

# **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**

**August 8, 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  
August 8, 2016  
7:00 P.M.**

Posted August 3, 2016

Notice is hereby given that the City of Willard, Missouri, Board of Aldermen will conduct a meeting at **7:00 p.m** August 8, 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 and closed session July 25, 2016.**
- 4. Citizen Input. (5 minutes each)**
- 5. Financial Reports.**
  - a. June 2016 Summaries.
  - b. June 2016 Financial Statements.
  - c. July and August 2016 Outstanding Invoices, Check and Draft Paid Invoices.
  - d. June 2016 Check Register.
  - e. July 2016 Water Loss Report.
  - f. July 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 rezoning request for Hamilton Tracts 1 & 2.**
- 8. Ordinance accepting the rezoning request for Hamilton Tract 1. (1<sup>st</sup> & 2<sup>nd</sup> Read). Discussion/Vote.**
- 9. Ordinance accepting the rezoning request for Hamilton Tract 2. (1<sup>st</sup> & 2<sup>nd</sup> Read). Discussion/Vote.**
- 10. Ordinance amending the 2016 Budget. (1<sup>st</sup> & 2<sup>nd</sup> Read) Discussion/Vote.**
- 11. Discussion/Vote to accept the Wastewater Master Plan.**
- 12. Discussion on Section 605.025 Section F: Prerequisites for Issuance of License; Peddler's Waiting Period.**

13. Ordinance accepting the Bylaws for the Park Board. (1<sup>st</sup> Read) Discussion/Vote.
14. Ordinance accepting the contract with Monkey Business for the Parks Department. (1<sup>st</sup> Read). Discussion/Vote.
15. Approval of the streetlight change requests at:
  - a. Knight Street just west of Miller Road
16. New Business.
17. Unfinished Business.
18. 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  
July 25, 2016  
7:00 p.m.**

Staff present: City Clerk, Jennifer Rowe; Chief Financial Officer, Carolyn Halverson; Public Works Director, David O'Connor; Emergency Management Director, Stacy Winters; and Director of Development, Randy Brown.

Citizens in attendance: Abby Brixey and Mindy Latham.

**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/Approval of Agenda.**

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

Alderman Buckley arrived at 7:04 p.m.

**Approval of the Minutes from the regular Meeting on July 11, 2016.**

Motion was made by Alderman Buckley and seconded by Alderman Whitman to approve the Minutes from the regular Meeting on July 11, 2016. Motion carried with a vote of 5-0. Voting aye: Aldermen Buckley, Snider, Stewart, Whitman and Roggenses.

**Code of Ethics Ordinance (2<sup>nd</sup> read) Discussion/Vote.**

The City Clerk informed the Board that this was just to update the Missouri Ethics Commission as we do every two (2) years. Motion was made by Alderman Roggenses and seconded by Alderman Snider to approve the Code of Ethics Ordinance. Motion carried with a vote of 5-0. Voting aye: Aldermen Buckley, Snider, Stewart, Whitman and Roggenses.

**Ordinance accepting the 2016 Emergency Management Performance Grant. (1<sup>st</sup> & 2<sup>nd</sup> read) Discussion/Vote.**

The Emergency Management Director Stacy Winters informed the Board that this was the Grant that the City goes after every year. He just needed approval for the Mayor to sign and accept the funds. Motion was made by Alderman Buckley and seconded by Alderman Roggenses to accept the 2016 Emergency Management Performance Grant. Motion carried with a vote of 5-0. Voting aye: Aldermen Buckley, Snider, Stewart, Whitman and Roggenses.

The second read was conducted by the City Clerk.

Motion was made by Alderman Buckley and seconded by Alderman Stewart to accept the 2016 Emergency Management Performance Grant. Motion carried with a vote of 5-0. Voting aye: Aldermen Buckley, Snider, Stewart, Whitman and Roggenses.

**Ordinance accepting the contract with Hunter Chase for the Main Street and Jackson Street Sidewalk Project. (1<sup>st</sup> and 2<sup>nd</sup> read) Discussion/Vote.**

The Director of Development Randy Brown informed the Board what the project entailed and told them that this was just allowing the Mayor to sign the contract that the Board had already agreed to. Motion was made by Alderman Roggensées and seconded by Alderman Buckley to accept the contract with Hunter Chase for the Main Street and Jackson Street Sidewalk Project. Motion carried with a vote of 5-0. Voting aye: Aldermen Buckley, Snider, Stewart, Whitman and Roggensées.

The second read was conducted by the City Clerk.

Motion was made by Alderman Snider and seconded by Alderman Stewart to accept the contract with Hunter Chase for the Main Street and Jackson Street Sidewalk Project. Motion carried with a vote of 5-0. Voting aye: Aldermen Buckley, Snider, Stewart, Whitman and Roggensées.

#### **New Business.**

The Community Services Director J.C. Loveland informed the Board that with school starting August 11, 2016, the pool will go to only being open on the weekends. He requests that the Board think about having promotional weekends. His idea is to have the first weekend in August be for Police, Fire, and EMT Service members. The second would be for Teachers as school will have just started. The third will be for all military, retired and active. His idea is to make the cost half price for those members on the weekends and show support for what they do. Alderman Roggensées requested making the final weekend for citizens and their families in Willard at half price as well. The Board liked the idea that Mr. Loveland presented. Motion was made by Alderman Buckley and seconded by Alderman Snider to approve the promotional weekends as presented. Motion carried with a vote of 5-0. Voting aye: Aldermen Buckley, Snider, Stewart, Whitman and Roggensées.

Alderman Roggensées spoke to the Board about the baseball fields and the issue with make-up games going so late in the summer. He presented the idea to use the area east of the Concession stand to create a third baseball diamond. This will allow for more games to take place and less games being rescheduled. He also brought up the issue with practice fields and the benefit they would bring.

#### **Old Business.**

The Director of Public Works David O'Connor updated the Board on the Miller Road project, US 160 Extension and the funding available. He gave the Board a cost breakdown of what the projects could potentially cost and asked them to look it over and bring any questions back at the August 8, 2016 BOA Meeting.

Mr. O'Connor also discussed the Wastewater Master Plan by Olsson & Associates. He gave a cost breakdown of what needs to happen immediately to improve our sewers and requested that the Board be ready to approve the plan at the August 8, 2016 BOA Meeting. Mr. O'Connor feels it is a good plan and will benefit the City to approve it.

Director of Development Randy Brown discussed the timeline to finalize the Wastewater Master Plan. The grant that the City has received to help pay for the study is due September 30, 2016. The Board will need to be ready to have the plan finalized and signed by August 30, 2016 to meet the grant deadline. Mr. Brown also discussed the five-hundred thousand dollar (\$500,000) savings if the City chooses the location at Delta 1 as opposed to Delta 2. He stated that the City could use that money to improve other issues.

#### **Recess Open Session.**

Motion was made by Alderman Buckley and seconded by Alderman Roggensées to take a recess from the Open Session at 8:20 p.m. Motion carried with a vote of 5-0. Voting aye: Aldermen Buckley, Snider, Stewart, Whitman and Roggensées.

#### **Close Open Session.**

Motion was made by Alderman Roggensées and seconded by Alderman Stewart to close the Open Session at 8:27 p.m. Motion carried with a vote of 5-0. Voting aye: Aldermen Buckley, Snider, Stewart, Whitman and Roggensées.

#### **Open Executive Session.**

Motion was made by Alderman Buckley and seconded by Alderman Stewart to open the Executive Session at 8:28 p.m. Motion carried with a vote of 5-0. Voting aye: Aldermen Buckley, Snider, Stewart, Whitman, and Roggensees.

**Close Executive Session.**

Motion was made by Alderman Roggensees and seconded by Alderman Buckley to close the Executive Session at 8:43 p.m. Motion carried with a vote of 5-0. Voting aye: Aldermen Buckley, Snider, Stewart, Whitman, 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 Buckley, Snider, Stewart, Whitman, and Roggensees.

**The meeting was adjourned at 8:44 p.m.**

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Jennifer Rowe, City Clerk

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Corey Hendrickson, Mayor of Willard



AGENDA ITEM # 5

## Financial Reports.

- a. June 2016 Summaries.
- b. June 2016 Financial Statements.
- c. July and August 2016 Outstanding Invoices, Check and Draft Paid Invoices.
- d. June 2016 Check Register.
- e. July 2016 Water Loss Report.
- f. July 2016 Utility Adjustments Report.



