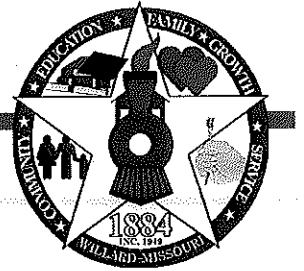


CITY OF WILLARD, MISSOURI

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

April 10, 2017

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
April 10, 2017
7:00 P.M.**

Posted April 5, 2017.

Notice is hereby given that the City of Willard, Missouri, Board of Aldermen will conduct a meeting at **7:00 p.m.** April 10, 2017 at Willard City Hall, 224 W. Jackson, Willard, Missouri.

The tentative agenda of this meeting includes:
PLEDGE OF ALLEGIANCE

SWEAR/AFFIRM IN NEWLY ELECTED OFFICIALS

Call the meeting to order

- 1. Roll Call.**
- 2. Agenda Amendments/Approval of Agenda.**
- 3. Approval of the Minutes from the regular meeting March 27, 2017.**
- 4. Ceremonial Matters:**
 - Elections:
 - a. Elect Board of Aldermen representative to serve on the Planning and Zoning Commission.
- 5. Citizen Input.**
- 6. City Administrator Report.**
 - a. Financial Reports
 1. February 2017 Summaries.
 2. February 2017 Financial Statements.
 3. March 2017 and April 2017 Outstanding Invoices, Check and Draft Paid Invoices.
 4. February 2017 Check Register.
 5. March 2017 Utility Adjustment Report.
 - b. Parks Department.
 - c. Public Works.
 - d. Police Department.
 - e. Planning and Development.
- 7. Ordinance amending Section 125.010 Establishing of Municipal Court. (2nd Read) Discussion/Vote.**
- 8. Ordinance accepting the reappointment of the Willard Municipal Judge, Kristoffer Barefield. (1st Read) Discussion/Vote.**

9. Ordinance accepting the reappointment of the Willard City Attorney, Ken Reynolds. (1st Read) Discussion/Vote.
10. Ordinance accepting the contract with Hillyard for cleaning supplies. (1st and 2nd Read) Discussion/Vote.
11. Ordinance accepting the contract with Blevins Construction for the Resurfacing of Hunt Road and Farm Road 103 Project. (1st Read) Discussion/Vote.
12. Ordinance accepting contract with HM Benefits for Health Information Services. (1st Read) Discussion/Vote.
13. Discussion/Vote to go out for bid for pool maintenance.
14. Discussion/Vote to accept new Park Board Member Pat Lloyd.
15. Discussion/Vote on background checks for the Parks Department.
16. Discussion/Vote on amending Section 605.025 Business Licenses.
17. New Business.
18. Unfinished Business.
19. Recess Open Session.
20. Open Executive Session.
21. Close Executive Session.
22. Adjourn Meeting.

THE TENTATIVE AGENDA OF THIS MEETING INCLUDES A VOTE TO CLOSE PART OF THE MEETING PURSUANT TO RSMO SECTION 610.021 # (1) LEGAL AND # (13) PERSONNEL.

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**

March 27, 2017

7:30 p.m.

Staff present: City Administrator, Brad Gray; Director of Public Works, Dave O'Connor; Director of Development, Randy Brown; Director of Parks, J.C. Loveland; Assistant Director of Parks, Jason Knight; and Planning Assistant, Abigail Brixey.

The City Attorney Ken Reynolds was present.

Citizens in attendance: Terry Kathcart and Lucille Murray.

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 Planning Assistant conducted the roll call. Alderman Buckley---, Alderman Snider-present, Alderman Stewart-present, Alderman Whitman-present, Alderman Baird-present, Alderman Roggensees-present and Mayor Hendrickson-present.

Agenda Amendments/Agenda Approval.

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

Approve the Minutes of the Regular Meeting on March 13, 2017.

Randy Brown requested changes regarding the Developer's Agreement Ordinance notes. Motion was made by Alderman Roggensees and seconded by Alderman Snider to approve the Minutes with changes from the regular meeting March 13, 2017. The motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensees.

Citizen Input.

Lucille Murray thanked Mr. Knight for nominating her for the citizens' citation award. She also informed the Board that the Mayor and Representative Messenger have submitted her for another award and she was very thankful.

Ordinance accepting the Developers Agreement with Four Corners Development. (2nd Read) Discussion/Vote.

Mr. Brown stated there were no other changes.

Motion was made by Alderman Whitman and seconded by Alderman Snider to accept the Developers Agreement with Four Corners Development. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensees.

Discussion/Vote to accept bid for the resurfacing of Hunt Road and Farm Road 103.

Public Works Director Dave O'Connor informed the Board that the City had received three (3) bids from Journagan, Blevins and APAC. Blevins bid includes resurfacing, repair and milling. Staff recommends moving forward with Blevins Construction. Mayor Hendrickson asked if the City had used them before. Mr. O'Connor stated we have not, but they have worked on many projects in the area. Mr. Brown stated that Wright Street will be constructed by Blevins. Alderman Baird asked what milling was. Mr. O'Connor stated that it was the grinding down to make a smooth transition. Alderman Snider asked if the resurfacing would

resemble what was done on Jackson St. Mr. O'Connor stated that City Staff will first be going through with the base. Alderman Roggensees asked what all three (3) bids were so different. Mr. O'Connor informed him that contractors bid high. Alderman Roggensees asked if Mr. O'Connor was ok with the quality of work done by Blevins and Mr. O'Connor stated he was. Motion was made by Alderman Roggensees and seconded by Alderman Stewart to accept the bid for the resurfacing of Hunt Road and Farm Road 103 by Blevins. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensees.

Discussion/Vote to accept bid for emergency backup generators at Regional and "D" Lift Stations.

Mr. O'Connor informed the Board that two (2) generators were budgeted for. Norton was the same company used for Meadows #2. He stated that the bids were built differently but he recommends Norton with the standard enclosure. Alderman Baird asked what the acceptable noise level was. Mr. O'Connor stated it was between eighty (80) and ninety (90) decibels. Meadows west noise level with the app was less than one (1) yard and was eighty-nine (89) . Two hundred feet (200') away they were getting complaints. Alderman Baird stated that we should abide by our own ordinance. Mayor Hendrickson indicated that we did not have a number. Alderman Sniders asked about the Quarry. Mr. O'Connor stated that ideally, a permanent generator would be built. Mr. Gray stated that the amount of time running is for emergency only and exercise. Alderman Roggensees asked if they were ok with Norton. Mr. O'Connor stated he was. Mayor asked what else would be missing emergency generators after this install. Mr. O'Connor stated the carwash, Whimpies and Meadows East, but they are not significant. Alderman Whitman asked if the Lift Station would still have adequate power and Mr. O'Connor stated it shouldn't affect it. Motion was made by Alderman Roggensees and seconded by Alderman Baird to accept the bid by Norton for emergency backup generators at Regional and "D" Lift Stations. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensees.

Discussion/Vote to accept bid for Parks Department Truck Purchase.

The Parks Director JC Loveland informed the Board that research was done to find a vehicle that fit into the budgeted funds of twenty-six thousand dollars (\$26,000). The Parks maintenance crew inspected this truck presented as well as a Ford dealer and both said it was a good truck. A newer version would have been nine thousand dollars (\$9,000) more. Alderman Baird asked how many miles per year would be put on the truck. Mr. Loveland stated five thousand (5,000) to ten thousand (10,000). Alderman Baird asked who inspected the truck. Mr. Loveland stated the Parks maintenance crew as well as Wehr, which is Mr. Loveland's fathers' inspectors for his dealership. Alderman Baird asked if the deposit was refundable. Mr. Loveland stated it was not, but he felt it was a good deal and a smart decision. Mayor Hendrickson stated he spoke with the City Attorney who stated that used vehicles can't go out to bid. Alderman Baird asked if the City was ok without going to bid. Mr. Loveland stated that in the used market, no bids were needed. Alderman Snider asked if Wehr charged for the inspection to which Mr. Loveland said they did not. Mayor Hendrickson stated that he personally inspected the truck and thought it was a good truck. Alderman Baird asked what the Mayor's limit to approve was. Mayor Hendrickson stated that the City Attorney Ken Reynolds was the one who approved to move forward. Motion was made by Alderman Snider and seconded by Alderman Stewart to accept the bid for the Parks Department Truck Purchase. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensees.

Discussion/Vote to approve Empire Electric Streetlight Contract for new light at Miller Farm Park.

Mr. Loveland informed the Board that the parking lot was almost complete and the Park Board was currently raising money for the Disc Golf course. With a walking trail on the property, staff recommended lights for safety on the property. The Mongoose version can be adjusted different directions. Light the parking lot would be Five thousand dollars (\$5,000) to seven thousand dollars (\$7,000) to place new poles. Alderman snider asked what the three thousand dollars (\$3,000) was for. Mr. Loveland stated it was for Empire Electric. He stated it would be forty-seven dollars (\$47) which is what we pay monthly, or fifty-one dollars and eighty-seven cents (\$51.87) for the Mongoose lights. Alderman Snider asked if the Park Board saw this information. Mr. Loveland stated they had not, as this was a staff decision. Alderman Whitman asked if the new lights would affect the surrounding neighbors. Mr. Loveland stated the tree lines would shield the neighbors from the light. Alderman Baird asked what the facility usage would be. Mr. Loveland stated the City would pay the fifty-one dollars and eighty-seven cents (\$51.87) monthly. Alderman Roggensees asked

how many lights were requested. Mr. Loveland stated they were requesting two (2), but there would be no maintenance costs. Staff was recommending the mongoose style. Motion was made by Alderman Baird and seconded by Alderman Whitman to approve the Empire Electric Streetlight Contract for the new light at Miller Farm Park. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensees.

Ordinance amending Section 125.010 Establishing of Municipal Court. (1st Read) Discussion/Vote.

Court Clerk Linda Murray stated that this amendment would add an additional court date to the two (2) already established. This would add an evening court date to help citizens and spread the workload for the Court staff. She stated that there were more open cases, but no jail time. The costs would be five hundred and sixty dollars (\$560) for the travel for the two (2) attorneys, thirty-four dollars (\$34) for the Bailiff and eighty dollars (\$80) for staff time. Mayor Hendrickson asked if Chief was ok with staffing. Ms. Murray stated that he had confirmed he would make it work. Alderman Snider stated that he has been to two or three (2 or 3) court days and it is usually packed with only a few seats left open. Ms. Murray stated that the date would be the second (2nd) Thursday of each month at 6:00 p.m. Mayor Hendrickson asked what the other court days were each month and Ms. Murray stated the first and third (1st and 3rd) Tuesday of each month. Alderman Whitman asked if it would be about seven hundred dollars (\$700) a month in costs added. Ms. Murray stated that by adding the court date, it would potentially shorten the others. Motion was made by Alderman Snider and seconded by Alderman Stewart to amend Section 125.010 Establishing of Municipal Court. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensees.

Discussion on Employee Benefits.

Alderman Snider stated that research needed to be done to have a doctor on demand. He informed the Board that he recently had an eye infection and Teladoc was a one (1) minute conversation before a prescription was ordered for him before 7:00 a.m. He stated that this would benefit both the employee and the employer since there would be less time off. Mayor Hendrickson asked if he was wanting staff to do the research. Alderman Snider stated if it was feasible and realistic. Alderman Baird asked if there were complaints by staff regarding time off for medical appointments. Alderman Snider stated that there were none that he was aware of but this was a more convenient idea. Alderman Baird asked why he felt they should stay at work if they needed to go to a doctor. Mayor Hendrickson stated that he just looked up applications on his phone and found one for forty-nine dollars (\$49) that he could use if he couldn't get into a walk-in clinic. Alderman Snider asked what the objection was. Mayor Hendrickson stated that there was none if the City Administrator wanted the Clerk or the Finance Director to research and see if insurance would kick in for it. Motion was made by Alderman Snider and seconded by Alderman Stewart to instruct the City Administrator to have staff look at the possibility of how it would mesh with insurance and if staff would like it. Motion carried with a vote of 5-0. Voting aye: Aldermen Snider, Stewart, Whitman, Baird and Roggensees. Alderman Baird asked the City administrator if there was sufficient time for this. Mr. Gray stated that it could be done at a later date.

New Business.

None.

