

AGENDA

I. Call to Order

II. Pledge of Allegiance

III. Approval of the Agenda

IV. Regular Business

- A. Discussion Regarding Stockton Lake Agreement
- B. Discussion Regarding Special Council
- C. Discussion Regarding Code Enforcement Process (RFP Abatement)
- D. Discussion Regarding the Sale of City-Owned Property
- E. Discussion Regarding City Hall Renovations
- F. Discussion Regarding Main Street Funding

V. Informational Items

- A. Next Regular City Council Meeting: May 8th, 2025 at 6:00 p.m. at the Monett School District Board Room

VI. Convene into a closed session to discuss matters related to personnel or a negotiated contract, pursuant to Section 610.021 RSMo., Subsections (3), (12), and (13).

VII. Adjournment

DRAFT

RESOLUTION DELEGATING AUTHORITY TO ENTER A SUBAGREEMENT
BETWEEN
THE SOUTHWEST MISSOURI JOINT MUNICIPAL WATER UTILITY COMMISSION
AND
[User]
REGARDING REALLOCATED WATER STORAGE SPACE IN STOCKTON LAKE

WHEREAS, the Southwest Missouri Joint Municipal Water Utility Commission ("JMUC") is a Joint Municipal Utility Commission formed under the Joint Municipal Utility Commission Act, Revised Statutes of Missouri Section 393.700 *et seq.*;

WHEREAS, [User] is a member of JMUC;

WHEREAS, JMUC was created to develop water supply projects for Southwest Missouri to meet projected future needs for [User] and other members;

WHEREAS, to this end, JMUC has been working with the U.S. Army Corps of Engineers ("Corps") for many years to secure a "storage contract" authorizing JMUC and/or its members to use storage in that project for water supply purposes;

WHEREAS, JMUC has reason to believe that the Corps will enter into a storage contract substantially similar to the draft attached as Exhibit A in the near future (the "Storage Contract");

WHEREAS, JMUC anticipates the Storage Contract will grant JMUC a permanent right to utilize 90,790 acre-feet of storage space in Stockton Lake to store water for municipal and industrial water supply, which is expected to provide a safe yield of approximately 38 million gallons per day ("mgd");

WHEREAS, JMUC further anticipates the Storage Contract will obligate JMUC to make annual "first cost" payments to the Corps of approximately \$2 million per year; occasional additional payments for "repair, rehabilitation, and maintenance costs," which will be incurred as needed; and additional annual payments to cover "operations and maintenance costs" at Stockton Lake;

WHEREAS, before executing any contract with the Corps, JMUC must have subagreements in place with participating members to pay these costs;

WHEREAS, JMUC anticipates entering into "pass-through" subcontracts with its members, which will suballocate a portion of JMUC's storage space to each member in exchange for an agreement to pay a proportional share of JMUC's costs (the "Water Storage Subcontract");

WHEREAS, JMUC anticipates that the pass-through subcontracts will be substantially similar to the template contract as Exhibit B (the "Template Subcontract");

Attorney Work Product; Privileged and Confidential

DRAFT

WHEREAS, time is of the essence in formally executing subagreements once the pass-through subcontracts have been reviewed and approved by the Corps.

NOW, THEREFORE, BE IT RESOLVED THAT the [governing body] for [User] hereby desires to enter into a Water Storage Subcontract with JMUC substantially similar to the Template Subcontract, and hereby authorizes [delegated person or persons] to execute any and all documents necessary in order to bind [User] to such Water Storage Subcontract.

[USER]

By: _____

Date: _____

WATER STORAGE AGREEMENT
BETWEEN THE SOUTHWEST MISSOURI JOINT MUNICIPAL WATER UTILITY
COMMISSION
AND
THE CITY OF MONETT, MISSOURI
FOR
THE USE OF WATER STORAGE SPACE IN STOCKTON LAKE

FAST FACTS

Firm yield	1 MGD
Storage volume	2,389 Acre-Feet
Principal	\$715,803
Term	Unless terminated, contract continues as long as JMUC has storage rights (permanent) or maximum period allowed by law, with option to renew
Estimated annual payment to JMUC	\$53,277 Based on no help from DNR Based on 30-year amortization and variable interest rate adjusted every 5 years (currently 4.625%)

Firm Yield: “Firm yield” is the amount available at all times through the worst drought on record. Firm yield is estimated and not guaranteed. It is determined by hydrologic modeling based on historical records. The “storage volume” in the contract is the amount needed to produce the “firm yield” stated above.

