

CITY OF HAMILTON, MISSOURI

BILL NO. 0509182

ORDINANCE NO. 1678

AN ORDINANCE AMENDING THE BUDGET OF THE CITY OF HAMILTON, MISSOURI FOR FISCAL YEAR ENDING JUNE 30, 2018.

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

Section 1. The budget of anticipated cash revenue and cash disbursements, as submitted by the City Administrator of the City of Hamilton, for the fiscal year commencing July 1, 2017, and ending June 30, 2018, was approved as the budget of the City of Hamilton by Ordinance.

Section 2. The expenditures set forth in such budget were authorized for the period July 1, 2017 through June 30, 2018, subject to the certification by the heads of the various departments of the City and the City Administrator, and subject also to the general supervisory control of the Board of Aldermen of the City of Hamilton.

Section 3. During the course of the current fiscal year, adjustments were made within the various departments to address unforeseen situations, fulfill Aldermanic direction and/or to comply with State and Federal mandates. These adjustments were necessary to account for three grants that were awarded to the City of Hamilton in the sewer, street and police departments.

Section 4. This re-appropriation, as reflected in Exhibit A, attached hereto and made a part hereof, revises operating and capital revenues and expenditures within the total appropriation levels established in the 2017-2018 year budget.


Section 5. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.

Section 6. This ordinance shall take effect and be in full force from and after its passage and approval.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

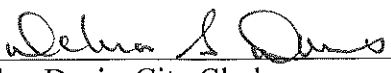
Passed and approved by the Board of Aldermen on the 9th day of May, 2018.

Adopted by the Board of Aldermen this 9th day of May, 2018.


Travis Trosper, President of
Board of Aldermen

Approved this 9th day of May, 2018.


Winford Gilliam, Mayor

Attest: 
Debra Davis, City Clerk

Alexander - aye, East - aye, Gilbert - aye, Trosper - aye

EXHIBIT A
2017-2018 Budget
Revenues and Expenditures

<u>FUND</u>	<u>REVENUE</u>	<u>EXPENSE</u>	<u>CHANGE</u>
General	\$ 581,387.96	\$ 568,916.89	\$
Park	\$ 127,648.34	\$ 127,100.00	\$
Street	\$ 957,051.00	\$ 900,007.00	\$
Water	\$ 647,920.00	\$ 647,905.00	\$
Sewer	\$ 432,100.00	\$ 431,929.34	\$ 170.66
Econ. Dev.	\$ 2,252.21	\$ 2,252.21	\$
Court	\$ 11,250.00	\$ 11,250.00	\$
Pool Bond	\$ 56,342.50	\$ 56,342.50	\$
Water Bond	\$ 89,500.00	\$ 89,500.00	\$
 Total	 \$2,905,452.01	 \$2,835,202.94	

CITY OF HAMILTON, MISSOURI

BILL NO. 0509183

ORDINANCE NO. 1679

AN ORDINANCE AUTHORIZING THE CITY OF HAMILTON TO ENTER INTO A COOPERATIVE CONTRACT WITH THE HAMILTON SCHOOL FOR USE OF BALL FIELDS AND SWIMMING POOL

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS TO WIT:

SECTION 1: The Mayor of the City of Hamilton, Missouri is hereby authorized on behalf of the City of Hamilton, Missouri, to sign the contract attached hereto as Exhibit A and made a part hereof for use of ball fields and swimming pool with the Hamilton Schools.

SECTION 2: This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

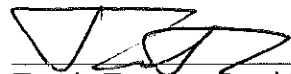
SECTION 3: This ordinance shall be in full force and effect from and after the date of its passage and approval.

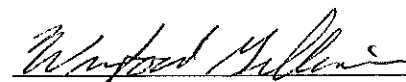
SECTION 4: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

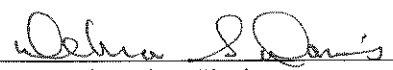
A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 9th day of May 2018.

Approved on this 9th day of May 2018.


Travis Trosper, President of
Board of Aldermen


Winford Gilliam, Mayor

Attest: 
Debra Davis, City Clerk

Alexander - aye, Fast - aye, Gilbert - aye, Trosper - aye

COOPERATIVE AGREEMENT

This Cooperative Agreement ("Agreement") is entered into as of the date last signed below, by and between the HAMILTON R-II SCHOOL DISTRICT ("District") and the CITY OF HAMILTON, MISSOURI ("City").

WHEREAS, the District is the owner of certain property located adjacent and to the West of the school building and property on Highway 13 North in Hamilton, Missouri, and which will be referred to as the "ball field property"; and

WHEREAS, the City is the owner of a certain real property upon which is located the Hamilton Municipal Swimming Pool, in Hamilton, Missouri which will be referred to as the "swimming pool property"; and

WHEREAS, Article VI Section 16 of the Missouri Constitution, and Sections 70.220 and 70.230 RSMo grant municipalities and political subdivisions the power to enter cooperative agreements with one another; and

WHEREAS, the District and the City desire to enter into the Agreement to allow one another access and use to the property subject to certain conditions and restrictions as more fully described herein.

NOW, THEREFORE, in consideration of the above recitals, and the mutual covenants contained, the District and the City agrees as follows:

ARTICLE I: GENERAL PROVISIONS

Section 1.1. Recitals. The representation, covenants, and recitations set forth in the foregoing recitals are material to this Agreement and are incorporated into and made a part of this Agreement.

Section 1.2. Representations of the City. The City makes the following representations and warranties, which are true and correct on the date hereof:

- A. Due Authority. The City has full constitutional and lawful right, power and authority, under the current applicable law, to execute and deliver and perform the terms and obligations of this Agreement, and all the foregoing have been or will be duly and validly authorized and approved by all necessary City proceedings, findings and actions. Accordingly, this Agreement constitutes the legal valid and binding obligation of the City, enforceable in accordance with its terms.
- B. No Defaults or Violations of Law. The execution and delivery of this Agreement, the consummation of the transactions contemplated thereby, and the fulfillment of the terms and conditions hereof do not and will not conflict with or result in a breach of any of the terms or conditions of any agreement or instrument of which it is now a party, and do not and will not constitute a default under any of the foregoing.

Section 1.3. Representations of the District. The District makes the following representations and warranties, which representations and warranties are true and correct on the date hereof:

- A. Due Authority. The District has all necessary power and authority to execute and deliver and perform the terms and obligations of the Agreement and to execute and deliver the documents required of the District herein, and such execution and delivery has been duly and validly authorized and approved by all necessary proceedings. Accordingly, this Agreement constitutes a legal valid and binding obligation of the District, enforceable in accordance with its terms.
- B. No Defaults or Violation of Law. The execution and delivery of this Agreement, the consummation of the transactions contemplated thereby, and the fulfillment of the terms and conditions hereof do not and will not conflict with or result in the breach of any of the terms or conditions of any corporate or organizational restriction or of any agreement or instrument to which is now a party, and do not and will not constitute a default under any of the foregoing.

ARTICLE 2: TERMS OF USE

Section 2.1. Use. During the term of this Agreement, the District may use the swimming pool property and the City may use the ball field property.

Section 2.2. Priority Use. During the term of this Agreement, the City shall have priority use of the swimming pool during the school year. Likewise, during the term of this Agreement, the District shall have priority use of the ball field property during the regular season of operation of the ball field property. Priority use does not mean that a party has an entitlement to exclusive use of the property.

Section 2.3. Limitation on Use. The City agrees that its use of the ball field property will be limited to operation and maintenance of the athletic fields and other related recreational facilities. The District agrees that its use of the swimming pool property shall be limited to using said facility in accordance with its ordinary and customary use.

Section 2.4. Alcohol and Drugs. Neither party shall permit the sale or consumption of alcoholic beverages nor illegal drugs on the ball field property or the swimming pool property during this agreement.

Section 2.5. Curfew. The City shall enforce an 11:00 p.m. curfew on the use of the ball field property. In the event that any game has not been completed by 11:00 p.m., the City may allow only the completion of the inning or period then in progress. In no event shall the City permit the commencement of a new inning or period after 11:00 p.m. The District shall enforce a 10:00 p.m. curfew on the use of the swimming pool property.

Section 2.6. Maintenance. The District agrees it will be responsible for mowing the ball field property. During the time the City is using the ball field property, the City will be responsible for trash removal, cleaning and supplying the restrooms, and marking the field for ballgames. Likewise, the District agrees it will be responsible for cleaning and supplying the pool property's restrooms while the pool property is being used by the District. The District will not allow canoes or boats to be used in the City pool. Both parties agree that neither party will use chemicals, such as weed spray, on the other parties' property without the consent of the property owner.

Section 2.7. Use of Tractor. The District agrees the City may use the District's tractor for grading the ball field. The City agrees it will provide fuel for its use.

Section 2.8. Storage. The District agrees the City may use the softball shed to store equipment for its summer youth programs only during summer months.

ARTICLE 3: TERM OF AGREEMENT, RENEWAL, TERMINATION

Section 3.1. Term. The term of this Agreement shall be one (1) year commencing on the 1st day of April 2018, and ending on the 31st day of March, 2019.

Section 3.2. Early Termination. Either party hereto may terminate this Agreement for any reason upon at least 60 days written notice to the other party.

ARTICLE 4: FINANCIAL CONSIDERATIONS

Section 4.1. Rent. The parties agree that no rent or payments of any kind are due to either party by the other party under this Agreement.

Section 4.2. Taxes and Utility. Each party will be responsible for payment of all water usage charges, sewer usage charges, license and permit fees, utilities including but not limited to gas, electricity, water, sewer, waste, telephone, and any costs associated with maintenance, use, service, installation, construction or relocation of utilities, that are allocable to respective properties owned by the parties, and will not be responsible for said taxes and utilities with respect to the use of the other party's property pursuant to this Agreement, with the exception that the City agrees it will pay for electricity used on the ball field property and water usage from the ball field concession stand while the City utilizes the property, and the District will pay for electricity used on the swimming pool property during its use.

ARTICLE 5: INSURANCE AND INDEMNIFICATION

Section 5.1. Liability Insurance Required. Each party shall, at its own expense and for its full term of this Agreement, carry public liability insurance of not less than \$2,762,789 coverage for all claims arising out of a single occurrence and not less than \$414,418 coverage for claims of a single person in any occurrence, which liability insurance will designate the other party as an additional insured. Said insurance must cover claims or causes of action that arise from occurrences on the property owned by the respective party, as well as claims or causes of action that arise from occurrences while using the property of the other party

pursuant to this Agreement, which claims or causes of action are not otherwise barred by the doctrines of sovereign immunity or official immunity. Each party must, within seven (7) days after execution of this Agreement, furnish the other party with copies of certificates evidencing said coverage.

Section 5.2. Worker's Compensation Insurance Required. Each party shall provide to the other party a certificate of proof of worker's compensation insurance applicable to all the employees that will work on other party's property.

Section 5.3. Property and Casualty Insurance Required. Each party shall, at its own expense for the full term of this Agreement, carry property and casualty insurance for the improvements on the property owned by the party. Each party must within seven (7) days after execution of this Agreement, furnish other party with copies of certificates evidencing said coverage.