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 – August 8, 2016

## Project Report

- **Employee Tasks**
  - 2017 Budget and Bids - Ongoing
  - Planning 2016-17 School Year Programs
  
- **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 Begins Week of August 15
  
- **Summer Baseball/Softball**
  - Last game 8-4-16
  
- **Summer Adventure Camp**
  - Week #1: 119 Kids
  - Week #2: 98 Kids
  - Week #3: 95 Kids
  - Week #4: 87 Kids
  - Week #5: 92
  - Week #6: 188
  - Week #7: 176
  - Week #8: 184
  - Week #9: 169
  - Week #10: 154
  - Week #11: 161
  - Enrolment as of July 22th – 265 Kids – Revenue: \$86,335.62

## Upcoming Programs / Events

- **THE WAC Opening Day:** May 21 – Revenue as of August 3: \$64,335.62
  - After school starts we go to weekends only
- **Summer Adventure Camp Last Day:** August 10
- **Back to School Dance:** Aug. 26
- **Fall Soccer/Volleyball Registration Deadline:** August 20
- **Adult Volleyball/softball Registration Deadline:** August 20
- **Youth Dance:** TBA – Position Posted for Hire

## Other Information

- **Website – Visitors From 7/22/16 to 8/3/16**
  - www.willardparks.com – 1,257 unique visitors, 4,193 visitors
  - www.willardfreedomfest.com – 386 unique visitors, 1,010 visitors
  - www.willardaquatics.com – 892 unique visitors, 2,147 visitors
- **Facebook – 1727 likes as of 8/3/16**
  - <https://www.facebook.com/WillardParksAndRec>
- **Open Gym – Visitors From 4/19/16 to 8/3/16**
  - Individual Registrations: 143
  - Individual Sign-In: 762

## Public Works Report

### Water

- Lightning strike damaged the equipment at well #1. Replaced a transducer and had to reset the Mission controller.
- 158 ERTs were replaced on Route 1.
- 35 meters replaced on Route 3.
- There were a total of 81 re-reads and 43 zero consumption during the month.
- Only 19 services had to be shut off this month. This is a very low number compared to previous months and is largely due to the extra efforts of the utility staff. They contacted accounts that hadn't paid to remind them of the payment deadline. Not only did this make our jobs easier but it also saved the account holders the cost of having their water disconnected.

### Sewer

- We received and installed the rebuilt pump for "B" lift station. The lift station is operating at full capacity.

### Streets

- The crew has been sawing some of the bad areas in preparation for patching.

**Willard Police Department  
Monthly Report  
July 2016**

Officer	Officer Statistics	Case #'s	Officer	Reserves	Case #'s	Hours
1601	Tom McClain, Chief	12	1640	Doug Thomas, Reserve	0	
1602	Shannon Shipley, Lt./Det.	9	1641	Brian Gordon, Reserve	2	9
1603	Robert Bell, Cpl (FTO)	11	1642	JD Landon, Reserve	0	10
1604	Steve Purdy, Cpl./Investigator	35	1643	Davis Hughes, Reserve	0	
1605	Chris Higgins, Officer	60	1644			
1606	Aaron Roberts, Officer	83	1645	Brian Hinkle, Reserve	1	
1607	Kyle Gramley, Officer	26	1646	Andy Hunt, Reserve	0	
1608	Andrew Stone, Officer	54		<b>TOTAL HRS</b>		<b>19</b>
1609	Danny Wroolie, Officer	78				
1610	Scott Rowe, Officer	41				
1630	Clint Heimbach, SRO	3				
1631	Wyatt Sharp, SRO	0				
	<b>TOTAL INCIDENTS</b>	<b>415</b>				

**INCIDENT STATISTICS**

Felony	6
Misdemeanor	17
Infraction	196
Other (Services)	194
HBO (Handled By Officers)	314

**VEHICLE MAINTENANCE**

VEHICLE	ODOMETER READING	MONTHLY MILEAGE	SHIFTS USED	MILES PER SHIFT	MAINTENANCE COST	
					MONTH	YTD
WPD-01 2009 Dodge Charger	135,569	942	21	45	\$2,200.21	\$2,235.16
WPD-02 2013 Dodge Charger	52,266	572	13	44	\$0.00	\$1,890.07
WPD-03 2013 Dodge charger	63,980	2,532	33	77	\$0.00	\$1,214.06
WPD-04 2013 Dodge Charger	64,844	1,694	37	46	\$0.00	\$2,805.08
WPD-05 2008 Dodge Charger-	164,908	160	10	16	\$0.00	\$808.76
WPD-06 2013 Dodge Charger	58,261	1,913	35	55	\$262.51	\$1,261.87
WPD-08M 2008 Harley-Davidson Motorcycle	5,034	1	0	0	0.00	\$0.00

**Vehicle Maintenance Details**

WPD-01: Control Arm Assy (\$1467.12); 4 Tires (\$463.52); Paint (\$21.49); Oil pressure switch & connector (\$248.08)  
WPD-06: Oil change (\$34.95); 2 Tires (\$224.56)

**Planning and Development Report**  
**August 8th, 2016**

**Ongoing Projects:**

Annexation of Rights of Ways – Staff has received an e-mail from MO DOT confirming a work order to move the City Limits signs on Hwy AB.

Jackson Street Sidewalk Project: Olsson Engineer- The contract documents have been executed and a copy has been delivered to MO DOT. A preconstruction meeting will be scheduled in early September, with notice to proceed following. Construction should begin in mid September.

Glenn's Automotive – No new updates at this time .

Green Acres Subdivision –Owner Jack Minnick – Hillhouse Construction has been hired by the developer to complete the work on the sanitary sewer and water meter pit installations.

Robertson Subdivision- Staff is currently reviewing the construction drawings and has sent them to Great River for their comments as well.

Security renovation for City Hall – Hamby Construction has started the security renovations for the City Hall lobby.

Meadows West Lift Station Improvements – The contracts and permits are in place and pumps and materials have been ordered. There was a 8 to 10 week lead time on materials.

Waste Water Facility Master Plan- Staff is has received the final draft of the Waste Water Facility Master Plan from Olsson and is currently reviewing the information. Staff recommends accepting the plan and is looking for direction to move forward.

Ornate Development -Staff will be working with Great River Engineers to conduct some field test to determine the accuracy of the Toth Associates water report.

Hamilton Builders – The Planning and Zoning Commission recommended approval of the rezoning from M-1 to R-3 for another 48 unit development. Staff has had discussions with the developer concerning impact fees for both traffic and sanitary sewer if warranted.

Staff presented a site /sketch plan for additional storage buildings to be added to the Fox Fire mini storage to the P/Z Commission . P/Z recommended moving forward with a final plan.

If you have questions concerning my report please contact me at City Hall.  
Randy Brown , Director of Development

# 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 rezoning request for Hamilton Tract 1. (1<sup>st</sup> & 2<sup>nd</sup> Read). Discussion/Vote

Sponsored by the Director of Development.

Background Report for Rezoning Case # 070516  
Hamilton Minor Subdivision

July 21, 2016

**Applicant:** Doug Hamilton – Four Corners Development L.L.C.

**Tract Size:** 9.85 acres

Tract #1 – 4.49 acres

Tract #2 – 5.36 acres

**Existing Zoning :** ~~M-1~~ M-1

**Proposed Zoning :** R-3

**Surrounding Land Uses :** North : M-1, Vacant Tract & Willard Police Department

South: R-3, Phase #1 Fox River Development

East : Property bounds US HWY 160

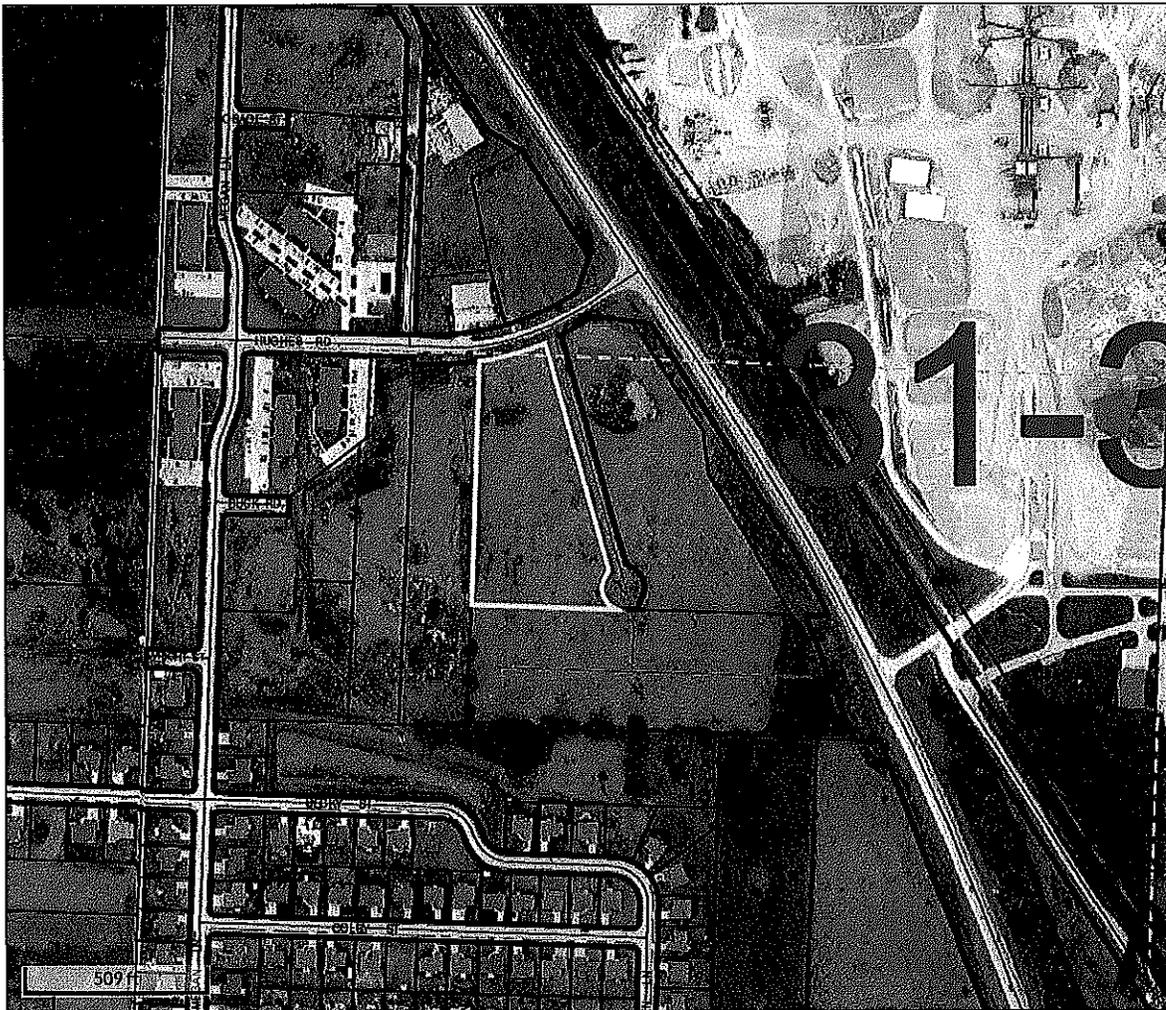
West: R-3 Vacant Tract, North Brook Apartments