Unfinished Business.

Alderman Roggensees stated that the City was forty-three thousand dollars (\$43,000) under budget on the Hunt Road project and he feels it would be good to use that to do the sidewalk. Mr. O'Connor stated that the quick quotes to do the sidewalk from True Value to Truman would be about sixty-five thousand dollars (\$65,000) for the materials and staff would do the work themselves. Osage to the Farm Park would be an additional twenty-eight hundred feet (2800') and require two (2) box culverts for fifty-thousand dollars (\$50,000). The total for that section in materials would cost around fifty-six thousand dollars (\$56,000). The original budget for the project was two-hundred and fifty thousand dollars (\$250,000). Alderman Roggensees stated that he did not want to take it away from streets, but thanked Mr. O'Connor for looking into the cost.

Adjourn.

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

The meeting was adjourned at 8:49 p.m.

Jennifer Rowe, City Clerk

Corey Hendrickson, Mayor of Willard

CITY OF WILLARD, MISSOURI

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



AGENDA ITEM # 6

City Administrator Report.

- a. Financial Reports
 1. February 2017 Summaries.
 2. February 2017 Financial Statements.
 3. March 2017 and April 2017 Outstanding Invoices, Check and Draft Paid Invoices.
 4. February 2017 Check Register.
 5. March 2017 Utility Adjustment Report.
- b. Parks Department.
- c. Public Works.
- d. Police Department.
- e. Planning and Development.

Parks and Recreation - Director's Report – April 2017

Project Report

- **Employee Tasks**
 - 2017 Budget and Bids - Ongoing
 - Planning 2016-17 School Year Programs
 - Staff Restructuring for 2017 Fiscal Year
 - Hiring Summer Staff for 2017 Summer
- **2017 Capital Improvements**
 - Pool Sandblasting/Painting – Ongoing
 - Baseball Concession Stand Construction – Ongoing
 - Soccer Complex Parking Lot Gravel – Complete
 - Miller Farm Park Parking Lot – Ongoing
 - Miller Farm Park Trails - Ongoing
 - Soccer Complex Camping Spots – April 2017
- **2017 Master Plan**
 - Sub-Committee Meeting – 1/10/17
 - Committee created a list of ideas to bring to the Park Board
- **Maintenance Department**
 - Edge Trail at Jackson Street Park – Complete
 - Clean Fence Lines at Jackson Street Park – Complete
 - Build Parking Lot at Miller Farm Park – Ongoing
 - Maintenance all Mowing Equipment for Season – Complete
 - Open Soccer Complex for Season – Ongoing

Upcoming Programs / Events

- **Tumbling Toddlers** – Ongoing
- **Tae Kwan Do** – Ongoing
- **Youth Dance** – Ongoing
- **Youth Spring Dance Class** – Ongoing
- **Kid-Venture Days** – March 31 / April 14 & 17
- **The Great Easter Egg Hunt** – April 8
- **Spring Soccer Games Start** – April 1
- **Spring Volleyball Games Start** – April 4
- **Pool Opening Day** – May 20
- **Summer Camp Starts** – May 22
- **Farm Park Fun Mudder** – June 4
- **Summer Baseball Registration Ends** – July 1
- **Youth Cheerleading** – Fall 2017

Other Information

- **Website – Visitors From 2/22/17 to 3/24/17**
 - www.willardparks.com – 3,875 unique visitors, 14,977 visitors
 - www.willardfreedomfest.com – 1,456 unique visitors, 2,646 visitors
 - www.willardaquatics.com – 1,264 unique visitors, 2,925 visitors
- **Facebook – 1,852 likes as of 3/27/17**
 - <https://www.facebook.com/WillardParksAndRec>
- **Open Gym – Visitors From 4/19/16 to 3/25/17**
 - Individual Registrations: 326
 - Individual Sign-In: 2,881

Parks Equipment Usage and Maintenance Log

Vehicle/ Equipment	Description	Beginning Reading	Ending Reading	1/1-4/1 Usage	Monthly Repair Cost	Ytd Cost
JD5220	John Deere (Batwing)	33117	33128	11		\$ -
Woods FM	Batwing	33117	33128	11	\$ 164.20	\$ 164.20
CBB	Chevrolet Bluebird			0		\$ -
IBB	International Bus			0		\$ -
JD997	John Deere Belly Mower	424	448	24	\$ 435.01	\$ 435.01
GH 928D1 Ter	Grasshopper Front Deck	2338	2348	10	\$ 157.91	\$ 157.91
GH928D2	Grasshopper Front Deck	1910	1934	24	\$ 26.91	
GH725D	Grasshopper Front Deck	0.5	20	19.5		\$ -
GH329	Grasshopper Belly Mower	225	243	18		\$ -
Kubota ZD28	Kubota Belly Mower	2204	2209	5	\$ 232.67	\$ 232.67
Kubota RIV 400	RTV	532	532	0		\$ -
Kubota Tractor	Front Loader/Backhoe	841	881	40		\$ -
Chevy Pick Up		142225	143691	1466	\$ 23.85	\$ 23.85
Ford Pick Up		123400	124345	945		\$ -
Cop Car		171067	173053	1986		\$ -
Box Truck				0		\$ -
Case International	Front loader/brush Hog	810	813.3	3.3	\$ 19.82	\$ 19.82
Ford F250	Tool Truck		107497	107497		\$ -
				0		\$ -
				0		\$ -
				0		\$ -
				0		\$ -
						\$ 1,033.46

Vehicle	Change Oil; Air Filter; Hydraulics Filter, Repair Breather Housing;
JD5220	Replace adjustments shims, shafts; grease; adjust hydraulics, check fluids, paint, sharpen blades, Grease Towers, Replace Drive belts
Woods FM	
CBB	
IBB	
JD997	Sharpen blades, Grease Towers, Oil Change, New Filters, replace foam filled tires, replace rear wheel,
GH 928D1	Sharpen blades, Grease Towers, Oil Change, New Filters, Rebuild deck spindle, Drive Shaft, Drive shaft Bearings
GH928D2	Sharpen blades, Grease Towers, Oil Change, New Filters, replace airfilter clips
GH725D	
GH329G	Replace Missing Blade, front deck casters, Replace bushings, Front spindle, Front Bearing assembly; Replace all Tires (previously filled with foam); Repair broken Hydraulic Fan,
Kubota ZD28	Replace Missing Blade, Missing front deck casters, Replace bushings, Sharpen Blades, Grease Towers, Oil Change, New Filters; repair coolant fitting and replace coolant, replace deck height adjustment bolts, replace foam filled tires,
Kubota RIV 400	Replace brackets; tune-up; oil change; fuel sytsem flush;Change Differential fluid, Change Filters
Kubota Tractor	Oil Change, New Filters, Repair all Lights; Front differential Fluid Change

Parks Equipment Usage and Maintenance Log

Chevy Pick-up
Case Tractor

Replace Thermostat, replace thermostat gasket
Fuel Filter

Public Works Report

March 2017

Water

- Completed installation of the 10" water main extension along Highway AB south of Farm Rd. 124 in Elwood.
- Completed 87 utility locates

Sewer

- Due to the rainfall during the last half of the month we have increased our monitoring of Regional and "D" lift stations. The west pumps at Regional had to be removed and replaced due to a leaking seal. We also worked on the sump pumps around the basin and had to order one new pump.
- Inspected the air release along the force main to Springfield. Eight need to be removed and replaced and the remaining 11 need to be cleaned.
- Inspected 34 manholes in the Villa Park subdivision and 13 along the line to the lagoon. Several leaks were identified as well as flow in lines with no sewer connections.
- Continued repairing the uprights on the irrigation system at the lagoon.

Streets

- Removed and replaced 20 ft. of sidewalk at Miller and New Melville.
- Continued replacing and straightening signs.
- Cleaned and stored the salt spreaders for the summer.
- Assisted with reading meters and continued training new personnel to take over this task.

Equipment Usage and Repairs

March 2017

Equipment No.	Description	March 1 Miles/Hours	March 1 Miles/Hours	Monthly Usage	Service and Repairs	YTD Repair Cost
1	2013 Ford F-150	34,853	35,575	722	\$0.00	\$ -
2	2004 Chevy 1 Ton Dump	106,924	107,973	1,049		\$ 89.92
3	2003 Chevy 1 Ton Utility - Sewer	133,872	135,901	2,029	\$83.21	\$ 177.59
4	1998 Dodge 1/2 Ton FB	125,162	125,774	612	\$0.00	\$ -
5	2001 Chevy 1500	86,543	87,508	965	\$0.00	\$ -
6	2000 Chevy 3/4 Ton FB	136,311	136,998	687		\$ 33.57
7	1993 Ford 1 Ton Utility - Water	86,005	86,915	910	\$0.00	\$ -
8	2002 Dodge Dakota	117,600	117,690	90	\$0.00	\$ -
	2005 International 3200 Dump	17,556	18,030	474	\$0.00	\$ -
	Water Van	252	252	(0)	\$0.00	\$ -
	1998 Chevy S-10	153,519	153,564	45		\$ 3.89
	Case Backhoe	1,449	1,515	66	\$0.00	\$ -
	60XT Case Skid Steer	1,307	1,322	15		\$ 39.48
	Case Boom Mower			-	\$0.00	\$ -
	Intl. Tractor			-	\$0.00	\$ -
					<u>\$83.21</u>	<u>\$ 344.45</u>



Willard Police Department
March 2017 - Monthly Statistical Report



Administration	Officer	Case #'s
Tom McClain, Chief	1601	4
Shannon Shipley, Lt.	1602	28
	Total	32

Squad #1	1603	Robert Bell, Cpl. / FTO	18	Squad #2	1604	Steve Purdy, Cpl. Investigator	27
	1607	Joe Duran, Officer	76		1605	Peebles, Officer	68
	1608	Andrew Stone, Officer	45		1606	Aaron Roberts, Officer	63
	1610	Scott Rowe, Officer	93		1609	Dakota Radford, Officer	81
	Total		232		Total		239

Reserves	Officer	Officer Names	Case #'s	Hours
	1630	Clint Heimbach, SRO	4	
	1631	Wyatt Sharp, SRO	1	
	1641	Brian Gordon, Reserve	0	
	1642	JD Landon, Reserve	1	6
	1645	Brian Hinkle, Reserve	0	
	1646	Andrew Hunt, Reserve	0	
		Glenn Cozzens, Reserve, Trainer	0	6
	Total			
Total Incidents for the month...			509	

Incident Statistics

Felony	2	HBO (Handled by Officers)	414
Misdemeanor	17	Use of Force	1
Infraction	224	Use of Force with Injuries	0
Other (Services)	265	LPR Initiated	0

Vehicle Maintenance

Vehicle	Odometer Reading	Monthly Mileage	Shifts Used	Miles per Shift	Month to Date Maintenance	Year to Date Maintenance
WPD -01 2009	141,645	567	20	28	\$0.00	\$34.95
WPD-02 2013	64,514	2,031	29	70	\$732.01	\$1,142.11
WPD-03 2013	80,370	2,919	42	70	\$258.07	\$293.02
WPD-04 2013	72,931	994	19	52	\$155.96	\$570.94
WPD-05 2008	167,754	855	15	57	\$34.95	\$554.33
WPD-06 2013	74,300	1,846	30	62	\$614.95	\$649.90
WPD-08 M	0	0	0	0	\$0.00	\$0.00

Vehicle Maintenance Details

WPD-01:	WPD-04: \$155.96 (Radiator hoses, Isolator Switch)
WPD-02: \$105.00 (Repair driver door handle); \$627.01 (Tires, Oil change, coolant, labor)	WPD-05: \$34.95 (Oil change)
WPD-03: \$258.07 (Tires rotate, oil change)	WPD-06: \$400.97 (Radiator, coolant, labor); \$164.03 (radiator cap, hose connector); \$15.00 (Tire repair); \$34.95 (Oil change)

- DARE Graduation April 11, 2017 at 6:30PM Willard Intermediate School

Planning and Development Report

April 10th, 2017

Robertson Subdivision- Public Works is finalizing bids for materials relating to the waterline upgrade improvement project. Weather has delayed the sewer contractor.

Fox River Subdivision Phase 2 - Staff has received revised construction drawings, for the stormwater and sanitary sewer improvements and are currently reviewing those. We have sent those to MO DOT and the Willard Fire Protection District for review and comments as well.

