19/16 to 7/5/16**
 - Individual Registrations: 128
 - Individual Sign-In: 681

Public Works Report

Water

- Water leak at 104 Dorcas. repaired.
- Water leak at 410 Main St. repaired.
- started re-painting meter lines on roads.
- Received replacement ERT's from iTron.
- Still cataloging hydrants and valves in the meadows when time allows.

Sewer

- Nothing substantial to report on Lift-Stations or lagoons.
- Still moving forward with the plans for the lift-station at the meadows.

Streets

- Nothing substantial to report

Willard Public Works Vehicle Maintenance April 2016

2013 Ford F-150 (#1)

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$2670

2004 Chevrolet 3500 Diesel Dump Truck (#2)

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$1103.52

2003 Chevrolet 3500-Sewer (#3)

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$410.25

1998 Dodge Ram 1500 Flatbed (#4)

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$1232.32

2001 Chevrolet 1500 (#5)

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$1172.32

2000 Chevrolet 2500 Flatbed (#6)

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$237.22

1993 Ford 350-Water (#7)

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$810.00

2002 Dodge Dakota (#8)

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$580.72

1998 Chevrolet S-10

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$230.00

OshKosh Box Truck

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$77.70

2006 International Dump Truck

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$1,524.70

2009 Case 580 Super M Backhoe

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$22.30

2007 Case Skid Steer

- Skid Steer Repair- Supplies/Parts -Potter Equip. (\$675.45)
- Skid Steer Repair- Labor -Potter Equip. (\$581.25)

*Total Maintenance Cost: \$1,276.70

YTD Maintenance Cost: \$1,317.40

2001 John Deere 5220 (Batwing)

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$16.20

2010 John Deere 6330 (Boom)

- Flat Repair -Wells Tire (\$124.15)

*Total Maintenance Cost: \$124.15

YTD Maintenance Cost: \$437.40

1977 Ford 3600 Tractor

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$0.00

2009 Case IH JX90

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$48.09

2013 John Deere 997 Mower

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$289.34

2015 Grasshopper

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$36.53

2004 Kubota Mower

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$20.26

Grasshopper 928D x2

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$226.19

2012 Kubota RTV1100

*Total Maintenance Cost: \$

YTD Maintenance Cost: \$

Total Maintenance Cost For All Vehicles: \$1,400.85

YTD Maintenance Cost For All Vehicles: \$12,557.01

CURRENT VEHICLE MILEAGE (5/2/16)

#1	2013 Ford F-150	
#2	2004 Chevrolet 3500 Diesel Dump Truck	102,037
#3	2003 Chevrolet 3500 Diesel Sewer Truck	125,879
#4	1998 Dodge Ram 1500 Flatbed	
#5	2001 Chevrolet 1500	79,913
#6	2000 Chevrolet 2500 Flatbed	
#7	1993 Ford F-350 Water Truck	83,760
#8	2002 Dodge Dakota	114,659
	1998 Chevrolet S-10	152,666

**Willard Police Department
Monthly Report
June 2016**

Officer	Officer Statistics	Case #'s	Officer	Reserves	Case #'s	Hours
1601	Tom McClain, Chief	6	1640	Doug Thomas, Reserve		
1602	Shannon Shipley, Lt./Det.	18	1641	Brian Gordon, Reserve		10
1603	Robert Bell, Cpl (FTO)	17	1642	JD Landon, Reserve		19
1604	Steve Purdy, Cpl./Investigator	33	1643	Davis Hughes, Reserve		
1605	Chris Higgins, Officer	39	1644			
1606	Aaron Roberts, Officer	62	1645	Brian Hinkle, Reserve	2	10
1607	Kyle Gramley, Officer	51	1646	Andy Hunt, Reserve		
1608	Andrew Stone, Officer	48		TOTAL HRS		
1609	Danny Wroolie, Officer	54				
1610	Scott Rowe, Officer (FTO)	17				
1630	Clint Heimbach, SRO					
1631	Wyatt Sharp, SRO					
	TOTAL INCIDENTS	359				

INCIDENT STATISTICS

Felony	5
Misdemeanor	16
Infraction	153
Other (Services)	187
HBO (Handled By Officers)	259

VEHICLE MAINTENANCE

VEHICLE	ODOMETER READING	MONTHLY MILEAGE	SHIFTS USED	MILES PER SHIFT	MAINTENANCE COST	
					MONTH	YTD
WPD-01 2009 Dodge Charger	134,627	1,472	21	71	\$0.00	34.95
WPD-02 2013 Dodge Charger	51,694	871	19	46	\$0.00	\$1,890.07
WPD-03 2013 Dodge charger	61,448	4,123	31	133	\$490.07	\$1,214.06
WPD-04 2013 Dodge Charger	63,150	2,069	26	80	\$498.47	2,805.08
WPD-05 2008 Dodge Charger-	164,748	603	13	46	\$0.00	808.76
WPD-06 2013 Dodge Charger	56,348	3,209	29	111	\$0.00	\$999.36
WPD-08M 2008 Harley-Davidson Motorcycle	5,033	28	1	28	\$0.00	

Vehicle Maintenance Details

WPD-03: Tire Rotation (\$34.95) / Tire Replacement (\$455.12)

WPD-04: Tires/ Oil (\$498.47)

Planning and Development Report
July 11, 2016

Ongoing Projects:

Annexation of Rights of Ways – Staff has received the partially executed petitions for the section of State Highway EE. WD1512AC. A Public Hearing was conducted by the City Attorney at the May 24th P/Z Meeting. Planning and Zoning Commissioners made a recommendation to the BOA to accept the petition for the section to be annexed.

Jackson Street Sidewalk Project: Olsson Engineer- Jane Earnhart has sent the Notice of Award to Hunter Chase INC. Hunter Chase has submitted the contract documents along with the insurance certificates and bonds back to Olsson for approval. We are waiting on the contract documents to bring back to council for approval.

Glenn's Automotive – The owner is currently taking bids for all work involved with the project.

Green Acres Subdivision –Owner Jack Minnick – A contractor has been retained to perform all aspects of the testing. Both Anderson Engineering and staff will be present when the final tests are conducted.

Robertson Subdivision- P/Z approved the Final Plat of Lot 1 at the June 28 th meeting.

Security renovation for City Hall – Hamby Construction will be starting demolition sometime after mid July.

Meadows West Lift Station Improvements – The contract is ready to be executed by the Mayor and then Notice to Proceed will be given. The contractor will have two (2) weeks to mobilize with a scheduled completion date of November 22, 2016.- (120 days)

Waste Water Facility Master Plan- Staff is awaiting the final draft of the Waste Water Facility Master Plan from Olsson.

Ornate Development -Staff has been working with a developer for the addition of a twelve lot subdivision to be located in the southern portion of the Meadows, Willard Water District . An agreement has been proposed to verify an engineering report to satisfy DNR design requirements.

Staff has received a site plan for forty- eight units to be Phase 2 of the Fox River Development from Hamilton Builders and will be presenting a re- zoning application to the P/Z Commission later this month.

Staff has received a site /sketch plan for additional storage buildings to be added to the Fox Fire mini storage and will be presenting to the P/Z Commission later this month.

If you have questions concerning my report please contact me at City Hall.

Randy Brown , Director of Development

CITY OF WILLARD, MISSOURI

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AGENDA ITEM # 7

**Ordinance accepting the Annexation of
WD1512AC. (1st and 2nd Read)
Discussion/Vote.**

Sponsored by the Director of Development.

AN ORDINANCE

AN ORDINANCE TO ANNEX RIGHT-OF-WAY PROPERTY CONTIGUOUS, COMPACT AND ADJACENT TO THE EXISTING CITY LIMITS OF THE CITY OF WILLARD, GREENE COUNTY, MISSOURI

WHEREAS, the Board of Aldermen of the City of Willard, Missouri determined after discussion and research as to the advisability, need and feasibility of the acquisition of land located in Greene County, Missouri; and,

WHEREAS, the City of Willard has petitioned the Missouri Department of Transportation for Annexation by verified petition; and,

WHEREAS, the City has determined after review that said property is contiguous to and adjacent to the city limits of the City of Willard; and,

WHEREAS, the subject property is more particularly described as follows:

ALL THAT PART OF STATE ROUTE EE, DESCRIBED AS BEGINNING AT A POINT TWO HUNDRED FEET (200') WEST OF THE INTERSECTION OF STATE ROUTE EE AND STATE ROUTE AB, LOCATED ON THE SECTION LINE OF SECTIONS 3 AND 10, TOWNSHIP 29 NORTH, RANGE 23 WEST AND CONTINUING EASTERLY FOR APPROXIMATELY 1.06 MILES, THROUGH SECTIONS 2, 3, 10, AND 11, TOWNSHIP 29 NORTH, RANGE 23 WEST TO THE EASTERN RIGHT OF WAY LINE OF FARM ROAD 103, EXCEPT ANY PART PREVIOUSLY ANNEXED INTO THE CITY OF WILLARD, ALL IN GREENE COUNTY; and

WHEREAS, the Clerk of the City of Willard published Notice of the request for annexation in the Greene County Commonwealth, a newspaper of general circulation in the County of Greene, Missouri, authorized to publish such notices; and

WHEREAS, That the Clerk for the City of Willard included in said Notice that a Public Hearing would be held, which was open for comment by the general population of the City of Willard; and

WHEREAS, After the hearing as aforesaid, it was found that the annexation is reasonable and in the best interests of the City of Willard, Greene County, Missouri.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WILLARD, MISSOURI, AS FOLLOWS:

Section1: There being no written objection to this annexation by the requisite numbers of the Willard voting public, the annexation shall be complete.

Section 2: The City Clerk of the City of Willard is hereby ordered to cause three certified copies of this ordinance to be filed with the Greene County Clerk.

Section 3: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed. This ordinance shall be in full force and effect from and after the date of its passage, and entry by resolution of its adoption by the Board of Aldermen and its approval by the Mayor.

READ TWO TIMES AND PASSED AT A MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF WILLARD, MISSOURI ON THE 11th DAY OF JULY, 2016.

APPROVED BY:

Corey Hendrickson, Mayor

ATTEST:

Jennifer Rowe, City Clerk

APPROVED AS TO FORM:

City Attorney

MEMBERS OF THE BOARD OF ALDERMEN	YES	NO
_____ Jamie Buckley	_____	_____
_____ Samuel Snider	_____	_____
_____ Donna Stewart	_____	_____
_____ Larry Whitman	_____	_____
_____ Sam Baird	_____	_____
_____ David Roggensees	_____	_____

Missouri Department of Transportation

3025 East Kearney Street
P.O. Box 868
Springfield, Missouri 65801
417.895.7600
Fax: 417.895.7637
1.888.ASK MODOT (275.6636)

June 9, 2016

Mr. Randy Brown, Director of Development
City of Willard
224 W Jackson St.
P.O. Box 187
Willard, MO 65781

Re: WD1512AC
Annexation of Route EE
City of Willard, Greene County

Dear Mr. Brown,

Please find enclosed two (2) partially executed copies of the petition for voluntary annexation of a portion of Route EE into the City of Willard. These petitions now need to be executed by the City. Please refer to Missouri Revised Statutes for additional guidance on voluntary annexation procedures.

Please be aware that the annexation will not affect the speed limit unless a speed study is requested and determines that a change in the speed limit is warranted.

Please return one (1) fully executed annexation petition along with the City's annexation ordinance to me once it has been passed by the Board of Aldermen. We will relocate the city limit signs and update our records after the final ordinance has been received.

If you have any questions, please contact me by e-mail at Andrew.Seiler@modot.mo.gov, or by telephone at (417) 895-7696.

