

#### BOARD OF ALDERMAN JANUARY WORK SESSION AGENDA TUESDAY, JANUARY 12<sup>th</sup>, 2021 at 6:30 p.m.

MEETING WILL BE RECORDED AND POSTED ON FACEBOOK - CITY OF BOLIVAR, MISSOURI

ROLL CALL
PLEDGE OF ALLEGIANCE
MOTION TO ADOPT AGENDA
MAYORAL APPOINTMENT, Introductions, Presentations, Resolutions and Proclamations,
Citizens Requests:

Corrected Bill

1. Request to Address Council: Jack Haney

2. Reappointment of Board of Adjustment Members

2021-01

3. Bill No. 2021-53: An Ordinance Requesting and Approving Establishment of the Traffic Violations Bureau 2021-02

 Bill No. 2021-54: An Ordinance Calling an Election on a Question of the Length of the term of Office for the Office of Mayor in the City of Bolivar, Missouri 2021-03

5. Bill No. 2021-55: An Ordinance Establishing Annual Compensation for the Office of Mayor 2021-04

6. Bill No. 2021-56: An Ordinance Authorizing a MOU with Polk County C.E.R.T. for Cooperative Support

7. Resolution: Supporting the Installation and Construction of a 10 Foot Walking Path on South Albany

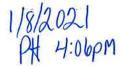
**EXECUTIVE SESSION: RSMo 610.021(12)** Sealed Bids and related documents, until the bids are opened and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected.

\*IF UNABLE TO ACCESS FACEBOOK ACCOUNT, PLEASE CONTACT CITY CLERK FOR ADDITIONAL OPTIONS\*

#wherelibertyflows

If you have a need for special accommodations, Please contact the City Clerk's office 24 hours prior to the meeting.





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- 2. Reappointment of Board of Adjustment Members
- 3. Bill No. 2021-53: An Ordinance Requesting and Approving Establishment of the Traffic Violations Bureau
- 4. Bill No. 2021-54: An Ordinance Calling an Election on a Question of the Length of the term of Office for the Office of Mayor in the City of Bolivar, Missouri
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# CALL OF A WORK SESSION MEETING OF THE CITY OF BOLIVAR BOARD OF ALDERMEN.

I, Christopher Warwick, Mayor of the City of Bolivar, Missouri, do hereby call a Work Session Meeting of the Bolivar Board of Aldermen on Tuesday, January 12th, 2021, at 6:30 p.m. for the purpose of transacting any lawful business that might be brought before said Council at said meeting.

Electronically Approved 1/8/2021
Christopher Warwick, Mayor

Posted: 4:06 pm 1/8/2021

Paula Henderson, City Clerk

+H

REQUEST TO ADDRESS COUNCIL COUNCIL MEETING DATE | 1191202 ADDRESS: WARD: **AGENDA ITEMS NON-AGENDA ITEMS** or (Must be submitted 4 hours before the meeting) (Must be submitted by 5 p.m. on the Friday, prior to the meeting.) I wish to address Council about: I wish to discuss the following: ☐ Amended Ordinance Emergency Ordinance ☐ 1st Reading ☐ Public Hearing П Resolution Within the category checked above I wish to particularly address the following issue(s): Mandatory lace: masks to Second warning ompsy to be a fine of I understand that my request is subject to the discretion of the Mayor and if my request is chosen that I have only 5 minutes to speak. My comments should not be repetitive of any prior speaker but should be new in nature. Opportunities to speak may not be stacked and accumulated for the same topic. Multiple parties with the same issue are encouraged to appoint a spokesperson to advocate their position. Decorum shall be maintained and clapping, cheering, and other potentially disruptive occurrences will not be tolerated. The Mayor may dismiss any parties not following these guidelines. The Mayor may cease public comment at any time.