North Brooke Apartments – Staff has received notice from the owner that he anticipates pulling the permit for another r12 unit apartment by mid April .

Walnut Lane Subdivision – Excavation has begun on the four duplex lots.

Staff is reviewing two grant opportunities for potential funding of sidewalk/ trail opportunities.

Waste water Engineering – Staff met with White River Engineering to discuss the waste water project with the City Administrator.

The Planning Department assistant has provided approximately 40 hrs. support to the court department this month. Half of the mapping training has been completed with Great River and to date we now have updated GIS layers containing parcel, addresses, streets, water and sewer. Abby is incorporating final plat documents and as- built water and sewer data into the database.

Staff issued 12 permits this month- 6 fence, 1 sign, 1 electrical, 1 temporary use, 1 R-1 addition, 1 mechanical, 1 plumbing.

Staff has been notified from FEMA that data models have been selected for the proposed Special Flood Hazard Area information that will be presented on the Flood Insurance Rate Map (FIRM) FOR Willard. This project is being partnered with SEMA and Greene County.

Staff attended an OTO Bicycle and Pedestrian Subcommittee meeting on 4-5-17. A public meeting will be held on April 19th from 5pm-7pm. at the Library Station on Kansas Expressway for comments concerning planning for regional trail connectivity. If you would like more information about this subject please contact me .

If you have any questions or concerns about my report feel free to 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 # 7

Ordinance amending Section 125.010 Establishing of Municipal Court.
(2nd Read) Discussion/Vote.

Sponsored by the Court Clerk.

First Reading: 03/27/17

Second Reading: _____

Council Bill No.: 17-11

Ordinance No.: 170327

AN ORDINANCE

AN ORDINANCE APPROVING THE AMENDMENTS TO THE CITY OF WILLARD MUNICIPAL CODE BOOK;
CHAPTER 125: MUNICIPAL COURT

WHEREAS, the Board of Aldermen of the City of Willard, Missouri, has considered the amendments to the Willard Municipal Code Book;

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 approve the municipal court amendments as that document attached hereto and incorporated herein by reference as 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.

READ TWO TIMES AND PASSED AT A MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF WILLARD, MISSOURI ON THE ____ DAY OF _____, 2017.

APPROVED BY:

MAYOR

ATTEST: _____, City Clerk

Approved as to form: _____, City Attorney

Council Bill No.: 17-11

Ordinance No.: 170327

READ TWO (2) TIMES AND PASSED AT A MEETING OF THE BOARD OF ALDERMEN
OF THE CITY OF WILLARD, MISSOURI ON THE _____ DAY OF _____,
2017.

MEMBERS OF THE BOARD OF ALDERMEN:	YES	NO	ASTAINED
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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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2nd READ

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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Section 125.010 Establishing of Municipal Court.

A. Pursuant to Sections 479.010, RSMo., et seq., the City of Willard, Missouri, hereby establishes a Municipal Court to be hereafter known as "The Willard Missouri Municipal Court".

B. Court will convene at City Hall in a designated meeting room suitable for conducting Court business and capable of accommodating members of the public wishing to attend.

C. Court will be in regular session starting June 6th, 2006 the first (1st) Tuesday of each month and the third (3rd) Tuesday of each month beginning at 2:00 P.M., **and the second (2nd) Thursday of each month starting at 6:00 p.m.**, and continuing until such time as all cases on the docket have been heard, continued, dismissed or otherwise handled. The Court may set such other times and dates as are necessary to hear any trials or other extraordinary matters.

D. The Municipal Court shall begin hearing cases only after the City gives notice to the Circuit Clerk of Greene County pursuant to Section 479.030.1, RSMo.

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 reappointment of the Willard Municipal Judge, Kristoffer Barefield. (1st Read) Discussion/Vote.

Sponsored by the Court Clerk.

First Reading: 04-10-2017
Council Bill No. 17- 12

Second Reading: 04-24-2017
Ordinance No.: 170410A

AN ORDINANCE

AN ORDINANCE APPOINTING THE MUNICIPAL COURT JUDGE FOR THE CITY OF WILLARD, GREENE COUNTY, MISSOURI, FOR THE TERM COMMENCING ON APRIL 24, 2017 THROUGH APRIL 24, 2019, AND ESTABLISHING THE JUDGES HOURLY RATE.

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

Section 1: Following the recommendation and appointment by the Mayor of Kristoffer Barefield as Willard's Municipal Court Judge, the Board of Aldermen agreed to and affirmed said appointment.

Section 2: This appointment shall be effective from April 24, 2017 through April 24, 2019.

Section 3: The Board of Aldermen also hereby approves Judge Kristoffer Barefield the hourly rate of one hundred forty dollars, (\$140.00).

READ TWO (2) TIMES AND PASSED AT A MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF WILLARD, MISSOURI ON THE ____ DAY OF April, 2017.

Approved as to form: _____
City Attorney

Attested by:

Jennifer Rowe, City Clerk

Approved by:

Corey Hendrickson, Mayor

MEMBERS OF THE BOARD OF ALDERMEN:
FIRST (1st) READING

YES

NO

ABSTAINED

JAMIE BUCKLEY

SAMUEL SNIDER

DONNA STEWART

LARRY WHITMAN

SAM BAIRD

First Reading: 04-10-17

Second Reading: 04-24-17

Council Bill No.: 17-12

Ordinance No.: 170410A

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

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 reappointment of the Willard City Attorney, Ken Reynolds. (1st Read) Discussion/Vote.

Sponsored by the City Clerk.

First Reading: 04-10-2017

Second Reading: 04-24-2017

Council Bill No. 17-13

Ordinance No. 170410B

AN ORDINANCE

AN ORDINANCE APPOINTING THE CITY ATTORNEY FOR THE CITY OF WILLARD, GREENE COUNTY, MISSOURI FOR THE TERM COMMENCING APRIL 24, 2017 THROUGH APRIL 24, 2019.

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

Section 1: Upon the recommendation and appointment by the Mayor of Ken Reynolds, with the firm of Reynolds, Attorney at Law, P.C. as Willard's city attorney, the Board of Aldermen hereby consent to said appointment.

Section 2: This appointment shall be effective from April 24, 2017 through April 24, 2019.

READ TWO (2) TIMES AND PASSED AT A MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF WILLARD, MISSOURI ON THE ____ DAY OF April, 2017.

Approved as to form: _____
City Attorney

Attested by:

Approved by:

Jennifer Rowe, City Clerk

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

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 # 10

Ordinance accepting the contract with Hillyard for cleaning supplies. (1st and 2nd Read) Discussion/Vote

Sponsored by the Parks Director.

First Reading: 04/10/17

Second Reading: _____

Council Bill No.: 17-14

Ordinance No.: 170410C

AN ORDINANCE

ACCEPTING the proposal of Hillyard to provide Cleaning Supplies for the City of Willard, and authorizing the Mayor to execute all necessary documents, on behalf of the City of Willard, to accept the proposals.

WHEREAS, the City of Willard has selected Hillyard to provide services as itemized in detail in Exhibits "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 Hillyard to provide the services described in Exhibits "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 _____ 2017.

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

First Reading: 04/10/2017

Second Reading: _____

Council Bill No.: 17-14

Ordinance No.: 170410C

2nd READ

MEMBERS OF THE BOARD OF ALDERMEN:

YES

NO

ABSTAINED

JAMIE BUCKLEY

SAMUEL SNIDER

DONNA STEWART

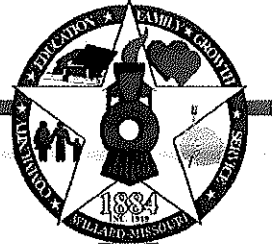
LARRY WHITMAN

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 # 11

Ordinance accepting the contract with Blevins Construction for the
Resurfacing of Hunt Road and Farm Road 103 Project. (1st Read)

Discussion/Vote

Sponsored by the **Director of Public Works.**

First Reading: 04/10/17

Second Reading: _____

Council Bill No.: 17-15

Ordinance No.: 170410D

AN ORDINANCE

Accepting the proposal of Blevins Construction to provide contracting work for the City of Willard resurfacing of Hunt Road and Farm Road 103 Project, 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 resurface Hunt Road and Farm Road 103; and,

WHEREAS, the City of Willard has selected Blevins 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 Blevins 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 ____ DAY OF April 2017.

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	_____	_____	_____
------------------------	-------	-------	-------

_____ LARRY WHITMAN	_____	_____	_____
------------------------	-------	-------	-------

_____ SAM BAIRD	_____	_____	_____
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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

WILLARD PUBLIC WORKS CONTRACT

This contract made the ____ day of _____, 2017, between _____, hereinafter called "Contractor", and The City of Willard, hereinafter called "Willard",

Witnesseth, that the Contractor and Willard for the consideration stated herein agree as follows:

1. **Scope of Work.** The contractor shall perform everything required to be performed and shall provide and furnish all the labor, materials, necessary tools, expendable equipment, and all utility and transportation services required to perform and complete in a workmanlike manner all the work required for the General Contract for the Complete Work in connection with the construction of the items set below marked Exhibit "A" to be located as identified by Willard representatives, all in strict accordance with the drawings and Specifications, including any and all addenda in the form of bulletins, prepared by Willard or its agents or representatives, acting as, and in these contract documents referred to as, the "Invitation for Bid #04-201PWKS" which is made a part of this contract.

2. **The Contract Price.** Willard shall pay to the Contractor for the performance of this contract, subject to any additions or deductions provided therein, in current funds, the sum of _____. Payments are to be made to the Contractor in accordance with and subject to the provisions embodied in the documents made a part of this contract, or upon completion of all work contracted for and approved by Willard.

3. **Time of Completion.** The work to be performed under this contract shall be commenced on or before _____ and shall be diligently prosecuted and substantially completed within _____ calendar days thereafter.

4. **Payments.** Willard shall make payments on account of the Contract as provided there as follows: Payment in full upon completion of all work contracted for and approved by Willard. Willard shall comply with Section 34.057 RSMo, the Prompt Payment Act.

5. **Component Parts of This Contract.** This contract consists of the following component parts, all of which are as fully a part of this contract as if herein set out verbatim or, if not attached, as if hereto attached.

- (A) The Invitation for Bids
- (B) Instructions to Bidders
- (C) Drawings as listed in Instructions to Bidders
- (D) The Contractor's Proposal
- (E) This instrument

In the event that any provision in any of the above component parts of this contract conflicts with any provision in any other of the component parts, the provision in the component part first enumerated above shall govern over any other component part which follows it numerically, except as may be otherwise specifically stated.

6. **Performance Bond.** Contractor shall post a Performance Bond in an amount that is twice the anticipated cost stated in this contract. Said Bond shall be placed with the City

Clerk and must be approved by the City Manager.

7. **Section 285.530.** Contractor acknowledges compliance with Section 285.530 RSMo and does not knowingly employ any person who is an unauthorized alien in connection with the contracted services.

8. **OSHA.** Contractor acknowledges that all on-site employees of contractor and subcontractor working on this public works project have taken a ten (10) hour OSHA approved construction safety course.

9. **Liquidated Damages.** If Contractor shall fail to complete the work by _____, or within any extended time allowed by Willard, Contractor shall pay to Willard the sum of TWO HUNDRED DOLLARS (\$200.00) per day as liquidated damages during which the work shall remain unfinished, and such damage may be deducted by Willard from any monies due Contractor.

10. **Indemnification.** Contractor shall hold Willard harmless from any and all damages and claims that may arise be reason of any negligence on the part of Contractor, it's agents and employees in the performance of this contract; and in case any action is brought therefor against Willard or any of its agents or employees, Contractor shall assume full responsibility for the defense thereof, and upon his failure to do so, on proper notice, Willard reserves the right to defend such action and to charge all costs thereof to Contractor. Contractor will take all precautions necessary to protect the public against injury, and, when necessary, keep danger signals out at night and at such other times and places as public safety may require.

In Witness whereof, the parties hereto have caused this instrument to be executed in

_____ original counterparts the day and year first above written.

Contractor

By: _____
President

By: _____
Secretary

City of Willard

By: _____
Mayor Corey Hendrickson

Approved as to form

Kenneth P. Reynolds, City Attorney

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

Ordinance accepting contract with HM Benefits for Health Information Services. (1st Read) Discussion/Vote.