Sincerely,



Andrew Seiler
Senior Transportation Planner

Enclosures: (2) Voluntary Annexation Petitions

Copy: File



CCO Form: RW39
Approved: 11/05 (BDG)
Revised: 01/15 (AR)
Modified:

VOLUNTARY ANNEXATION PETITION

The City of Willard, Missouri, (hereinafter, "City") has requested that the Missouri Highways and Transportation Commission (hereinafter, "MHTC") file a petition requesting voluntary annexation into the City of certain public rights of way as indicated in the attached plan sheets. The undersigned on behalf of the City hereby verifies the following:

(1) The City has published a notice of annexation in a local newspaper of general circulation for public comment regarding the proposed annexation or if the City has no local newspaper, it has given public notice using whatever mechanism it typically uses to notify citizens of similar actions.

(2) The City has provided accurate information to MHTC regarding any and all public input received for the annexation, along with any and all input received from the County of Greene and any other incorporated municipality within a five-mile radius of the area to be annexed.

(3) The City has complied with all requirements set forth by MHTC and has provided all information requested by MHTC.

(4) The City has notified all property owners adjacent to the MHTC property to be annexed pursuant to this annexation petition of the proposed voluntary annexation.

(5) The Commission has provided the City with a legal description of the property. If the City desires or is required by statute to use a legal description different from that provided by the Commission, the City shall ensure that the alternate legal description prepared by the City shall correspond to the Commission's legal description and the City shall ensure that the City's description will not extend beyond the description provided by the Commission.

(6) To the extent allowed by law, the City will hold MHTC, Missouri Department of Transportation and its employees harmless from any lawsuits arising out of or relating to the City's failure to comply with all statutes pertaining to the annexation of the described property.

(7) The parties enter into this voluntary annexation petition with full understanding that MHTC, to the best of its knowledge and belief, has the

authority to petition for voluntary annexation into the City. MHTC makes no representation that it has full fee simple title to the right of way which is the subject of this voluntary annexation. In the event this annexation is rendered null and void based upon a determination that MHTC did not have the authority to petition for voluntary annexation, MHTC will not be responsible for any damages, costs or other expenses incurred by the City in connection with this Agreement.

(8) That the undersigned on behalf of the City of Willard has the authority to execute the terms and conditions contained in this voluntary annexation petition and bind the City to those terms and conditions.

(9) That the event the voluntary annexation is approved by the City and the city limits are extended to include the rights of way described in this voluntary annexation petition, the City shall provide MHTC's undersigned representative with a copy of the final ordinance adopted by the City extending the City's boundary to include the herein described right of way.

Therefore, the undersigned, according to his or her best knowledge, information, and belief, on behalf of the MHTC alleges:

(1) MHTC holds a property interest in the following described tract of land.

All that part of State Route EE, described as beginning at a point two hundred feet (200') west of the intersection of State Route EE and State Route AB, located on the section line of Sections 3 and 10 Township 29 North Range 23 West, and continuing easterly for approximately 1.06 miles through Sections 2, 3, 10, and 11 Township 29 North Range 23 West to the eastern right of way line of Farm Road 103, except any part previously annexed into the City of Willard, all in Greene County.

(2) By execution of this petition, the MHTC requests that the above-described right of way be annexed to, and be included within the corporate limits of the City of Willard, Missouri, as authorized by the provisions of Chapter 71 of the Revised Statutes of Missouri.

(3) That, based upon information provided by the City, that the area to be annexed is not now a part of any incorporated municipality.

(4) That, based upon information provided by the City, that the area to be annexed is compact and contiguous to the existing corporate limits of the City of Willard.

(5) That the undersigned petitioner is authorized to execute this voluntary annexation petition on behalf of MHTC so that the described right of way can be included within the corporate limits of the City of Willard.

(6) That MHTC authorizes the governing body of the City of Willard to cause the required notice to be published, to conduct a public hearing as required by law and to thereafter adopt as ordinance extending the limits of the City of Willard to include the above-described right of way.

[Remainder of page intentionally left blank; Signatures appear on following page]

THIS PETITION REQUESTING VOLUNTARY ANNEXATION IS NOT A VALID PETITION UNTIL BOTH THE CITY AND MHTC'S REPRESENTATIVE HAVE EXECUTED THE PETITION.

In Witness Whereof, the parties have entered into this voluntary annexation petition on the date last written below:

Executed by the City this _____ day of _____, 20____.

Executed by MHTC this 8TH day of JUNE, 2016.

CITY OF WILLARD

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

By: _____

By: 

Title: _____

Title: Assistant District Engineer

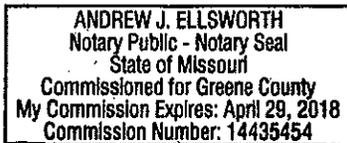
ACKNOWLEDGEMENT BY COMMISSION

STATE OF MISSOURI)
)
COUNTY OF GREENE) ss

On this 8th day of JUNE, 2016, before me appeared ANDREW MUELLER personally known to me, who being by me duly sworn, did say that he/she is the assistant district engineer of the Missouri Highways and Transportation Commission and that said instrument was signed in behalf of said Commission by authority of the Missouri Highways and Transportation Commission and said ANDREW MUELLER acknowledged said instrument to be the free act and deed of said Commission.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the county and state aforesaid the day and year written above.

Andrew J. Ellsworth
Notary Public



My Commission Expires: APRIL 29, 2018

ACKNOWLEDGEMENT BY CITY

STATE OF MISSOURI)
)
COUNTY OF _____) ss

On this ____ day of _____, 20__, before me appeared _____ personally known to me, who being by me duly sworn, did say that he/she is the _____ of the City of _____ and that the foregoing instrument was signed and sealed on behalf of the City of _____ and that he/she acknowledged said instrument to be the free act and deed of the City of _____ and that it was executed for the consideration stated therein and no other.

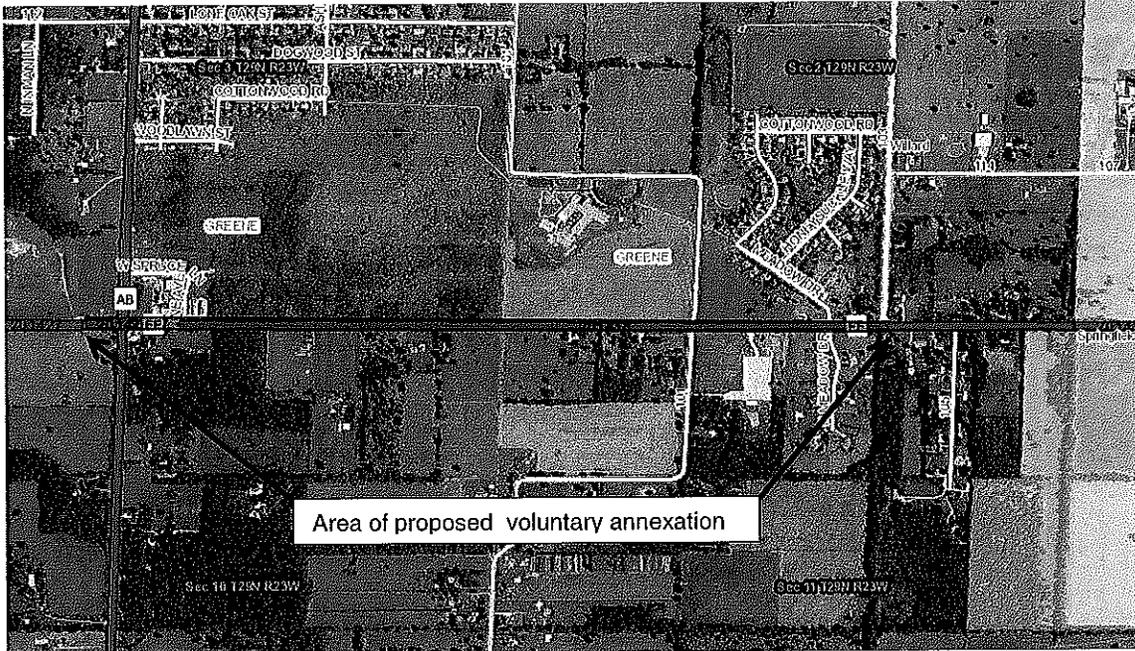
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the county and state aforesaid the day and year written above.

Notary Public

My Commission Expires: _____

WD1512AC
Voluntary Annexation of State Highway Right of Way
City of Willard, Greene County
Route EE

All that part of State Route EE, described as beginning at a point two hundred feet (200') west of the intersection of State Route EE and State Route AB, located on the section line of Sections 3 and 10, Township 29 North, Range 23, West, and continuing easterly for approximately 1.06 miles through Sections 2, 3, 10, and 11 Township 29 North Range 23 West to the eastern right of way line of Farm Road 103, except any part previously annexed into the City of Willard, all in Greene County.



CITY OF WILLARD, MISSOURI

224 W. Jackson Street P.O. Box 187 Willard, MO 65781 417-742-3033 417-742-3080 Fax



AGENDA ITEM # 8

Ordinance accepting the Final Plat for Robertson Estates Lot one (1). (1st and 2nd Read) Discussion/Vote.

Sponsored by the Director of Development.

First Reading: 07-11-16

Second Reading: 07-11-16

Council Bill No.: 16-17

Ordinance No.:160711B

AN ORDINANCE

AN ORDINANCE TO ACCEPT THE FINAL PLAT OF ROBERTSON ESTATES LOT 1 AS AN ADDITION TO THE CITY OF WILLARD GREENE COUNTY, MO.

WHEREAS, on April 26, 2016, the Planning and Zoning Commission of the City of Willard, Missouri, approved the Preliminary Plat of Robertson Estates, as a subdivision of the City of Willard; and

WHEREAS, on May 23, 2016, the Board of Aldermen of the City of Willard, approved the Preliminary Plat of Robertson Estates; and

WHEREAS, on June 28, 2016, the Planning and Zoning Commission of the City of Willard, Missouri, reviewed the Final Plat of Robertson Estates Lot 1 and found it to be in substantial conformance with the preliminary plat and voted to recommend approval to the Board of Aldermen of the City of Willard.

NOW THEREFORE, BE IT HEREBY ORDAINED AND RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF WILLARD, GREENE COUNTY, MISSOURI, AS FOLLOWS:

Section 1: That the final plat of Robertson Estates Lot 1 in Willard, Greene County Missouri, as shown by the final plat filed with the City Clerk of the City of Willard, Missouri, is hereby accepted and approved and declared as a subdivision of the City; that the final plat of said property comprises the following real estate to-wit:

A TRACT OF LAND BEING A PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 30 NORTH, RANGE 23 WEST, GREENE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS:

LOT 1: COMMENCING AT A RAILROAD SPIKE SET AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWESTQUARTER OF SAID SECTION 26; THENCE S02'10'23" W, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, 173.23 FEET; THENCE N87'26'13W LEAVING SAID EAST LINE, 35.06 FEET TO AN EXISTING 5/8" REBAR CAPPED LS 2001020272-D; THENCE S02'20'21"W, 985.97 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF FARMER STREET FOR THE POINT OF BEGINNING; THENCE CONTINUING S02'20'21"W, ALONG SAID RIGHT-OF-WAY LINE, 167.72 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE N87'36'11"W, ALONG SAID SOUTH LINE 258.71 FEET; THENCE LEAVING SAID SOUTH LINE N02'20'21"E, 167.72 FEET; THENCE S87'38'11"E, 258.71 FEET TO THE POINT OF BEGINNING. CONTAINING 1.00 ACRES MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD IF ANY.

Section 2: Upon compliance with all the requirements of this ordinance, the City Clerk is hereby authorized to endorse the Board of Aldermen's approval upon the final plat pursuant to Section 445.030, RSMo.

Section 3: This Ordinance shall be in full force and effect from and after the date of its passage by the Board of Aldermen and approval of the Mayor.

READ TWO TIMES AND PASSED AT A MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF WILLARD, MISSOURI ON THE 11TH DAY OF JULY, 2016.