**History:** In 2013 the owners purchased the property and started the development of the back half of the property, (approximately 7 acres) comprising of eight duplexes and four, eight unit apartments. The front half was reserved for a second phase in the future. The City requested consideration be given for development of the front portion into some type of commercial development. Unfortunately, this did not materialize and the owner of the property has requested consideration from the City to support phase 2 for the construction of a forty-eight unit development. He has submitted a survey and re-zoning application for approval to rezone from ~~M-1~~ <sup>M-1</sup> to R-3. To date we have ongoing discussions about the intersection improvements at Hughes Rd. / 160 and the potential impact to the sanitary sewer system.

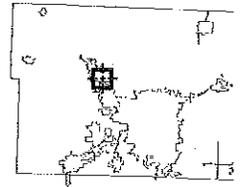
**Staff Comments:** Our experience working with the staff of Four Corners Development on Phase 1 of their development was a very positive experience. They have been very professional thru out the planning and construction phases and we look forward to continuing the experience on Phase #2. Staff would asks the Planning and Zoning Commission's consideration to recommend approval of the rezoning request to the Board of Aldermen.

If you have any questions concerning this development, please contact me at City Hall.

Randy Brown  
Director of Development



Overview



Legend

- Area Numbers
- S/T/R Numbers
- Parcel Lines
  - <all other values>
  - - DASHROW
  - MUNIRWD
  - - PROPDASH
  - PROPLINE
  - RRROW
  - - ZONING
- Section Lines
  - - Quarter Section Lines
  - - Section Lines
- Streets
  - - <all other values>
  - 8
  - - County Boundary
- Assessor's Parcels
- Floodplains
- City Limits

Parcel ID	880831300168	Alternate ID	n/a	Owner Address	FOUR CORNERS DEVELOPMENT LLC
Sec/Twp/Rng	31-30N-22W	Class	R		3556 CULPEPPER CIR
Property Address	E HUGHES RD	Acreage	4.49		SPRINGFIELD MO 65804
	WILLARD				
District	180				
Brief Tax Description	HAMILTON MINOR SUBDIVISION TRACT 1				
	(Note: Not to be used on legal documents)				

The sinkhole layer represents surface depressions from LiDAR imaging obtained in 2010 and 2011. Most of the sinkholes shown have not been field verified and are provided for informational purposes only. This layer should not be used as a substitute for a geological or geotechnical investigation. Questions regarding sinkholes should be directed to the Environmental Section of the Resource Management Department (417) 868-4147. For sinkhole information inside the city limits of Springfield, please call (417) 864-1901.



City of Willard

Zoning Case No. \_\_\_\_\_  
Application Date 7-5-16  
Application Fee \$300.00

**APPLICATION  
ZONING CHANGE (REZONING)**

We, the undersigned, ask the City of Willard, Missouri Board of Aldermen to approve a zoning change as requested in this application on the tract of land described below. We attest to the truth and correctness of all facts and information presented with this application and agree to pay all advertising and mail notification costs for the public hearings as required by the *Willard Land Development Regulations*. The City of Willard is authorized to prepare and publish all required legal advertising and mail notifications, the cost of which is to be billed to the name listed below for payment.

Present Zoning Classification R1 M1 Requested Zoning Classification R3

Legal Description of Property Requested to be Rezoned (attach additional sheet if needed):

See Attached

Street Address or Other Common Property Description Across from Police Department

Property Owner's Name(s) Four Corners Development, LLC

If corporation, Corporate Official Name and Seal: \_\_\_\_\_

Mailing Address 3556 S. Culpepper, Suite 4

Telephone Number 417-882-1701 Fax Number 417-882-1703

**PROPERTY OWNER'S SIGNATURE:**

(Not necessary if there is an authorized representative. Authorized representative must sign below).

**AUTHORIZED REPRESENTATIVE:**

I hereby certify that I am authorized to represent all of the property owners of the above described tract in this application. A power of attorney is attached.

Name J. Douglas Hamilton Signature J. Douglas Hamilton

Address 3556 S. Culpepper, Suite 4 Telephone 417-882-1701

**BILL ADVERTISING AND NOTIFICATION COSTS TO:**

Name Brooke Myers Telephone 417-882-1701

Address 3556 S. Culpepper, Suite 4



Subdivision Case No. : \_\_\_\_\_  
Application Date: 7-5-16  
Application Fee: Residential-\$100.00  
Commercial-\$100.00  
PDD- \$100.00

**CITY OF WILLARD, MO  
SKETCH PLAN FOR  
MINOR/MAJOR SUBDIVISION**

We, the undersigned, request the City of Willard, Missouri Planning and Zoning Commission to approve the sketch plan for the proposed minor/major subdivision as described in the attachment to this application, and attest to the truth and correctness of all facts and information for the proposed subdivision presented in this application.

General Description of Property Location: A tract of land in part of the North 1/2 of Lot 1 and the North 1/2 of Lot 2 of the SW fractional 1/4 of Section 31, Township 30 North. Range 22 West all in Willard, Greene County, Missouri.

Property Owner's Name Four Corners Development, LLC

If corporation, Corporate Official: \_\_\_\_\_

Mailing Address 3556 S. Culpepper, Suite 4

Telephone Number 417-882-1701

Fax Number 417-882-1703

**PROPERTY OWNER'S SIGNATURE(S):**

J. Douglas Hamilton  
(If corporation, signature of corporation official)

First Reading: 08/08/2016

Second Reading: 08/08/2016

Council Bill No.: 16-24

Ordinance No.: 160808A

## AN ORDINANCE

**AMENDING** Willard Land Use Regulations, Section 400.380A, City of Willard Zoning Map, by rezoning parcel #880831300168, as shown in the records of the Greene County Assessor's office, known locally as E. Hughes Road, Willard, MO.

WHEREAS, an application has been filed for a zoning change of the following described tract of land from M-1 Light Industrial District to a R-3, Multi-Family Zoning District; and

WHEREAS, following proper notice; a public hearing was held before the Planning and Zoning Commission, a copy of the record of proceedings from said public hearing being attached hereto as Exhibit "A", and said Commission made its recommendation; and

WHEREAS, proper notice was given of a public hearing before the Board of Aldermen and that said hearing was held in accordance with the law.

**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: The property herein described as:

Tract 1: A TRACT OF LAND LOCATED IN PART OF THE SW FRACTIONAL ¼ OF SECTION 31, TOWNSHIP 30 NORTH, RANGE 22 WEST, ALL IN WILLARD, GREENE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 31, MARKED BY A 5/8-INCH IRON PIN; THENCE S88°19'22"E, 870.30' ALONG THE NORTH LINE OF SAID SW FRACTIONAL ¼; THENCE LEAVING SAID NORTH LINE, S02°09'42"W, 26.84' TO AN EXISTING 5/8" PIN CAPPED LS-000373 ON THE SOUTH RIGHT-OF-WAY LINE HUGHES ROAD FOR TO THE POINT OF BEGINNING:

THENCE, ALONG SAID SOUTH RIGHT-OF-WAY LINE, ALONG A NON-TANGENT CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 184.95', WITH A RADIUS OF 803.94', WITH A DELTA ANGLE OF 13°10'53", WITH A CHORD BEARING OF N74°42'13"E, WITH A CHORD LENGTH OF 184.54' TO THE WESTERN RIGHT-OF-WAY LINE OF FOX RIVER ROAD, THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE HUGHES ROAD AND ALONG THE WESTERN RIGHT-OF-WAY LINE OF SAID FOX RIVER ROAD, ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 20.00', A CENTRAL ANGLE OF 14°15'17" AND AN ARC LENGTH OF 4.98' WITH A CHORD BEARING OF S22°40'58"E, WITH A CHORD LENGTH OF 4.96', THENCE S15°33'20"E, 619.86'; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 17.45', WITH A RADIUS OF 18.00', WITH A DELTA ANGLE OF 55°32'34", WITH A CHORD BEARING OF S12°12'58"W, WITH A CHORD LENGTH OF 16.77', THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 113.00', WITH A RADIUS OF 58.00', WITH A DELTA ANGLE OF 111°37'49", WITH A CHORD BEARING OF S15°49'39"E, WITH A CHORD LENGTH OF 95.96', THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 4.46', WITH A RADIUS OF 18.00', WITH A DELTA ANGLE OF 14°11'22", WITH A CHORD BEARING OF S64°32'53"E, WITH A CHORD LENGTH OF 4.45', THENCE, LEAVING SAID WESTERN RIGHT-OF-WAY LINE FOX RIVER ROAD, N87°51'00"W, 397.55' TO AN EXISTING 5/8" PIN CAPPED LS-2179; THENCE N02°09'42"E, 649.22' TO THE POINT OF BEGINNING.  
CONTAINING 4.49 ACRES MORE OR LESS, SUBJECT TO ALL RESTRICTIONS OF RECORD.

be, and the same hereby is, rezoned from a M-1 Light Industrial District or such zoning district as is designated on the Official Zoning Map adopted by the Board of Aldermen to a R-3, Multi-Family Home District; and the Willard Land Use Regulations, Section 400.380A thereof, Zoning Map, Is hereby amended, changed and modified accordingly.