The actual yield available to User under this contract should be higher than the estimated firm yield at all times except in a drought equal to or more severe than the drought of record. If a drought worse than the drought of record occurs, it is possible the actual yield available under the contract will be less than the firm yield stated above.

Price: Costs are passed through to User in proportion to storage space.

In addition to paying the federal government’s principal (called “first costs”), JMUC will also be required to pay an annual charge for operations and maintenance (O&M) and, potentially, occasional charges for any major repairs that may be required. User’s annual payment to JMUC includes a 25% premium (over the principal) to cover O&M while building a reserve to pay for any major repairs. In the unlikely event this reserve proves insufficient, a special assessment may be required to cover JMUC’s obligations to the Corps.

Term: Effectively permanent. By law, JMUC has a permanent right to utilize the storage space in Stockton Lake under contract so long as costs are paid and the project remains in operation. Unless terminated for non-payment, User’s rights extend for as long as JMUC maintains the right to use the storage space, or the maximum period allowed by law, whichever is shorter. If the contract terminates due to any legal limitation on its term applicable to User, the contract is renewable at User’s option.



Randy Burke, Mayor
Ken Gaspar, Commissioner • Darren Indovina, Commissioner
Mickey Ary, City Administrator

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217 Fifth Street • Monett, Missouri 65708
(417) 235-3763

Staff Report

To: Mayor & Commissioners

From: Mickey Ary – City Administrator

Date: April 24, 2025

Re: Selection of Special Council for Economic Growth

GENERAL INFORMATION

When developing growth plans, it is critical to have legal counsel with experience of economic development. Legal counsel with municipal economic development experience will benefit the city.

PROPOSAL

Engage in the service of Lauber Municipal Law for special counsel for economic development. Lauber Law has multiple years of developing economic growth projects for cities in Missouri. Joe Lauber is a former member of the Board of Directors for Missouri Main Street.

RECOMMENDATION

- Approval of a Resolution at the May 8th Council Meeting to engage Lauber Municipal Law.

ATTACHMENTS

- Special Counsel Letter

Staff Report

To: Mayor & Commissioners
From: City Administrator
Date: April 24, 2025
Re: Code Enforcement Process and Procedures

GENERAL INFORMATION

Chapter 225 of the City Codes deals with nuisances. The duties of notifying citizens of code violations related to nuisances are the responsibility of the Code Enforcement within the BOCA Department. There are defined processes within the code chapter for abatement. Weeds and/or vegetation is under Section 225.020 – A.7.f. Another nuisance abatement is under Section 225.025 which is limited to a fine of no greater than five hundred dollars (\$500). This section would include all nuisances other than weeds and/or vegetation.

PROPOSAL

Develop a clear process for the abatement of code violations related to nuisances as defined by City Code. Be consistent with standard operating procedures for equity in the citation to abatement process.

The process and procedures would be developed by the City Administrator, Director of BOCA, Commissioner Indovina, and Code Enforcement Officer. The process shall be reviewed by the City Attorney to ensure compliance with the City Codes.

RECOMMENDATION

Timeline for the development of procedures.

- Use May to research and develop. Develop a request for proposal for nuisance removal. Select a vendor by the end of May.
- Promote the City Wide Clean Up for May
- Notify the citizens of Monett the process for nuisance abatement – end of May/first of June.
- Section the city and begin Code Enforcement efforts in an orderly and systematic approach.



ATTACHMENTS

- Selected City Codes of Chapter 225.
- Photos of nuisance within the city.

City of Monett, MO
Saturday, April 19, 2025

Chapter 225. Nuisances

Section 225.010. Causing, Maintaining or Permitting Nuisances Prohibited.

[R.O. 2012 §225.010; CC 1979 §19-1; Ord. No. A-1923 §1, 4-26-1962; Ord. No. 8682, 6-20-2019]

No person shall cause, maintain or permit, on premises owned or controlled by him/her, a nuisance as defined by this Chapter. Further, any owner, lessee or occupant, or any agent, servant, representative or employee of any such owner, lessee or occupant, having control of any lot of ground or any part of any lot, who shall allow or maintain on any such lot any growth of weeds or grass to a height of eight (8) inches or more, shall be deemed guilty of a misdemeanor. Whenever private property abuts a public right-of-way or easement belonging to the City of Monett, or any public entity, and there exists in such right-of-way or easement a tree lawn or grassy area between the private property line and midline of said right-of-way or easement, then such tree lawn or grassy area shall be considered, for purposes of this Section requiring cutting of grass and weeds, to be a part of the private lot which abuts the right-of-way or easement, and it shall be the duty of those responsible under this Section for the maintenance of the private lot to equally maintain the tree lawn or grassy area within the abutting right-of-way or easement, and all of the provisions of this Section shall apply with equal force and effect to said tree lawn or grassy area.