First Reading: 07-11-16

Second Reading: 07-11-16

Council Bill No.:16-17

Ordinance No.:160711B

APPROVED BY: _____, Mayor

ATTEST: _____, City Clerk

Approved as to form: _____, City Attorney

MEMBERS OF THE BOARD OF ALDERMEN:

YES

NO

JAMIE BUCKLEY

SAMUEL SNIDER

DONNA STEWART

LARRY WHITMAN

SAM BAIRD

DAVID ROGGENSEES



Subdivision Case No. 062816
Application Date 6-28-16
Application Fee \$300.00 + \$10.00/lot Residential
\$300.00 + \$10.00/lot Commercial
\$300.00 + \$10.00/lot PDD
Issuance Fee \$10.00
Recording Fee _____

CITY OF WILLARD, MO
APPLICATION
MAJOR SUBDIVISION – FINAL PLAT

We, the undersigned, request the City of Willard, Missouri Planning and Zoning Commission and Board of Aldermen to approve the final plat attached to this application, and attest to the truth and correctness of all facts and information for the final plat presented in this application. The signers represent and warrant that all lien holders have consented to all dedications and the platting provided for in this final plat and will comply with all regulations regarding the platting and subdividing of the land.

Name of Final Plat: Robertson Estates Lot 1

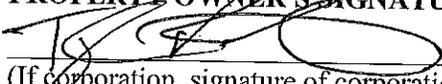
Name of Preliminary Plat: Robertson Estates

Property Owner's Name Taylor D. Robertson

If corporation, Corporate Official: _____

Mailing Address 4286 N Red Hawk Circle Springfield, MO 65803
Telephone Number (417) 844-4889 Fax Number _____

PROPERTY OWNER'S SIGNATURE(S):


(If corporation, signature of corporation official)

CITY OF WILLARD, MISSOURI

224 W. Jackson Street P.O. Box 187 Willard, MO 65781 417-742-3033 417-742-3080 Fax



AGENDA ITEM # 9

**Ordinance amending the 2016 Budget. (1st
and 2nd Read) Discussion/Vote.**

Sponsored by the Chief Financial Officer.

FIRST READING: 07/11/16

SECOND READING: 07/11/16

BILL NO. 16-18

ORDINANCE NO. 160711C

AN ORDINANCE

AN ORDINANCE TO AMEND TO THE 2016 BUDGET, AND DECLARING IT AN EMERGENCY.

Be it hereby ordained by the Board of Aldermen of the City of Willard, Missouri as follows:

SECTION 1: That the 2016 Budget Amendments are attached to this Ordinance and shall be incorporated herein by specific reference thereto as if fully set forth herein.

SECTION 2: That these 2016 Budget Amendments are adopted as a part of the 2016 Budget.

SECTION 3: Savings Clause. Nothing in this ordinance shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, nor any cause or causes of action occurred or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired, or affected by this ordinance. In the event of any conflict between this ordinance and any other law, regulation or ordinance, the more restrictive shall apply.

SECTION 4: Severability Clause. If any Section, subdivision, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have adopted the ordinance and each Section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more Sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 5: This Ordinance shall be in full force and effect from and after the date of its passage by the Board of Aldermen and approval of the Mayor.

READ TWO (2) TIMES AND PASSED AT A MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF WILLARD, MISSOURI ON THE 11th DAY JULY 2016.

Approved as to form: _____
Ken Reynolds, City Attorney

Attested by:

Jennifer Rowe, City Clerk

Approved by:

Corey Hendrickson, Mayor

MEMBERS OF THE BOARD OF ALDERMEN:	YES	NO	ABSTAINED
FIRST(1st) READING			
_____ JAMIE BUCKLEY	_____	_____	_____
_____ SAMUEL SNIDER	_____	_____	_____
_____ DONNA STEWART	_____	_____	_____
_____ LARRY WHITMAN	_____	_____	_____
_____ SAM BAIRD	_____	_____	_____
_____ DAVID ROGGENSEES	_____	_____	_____

MEMBERS OF THE BOARD OF ALDERMEN:
SECOND(2nd) READING

YES

NO

ABSTAINED

JAMIE BUCKLEY

SAMUEL SNIDER

DONNA STEWART

LARRY WHITMAN

SAM BAIRD

DAVID ROGGENSEES

CITY OF WILLARD, MISSOURI

224 W. Jackson Street P.O. Box 187 Willard, MO 65781 417-742-3033 417-742-3080 Fax



AGENDA ITEM # 11

Ordinance accepting the contract with Whisler Construction for the Meadows West Lift Station. (1st and 2nd Read) Discussion/Vote.

Sponsored by the Director of Development.

First Reading: 07/11/16

Second Reading: 07/11/16

Council Bill No.: 16-19

Ordinance No.: 160711D

AN ORDINANCE

ACCEPTING the proposal of Whisler Construction to provide contracting work for the City of Willard City Meadows West Lift Station, and authorizing the Mayor to execute all necessary documents, on behalf of the City of Willard, to accept the proposal.

WHEREAS, the City of Willard has determined a need to renovate the Meadows West Lift Station; and,

WHEREAS, the City of Willard has selected Whisler Construction to provide said services as itemized in detail in Exhibit "A" as attached hereto.

NOW THEREFORE, BE IT HEREBY ORDAINED AND RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF WILLARD, GREENE COUNTY, MISSOURI, AS FOLLOWS:

Section 1: That the Mayor, on behalf of the City of Willard, Missouri is hereby authorized to accept the proposal of Whisler Construction to provide the services described in Exhibit "A".

Section 2: This Ordinance shall be in full force and effect from and after the date of its passage by the Board of Aldermen and approval of the Mayor.

Mayor

ATTEST: _____, City Clerk

Approved as to form: _____, City Attorney

READ TWO TIMES AND PASSED AT A MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF WILLARD, MISSOURI ON THE 11th DAY OF July 2016.

MEMBERS OF THE BOARD OF ALDERMEN:	YES	NO	ABSTAINED
_____ JAMIE BUCKLEY	_____	_____	_____
_____ SAMUEL SNIDER	_____	_____	_____
_____ DONNA STEWART	_____	_____	_____
_____ LARRY WHITMAN	_____	_____	_____
_____ SAM BAIRD	_____	_____	_____
_____ DAVID ROGGENSEES	_____	_____	_____

2nd READ

MEMBERS OF THE BOARD OF ALDERMEN:

YES

NO

ABSTAINED

JAMIE BUCKLEY

SAMUEL SNIDER

DONNA STEWART

LARRY WHITMAN

SAM BAIRD

DAVID ROGGENSEES



June 28, 2016

Hamilton & Dad, Inc.
12390 W Faith Ln
Republic, MO 65738-2634

Re: The Meadows West Sewage Lift Station Replacement
Willard, Missouri

Gentlemen:

The above referenced contract has been awarded to the low bidder, Whisler Construction, Inc. in the amount of \$230,959.00 and acceptable Performance and Payment Bonds have now been received. Therefore, in keeping with the Instruction to Bidders, your Bid Bond is being returned herewith.

Thank you for your participation in the bidding process. Should you have any questions, please contact me.

Sincerely,

White River Engineering, Inc.

A handwritten signature in cursive script that reads "Richard McMillian".

Richard McMillian, P.E.

c: City of Willard



June 28, 2016

G&G Construction, Inc.
641 E Java Rd
Carthage, MO 64836-7509

Re: Meadows West Sewage Lift Station Replacement
Willard, Missouri

Gentlemen:

The above referenced contract has been awarded to the low bidder, Whisler Construction, Inc. in the amount of \$230,959.00 and acceptable Performance and Payment Bonds have now been received. Therefore, in keeping with the Instruction to Bidders, your Bid Bond is being returned herewith.

Thank you for your participation in the bidding process. Should you have any questions, please contact me.

Sincerely,

White River Engineering, Inc.

A handwritten signature in black ink that reads "Richard McMillian". The signature is written in a cursive style with a large initial 'R'.

Richard McMillian, P.E.

c: City of Willard

DOCUMENT 00300
B I D FORM

PROJECT IDENTIFICATION: The Meadows West Sewage Lift Station Replacement

BID TO: City of Willard
224 W Jackson
Willard, MO 65781

BID FROM: **WHISLER CONSTRUCTION INC.**
P.O. BOX 369
WILLARD, MO 65781

1. The undersigned Bidder agrees, if this Bid is accepted, to enter into an agreement with Owner, in the form included in the Contract Documents, to perform and furnish the Work, as specified or indicated in the Contract Documents for the Bid Price(s) and within the Bid Time(s) indicated in this bid and in accordance with the other terms and conditions of the Contract Documents.
2. In submitting this Bid, Bidder represents, as more fully set forth in the Agreement, that:
 - a. This Bid will remain subject to acceptance for 60 days after the date of Bid opening;
 - b. The Owner has the right to reject this Bid;
 - c. Bidder accepts the provisions of the Instructions to Bidders regarding disposition of Bid Security;
 - d. Bidder will sign and submit the Agreement with the Bonds and other documents required by the Contract Requirements within 14 days after the date of Owner's Notice of Award;
 - e. Bidder has examined copies of all the Contract Documents;
 - f. Bidder has visited the site and become familiar with the general, local and site conditions;
 - g. Bidder is familiar with federal, state, and local laws and regulations;
 - h. Bidder has correlated the information known to Bidder, information and observations obtained from visits to the site, reports and drawings identified in the Contract Documents and additional examinations, investigations, explorations, tests, studies and data with the Contract Documents;
 - i. This Bid is genuine and not made in the interest of or on behalf of an undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of a group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited another bidder to submit a false or sham Bid; Bidder has not solicited or induced a person, firm or corporation to refrain from Bidding; and Bidder has not sought by collusion to obtain for itself an advantage over another Bidder or over Owner.
 - j. Bidder has received the following addenda, receipt of which is hereby acknowledged:

<u>Number</u>	<u>Date</u>
<u>1</u>	<u>5-17-16</u>
_____	_____

3. Bidder will complete the Work in accordance with the Contract Documents for the following price and conditions:

The Meadows West Sewage Lift Station Replacement		
Item No.	Item Description	Total Lump Sum Base Bid Price
1	Duplex wastewater pumping station, submersible type, including all materials, equipment, labor, site work, piping, electrical work, etc., for a complete installation, per lump sum.	\$ 177,446.00

4. Alternates: The Owner may elect to accept the following alternate additive bid prices and consider such alternate additive bid prices in determining the low bidder:

Alternate No.	Item Description	Total Additive Lump Sum Bid Price
1	Provide a packaged engine generator system as depicted by applicable details labeled "Alternate No. 1" on Plan Sheet Nos. 2 & 4. Refer to Section 16620 for product and execution requirements for the packaged engine generator system and other Division 16 Sections for product and execution requirements for related electrical work.	\$ 26,328.00
2	Provide new access road from State Highway AB as depicted by applicable details labeled "Alternate No. 2 on Plan Sheet No. 2. Refer to applicable Division 2 Sections for related earthwork requirements.	\$ 20,677.00
3	Provide chain link security fence around lift station site as depicted by applicable details labeled "Alternate No. 3" on Plan Sheet Nos. 2 & 5. Refer to Section 02831 for product and execution requirements for chain link fencing and other Division 2 Sections for related site work.	\$ 6,508.00

5. Bidder agrees that the Work will be substantially complete and ready for final payment in accordance with the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement. Bidder further agrees to pay as liquidated damages, the sum of \$500.00 for each calendar day thereafter as provided in Article 15 of the General Conditions.

6. The following documents are attached to and made a condition of this Bid:

- a. Required Bid Security in the form of Bid Bond.
- b. Bidder's Qualification Statement with supporting data.
- c. Work Authorization Affidavit including evidence of enrollment in Federal Work Authorization Program (E-Verify).

SUBMITTED ON 5-18, 2016.

By WHISLER CONSTRUCTION INC. (SEAL)
P.O. BOX 369
(Firm Name) WILLARD, MO 65781
Whisler President
(Authorized Signature)

Business Address 6689 N. Farm Road 91
Willard, MO 65781

Phone No.: 417-742-4534

Document A310™ - 2010

Conforms with The American Institute of Architects AIA Document 310

Bid Bond

CONTRACTOR:

(Name, legal status and address)

Whisler Construction, Inc.

SURETY:

(Name, legal status and principal place of business)

Granite Re, Inc.