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, Corey Hendrickson

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 \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

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

MEMBERS OF THE BOARD OF ALDERMEN:

YES

NO

ABSTAINED

2<sup>ND</sup> READ:

\_\_\_\_\_  
JAMIE BUCKLEY

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
SAMUEL SNIDER

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DONNA STEWART

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LARRY WHITMAN

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SAM BAIRD

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DAVID ROGGENSEES

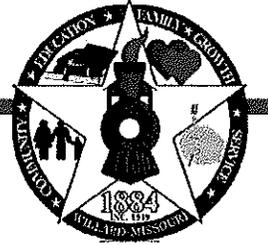
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**CITY OF WILLARD, MISSOURI**

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



AGENDA ITEM # 9

**Ordinance accepting the rezoning request for  
Hamilton Tract 2. (1<sup>st</sup> & 2<sup>nd</sup> Read). Discussion/Vote**

Sponsored by the Director of Development.

First Reading: 08/08/2016

Second Reading: 08/08/2016

Council Bill No.: 16-25

Ordinance No.: 160808B

## AN ORDINANCE

**AMENDING** Willard Land Use Regulations, Section 400.380A, City of Willard Zoning Map, by rezoning parcel # 880831300169, as shown in the records of the Greene County Assessor's office, known locally as E. Hughes Road, Willard, MO.

WHEREAS, an application has been filed for a zoning change of the following described tract of land from M-1 Light Industrial District to a R-3, Multi-Family Zoning District; and

WHEREAS, following proper notice; a public hearing was held before the Planning and Zoning Commission, a copy of the record of proceedings from said public hearing being attached hereto as Exhibit "A", and said Commission made its recommendation; and

WHEREAS, proper notice was given of a public hearing before the Board of Aldermen and that said hearing was held in accordance with the law.

**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: The property herein described as:

Tract 2: A TRACT OF LAND LOCATED IN PART OF THE SW FRACTIONAL ¼ OF SECTION 31, TOWNSHIP 30 NORTH, RANGE 22 WEST, ALL IN WILLARD, GREENE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 31, MARKED BY A 5/8-INCH IRON PIN; THENCE S88°19'22"E, 870.30' ALONG THE NORTH LINE OF SAID SW FRACTIONAL ¼; THENCE LEAVING SAID NORTH LINE, S02°09'42"W, 26.84' TO AN EXISTING 5/8" PIN CAPPED LS-000373 ON THE SOUTH RIGHT-OF-WAY LINE HUGHES ROAD; THENCE, ALONG SAID SOUTH RIGHT-OF-WAY LINE, ALONG A NON-

TANGENT CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 236.09', WITH A RADIUS OF 803.94', WITH A DELTA ANGLE OF 16°49'34", WITH A CHORD BEARING OF N72°52'52"E, WITH A CHORD LENGTH OF 235.25' FOR TO THE POINT OF BEGINNING:

THENCE, CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 100.79', WITH A RADIUS OF 803.94', WITH A DELTA ANGLE OF 7°10'59", WITH A CHORD BEARING OF N60°52'36"E, WITH A CHORD LENGTH OF 100.72' TO AN EXISTING RIGHT-OF-WAY MARKER ON THE WESTERN RIGHT-OF-WAY LINE OF HIGHWAY 160, THENCE ALONG SAID HIGHWAY 160 THE NEXT FOUR CALLS; S82°56'11"E, 101.59' TO AN EXISTING 5/8" PIN CAPPED LS-2179; THENCE S32°42'54"E, 349.81' TO AN EXISTING RIGHT-OF-WAY MARKER; THENCE S07°03'18"E, 117.19' TO AN EXISTING RIGHT-OF-WAY MARKER; THENCE WITH A NON-TANGENT CURVE, TURNING TO THE RIGHT WITH AN ARC LENGTH OF 435.51', WITH A RADIUS OF 7464.44', WITH A DELTA ANGLE OF 3°20'34", WITH A CHORD BEARING OF S30°13'58"E, WITH A CHORD LENGTH OF 435.45' TO AN EXISTING 5/8" PIN CAPPED LS-2179, THENCE LEAVING SAID WESTERN RIGHT-OF-WAY LINE HIGHWAY 160, N87°51'00"W, 406.13' TO THE EASTERN RIGHT-OF-WAY LINE FOX RIVER ROAD; THENCE, ALONG SAID RIGHT-OF-WAY FOR THE NEXT FIVE CALLS, WITH NON-TANGENT CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 8.30', WITH A RADIUS OF 90.00', WITH A DELTA ANGLE OF 5°17'08", WITH A CHORD BEARING OF N09°41'05"W, WITH A CHORD LENGTH OF 8.30', THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 15.90', WITH A RADIUS OF 18.00', WITH A DELTA ANGLE OF 50°37'33", WITH A CHORD BEARING OF N12°59'07"E, WITH A CHORD LENGTH OF 15.39', THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 110.74', WITH A RADIUS OF 58.00', WITH A DELTA ANGLE OF 109°23'47", WITH A CHORD BEARING OF N16°24'00"W, WITH A CHORD LENGTH OF 94.67', THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 17.45', WITH A RADIUS OF 18.00', WITH A DELTA ANGLE OF 55°32'34", WITH A CHORD BEARING OF N43°19'37"W, WITH

A CHORD LENGTH OF 16.77', THENCE N15\*33'20"W, 632.03'  
TO THE POINT OF BEGINNING.  
CONTAINING 5.36 ACRES MORE OR LESS, SUBJECT TO ALL  
RESTRICTIONS OF RECORD.

be, and the same hereby is, rezoned from a M-1 Light Industrial District or such zoning district as is designated on the Official Zoning Map adopted by the Board of Aldermen to a R-3, Multi-Family Home District; and the Willard Land Use Regulations, Section 400.380A thereof, Zoning Map, Is hereby amended, changed and modified accordingly.

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, Corey Hendrickson

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 \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

MEMBERS OF THE BOARD OF ALDERMEN:	YES	NO	ABSTAINED
_____ JAMIE BUCKLEY	_____	_____	_____
_____ SAMUEL SNIDER	_____	_____	_____
_____ DONNA STEWART	_____	_____	_____

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LARRY WHITMAN

---

SAM BAIRD

---

DAVID ROGGENSEES

MEMBERS OF THE BOARD OF ALDERMEN:

YES

NO

ABSTAINED

2<sup>ND</sup> READ:

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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 # 10

## **Ordinance amending the 2016 Budget. (1<sup>st</sup> & 2<sup>nd</sup> Read) Discussion/Vote**

Sponsored by the Chief Financial Officer.

AN ORDINANCE

AN ORDINANCE TO AMEND 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 attached to this Ordinance shall be incorporated herein by reference.

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 8th DAY AUGUST 2016.

Approved as to form: \_\_\_\_\_  
Ken Reynolds, City Attorney

Attested by:

Approved by:

\_\_\_\_\_  
Jennifer Rowe, City Clerk

\_\_\_\_\_  
Corey Hendrickson, Mayor

MEMBERS OF THE BOARD OF ALDERMEN:  
FIRST( 1<sup>st</sup>) READING

YES NO ABSTAINED

\_\_\_\_\_  
JAMIE BUCKLEY

\_\_\_\_\_

\_\_\_\_\_  
SAMUEL SNIDER

\_\_\_\_\_

\_\_\_\_\_  
DONNA STEWART

\_\_\_\_\_

\_\_\_\_\_  
LARRY WHITMAN

\_\_\_\_\_

\_\_\_\_\_  
SAM BAIRD

\_\_\_\_\_

\_\_\_\_\_  
DAVID ROGGENSEES

\_\_\_\_\_

MEMBERS OF THE BOARD OF ALDERMEN:  
SECOND(2<sup>nd</sup>) READING

YES

NO

ABSTAINED

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JAMIE BUCKLEY

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SAMUEL SNIDER

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DONNA STEWART

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LARRY WHITMAN

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SAM BAIRD

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DAVID ROGGENSEES

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# 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

## Discussion on Section 605.025 Section F: Prerequisites for Issuance of License; Peddler's Waiting Period

Sponsored by the City Attorney and City Clerk

City of Willard, MO  
Wednesday, August 3, 2016

## Chapter 605. Business Regulations

### Article I. General Provisions

#### Section 605.025. Prerequisites for Issuance of License.

[Ord. No. 050509D §§2—3, 5-9-2005; Ord. No. 131209B §1, 12-9-2013]