Section 225.020. Certain Nuisances Enumerated — List Not Exclusive.

[R.O. 2012 §225.020; CC 1979 §19-2; Ord. No. A-1923 §2, 4-26-1962; Ord. No. A-4199 §1, 9-16-1980; Ord. No. A-4676 §1, 8-9-1985; Ord. No. A-6825 §1, 4-30-1999; Ord. No. A-7050A, 7-27-2001; Ord. No. 7949 §1, 12-21-2009; Ord. No. A-8085 §1 — 2, 12-20-2011; Ord. No. 8659, 4-19-2019; Ord. No. 9015, 8-8-2024]

- A. The following things and conditions are hereby declared to be nuisances but this list shall by no means be deemed exclusive:
1. Dangerous or unlawful amounts of combustible, explosive or otherwise hazardous materials.
 2. Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible, explosive or otherwise hazardous materials.
 3. Dangerous accumulations of rubbish, wastepaper, boxes, shavings or other highly flammable materials.
 4. Accumulations of dust or waste material in air-conditioning or ventilating systems or of grease in kitchen or other exhaust ducts.
 5. Obstructions to or on fire escapes, stairs, passageways, doors or windows, liable to interfere with the operations of the Fire Department or egress of occupants in case of fire.
 6. Any building or other structure, which for want of repairs, lack of sufficient fire escapes or other exit facilities, automatic or other fire alarm apparatus or fire extinguishing equipment, or by reason of age or dilapidated condition, or from any other cause, creates a hazardous condition.

7. The presence of high weeds, brush and other rank vegetation, excluding shade trees, ornamental shrubs, fruit trees, domesticated berry bushes and vines, cover crops and domestic grains and plantings, on lots and pieces of land within the City limits, constituting a nuisance and a menace to the public safety, health or welfare by reason that such condition may:
 - a. Cause a fire hazard.
 - b. Furnish cover for prowlers.
 - c. Create a nuisance with potential danger of injury by means of rocks, debris, holes, etc., covered by excess growth.
 - d. Obstruct visibility at street intersections.
 - e. Result in the aggravation of allergies.
 - f. Furnish a potential harborage or breeding place for disease carrying insects, arthropods, animals and poisonous snakes.

The growth of weeds, brush or other rank vegetation in excess of eight (8) inches in height is declared to be a public nuisance per se, detrimental to the health, safety and welfare of the public, and upon the discovery of such a nuisance upon any property in the City. The City Administrator shall give a hearing after ten (10) days' notice thereof, either personally or by United States mail to the owner or owners, or his, her or their agents, or by posting such notice on the premises; thereupon, the City Administrator may declare the weeds to be a nuisance and order the same to be abated within five (5) days; and in case the weeds are not cut down and removed within the five (5) days, the City Administrator shall have the weeds cut down and removed, and shall certify the costs of same to the City Clerk, who shall cause a special tax bill therefor against the property to be prepared and to be collected by the Collector, with other taxes assessed against the property; and the tax bill from the date of its issuance shall be a first lien on the property until paid and shall be prima facie evidence of the recitals therein and of its validity, and no mere clerical error or informality in the same, or in the proceedings leading up to the issuance, shall be a defense thereto. Each special tax bill shall be issued by the City Clerk and delivered to the Collector on or before the first (1st) day of October of each year. Such tax bills if not paid when due shall bear interest at the rate of eight percent (8%) per annum.

No proceeding in the Municipal Court of the prosecution of a violation of this Section shall prohibit or be a bar to action by the City for the abatement of such condition and nuisance by the City, and no action by the City for the abatement of such condition and nuisance shall prohibit or be any bar to a proceeding in the Municipal Court for prosecution of a violation of this Section.