14001 Quailbrook Drive

Oklahoma City, OK. 73141 (800) 440-5953

Mailing Address for Notices

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

OWNER:

(Name, legal status and address)

City of Willard, Missouri

BOND AMOUNT: Five Percent (5%) of Amount Bid ***

PROJECT:

(Name, location or address, and Project number, if any)

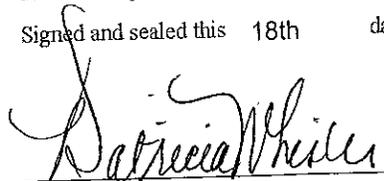
The Meadows West Sewage Lift Station Replacement
Willard, Missouri

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 18th day of May, 2015



(Witness)

Whisler Construction, Inc.

(Principal)

(Seal)



(Title) President

Granite Re, Inc.

(Surety)

(Seal)



(Title) Attorney-in-Fact

GRANITE RE, INC.
GENERAL POWER OF ATTORNEY

Know all Men by these Presents:

That GRANITE RE, INC., a corporation organized and existing under the laws of the State of OKLAHOMA and having its principal office at the City of OKLAHOMA CITY in the State of OKLAHOMA does hereby constitute and appoint:

GARY L. YOST; WILLIAM L. SOUTHWORTH, JR; CALLAE J. DOTY; BRANDI J. BRADLEY; THOMAS A. MONTILEONE its true and lawful Attorney-in-Fact(s) for the following purposes, to wit:

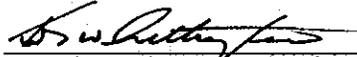
To sign its name as surety to, and to execute, seal and acknowledge any and all bonds, and to respectively do and perform any and all acts and things set forth in the resolution of the Board of Directors of the said GRANITE RE, INC. a certified copy of which is hereto annexed and made a part of this Power of Attorney; and the said GRANITE RE, INC. through us, its Board of Directors, hereby ratifies and confirms all and whatsoever the said:

GARY L. YOST; WILLIAM L. SOUTHWORTH, JR; CALLAE J. DOTY; BRANDI J. BRADLEY; THOMAS A. MONTILEONE may lawfully do in the premises by virtue of these presents.

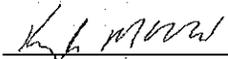
In Witness Whereof, the said GRANITE RE, INC. has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary/Treasurer, this 3rd day of July, 2013.

STATE OF OKLAHOMA)
) SS:
COUNTY OF OKLAHOMA)





Kenneth D. Whittington, President



Kyle P. McDonald, Treasurer

On this 3rd day of July, 2013, before me personally came Kenneth D. Whittington, President of the GRANITE RE, INC. Company and Kyle P. McDonald, Secretary/Treasurer of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said Kenneth D. Whittington and Kyle P. McDonald were respectively the President and the Secretary/Treasurer of GRANITE RE, INC., the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so fixed by order of the Board of Directors of said corporation, and that they signed their name thereto by like order as President and Secretary/Treasurer, respectively, of the Company.

My Commission Expires:
August 8, 2017
Commission #: 01013257





Kathleen E. Carlson
Notary Public

GRANITE RE, INC.
Certificate

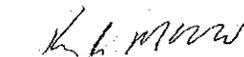
THE UNDERSIGNED, being the duly elected and acting Secretary/Treasurer of Granite Re, Inc., an Oklahoma Corporation, HEREBY CERTIFIES that the following resolution is a true and correct excerpt from the July 15, 1987, minutes of the meeting of the Board of Directors of Granite Re, Inc. and that said Power of Attorney has not been revoked and is now in full force and effect.

"RESOLVED, that the President, any Vice President, the Secretary, and any Assistant Vice President shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the Company in the course of its business. On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the Company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

IN WITNESS WHEREOF, the undersigned has subscribed this Certificate and affixed the corporate seal of the Corporation this

18th day of May, 20 16.





Kyle P. McDonald, Secretary/Treasurer

Note: Submit Form with Bid

DOCUMENT 00420

WHISLER CONSTRUCTION INC.
CONTRACTOR'S QUALIFICATIONS
P.O. BOX 369
WILLARD, MO 65781

Name of firm and address with zip code

5-17-16 417-742-4534 Corporation Partnership
Date Area Code and Telephone Individual

Construction Capabilities: General Electrical Plumbing Mechanical Other

FOR CORPORATION ONLY

Jan 1999 Missouri
Date of Incorporation Name of State(s) in which incorporated

If not incorporated in Missouri give Certificate of Authority Certificate No. and Date to do business in Missouri

Michael Whisler _____
President's Name Vice-President's Name

Secretary's Name Treasurer's Name

FOR PARTNERSHIP ONLY

Is the partnership: General Limited Association

1. _____
Date of Organization Name and address of all parties with zip codes

2. _____

3. _____
Use Additional sheet if necessary

GENERAL INFORMATION

100% 8-12 _____
Percent(%) of work done by No. of permanent employees Geographical limits of operation

17 _____
No. of years in business If you have done business under different name, please give name
and location

*Incorporated as Seal Safe Inc in 1999 -
Amended Name to Whisler Const. Inc
in Dec 2011*

CONTRACTOR'S QUALIFICATIONS, CONTINUED

- Newer -

Has firm ever failed to complete project or defaulted on a contract? If so, state where and why.

- Newer -

Has firm ever been engaged in litigation over any contract? If so, explain.

LIST OF COMPLETED PROJECTS WITHIN PAST FOUR YEARS, INCLUDING COST OF EACH:

2012-2015 ASSOCIATED Wholesale Grocers - concrete work	1,033,134.00
2015 CITY OF ASH GROVE MO - DOWNTOWN Streetscape	165,000.00
2012-15 BY DESIGN Prop - City Parking lot	200,000.00
2014 DALLAS COUNTY R-1 Schools - Storm & Sanitary Sewer	2,170,000.00
2015 GDD MECHANICAL - OFFICE RENOVATION	181,000.00
2013 KRBB-TV - OFFICE REMODEL	115,000.00
2015 PURINA - SCALE REPLACEMENT & concrete work	150,000.00
2012-2015 RECKITT BENKISER - Warehouse Maintenance	400,000.00
2012-15 TCSI Transland - Parking lot Maint.	130,000.00
2012-15 WOODS SuperMarket - lot Maintenance	275,000.00

LIST OF PROJECTS CURRENTLY UNDER CONSTRUCTION, INCLUDING COST OF EACH:

2016 ASSOCIATED WHOLESALE GROCERS -	180,000.00
2016 CROSSBREAD HOLSTER	110,000.00
2016 SPRINGFIELD BREWING COMPANY	125,000.00

NOTE: LIST A CONTACT PERSON WITH ADDRESS AND TELEPHONE NUMBER FOR EACH PROJECT.

MIKE WAISKER - 417-880-5029

DOCUMENT 00497

Notice and Instructions to Bidders/Vendors

Regarding Sections 285.525 through 285.550 RSMO, Effective January 1, 2009 and Section 292.675 RSMO, Effective August 28, 2009

Effective January 1, 2009 and pursuant to the State of Missouri's RSMO 285.530 (1), No business entity or employer shall knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the state of Missouri.

As a condition for the award of any contract or grant in excess of five thousand dollars by the state or by any political subdivision of the state (e.g., City of Willard, Mo.) to a business entity, the business entity (Company) shall, by sworn affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services. Every such business entity shall sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services. [RSMO 285.530 (2)]

RSMO 285.530 pertains to all solicitations for services over \$5,000. RSMO 285.530 does not apply to solicitations for commodities only. If a solicitation is for services and commodities, RSMO 285.530 applies if the services portion of the solicitation is over \$5,000.

Effective August 28, 2009 and pursuant to the State of Missouri's RSMO 292.675, Contractors and subcontractors who sign a contract to work on public works projects must provide a 10-hour OSHA construction safety program, or similar program approved by the Department of Labor and Industrial Relations, to be completed by their on-site employees within sixty (60) days of beginning work on the construction project. Contractors and subcontractors in violation of this provision will forfeit to the public body \$2,500 plus \$100 a day for each employee who is employed without training. Public bodies and contractors may withhold assessed penalties from the payment due to those contractors and subcontractors.

In order to comply with sections 285.525 through 285.550 and 292.675 RSMO, City requires the following bid and contract documents:

- 1. Affidavit for Contracts over \$5,000.00 (US) – Effective 1-1-2009**, Company shall comply with the provisions of Section 285.525 through 285.550 R.S.Mo. Contract award is contingent on Company providing an acceptable notarized affidavit stating:
 - a. that Company is enrolled in and participates in a federal work authorization program with respect to the employees working in connection with the contracted services; and
 - b. that Company does not knowingly employ any person who is an unauthorized alien in connection the contracted services.
- 2. Affidavit for any Public Works Project Contract – Effective 8-28-2009**, Company shall comply with the provisions of Section 292.675 R.S.Mo. Within 60 days of issuance of Notice to Proceed, Company shall provide an acceptable notarized affidavit stating that Company has verified the completion of a 10-hour construction safety program with respect to the employees working in connection with the contracted services.
- 3. Additionally, Company must provide documentation evidencing current enrollment in a federal work authorization program (e.g. electronic signature page from E-Verify program's Memo of Understanding (MOU). *See attached sample***

Companies that are not already enrolled and participating in a federal work authorization program are encouraged to do so. E-Verify is an example of this type of program. Information regarding E-Verify is available at http://www.dhs.gov/xprevprot/programs/gc_1185221678150.shtm or by calling **888-464-4218**.

Company ID Number: 416644

D. Nothing in this MOU is intended, or should be construed, to create any right or benefit, substantive or procedural, enforceable at law by any third party against the United States, its agencies, officers, or employees, or against the Employer, its agents, officers, or employees.

E. Each party shall be solely responsible for defending any claim or action against it arising out of or related to E-Verify or this MOU, whether civil or criminal, and for any liability wherefrom, including (but not limited to) any dispute between the Employer and any other person or entity regarding the applicability of Section 403(d) of IIRIRA to any action taken or allegedly taken by the Employer.

F. The Employer understands that the fact of its participation in E-Verify is not confidential information and may be disclosed as authorized or required by law and DHS or SSA policy, including but not limited to, Congressional oversight, E-Verify publicity and media inquiries, determinations of compliance with Federal contractual requirements, and responses to inquiries under the Freedom of Information Act (FOIA).

G. The foregoing constitutes the full agreement on this subject between DHS and the Employer.

H. The individuals whose signatures appear below represent that they are authorized to enter into this MOU on behalf of the Employer and DHS respectively.



Company ID Number: 416644

To be accepted as a participant in E-Verify, you should only sign the Employer's Section of the signature page. If you have any questions, contact E-Verify at 888-464-4218.

Employer SEAL SAFE, INC		DBA:	
		WHISLER CONSTRUCTION INC.	
Michael Whisler		P.O. BOX 369	
Name (Please Type or Print)		WILLARD, MO 65781	
Electronically Signed		05/19/2011	
Signature		Date	
Department of Homeland Security – Verification Division			
USCIS Verification Division			
Name (Please Type or Print)		Title	
Electronically Signed		05/19/2011	
Signature		Date	

Information Required for the E-Verify Program

Information relating to your Company:

Company Name:	SEAL SAFE, INC	DBA:
		WHISLER CONSTRUCTION INC.
Company Facility Address:	6657 N FARM ROAD 91	P.O. BOX 369
		WILLARD, MO 65781
Company Alternate Address:	PO BOX 369	
		WILLARD, MO 65781
County or Parish:	GREENE	
Employer Identification Number:	431839502	

E-Verify



Company ID Number: 416644

North American Industry Classification Systems Code:	238
Administrator:	
Number of Employees:	5 to 9
Number of Sites Verified for:	1
Are you verifying for more than 1 site? If yes, please provide the number of sites verified for in each State:	
<ul style="list-style-type: none">MISSOURI 1 site(s)	

Information relating to the Program Administrator(s) for your Company on policy questions or operational problems:

Name:	PATRICIA K WHISLER	Fax Number:	(417) 742 - 4553
Telephone Number:	(417) 742 - 4534		
E-mail Address:	topstripel@aol.com		
Name:	Michael L Whisler	Fax Number:	(417) 742 - 4553
Telephone Number:	(417) 742 - 4534		
E-mail Address:	topstripel@aol.com		

DOCUMENT 00500
AGREEMENT

THIS AGREEMENT, made this 14th day of June, 2016, by and between the City of Willard, Missouri hereinafter called "OWNER" and Whisler Construction, Inc. doing business as a Corporation hereinafter called "CONTRACTOR".