Sponsored by the Director of Finance.

First Reading: 04/05/17

Second Reading: _____

Council Bill No.: 17-16

Ordinance No.: 170410E

AN ORDINANCE

ACCEPTING the proposal of CLJM, LLC d/b/a HM Benefits to provide Health Information Services for the City of Willard, Missouri, 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 CLJM, LLC d/b/a HM Benefits to provide Health Information 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 CLJM, LLC d/b/a/ HM Benefits to provide Health Information 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 Corey Hendrickson

ATTEST: _____, City Clerk

Approved as to form: _____, City Attorney

READ TWO (2) TIMES AND PASSED AT A MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF WILLARD, MISSOURI ON THE ____ DAY OF _____ 2017.

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

First Reading:03/13/17

Second Reading: _____

Council Bill No.:17-11

Ordinance No.:170313C

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



HM Benefits and The City of Willard

Employee Benefits Service and Retainer Agreement

CLJM dba HM Benefits (hereafter referred to as HM) is pleased to have the opportunity to provide Services to **The City of Willard** (hereafter referred to as Client). This Agreement reflects the mutual understanding and agreement regarding the services to be provided by HM on Clients behalf and the compensation paid for these services. Compensation may be revised if a request for a change in services is requested or there is a significant change in Client's structure, however any revision will be agreed upon and this agreement modified with an addendum signed by both parties.

EFFECTIVE DATE:

This agreement is effective for a twelve month period beginning **December 1, 2016** and will automatically renew each year.

CONSULTING AND BROKERAGE SERVICES:

HM agrees to provide the following services outlined below. These services will be performed during the term of this agreement.

Services	Frequency
<i>Plan Analysis and Strategic Planning</i>	
▪ Review workforce trends to develop a benefits program that supports business objectives	Ongoing
▪ Compare current benefits program to national and peer group benchmarks*	Annually
▪ Meet with Senior Executives and Human Resources staff to review plan performance, discuss recommendations and to implement strategy	As Needed
<i>Renewal, Marketing, Vendor Selection and Implementation Services</i>	
▪ Request and coordinate renewal activities with all vendors - o Medical / Prescription Drug / Stop Loss - o Ancillary Lines of Coverage	Annually
▪ If necessary, market benefit programs (RFP) to mutually agreed upon vendors - o Draft RFP with requested bid specifications - o Coordinate RFP release to market - o Respond to carrier questions and data requests - o Negotiate best and final offers	Annually (if necessary)
▪ Manage implementation process and assist in the coordination of enrollment activities	Annually (if necessary)
▪ Prepare and present Executive Summary of final decisions	Annually
▪ Attendance at employee Open Enrollment Meetings	As Needed

* Based on data availability

Services	Frequency
Financial Management and Reporting	
- Calculate pre-renewal completion and renewal projection* - Calculate COBRA rates - Develop employee contributions - Evaluate alternative funding options (self-insured vs. FI) - Plan design modeling	NA
Develop Incurred But Not Reported reserves (self-funded only)*	NA
- Financial reporting package*: - Monthly paid claims and enrollment segregated by medical and pharmacy - Actual plan expenses compared to budget - High claimant activity report including age, gender, relation, diagnosis, paid claims amount and plan option elected (as available from carrier) - Historical cost trend analysis	NA
- Comprehensive Medical/Rx utilization management report* detailing cost drivers by: - Type of service - Service setting - Diagnostic category - Network utilization - Utilization review effectiveness - Drug utilization	NA
Vendor Liaison for Ongoing Administration	
- Provide assistance in resolving vendor service issues¹ - Claims - Billing - Eligibility - Coverage appeals	Ongoing
Coordinate the creation and review of open enrollment materials and employee communications to be print ready	As Needed
Printing of materials related to Open Enrollment	As Needed
Compliance and Regulatory Support	
Keep Client updated on HCR regulations and further guidance	Ongoing
Provide legislative alerts	Ongoing
Compliance review of SPD benefit provisions, contracts, agreements and plan documents	Ongoing
Collection of Schedule A information (if applicable)	Ongoing

* Based on data availability

¹ May require completion of a HIPAA Authorization Form by client and/or employee

Services	Frequency
Human Resources	
▪ Responses to general questions related to COBRA and FMLA	Ongoing
▪ HR Consulting Services	As requested (additional charges may apply)
▪ Access to the MyWave Portal to access HR Support/Community	Included
Wellness	
▪ Evaluate opportunities for wellness intervention programs	Ongoing
▪ Identify proper measurement tools	Ongoing As Needed
▪ Continue to review and educate Client on marketplace innovations	Ongoing As Needed
▪ Facilitate vendor selection for third party wellness administrators	Ongoing As Needed (additional fees may apply with third party administrators)
▪ Develop multi-year wellness plan based on employee demographics and selected vendor capabilities	Ongoing As Needed (additional fees may apply with third party administrators)
Additional Services Included	
▪ Access to MyWave Portal to access HR Support/Community, Legislative Briefs, Employee Newsletters, etc.	Included
Optional Services	
▪ 5500 Preparation through Vendor Partner (fees associated with delinquent filings are excluded)	As requested (additional charges may apply)
▪ Mergers & Acquisitions Due Diligence	As requested (additional charges may apply)
▪ Assistance with ERISA plan related services in coordination with client and appropriate ERISA Attorneys (based on scope of project/request)	As requested (additional charges may apply)

COMPENSATION FOR BROKERAGE & CONSULTING SERVICES:

COMMISSIONED COMPENSATION OPTION

In consideration of the Services to be provided to Client by HM, Client authorizes HM to collect payment for the insurance policies through standard commission schedules from vendors represented in the Client's Employee Benefit Compensation Disclosure Summary prepared on an annual basis following the end of the plan year.

COMPENSATION DISCLOSURE:

In addition to the preceding Service Fee and/or commissions, HM may also be eligible for overrides or bonuses from insurance carriers or intermediaries based on factors, such as premium volume placed, retention, aggregate loss or claims experience, and/or business growth. Overrides and or bonus compensation may differ depending upon the type of policy and the insurer or intermediary.

Client acknowledges and agrees that HM may receive additional compensation in addition to the Service Fee. HM agrees to disclose to Client, upon request, all other compensation received from insurance carriers and intermediaries that are related to the placement of insurance coverage(s) on Client's behalf and if such amounts are unknown, an explanation of the means of calculation.



HM's placement recommendations and satisfaction of the additional Services described above are based on factors, including, but not limited to, Client's needs and desires, risk management assessment, available and offered coverages, prices, carrier stability, claims-payment records, customer service, as well as other factors, but not the potential for HM to receive additional compensation.

This letter contains the entire Agreement between HM and Client concerning the services to be performed by HM on behalf of Client. It may be amended only by a written addendum signed by both parties. This agreement is in compliance with Section 375.116, RSMO and the Department of Insurance Regulation 20 CSR 700-1.100.

TERMINATION OF SERVICES:

Either party may terminate this agreement at any time upon thirty (30) days written notice to the other.

ACCEPTED AND AGREED:

CLJM dba HM Benefits

By: _____

Title: _____

Date: _____

The City of Willard

By: _____

Title: _____

Date: _____

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 to go out for bid for pool maintenance.

Sponsored by the Parks Director.



CITY OF WILLARD INVITATION FOR BID #03-2017PKS

Jennifer Rowe, City Clerk
City of Willard
224 W. Jackson, P.O. Box 187
Willard, Missouri 65781

Email: clerk@cityofwillard.org
Telephone Number: 417-742-5302
Fax Number: 417-742-3080
Due Date: TBD

SEALED BIDS MUST BE PHYSICALLY RECEIVED AT CITY HALL PRIOR TO **TBD**. Bids will be opened by the buyer at the location listed above.

- Bids shall be submitted on the forms provided and must be manually signed by the individual authorized to legally bind the company.
- Bids shall be submitted with the IFB number clearly indicated on the outside of the mailing envelope.
- Bids received after the opening date and time will be rejected.
- The attached Terms and Conditions shall become part of any purchase order resulting from this bid.
- **FAXED/EMAILED BIDS WILL NOT BE ACCEPTED.**

You are invited to submit your bid to furnish the materials and/or services described herein. Please submit your prices/fees net of all discounts.

DESCRIPTION

SLIDE AND PLAY STRUCTURE RESTORATION

See attached General Conditions, Specifications, and Bid Form for detailed information.

DELIVERY: F.O.B. DESTINATION

The articles to be furnished hereunder shall be delivered all transportation charges paid by the bidder to destination.

It is the intent of the City that this Invitation for Bid promotes competitive bidding. It shall be the Vendor's responsibility to advise the City Clerk if any language, requirements, etc. any combination thereof, inadvertently restricts or limits the requirements stated in this Invitation for Bid to a single source. Such notification must be submitted in writing and must be received by the City Clerk not later than three (3) days prior to the bid opening date.

CITY OF WILLARD

INSTRUCTION TO BIDDERS

01. Opening Location

The Bids will be opened at the City of Willard, 224 W. Jackson, Willard, MO 65781 in the presence of City officials at the due date and time indicated on the IFB (Invitation for Bid). All bidders or their representatives are invited to attend the opening of the IFB.

02. IFB Delivery Requirements

Any Bids received after the above stated time and date will not be considered. It shall be the sole responsibility of the bidder to have their Bid delivered to the City Clerk's Office for receipt on or before the due date and time indicated. If a Bid is sent by U.S. Mail, the bidder shall be responsible for its timely delivery to the City Clerk's office. Bids delayed by mail shall not be considered, shall not be opened, and shall be rejected. Arrangements may be made for their return at the bidder's request and expense. Bids may be mailed to the City Clerk's office and accepted if the signed bid form and required information was mailed and received prior to the due date and time. Bids sent by email will not be accepted.

03. Sealed and Marked

If sent by mail, one original signed Bid shall be submitted in one sealed package, clearly marked on the outside of the package with the Invitation for Bid number and addressed to:

City of Willard
Attn: City Clerk
P.O. Box 187
224 W. Jackson,
Willard, MO 65781

04. Legal Name and Signature

Bids shall clearly indicate the legal name, address, and telephone number of the bidder (company, firm, corporation, partnership, or individual). Bids shall be manually signed above the printed name and title of signer on the Affidavit of Compliance page. The signer shall have the authority to bind the company to the submitted Bid. Failure to properly sign the Bid form shall invalidate same and it shall not be considered for award.

05. Corrections

No erasures are permitted. If a correction is necessary, draw a single line through the entered figure and enter the corrected figure above it. Corrections must be initialed by the person signing the Bid.

06. Clarification and Addenda

Each bidder shall examine all IFB documents and shall judge all matters relating to the adequacy and accuracy of such documents. Any inquiries or suggestions, concerning interpretation, clarification, or additional information pertaining to the IFB shall be made through the City Clerk's office in writing or through email. The City Clerk shall not be responsible for oral interpretations given by any City employee, representative or others. The issuance of written addenda is the official method whereby interpretation, clarification, or additional information can be given. It shall be the responsibility of each bidder, prior to submitting their Bid, to contact the City Clerk at phone number 417-742-5302 to determine if addenda were issued and to make such addenda a part of their Bid.

07. IFB Expenses

All expenses for making Bids to the City are to be borne by the bidder.

08. Irrevocable Offer

Any Bid may be withdrawn up until the due date and time set for opening of the IFB. Any Bid not so withdrawn shall, upon opening, constitute an irrevocable offer for a minimum period of ninety (90) days to sell to the City the goods or services set forth in the IFB, until one (1) or more of the Bids have been duly accepted by the City.

09. Responsive and Responsible Bidder

To be responsive, a bidder shall submit a Bid which conforms in all material respects to the requirements set forth in the IFB. To be a responsible bidder, the bidder shall have the capability in all respects to perform fully the contract requirements, and the tenacity, perseverance, experience, integrity, reliability, capacity, facilities, equipment and credit which will ensure good faith performance. The lowest responsible bidder shall mean the bidder who makes the lowest Bid to sell goods or services of a quality which conforms closest to the quality of goods or services set forth in the specifications or otherwise required by the City and who is known to be fit and capable to perform the Bid as made.

10. Reserved Rights

The City reserves the right to make such investigations as it deems necessary to make the determination of the bidder's responsiveness and responsibility. Such information may include, but shall not be limited to: current financial statement, verification of availability of equipment and personnel and past performance records.