Section 5.4. Liability and Indemnification. By this Agreement, the City is not assuming any liability relating to or stemming from the operation, maintenance, or use of the swimming pool property by the District pursuant to this Agreement. The District agrees to indemnify and hold the City harmless from all actions, causes of action, liability, cost and expense, including reasonable attorneys' fees, arising from any occurrence on the swimming pool property or resulting from the operation of the swimming pool during the District's operation, maintenance, or use of the swimming pool pursuant to this Agreement.

By this Agreement, the District is not assuming any liability relating to or stemming from the operation, maintenance, or use of the ball field property or District equipment by the City pursuant to this Agreement. The City agrees to indemnify and hold the District harmless from all actions, causes of action, liability, cost and expense, including reasonable attorneys' fees arising from any occurrence on the ball field property or resulting from the operation thereon which are related to the City's use pursuant to this Agreement.

Section 5.5. Waiver of Immunity. Nothing in this Agreement shall constitute any waiver of the defense of sovereign immunity by the City or District.

ARTICLE 6: OTHER MISCELLANEOUS PROVISIONS

Section 6.1. Entire Agreement. This agreement sets forth the entire agreement and understanding of the parties with respect to the subject matter hereof and supersedes all oral and written agreements and understandings relating thereto. No representation, promise, inducement, or statement of intention has been made by either party which is not set forth in this Agreement, and neither shall be bound or liable for any alleged representation, promise, inducement, or statement of intention not so set forth. No waiver, alteration, modification, or cancellation of any of the provisions of this Agreement shall be binding unless made in writing and signed by the parties.

Section 6.2. Applicable Law. This Agreement shall be governed by and construed in accordance with the law of the State of Missouri.

Section 6.3. Open Record. The parties recognize that this Agreement is a public document under the Missouri Open Meetings Act, Missouri Revised Statutes Sections 610.010 et. seq.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

DATED: May 16, 2018

HAMILTON R-II SCHOOL DISTRICT

BY: Jessica Green
President, Board of Education

ATTEST:

Katie Eldridge
Secretary, Board of Education

DATED: May 16, 2018

CITY OF HAMILTON, MISSOURI

BY: Winford Gilliam
Winford Gilliam, Mayor

ATTEST:

Debra S. Davis
Debra Davis, City Clerk

AN ORDINANCE PROVIDING FOR THE ELECTION AND SETTING FORTH THE DUTIES, SALARY AND TERM OF OFFICE OF THE CITY CLERK OF HAMILTON, MISSOURI

WHEREAS, Section 79.320 of the Missouri Revised Statutes provides that the Board of Aldermen of a city of the fourth class elect a clerk for such board, to be known as the "City Clerk"; and

WHEREAS, the Board of Aldermen is desirous of imposing certain duties upon the person elected as City Clerk;

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

SECTION 1: That Debra Davis is elected as the City Clerk of the City of Hamilton, Missouri by the Board of Aldermen for a term of 1 year from the date of election and until a successor is appointed and qualified, or until removed from office as set forth in the City Code. The salary for the City Clerk is established at \$ 36,000 annually, payable in the same manner and pay periods as other employees of the City.

SECTION 2: That the City Clerk shall perform all duties set forth in Section 79.320 of the Missouri Revised Statutes and Sections 20.410 and 22.120 of the Code of Ordinances of the City of Hamilton, Missouri, with such sections of the City Code being specifically incorporated in this ordinance by reference.

SECTION 3: That the City Clerk shall perform all duties and shall continue to possess all qualifications set forth in the City Code.

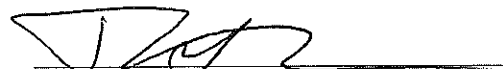
SECTION 4: That the City Clerk shall be entitled to receive the same fringe benefits as other city employees.

SECTION 5: This ordinance shall be in full force and effect from its date of passage.

SECTION 6: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

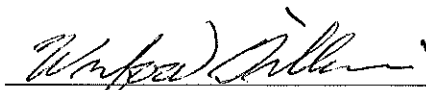
A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

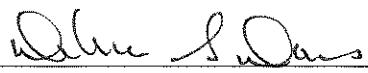
Adopted by the Board of Aldermen this 9th day of May, 2018.


Travis Trosper, President
of Board of Aldermen

Alexander - aye, Fast - aye, Gilbert - aye, Trosper - aye

Approved on this 9th day of May, 2018.


Winford Gilliam, Mayor

Attest: 
Debra Davis, City Clerk

CITY OF HAMILTON, MISSOURI

BILL NO. 0509185

ORDINANCE NO. 1681

AN ORDINANCE OF THE CITY OF HAMILTON, MISSOURI, IMPOSING A USE TAX AT THE RATE OF TWO PERCENT (2%) PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO THE PROVISIONS OF SECTIONS 144.600 THROUGH 144.761 R.S.Mo.; PROVIDING FOR THE USE TAX TO BE REPEALED, REDUCED OR RAISED IN THE SAME AMOUNT AS ANY CITY SALES TAX IS REPEALED, REDUCED OR RAISED; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE GENERAL ELECTION CALLED AND TO BE HELD IN THE CITY ON AUGUST 7, 2018

WHEREAS, the City has imposed local sales taxes as defined in Section 32.085 R.S.Mo., at the rate of 2%; and

WHEREAS, the City is authorized under Section 144.757 R.S.Mo., to impose a local use tax at a rate equal to the rate of the local sales taxes in effect in the City; and

WHEREAS, the proposed City use tax cannot become effective until approved by the voters at a municipal general, primary or special election.

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

Section 1. Pursuant to the authority granted by, and subject to, the provisions of Section 144.600 through 144.761 R.S.Mo., a use tax for general revenue purposes is imposed for the privilege of storing, using or consuming within the City any article of tangible personal property. This tax does not apply with respect to the storage, use or consumption of any article of tangible personal property purchased, produced or manufactured outside this State until the transportation of the article has finally come to rest within this City or until the article has become commingled with the general mass of property of this City.

Section 2. The rate of the tax shall be two percent (2%). If any City sales tax is repealed or the rate thereof is reduced or raised by voter approval, the City use tax rate also shall be deemed to be repealed, reduced or raised by the same action repealing, reducing or raising the City sales tax.

Section 3. This tax shall be submitted to the qualified voters of Hamilton, Missouri, for their approval, as required by the provisions of Section 144.757 R.S.Mo., at the Primary Election hereby called and to be held in the City on Tuesday, the 7th day of August, 2018. The ballot submission shall contain the following language:

Alexander - yes, Fast - yes, Gilbert - yes, Trooper - yes

In an effort to eliminate the advantage enjoyed by out-of-state vendors over local vendors, shall the City of Hamilton impose a local use tax at the same rates as the local sales tax rate, as the local sales tax rate, currently two percent (2%), provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

Section 4. If adopted by the voters, the Board of Aldermen has dedicated the funds to be received to the following uses: STREET REPAIR/CONSTRUCTION

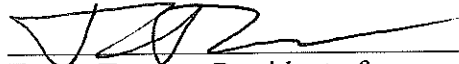
Section 5. Within ten (10) days after the approval of this ordinance by the qualified voters of Hamilton, Missouri, the City Clerk shall forward to the Director of Revenue of the State of Missouri by United States registered mail or certified mail, a certified copy of this ordinance together with certifications of the election returns and accompanied by a map of the City clearly showing the boundaries thereof.

Section 6. This Ordinance shall take effect and be in full force from and after its passage by the Board of Aldermen and approval by the Mayor.

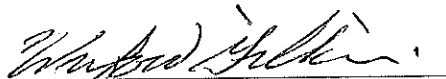
Section 7: The City Clerk shall notify the county election authority of the election date as required by law. This notification must be made no later than 5 p.m. on the tenth Tuesday prior to the election which is August 7, 2018.

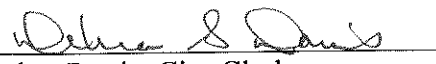
A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen on the 9th day of May, 2018.


Travis Trosper, President of
Board of Aldermen

Approved this 9th day of May, 2018.


Winford Gilliam, Mayor

Attest: 
Debra Davis, City Clerk

RESOLUTION NO. 2018-4

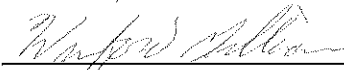
A Resolution of the Board of Aldermen of the City of Hamilton, Missouri, to authorize the Mayor to sign Supplemental Agreement No. 1 to the Engineering Services Contract with Allstate Consultants, LLC for design and construction inspection of project TAP-1900(123).

WHEREAS, the City of Hamilton Board of Aldermen approved a MoDOT Supplemental Agreement extending the bid award date for TAP-1900(123) from April 20, 2018 to December 15, 2018 during their regular monthly meeting on February 14, 2018.

WHEREAS, the contract with Allstate Consultants, LLC needed to be amended to reflect a later design date.

NOW, THEREFORE BE IT RESOLVED That the City of Hamilton accepts the Supplemental Agreement No. 1 to the Engineering Services Contract with Allstate Consultants, LLC and authorizes the Mayor to execute the agreement.

PASSED AND APPROVED THIS 13th DAY OF JUNE, 2018


Winford Gilliam, Mayor

ATTEST:


Debra Davis, City Clerk

Gilbert - aye, Fast - aye, Alexander - aye, Trapper - aye

RESOLUTION NO. 2018-5

A Resolution of the Board of Aldermen of the City of Hamilton, Missouri, to authorize the Mayor to sign an Amendment to the Internet Associates Contract for the addition on 1 antenna to the old Water Tower.

WHEREAS, the City of Hamilton Board of Aldermen entered into a contract with Internet Associates on September 1, 2016.


WHEREAS, Internet Associates would like to add one additional antenna to the old water tower.

NOW, THEREFORE BE IT RESOLVED That the City of Hamilton accepts the amendment to the contract from Internet Associates and authorizes the Mayor to execute the agreement.

PASSED AND APPROVED THIS 13th DAY OF JUNE, 2018


Winford Gilliam, Mayor

ATTEST:


Debra Davis, City Clerk

East-aye, Trooper-aye, Alexander-aye, Gilbert-aye

AN ORDINANCE AUTHORIZING THE CITY OF HAMILTON TO ENTER INTO A CONTRACT FOR INSURANCE WITH MISSOURI INTERGOVERNMENTAL RISK MANAGEMENT ASSOCIATION (MIRMA) FOR 2018-2019

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS TO WIT:

SECTION 1: The Mayor of the City of Hamilton, Missouri is hereby authorized on behalf of the City of Hamilton, Missouri, to enter into membership and a contract for insurance as set forth in the bid submitted by Missouri Intergovernmental Risk Management Association (MIRMA) for Property and Liability and Employment Practices, and Workers' Compensation for a total of \$42,221.00.

SECTION 2: This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

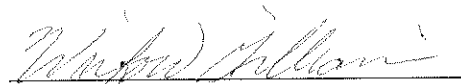
SECTION 3: This ordinance shall be in full force and effect from and after the date of its passage and approval.


SECTION 4: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 13th day of June, 2018.

Approved on this 13th day of June, 2018.


Winford Gilliam, Mayor

Attest: 
Debra Davis, City Clerk

Fast-eye, Credit-eye; Alexander-eye, Trooper-eye

CITY OF HAMILTON, MISSOURI

BILL NO. 0613182

ORDINANCE NO. 1683

AN ORDINANCE APPROVING, ADOPTING AND APPROPRIATING THE BUDGET OF THE CITY OF HAMILTON, MISSOURI FOR FISCAL YEAR ENDING JUNE 30, 2019.