- A. *Payment of License Fee.* Any person, firm, partnership or corporation who shall desire to take out any license as provided by this Article shall pay over to the City Clerk the amount of license fee as provided in this Article, and the City Clerk shall issue his/her license and receipt.
- B. *Payment Of Taxes.* No license shall be issued until all personal taxes and license taxes of the applicant for such licenses for the previous years shall have been paid.
- C. *Retail Sales.* The possession of a retail sales license and a statement from the Department of Revenue that the licensee owes no tax due under Sections 144.010 to 144.510 or Sections 143.191 to 143.261, RSMo., shall be a prerequisite to the issuance or renewal of any City license under this Section which is required for conducting any business where goods are sold at retail. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety (90) days before the date of submission for application or renewal of the license. The revocation of a retailer's license by the Director shall render the City license null and void.
- D. *Proof Of Identity.* No license shall be issued without proof of a valid identification card or valid driver's license.
- E. *Proof Of Insurance.*
  - 1. All contractors in the construction industry who perform work in the City of Willard shall obtain a City of Willard business license and shall require any subcontractors on any such job to obtain a City of Willard business license. In addition to the fees required by this Chapter, a contractor and subcontractor shall provide proof of a certificate of insurance for workers' compensation coverage if the applicant is required to cover his or her liability under RSMo. Chapter 287, Workers' Compensation Law.
  - 2. If the contractor or subcontractor does not possess workers' compensation, then a completed Affidavit of Exemption for Workers' Compensation Insurance (Form WE-134 AI), must be provided to the City.
- F. *Peddlers' Waiting Period.* For any peddler, as described under Section **605.015** (Definitions), the following shall apply: There shall be a two-week waiting period from the submission date of the application to allow for a criminal record check to be completed by the City of Willard.

[Ord. No. 140414A §1, 4-14-2014]

1. In addition to meeting/conforming to all other applicable requirements of this Chapter, peddlers (as described under Section **605.015**, Definitions) must further:
  - a. Fill out/complete the attached application for a solicitation license for each individual (peddler, solicitor, canvasser, etc.) who will be involved in the selling, solicitation, taking of orders or delivery on behalf of the person, corporation, partnership, limited liability company, limited liability partnership, professional corporation, sole proprietorship, association of persons, etc.
  - b. Fill out/complete the request for criminal record check for each individual (peddler, solicitor, canvasser, etc.) who will be involved in the selling, solicitation, taking of orders or delivery on behalf of the person, corporation, partnership, limited liability company, limited liability partnership, professional corporation, sole proprietorship, association of persons, etc. The applicant will bear the cost of obtaining the criminal history record per the fee established by the State of Missouri. Such criminal history shall be good for the period of January 1 through December 31 of the year of application.
  - c. After the application has been received and after payment for the license has been received and after the criminal record history has been run, the City will issue the solicitor's license if all of the above items/steps/processes are or have been approved.
2. *Public solicitation hours.*
  - a. Public solicitation hours shall only be allowed between the hours of 10:00 A.M. through 6:00 P.M. Monday through Friday and between the hours of 12:00 noon through 6:00 P.M. Saturday.
  - b. No solicitation is allowed on Sundays.
3. *Miscellaneous.*
  - a. The penalty for violation of any of these provisions will be the immediate revocation of the solicitation license.
  - b. A fine may also be imposed on the peddler of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00).

## Clerk

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**From:** Pam Kearbey <pkearbey@pbcity.org>  
**Sent:** Thursday, July 21, 2016 8:02 AM  
**To:** Clerk; ccfoa@lists.mocitieslists.org  
**Subject:** Re: [MoCCFOA] solicitor's licenses

Jennifer,

The City of PB will not issue to these folks. We have had nothing but complaints of them intimidating elderly folks and if we issue a permit to a couple of people it never fails, they have two to three times that many peddler's come in. We deny them as soon as they apply and they challenged it a couple of months ago and our attorney reminded them that they might want to check out alerts for them with the Better Business Bureau. Their rating is not good and it seems like they change their corporation ever so slightly to try and get away from the negative focus on their business.

Pam

Pamela S. Kearbey  
City Clerk/Treasurer  
City of Poplar Bluff  
101 Oak Street  
Poplar Bluff, MO 63901  
[pkearbey@pbutilities.com](mailto:pkearbey@pbutilities.com)  
[cityofpb@pbutilities.com](mailto:cityofpb@pbutilities.com)

**PRIVILEGED AND CONFIDENTIAL:** The information contained in this e-mail transmission, and any attachments thereto, is intended for the use of the addressee(s) named within the e-mail address line either as the intended recipient or an individual copied on the e-mail. If you are not the intended recipient(s), or their agent or employee, dissemination of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by e-mail, return the original message and its attachments to us at the above e-mail address, and remove this message and its attachments from their computer(s).

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**From:** CCFOA <[ccfoa-bounces@lists.mocitieslists.org](mailto:ccfoa-bounces@lists.mocitieslists.org)> on behalf of Clerk <[clerk@cityofwillard.org](mailto:clerk@cityofwillard.org)>  
**Sent:** Wednesday, July 20, 2016 1:30 PM  
**To:** [ccfoa@lists.mocitieslists.org](mailto:ccfoa@lists.mocitieslists.org)  
**Subject:** [MoCCFOA] solicitor's licenses

Question for all of you. Have you issued solicitor's licenses to individuals with the company either Vivint or Smart Home Pro? It's home security. We got the applications, but every solicitor is from other States, not here. It just seems fishy to me. And when I looked up the company, there were a lot of bad reviews. Do we have a right to deny them?

*Jennifer Rowe*  
City Clerk  
PO Box 187  
Willard, MO 65781  
Phone: (417) 742-5302

## Clerk

---

**From:** Shannon Neely <sneely@mtvernon-cityhall.org>  
**Sent:** Wednesday, July 20, 2016 4:17 PM  
**To:** 'Clerk'  
**Subject:** RE: [MoCCFOA] solicitor's licenses

City of Mount Vernon has dealt with them several times and have always had trouble with them. This year, I received a call from them and was told they were completely different management and told them we would not allow any problems from them, so out trust, issued them a license for this year. Needless to say after two day, just two days, we revoked their permits, as they absolutely would not follow the rules, would continue to go to homes on the no visit list and had complaints from citizens they were rude, tried to make their way into houses and so on. The head called the Mayor and said that I had it out for them and wanted him to fire me, luckily, his house was one that they caused problems at.....

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**From:** CCFOA [<mailto:ccfoa-bounces@lists.mocitieslists.org>] **On Behalf Of** Clerk  
**Sent:** Wednesday, July 20, 2016 1:31 PM  
**To:** [ccfoa@lists.mocitieslists.org](mailto:ccfoa@lists.mocitieslists.org)  
**Subject:** [MoCCFOA] solicitor's licenses

Question for all of you. Have you issued solicitor's licenses to individuals with the company either Vivint or Smart Home Pro? It's home security. We got the applications, but every solicitor is from other States, not here. It just seems fishy to me. And when I looked up the company, there were a lot of bad reviews. Do we have a right to deny them?

*Jennifer Rowe*  
City Clerk  
PO Box 187  
Willard, MO 65781  
Phone: (417) 742-5302

# 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

## 13. Ordinance accepting the Bylaws for the Park Board. (1st Read) Discussion/Vote.

Sponsored by the Community Services Director

First Reading: 08-01-2016

Second Reading: \_\_\_\_\_

Council Bill No.:16-27

Ordinance No.: 160808D

**AN ORDINANCE** approving municipal code amendments to Section 127.210, Section 127.230, Section 127.260, Section 127.270 and Section 127.290 of the municipal code of the City of Willard pertaining to the Park and Recreational Advisory Board.

WHEREAS, the Park and Recreation Advisory Board held a public meeting on amendments to Title I, Government Code, Chapter 127, Departments, Boards and Commissions, Article III, Park and Recreational Advisory Board, Section 127.210, Section 127.230, Section 127.260, Section 127.270 and Section 127.290 regarding the makeup and duties of the Park and Recreation Advisory Board and in accordance with Section 127.270 is recommending amendments for consideration of the Board of Aldermen.

**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: The City does hereby amend Title I, Government Code, Chapter 127, Departments, Boards and Commissions, Article III, Park and Recreational Advisory Board, Section 127.210, Section 127.230, Section 127.260, Section 127.270 and Section 127.290 as follows:

Section 127.210: Appointment of Board

The Mayor, shall, with the approval of a majority of all members of the Board of Aldermen, appoint a Park and Recreational Advisory Board of seven (7) members, five (5) members to be chosen from the citizens of the City at large with reference to their qualifications for such position, up to two (2) members may be chosen from outside the city limits but within five (5) miles and not in any other city.

Section 127.230: Terms of Members

Each member shall serve a three (3) year term.

Section 127.260: Meeting - Election of Officers

The Park and Recreational Advisory Board members shall meet at least monthly on a set date and time as determined by the members. June of every year the members shall elect one of its members as President, and one of its other members as Vice-President, and one of its other members as Secretary.

Section 127.270: Duties

The Park and Recreational Advisory Board shall have the following duties and responsibilities:

- (1)** Make and adopt such bylaws and recommend to the Board of Aldermen rules and regulations for their guidance and for the government of the parks.
- (2)** Identify park and recreational opinions of individuals and organizations in the community.
- (3)** Make annual budget recommendations.
- (4)** Ensure resources to continue ongoing and future park and recreation programs.