11. The Right to Audit

The bidder agrees to furnish supporting detail as may be required by the City to support charges or invoices, to make available for audit purposes all records covering charges pertinent to the purchase and to make appropriate adjustments in the event discrepancies are found. The cost of any audit will be paid by the City. The City shall have the right to audit the bidder's records pertaining to the work/product for a period of three (3) years after final payment.

12. Applicable Law

All applicable laws and regulations of the State of Missouri and the City including the City Procurement Regulations and Procedures will apply to any resulting agreement, contract or purchase order. Any involvement with the City Procurement shall be in accordance with the Procurement Regulations and Procedures.

13. Right to Protest

Appeals and remedies are provided for in the City Procurement Regulations. Protestors shall seek resolution of their complaints initially with the City Clerk. Any protest shall state the basis upon which the solicitation or award is contested and shall be submitted within ten (10) calendar days after such aggrieved person knew or could have reasonably been expected to know of the facts giving rise thereto.

14. Ethical Standards

With respect to this IFB, if any bidder violates or is a party to a violation of the general ethical standards of the City Procurement Code or the State of Missouri Statutes, such bidder may be disqualified from furnishing the goods or services for which the Bid is submitted and shall be further disqualified from submitting any future Bids.

15. Collusion

By offering a submission to this Invitation for Bid, the bidder certifies the bidder has not divulged, discussed or compared the Bid with other bidders and has not colluded with any other bidder or parties to this IFB whatsoever. Also, the bidder certifies, and in the case of a joint Bid, each party thereto certifies as to their own organization, that in connection with this IFB:

- a. Any prices and/or cost data submitted have been arrived at independently, without consultation, communication, or agreement for the purpose of restricting competition, as to any matter relating to such prices and/or cost data, with any other bidder or with any competitor.
- b. Any prices and/or cost data for this Bid have not knowingly been disclosed by the bidder and will not knowingly be disclosed by the bidder prior to the scheduled opening directly or indirectly to any other bidder or to any competitor.
- c. No attempt has been made or will be made by the bidder to induce any other person or firm to submit or not to submit a Bid for the purpose of restricting competition.
- d. The only person or persons interested in this Bid, principal or principals are named therein and that no person other than therein mentioned has any interest in this Bid or in the contract to be entered into.
- e. No person or agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee exempting bona fide employees or established commercial agencies maintained by the Purchaser for the purpose of doing business.

16. Contract Forms

Any agreement, contract or purchase order resulting from the acceptance of a Bid shall be on forms either supplied by or approved by the City.

17. Liability and Indemnity

- a. In no event shall the City be liable to the Contractor for special, indirect or consequential damages, except those caused by the City's gross negligence or willful or wanton misconduct arising out of or in any way connected with a breach of this contract. The maximum liability of the City shall be limited to the amount of money to be paid or received by the City under this contract.
- b. The Contractor shall defend, indemnify and save harmless the City, its elected or appointed officials, agents and employees from and against any and all liability, suits, damages, costs (including attorney fees), losses, outlays and expenses from claims in any manner caused by, or allegedly caused by, or arising out of, or connected with, this contract, or the work or any subcontract there under (the Contractor hereby assuming full responsibility for relations with subcontractors), including, but not limited to, claims for personal injuries, death, property damage or for damages from the award of this contract to Contractor.
- c. The Contractor shall indemnify and hold the City harmless from all wages or overtime compensation due any employees in rendering services pursuant to this agreement or any subcontract, including payment of reasonable attorneys' fees and costs in the defense of any claim made under the Fair Labor Standards Act, the Missouri Prevailing Wage Law or any other federal or state law.

18. IFB Forms, Variances, Alternates

Bids must be submitted on attached City IFB forms, although additional information may be attached. Bidders must indicate any variances from the City requested specifications and/or terms and conditions, on the IFB Affidavit of Compliance. Otherwise, bidders must fully comply with the City requested specifications and terms and conditions. Alternate Bids may or may not be considered at the sole discretion of the City Purchasing Agent.

19. Bid Form

All blank spaces must be completed with the appropriate response. The bidder must state the price, written in ink, for what is proposed to complete each item of the project. Bidders shall insert the words "no bid" in the space provided for an item for which no Bid is made. The bidder shall submit an executed Bid form, affidavit of compliance with other requested documents.

20. Modifications or Withdrawal of Bid

A modification for a Bid already received will be considered only if the modification is received prior to the time announced for opening of Bids. All modifications shall be made in writing, executed and submitted on the same form and manner as the original Bid. Modifications submitted by telephone, fax or email will not be considered.

21. No Bid

If not submitting a Bid, respond by returning the "Statement of No Bid" no later than the stated Bid opening time and date, and explain the reason in the space provided.

22. Errors in Bids

Bidders or their authorized representatives are expected to fully inform themselves as to the conditions, requirements and specifications before submitting Bids; failure to do so will be at the bidder's own risk. Neither law nor regulations make allowance for errors either of omission or commission on the part of bidders. In case of error of extension of prices in the Bid, the unit price shall govern.

23. Prices Bid

Give both unit price and extended total. Price must be stated in units of quantity specified in the bidding specifications. In case of discrepancy in computing the amount of the Bid, the unit price of the Bid will govern. All prices shall be F.O.B. destination, freight prepaid (unless otherwise stated in special conditions). Each item must be bid separately and no attempt is to be made to tie any item or items in with any other item or items. If a bidder offers a discount on payment terms, the discount time will be computed from the date of satisfactory delivery at place of acceptance and receipt of correct invoice at the office specified. Payment terms shall be Net 30 if not otherwise specified. Pre-payment terms are not acceptable.

24. Discounts

Any and all discounts except cash discounts for prompt payments must be incorporated as a reduction in the Bid price and not shown separately. The price as shown on the Bid shall be the price used in determining award(s).

25. Descriptive Information

All equipment, materials and articles incorporated in the product/work covered by this IFB are to be new and of suitable grade for the purpose intended. Brand or trade names referenced in specifications are for comparison purposes only. Bidders may submit Bids on items manufactured by other than the manufacturer specified when an "or equal" is stated.

26. Deviations to Specifications and Requirements

When bidding on an "or equal," Bids must be accompanied with all descriptive information necessary for an evaluation of the proposed material or equipment such as the detailed drawings and specifications, certified operation and test data and experience records. Failure of any bidder to furnish the data necessary to determine whether the product is equivalent, may be cause for rejection of the specific item(s) to which it pertains. All deviations from the specifications must be noted in detail by the bidder on the Affidavit of Compliance form, at the time of submittal of Bid. The absence of listed deviations at the time of submittal of the Bid will hold the bidder strictly accountable to the specifications as written. Any deviation from the specifications as written and accepted by the City may be grounds for rejection of the material and/or equipment when delivered.

27. Samples (if required)

For certain types of procurements, samples may be required. If samples are required, it will be stated in the IFB. The following conditions and requirements apply to all samples submitted.

- a. The samples submitted by bidders on items for which they have received an award may be retained by the City until the delivery of contracted items is completed and accepted. Bidders whose samples are retained may remove them after delivery is accepted.
- b. Samples not retained must be removed as soon as possible after award has been made on the item or items for which the samples have been submitted. The City will not be responsible for such samples not removed by the bidder within thirty (30) days after the award has been made. The City reserves the right to consume any or all samples for testing purposes.
- c. Bidders shall make all arrangements for delivery of samples to place designated as well as the removal of samples. Cost of delivery and removal of samples shall be borne by the bidder.
- d. All samples packages shall be marked "Sample for City Clerk" and each sample shall bear the name of the bidder, item number, Bid number, and shall be carefully tagged or marked in a substantial manner. Failure of the bidder to clearly identify samples as indicated may be considered sufficient reason for rejection of Bid.

28. Quality Guaranty

If any product delivered does not meet applicable specifications or if the product will not produce the effect that the bidder represents to the City, the bidder shall pick up the product from the City at no expense. Also, the bidder shall refund to the City any money which has been paid for same. The bidder will be responsible for attorney fees in the event the bidder defaults and court action is required.

29. Quality Terms

The City reserves the right to reject any or all materials if, in its judgment, the item reflects unsatisfactory workmanship, manufacturing, or shipping damages.

30. Tax-Exempt

The City is exempt from sales taxes and Federal Excise Taxes: Missouri Tax ID Number 12494461.

31. Awards

- a. Unless otherwise stated in the IFB, cash discounts for prompt payment of invoices will not be considered in the evaluation of prices. However, such discounts are encouraged to motivate prompt payment.
- b. As the best interest of the City may require, the right is reserved to make awards by item, group of items, all or none, or a combination thereof; to reject any and all Bids or waive any minor irregularity or technicality in Bids received.
- c. Awards will be made to the Bidder whose Bid (1) meets the specifications and all other requirements of the IFB and (2) is the lowest and best Bid, considering price, delivery, responsibility of the bidder and all other relevant factors.

32. Authorized Product Representation

The successful bidder(s) by virtue of submitting the name and specifications of a manufacturer's product will be required to furnish the named manufacturer's product. By virtue of submission of the stated documents, it will be presumed by the City that the bidder(s) is legally authorized to submit and the successful bidder(s) will be legally bound to perform according to the documents.

33. Regulations

It shall be the responsibility of each bidder to assure compliance with OSHA, EPA, Federal, State of Missouri, and City rules, regulations, or other requirements, as each may apply.

34. Termination of Award

Any failure of the bidder to satisfy the requirements of the City shall be reason for termination of the award. Any Bid may be rejected in whole or in part for good cause when in the best interest of the City.

35. Royalties and Patents

The successful bidder(s) shall pay all royalties and license fees for equipment or processes in conjunction with the equipment being furnished. Bidder shall defend all suits or claims for infringement of any patent right and shall hold the City harmless from loss on account or cost and attorney's fees incurred.

36. Equal Employment Opportunity Clause

The City of Willard, in accordance with the provision of Title VI of the Civil Rights Act of 1964 (78 Stat. 252) and the Regulations of the Department of Commerce (15 CFR, Part 8) issued pursuant to such Act, hereby notifies all bidders that affirmatively ensure that in any contract entered into pursuant to this advertisement that minority businesses will be afforded full opportunity to submit Bids in response to this advertisement and will not be discriminated against on the grounds of race, color, or national origin in consideration for award.

37. Bid Tabulation

Bidders may request a copy of the bid tabulation of the Invitation for Bid.

38. Budgetary Constraints

The City reserves the right to reduce or increase the quantity, retract any item from the Bid, or upon notification, terminate entire agreement without any obligations or penalty based upon availability of funds.

39. Additional Purchases by Other Public Agencies

The bidder by submitting a Bid authorizes other public agencies to "Piggy-Back" or purchase equipment and services being proposed in this IFB unless otherwise noted on the Affidavit of Compliance Form.

40. Order of Precedence

Any and all Special/General Conditions and Specifications attached hereto, which varies from the instruction to bidders, shall take precedence.

41. Affidavit for Service Contracts

The Bidder represents, in accordance with RSMO 285.530.2 that they have not employed, or subcontracted with, unauthorized aliens in connection with the scope of work to be done under the IFB and agrees to provide an affidavit to the City of Willard affirming that they have not and will not in connection with the IFB, knowingly employ, or subcontract with, any person who is an unauthorized alien.

42. Inspection and Acceptance

No item(s) received by the City pursuant to this contract shall be deemed accepted until the City has had reasonable opportunity to inspect the item(s). Any item(s) which are discovered to be defective or which do not conform to any warranty of the Seller upon inspection may be returned at the seller's expense for full credit or replacement. If at a later time, the defects were not ascertainable upon the initial inspection may also be returned at the Seller's expense for full credit or replacement. The City's return of defective items shall not exclude any other legal, equitable or contractual remedies the City may have.

INSURANCE REQUIREMENTS

Without limiting any of the other obligations or liabilities of the Contractor, the Contractor shall secure and maintain at its own cost and expense, throughout the duration of this Contract and until the work is completed and accepted by the City, insurance of such types and in such amounts as may be necessary to protect it and the interests of the City against all hazards or risks of loss as hereunder specified or which may arise out of the performance of the Contract Documents. The form and limits of such insurance, together with the underwriter thereof in each case, are subject to approval by the City. Regardless of such approval, it shall be the responsibility of the contractor to maintain adequate insurance coverage at all times during the term of the Contract. Failure of the Contractor to maintain coverage shall not relieve it of any contractual responsibility or obligation or liability under the Contract Documents.