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

Section 1. That the proposed budget as filed in the City Clerk's office and made a part hereof, is hereby approved, adopted, and appropriated by funds in the maximum amounts to be expended for the fiscal and budget year of 2018-2019 are as follows:

FUND	REVENUE	EXPENSE	TRANSFER
General	\$595,154.00	\$594,760.00	\$ 394.00
Park	\$119,237.64	\$127,680.00	\$(8,442.36)
Street	\$805,251.00	\$792,928.00	\$22,323.00
Water	\$4,250,250.00	\$4,238,438.00	\$11,811.00
Sewer	\$455,100.00	\$452,450.00	\$2,650.00
Econ. Dev.	\$ 1,944.00	\$1,944.00	\$
Court	\$ 10,800.00	\$16,000.00	\$(5,200.00)
Water Bonds	\$ 95,340.00	\$95,340.00	\$
Pool Bond	\$ 55,600.00	\$55,600.00	\$
Total	\$6,388,676.64	\$6,365,141.00	\$23,535.64

Section 2. The amounts appropriated for each activity shown in the annual fiscal budget shall not be increased or decreased except by a motion the Board of Aldermen duly made and adopted, but the several objects of expense comprising the total appropriation of any activity may be increased or decreased at the discretion of the Mayor, these set adjusted shall not increase the total appropriation for the activity.

Section 3. The salaries of the employees of the City of Hamilton shall be specified in a separate ordinance.

Section 4. All revenue of the City of Hamilton in the amount appropriated by this ordinance and not dispersed shall be kept for expended as directed by the Board of Aldermen.

Section 5. This ordinance shall be in force and effect as of July 1, 2018.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Fast-eye, Trapper-eye, Alexander-eye, Gilbert-may

Passed and approved by the Board of Aldermen on the 13th day of June, 2018.

Approved this 13th day of June, 2018.

Travis Trosper, President of the
Board of Aldermen

Winford Gilliam
Winford Gilliam, Mayor

Attest: *Debra Davis*
Debra Davis, City Clerk

CITY OF HAMILTON, MISSOURI

BILL NO. 0613183

ORDINANCE NO. 1684

AN ORDINANCE ESTABLISHING SALARIES FOR EMPLOYEES OF THE CITY OF HAMILTON, MISSOURI

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS TO WIT:

SECTION 1: Pay for Employees of the City of Hamilton, effective July 1, 2018, is as follows:

<u>EMPLOYEE</u>	<u>HOURLY RATE</u>	<u>OTHER</u>
<u>Full Time with Benefits</u>		
Police Chief		\$ 46,500.00
Public Works Supervisor	\$15.00 - \$16.00	
Public Works Laborer	\$11.20 - \$15.00	
Police Sergeant	\$14.00 - \$15.50	
Police Officer	\$12.50 - \$14.50	
Utility Billing Clerk	\$10.00 - \$10.50	
<u>Part-time – no benefits</u>		
Police Officer	\$11.00 - \$11.75	
Zoning/Building Inspector	\$13.00 - \$16.00	
Pool Manager	\$18.00	
Asst. Pool Manager	\$ 8.50-8.75	
Head Lifeguard	\$8.25	
Lifeguard	\$7.25 - \$7.95	
Concession Worker	\$7.25 - \$7.80	

SECTION 2: This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

SECTION 3: This ordinance shall be in full force and effect from and after July 1, 2018.

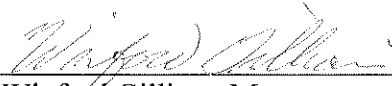
SECTION 4: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.


A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Alexander - aye, East - aye, Gilbert - aye, Trooper - aye

Passed and approved by the Board of Aldermen on the 13th day of June, 2018.

Approved this 13th day of June, 2018.


Winford Gilliam, Mayor

Attest: 
Debra Davis, City Clerk



AN ORDINANCE AUTHORIZING THE CITY OF HAMILTON TO ENTER INTO AN AMENDMENT TO THE CITY ADMINISTRATOR EMPLOYMENT AGREEMENT

Whereas the City entered into a contract with Jean Van Iperen dated May 21, 2016 for City Administrator which expired on June 6, 2018.

Whereas, upon mutual agreements set forth, the Parties agree to amend the Employment Agreement, effective as of June 13, 2018.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS TO WIT:

SECTION 1: The Mayor of the City of Hamilton, Missouri, is hereby authorized on behalf of the City of Hamilton, Missouri, to sign a contract amendment attached hereto as Exhibit A and made a part hereof to continue the employment of Jean Van Iperen as City Administrator.

SECTION 2: This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

SECTION 3: This ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 4: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Adopted by the Board of Aldermen this 13th day of June 2018.

Travis Trosper, President
of Board of Aldermen

Approved on this 13th day of June 2018.

Winford Gilliam, Mayor

Attest: _____
Debra Davis, City Clerk

Alexander -aye, East -aye, Gilbert -aye, Trosper -aye

FIRST AMENDMENT TO CITY ADMINISTRATOR EMPLOYMENT AGREEMENT

This First Amendment between the City of Hamilton, Missouri, a municipal corporation, (called "Employer") and Jean Kaup Van Iperen, (called "Employee") amends the Employment Agreement between the Parties dated May 21, 2016 (the "Employment Agreement").

In consideration of the mutual agreements set forth herein, the Parties agree to amend the Employment Agreement, effective as of June 7, 2018, as follows:

1. Section 1 is amended to read:

Section 1: Term

A. The term of this agreement shall be for an initial period of 6 years from June 7, 2016, to June 6, 2022. This Agreement shall automatically be renewed as of its termination date for successive 1-year terms unless notice that the Agreement shall terminate is given at least 6 months before the expiration date of the then current term. The Agreement may be terminated during any term pursuant to Section 9 below.

2. Section 3 is amended to read:

Section 3: Compensation

A. Base Salary: Employer agrees to pay Employee an annual base salary of \$68,958.50, payable in installments at the same time that the other employees of the Employer are paid. City shall not at any time during the term of this Agreement reduce the base salary, compensation or other financial benefits of Employee, except to the degree that such a reduction is made across-the-board for all executive management employees of City, without such action being deemed a termination at Employee's option.

B. This Agreement shall be automatically amended to reflect any salary adjustments that are provided or required by the Employer's compensation policies.

C. Consideration shall be given on an annual basis to increase the base compensation by 3% based upon a favorable performance evaluation.

3. Section 18 is amended to provide the current address of the Employee which is now:

301 N. Ardinger
Hamilton, Missouri 64644

4. This Amendment is binding on the Parties and their respective successors and permitted assigns.

5. Except as amended by this First Amendment the Agreement remains in full force and effect.

Signed in multiple originals the date set opposite the Parties' respective signatures.

City of Hamilton, Missouri

Dated: June 13, 2018

By. Winford Gilliam
Winford Gilliam, Mayor

Attest: Debra Davis
Debra Davis, City Clerk

Dated: June 13, 2018

Jean Kaup Van Iperen
Jean Kaup Van Iperen

AN ORDINANCE AUTHORIZING THE CITY OF HAMILTON TO ENTER INTO AN AMENDMENT TO THE STREET REPAIR CONTRACT WITH METRO ASPHALT, INC. TO ADD WILLIS STREET TO THE 2018 STREET PROJECT

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS TO WIT:

SECTION 1: The Board of Aldermen authorizes the City of Hamilton, Missouri to enter into an amendment to the contract with Metro Asphalt, Inc. to add Willis Street to the 2018 Street Project for an additional cost of \$94,912.16. The terms and provisions of the amendment are hereby approved and adopted by the Board of Aldermen of the City of Hamilton, Missouri, on behalf of said City.

SECTION 2: The Board of Aldermen authorizes and directs the Mayor of the City of Hamilton, Missouri to execute the Amendment in substantially the same form as the Amendment on file with the City Clerk and any documents the Mayor deems necessary or proper to carry out fully the terms of such Amendment. The Mayor, with the advice of the attorney acting for the City, may make minor corrections and changes to the Amendment that does not affect the substance of the Amendment.

SECTION 3: This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith. Due to the necessity to enter into the Amendment while the contractor is working on the street project, the fact the additional street will be paved on the same cost basis as the remainder of the project for which the contractor was the lowest and best bidder, and compliance with the normal bidding procedure would result in unnecessary costs to the City and would delay the necessary street repairs, the City Board of Aldermen waives any and all bidding requirements for this contract amendment to the contract as required by any City ordinance.

SECTION 4: This ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 5: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

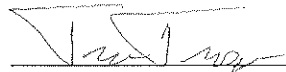
SECTION 6: The project approved by this Ordinance is subject to the requirements of Section 292.675, RSMo, which requires all contractors or subcontractors doing work on the Project to provide and require its on-site employees to complete, a ten

Alexander -aye, Fast -aye, Gilbert -aye, Trooper -aye

(10) hour course in construction safety and health approved by the Occupational Safety and Health Administration ("OSHA") or a similar program approved by the Missouri Department of Labor and Industrial Relations which is at least as stringent as an approved OSHA Program. The training must be completed within sixty (60) days of the date work on the project commences. On-site employees found on the worksite without documentation of the required training shall have twenty (20) days to produce such documentation.

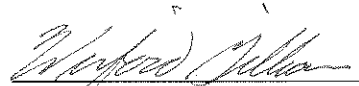
A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 5th day of July 2018.




Travis Trosper, President of
Board of Aldermen

Approved this 5th day of July 2018.



Winford Gilliam, Mayor

Attest: 
Debra Davis, City Clerk

BILL NO. 0711181

ORDINANCE NO. 1687

AN ORDINANCE SETTING RATES IN THE CITY OF HAMILTON, MISSOURI FOR WATER SERVICE EFFECTIVE SEPTEMBER 1, 2018

Be it ordained by the Board of Aldermen of the City of Hamilton, Missouri, as follows to wit:

Section 1. The rates for water service to customers of the water system of City of Hamilton, Missouri, shall be as set forth in Exhibit A. Pursuant to Section 67.042 RSMo a statement of costs for such rate increases is on file with the City Clerk, and the Board of Aldermen finds that such rate increases are necessary to support the funding of the water system of the City, including the payment of revenue bonds issued by the City.

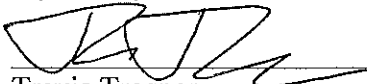
Section 2. This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

Section 3. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

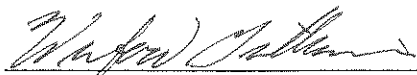
Section 4. This ordinance shall be in full force and effect from and after the date of its passage and approval with the rates to be in full force and effect from and after September 1, 2018.

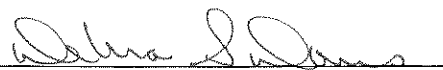
A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 11th day of July 2018.


Travis Trospen,
President of Board of Aldermen

Approved this 11th day of July 2018.


Winford Gilliam, Mayor

Attest: 
Debra Davis, City Clerk

[Type text]

Fast-age, Gilbert-age, Trospen-age, Alexander-age

AN ORDINANCE AMENDING THE BUDGET OF THE CITY OF HAMILTON, MISSOURI FOR FISCAL YEAR ENDING JUNE 30, 2018.