1. The Contractor will commence and complete the construction of The Meadows West Sewage Lift Station Replacement.
2. The Contractor will furnish all of the material, supplies, tools, equipment, labor and other services necessary for the construction and completion of the Project described herein.
3. The Contractor will commence the work required by the Contract Documents within 14 calendar days after the date of the Notice to Proceed and will complete the same within 120 calendar days unless the period for completion is extended otherwise by the Contract Documents.
4. The Contractor agrees to perform all of the work described in the Contract Documents and comply with the terms therein for the sum of Two Hundred Thirty Thousand Nine Hundred Fifty-Nine dollars (\$230,959.00) or as shown in Bid Schedule. (Contract amount includes Base Bid plus Bid Alternate Nos. 1, 2, & 3.)
5. The term "Contract Documents" means and includes the following:
 - a. Invitation to Bid
 - b. Instructions to Bidders
 - c. Bid
 - d. Bid Bond
 - e. Agreement
 - f. Performance Bond
 - g. Payment Bond
 - h. General Conditions
 - i. Supplemental General Conditions
 - j. Drawings prepared by White River Engineering, Inc. dated April 21, 2016.
 - k. Specifications prepared or issued by White River Engineering, Inc., and dated April 21, 2016.
 - l. Addenda:

No. 1 dated May 11, 2016.
 - m. Change Order(s)
6. The Owner will pay to the Contractor in the manner and at such times as set forth in the General Conditions such amounts as required by the Contract Documents.
7. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF, The parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in Three (3) each of which shall be deemed an original on the date first above written.

(SEAL)
ATTEST:

By _____

Name Jennifer Rowe
(Please type)

Title City Clerk

(SEAL)
ATTEST:

By Patricia Whisler

Name Patricia Whisler, Secret.

WHISLER CONSTRUCTION INC.
P.O. BOX 369
WILLARD, MO 65781

Owner:

City of Willard, Missouri

By _____

Name Cory Hendrickson
(Please type)

Title Mayor

Contractor:

Whisler Construction, Inc.

By Mike Whisler, President

Name Mike Whisler, President
(Please type)

Address P.O. Box 369

Willard, Missouri 65781
(Please type)

Employer's Identification

No. 43-1839 502

DOCUMENT 00510
NOTICE OF AWARD

To: Whisler Construction, Inc.

P.O. Box 369

Willard, MO 65781

Project Description: The Meadows West Sewage Lift Station Replacement

The Owner has considered the Bid submitted by you for the above described work in response to its Notice to Bidders dated April 21, 2016, and Instructions to Bidders.

You are hereby notified that your Bid has been accepted for items in the amount of \$230,959.00. (Contract award includes Base Bid plus Bid Alternate Nos. 1, 2, & 3.)

You are required by the Instructions to Bidders to execute the Agreement and furnish the required Contractor's Performance and Payment Bond and Certificates of Insurance within fourteen (14) calendar days from the date of this Notice to you.

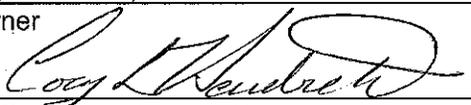
If you fail to execute said Agreement and to furnish said Bond within fourteen (14) days from the date of this Notice, said Owner will be entitled to consider all your rights arising out of the Owner's acceptance of your Bid as abandoned and as a forfeiture of your Bid Bond. The Owner will be entitled to such other right as may be granted by law.

You are required to return an acknowledged copy of this Notice of Award to the Owner.

Dated this 14th day of June, 2016.

City of Willard, Missouri

Owner

By 

Cory Hendrickson, Mayor

ACCEPTANCE OF NOTICE

Receipt of the above Notice of Award is hereby acknowledged:

By Whisler Construction, Inc.

This the 21 day of June, 2016.

By 

Title President

DOCUMENT 00610
PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS: That

Whisler Construction, Inc.
(Name of Contractor)

P.O. Box 369, Willard, Missouri 65781
(Address of Contractor)

a Corporation hereinafter called Principal, and
(Corporation, Partnership or Individual)

Granite Re, Inc.
(Name of Surety)

14001 Quailbrook Drive, Oklahoma City, OK. 73141 (800) 440-5953
(Address of Surety)

hereinafter called Surety, are held and firmly bound unto

The City of Willard, Missouri
(Name of Owner)

224 W Jackson, Willard, Missouri 65781
(Address of Owner)

hereinafter called Owner, in the penal sum Two Hundred Thirty Thousand Nine Hundred Fifty-Nine Dollars (\$230,959.00) in lawful money of the United States, for the payment of which sum well and truly be made, we bind ourselves, successors, and assigns, jointly and severally, firmly by these presents.

The condition of this obligation is such that whereas, the Principal entered into a certain contract with the Owner, dated the 14th day of June, 2016, a copy of which is hereto attached and made a part hereof for the construction of:

The Meadows West Sewage Lift Station Replacement

NOW, THEREFORE, if the Principal shall well, truly and faithfully perform its duties, all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term thereof, and any extensions thereof which may be granted by the owner, with or without notice to the Surety and during the one year guaranty period, and if he shall satisfy all claims and demands incurred under such contract, and shall fully indemnify and save harmless the Owner from all costs and damages which it may suffer by reason of failure to do so, and shall reimburse and repay the Owner all outlay and expense which the Owner may incur in making good any default, then this obligation shall be void; otherwise to remain in full force and effect.

PROVIDED, FURTHER, that the said surety for value received hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the contract or to Work to be performed thereunder or the Specifications accompanying the same shall in any wise affect it's

obligation of this Bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the contract or to the work or to the specifications.

PROVIDED, FURTHER, that no final settlement between the Owner and the Contractor shall abridge the right of any beneficiary hereunder, whose claim may be unsatisfied.

IN WITNESS WHEREOF, this instrument is executed in three (3) counterparts, each one of which shall be deemed an original, this the 14th day of June, 2016.

ATTEST:

Patricia Whisler (s)
(Principal) Secretary

Whisler Construction, Inc.
Principal

By: *Mike Whisler* (s)

Name Mike Whisler
(Please Type)
P.O. Box 369
(Address)
Willard, Missouri 65781

(SEAL)

AM Va (s)
Witness as to Principal
P.O. Box 369
(Address)
Willard, MO. 65781

ATTEST:

Granite Re, Inc.
Surety
By: *Callae J. Doty* (s)

Attorney-in-fact
Name Callae J. Doty
(Please Type)
1637 S. Enterprise Avenue, Springfield, MO. 65804
(Address)

(SEAL)

Danny Williams (s)
Witness as to Surety
1637 S. Enterprise Avenue
(Address)
Springfield, MO. 65804

NOTE: Date of Bond must not be prior to date of contract. If contractor is partnership, all partners should execute bond.

IMPORTANT: Surety companies executing bonds must appear on the Treasury Department most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

(s) Signature Required.

alteration or addition to the terms of the contract or to the work or to the specifications.

PROVIDED, FURTHER, that no final settlement between the Owner and the Contractor shall abridge the right of any beneficiary hereunder, whose claim may be unsatisfied.

IN WITNESS WHEREOF, this instrument is executed in three (3) counterparts, each one of which shall be deemed an original, this the 14th day of June, 2016.

ATTEST:

Patricia Whisler (s)
(Principal) Secretary

Whisler Construction, Inc.
Principal

By: Mike Whisler (s)
president

Name Mike Whisler
(Please Type)
P.O. Box 369
(Address)
Willard, Missouri 65781

(SEAL)

[Signature] (s)
Witness as to Principal
P.O. Box 369
(Address)
Willard, MO. 65781

ATTEST:

(SEAL)

[Signature] (s)
Witness as to Surety
1637 S. Enterprise Avenue
(Address)
Springfield, MO. 65804

Granite Re, Inc.

By: [Signature] (s)
Surety
Attorney-in-fact

Name Callae J. Doty
(Please Type)
1637 S. Enterprise Avenue, Springfield, MO. 65804
(Address)

NOTE: Date of Bond must not be prior to date of contract. If contractor is partnership, all partners should execute bond.

IMPORTANT: Surety companies executing bonds must appear on the Treasury Department most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

(s) Signature Required.

GRANITE RE, INC.
GENERAL POWER OF ATTORNEY

Know all Men by these Presents:

That GRANITE RE, INC., a corporation organized and existing under the laws of the State of OKLAHOMA and having its principal office at the City of OKLAHOMA CITY in the State of OKLAHOMA does hereby constitute and appoint:

GARY L. YOST; WILLIAM L. SOUTHWORTH, JR; CALLAE J. DOTY; BRANDI J. BRADLEY; THOMAS A. MONTILEONE its true and lawful Attorney-in-Fact(s) for the following purposes, to wit:

To sign its name as surety to, and to execute, seal and acknowledge any and all bonds, and to respectively do and perform any and all acts and things set forth in the resolution of the Board of Directors of the said GRANITE RE, INC. a certified copy of which is hereto annexed and made a part of this Power of Attorney; and the said GRANITE RE, INC. through us, its Board of Directors, hereby ratifies and confirms all and whatsoever the said:

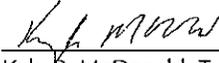
GARY L. YOST; WILLIAM L. SOUTHWORTH, JR; CALLAE J. DOTY; BRANDI J. BRADLEY; THOMAS A. MONTILEONE may lawfully do in the premises by virtue of these presents.

In Witness Whereof, the said GRANITE RE, INC. has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary/Treasurer, this 3rd day of July, 2013.

STATE OF OKLAHOMA)
) SS:
COUNTY OF OKLAHOMA)





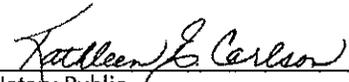
Kenneth D. Whittington, President


Kyle P. McDonald, Treasurer

On this 3rd day of July, 2013, before me personally came Kenneth D. Whittington, President of the GRANITE RE, INC. Company and Kyle P. McDonald, Secretary/Treasurer of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said Kenneth D. Whittington and Kyle P. McDonald were respectively the President and the Secretary/Treasurer of GRANITE RE, INC., the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so fixed by order of the Board of Directors of said corporation, and that they signed their name thereto by like order as President and Secretary/Treasurer, respectively, of the Company.

My Commission Expires:
August 8, 2017
Commission #: 01013257





Notary Public

GRANITE RE, INC.
Certificate

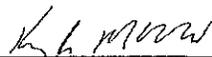
THE UNDERSIGNED, being the duly elected and acting Secretary/Treasurer of Granite Re, Inc., an Oklahoma Corporation, HEREBY CERTIFIES that the following resolution is a true and correct excerpt from the July 15, 1987, minutes of the meeting of the Board of Directors of Granite Re, Inc. and that said Power of Attorney has not been revoked and is now in full force and effect.

"RESOLVED, that the President, any Vice President, the Secretary, and any Assistant Vice President shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the Company in the course of its business. On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the Company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

IN WITNESS WHEREOF, the undersigned has subscribed this Certificate and affixed the corporate seal of the Corporation this

24th day of June, 2016.