Signature

Date: Time:

### **Board of Adjustment January 2021**

### **Reappointment Recommendation of Members:**

	Term Length	Reappointment	Next Reappointment
Shirley Cofer 417-327-3225 scofer1@yahoo.com PO Box 561	5 Years	Jan-21	Jan-26
Sutton Medley 417-326-7730 medleyappraisalmo@h PO Box 748		Jan-21	Jan-25
Gary King 417-327-7723 glk_dmk@yahoo.com 1523 W Northwood St	3 Years	Jan-21	Jan-24
Jeff Miller 417-326-6500 jeff.miller@citizensmer	2 Years  morial.com	Jan-21	Jan-23
PO Box 873			
Stacy Breeswitz 417-893-9463 stacybreeze@hotmail.c 785 E Parkview St	1 Year	Jan-21	Jan-22
Current Alternates – (No update needed)			
Jared Taylor 417-770-5564  jtaylor@midmobank.co 453 N Rechow Ave		sday, December 17, 2019	Dec-24

Tuesday, December 17, 2019

Dec-24

417-699-9482

5 Years

rheanne@adminservicepros.com

1301 S Meadow Ln

Rheanne Griswold

Bill No. 2021-53 Ordinance No. \_\_\_\_\_

"AN ORDINANCE REQUESTING AND APPROVING ESTABLISHMENT OF THE TRAFFIC VIOLATION BUREAU FOR THE MUNICIPAL COURT OF THE CITY OF BOLIVAR, MISSOURI."

Filed for public in	spection on	•	
First reading	In Full; By Title on		
Second reading _	In Full; By Title on		
Vote by the Board	d of Aldermen on	:	
Aye;	_ Nay; Abstain		
Approved	by the Mayor on	·	
Vetoed by	the Mayor on	•	
Board of Alderme	en Vote to Override Veto on		_
Aye;	_ Nay; Abstain		
Rill Effective Deta	a•		

Ordinance No.	
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#### "AN ORDINANCE REQUESTING AND APPROVING ESTABLISHMENT OF THE TRAFFIC VIOLATION BUREAU FOR THE MUNICIPAL COURT OF THE CITY OF BOLIVAR, MISSOURI."

Be it Ordained by the Board of Aldermen of the City of Bolivar, Missouri, as follows:

**Section I:** Pursuant to the provisions of section 479.050 of the Missouri Revised Statutes, the Board of Aldermen of the City of Bolivar hereby requests and approves of the establishment of the traffic violation bureau by the municipal judge for the municipal court of the City of Bolivar.

**Section II:** The City's traffic violation bureau will be administered by the municipal judge and the municipal court staff pursuant to the provisions of section 479.050 of the Missouri Revised Statutes, the Missouri Supreme Court Rules 37 and 38, and the Local Rules of the Circuit Court for the 30<sup>th</sup> Judicial Circuit of Missouri, all as may be amended from time-to-time.

**Section III:** The municipal court will use, to the extent required by law or court rule, any uniform fine schedule as may be set forth by such law or court rule. If applicable, a current copy of the uniform fine schedule for violations subject to the traffic violation bureau, as may be amended from time-to-time, will be available in the office of the clerk of the City's municipal court for public inspection.

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

	Christopher Warwick, Mayor
ATTEST:	
Paula Henderson City Clerl	ζ

Bill No. 2021-54 Ordinance No. \_\_\_\_\_

"AN ORDINANCE CALLING AN ELECTION ON A QUESTION OF THE LENGTH OF THE TERM OF OFFICE FOR THE OFFICE OF MAYOR IN THE CITY OF BOLIVAR, MISSOURI."

Filed for public inspection on	•
First reading In Full; By Title on	
Second reading In Full; By Title on	
Vote by the Board of Aldermen on	:
Aye; Nay; Abstain	
Approved by the Mayor on	•
Vetoed by the Mayor on	·
Board of Aldermen Vote to Override Veto on	
Aye; Nay; Abstain	
Bill Effective Date:	

# "AN ORDINANCE CALLING AN ELECTION ON A QUESTION OF THE LENGTH OF THE TERM OF OFFICE FOR THE OFFICE OF MAYOR IN THE CITY OF BOLIVAR, MISSOURI."

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

- **Section 1.** The Board of Aldermen of the City of Bolivar, Missouri, finds it necessary and hereby declares its intent to submit to voters the question of increasing the term of the office of Mayor from a two (2) year term to a three (3) year term.
- **Section 2.** The imposition of the three (3) year term for the office of Mayor will become effective as of the term for the office of Mayor beginning immediately following the municipal election for the City of Bolivar in the year 2023 as provided by law upon approval thereof by a majority of the votes cast on the proposition by the qualified voters of the City voting thereon; and upon an ordinance thereafter passed by the Board of Aldermen enacting the change.
- **Section 3.** The following question is hereby ordered to be placed on the ballot for the City concurrently with the general municipal election on Tuesday, April 6, 2021, and will appear on the ballot in substantially the following form:

#### **QUESTION #**

Shall the City of Bolivar, Missouri, be authorized to increase the term of the elected office of Mayor from a two-year term to a three-year term?