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

Section 1. The budget of anticipated cash revenue and cash disbursements, as submitted by the City Administrator of the City of Hamilton, for the fiscal year commencing July 1, 2017, and ending June 30, 2018, was approved as the budget of the City of Hamilton by Ordinance.

Section 2. The expenditures set forth in such budget were authorized for the period July 1, 2017 through June 30, 2018, subject to the certification by the heads of the various departments of the City and the City Administrator, and subject also to the general supervisory control of the Board of Aldermen of the City of Hamilton.

Section 3. During the course of the current fiscal year, adjustments were made within the various departments to address unforeseen situations, fulfill Aldermanic direction and/or to comply with State and Federal mandates. These adjustments were necessary to account for three grants that were awarded to the City of Hamilton in the sewer, street and police departments.

Section 4. This re-appropriation, as reflected in Exhibit A, attached hereto and made a part hereof, revises operating and capital revenues and expenditures within the total appropriation levels established in the 2017-2018 year budget. The Water Departments expenditures were increased from \$647,905 to \$672,968.97 to cover the cost of engineering for the Waterline Extension Project.

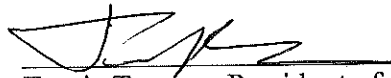
Section 5. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.

Section 6. This ordinance shall take effect and be in full force from and after its passage and approval.


A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

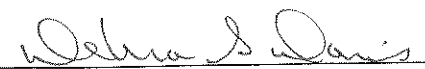
Passed and approved by the Board of Aldermen on the 11th day of July, 2018.

Adopted by the Board of Aldermen this 11th day of July, 2018.


Travis Trosper, President of
Board of Aldermen

Approved this 11th day of July, 2018.


Winford Gilliam, Mayor

Attest: 
Debra Davis, City Clerk

Alexander - aye, Fast - aye, Odhart - aye, Trosper - aye

CITY OF HAMILTON, MISSOURI

BILL NO. 0808181

ORDINANCE NO. 1689

AN ORDINANCE SETTING LEVY FOR PROPERTY TAXES FOR THE CITY OF HAMILTON, MISSOURI, FOR THE YEAR 2018 FOR GENERAL, LIBRARY, PARKS, AND DEBT SERVICE FUNDS.

WHEREAS, the assessed value of Real and Personal Property in the City of Hamilton, Missouri for the year 2018 has been certified by the assessor of Caldwell County; and

WHEREAS, a public hearing on the proposed 2018 year tax rate has been held on August 8, 2018, following due public notice; and

WHEREAS, the 2018 year tax rates set forth comply with Section 137.073 RSMo, and Article X, Section 22 of the Constitution of the State of Missouri;

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

Section 1: There is hereby levied a tax rate of **\$0.9370** for each One Hundred Dollars (\$100.00) assessed valuation of all property, real, personal and mixed, for the purpose of raising revenue for the General Revenue Fund of the City of Hamilton, Missouri, for the fiscal year 2018-2019.

Section 2: There is hereby levied a tax rate of **\$0.3110** for each One Hundred Dollars (\$100.00) assessed valuation of all property, real, personal and mixed, for the purpose of raising revenue for the Library of the City of Hamilton, Missouri, for the fiscal year 2018-2019.

Section 3: There is hereby levied a tax rate of **\$0.2574** for each One Hundred Dollars (\$100.00) assessed valuation of all property, real, personal and mixed, for the purpose of raising revenue for the Park Fund of the City of Hamilton, Missouri, for the fiscal year 2018-2019.

Section 4: There is hereby levied a tax rate of **\$0.8579** for each One Hundred Dollars (\$100.00) assessed valuation of all property, real, personal and mixed, for the purpose of raising revenue for the pool and water/sewer General Obligation Bond Debt Service Fund of the City of Hamilton, Missouri, for the fiscal year 2018-2019.

Section 5: Levies herein established are based on an anticipated total assessed valuation of real property of \$12,670,986.00 and personal property of \$3,806,265.00 for a total of \$16,477,251.00.

Section 6: This Ordinance shall be in full force and effect from and after its enactment and approval.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its

final passage.

Adopted by the Board of Aldermen this 8th day of August, 2018.

Travis Trosper, President of
Board of Aldermen

Approved this 8th day of August, 2018.

Winford Gilliam, Mayor

Attest: _____
Debra Davis, City Clerk



AN ORDINANCE AUTHORIZING THE CITY OF HAMILTON TO ENTER INTO AN AGREEMENT WITH CONRAD & HIGGINS, LLC, CERTIFIED PUBLIC ACCOUNTANTS TO CONDUCT THE CITY'S 2018 ANNUAL AUDIT.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS TO WIT:

SECTION 1: The Board of Aldermen authorizes the City of Hamilton, Missouri to enter into the Annual Audit Agreement attached hereto as Exhibit A to conduct the 2018 annual audit for the City of Hamilton, Missouri. The terms and provisions of the 2018 Annual Audit Agreement referenced are hereby approved and adopted by the Board of Aldermen of the City of Hamilton, Missouri, on behalf of said City.

SECTION 2: The Board of Aldermen authorizes and directs the Mayor of the City of Hamilton, Missouri to execute the 2018 Annual Audit Agreement in substantially the same form as the copy of the 2018 Annual Audit Agreement attached hereto and any documents the Mayor deems necessary or proper to carry out fully the terms of such Contract. The Mayor, with the advice of the attorney acting for the City, may make minor corrections and changes to the Contract that does not affect the substance of the Contract.

SECTION 3: This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

SECTION 4: This ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 5: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 8th day of August, 2018

Travis Trosper, President
of Board of Aldermen

Approved on this 8th day of August, 2018

Winford Gilliam, Mayor

Attest: _____

Debra Davis, City Clerk

CITY OF HAMILTON, MISSOURI

BILL NO. 0829181

ORDINANCE NO. 1691

AN ORDINANCE SETTING LEVY FOR PROPERTY TAXES FOR THE CITY OF HAMILTON, MISSOURI, FOR THE YEAR 2018 FOR GENERAL, LIBRARY, PARKS, AND DEBT SERVICE FUNDS.

WHEREAS, the assessed value of Real and Personal Property in the City of Hamilton, Missouri for the year 2018 has been certified by the assessor of Caldwell County; and

WHEREAS, a public hearing on the proposed 2018 year tax rate has been held on August 29, 2018, following due public notice; and

WHEREAS, the 2018 year tax rates set forth comply with Section 137.073 RSMo, and Article X, Section 22 of the Constitution of the State of Missouri;

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

Section 1: There is hereby levied a tax rate of **\$0.9306** for each One Hundred Dollars (\$100.00) assessed valuation of all property, real, personal and mixed, for the purpose of raising revenue for the General Revenue Fund of the City of Hamilton, Missouri, for the fiscal year 2018-2019.

Section 2: There is hereby levied a tax rate of **\$0.3034** for each One Hundred Dollars (\$100.00) assessed valuation of all property, real, personal and mixed, for the purpose of raising revenue for the Library of the City of Hamilton, Missouri, for the fiscal year 2018-2019.

Section 3: There is hereby levied a tax rate of **\$0.2511** for each One Hundred Dollars (\$100.00) assessed valuation of all property, real, personal and mixed, for the purpose of raising revenue for the Park Fund of the City of Hamilton, Missouri, for the fiscal year 2018-2019.

Section 4: There is hereby levied a tax rate of **\$.8379** for each One Hundred Dollars (\$100.00) assessed valuation of all property, real, personal and mixed, for the purpose of raising revenue for the pool and water/sewer General Obligation Bond Debt Service Fund of the City of Hamilton, Missouri, for the fiscal year 2018-2019.

Section 5: Levies herein established are based on an anticipated total assessed valuation of real property of \$12,670,986.00 and personal property of \$3,806,265.00 for a total of \$16,477,251.00.

Section 6: This Ordinance shall be in full force and effect from and after its enactment and approval.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its

final passage.

Adopted by the Board of Aldermen this 29th day of August, 2018.

Travis Trosper, President of
Board of Aldermen

Approved this 29th day of August, 2018.

Winford Gilliam
Winford Gilliam, Mayor

Attest: *Debra L Davis*
Debra Davis, City Clerk

Hamilton City Tax Rate Hearing Notice

A tax rate hearing will be held at 5:30 p.m. on Wednesday, August 29, 2018, in the Council Chambers at City Hall located at 200 S. Davis in Hamilton, MO. At this time citizens may be heard on the corrected property tax rates to be set for the city. The tax rates are set to produce revenues for the budget for the fiscal year which begins July 1, 2018. This budget shows the revenues from this property tax to be required. The rate of tax is determined by dividing the amount of revenue needed by the current assessed valuation. The result is multiplied by 100, so that the tax rate is expressed in cents per \$100 valuation.

Assessed Valuation (by Categories)

	Est. Current Tax Year	Prior Tax Year
Real Estate	\$12,670,986.00	\$12,731,768.00
Personal Prop	\$ 3,806,265.00	\$ 3,467,145.00
Total	\$16,477,251.00	\$16,198,913.00

The following tax rates are proposed:

	Amt of Property Tax Revenues Budgeted	2018 Corrected Property Tax Rate (per \$100)	Prior Tax Rate
General	\$150,270.55	.9306	.9057
Parks & Rec	\$ 40,546.89	.2511	.2444
Library	\$ 48,992.14	.3034	.2953
Sub Total	\$239,809.58	1.4851	1.4454
Debt Service		.8379	.6061
Pool	\$ 43,752.69		
Water/Sewer	\$ 91,548.93		
Total	\$375,111.21	2.3230	2.0515
New Construction and Improvements			
Real Estate		\$ 384,330.00	
Personal Property		\$ 0.00	
Total		\$ 384,330.00	

Hamilton City Clerk, Debra Davis
Dated this 17th day of August 2018

CITY OF HAMILTON, MISSOURI

BILL NO. 0912181

ORDINANCE NO. 1692

**AN ORDINANCE AMENDING CHAPTER 25.140 OF THE CITY CODE
RELATING TO NOTICES FOR BIDS.**

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

Section 1. Chapter 25.140 of the City Code relating to the bidding process is amended to read as follows:

25.140. Bidding process; contracts for fifteen thousand dollars or more.

(a) Except as otherwise provided in this Article, the Mayor or City Administrator shall not contract for the purchase of any supplies, materials, equipment or services costing fifteen thousand dollars (\$15,000.00) or more unless the bidding process of this Section has been followed.

(b) The Mayor or City Administrator shall advertise for sealed bids by either (i) publishing the notice in a newspaper of general circulation in the City, or (ii) by posting the notice for bids on the City's website, at least five (5) days before the time set for opening bids.

All bids must be sealed and addressed to the Mayor or City Administrator and must be received by 2:00 p.m. on the day specified in the advertisement for bids. The bids shall be opened by the Mayor or City Administrator at City Hall between 2:00 p.m. and 5:00 p.m. on the day the bids are due, if practicable. If not practicable, then the bids shall be opened on the earliest day thereafter that the Mayor or City Administrator is able to open the bids. The Mayor or City Administrator may require bidders to deposit a cashier's check or a certified check drawn on a solvent financial institution or a surety bond in an amount not less than five per cent (5%) of the bid. The deposit shall be forfeited to the City if the successful bidder fails or refuses to execute the contract.