Kyle P. McDonald, Secretary/Treasurer



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/24/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Barker Phillips Jackson 1637 S Enterprise Ave PO Box 4207 Springfield MO 65804-4207	CONTACT NAME: Sharon Bradley	
	PHONE (A/C, No, Ext): (417) 887-3550 FAX (A/C, No): (417) 887-3252 E-MAIL ADDRESS: sbradley@bpj.com	
INSURED Whisler Construction Inc Po Box 369 Willard MO 65781-0369	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: United Fire & Casualty Company	13021
	INSURER B: Accident Fund National	12305
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES CERTIFICATE NUMBER: 16/17 Master REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		60332136	3/7/2016	3/7/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000	
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
	A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS		60332136	3/7/2016	3/7/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		60332136U	3/7/2016	3/7/2017	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000	
	DED <input checked="" type="checkbox"/> RETENTION \$ 0						
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	WCV6098926	3/7/2016	3/7/2017	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000	
	A	Leased & Rented Equipment		60332136	3/7/2016	3/7/2017	Limit \$150,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Ref: The Meadows West Sewage Lift Station Replacement, Willars, MO. The Certificate Holder is an additional insured for General Liability when required by written contract.

CERTIFICATE HOLDER City of Willard, Missouri P.O. Box 187 Willard, MO 65781	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Sharon Bradley/SMB <i>Sharon M Bradley</i>



EVIDENCE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)
06/24/2016

THIS EVIDENCE OF PROPERTY INSURANCE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE ADDITIONAL INTEREST NAMED BELOW. THIS EVIDENCE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS EVIDENCE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE ADDITIONAL INTEREST.

AGENCY BARKER PHILLIPS JACKSON INC PO BOX 4207 SPRINGFIELD, MO 65808-4207		PHONE (A/C, No, Ext): +1 417 887 3550	COMPANY American Zurich Insurance Company	
FAX (A/C, No): +1 417 887 3252		E-MAIL ADDRESS: cdoty@bpj.com		
CODE: 02218188		SUB CODE:		
AGENCY CUSTOMER ID #: INSURED Whisler Construction, Inc. P.O. Box 369 Willard, MO 65781		LOAN NUMBER	POLICY NUMBER BR09350010	
		EFFECTIVE DATE 06/24/2016	EXPIRATION DATE 06/24/2017	<input type="checkbox"/> CONTINUED UNTIL TERMINATED IF CHECKED
THIS REPLACES PRIOR EVIDENCE DATED:				

PROPERTY INFORMATION

LOCATION/DESCRIPTION Highway AB Willard, MO 65781

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EVIDENCE OF PROPERTY INSURANCE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

COVERAGE INFORMATION

COVERAGE / PERILS / FORMS	AMOUNT OF INSURANCE	DEDUCTIBLE
Builders Risk Coverage Form		\$1,000
Any One Building or Structure	\$0	
All Covered Property at all Locations	\$230,959	

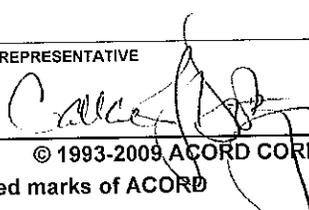
REMARKS (Including Special Conditions)

--

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

ADDITIONAL INTEREST

NAME AND ADDRESS City of Willard, Missouri P.O. Box 187 Willard, MO 65781	MORTGAGEE	<input checked="" type="checkbox"/>	ADDITIONAL INSURED
	LOSS PAYEE		
	LOAN #		
AUTHORIZED REPRESENTATIVE 			



INSURANCE BINDER

DATE (MM/DD/YYYY)
6/24/2016**THIS BINDER IS A TEMPORARY INSURANCE CONTRACT, SUBJECT TO THE CONDITIONS SHOWN ON THE REVERSE SIDE OF THIS FORM.**

AGENCY Barker Phillips Jackson 1637 S Enterprise Ave PO Box 4207 Springfield MO 65804-4207		COMPANY United Fire & Casualty Co	BINDER # B1662400923
PHONE (A/C, No, Ext): (417) 887-3550	FAX (A/C, No): (417) 887-3252	THIS BINDER IS ISSUED TO EXTEND COVERAGE IN THE ABOVE NAMED COMPANY PER EXPIRING POLICY #: SEAS000CP062416	
AGENCY CUSTOMER ID: 00010555	INSURED City of Willard, Missouri P.O. Box 187 Willard MO 65781	DESCRIPTION OF OPERATIONS/VEHICLES/PROPERTY (Including Location) CONTRACT: The Meadows West Sewage Lift Station Replacement, Willard, MO. CONTRACT AMOUNT: \$230,959	

COVERAGES		LIMITS		
TYPE OF INSURANCE	COVERAGE/FORMS	DEDUCTIBLE	COINS %	AMOUNT
PROPERTY CAUSES OF LOSS <input type="checkbox"/> BASIC <input type="checkbox"/> BROAD <input type="checkbox"/> SPEC				
GENERAL LIABILITY COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Owners & Contrs Prot.	RETRO DATE FOR CLAIMS MADE:	EACH OCCURRENCE		\$ 1,000,000
		DAMAGE TO RENTED PREMISES		\$
		MED EXP (Any one person)		\$
		PERSONAL & ADV INJURY		\$
		GENERAL AGGREGATE		\$ 2,000,000
		PRODUCTS - COMP/OP AGG		\$
VEHICLE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS		COMBINED SINGLE LIMIT		\$
		BODILY INJURY (Per person)		\$
		BODILY INJURY (Per accident)		\$
		PROPERTY DAMAGE		\$
		MEDICAL PAYMENTS		\$
		PERSONAL INJURY PROT		\$
		UNINSURED MOTORIST		\$
				\$
VEHICLE PHYSICAL DAMAGE DED COLLISION: OTHER THAN COL:	ALL VEHICLES <input type="checkbox"/> SCHEDULED VEHICLES <input type="checkbox"/>	ACTUAL CASH VALUE		
		STATED AMOUNT		\$
GARAGE LIABILITY ANY AUTO		AUTO ONLY - EA ACCIDENT		\$
		OTHER THAN AUTO ONLY:		
		EACH ACCIDENT		\$
		AGGREGATE		\$
EXCESS LIABILITY UMBRELLA FORM OTHER THAN UMBRELLA FORM	RETRO DATE FOR CLAIMS MADE:	EACH OCCURRENCE		\$
		AGGREGATE		\$
		SELF-INSURED RETENTION		\$
WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY		WC STATUTORY LIMITS		
		E.L. EACH ACCIDENT		\$
		E.L. DISEASE - EA EMPLOYEE		\$
		E.L. DISEASE - POLICY LIMIT		\$
SPECIAL CONDITIONS / OTHER COVERAGES		FEES		\$
		TAXES		\$
		ESTIMATED TOTAL PREMIUM		\$

NAME & ADDRESS Whisler Construction, Inc. P.O. Box 369 Willard, MO 65781		MORTGAGEE LOSS PAYEE	ADDITIONAL INSURED <input checked="" type="checkbox"/> Designated Person or Org
		LOAN #	
		AUTHORIZED REPRESENTATIVE Callae Doty/CJD	

MISSOURI PROJECT EXEMPTION CERTIFICATE

Authorization for Purchasing Construction Materials for Tax Exempt Project
(The Form and Content of this Exemption Certificate have been approved by the Missouri Department of Revenue)

EXEMPT ENTITY ISSUING CERTIFICATE

Name: CITY OF WILLARD, MISSOURI

Address: 224 W JACKSON

City/State/Zip: WILLARD, MISSOURI 65781

MO Tax Exempt I.D. #: _____ Letter Expiration Date: Continuing

Contract Date: June 14, 2016 Certificate Expiration Date: November 22, 2016

Project # Assigned: n/a Revised Expiration Date _____

Project Description: MEADOWS WEST SEWAGE LIFT STATION REPLACEMENT

Project Location: WILLARD, GREENE COUNTY, MISSOURI

Estimated Project Completion Date: November 22, 2016

Auth. Signature: _____ Date: July 11, 2016

The Missouri exempt entity named above hereby authorizes the purchase, without sales tax, of tangible personal property to be incorporated or consumed in the construction of the project identified herein and no other, pursuant to Section 144.062 RSMO.

PURCHASING CONTRACTOR OR SUBCONTRACTOR

Name: WHISLER CONSRUCTION, INC.

Address: P.O. BOX 369

City/State/Zip: WILLARD, MISSOURI 65781

INSTRUCTIONS

EXEMPT ENTITY – A signed copy of this certificate, along with your MO Tax Exemption Letter, must be furnished to each contractor and/or subcontractor who will be purchasing tangible personal property for use in the project. It is the exempt entity's responsibility to ensure the validity of the certificate. You must issue a certificate with a Revised Expiration Date if purchases will be required to complete the project beyond the original Project Exemption Certificate Expiration Date.

CONTRACTOR OR SUBCONTRACTOR – The contractor shall furnish a completed copy of this exemption certificate, along with a copy of the exempt entity's MO Tax Exemption Letter, to all subcontractors, and any contractor or subcontractor purchasing materials shall present copies of such documents to all material suppliers as authorization to purchase, on behalf of the exempt entity, all tangible personal property and materials to be incorporated or consumed in the construction of that project and no other on a tax-exempt basis. A copy of each certificate must be retained by the purchaser for a period of five years.

MATERIAL SUPPLIER – A completed copy of this exemption certificate, along with the MO Tax Exemption Letter of the exempt entity contracting for the project, must be obtained from the contractor or subcontractor making purchases of tangible personal property for use in the project, and retained for audit purposes. Invoices issued for such purchases must reflect the name of the exempt entity and the project number assigned by the exempt entity shown above.

PEC-8/94

CITY OF WILLARD, MISSOURI

224 W. Jackson Street P.O. Box 187 Willard, MO 65781 417-742-3033 417-742-3080 Fax



AGENDA ITEM # 12

**2016 Code of Ethics Ordinance. (1st Read)
Discussion/Vote.**

Sponsored by the City Clerk.

FIRST READING: 07-11-16

SECOND READING: 07-11-16

BILL NO.16-20

ORDINANCE NO.160711E

“CODE OF ETHICS”

AN ORDINANCE OF THE CITY OF WILLARD, GREENE COUNTY, MISSOURI, TO ESTABLISH A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN OFFICIALS.

WHEREAS: The proper operation of government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the city.

NOW THEREFORE BE IT HEREBY ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WILLARD, GREENE COUNTY, MISSOURI, AS FOLLOWS:

Section 1: Conflicts of Interest

- a. All elected and appointed officials as well as employees of a political subdivision must comply with section 105.454 of Missouri Revised Statutes on conflicts of interest as well as any other state law governing official conduct.
- b. Any member of the governing body of a political subdivision who has a “substantial or private interest” in any measure, bill, order or ordinance proposed or pending before such governing body must disclose that interest to the secretary or clerk of such body and such disclosure shall be recorded in the appropriate journal of the governing body. Substantial or private interest is defined as ownership by the individual, his spouse, or his dependent children, whether singularly or collectively, directly or indirectly of: (1) 10% or more of any business entity, or (2) an interest having a value of \$10,000 or more; or (3) the receipt of a salary, gratuity, or other compensation or remuneration of \$5,000 or more, per year from any individual, partnership, organization, or association within any calendar year.

Section 2: Disclosure Reports: Each Elected Official, the Chief Administrative Officer, the Chief Purchasing Officer, and full-time general counsel shall disclose the following information by May 1, if any such transactions occurred during the previous calendar year:

- a. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision.

- b. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision.
- c. The Chief Administrative Officer and the Chief Purchasing Officer also shall disclose by May 1 for the previous calendar year the following information:
 1. The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement.
 2. The name and address of each sole proprietorship that he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or co-participant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the Secretary of State; the name, address and general nature of business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;
 3. The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.

Section 3: Filing of Reports:

- a. The financial interest statements shall be filed at the following times, but no person is required to file more than one financial statement in any calendar year;
 1. Every person required to file a financial interest statement shall file the statement annually not later than May 1 and the statement shall cover the calendar year ending the immediately preceding December 31; provided that any member of the Board of Aldermen may supplement the financial interest statement to report additional interest acquired after December 31st of the covered year until the date of filing of the financial interest statement.
 2. Each person appointed to office shall file the statement within thirty days of such appointments or employment.

- b. Financial disclosure reports giving the financial information required in Section 3 shall be filed with the local political subdivision and with the Missouri Ethics Commission. The reports shall be available for public inspection and copying during normal business hours.