The certificates of insurance, including evidence of the required endorsements hereunder or the policies, shall be filed with the City within ten (10) days after the date of the receipt of Notice of Award of the Contract to the Contractor and prior to the start of work. All insurance policies shall provide thirty (30) days written notice to be given by the insurance company in question prior to modification or cancellation of such insurance and shall list the City as additional insured. Such notices shall be mailed, certified mail, return receipt requested, to:

City of Willard, City Clerk, 224 E. Jackson, Willard, MO 65781

The minimum coverage for the insurance referred to herein shall be in accordance with the requirements established below:

- A. **Workers' Compensation** Statutory coverage per R.S.Mo. 287.010 et seq

Employer's Liability \$1,000,000.00
- B. **Commercial General Liability Insurance**, including coverage for Premises, Operations Products and Completed Operations, Contractual Liability, Broad Form Property Damage, Independent Contractors, Explosion, Collapse and Underground Property Damage and endorsed for blasting if blasting required. Such coverage shall apply to Bodily Injury and Property Damage on an "Occurrence Form Basis" with ten thousand (\$10,000.00), limits of **One Million Dollars (\$1,000,000.00)** for all claims arising out of a single accident or occurrence and **One Hundred Thousand Dollars (\$100,000.00)** for any one (1) person in a single accident or occurrence.
- C. **Automobile Liability Insurance** covering Bodily Injury and Property Damage for owned, non-owned and hired vehicles with limits of **One Million Dollars (\$1,000,000.00)** for all claims arising out of a single accident or occurrence and **One Hundred Thousand Dollars (\$100,000.00)** for any one (1) person in a single accident or occurrence.
- D. **Subcontracts:** In case any or all of this work is sublet, the Contractor shall require the subcontractor to procure and maintain all insurance required in subparagraphs (a), (b) and (c) hereof and in like amounts. Contractor shall require any and all subcontractors with whom it enters into a contract to perform work on this project to protect the City through insurance against applicable hazards or risks and shall provide evidence of such insurance.
- E. **Contract Performance and Payment Bond:** A construction contract awarded, for an amount exceeding ten thousand (\$10,000.00), requires a bond to be delivered to the City and shall become binding on the parties upon the execution of the contract; which bond shall be a performance, labor and materials bond satisfactory to the City, executed by a surety company authorized to do business in this state or otherwise

secured in a manner satisfactory to the City, in an amount equal to one hundred percent (100%) of the price specified in the contract. If the amount of the contract is less than ten thousand (\$10,000.00), such bond may be required at the recommendation of the contracting department.

- E. **Notice:** The Contractor and/or subcontractor shall furnish the City prior to beginning the work, satisfactory proof of carriage of all the insurance required by this contract, with the provision that policies shall not be canceled, modified or non-renewed without thirty (30) days written notice to the City of Willard.

**CITY OF WILLARD
INVITATION FOR BID #03-2017PKS
SPECIFICATIONS**

1. PURPOSE

The City of Willard (the City) is seeking sealed competitive bids for the restoration of the slides and play structures at the Willard Pool.

2. SCOPE OF WORK

The Willard Pool features are a red, open-flumed corkscrew slide and a blue closed-flumed corkscrew slide. The slides are in need of the renovations listed below.

Polish and Wax Interior of Both Slides.

- a. Repair all structural repairs in ride path.
- b. All repairs will be done with vinyl-ester resin.
- c. Recaulk seams as needed.
- d. Seams will be caulked with a Sikaflex or 3M 4000.
- e. Clean, polish, and wax interior of ride path.

Paint Exteriors of Both Slides.

- a. Wash exterior of slide with cleaner.
- b. Prime-coat bare areas as needed.
- c. Paint exterior with Poly-Siloxane Paint.

Alternate #1:

The Willard pool features a SCS multi-level splash/play structure. The structure is in need of repainting.

Paint Entire SCS Splash/Pump Bucket Structure.

- a. Clean, repair, sand and paint all metal support columns, panels, steps, play features, gussets, etc. of SCS Splash/Pump Bucket Structure.
- b. Paint Umbrella structure.

ATTACHMENT A – BID SUBMISSION FORM

BIDDERS MUST PROVIDE THE FOLLOWING INFORMATION.

ITEM	DESCRIPTION OF WORK	PRICE
Bid Item #1	Polish and Wax interior of both slides. a. Repair all structural repairs of entire structure. b. All repairs will be done with vinyl-ester resin. c. Recaulk seams as needed. d. Seams will be caulked with a Sikaflex or 3M 4000. e. Clean, polish and wax interior of ride path. Paint Exterior of Both Slides. a. Wash exterior of slide with cleaner b. Prime-coat all areas as needed. c. Paint exterior with Poly-Siloxane Paint.	\$ _____
Alternate #1	Paint entire SCS Splash/Pump Bucket Structure. a. Clean, repair, sand and paint all metal support columns, panels, steps, play features, gussets, etc. of SCS Splash/Pump Bucket Structure.	\$ _____

In compliance with this Invitation for Bid and to all terms, conditions, and specifications imposed therein and hereby incorporated by reference, the undersigned offers and agrees to furnish the goods and/or services described herein.

Please describe below any warranties provided with the repairs listed above.

To be submitted with Vendor's Bid

_____ We TAKE exception to the IFB Documents/Requirements as follows:

[illegible]

Authorized Person's Signature

Address _____

Date _____

Addendum No. _____

CITY OF WILLARD STATEMENT OF "NO BID"

IFB #03-2017PKS

**RETURN THIS PAGE ONLY IF YOUR COMPANY PROVIDES THE PRODUCTS/SERVICES BEING BID AND
DECLINES TO DO SO.**

WE, THE UNDERSIGNED, HAVE DECLINED TO BID ON YOUR **IFB 03-2017PKS** FOR CONSTRUCTION OF A
CONCESSION BUILDING FOR THE REC CENTER FOR THE FOLLOWING REASON(S):

_____ SPECIFICATIONS ARE TOO "TIGHT," I.E. GEARED TOWARD ONE (1) BRAND OR MANUFACTURER
ONLY (PLEASE EXPLAIN BELOW).

_____ INSUFFICIENT TIME TO RESPOND TO INVITATION FOR BID.

_____ OUR PRODUCT SCHEDULE WOULD NOT PERMIT US TO PERFORM.

_____ UNABLE TO MEET SPECIFICATIONS.

_____ UNABLE TO MEET INSURANCE REQUIREMENTS.

_____ SPECIFICATIONS UNCLEAR (PLEASE EXPLAIN BELOW).

_____ OTHER (PLEASE SPECIFY BELOW).

REMARKS:

COMPANY NAME: _____

ADDRESS: _____

SIGNATURE AND TITLE: _____

TELEPHONE NUMBER: _____

DATE: _____

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 to accept new Park Board Member Pat Lloyd.

Sponsored by the Parks Director.

APPLICATION FOR APPOINTMENT TO BOARD

NAME: (Please Print) PATRICK J. Lloyd DATE OF APPLICATION: 3-21-17
ADDRESS: 214 Eagle Willard, MO 65781
PHONE NUMBER: 417-988-5429

Do you live within the city limits of Willard? ☒ YES ☐ NO

If YES, how long have you been a resident of Willard? 11 yrs

Please choose the areas of most interest:

☐ Planning & Zoning ☒ Park Advisory Board ☐ Economic Development Task Force

Have you served in this capacity before? ☒ YES ☐ NO

If YES, please explain:

Member of PK. Bd. in 2009-10 (approx)

Please describe why you would like to serve:

Want to contribute to quality of life in Willard

Please describe any education or experience that would assist you in serving:

M.A. City Planning

I certify that the above information is correct. I understand that appointments are recommended by the Mayor to the Board of Aldermen for approval and that I may be asked to provide additional information.

Signature: Pat Lloyd

Date: 3-21-17

Thank you for your interest and desire to serve your community!

Return this completed application to the City Clerk by mail at: PO Box 187, Willard, MO 65781

By fax at: (417) 742-3080 or drop off at Willard City Hall, 224 W. Jackson St.

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

Discussion/Vote on background checks for the Parks Department.

Sponsored by the Parks Director.



City of Willard - National Screening Program Details

Background Screening Package:

\$17.50 average price per applicant

- **Social Security Verification**
 - ❖ Verifies the applicant's name and date of birth (DOB) against the social security number (SSN) provided.
- **Address Trace**
 - ❖ Verifies the applicant's current address and identifies previous addresses.
- **Local Criminal Record Search**
 - ❖ State and/or County criminal record searches are performed to capture all available misdemeanor and felony records utilizing the Predominantly Used Index (PUI). Based on address history, **MULTIPLE county searches** may be performed. **As an important note, all of the county record searches are conducted on site in the appropriate courthouse. NO COURT FEES**
 - ❖ The minimum number of years available is 7 years with many states extending the minimum to 10 years (this fluctuates by jurisdiction). As a standard, felony convictions are typically not purged from court systems and therefore will be reported as long as they are publically available, regardless of age. Misdemeanors are handled differently depending on the jurisdiction; however, the minimum available is 7 years. The maximum history available is always provided to you, but again, this varies by jurisdiction. Important note; sealed and expunged cases will not be reported by the court system.
 - ❖ **NOTE:** If address history warrants a search in the following locations, SSCI may conduct a statewide investigation: CO, DC, GA, HI, MD, MT, NM, and WI
 - ❖ **Information specific to applicant address history in New York:**
OR
 - In NY when the county level search is unavailable, the O.C.A. search will be conducted in lieu of the Department of Corrections at the client's expense.
- **National Criminal Record Search**
 - ❖ Our national database search provides access to criminal data from all 50 states and OFAC history, including Guam and Puerto Rico (Over 800 million criminal records). **As an important note, all possible hits will be confirmed at the county courthouse. NO COURT FEES**
- **Sex Offender Registry Search**
 - ❖ Search of all 50 State repositories and the District of Columbia for known sex offenders. **As an important note, all possible hits will be confirmed at the county courthouse. NO COURT FEES**

The following services to be added to the national criminal package (included in the flat fee pricing):

- **Disqualification process**
 - ❖ SSCI will process the results using the approved disqualification criteria and will proceed with a disqualification package including the adverse action notice, final report, FCRA Summary of Your Rights, and the disqualification policy. This process includes notification by SSCI to all applicable parties. Additionally, SSCI will communicate directly with the applicant regarding any disputes and/or inaccuracies with the final report. Applicants that do not pass the background screening will be reflected in your online system with a red alert.
- **Verifications**
 - ❖ SSCI will validate the identifiers supplied by the applicant. This includes a comparison of the applicant's name, address, social security number (SSN), and date of birth (DOB). When discrepancies are identified during this comparison, we will request the necessary data be verified.



Who We Serve

SSCI is America's #1 Choice for Volunteer Background Checks

SSCI partners with volunteer driver organizations throughout the United States to provide consultation and assistance needed to implement a comprehensive, due diligent background screening program. This program will address the concerns for the safety and security of children and other vulnerable groups. Our national partners and loyal clients select SSCI due to our service commitment to provide the most cost effective and user friendly background screening program.