(c) The Mayor or City Administrator may use an electronic bidding system if the system is secure and allows the bids to be opened only at the time designated for bid opening.

(d) The Mayor or City Administrator, after consulting with all affected departments, may recommend to the Board that the Board reject any or all bids, award the contract to the bidder that is the lowest and best responsive and responsible bidder, or split the award between two (2) or more bidders if, it is in the best interest of the City to split the award.

(e) The Board of Aldermen shall accept and award a bid by ordinance.

Section 2. That all ordinances or parts of ordinances therefore enacted which are in conflict herewith is hereby repealed.

Section 3. It is the intent of the Board of Aldermen that this amendment be made a part of the City Code and such inclusion shall have the same force and effect as if the Ordinance had been included in the original code at the time of its adoption by the Board of Aldermen.

Section 4. That if any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Aldermen hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

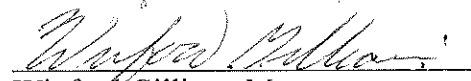
A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 12th day of September 2018.



Travis Trospen, President of
Board of Aldermen

Approved this 12th day of September 2018



Winford Gilliam, Mayor

Attest:



Debra Davis, City Clerk

AN ORDINANCE AUTHORIZING THE CITY OF HAMILTON TO ENTER INTO A MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION SIDEWALK IMPROVEMENTS AGREEMENT WITH THE MISSOURI DEPARTMENT OF HIGHWAYS AND TRANSPORTATION IN CONNECTION WITH DOWNTOWN SIDEWALK IMPROVEMENTS

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS TO WIT:

SECTION 1: The Mayor of the City of Hamilton, Missouri, is hereby authorized on behalf of the City of Hamilton, Missouri, to enter into a Missouri Highways and Transportation Commission Sidewalk Improvements Agreement a copy of which is attached hereto as Exhibit A and made a part hereof, and to do each and every act required by such Agreement to fully carry out the terms and conditions of the Agreement.

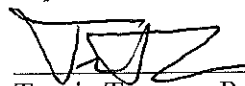
SECTION 2: This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

SECTION 3: This ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 4: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.


A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 12th day of September 2018.


Travis Trosper, President
of Board of Aldermen

Approved on this 12th day of September 2018.


Winford Gilliam, Mayor

Attest: 
Debra Davis, City Clerk

CITY OF HAMILTON, MISSOURI

BILL NO. 1010181

ORDINANCE NO. 1694

AN ORDINANCE AMENDING CHAPTER 20 SUBCHAPTER I OF THE CITY CODE REGARDING CITY ADMINISTRATOR DUTIES.

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

Section 1. Chapter 20, Subchapter I of the City Code relating to the Office of City Administrator is amended by revising Section 20.860. F. to read as follows:

F. Personnel. The City Administrator shall have the following duties regarding the employees of the City:

1. To act as the personnel officer of the City and recommend an appropriate position classification system and pay plan to the Mayor and Board of Aldermen. The duties as personnel officer include the delegated authority from the Board of Aldermen to supervise all legislative employees such as the Clerk and to supervise the Police Chief.

2. After consultation with department heads, to make recommendations of advancements and pay increases of the City's employees for consideration by the Board of Aldermen.

3. To make recommendations to the Mayor and Board of Aldermen regarding the discipline or removal of employees of the City or, if the City Administrator deems it necessary or prudent, to discipline, suspend with or without pay, or terminate any employee of the City, except for department heads, the Clerk, and the Police Chief. Any such employee action shall be reported to the Mayor and Board of Aldermen within 3 business days of such action.

4. To hire employees for positions approved in the City Budget, except for the positions of department head, the City Clerk, and the Police Chief.

Section 2. That all ordinances or parts of ordinances therefore enacted which are in conflict herewith is hereby repealed.

Section 3. It is the intent of the Board of Aldermen that this amendment be made a part of the City Code and such inclusion shall have the same force and effect as if the ordinance had been included in the original code at the time of its adoption by the Board of Aldermen.

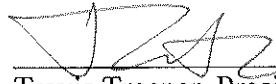
Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof,

irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. This ordinance shall be in full force and effect from and after the date of its passage and approval.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 10th day of October 2018.



Travis Trospen, President of
Board of Aldermen

Approved this 10th day of October 2018



Winford Gilliam, Mayor

Attest: _____
Debra Davis, City Clerk

AN ORDINANCE RESTRICTING TRUCK TRAFFIC ON CERTAIN STREETS WITHIN THE CITY LIMITS OF HAMILTON, MISSOURI, FIXING PENALTIES FOR VIOLATIONS, AND ESTABLISHING AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS TO WIT:

SECTION 1: Subchapter E, Restricted Routes, is amended in Section 76.1000 of the City Code as follows:

SECTION 76.1000. PROHIBITION AGAINST TRAVEL ON CERTAIN STREETS.

Except as expressly permitted under this ordinance no person shall operate any motor vehicle subject to commercial vehicle laws of the State of Missouri such as a truck or truck-tractor and semi-trailer or truck-tractor and trailer combination, or truck and trailer combination in the City Limits of Hamilton, Missouri on the following Streets:

- 1) **ER Penney Street from the intersection with North Davis Street to the intersection with North Ardinger Street.**
- 2) **East McGaughey Street from the intersection with North Davis Street to the intersection with North Burrell Street.**
- 3) **Willis Street**

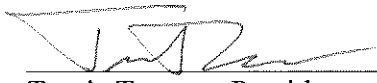
SECTION 2: This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

SECTION 3: This ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 4: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 10th day of October 2018.



Travis Trosper, President
of Board of Aldermen

Approved on this 10th day of October 2018.


Winford Gilliam, Mayor

Attest: _____
Debra Davis, City Clerk

AN ORDINANCE AMENDING THE CITY CODE TO REQUIRE PREPAYMENT OR PREAPPROVAL OF PURCHASES OF GASOLINE OR DIESEL FUEL AT RETAIL AND SETTING AN EFFECTIVE DATE.

Whereas, a problem exists in the City regarding the theft of gasoline and diesel fuels by means of drive-offs without payment; and

Whereas, such actions result in significant man-hours expended by the City Police Department in responding to such crimes; and

Whereas, such crimes can be significantly reduced by requiring prepayment or preapproval for retail purchases of gasoline or diesel fuels;

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

Section 1. The following additions to the City Code relating to prepayment or preapproval of retail purchases of gasoline or diesel are made as follows:

A. A new Section 75.1320 is added to the City Code as follows:

Sec. 75.1320 - Gasoline pre-payment or pre-approval.

- (a) **Definitions.** As used in this section the following terms shall have the meanings given in this subsection:
 - (1) Pre-approval means the business has issued an identification card to the purchaser that verifies and records the purchaser's driver's license information.
 - (2) Pre-pay means payment in advance for any quantity of gasoline or diesel fuel sold at any time by cash, credit card, debit card, check or any other legal means.
- (b) **Payment or approval in advance required for gasoline and/or diesel fuel sold.** Business establishments that sell gasoline and/or diesel fuel at retail with self-service fuel pumps shall require pre-payment or pre-approval of sales of fuel prior to activation or authorization of any fuel dispensing unit or fuel pumping device.
- (c) **Exclusions.**
 - a. Bulk or wholesale delivery of gasoline and/or diesel.
 - b. Sales to Commercial vehicles such as semi-trucks or commercial vehicles with large capacity fuel tanks.
- (d) **Penalty.**
 - a. Failure or refusal to comply with this section will be a basis for the non-renewal of a business license pursuant to Section 88.920.
 - b. The report of a thief by gas drive off will be prima facie evidence of a violation of this section.

- c. Any person or business establishment who violates any provision of this Section shall be guilty of a violation. The penalty for this violation shall be a fine of \$100.00 for each occurrence in addition to other court costs.

B. A new Section 88.920 is added to the City Code as follows:

Sec. 88.920. - Compliance with gasoline pre-payment or pre-approval requirement.

- (a) Business establishments that sell gasoline and/or diesel fuel at retail are required, pursuant to Section 75.1320, to require pre-payment or pre-approval of sales at retail of fuel prior to activation or authorization of any fuel dispensing unit or fuel pumping device, unless an exemption applies.
- (b) The City Clerk shall not renew the business license of any business which has failed to require pre-payment or pre-approval of sales at retail, unless an exemption applies, of fuel prior to activation or authorization of any fuel dispensing unit or fuel pumping device which results in motorists filling their fuel tanks and driving off without paying.

Section 2. That all ordinances or parts of ordinances therefore enacted which are in conflict herewith are hereby repealed.

Section 3. It is the intent of the Board of Aldermen that this amendment be made a part of the City Code and such inclusion shall have the same force and effect as if the ordinance had been included in the original code at the time of its adoption by the Board of Aldermen.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. This ordinance shall be in full force and effect 90 days after the date of its passage and approval.


A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 7th day of November 2018.




President of Board of Aldermen

Approved this 7th day of November 2018



Winford Gilliam, Mayor

Attest: 

City Clerk

Alexander-eye, Fast-eye, Gilbert-eye

CITY OF HAMILTON, MISSOURI

BILL NO. 1107182

ORDINANCE NO. 1697

AN ORDINANCE AMENDING CHAPTER 76 OF THE CITY CODE ADDING A SUBCHAPTER FOR PERMITS TO CLOSE STREETS.

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

Section 1. Chapter 76 of the City Code is amended by adding a new Subchapter G on Street Closure to read as follows:

Subchapter G – Street Closures

76.1050. Permit - Required.

It shall be unlawful to occupy or obstruct any street, alley or sidewalk without a permit issued by the Mayor, City Administrator, or the Board of Aldermen. No request will be submitted to the Board of Aldermen unless first submitted to the Mayor or City Administrator.

76.1055. Same - Extent of permit generally.

The extent of occupation of a street, alley or sidewalk or part thereof for which a permit may be granted shall be as follows:

The permit shall not authorize the occupation of any sidewalk, street, or alley, or part thereof, other than that immediately in front of or in the rear of the premises for the building for which the permit is issued unless determined that the proposed closure will not unduly interfere with access or parking for adjoining properties and will not unduly interfere with reasonable access to other areas of the City.

76.1060. Same - Application.

Any person desiring temporarily to occupy any portion of any public street, alley, or sidewalk, or part thereof, shall apply to the City on an application form created by the City Administrator. The applications are expected to be submitted at least 7 days prior to the date of the requested closure. Applications shall include a site plan of the area to be closed, a copy of the applicant's City's business license if a business, approval from the City Police Chief to close the area, and a certificate of insurance listing the City as a certificate holder showing the applicant has public liability insurance of at least \$500,000.00. If food is to be served, then a temporary food service permit issued by the Caldwell County Health Department must also be submitted. If alcohol is to be served, appropriate liquor licenses must be obtained.

The application shall be approved or denied within 7 business days from receipt. If approved, there will be issued a permit setting forth the day(s) and times for the closure, upon payment of the deposit, if any, set by the Mayor or City Administrator to ensure the area is cleaned of trash and debris after the closure, and any special conditions. If an application is denied, the applicant can appeal the denial to the Board of Alderman for reconsideration.

Section 2. That all ordinances or parts of ordinances therefore enacted which are in conflict herewith are hereby repealed.