Section 4: Filing of Ordinance: A certified copy of this ordinance adopted prior to September 15th, shall be sent within ten days of its adoption to the Missouri Ethics Commission.

Section 5: Effective Date: This ordinance shall be in full force and effect from and after the date of its passage and approval and shall remain in effect for two years from the date of passage.

READ TWO TIMES AND PASSED AT A MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF WILLARD, MISSOURI, ON THE 11th DAY OF JULY 2016.

Approved as to form: _____
Ken Reynolds, City Attorney

Attested by:

Jennifer Rowe, City Clerk

Approved by:

Corey Hendrickson, Mayor

MEMBERS OF THE BOARD OF ALDERMEN:

YES

NO

ABSTAINED

JAMIE BUCKLEY

SAMUEL SNIDER

DONNA STEWART

LARRY WHITMAN

SAM BAIRD

DAVID ROGGENSEES

CITY OF WILLARD, MISSOURI

224 W. Jackson Street P.O. Box 187 Willard, MO 65781 417-742-3033 417-742-3080 Fax



AGENDA ITEM # 13

**Discussion/Vote authorizing the Mayor to
sign the Water Agreement with Ornate
Development, LLC.**

Sponsored by the Director of Development.

WATER ACCESS AGREEMENT

This agreement is entered into this ____ day of _____, 2016 between Ornate Development, LLC, a Missouri limited liability company, ("Developer") and the City of Willard, Missouri ("City").

WHEREAS, Developer owns certain property located on Farm Road 97 in Greene County, Missouri and described on Exhibit A attached hereto ("Property"), and

WHEREAS, Developer intends to construct one to twelve houses on the Property, and

WHEREAS, the Property has access to the Meadows Water System owned by the City ("Water System"), and

WHEREAS, the parties desire to determine whether the Water System can support the proposed development;

NOW THEREFORE, the parties agree as follows:

1. The City will conduct such engineer field work and review of the field work as shall be necessary to determine whether the Water System can support the proposed development of the Property ("Engineering Report").
2. The Developer will bear the cost of the Engineering Report up to \$1,000; provided, however, that the City will pay at least fifty percent of the cost of the Engineering Report if the Engineering Report indicates that the Water System can support the proposed development or any part thereof.
3. If the Engineering Report indicates that the Water System can support the proposed development, or any part thereof, then the City shall allow Developer to connect to the Water System for the number of houses so indicated.
4. If Developer connects to the Water System, all engineering costs resulting from the construction of any required improvements on the Property and all connection fees will be paid by Developer.

In witness whereof, the parties have set their hands the day and year first above written.

City of Willard

Ornate Development, LLC,
A Missouri limited liability company

By: _____

By: _____

Name and Title

Name and Title

Exhibit A

Forty (40) acres, more or less, located on Farm Road 97 legally described as All of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section Twenty-Two (22), Township Twenty-Nine (29), Range Twenty-Three (23);

CITY OF WILLARD, MISSOURI

224 W. Jackson Street P.O. Box 187 Willard, MO 65781 417-742-3033 417-742-3080 Fax



AGENDA ITEM # 14

Discussion/Vote authorizing the Mayor to sign an agreement with General Code for Municipal Code updates.

Sponsored by the City Clerk.

GENERAL CODE

Sullivan Division

IMPORTANT NEWS ABOUT SB 491: ACTION REQUIRED

Jennifer Rowe, Clerk of City of Willard
224 W. Jackson Street, Box 187
Willard, MO 65781

June 1, 2016

Dear Jennifer,

In 2014 the Missouri State Legislature passed and the Governor signed Senate Bill 491 and House Bill 1371. This legislation will become effective on January 1, 2017.

To ensure that [name of municipality]'s Code is in line with the new statutes before the effective date, you will need to begin the process of updating your Code as soon as possible.

As your codifier, General Code is here to help.

We understand the importance and urgency of these updates and how they can potentially impact your municipality and your citizens. Starting the update process now can ensure that your Offenses Chapter is in full compliance and adopted well before the effective date.

To learn more about the update options available, and to authorize the one that's best for you, see the enclosed Confirmation Form.

Why was there such a lengthy delay between passage and implementation?

More than 900 changes were made to Title XXXVIII | 38 Crimes and Punishment; Peace Officers and Public Defenders, RSMo. Due to the sheer volume of these changes, the Legislature felt that a longer delay was necessary to allow law enforcement officials and the courts to weigh in and make provisions.

Why do municipalities need to update their Code?

Section 71.010 RSMo. states that your ordinances must conform to State Law:

"Any municipal corporation in this State shall... confine and restrict its jurisdiction and the passage of its ordinances to and in conformity with the state law upon the same subject".

The enclosed **SB 491 Offenses Chapter Bulletin** summarizes all of the changes which affect the Offenses Chapter of your Code.

How can General Code help?

To comply with Missouri State Law, your particular Code may require changes beyond those in the new State Statutes. Our Model Offenses Chapter is a great starting point for you to begin your update and can help you expedite the process more efficiently. The enclosed Confirmation Form includes all of your Code options and update pricing.

What is the next step?

To authorize us to make these updates, please complete and sign the enclosed Confirmation Form then return it by mail, fax or email. Once we receive your approval, we will provide you

GENERAL CODE

Sullivan Division

with the adopting ordinance with an effective date of January 1, 2017 and update the Model Offenses chapter of your code to reflect the new statutes.

It is our pleasure to work with you and Willard. If you have any questions, or need further assistance in this matter, please contact me using the information below.

Thank you for being a valued General Code client.

Sincerely,



Michael S. Perry
General Code, Sullivan Division

Office: 314.775.0092
Cell: 314.606.9693
13610 Barrett Office| Suite 216 | Manchester, MO 63021
generalcode.com

Enclosures:

SB 491 Offenses Chapter Bulletin
SB 491 Offenses Chapter Confirmation Form

P.S. Please note that we are not in the business of giving legal advice to our clients. Our goal is to simply make you aware that this legislation will go into effect soon and changes to your Code may be needed before then. You should discuss your Code with your attorney and follow his or her advice.

SB 491 OFFENSES CHAPTER UPDATE CONFIRMATION FORM

TO: General Code
FROM: Jennifer Rowe
City of Willard
SUBJECT: SB 491 Offenses Chapter Update

As a valued client of General Code, the City of Willard qualifies for a special \$300 discount reflected in the price below.

The City of Willard wishes to receive the Offenses Chapter Sample Ordinance for \$895

For this price, General Code will provide:

- SB 491 Offenses Chapter Sample Ordinance which includes 65 pages of statutory material
- Adopting Ordinance to be effective January 1, 2017
- Codification of the adopted ordinance supplemented into the City of Willard's Code book, including revisions to the Table of Contents, Cross Reference, and Index (General Code will provide the printed Code pages and update the electronic Code once the ordinance has been adopted by the City.)

Any additional offenses in the City's current Offenses Chapter will be retained and included in this ordinance at an additional charge of \$18.00 per page. An invoice in the amount of \$895 plus the additional per page charge will be sent to you upon completion of the ordinance.

The City of Willard hereby agrees to General Code's Codification Terms and Conditions, which are available at www.generalcode.com/TCdocs, and are incorporated herein by reference, and authorizes General Code to proceed with the project outlined above.

City Clerk

Mayor

Thank you for your business!

Please return this completed confirmation form by July 29, 2016 to:

Email: ezsupp@generalcode.com
Fax: 585-328-8189

**Quoted price for SB 491 Offenses Chapter ordinance is valid through 2016.*

**SB 491
Offenses Chapter Bulletin**

Due to the volume of amendments which were set out in Senate Bill 491 and House Bill 1371 (effective January 1, 2017) we are issuing a Special Bulletin for our municipal clients. These Bills affect approximately 943 Sections of the Missouri Statutes. Many of the changes are substantive and/or involve moving provisions to another area of the Statutes; some appear to be more “housekeeping” revisions.

This Bulletin focuses on those changes which typically affect the ordinance violations of many communities in Missouri. We have included provisions that would affect the municipality’s Code book, but not necessarily its administrative policies. This Bulletin does not address amendments to changes in administrative policy at a State level, nor does it address statutory sections regarding amendments to felony offenses (as municipalities do not typically prosecute these in their municipal courts).

Please note that this Bulletin is not intended as legal advice, but rather as information that your Municipal Officials, including your Attorney, may want to review in light of existing ordinances.

GENERAL NOTES

One consistent change made throughout the above Bills was the word “misdemeanor” or “crime” was changed to offense, so this change will, for the most part, not be noted below. Also note that most of the legislation has been changed to reflect gender-neutral terms, using “he or she” as opposed to “such person” or “he.” If either of these changes are the only revisions to a Statutory Section, we have noted “**minor changes made**” below. Also, the Legislature added two new classes of offenses: Class E felony and Class D misdemeanor. With these new additions, the fine or imprisonment for an offense may change. The fines for misdemeanors and infractions have changed, but we note that because many of our communities use a general penalty as set out in the Statutes, this may not affect your Code. Your Attorney should be your advisor in this regard.

NOTES FOR MODEL CODE
TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE

Limitations on the retail sale of methamphetamine precursor drugs. §195.418—SB 491, 2014 effective 1-1-2017. Amended to remove the penalty and refer to §579.060, RSMo., for the penalty provisions.

Operation of motor vehicle without proper license prohibited—motorcycles—special license—protective headgear, failure to wear. §302.020—SB 491, 2014 effective 1-1-2017. Changed the class of the offense.

Driving while license or driving privilege is cancelled, suspended or revoked. §302.321—SB 491, 2014 effective 1-1-2017. Changed the class of the offense.

Financial responsibility required. §303.025—SB 491, 2014 effective 1-1-2017. Changed the class of the offense.

Purchase or possession by minor—container need not be opened and contents verified, when—consent, etc. §311.325—SB 491, 2014 effective 1-1-2017. Changed the class of the offense.

Statewide court automation fund created, administration, committee, members—powers, duties, limitation—unauthorized release of information, penalty. §476.055—SB 491, 2014 effective 1-1-2017. States that §488.027, RSMo., expires September 1, 2018. (§488.027 establishes the court automation fund and the fee for same.) Provides that this administrative section will expire on September 1, 2020.

Definitions. §556.061—SB 491, HB 1371, 2014 effective 1-1-2017. Existing definitions were amended and many new definitions were added.

Attempt. §562.012—SB 491, 2014 effective 1-1-2017. The first sentence of this Section was changed and this Section was transferred from §564.011 to §562.012, RSMo.

Conspiracy. §562.014—SB 491, 2014 effective 1-1-2017. Entirely rewritten; this Section was transferred from §564.016 to §562.014, RSMo.

Definitions for Chapter 565, §565.002—SB 491, HB 1371, 2014 effective 1-1-2017. Entirely rewritten; new definitions were added. The definition of “special victim” would be particularly important to review and possibly include in your Code.

Assault. §565.056—SB 491, 2014 effective 1-1-2017. Entirely rewritten and rearranged. It appears that law enforcement officer, elderly, EMTs, and many more now are included in this offense, covered under the term “special victims” as defined in §565.002(14), RSMo. This material was transferred from §565.070 to §565.056, RSMo.

Domestic assault. §565.076—SB 491, 2014 effective 1-1-2017. Entirely rewritten; this Section was transferred from §565.074 to §565.076, RSMo.

Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker, utility worker, cable worker or probation and parole officer. §565.083—SB 491, 2014 effective 1-1-2017. This Section was repealed in its entirety and appears to be now contained in §565.056, noted above by way of the definition of “special victim,” which changes the Class of the offense based on the victim.

Harassment. §565.091—SB 491, 2014 effective 1-1-2017. Entirely rewritten; and previous §565.090 now contains the felony offense of harassment.

Kidnapping. §565.130—SB 491, 2014 effective 1-1-2017. The previous offense of false imprisonment was changed to be “kidnapping”; other than the change in the name of the offense, it is virtually the same.

Stalking. §§565.225 and 565.227—SB 491, 2014 effective 1-1-2017. §§565.225 and 565.227, RSMo., were both rewritten. §565.225, which previously contained the misdemeanor offense, now contains the felony offense and this §565.227 now contains the misdemeanor offense.