SSCI PROUDLY SERVES:

Operation TLC²

Over 1,500 Park & Recreation Agencies

United States Olympic Committee

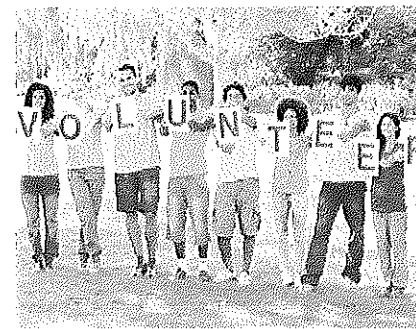
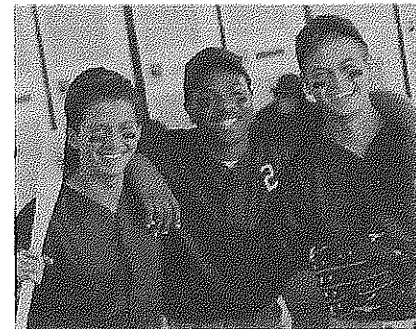
Supporting over 20 USA Governing Bodies with their compliance to SafeSport Standards

Volunteer Organizations

Church, Ministries and Youth Sports

Employment

Government Agencies and Various Private Sectors

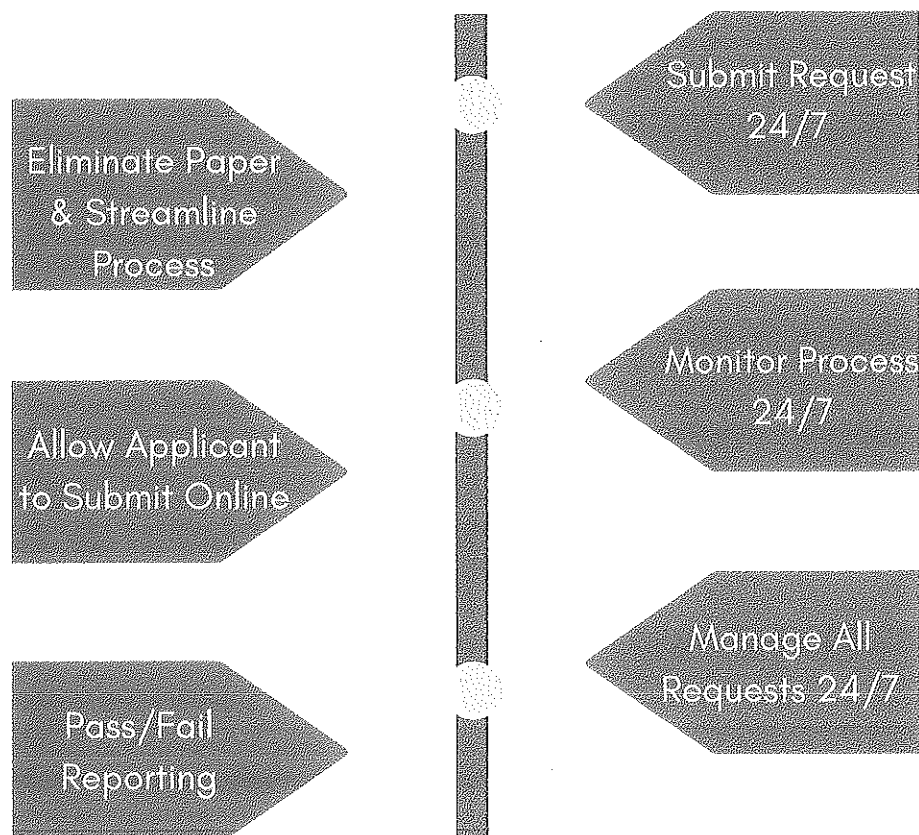


Online Management System

Each client will have access to their very own custom national online background screening platform with no set up fees, no maintenance fees and no additional court fees.

- Customized Online Background Screening Management System with around the clock authorized access
- Full protection of sensitive data
- Applicants to submit online with e-signature, tracking why they are going through the process and storing the documentation indefinitely.
- Applicant payment feature available
- Manual national request inside system, which can be done by coordinators, directors, etc.
- 24/7 refreshing every 30 minutes is a live status page inside your national system.

Customized Online Background Check System



SSCI USER GROUP MATRIX

Allows an agency to have complete control of ALL user groups in one system, while allowing EACH user group to have their own customized management system at no additional cost.

CITY/COUNTY PARK & RECREATION AGENCY

BENEFITS / RISK REDUCTION

- All User Groups meet same national standards
- Secure access to all reports online 24/7
- User Group / Applicant pay options



Soccer Association



Baseball Association



Football Association



Lacrosse Association

President/Board

Eliminate paperwork – Applicants can submit consent online

Track status of background screenings 24/7

Results online – Pass/Fail reporting is an option

Coaches/Volunteers

Conveniently submit background check online in less than 3 minutes

Have confidence knowing your information is Secure & Protected

Results are delivered to the association within 3 business days

KEY FEATURES:

Customized background check administration portal based on your specific needs.

Online access 24 hours a day, 7 days per week.

Unlimited number of User Groups under one Park & Recreation Agency.

Each User Group will have its own system with controlled access by user role.

No start up fees.

Only pay per background screening (Flat Fee).

CITY OF WILLARD, MISSOURI

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



AGENDA ITEM # 16

Discussion/Vote on amending Section 605.025 Business Licenses.

Sponsored by the City Clerk and City Attorney.

First Reading: _____

Second Reading: _____

Council Bill No.: _____

Ordinance No.: _____

AN ORDINANCE

AN ORDINANCE APPROVING A MUNICIPAL CODE AMENDMENT TO SECTION 605.025 OF THE MUNICIPAL CODE OF THE CITY OF WILLARD PERTAINING TO BUSINESS LICENSES

WHEREAS, the City has determined there is a need to investigate and evaluate any applicant applying for a business license within the City of Willard to protect the health, safety and welfare of the citizens of Willard; and

WHEREAS, the City has found it necessary to amend Section 605.025 of the Municipal Code in order to allow applicants who have been denied a business license to have due process to determine if the denial was proper.

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

Section 1: The City does hereby amend Section 605.025 prerequisites for issuance of license to add the following language:

- 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 worker's 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 605.15 (Definitions) the following shall apply: There shall be a two (2) 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.

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 deliver 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.

d. The city reserves the right to not issue a business license if, in the opinion of the City Clerk or the Chief of Police or their designees, that upon review of the application and other information, that the issuance of the business license would jeopardize the health, safety or welfare of the citizens of Willard.

Any person who is denied a business license may appeal the denial to the Municipal Judge by filing an appeal within ten (10) days of such period. The appeal form shall be kept by the City Clerk and supplied upon request. The City Clerk shall notify the Clerk of the Court of such appeal and shall set the matter before the Municipal Judge for hearing.

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).

c. The City reserves the right to revoke a peddler's license if, in the opinion of the City Clerk or the Chief of Police or their designees, that any peddler, solicitor, canvasser, etc., actions while soliciting citizens of Willard constitute a nuisance, or threat to the citizens of Willard or is a violation of City ordinance, or if their criminal history reveals past conduct which would jeopardize the safety of the citizens of Willard.

Any person whose peddler's license is revoked by the City may appeal the revocation to the Municipal Judge by filing an appeal within ten (10) days of such revocation of the peddler's license. The appeal form shall be kept by the City Clerk and supplied upon request and who shall notify the Clerk of the Court of such appeal and who shall set the matter before the Municipal Judge for hearing. A copy of said appeal form is attached hereto and incorporated herein by reference as Exhibit "A" held on file in the City offices.

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

Mayor Corey Hendrickson

ATTEST: _____, Jennifer Rowe, City Clerk

Approved as to form: _____, Kenneth P. Reynolds, 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 _____ 2017.

MEMBERS OF THE BOARD OF ALDERMEN:	YES	NO	ABSTAINED
_____ Alderman Buckley	_____	_____	_____
_____ Alderman Stewart	_____	_____	_____
_____ Alderman Snider	_____	_____	_____
_____ Alderman Baird	_____	_____	_____
_____ Alderman Whitman	_____	_____	_____
_____ Alderman Roggensees	_____	_____	_____

City of Republic, MO
Wednesday, April 5, 2017

Chapter 605. Business Licenses and Regulations

Article I. Business Licenses

Section 605.070. Violations — Denial, Non-Renewal, Suspension or Revocation.

[Ord. No. 07-80 §1, 12-10-2007; Ord. No. 09-37 §1, 11-9-2009; Ord. No. 10-48 §1, 11-8-2010]

- A. *Delinquent Payments.* All license fees provided for in this Article shall be deemed delinquent if not paid on or before the due date.
- B. *Safety Precautions.* No contractor or trade doing business within the City limits and actively engaged in the business of electrical work, paving, plumbing, sewer work or gas fitting shall permit any unsafe conditions to be left without placement of suitable warning lights, signs or barriers and recognized suitable trench safety. Any such violation shall be deemed a public nuisance and may be abated by action for civil damages or injunction or both such remedies.
- C. *Grounds For Denial Or Non-Renewal.* The City Clerk shall not issue a business license when the City Clerk has reason to believe that the issuance of the license will result in the operation of the business in violation of this Code or that the operation of the business will cause or result in a nuisance or that a nuisance is on the land where the business is to be licensed. Upon the City Clerk making a determination that there may be a violation of this Section, the City Clerk shall notify the applicant in writing that the City Clerk will not issue the license or that the City Clerk will not renew the license, stating the reasons for the City Clerk's decision.
- D. *Procedure For Denial Or Non-Renewal.* If the City Clerk determines that the application for a license is not to be granted or if the City Clerk determines not to renew the license, then a written notice to the person requesting the license or renewal thereof shall give the applicant at least five (5) days' notice to request an informal meeting with the City Clerk. The City Clerk shall, if an informal meeting is requested within that time, hold a meeting with the applicant, informing the applicant of the basis upon which the decision was made and shall attempt to informally resolve the matter. The informal meeting shall be held within five (5) days of receipt of the written request for an informal meeting. After such informal meeting, the City Clerk may reverse the City Clerk's decision or may reaffirm the prior decision in writing. The City Clerk's written decision shall be issued within five (5) days of the informal meeting.
Thereafter, the applicant may request a public hearing by filing a written request with the City Clerk within ten (10) days of the date of the City Clerk's written decision. At the public hearing, a hearing officer appointed by the City Administrator shall hear evidence, determine the facts upon the evidence presented at the hearing and render a decision.

The public hearing shall be held within twenty (20) days of the receipt of the written request by the City Clerk. The decision of the hearing officer shall be in writing and shall be issued within ten (10) days of the hearing. The hearing may be continued by the hearing officer for good cause shown by any party to the proceeding.

- E. *Revocation Or Suspension Of License Authorized.* The license of a merchant, manufacturer, contractor or business may be revoked by a hearing officer after public hearing and notice for any one (1) or more of the following reasons:
1. Failure to comply with the provisions of this Article or any other ordinance pertaining to the business codes, building codes, fire codes, health codes or zoning codes or ordinances of the City.
 2. Failure to operate the business as required by law.
 3. Creation of a public nuisance.
 4. Providing false information to obtain a license.
 5. Failure to pay any obligation due and owing to the City.
- F. *Notice Of Suspension Or Revocation Hearing.* Upon the City Clerk determining that a possible violation of this Article has occurred, the City Clerk shall issue a notice that a hearing relative to the possible suspension or revocation of the business license is to be held pursuant to this Section. The licensee shall have at least five (5) days' written notice of the time and place of such hearing. The written notice shall be directed by certified or registered U.S. mail to the business address of the licensee on the licensee's application on file in the office of the City Clerk and shall specify the grounds upon which the license is sought to be suspended or revoked.
- At the public hearing, a hearing officer appointed by the City Administrator shall hear evidence, determine the facts based upon the evidence presented at the hearing and render a decision. The decision of the hearing officer shall be in writing and shall be issued within ten (10) days of the hearing. The hearing may be continued by the hearing officer for good cause shown by any party to the proceeding.
- G. *Hearing On Suspension Or Revocation — Appeals.* The licensee may present such evidence on licensee's behalf as the Hearing Officer deems relevant. The Hearing Officer's decision may be appealed pursuant to the procedure set out in Code Section **430.090**. The appeal shall not stay the effect of the Hearing Officer's decision.
- H. *Conduct Of Hearings.* The hearing officer shall have all the powers set forth in this Article and Chapter **430** of this Code and shall conduct the hearing in accordance with the procedures set forth in this Article and Chapter **430**. The hearing officer shall determine whether or not there is a basis for not issuing the license, not renewing the license, suspending the license or revoking the license. The decision of the hearing officer and the right to appeal his decision shall be in accordance with this Article and Chapter **430** of this Code. All notice for purposes of this Section shall be deemed to occur two (2) days after the date the notice is placed in the United States mail, postage prepaid.
- I. *Suspension Disposition.* If the hearing officer determines that the violation has been corrected or that the licensee is actively and continuously working to correct the violation, then the hearing officer may issue a suspension order not to exceed sixty (60) days. Upon expiration of the period of suspension, the licensee shall submit a written request to the City Clerk for reinstatement of the license. If the City Clerk determines that the licensee is in compliance with the requirements of this Article, the City Clerk

shall issue a written notice of reinstatement. If the City Clerk determines that the licensee is not in compliance with this Article, the proceedings for revocation of a license shall be instituted.