Section 3. It is the intent of the Board of Aldermen that this amendment be made a part of the City Code and such inclusion shall have the same force and effect as if the ordinance had been included in the original code at the time of its adoption by the Board of Aldermen.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. This ordinance shall be in full force and effect from and after the date of its passage and approval.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 7th day of November 2018.

President of
Board of Aldermen

Approved this 7th day of November 2018

Winford Gilliam
Winford Gilliam, Mayor

Attest:

Crystal Dorel
City Clerk

Alexander-age, Fast-age, Gilbert-age.

CITY OF HAMILTON, MISSOURI

BILL NO. 1107183

ORDINANCE NO. 1698

AN ORDINANCE ADOPTING AN OFFICIAL MAP FOR THE CITY OF HAMILTON.

WHEREAS, the Board of Aldermen of the City of Hamilton, Missouri, has determined that it is necessary for the City to establish an Official Map for the City of Hamilton, Missouri; and

WHEREAS, the City engaged a registered land surveyor to study the existing plats and additions to the City, and prepare such Official Map to reflect the accurate boundaries of the City, a copy of which is on file in the Office of the City Clerk;

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

SECTION 1. INTENT

It is the intent of the Board of Aldermen to establish an Official Map for the purpose of serving and promoting the public health, safety, convenience, economy, orderliness, and general welfare of the City.

SECTION 2. OFFICIAL MAP

There is hereby established, as the Official Map of the City of Hamilton, Missouri, the Map which accompanies and is made a part of this Ordinance bearing the date of October 31, 2018. This map is hereby designated as the "Official Map of the City of Hamilton, Missouri," and all notations, references, and other information shown thereon shall be as much a part of this Ordinance as though the matters and information thereon were fully described herein. The Official Map shall show the boundaries of the existing corporate limits of the City of Hamilton, Missouri.

SECTION 3. CHANGES AND ADDITIONS

Any future changes to the official boundaries of the City of Hamilton, Missouri, shall be reflected on the Official Map and the Mayor or City Administrator will cause an amended version of the Official Map to be made reflecting such future changes.

SECTION 4 CERTIFIED COPY OF MAP

There shall be a certified copy of the Official Map described in Section 2. The certified copy shall be kept in the office of the City Clerk and shall be available for inspection by any interested person during regular office hours. The certified copy shall bear on its face a certification that it is a true copy of the Official Map described in and accompanying this Ordinance and shall show the date of adoption of this Ordinance and shall be signed by the Mayor and countersigned by the City Clerk. Thereafter no change or addition to such Official Map shall become effective until it

shall have been indicated by the appropriate convention on a certified copy of the Official Map and a certificate placed thereon or attached thereto bearing the number and date of adoption of the amending ordinance. The certificate shall be signed by the Mayor and countersigned by the City Clerk.

SECTION 5 MAP TO BE FILED WITH RECORDER OF DEEDS

The City Clerk shall be responsible immediately upon adoption of the Official Map or any amendment thereto for recording a true copy of the Official Map, as adopted or amended, with the Recorder of Deeds of Caldwell County, Missouri.

SECTION 6 SEVERABILITY

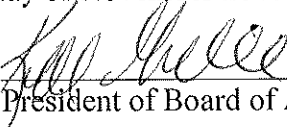
If any section or part of this Ordinance is adjudged unconstitutional or invalid by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. All other ordinances or parts of ordinances of the City inconsistent with this Ordinance to the extent of the inconsistency only are hereby repealed.

SECTION 7 EFFECTIVE DATE

This ordinance shall be in full force and effect from and after the date of its passage and approval.

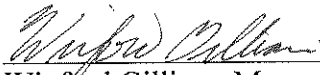
A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 7th day of November 2018.

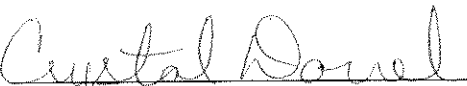


President of Board of Aldermen

Approved this 7th day of November 2018.



Winford Gilliam, Mayor

Attest: 

City Clerk

Alexander-eye, Fast-eye, Gilbert-eye

AN ORDINANCE AUTHORIZING THE CITY OF HAMILTON TO ENTER INTO AN CONTRACT WITH ALLSTATE CONSULTANTS LLC FOR ENGINEERING SERVICES IN REGARDS TO EMERGENCY DROUGHT WATER SUPPLY IMPROVEMENTS

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS TO WIT:

SECTION 1: The Mayor of the City of Hamilton, Missouri, is hereby authorized on behalf of the City of Hamilton, Missouri, to sign the agreement with Allstate Consultants LLC for Emergency Drought Water Supply Improvements.

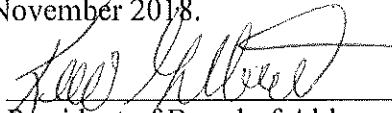
SECTION 2: This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

SECTION 3: This ordinance shall be in full force and effect from and after the date of its passage and approval.

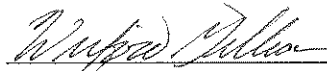
SECTION 4: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

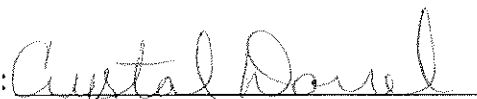
A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 7th day of November 2018.


President of Board of Aldermen

Approved on this 7th day of November 2018.


Winford Gilliam, Mayor

Attest: 
City Clerk

Alexander-eye, Fast-eye, Gilbert-eye

AN ORDINANCE AUTHORIZING THE CITY OF HAMILTON TO ENTER INTO AN CONTRACT WITH ALLSTATE CONSULTANTS LLC FOR ENGINEERING SERVICES IN REGARDS TO THE MODOT TAP GRANT FUNDING APPLICATION

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS TO WIT:

SECTION 1: The Mayor of the City of Hamilton, Missouri, is hereby authorized on behalf of the City of Hamilton, Missouri, to sign the agreement with Allstate Consultants LLC for services related to the MoDOT TAP Grant Funding Application.

SECTION 2: This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

SECTION 3: This ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 4: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

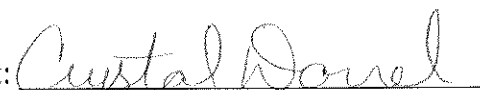
A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 7th day of November 2018.


President of Board of Aldermen

Approved on this 7th day of November 2018.


Winford Gilliam, Mayor

Attest: 
City Clerk

Alexander-eye, Fast-eye, Gilbert-eye

AN ORDINANCE AUTHORIZING THE CITY OF HAMILTON TO ENTER INTO AN CONTRACT FOR HEALTH INSURANCE FOR EMPLOYEES WITH BLUE CROSS BLUE SHIELD THROUGH AGENT MICHAEL BROWN AND DENTAL AND LIFE INSURANCE WITH NATIONAL INSURANCE PARTNERS.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS TO WIT:

SECTION 1: The Mayor of the City of Hamilton, Missouri is hereby authorized on behalf of the City of Hamilton, Missouri, to enter into a contract for employee health insurance with Blue Cross Blue Shield through agent Michael Brown and National Insurance Partners for 2019 renewal year on the terms as presented to the Board of Aldermen. As a result of the bid process, Blue Cross Blue Shield was lowest and best bid for health insurance and National Insurance Partners for dental and life insurance.

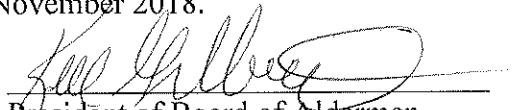
SECTION 2: This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

SECTION 3: This ordinance shall be in full force and effect from and after the date of its passage and approval.

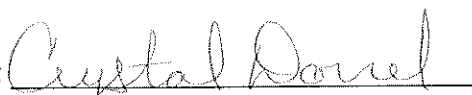
SECTION 4: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 7th day of November 2018.


President of Board of Aldermen

Approved on this 7th day of November 2018.

Attest: 
City Clerk


Winford Gilliam, Mayor

Alexander-eye, Fast-eye, Gilbert-eye

AN ORDINANCE PROVIDING FOR THE ELECTION AND SETTING FORTH THE DUTIES, SALARY AND TERM OF OFFICE OF THE CITY CLERK OF HAMILTON, MISSOURI

WHEREAS, Section 79.320 of the Missouri Revised Statutes provides that the Board of Aldermen of a city of the fourth class elect a clerk for such board, to be known as the "City Clerk"; and

WHEREAS, the Board of Aldermen is desirous of imposing certain duties upon the person elected as City Clerk;

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

SECTION 1: That Crystal Dorrel is elected as the City Clerk of the City of Hamilton, Missouri by the Board of Aldermen for a term of 1 year from the date of election and until a successor is appointed and qualified, or until removed from office as set forth in the City Code. The salary for the City Clerk is established at \$15.00 per hour, payable in the same manner and pay periods as other employees of the City.

SECTION 2: That the City Clerk shall perform all duties set forth in Section 79.320 of the Missouri Revised Statutes and Sections 20.410 and 22.120 of the Code of Ordinances of the City of Hamilton, Missouri, with such sections of the City Code being specifically incorporated in this ordinance by reference.

SECTION 3: That the City Clerk shall perform all duties and shall continue to possess all qualifications set forth in the City Code.

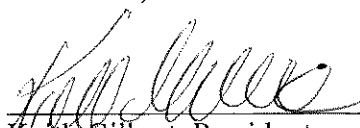
SECTION 4: That the City Clerk shall be entitled to receive the same fringe benefits as other city employees.

SECTION 5: This ordinance shall be in full force and effect from its date of passage.

SECTION 6: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

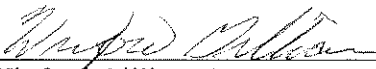
A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 20th day of November, 2018.



Keith Gilbert, President
of Board of Aldermen

Approved on this 20th day of November, 2018.


Winford Gilliam, Mayor

Attest: 
Crystal Dorrel, City Clerk

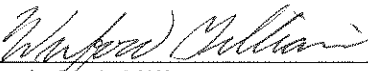
RESOLUTION NO. 2018-8

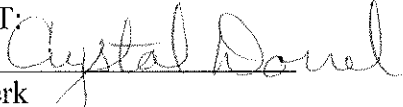
A RESOLUTION APPROVING THE PRESIDENT OF THE BOARD OF ALDERMEN

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI, AS FOLLOWS:

That the Board of Aldermen hereby appoints Keith Gilbert to the Office of President of the Board of Aldermen of the City of Hamilton, Missouri, to fill the remaining one year term which will expire on April 11, 2019.

THIS RESOLUTION IS ADOPTED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI, ON THIS 7TH DAY OF NOVEMBER 2018.


Winford Gilliam, Mayor

ATTEST: 
City Clerk

AN ORDINANCE AUTHORIZING THE CITY OF HAMILTON TO ENTER INTO A CONTRACT FOR DISPATCH SERVICES FOR 2019 WITH CALDWELL COUNTY, MISSOURI

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS TO WIT:

SECTION 1: The Mayor of the City of Hamilton, Missouri is hereby authorized on behalf of the City of Hamilton, Missouri, to sign the contract attached hereto as Exhibit A and made a part hereof for dispatch services for 2019 with Caldwell County, Missouri


SECTION 2: This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

SECTION 3: This ordinance shall be in full force and effect from and after the date of its passage and approval.

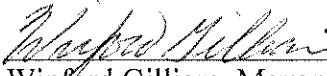
SECTION 4: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.