Yes O

**INSTRUCTIONS TO VOTERS:** If you are in favor of the proposition, punch a hole in the circle opposite "YES." If you are opposed to the proposition, punch a hole in the circle opposite "NO."

- **Section 4.** If this question is approved, the length of the term of office for the elected position of City Mayor will be increased to a three-year term.
- **Section 5.** The City Clerk is hereby authorized and directed to notify the Clerk of the County Commission of Polk County, Missouri of the adoption of this Ordinance no later than 5:00 p.m. on Tuesday, January 26, 2021, and to include in said notification all of the terms and provisions required by Chapter 115 of the Revised Statutes of Missouri, as amended.
- **Section 6.** If any clause, word, paragraph, section or other part or portion of this Ordinance is held to be invalid, illegal or unconstitutional for any reason, the Board of Aldermen hereby declares it would nevertheless have enacted the remaining portions thereof and such remaining portions will remain in full force and effect.

<b>Section 7.</b> This Ordinance will take effect and be in full force from and after its passage by the Board of Aldermen and approval by the Mayor.
<b>PASSED</b> by the Board of Aldermen this Aldermen and <b>APPROVED</b> by the Mayor of the City of Bolivar, Missouri day of, 2021.
Christopher Warwick, Mayor
ATTEST:
Paula Henderson, City Clerk
<u>CERTIFICATION</u>
I, Paula Henderson, do hereby certify that I am the duly appointed and acting City Clerk for the City of Bolivar, Missouri; that the foregoing Ordinance No was adopted by the Board or Aldermen and thereafter approved by the Mayor and became effective on, 2021; and that said Ordinance remains in full force and effect, having never been altered, amended nor repealed.
Paula Henderson, City Clerk

Bill No. 2021-55

Ordinance	e No	

# "AN ORDINANCE ESTABLISHING ANNUAL COMPENSATION FOR THE OFFICE OF MAYOR."

Filed for public i	nspection on	•
First reading	In Full; By Title on	
Second reading _	In Full; By Title on	
Vote by the Boar	d of Aldermen on	:
Aye;	Nay; Abstain	
Approved	l by the Mayor on	·
Vetoed by	y the Mayor on	•
<b>Board of Alderm</b>	en Vote to Override Veto on	
Aye;	Nay; Abstain	
Bill Effective Dat	e:	

Ordinance No.	
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# "AN ORDINANCE ESTABLISHING ANNUAL COMPENSATION FOR THE OFFICE OF MAYOR."

WHEREAS, the Board of Aldermen of the City of Bolivar, Missouri, by public vote in open session on November 17, 2020, determined that the compensation for the office of Mayor should be set at \$7,500.00 annually as of the term beginning immediately following the City's municipal election of 2021; and

WHEREAS, the next municipal election for the City of Bolivar is set to take place on April 6, 2021.

NOW THEREFORE, be it Ordained by the Board of Aldermen of the City of Bolivar, Missouri, as follows:

**Section I:** Beginning with the mayoral term beginning immediately following the City of Bolivar's municipal election on April 6, 2021, the annual compensation for the office of Mayor will be \$7,500.00.

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

	Christopher Warwick, Mayor		
ATTEST:			
Paula Henderson, City Cle	rk		

## **CERTIFICATION**

Clerk
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e and
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Bill No. 2021-56 Ordinance No. \_\_\_\_\_\_

"AN ORDINANCE AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH POLK COUNTY CERT FOR COOPERATIVE SUPPORT."

Filed for public inspection on \_\_\_\_\_\_\_.

First reading \_\_\_\_ In Full; \_\_\_ By Title on \_\_\_\_\_\_.

Second reading \_\_\_ In Full; \_\_\_ By Title on \_\_\_\_\_\_.

Vote by the Board of Aldermen on \_\_\_\_\_\_:

\_\_\_ Aye; \_\_\_ Nay; \_\_\_ Abstain

\_\_\_ Approved by the Mayor on \_\_\_\_\_\_.

\_\_ Vetoed by the Mayor on \_\_\_\_\_\_.

Board of Aldermen Vote to Override Veto on \_\_\_\_\_\_.