- (5) Accept and perform delegated responsibilities.
- (6) Advise on basic policies that guide the department.
- (7) Maintain a clear distinction between its own function and the function of the governing body and professional staff.
- (8) Submit all recommendations or suggestions in writing to avoid misinterpretations.
- (9) Recognize that its recommendations or suggestions will not always be followed.
- (10) Review and advise on development plans.
- (11) Recommend sites for park expansion.
- (12) Recommend new programs for inclusion into department offerings.

Section 2: 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 3: 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 Alderman 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 4: 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.

Passed at meeting: \_\_\_\_\_

\_\_\_\_\_  
 Mayor, Corey Hendrickson

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 \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

MEMBERS OF THE BOARD OF ALDERMEN:	YES	NO	ABSTAINED
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\_\_\_\_\_  
 JAMIE BUCKLEY

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\_\_\_\_\_  
SAMUEL SNIDER

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\_\_\_\_\_  
DONNA STEWART

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LARRY WHITMAN

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SAM BAIRD

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\_\_\_\_\_  
DAVID ROGGENSEES

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\_\_\_\_\_  
\_\_\_\_\_

MEMBERS OF THE BOARD OF ALDERMEN:

YES NO ABSTAINED

\_\_\_\_\_  
JAMIE BUCKLEY

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\_\_\_\_\_

\_\_\_\_\_  
SAMUEL SNIDER

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DONNA STEWART

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LARRY WHITMAN

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\_\_\_\_\_  
SAM BAIRD

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\_\_\_\_\_  
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\_\_\_\_\_  
DAVID ROGGENSEES

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# Bylaws for the Willard, Missouri Park and Recreation Advisory Board

Article I.      NAME OF THE BOARD

This Board shall be called the Willard, Missouri Park and Recreation Advisory Board, to serve as the Park Board for the City.

Article II.      PURPOSE OF THE BOARD

The purpose of the Willard, Missouri Park and Recreation Advisory Board is to provide recreation opportunities and facilities for all residents of Willard. They shall be vested with the power, duties, and obligations necessary to accomplish this purpose. They shall be charged with advisory ability to the City of Willard Board of Aldermen for the recreation programs and park facilities under their direction.

Article III.      MEMBERSHIP

Section 1      The membership of the Board shall be seven members appointed by the Mayor, with the approval of the Board of Aldermen. Board members shall hold office for three years or until their successor is appointed.

Section 2      Five (5) members to be chosen from the citizens of the city at large with reference to their fitness for such position, up to two (2) members may be chosen from outside the city limits but within five (5) miles and not in any other city.

Section 3      No member of the Park and Recreation Advisory Board shall be a member of the municipal government. Board members shall serve without salary or compensation, but shall be entitled to documented expenses for mileage, per diem and expenses.

Section 4      Vacancies occasioned by removal, resignation or otherwise, shall be reported to the Board of Aldermen, and shall be filled in like manner as original appointments, for the unexpired term of said member.

Article IV.      OFFICERS

Section 1 The officers of this Board shall be a President, Vice President and a Secretary. The officers shall be elected at the organization meeting in June to serve for one year or until a successor shall be elected.

Section 2 The Park and Recreation Advisory Board shall make and adopt Bylaws, rules and regulations for its own guidance, proceedings, as may be expedient not inconsistent with Ordinance No.: 120213 adopted by the City of Willard Board of Aldermen on February 13, 2012.

Article V. MEETINGS

Section 1 Regular meetings shall be held the last Thursday of each month during the year unless otherwise agreed upon by the Board.

Section 2 Special meetings may be called by the President or on the request of at least three (3) members.

Section 3 All regular meetings are to be held at the Willard City Hall.

Section 4 The meetings shall convene at 7:00 p.m. unless otherwise agreed.

Section 5 The first regular meeting in June of each year shall be called the organizational meeting. The purpose of this meeting shall be the election and installation of officers, reviewing the inventory report, and other business that may need to come before such meetings.

Section 6 A simple majority of the current sitting members of the Park and Recreation Advisory Board shall constitute a quorum at any regular or special meeting.

Section 7 All meetings are open to the public pursuant to Missouri Law.

Section 8 Meetings shall be conducted by the President and in accordance with procedures prescribed in the Bylaws and decisions reached only after full consideration and debate on the issue in question. All procedures shall be in compliance with the State of Missouri Sunshine Law.

Section 9 The following shall be the order of business of the Park and Recreation Advisory Board, but the Rules of Order may be suspended and any matters considered or postponed by action of the Board.

Order of Business:

1. Call to order

2. Roll call
3. Agenda Amendments/Approval of Agenda
4. Approval of minutes of last regular meeting and of any special meetings held subsequently
5. Citizens Input
6. Approval of Financial Statements
7. Program Budgets
8. Directors Report
  - a. Sports Report
  - b. Aquatics Report
9. Reports of Standing Committees
  - a. Finance and Programs Committee
  - b. Buildings, Grounds, and Equipment Committee
10. Old Business
11. New Business
12. Adjourn Meeting

Article VI. DUTIES AND RESPONSIBILITIES OF THE BOARD

**Section 1 General Duties and Responsibilities**

- a. Be responsible for the improvement, supervision, care and custody of the following parks, including all facilities located within that park or any future park: Highline Soccer Park, Miller Farm Park, Jackson Street Park and Willard Sports and Recreation Complex.
- b. Interpret the recreation and park services of the department to the community and interpret the needs and desires of the community to the Board of Aldermen.
- c. Determine and establish the general policies to be followed in carrying out the purpose for which the Board was established.
- d. The Park and Recreation Advisory Board will solicit, evaluate, and interview potential employees for the position of Parks and Recreation Director, at the direction of the Board of Aldermen, and present the top three candidates to the Board of Aldermen for final selection.
- e. Periodically evaluate:

1. The progress of acquisition and development programs
  2. The effectiveness of recreation programs
  3. The level of maintenance of park areas
  4. The work of employees responsible to the park service
- f. Aid in coordinating the recreation services and programs of other agencies, both public and private, providing recreation in the community.
- g. Recommend to the Board of Aldermen to either accept or reject, after due consideration, all private donations in any form in accordance with that which the Board believes is in the best interest of the citizens of the City of Willard.

Section 2 Financial Duties and Responsibilities

- a. The Park and Recreation Advisory Board shall present to the Board of Aldermen an annual budget sufficient to finance the program of recreation and parks the Board deems necessary for the welfare of the residents of the City of Willard. The budget shall be submitted to the Board of Aldermen at the time designated by the Council to hear the requests.
- 
- b. The Board shall annually recommend to the Board of Aldermen a budget for capital improvements (acquisition and development) in accordance with the Master Plan for Parks and Recreation for the City.
- c. The Board shall recommend for approval to the Board of Aldermen all bills and necessary expenditures. All purchase requests shall be first submitted to the Park Board for approval to submit to the Board of Aldermen. All moneys shall be deposited in a separate account to the credit of the Willard Park and Recreation for the City and shall be kept separate and apart from all other moneys and accounts of the City of Willard, Missouri.

Section 3 Planning Duties and Responsibilities

- a. Prepare a master plan for the acquisition and development of an adequate system of parks, facilities and recreation programs for the residents of the City of Willard.

- b. Investigate and determine the needs and interests of the community for recreation facilities and programs. To develop a recreational program to meet those needs.

Article VII.     DUTIES OF OFFICERS

Section 1     President:

- a. The President shall preside at all meetings of the Board. The President shall appoint all committees, represent the Board at public affairs and shall maintain the dignity and efficiency of the Board in all possible ways. He/She shall perform the other duties ordinarily performed by that office.
- b. The President shall prepare or cause to be prepared a manual for each member of the Board including the following information:
  - 1. Copy of ordinance authorizing the Park and Recreation Board
  - 2. Bylaws of the Board
  - 3. List of fees and charges used by the department
  - 4. Copy of last year's expenses
  - 5. Copy of current annual budget
  - 6. Site plans of each park area owned and operated by the City and a list of their facilities and equipment
  - 7. Salary schedules for employees
  - 8. Agreements in writing for use of any area or facility not owned by the City
  - 9. Other reports that may be submitted to the Board
  - 10. Any other information helpful in acquainting new board members of the procedures and operation of the Board

Section 2     Vice President:

- a. The Vice-President shall preside over meetings upon the absence of the President.
- b. The Vice-President should assist the President with any and all duties he/she deems necessary.

Section 3     Secretary:

- a. The Secretary shall perform the usual duties pertaining to the office. The Secretary shall keep or cause to be kept a full and true permanent record of all meetings of the Board. This includes regular and special meetings plus reports of standing committees. The Secretary shall issue or cause to be issued notices of regular and special meetings. All records shall be submitted to the City Clerk as custodian of documents.

Article VIII      COMMITTEES

Section 1      Standing Committees; there shall be two standing committees.

- a. Finance and Programs Committee
- b. Buildings, Grounds, and Equipment Committee

Section 2      Appointment of Committees

- a. The Standing Committees shall be appointed by the President of the Board at the annual meeting or as soon thereafter as possible and serve until their successors are appointed and qualified.

Section 3      Personnel of Committees

- a. Each committee shall consist of no more than three members of the Board.
- b. Each committee shall elect one member to serve as Chairman of the committee.