A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 12th day of December, 2018.


Keith Gilbert, President
of Board of Aldermen

Approved on this 12th day of December, 2018.


Winford Gilliam, Mayor

Attest: 
Crystal Dorrel, City Clerk

Alexander-age, Gilbert-age, Fast-age, Doan-age

CALDWELL COUNTY SHERIFF'S DEPARTMENT

DISPATCHING CONTRACT

THIS AGREEMENT MADE THIS 12 DAY OF December, 2018 BY AND BETWEEN JERRY GALLOWAY, CALDWELL COUNTY SHERIFF, HEREINAFTER REFERRED TO AS FIRST PARTY; AND THE CITY OF HAMILTON OF CALDWELL COUNTY, MISSOURI, HEREINAFTER REFERRED TO AS SECOND PARTY.

WITNESSETH:

1. THAT FIRST PARTY IS THE CHIEF LAW ENFORCEMENT OFFICER OF THE COUNTY OF CALDWELL, STATE OF MISSOURI, AND THAT FIRST PARTY MAINTAINS A TWENTY-FOUR HOUR PER DAY, THREE HUNDRED SIXTY-FIVE DAYS PER YEAR, DISPATCHING SERVICE, WITH SUFFICIENT TELEPHONE AND RADIO SERVICES TO FURNISH COUNTY WIDE SERVICE.
2. THAT SECOND PARTY IS MUNICIPAL CORPORATION OF THE STATE OF MISSOURI, LOCATED IN CALDWELL COUNTY AND RESPONSIBLE FOR PROVIDING POLICE SERVICES TO THE CITY OF HAMILTON AND TO INSURE THE ADEQUATE PERFORMANCE OF SUCH SERVICES IN THE NEED OF A DISPATCHING SERVICE TO TAKE INCOMING CALLS REQUESTING ASSISTANCE AND TO CONTROL AND MONITOR THE OPERATIONS OF ITS VEHICLES. NOW THEREFORE, IN CONSIDERATION OF THE COVENANTS HEREIN, IT IS AGREED AS FOLLOWS.
 - A. TWENTY-FOUR HOUR PER DAY SERVICE, THREE HUNDRED SIXTY-FIVE DAYS A YEAR.
 - B. REQUESTING FOR ASSISTANCE FOR THE SERVICES OF SECOND PARTY RECEIVED BY FIRST PARTY BY PHONE, RADIO OR IN PERSON: AND HANDLING THE DISPATCH OF SECOND PARTY'S UNITS, BASED ON SUCH CALLS FOR ASSISTANCE.
 - C. MAINTAINING SUCH SERVICES OUT OF THE CENTRAL LOCATION IN KINGSTON, CALDWELL COUNTY, MISSOURI.
2. FOR SUCH SERVICES, SECOND PARTY WILL PAY THE SUM OF SEVEN HUNDRED EIGHTY SEVEN DOLLARS FIFTY CENTS (\$787.50) PER MONTH, BEGINNING ON THE 1ST DAY OF JANUARY 2019 AND ON THE FIRST DAY OF EACH AND EVERY MONTH THEREAFTER DURING THE LIFETIME OF THIS CONTRACT, SAID FUNDS WILL BE PAID TO THE CALDWELL COUNTY SHERIFF'S OFFICE P.O. BOX 158 KINGSTON, MISSOURI, 64650.
3. THIS AGREEMENT SHALL TERMINATE ON THE 31ST DAY OF DECEMBER, 2019 UNLESS SECOND PARTY SHALL GIVE FIRST PARTY NOTICE BY THE FIRST DAY OF DECEMBER 2018 OF ITS INTENT TO RENEW THIS CONTRACT FOR ANOTHER YEAR. SUCH NOTICE WILL BE IN WRITING. THIS CONTRACT MAY BE RENEWED YEARLY UNDER THIS PROVISION.
4. IN THE EVENT THAT EITHER PARTY SHALL DEFAULT IN IT'S OBLIGATIONS UNDER THIS AGREEMENT, THE OTHER PARTY SHALL GIVE THE DEFAULTING PARTY THIRTY (30) DAYS WRITTEN NOTICE OF SUCH DEFAULT, AND IF THE DEFAULT SHALL NOT BE CURED WITHIN SUCH THIRTY (30) DAY PERIOD, THEN THIS CONTRACT WILL TERMINATE AND BECOME NULL AND VOID.

RECEIVED

Caldwell County Sheriff

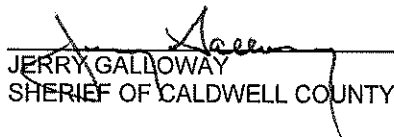
5 IN THE EVENT THAT SECOND PARTY HAS COMMENT, CRITICISM OR COMPLAINT CONCERNING THE OPERATION OF THE DISPATCHING SERVICE, BY THE PERSONNEL OF FIRST PARTY, SUCH COMPLAINTS WILL BE MADE IN WRITING TO THE SHERIFF OF CALDWELL COUNTY, MISSOURI. EMPLOYEES OF THE FIRST PARTY WILL NOT BE CONTACTED DIRECTLY BY SECOND PARTY OR ANY OF ITS EMPLOYEES WITH SUCH COMMENTS, COMPLAINTS OR CRITICISMS.

6. IN THE EVENT THAT THE FURNISHING OF SERVICE BY FIRST PARTY FOR THE BENEFIT OF SECOND PARTY WILL REQUIRE ANY ADDITIONAL EQUIPMENT IN THE OFFICE OF THE FIRST PARTY, SUCH EQUIPMENT WILL BE INSTALLED AND MAINTAINED AT THE EXPENSE OF SECOND PARTY, AND WILL REMAIN THE PROPERTY OF SECOND PARTY, TO BE REMOVED AT THE EXPENSE OF SECOND PARTY, UPON THE TERMINATION OF THIS CONTRACT.

7. THIS WRITTEN AGREEMENT CONTAINS THE ENTIRE AGREEMENT OF THE PARTIES, AND MAY NOT BE AMENDED, ALTERED, OR MODIFIED EXCEPT BY AGREEMENT, IN WRITING BY FIRST AND SECOND PARTIES.

8. THIS AGREEMENT SHALL BE BINDING UPON THE PARTIES, AND THEIR ASSIGNED AND SUCCESSORS.

IN WITNESS WHEREOF, THE PARTIES HAVE HEREUNTO SET THEIR HANDS THE DATE AND YEAR FIRST ABOVE WRITTEN.


JERRY GALLOWAY
SHERIFF OF CALDWELL COUNTY


MAYOR
CITY OF HAMILTON

APPROVED THIS 12 DAY OF December, 2018, BY THE CALDWELL COUNTY COMMISSION.


PRESIDING COMMISSIONER


EASTERN COMMISSIONER


WESTERN COMMISSIONER

AN ORDINANCE AUTHORIZING THE CITY OF HAMILTON TO ENTER INTO A CONTRACT FOR PROSECUTING ATTORNEY SERVICES

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS TO WIT:

SECTION 1: The Mayor of the City of Hamilton, Missouri is hereby authorized on behalf of the City of Hamilton, Missouri, to sign the contract attached hereto as Exhibit A and made a part hereof for prosecuting attorney services with Annie Gibson.

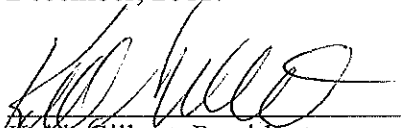
SECTION 2: This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

SECTION 3: This ordinance shall be in full force and effect from and after the date of its passage and approval.

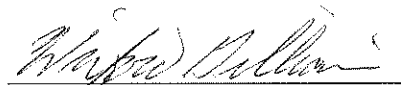
SECTION 4: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 12th day of December, 2018.


Keith Gilbert, President
of Board of Aldermen

Approved on this 12th day of December, 2018.


Winford Gilliam, Mayor

Attest:


Crystal Dorrel, City Clerk

Fast-eye, Doan-eye, Alexander-eye, Gilbert-eye

CONTRACT FOR PROSECUTION SERVICES

This contract effective as of the 1st day of January 2019, between the City of Hamilton, Missouri, ("City"), Annie Gibson ("Prosecutor").

NOW THEREFORE, the parties agree:

1. **TERM.** The initial term of this Agreement begins on January 1, 2019 and ends on December 31, 2019, unless earlier terminated pursuant to the terms of this Agreement. Thereafter, the term of this Agreement will renew from year to year, January 1, until December 31, until any party to this contract gives written notice of its intent to terminate the Agreement at least 90 days prior to the effective termination date.
2. **SCOPE OF SERVICES.** Prosecutor to provide legal services in the following matter: Acting as City Prosecutor for ordinance and nuisance enforcement. NOTE: All prosecutorial discretion is vested with Prosecutor. Prosecutor will take reasonable steps to keep City informed of the Prosecutor's services for City, including providing the City reports as to the status of all pending City cases when requested, and will promptly respond to City's inquiries. Upon request the Prosecutor will meet with the City Council, Mayor, or City Administrator to discuss City cases.
3. **CITY TO BE REPRESENTED.** The Prosecutor is providing representation to the City only in the matters covered by this Agreement. It is understood by City and Prosecutor, in this matter, that Prosecutor's duty is to act in the best interest of the City. It is further understood that Prosecutor cannot share confidential information about City with anyone other than City officials without express permission, except those communications which are routinely released from the office of a prosecutor.
4. **RESPONSIBILITIES OF THE PARTIES.** City agrees to keep Prosecutor informed of any information or developments which may come to City's attention, require its police and other officers to cooperate with the Prosecutor, to abide by this Agreement, and to pay Fees on time. City authorizes Prosecutor to communicate with City by e-mail.
5. **FEES.** City agrees to pay to the Prosecutor for the Prosecutor's services an agreed annual fee of **\$420.00 per month**. The fee will be paid in advance on the first day of each month, commencing January 1, 2019. Any partial months will be prorated. All fines for City ordinance violations shall be paid to the City except as otherwise provided by law.
6. **COSTS AND EXPENSES**
 - (a) **In General.** City agrees to pay for all reasonable costs, disbursements and out of pocket expenses in addition to the agreed Fee. The costs and expenses commonly include, service of process charges, filing fees, court and deposition reporters' fees, jury fees, notary fees, deposition costs, messenger and other delivery fees, postage, travel costs, including parking, mileage, transportation, meals and hotel costs, investigation expenses,

consultants' fees, expert witness, professional, mediator, arbitrator and/or special master fees and other similar items.