\_\_ Aye; \_\_\_ Nay; \_\_\_ Abstain

Bill Effective Date: \_\_\_\_\_\_.

Ordinance	No	
CHUHANCE	INC).	

# "AN ORDINANCE AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH POLK COUNTY CERT FOR COOPERATIVE SUPPORT."

Be it Ordained by the Board of Aldermen of the City of Bolivar, Missouri, as follows:

**Section I:** The City is hereby authorized to enter into a Memorandum of Understanding with Polk County CERT for cooperative support; with such contract and terms to be in the form attached hereto as Exhibit "A" and made a part hereof by reference.

**Section II:** The Mayor and City Clerk are hereby authorized and directed to enter into an agreement as described above for and on behalf of the City.

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

	Christopher Warwick, Mayor
ATTEST:	
Paula Henderson, City Cler	rk

#### **CERTIFICATION**

effect, having never been	altered, amended nor repealed.	
effective on	, 2020; and that said Ordinance remains in	full force and
adopted by the Board or	Aldermen and thereafter approved by the Mayo	or and became
for the City of Bolivar,	Missouri; that the foregoing Ordinance No	was
I, Paula Henderson, do h	ereby certify that I am the duly appointed and act	ing City Clerk

#### **MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding (**MOU**) is entered into January 12<sup>th</sup>, 2021, by and between Polk County CERT, with an address of 251 Winfred Ave – Bolivar, MO. 65613 and The City of Bolivar – Office of Emergency Management, with an address of 345 S. Main - Bolivar, MO. 65613, collectively "the **Parties.**"

WHEREAS, the Parties desire to enter into an agreement to Provide disaster support service and training to the community; and

WHEREAS, the Parties desire to memorialize certain terms and conditions of their anticipated endeavor;

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the Parties agree as follows:

 Purpose and Scope. The Parties intend for this MOU to provide the foundation and structure for any and all possibly anticipated binding agreement related to Polk County CERT: Will provide Resources and Support Including (but not limited to): Disaster Support, Firefighter Rehab & Traffic Control.

\*It should be noted that the CERT Trailer is titled and insured to the City of Bolivar, due to grant specifications that require a government sponsor.

**The City of Bolivar**: Will provide a place to store the trailer and supplies and classroom/training space as available.

This MOU should not establish or create any type of formal agreement or obligation. Instead, it is an agreement between the Parties to work together in such a manner to encourage an atmosphere of collaboration and alliance in the support of an effective and efficient partnership to establish and maintain objectives and commitments with regards to all matters related to community support.

- 2. **Objectives.** The Parties agree as follows:
  - a. The Parties shall work together in a cooperative and coordinated effort so as to bring about the achievement and fulfillment of the purpose of the MOU.
  - b. It is not the intent of this MOU to restrict the Parties to this Agreement from their involvement or participation with any other public or private individuals, agencies or organizations.
  - c. The Parties shall mutually contribute and take part in any and all phases of the planning and development of disaster support to the fullest extent possible.
  - d. This MOU is not intended to create any rights, benefits and/or trust responsibilities by or between the Parties.

- e. The MOU shall in no way obligate either Party to supply funds to maintain and/or sustain the services of either party.
- 3. **Term.** This Agreement shall commence upon the Effective Date, as stated above, and will be for a period of one year. Without written notice by either party, MOU shall auto renew annually.
- 4. **Termination.** This Agreement may be terminated at any time by either Party upon 60 days written notice to the other party.
- 5. **Indemnity.** The Parties each agree to indemnify and hold harmless the other Party, its respective affiliates, officers, agents, employees, and permitted successors and assigns against any and all claims, losses, damages, liabilities, penalties, punitive damages, expenses, reasonable legal fees and costs of any kind or amount whatsoever, which result from the negligence of or breach of this Agreement by the indemnifying party, its respective successors and assigns that occurs in connection with this Agreement. This section remains in full force and effect even after termination of the Agreement by its natural termination or the early termination by either party.
- 6. **Limitation of Liability.** UNDER NO CIRCUMSTANCES SHALL EITHER PARTY BE LIABILE TO THE OTHER PARTY OR ANY THIRD PARTY FOR ANY DAMAGES RESULTING FROM ANY PART OF THIS AGREEMENT SUCH AS, BUT NOT LIMITED TO, LOSS OF REVENUE OR ANTICIPATED PROFIT OR LOST BUSINESS, COSTS OF DELAY OR FAILURE OF DELIVERY, WHICH ARE NOT RELATED TO OR THE DIRECT RESULT OF A PARTY'S NEGLIGENCE OR BREACH.
- 7. **Costs:** The City of Bolivar will cover the cost of insurance for the cert trailer. Any other costs associated with CERT, including trainings and supplies, will be the SOLE responsibility of CERT under their 501C3. Equipment and supply costs will only be covered if CERT is activated by the City of Bolivar during a response. Any costs will need to be submitted by receipt to the City for reimbursement, and only pre-approved by the City of Bolivar EMD.
- 8. **Waiver.** The failure by either party to exercise any right, power or privilege under the terms of this Agreement will not be construed as a waiver of any subsequent or further exercise of that right, power or privilege or the exercise of any other right, power or privilege.
- 9. **Entire Agreement.** The Parties acknowledge and agree that this Agreement represents the entire agreement between the Parties. In the event that the Parties desire to change, add, or otherwise modify any terms, they shall do so in writing to be signed by both parties.