Section 4      Committee Reports

- a. A record of the actions of each committee shall be kept by the Chairman of said committee and shall be reported in writing to the Board at its next meeting for action by the Board.

Section 5      Duties of the Finance and Programs Committee:

- a. This committee shall recommend fees and charges to be used, and shall be responsible for submitting information to be used in preparation of the budget.
- b. The Community Services Director shall be a member of this committee.

- c. This committee shall exercise supervision over all recreation programs within the park system. They shall also plan a program of recreation based on the expressed needs and interests of the community residents and recommend to the Park and Recreation Advisory Board those programs which they feel should be implemented within the available finances and facilities of the Board.

Section 6      Duties of the Buildings, Grounds, and Equipment Committee:

- a. This committee shall exercise supervision over care and control of all buildings, grounds, and equipment, within the park system.
- b. The Director of Development for the City of Willard shall be a member of this committee.
- c. The committee shall investigate and determine the need for new facilities, equipment, or renovation of existing buildings and equipment and for expansion and improvement.
- d. This committee shall prepare a master plan for acquisition and development of park areas, and make the best possible use of all land under the control of the Board.
- e. Landscaping and beautification shall also be charged to this committee. Parking lots, location of new facilities, etc. shall be finalized by this committee for approval by the Park and Recreation Advisory Board before presentation to the Board of Aldermen.

Article IX      REMOVAL OF BOARD MEMBER

Section 1      When a member has been absent or has not performed the duties of that office for three consecutive meetings, that member may forfeit their seat.

Section 2      The Mayor may, with the consent of a majority of all members of the Board of Aldermen, remove any Park and Recreation Advisory Board member for misconduct or neglect of duty. Any member may also be removed by a two-thirds (2/3) vote of all members of the Board of Aldermen, independent of the Mayor's approval or recommendations.

Article X.      AMENDMENTS

Section 1 These Bylaws may be amended at any regular meeting of the Park and Recreation Advisory Board by a majority vote of the entire Board, provided previous notice of the nature of any proposed amendment shall have been given at least one regular meeting before the action thereon shall be taken. Bylaws and amendments to the Park and Recreation Advisory Board Bylaws shall be approved by the Board of Aldermen in order to be fully adopted.

These Bylaws were accepted and approved at  
 the \_\_\_\_ (Date) \_\_\_\_ Willard Park Board meeting.

<u>Members of the Park and Recreation Advisory Board</u>	<u>Yes</u>	<u>No</u>
_____	_____	_____
Blaine Kennard, President	_____	_____
_____	_____	_____
Valorie Simpson, Vice-President	_____	_____
_____	_____	_____
Billie Middleton, Secretary	_____	_____
_____	_____	_____
Laurie Pendergrass	_____	_____
_____	_____	_____
Samantha Mosier	_____	_____
_____	_____	_____
Vacant	_____	_____
_____	_____	_____
Vacant	_____	_____

# 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

**Ordinance accepting the contract with Monkey Business for the Parks Department. (1<sup>st</sup> Read). Discussion/Vote.**

Sponsored by the Community Services Director

First Reading: 08/08/16

Second Reading: \_\_\_\_\_

Council Bill No.: 16-28

Ordinance No.: 160808E

AN ORDINANCE

**ACCEPTING** the proposal of Mac Entertainment LLC d/b/a Monkey Business Events to provide rental equipment for the City of Willard Recreation Center, 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 selected Mac Entertainment LLC d/b/a Monkey Business Events 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 Mac Entertainment LLC d/b/a Monkey Business Events 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 \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016.

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

First Reading: 08/08/16

Second Reading: \_\_\_\_\_

Council Bill No.: 16-28

Ordinance No.: 160808E

2<sup>nd</sup> READ

MEMBERS OF THE BOARD OF ALDERMEN:

YES

NO

ABSTAINED

\_\_\_\_\_  
JAMIE BUCKLEY

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
SAMUEL SNIDER

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
DONNA STEWART

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
LARRY WHITMAN

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
SAM BAIRD

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
DAVID ROGGENSEES

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**MONKEY BUSINESS EVENTS**  
2733 East Battlefield #248  
Springfield, MO 65804

### **EQUIPMENT RENTAL/SERVICES AGREEMENT**

1. This contract is for the equipment/service(s) listed in section labeled Section A. to be provided by **Mac Entertainment LLC d/b/a Monkey Business Events** ("Provider") to the Customer listed below, pursuant to the terms set forth herein.
2. **Customer:**  
Name: CITY OF WILLARD – JC LOVELAND  
Address: CITY PARK, WILLARD MO  
Phone: 417-742-5380
3. **Event Details:** The terms, location, date, and times of the contract shall be listed in the section labeled Section B.
4. **Cost:** Customer shall pay Provider an amount equaling the total listed in the following section labeled Section C for the equipment/services provided. A payment in full of the costs stated on Section C shall be payable no later than 1 week prior to the Event Date. Customer understands and agrees that there are No refunds if cancelled by Customer.
5. **Condition/Inspection:** Customer agrees to inspect all equipment at the time of delivery and immediately notify Provider of any deficiencies prior to its use so that Provider may inspect. Customer agrees to return all equipment in the same condition as it was provided and will pay for all damage to, theft or other loss of, all equipment.
6. **Warranty/Damages Disclaimer:** Customer agrees all equipment is provided on an "AS-IS" basis, and Provider makes no express or implied warranties as to the condition or performance of any equipment or other items provided under this contract. The only warranties applicable are those provided by the manufacturer on the equipment or instruction manual. **ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE IS EXPRESSLY DISCLAIMED. IN NO EVENT SHALL PROVIDER BE RESPONSIBLE FOR CONSEQUENTIAL DAMAGES.**
7. **Risks of Use:** Customer understands that use of the equipment can result in physical injury, paralysis, and death, and property damage. Customer agrees to read and comply with all instructions located on equipment, and comply with the policies/rules attached hereto.

14. DO NOT FASTEN OR TIE ANYTHING TO THE EQUIPMENT. ANY DAMAGE OR EXCESSIVE DEBRIS WILL RESULT IN A REPAIR OR CLEANING CHARGE TO YOU THE CUSTOMER.
15. IN CASE OF INCLEMENT WEATHER, DEFLATE ANY INFLATABLE EQUIPMENT FOR RAIN AND/OR HIGH WINDS. ALLOW THE UNIT TO DRY WHEN RE-INFLATED AS THE VINYL SURFACE CAN BE EXTREMELY SLIPPERY WHEN WET.
16. TO AVOID NECK, BACK AND OTHER BODILY INJURIES - NO WRESTLING, FLIPS OR ROUGH HOUSING IS PERMITTED IN, ON OR FROM UNITS. PARTICIPANTS SHALL NOT JUMP FROM PLATFORMS ONTO THE SLIDING AREAS, CLIMB THE NETTING OR ROOFS OR BOUNCE AGAINST THE SIDES OR NEAR THE DOORWAY OF THE UNITS.
17. ANYONE WITH HEAD, BACK, NECK OR ANY MUSCULAR-SKELETAL INJURIES OR DISABILITIES, PREGNANT WOMEN AND OTHERS WHO MAY BE SUSCEPTIBLE TO INJURY FROM FALLS BUMPS OR BOUNCING ARE NOT PERMITTED IN THE UNITS AT ANY TIME.
18. DO NOT ALLOW OLDER CHILDREN TO JUMP WITH YOUNGER CHILDREN.
19. IF THE UNITS LOSE POWER OR BEGIN TO DEFLATE DURING OPERATION OR THERE IS ANY REASON TO STOP THE UNITS' USE, THE ADULT SUPERVISOR SHOULD IMMEDIATELY ASSIST PARTICIPANTS WITH SAFE EVACUATION FROM UNITS
20. UNITS MUST BE SECURED TO THE GROUND AT ALL TIMES TO PREVENT TIPPING OR INJURY. AT NO TIME SHOULD THE UNITS BE REMOVED FROM INSTALLED LOCATION.

Initial: \_\_\_\_\_

8. **Liability Insurance:** Provider shall carry liability insurance to cover all products and services that Provider staffs. Any product or service not provided or staffed by Provider will not be covered by Provider's insurance, and Customer agrees to provide liability insurance coverage of the use of all equipment by Customer and its guests, agents and invitees.
9. **Liability:** Provider shall carry liability insurance to cover all products and services that Provider staffs. Any product or service not provided or staffed by Provider, will not be covered.
10. **No Joint Venture:** Nothing in this contract shall be construed by any party as creating an agency, relationship, partnership, or joint venture.
11. **Merger:** This contract and attachments contain the entire agreement of the parties with respect to the transaction. No modification or addition to its terms shall be valid unless by signed written agreement.
12. **Supervision/Responsibility.** The undersigned Customer shall be responsible for the proper usage by, and supervision and safety of, all users of Provider's equipment.