Definitions regarding sexual offenses. §566.010—SB 491, 2014 effective 1-1-2017. Amended for clarity by changing some of the terms used to be more specific.

Sexual misconduct. §566.093—SB 491, 2014 effective 1-1-2017. Minor changes made.

Sexual abuse. §566.101—SB 491, 2014 effective 1-1-2017. Minor changes made.

Certain offenders not to physically be present or loiter within 500 feet of a child care facility—violation, penalty. §566.148—SB 491, HB 1371, 2014 effective 1-1-2017. Changed and in part rewritten; section number references were updated to reflect sections transferred to new numbers.

Certain offenders not to be present within 500 feet of school property, exception—permission required for parents or guardians who are offenders, procedure—penalty. §566.149—SB 491, HB1371, 2014 effective 1-1-2017. Minor changes made; section number references were updated to reflect sections transferred to new numbers.

Definitions regarding prostitution. §567.010—SB 491, 2014 effective 1-1-2017. Entirely rewritten; the definitions of “patronizing prostitution” and “promoting prostitution” were deleted, and most of the rest of the definitions were rewritten.

Prostitution. §567.020—SB 491, 2014 effective 1-1-2017. Rewritten to clarify the elements of the offense, most of which were previously contained in the definitions.

Patronizing prostitution. §567.030—SB 491, 2014 effective 1-1-2017. Rewritten to clarify the elements of the offense, most of which were previously contained in the definitions.

Prostitution and patronizing prostitution—sex of parties no defense, when. §567.040—SB 491, 2014 effective 1-1-2017. Repealed with no apparent replacement.

Prostitution houses deemed public nuisances. §567.080—SB 491, 2014 effective 1-1-2017. Rewritten to clarify the elements of the offense.

Endangering the welfare of a child. §568.050—SB 491, 2014 effective 1-1-2017. Entirely rewritten, specifically removing the subsection related to driving while intoxicated with a child in the vehicle.

Definitions regarding robbery, arson, burglary, etc. §569.010—SB 491, 2014 effective 1-1-2017. Rewritten to include new definitions regarding property offenses.

Reckless burning or exploding. §569.060—SB 491, 2014 effective 1-1-2017. Rewritten; changed “knowingly” to “recklessly” and deleted reference to “a building or inhabitable structure.”

Negligent burning or exploding. §569.065—SB 491, 2014 effective 1-1-2017. Rewritten to clarify the elements of this offense.

Tampering. §569.090—SB 491, 2014 effective 1-1-2017. Minor changes made.

Property damage. §569.120—SB 491, 2014 effective 1-1-2017. Minor changes made.

Trespass in the first degree. §569.140—SB 491, 2014 effective 1-1-2017. Minor changes made.

Trespass in the second degree. §569.150—SB 491, 2014 effective 1-1-2017. Minor changes made.

Trespass of a school bus. §569.155—SB 491, 2014 effective 1-1-2017. Minor changes made.

Stealing. §570.030—SB 491, 2014 effective 1-1-2017. Changed to remove information on evidence and to set up multiple classes of this offense, both misdemeanor and felony.

Stealing leased or rented personal property—enforcement procedure—penalty—venue. §570.057—SB 491, 2014 effective 1-1-2017. Minor changes made; and the felony threshold was changed from \$1,000.00 to \$750.00. This Section was transferred from §578.150 to §570.057, RSMo.

Receiving stolen property. §570.080—SB 491, 2014 effective 1-1-2017. Repealed in its entirety. Receiving stolen property is now included as part of the definition of “stealing-related offense” in §570.010, RSMo., and therefore is covered in the offense of stealing in § 570.030, RSMo.

Alteration or removal of item numbers with intent to deprive lawful owner. §570.085—SB 491, 2014 effective 1-1-2017. Minor changes made; and the felony threshold changed from \$500.00 to \$750.00.

Passing bad checks. §570.120—SB 491, 2014 effective 1-1-2017. Minor changes made; and the felony threshold was changed from \$500.00 to \$750.00.

Fraudulent use of a credit or debit device. §570.130—SB 491, 2014 effective 1-1-2017. Minor changes made; the only substantive change appears to move the felony threshold from \$500.00 to \$750.00.

Deceptive business practice. §570.140—SB 491, 2014 effective 1-1-2017. Changed to add elements to this offense; minor changes made.

Financial exploitation of the elderly and disabled. §570.145—SB 491, 2014 effective 1-1-2017. Entirely rewritten, with minor changes made and language rearranged as well.

Definitions regarding pornography. §573.010—SB 491, 2014 effective 1-1-2017. Amended to clarify some of the terms defined.

Promoting pornography for minors or obscenity. §573.030—SB 491, 2014 effective 1-1-2017. Amended to add the words “knowing of its content and character” as an element of this offense.

Furnishing pornographic materials to minors. §573.040—SB 491, 2014 effective 1-1-2017. Minor changes made; and “affirmative defense” was changed to simply “defense.”

Definitions relating to peace disturbance. §574.005—SB 491, 2014 effective 1-1-2017. Newly enacted Section which, for the most part, with a few changes, mirrors former §574.030, RSMo., which was repealed in this same Bill.

Peace disturbance. §574.010—SB 491, 2014 effective 1-1-2017. Minor changes made.

Private peace disturbance. §574.020—SB 491, 2014 effective 1-1-2017. Minor changes made in the offense; and added an additional subsection which defines “building or structure.”

Disrupting a house of worship. §574.035—SB 491, 2014 effective 1-1-2017. Minor changes made.

Unlawful assembly. §574.040—SB 491, 2014 effective 1-1-2017. Minor changes made.

Rioting. §574.050—SB 491, 2014 effective 1-1-2017. Minor changes made.

Refusal to disperse. §574.060—SB 491, 2014 effective 1-1-2017. Minor changes made.

Concealing an offense. §575.020—SB 491, 2014 effective 1-1-2017. Changes to “he or she” were made; no other substantive changes.

Hindering prosecution. §575.030—SB 491, 2014 effective 1-1-2017. Changes to add “he or she” were made; no other substantive changes.

False reports. §575.080—SB 491, 2014 effective 1-1-2017. Minor changes made.

Tampering with physical evidence. §575.100—SB 491, 2014 effective 1-1-2017. Minor changes made.

False impersonation. §575.120—SB 491, 2014 effective 1-1-2017. Minor changes made.

Resisting or interfering with arrest, detention or stop. §575.150—SB 491, 2014 effective 1-1-2017. Entirely rewritten and rearranged. Gender-neutral wording was used.

Interference with legal process. §575.160—SB 491, 2014 effective 1-1-2017. Minor changes made and language rearranged.

Refusal to identify as a witness. §575.190—SB 491, 2014 effective 1-1-2017. Entirely rewritten, with minor changes.

Escape or attempted escape from custody. §575.200—SB 491, 2014 effective 1-1-2017. Minor changes made.

Disturbing a judicial proceeding. §575.250—SB 491, 2014 effective 1-1-2017. Minor changes made.

Tampering with a witness or victim. §575.270—SB 491, 2014 effective 1-1-2017. Entirely rewritten, with minor changes for the most part.

Improper communication. §575.290—SB 491, 2014 effective 1-1-2017. Minor changes made.

Definitions as related to alcohol-related traffic offenses. §577.001—SB 491, HB 1371, 2014 effective 1-1-2017. Rewritten; new definition of “intoxication-related traffic offense” was inserted. Other additional definitions were added, which may apply to some municipalities, related to operating a vessel, which is defined in §306.010, RSMo. Boating offenses (which have been added to Chapter 577, RSMo.) had related definitions added to this Section as well.

Driving while intoxicated. §577.010—SB 491, HB 1371, 2014 effective 1-1-2017. Rewritten to remove the reference to drugs, which is covered in the definition of “intoxicated condition.” Changed the classes of this offense by adding numerous levels, with many being felonies.

Driving with excessive blood alcohol content. §577.012—SB 491, 2014 effective 1-1-2017. Rewritten to include driving a commercial motor vehicle with excessive blood alcohol content. There are numerous levels of this offense as well, with many being felonies.

Boating while intoxicated and boating with excessive blood alcohol content. §577.013 and 577.014—SB 491, HB 1371, 2014 effective 1-1-2017. Newly enacted Sections which basically cover driving while intoxicated, etc., in a boat. Obviously only cities or villages which have lakes or other boating activities within their city or village limits would need these provisions.

Consumption of alcoholic beverages while driving. §577.017—SB 491, 2014 effective 1-1-2017. Entirely rewritten to include additional language in this offense; minor changes made as well.

Chemical test for alcohol content—consent implied—administered, when, how—videotaping of chemical or field sobriety test admissible evidence. §577.020—SB 491, HB 1371, 2014 effective 1-1-2017. Rewritten to include boats and aircraft; numerous additional changes were also made which slightly change the elements of this offense.

Leaving the scene of an accident. §577.060—SB 491, 2014 effective 1-1-2017. Rewritten in part to add a felony offense; also added “vessel” in addition to “vehicle” as related to accidents.

Littering. §577.070—SB 491, 2014 effective 1-1-2017. Minor changes made. Replaced the word “throws” with “deposits” in two places.

Unlawful disposition of a dead animal. §577.076—SB 491, 2014 effective 1-1-2017. Changed the offense name; and rewritten to add new elements to the offense.

Abandoning vehicle, vessel or trailer—last owner of record deemed the owner of abandoned motor vehicle, procedures—penalty—civil liability. §577.080—SB 491, 2014 effective 1-1-2017. Rewritten to make minor changes and remove “motor” in front of the word “vehicle” throughout this Section.

Abandonment of airtight or semi-airtight containers. §577.100—SB 491, 2014 effective 1-1-2017. Minor changes made; removed the word “icebox” and changed the position of the word “knowingly” in the first sentence.

Tampering with a water supply. §577.150—SB 491, 2014 effective 1-1-2017. Entirely rewritten; changed the wording from “maliciously” to “purposely” as it applies to the intent within this offense.

Leaving a child unattended in a motor vehicle who causes an accident. §577.300—SB 491, 2014 effective 1-1-2017. Entirely rewritten; specifically the age was changed from under the age of 10 to under the age of 11. This Section was transferred from §568.052 to §577.300, RSMo.

Animal neglect. §578.009—SB 491, 2014 effective 1-1-2017. Removed “abandonment” from the title of the Section and changed it to include the offense of abandonment under the offense of neglect.

Animal abuse. §578.012—SB 491, 2014 effective 1-1-2017. Reworded; no substantive changes to the offense, except slight revisions in the penalty wording.

Keeping a dangerous wild animal. §578.023—SB 491, 2014 effective 1-1-2017. Some of the wording was rearranged, and “person” was changed to “he or she.”

Knowingly releasing an animal. §578.029—SB 491, 2014 effective 1-1-2017. Rearranged the wording, and added new language about a subsequent offense.

Possession of a controlled substance. §579.015—SB 491, 2014 effective 1-1-2017. Rewritten to change the classes of this offense and amended for clarity by changing some of the terms used to be more specific. This offense also contains the possession of a synthetic cannabinoid as one of its elements. This Section was transferred from §195.202 to §579.015, RSMo.

Unlawful possession of drug paraphernalia. §579.074—SB 491, 2014 effective 1-1-2017. Rewritten. Provisions were transferred from §195.233 to §579.074, RSMo.

Smelling or inhalation of fumes of solvents, exception. §579.097—SB 491, 2014 effective 1-1-2017. Not changed; simply transferred from §578.250 to §579.097, RSMo.

579.099. Use or abuse of certain substances--applicability--possession of certain solvents, alcoholic beverage vaporizer. §579.099—SB 491, 2014 effective 1-1-2017. Not changed; simply transferred from §578.255 to §579.099, RSMo.

Possessing or buying solvent to induce or aid person in violations. §579.101—SB 491, 2014 effective 1-1-2017. Not changed; simply transferred from §578.260 to §579.101, RSMo.