10. Employment. This agreement does not recognize members of CERT as employees of the City of Bolivar. CERT shall keep their own insurance of members that respond to an event, and shall be the sole responsibility of CERT for any claims that may arise.
The Parties agree to the terms and conditions set forth above as demonstrated by their signatures as follows:
Polk County CERT

Signed:
Jo Christian, Director
Date:
City of Bolivar – Office of Emergency Management
Signed:
Brent Watkins, Director
Date:
City of Bolivar
Signed:
Christopher Warwick, Mayor
Date:

#### CITY OF BOLIVAR, MISSOURI

RESOL	LUTION	NO.	

A RESOLUTION SUPPORTING THE INSTALLATION AND CONSTRUCTION OF A 10-FOOT WALKING PATH ALONG SOUTH ALBANY IN THE CITY OF BOLIVAR, MISSOURI; AND SUPPORTING THE APPLICATION FOR A GRANT TO ASSIST WITH

THE PROPOSED PROJECT.

**WHEREAS,** the City of Bolivar, Missouri recognizes the need for safe walking paths along busy roads within the City to provide residents and visitors within the City means to safely walk along the same; and

**WHEREAS**, the City of Bolivar, Missouri would like to install and construct a ten (10) foot wide walking path along the road known as South Albany within the City; and

**WHEREAS**, the walking path project would have a significant positive impact on both stormwater safety and public safety by limiting existing ditching along the roadway; and

**WHEREAS**, the City of Bolivar, Missouri would like to seek assistance of a grant to assist with the costs of the walking path project along South Albany; and

**WHEREAS**, the City of Bolivar, Missouri is willing to comply with grant requirements in order to install and construct the proposed walking path along South Albany if such a grant can be obtained.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Aldermen of the City of Bolivar, Missouri, as follows:

**SECTION 1:** That the City of Bolivar, Missouri supports the City's application for a grant for the purpose of installing and constructing a walking path along the road known as South Albany within the City.

**SECTION 2:** That the City understands and acknowledges that the City would be seeking grant funds in the amount of approximately \$400,000.00 for the purpose of assistance with the walking path project.

**SECTION 3:** That the City understands that the total cost of the walking path project would be approximately \$624,550.00, and that the City would commit to providing the costs of the project over and above the grant amount.

**SEXTION 4.** That the City understands that if the grant is approved, the City would commit to the walking path project's development, implementation, construction, maintenance, management and financing as necessary.

<b>PASSED</b> by the Board of Aldermen this	day of	, 2021.
		_
Steve Skopec – Alderman, Ward I	Ethel Mae Tennis – Alderman – Ward l	[
Michael Ryan – Alderman, Ward II	Justin Ballard – Alderman – Ward II	-
Steve Sagaser – Alderman, Ward III	Thane H. Kifer – Alderman – Ward III	-
Alexis Neal – Alderman – Ward IV	Charles Keith – Alderman – Ward IV	-
CERTIFIC	<u>CATION</u>	
I, Paula Henderson, do hereby certify that I am the of Bolivar, Missouri; that the foregoing Resolution Aldermen and thereafter approved by the Alderm effective on, 2021; and that shaving never been altered, amended nor repealed.	n No was adopted by the B nen whose signatures appear above and	oard or became
Paula Henderson, Ci	ity Clerk	