**Execution and Signatures:** BY SIGNING BELOW, THE UNDERSIGNED CUSTOMER STATES AND AGREES: I HAVE READ AND UNDERSTAND THE ENTIRE CONTENTS OF THIS AGREEMENT INCLUDING ALL ATTACHMENTS, AND AGREE TO BE BOUND BY THEM, AND FURTHER WARRANT AND REPRESENT THAT I AM EITHER THE CUSTOMER NAMED ABOVE, OR AM AUTHORIZED AND EMPOWERED TO ACCEPT DELIVERY OF THE EQUIPMENT AND TO SIGN THIS AGREEMENT ON THEIR BEHALF AS THEIR AGENT. ~~FURTHERMORE, I AGREE THAT I AM ALSO BINDING MYSELF PERSONALLY AS AN ADDITIONAL PARTY TO ALL OF THE TERMS AND CONDITIONS OF THIS AGREEMENT.~~ *AK*

Dated this 2nd day of August, 2016  
CUSTOMER:

Print: \_\_\_\_\_

Sign: \_\_\_\_\_

**Accepted by Provider:**

**MAC Entertainment LLC**

By: ANGIE GOFF

Position: MANAGER

**Section A**

Monkey Business Events will provide:

ITEMIZED EQUIPMENT/SERVICE:

FEE: \$400.00

ADVENTURE GALLEY – DRY

RACING FUN COMBO

\*NO ATTENDANTS PROVIDED

\*NO GENERATORS PROVIDED

\*SET UP ON GRASS

TOTAL FEE \$400.00

\*Customer is responsible for providing an adult attendant for each item listed above, for safety and supervision. No staff will be supplied, unless requested and listed along with each item above.

\*Customer is also responsible for electrical outlets to operate each item list above. No generators will be supplied, unless requested and listed above.

Initial: \_\_\_\_\_

**Section B**

Agreement Terms

Event Location: CITY PARK  
WILLARD, MO 65738

Event Date: 10-22-2015

Event Time: 6:00PM-9:00PM

Terms: \$400.00 See Section C

Initial: \_\_\_\_\_

**Section C**

Cost

\$400.00

A payment in the amount of \$200.00 shall be due upon the signing of this contract, with a final payment of \$200.00 due no later than 1 week before event.

*\*Price includes, Delivery, Set up and Tear down.*

*\*Once this agreement is signed it will be considered an agreement/contract between equipment/service recipient and the equipment/service provider.*

Initial: \_\_\_\_\_

**POLICIES & RULES:**

1. EVENT LOCATION AREA MUST BE FLAT, DRY AND CLEAR OF ROCKS OR ANY OTHER DEBRIS TO ENSURE THE SAFETY OF PARTICIPANTS. A 20-FOOT OVERHEAD CLEARANCE IS NEEDED, AS WELL AS A 5FT OR MORE PERIMETER AROUND THE UNITS. IT IS THE CUSTOMER'S RESPONSIBILITY TO CLEAN AREA PRIOR TO SET UP.
2. THE CUSTOMER ASSUMES FULL RESPONSIBILITY FOR ANY DAMAGE OR LOSS TO EQUIPMENT WHILE AT CUSTOMER'S DESIGNATED LOCATION.
3. THE CUSTOMER IS RESPONSIBLE FOR PROVIDING POWER TO OPERATE BLOWER UNITS AND WATER FOR THE WET UNITS. A GROUNDED 3-PRONG OUTLET CAN BE USED AND MUST BE WITHIN 100' OF THE UNIT. A 100' HOSE CAN BE USED AND MUST BE WITHIN 100' OF THE UNIT.
4. EQUIPMENT MUST BE UNDER ADULT SUPERVISION AT ALL TIMES ENSURING THAT IT IS SAFE AND WITHIN RECOMMENDED MANUFACTURER'S GUIDELINES FOUND ON THE ATTACHED SAFETY SIGN OF EACH UNIT AS TO NUMBERS OF USERS, AGES AND SIZES.
5. SHOES, GLASSES, JEWELRY, BADGES, HAIR BARETTES, AND ANY OTHER OBJECT WHICH MAY CAUSE INJURY AND/OR DAMAGE TO PERSON OR EQUIPMENT MUST BE REMOVED PRIOR TO ENTERING.
6. TO AVOID ANY INJURIES, NO FLIPS, NO SOMERSAULTS, NO WRESTLING, NO ROUGH HOUSING, NO PUSHING, NO COLLIDING, OR ANY FORM OF BODILY CONTACT IS ALLOWED.
7. NO AEROSOLS (SUCH AS "SILLY STRING"-TYPE PRODUCTS), FOOD, DRINK, CANDY, CHEWING GUM OR ANY OTHER STICKY SUBSTANCE IS ALLOWED IN OR AROUND THE EQUIPMENT.
8. ABSOLUTELY NO USER UNDER THE INFLUENCE OF ALCOHOL, DRUGS, OR ANY INTOXICATING DRUGS SHOULD USE THE EQUIPMENT.
9. NO SMOKING OR BARBEQUE UNITS WITHIN 15 FEET OF THE EQUIPMENT.
10. DO NOT ALLOW ANYONE TO BOUNCE ON THE FRONT SAFETY STEP OR ANYWHERE ON THE EXTERIOR OF THE EQUIPMENT.
11. DO NOT ALLOW INDIVIDUALS TO CLIMB, HANG, OR SIT ON INFLATABLE WALLS.
12. KEEP EQUIPMENT AWAY FROM SWIMMING POOLS.
13. SUBJECTS OVER THE AGE OF 15 YEARS SHOULD NOT USE THE EQUIPMENT UNLESS THE UNIT IS DESIGNED FOR ADULTS.

Initial: \_\_\_\_\_

# CITY OF WILLARD, MISSOURI

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



AGENDA ITEM # 15

## 15. Approval of the streetlight change requests at: a. Knight Street just west of Miller Road

Sponsored by the City Clerk

## THE EMPIRE DISTRICT ELECTRIC COMPANY

### Request for Change in Street Lighting Service

Missouri and Arkansas

Pursuant to a Resolution adopted by the governing body of the **City of Willard, Mo.** hereinafter called CITY, TOWN, OR VILLAGE, on the 29th day of **July, 2016** THE EMPIRE DISTRICT ELECTRIC COMPANY, hereinafter called COMPANY, is hereby requested to make the following changes in street lighting service pursuant to the provisions of the Municipal Electric Service Agreement, hereinafter called AGREEMENT, executed by the CITY and the COMPANY.

STREET LIGHT REQUEST	ADDRESS - LOCATION STREET LIGHTS and EXCESS FACILITIES	SIZE and TYPE STREET LIGHTS	QTY	ANNUAL ENERGY CHARGE		FACILITY USAGE CHARGE	
				Installed	Removed	Installed	Removed
Install	KNIGHT ST WEST OF MILLER ROAD NORTH OF DOLLAR GENERAL	6,000L 70W HPS Open Bottom	1	\$83.42		\$109.44	
Remove	KNIGHT ST WEST OF MILLER ROAD NORTH OF DOLLAR GENERAL	7,000L 175W MV Open Bottom	1		\$89.02		\$53.47
<b>Subtotals - Annual Energy Charge and Facility Usage Charge for this Request</b>				<b>\$83.42</b>	<b>\$89.02</b>	<b>\$109.44</b>	<b>\$53.47</b>
<b>A Annual Energy Charge for this Request (Install minus Remove)</b>				<b>-\$5.60</b>			
<b>B Total Facility Usage Charge for this Street Light Request (Install minus Remove)</b>						<b>\$55.97</b>	

The CITY agrees that the AGREEMENT shall be amended as follows

- C Total Facility Usage Charge for this Request (Total Line B) \$55.97
- D Annual Facility Usage Charge to Customer for this Request (Total Line C X 9%) \$5.04
- E Annual Energy Charge for this Request (Total Line A) -\$5.60
- F Annual Facility Usage and Energy Charge for this Request (Total Line D plus/minus Line E) -\$0.56
- G Monthly Increase/Decrease to be Paid by Customer for this Request (Total Line F divided by 12 months) -\$0.05

This request for change shall be effective from and after its execution and is supplemental to, forms a part of and is to be construed with and subject to the terms, conditions and provisions of the Agreement herein referred to which, in all other particulars except as hereinafter amended, is ratified and confirmed.

Executed at \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_  
 (SEAL)  
 ATTEST: \_\_\_\_\_ By \_\_\_\_\_  
 CLERK MAYOR OR BOARD CHAIRMAN

**ACCEPTANCE**

THE EMPIRE DISTRICT ELECTRIC COMPANY hereby approves and consents to the aforesaid request for change in street lighting service and all terms and provisions included therein, and agrees that the Municipal Electric Service Agreement shall be amended accordingly. The number of street lights in service in said CITY will, after completion of the above changes and until our approval of further changes, be as follows:

MERCURY VAPOR LIGHTS	HIGH PRESSURE SODIUM LIGHTS	METAL HALIDE LIGHTS
4,000L - Incand	6,000L - 70W	12,000L - 175W
7,000L - 175W	16,000L - 150W	20,500L - 250W
11,000L - 250W	27,500L - 250W	36,000L - 400W
20,000L - 400W	50,000L - 400W	110,000L - 1,000W
53,000L - 1,000W	130,000L - 1,000W	

Empire Representative Completing Contract

Rick Wingender

EDE USE	WO# 727462	PROJECT # 1002456	COMPLETED
CURRENT INVESTMENT CHARGE		ANNUAL FACILITY USAGE CHARGE	ACCUMULATIVE INVESTMENT CHARGE

**THE EMPIRE DISTRICT ELECTRIC COMPANY**

Executed at Joplin, Mo this \_\_\_\_\_ day of \_\_\_\_\_ By \_\_\_\_\_  
 (VICE PRESIDENT)