- (b) **Out of Town Travel.** City agrees to pay transportation, meals, lodging and all other costs of any necessary out of town travel by Prosecutor, should it be required, subject to advance approval by the City.
 - (c) **Experts, Consultants, and Investigators.** To aid in the preparation or presentation of City, it may become necessary to hire expert witnesses, consultants, or investigators. City agrees to pay such fees and charges. Prosecutor will consult with City on the selection of any expert witness, consultants, etc., to be hired and their charges prior to engaging the same.
 - (d) **Substitute or Replacement.** In case of absence or inability to act on a court date, Prosecutor will appoint a Special Prosecuting Attorney to carry out the Prosecutor's duties hereunder.
 - (e) **Office.** Prosecutor and City agree the Prosecutor's office will house all active City cases and files. Prosecutor agrees to maintain staff and train said staff on City Prosecutor business.
7. **BILLING STATEMENTS.** No invoice will be submitted for the monthly Fee. The Prosecutor will submit a statement for any costs or travel expenses which require reimbursement under this Agreement.
8. **TERMINATION AND WITHDRAWAL.** City or Prosecutor may terminate this Agreement at any time after 90 days' written notice. On the termination date, all unpaid charges will immediately become due and payable. After services conclude, Prosecutor will, upon City's request, deliver City's file and property in Prosecutor's possession whether or not City has paid for all services. City understands that to the limited extent Prosecutor has paid out of pocket expenses for items, which have not yet been released by Prosecutor, but has not been reimbursed by City, Prosecutor may be reimbursed for that particular expense before releasing the item.
9. **ENTIRE AGREEMENT.** This Agreement contains the entire Agreement of the parties. No other agreement, statement, or promise made on or before the effective date of this Agreement will be binding on the parties.
10. **SEVERABILITY IN EVENT OF PARTIAL INVALIDITY.** If any provision of this Agreement is held in whole or in part to be unenforceable for any reason, the remainder of that provision and of the entire Agreement will be severable and remain in effect.
11. **MODIFICATION BY SUBSEQUENT AGREEMENT.** This Agreement may be modified by subsequent Agreement of the parties only by an instrument in writing signed by all of them.

THE PARTIES HAVE READ AND UNDERSTOOD THE FOREGOING TERMS AND
AGREE TO THEM. CITY SHALL RECEIVE A FULLY EXECUTED AGREEMENT.

CITY OF HAMILTON, MISSOURI

By: Winford Gilliam
Winford Gilliam, Mayor

ATTEST:

By: Crystal Dorrel
Crystal Dorrel, City Clerk

Dated: December 20, 2018

PROSECUTOR

By: Annie Gibson
Annie Gibson

Dated: December 20, 2018

BILL NO. 1212183

ORDINANCE NO. 1705

AN ORDINANCE TO ENABLE THE CITY OF HAMILTON, MISSOURI TO JOIN SHOW ME PACE, PURSUANT TO SECTIONS §67.2800 TO §67.2835, RSMO, THE "PROPERTY ASSESSMENT CLEAN ENERGY ACT," AND STATING THE TERMS UNDER WHICH THE CITY WILL CONDUCT ACTIVITIES AS A MEMBER OF SUCH DISTRICT.

WHEREAS, the 95th General Assembly of the State of Missouri has adopted the Property Assessment Clean Energy Act, Sections 67.2800 to 67.2835, Revised Statutes of Missouri (the "PACE Act"); and

WHEREAS, it is in the best interests of the health, safety, and welfare of Hamilton, Missouri and its residents to encourage the development, production, and efficient use of clean energy and renewable energy, as well as the installation of energy efficiency improvements to publicly and privately owned real property; and

WHEREAS, the primary intent of funding energy efficiency and renewable energy improvements pursuant to the PACE Act is to promote the public purposes described above; and

WHEREAS, Section §67.2810.1, RSMo authorizes one or more Municipalities (as defined in Section §67.2800.7, RSMo) to establish a Clean Energy Development Board to initiate and administer a Property Assessed Clean Energy ("PACE") Program so that owners of qualifying property can access funding for energy efficiency improvements or renewable energy improvements to the properties located in such Municipalities; and

WHEREAS, on June 15, 2015, a clean energy development board named Show Me PACE was created with the intention that all Municipalities (as defined in the PACE Act) within the State of Missouri would be eligible to join and participate by approving an appropriate ordinance or resolution; and

WHEREAS, it is in the best interests of Hamilton, Missouri and its residents to join and participate in Show Me PACE.

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

SECTION 1: The City hereby approves and authorizes joining and participating in Show Me PACE based on the following:

Alexander-age, Doan-age, Silbert-age, Fast-may

A. Title and Definitions.

1. *Title.* This Ordinance shall be known and may be cited as "Hamilton, Missouri Property Assessed Clean Energy Ordinance."
2. *Definitions.* Except as specifically defined below, words and phrases used in this Ordinance shall have their customary meanings. Words and phrases defined in Section 67.2800.2 of the Missouri Revised Statutes, as amended, shall have their defined meanings when used in this Ordinance. As used in this Ordinance, the following words and phrases shall have the meanings indicated.
 - a. "Show Me PACE" or "District" means the Show Me PACE Clean Energy Development Board.
 - b. "PACE Assessment" means a special assessment made against qualifying commercial property in consideration of PACE Funding.
 - c. "PACE Funding" means funds provided to the owner(s) of Qualifying Commercial Property by the District for an energy efficiency or renewable energy improvement.
 - d. "Qualifying Commercial Property" means real property located in Hamilton, Missouri that satisfies the criteria set forth in the PACE Act.

B. Program Administration. Show Me PACE shall administer the functions of a PACE program within the City by:

1. providing qualified commercial property owners with an application to apply for PACE Funding;
2. developing standards for the approval of projects submitted by Qualifying Commercial Property owners;
3. reviewing applications and selecting qualified projects;
4. entering into Assessment Contracts with Qualifying Commercial Property owners;
5. providing a copy of each executed Notice of Assessment to the County Assessor and causing a copy of each such Notice of Assessment to be recorded in the real estate records of the Recorder of Deeds for the County;

6. authorizing and disbursing PACE Funding to the Qualifying Commercial Property owners;
 7. receiving the PACE Assessment from the third party collector;
 8. recording any lien, if needed, due to nonpayment of a PACE Assessment; and
 9. exercising all powers granted by Section 67.2810.2 of the Missouri Revised Statutes, as amended, including, but not limited to, the power to levy and collect the PACE Assessment pursuant to an Assessment Contract with a Qualifying Commercial Property owner.
10. This program is available to commercial property owners and not residential property owners.
- C. Liability of City Officials; Liability of City. Notwithstanding any other provision of law to the contrary, officers and other officials of Hamilton, Missouri shall not be personally liable to any person for claims, of whatever kind or nature, under or related to the City's participation in the PACE program, including, without limitation, claims for or related to uncollected PACE Assessments. Hamilton, Missouri has no liability to a property owner for or related to energy savings improvements funded under a PACE Program. Pursuant to the PACE Act, the District is a separate political subdivision and is not a unit of the City.
- D. Existing Laws Not Superseded. Any project or improvement at any Qualifying Commercial Property which is funded in whole or in part of PACE Funding shall be subject to all ordinances, rules and regulations in effect at that time.
- E. City as a Non-Party. Hamilton, Missouri shall not be a party to any PACE Funding agreement, loan, or other commitment, however denominated, executed between the District and the owner(s) (or their representatives, together with any successors and assigns) of any Qualifying Commercial Property.

SECTION 2: Hamilton, Missouri declares its intent that the provisions of this Ordinance shall be in conformity with federal and state laws. The City enacts this Ordinance pursuant to Sections 67.2800 to 67.2835 of the Missouri Revised Statutes, as amended.

SECTION 3: Hamilton, Missouri does hereby request that it be approved by the Board of Directors of Show Me PACE as a duly authorized participant in the District. The City hereby approves the Show Me PACE Cooperative Agreement among the District and the participating Municipalities in substantially the form attached hereto as **Exhibit A** (the

"Cooperative Agreement"). The Mayor of the City is hereby authorized and directed to execute the Cooperative on behalf of the City.

SECTION 4: The election of Hamilton, Missouri to join the District shall in no way constitute an obligation of the City necessitating any corresponding appropriation.


SECTION 5: The City Clerk is hereby authorized to deliver a duly executed copy of this Ordinance to the Board of Directors of the District or its designee, together with the jurisdictional and geographic boundaries of the City for inclusion in the jurisdictional and geographic boundaries of the District.

SECTION 6: The officials and agents of the City are hereby authorized and directed to, take such actions and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

SECTION 7: This Ordinance shall be in full force and effect from and after its passage and approval.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 12th day of December, 2018



Keith Gilbert, President
of Board of Aldermen

Approved on this 12th day of December, 2018



Winfred Gilliam, Mayor

Attest:



Crystal Dorrel, City Clerk

EXHIBIT A

SHOW ME PACE COOPERATIVE AGREEMENT

THIS COOPERATIVE AGREEMENT ("Cooperative Agreement") is made and entered into by Show Me PACE, a Missouri clean energy development board ("Show Me PACE") and the municipalities of the State of Missouri that, from time to time, may execute this Cooperative Agreement (each, a "Municipality," and together, the "Municipalities").

RECITALS

WHEREAS, on December 12, 2018, the Board of Alderman of Hamilton adopted Ordinance No. 1705, authorizing participation in Show Me PACE, pursuant to Sections 67.2800 to 67.2835 of the Revised Statutes of Missouri (the "PACE Act"); and

WHEREAS, pursuant to Section 67.2810 of the PACE Act, more than one municipality may form a clean energy development board; and

WHEREAS, clean energy development boards serving more than one municipality are in the best interest of the participating municipalities because it allows for economies of scale and concentrations of expertise that will benefit the approval, financing and installation of energy efficient and renewable energy improvements pursuant to the PACE Act; and

WHEREAS, other municipalities may participate in Show Me PACE by adoption of an ordinance in accordance with the PACE Act and execution of this Cooperative Agreement.

AGREEMENT

NOW THEREFORE, in consideration of each municipality's participation in Show Me PACE, each Municipality hereby agrees as follows:

- 1. Representations.** Each Municipality has taken all legislative actions necessary to approve such Municipality's participation in Show Me PACE.
- 2. Approval of Bylaws.** The current bylaws of Show Me PACE (the "Bylaws") have been provided to the Municipality and the Municipality approves such Bylaws.
- 3. Board of Directors.** The members of the Board of Directors of Show Me PACE shall be appointed in the manner described in the Bylaws.

4. **Clean Energy Development Board Powers.** Each Municipality agrees that Show Me PACE is authorized to exercise all clean energy development board powers permitted by the PACE Act or other statute within the boundaries of the Municipality.

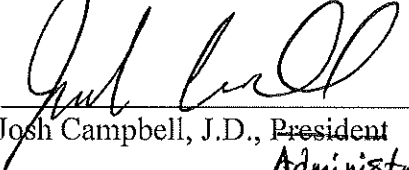
5. **Counterparts.** This Cooperative Agreement is intended to be signed in counterparts as Municipalities, from time to time, elect to participate in Show Me PACE. No action from any Municipality already participating in Show Me PACE shall be required for a new Municipality to participate in Show Me PACE.

6. **Withdrawal.** No Municipality shall withdraw from participation in Show Me PACE if such withdrawal will impact any existing property assessment clean energy financing undertaken by Show Me PACE in the Municipality's boundaries. However, a Municipality may request, in writing, that Show Me PACE no longer undertake clean energy financing in the Municipality's boundaries.

IN WITNESS WHEREOF, Show Me PACE and the Municipalities have caused this Cooperative Agreement to be executed as of the dates shown below:

Date: January 7, 2019

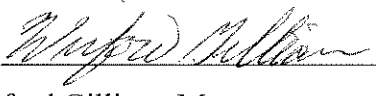
SHOW ME PACE

By: 
Josh Campbell, J.D., President
Administrator

Date: December 12, 2018

City of Hamilton

Adopted Ordinance No. 1705
joining Show Me PACE
on December 12, 2018

By: 
Winford Gilliam, Mayor