- J. *Revocation Disposition.* If the hearing officer determines that there is a violation of this Article that has not been corrected or that the violation is incapable of being corrected or that the licensee is not actively and continuously working to correct the violation, the hearing officer shall revoke the business license. Upon revocation of a license, a business shall not be eligible to apply for a business license in the City for one (1) year from the date of revocation. After one (1) year, the licensee may apply for a license subject to meeting all requirements set forth in this Article.
- K. *Discontinuance Of Or Withholding Of City Services.* The City, its boards, commissions or agents shall withhold or discontinue all City improvements or services of whatsoever nature, including the furnishing of sewer, water, electricity and gas, and further, no permits shall be issued by the Planning and Development Department or Public Works Department to any entity or persons operating a business within the City limits without a valid business license issued pursuant to this Article. Disconnection from the City water utilities may be carried out if such violation is not corrected within ten (10) days after delivery of a notice of such violation.

*City of Battlefield, MO
Wednesday, April 5, 2017*

Chapter 605. Business Regulations

Article I. Generally

Section 605.090. Revocation of License — Grounds.

- A. Any license issued by the City pursuant to the provisions of this Chapter may be revoked by the Board of Aldermen for any of the following reasons, as well as for any other reasons specified in this Chapter:
1. Any failure to comply with or any violation of any provisions of this Chapter, or any other ordinance of the City regulating the business, occupation or activity licensed, or the Statutes of the State of Missouri by any licensee.
 2. Violation of the terms and conditions upon which the license was issued.
 3. Failure of the licensee to pay any tax or obligation due to the City.
 4. Any misrepresentation or false statement in the application for a license required herein.
 5. Failure to display the license required herein.
- Revocation of any license shall be in addition to any other penalty or penalties which may be imposed pursuant to these provisions.

Section 605.100. Revocation of License — Procedure.

- A. In any case in which a complaint has been made to the Board of Aldermen, or in which the Board of Aldermen have on their own determined that cause may exist for the revocation of a license under the provisions of this Chapter, the following procedures shall be followed:
1. The Board of Aldermen shall set a date for a hearing to consider the question of revocation.
 2. At least ten (10) days prior to said hearing, written notice shall be mailed to the licensee, by registered mail, return receipt requested, to his/her last known address as shown in the records of the City Clerk advising the licensee of the time, date and place of hearing and of the reason for considering the revocation of his/her license.
 3. During the pendency of this hearing before the Board of Aldermen, the licensee shall be permitted to continue the operation of his/her business.
 4. At the hearing set by the Board of Aldermen, the Board of Aldermen shall hear all relevant and material evidence justifying the retention of the license.
 5. The licensee may be present in person and/or by his/her attorney and may present evidence.

6. After hearing the evidence presented, the Board of Aldermen shall vote on the issue of whether the subject license shall be revoked.
7. The affirmative vote of a majority of the Board of Aldermen shall be necessary to revoke any license.

City of Bolivar, MO
Wednesday, April 5, 2017

Chapter 605. Occupational Licenses

Section 605.040. Procedure For Acquiring License.

[R.O. 2007 §610.040; Ord. No. 764 §4, 1-17-1980; Ord. No. 2932 §I, 5-13-2010]

- A. The City Clerk of Bolivar, Missouri shall be authorized to issue licenses in the name of the City of Bolivar upon satisfaction of the below provisions:
[Ord. No. 3221 §I, 6-23-2015]

1. Either of the following:

- a. For business licenses other than Class A licenses wherein the license fees are required to be paid along with City utility billing pursuant to Section **605.120(B)**, a receipt from the City Clerk of Bolivar for the amount of the fee levied by this Chapter; or
- b. For Class A licenses wherein the license fees are required to be paid along with City utility billing pursuant to Section **605.120(B)**, notice from the City Clerk of Bolivar to the business that the provisions of Section **605.120(B)** will apply for payment of the license fees; and

2. Receipt by the City Clerk of Bolivar of any information required by this Chapter for the particular profession, occupation or business necessary to determine the applicant's qualifications or to fill out the license form.

- B. The City Clerk is not required to issue a license to an applicant if the applicant or any twenty-five percent (25%) or more equity owner, director, officer or manager of the applicant has previously failed to comply with the ordinances of the City of Bolivar or laws of the State of Missouri relating to the conduct of any business for which the applicant or any twenty-five percent (25%) or more equity owner, director, officer or manager holds or has held a business license issued by the City of Bolivar or of any other municipality of the State of Missouri, is delinquent in the payment of any State, County or City sales tax, fails to meet the qualification for the profession, occupation or business which applicant intends to engage as set forth in this Chapter, or in the case of child-related businesses, is a registered sex offender. For the purposes of the Subsection, a "*child-related business*" is one where the business markets and sells products or services designed for consumption or use by children. A "*registered sex offender*" is a person who is required to register as a sex offender under Section 589.400, RSMo., as now in effect or as such Section may hereafter be amended from time to time if the reason for the required registration results from an offense involving a child or because the person has previously been committed to the Department of Mental Health as a criminal sexual psychopath. The term "*child*" or "*children*" shall mean any person under the age of eighteen (18) years.

C.

The City Clerk shall either issue the license or make a denial of license within thirty (30) days of the application for a license unless a longer period is specified by this Chapter for a specific profession, occupation or business. If the Clerk fails to give a denial within the time limit, the last day of that period shall act as a denial of the license for appeal purposes.

- D. The City Clerk has the power to revoke a license held by a licensee upon violation of an ordinance of the City of Bolivar, violation of a State Statute or failure at any time to meet qualifications set forth by this Chapter. In addition, the Clerk shall revoke or not renew the business license of any business that is:
1. Engaged in a child-related business, and
 2. Employs a registered sex offender (as defined in Subsection (B) of this Section), and
 3. Such employee is either indicted or is bound over for trial after a preliminary hearing for a sexual-related offense under any Federal or State law involving a child, and
 4. The child/alleged victim is found, by a preponderance of the evidence, to have been a customer or was in the company of a customer at the licensed business during the ninety (90) day period immediately prior to the occurrence that results in charges as described in item (3) of this Subsection during a time when the registered sex offender was on duty.

Section 605.070. Appeal of License Decision.

[R.O. 2007 §610.070; Ord. No. 764 §5, 1-17-1980]

If the City Clerk of Bolivar shall refuse to issue a license to an applicant or revokes the license of a licensee, the applicant or licensee who desires an appeal of the Clerk's decision shall give notice to the City Clerk of a request for an appeal within ten (10) days of the denial. The appeal shall be heard and is subject to all of the provisions of Section **600.185**.

Sec. 70-50. - Effect of conviction or finding of guilt, fault or liability of proscribed activity.

(a) *Definition.* For purposes of this section, the term "proscribed activity" shall include the following:

- (1) Those acts prohibited by RSMo 567.010—567.040 and 567.080;
- (2) Those acts found to constitute violations of the provisions of RSMo, chs. 407 or 416, including but not limited to those acts and practices described in 15 CSR 60-8.010 through 15 CSR 60-8.090, inclusive, of the Missouri Code of State Regulations; or
- (3) Those acts found under other provisions of federal or state statutory or common law to constitute unfair pricing, fraudulent, unreasonable or unconscionable trade or sales practices, price gouging or price fixing with respect to the sale of goods, labor and/or services.

(b) *Suspension or revocation of license.* Any person licensed pursuant to this chapter who is convicted, found guilty with a suspended imposition of sentence, or found in a civil proceeding to be guilty of, at fault for, or liable for the commission of a proscribed activity, as defined in this section, by a court of competent jurisdiction, and who uses a city license in any way whatsoever as a means to assist the person to engage in a proscribed activity shall be subject to revocation or suspension of his city license in accordance with the procedure set forth in article III. Any licensee who is licensed pursuant to this chapter who knowingly permits an employee, agent or other person associated with the licensed activity to engage in a proscribed activity shall be subject to revocation or suspension of his city license pursuant to the procedure set forth in article III if the proscribed activity is associated with the licensed activity in any way whatsoever.

(c) *Denial of license.* Any person who has failed to secure such license shall be prohibited from securing the required license if the city licensing official determines that such person was convicted of a proscribed activity by a court of competent jurisdiction and did use the activity required to be licensed to assist the person to engage in a proscribed activity; except such person may, upon the license being denied, request a hearing pursuant to article III and shall be entitled to a hearing in accordance with the procedures set out therein.

(Code 1981, § 20-17; G.O. No. 5641, § 1, 1-23-2007)

Editor's note— G.O. No. 5641, § 1, adopted January 23, 2007, changed the title of § 70-50 from "Effect of conviction of proscribed activity" to "Effect of conviction or finding of guilt, fault or liability of proscribed activity."

Sec. 70-51. - Revocation or denial of license.

- (a) *Grounds for revocation, denial or nonrenewal.* All business licenses issued pursuant to this chapter shall be issued by the director of finance upon the condition that the licensee complies with this section. No licensee shall cause, maintain or permit a nuisance as prohibited by section 74-381 in the conduct of the business for which the license is issued or on land where the business is licensed, nor shall any licensee operate the business in violation of any provision of this Code that applies to the operation of that business. Any person who operates a business licensed pursuant to this chapter in violation of any provision of this Code that applies to the operation of the business, or who maintains, causes or permits a nuisance prohibited by section 74-381 in the conduct of the business or on land where the business is licensed, shall be subject to having the business license revoked or not renewed by the director in accordance with procedures set forth in this chapter. The director shall not issue a business license when the director has reason to believe that the issuance of the license will result in the operation of the business in violation of this Code or that the operation of the business will cause or result in a nuisance or that a nuisance is on the land where the business is to be licensed. Upon the director's making a determination that there may be a violation of this section, the director shall notify the applicant in writing that the director will not issue the license, that the director will not renew the license, or that the director is revoking the license, stating the reasons for the director's decision.
- (b) *Procedure for denial or nonrenewal.* If the director determines that the application for a license is not to be granted or if he determines not to renew the license, then the notice to the person requesting the license or renewal thereof shall give the applicant at least five days' notice to request an informal meeting with the director. The director shall, if a hearing is requested within that time, hold an informal meeting with the applicant, informing the applicant of the basis upon which the decision was made, and shall attempt to informally resolve the matter. After such informal meeting, the director may reverse his decision or may reaffirm his decision in writing. Thereafter, the applicant may request a public hearing by filing a written request with the director within 15 days of the date of the director's decision. At the public hearing, a hearing officer appointed by the city manager shall hear evidence, determine the facts upon the evidence presented at the hearing, and render a decision.
- (c) *Procedure for revocation.* If the director takes action to revoke a license, he shall provide the licensee with notice in writing concerning the basis upon which the revocation is made, setting forth a date for an informal meeting with the licensee, giving the licensee at least five days' notice. If the licensee does not appear at the informal meeting or if the licensee appears

and the matter is not resolved, the director shall set a public hearing by giving the licensee at least ten days' written notice of the public hearing. At the public hearing, a hearing officer appointed by the city manager shall hear evidence, determine the facts based upon the evidence presented at the hearing, and render a decision.

- (d) *Conduct of hearings.* The hearing officer shall have all the powers set forth in section 70-155 and shall conduct the hearing in accordance with the procedures set forth in that section. The hearing officer shall determine whether or not there is a basis for not issuing the license, not renewing the license or revoking the license. The decision of the hearing officer and the right to appeal his decision shall be in accordance with section 70-156. All notice for purposes of this section shall be deemed to occur two days after the date the notice is placed in the United States mail, postage prepaid.
- (e) *Penalties for operation without license.* After the decision of the director or the hearing examiner becomes final, the minimum penalty under section 1-7 for operating a business without a license shall be \$75.00 per day for each day the person operates the business without a license. The city may, in addition to the penalties set forth in section 1-7, seek civil penalties in a court of competent jurisdiction of \$75.00 per day for each day a person operates a business without a business license.

(Code 1981, § 20-18)

Sec. 70-52. - Limitation on prosecution of violations.

No proceeding shall be brought for violation of this article nor any license revoked for violation of this article for any violation occurring more than three years next preceding the revocation or initiation of any such proceeding.

(Code 1981, § 20-18.5)