8. Carcasses of animals remaining exposed more than six (6) hours after death.
9. Ashes, slops, filth, excrement, stones, straw, soot, rubbish, manure, offal, stagnant water, all sorts of decaying animal matter, decaying fruit or vegetables or other vegetable matter, broken kitchenware, wrecks or parts of worn out automobiles; or other machines, scrap iron or other metals, tin cans, old bottles, broken glass, discarded wearing apparel, dead animals or any other offensive or disagreeable substance or thing, old dilapidated barns, sheds or other buildings left or deposited or caused or permitted to remain left or deposited in such quantity or in such condition as to be offensive to the sight or smell or a menace to health, safety, peace or comfort, or of such a nature as to be or become harbors or breeding places for mosquitoes, ants, flies, rats, mice or other insects, animals or vermin, whether left or deposited upon private premises owned, occupied or controlled by persons causing or permitting the same or upon any public street, sidewalk, alley, parkway, public enclosure or vacant lot; any water, stream and condensation drained from, emitted from or thrown upon any sidewalk, parkway, alley or street from any place occupied by a residence, commercial or business structure or any

appurtenances thereto belonging; the creation of dust by the operation of motor vehicles, racing cars, rides or other motor driven contrivances, where the dust is carried beyond the borders of the property whereon such vehicles or contrivances may be operated.

10. Factories, slaughterhouses and all places of business causing an offensive odor to a greater extent than is required for the necessary prosecution or carrying on of such business.
11. Solid waste deposited otherwise than in a suitable container for removal.
12. Green or unsalted hides kept in an exposed or open place.
13. Hog pens.
14. Limbs of trees projecting over a sidewalk or a street at a height of less than ten (10) feet.
15. Privies or septic tanks in an overflowing, leaking or filthy condition.
16. Ponds and pools of unclean water.
17. The rendering, heating or steaming of any animals or vegetable product or substance, in such a manner as to cause disagreeable odors.
18. Stables, stalls, sheds, pens or yards in which any horses or cattle have been kept, which are in an unclean condition.
19. All substances or things which cause an odor disagreeable to the surrounding neighborhood.
20. The accumulation, storage, piling, stacking, placing, containing or maintaining of paper, magazines, rags, sawdust, leaves, straw or other similar substances on private or business property by the owner or the person in charge of such property, whether through his/her agents, servants, employees or otherwise, when such substances are so accumulated, stored, piled, stacked, placed, contained or maintained that they may, by natural causes, escape from the property onto the property of others or onto the streets, sidewalks or alleyways of the City.
21. Residential indoor furniture, appliances and/or plumbing fixtures placed out of doors, placed on unenclosed porches, whenever exposed to the weather or elements, or whenever exposed to the weather or elements on pick-up trucks or other motor vehicle. It shall not be deemed a violation of this Section if said furniture, appliances and/or plumbing fixtures are rated by the manufacturer for outdoor use. It shall not be deemed a violation of this Section if indoor furniture, appliances and/or plumbing fixtures have been placed on a residential porch which is totally enclosed with windows and doors.
22. Outdoor wood-burning furnaces, whenever located in the front or side yard.
23. No person, whether owner, lessee, occupant, or contractor, shall allow or permit debris of any kind, including but not limited to, weeds, grass, overgrown vegetation, dead trees, bushes or shrubbery, to be placed, left, mechanically blown, swept, fall or thrown onto any sidewalk, street, gutter, curb, road, lane, cul-de-sac, highway, alley, open creek, stream, watercourse, public place, or common ground within the City limits. When complying with these Sections in cutting, mowing, trimming of weeds, grass, rank vegetation growths, dead trees, bushes, and shrubbery, any such person shall promptly dispose of debris by removal or in such a manner as to not create a nuisance.

Section 225.025. Nuisances Abated.

[R.O. 2012 §225.025; Ord. No. A-7075, 9-13-2001; Ord. No. A-8086 §§1 — 2, 12-20-2011; Ord. No. 8659, 4-19-2019]

The City Administrator may have nuisances abated after ten (10) days' written notice to property owners if the owners fail to abate the nuisance. If written notice is impossible or impracticable, notice shall be deemed effective upon posting notice on said property. Costs of such abatement, including

administrative costs and legal costs not to exceed five hundred dollars (\$500.00), shall be a lien upon the property and a personal debt against the property owners until paid. The costs of future violations of the same type on the same property shall be levied at twice the actual costs. If the nuisance involves unregistered and/or inoperable motor vehicles in violation of Section 225.020(9), then the Chief of Police shall have the option, after giving the above required ten (10) day written notice, to issue a summons to Municipal Court to the owner of the premises for violation of the nuisance provisions of the City Code and/or having the vehicle towed by a towing company having a valid business license for the City of Monett. Notice of the location of the vehicle shall be posted on the front door of the residence from which the vehicle was removed. Summons shall be served as required by law. The owner of said vehicle shall have the right to reclaim the same at the designated towing company upon payment of all reasonable towing and storage charges. Violation of this Section shall be punishable by a fine of no greater than five hundred dollars (\$500.00) and any applicable court costs and fees.





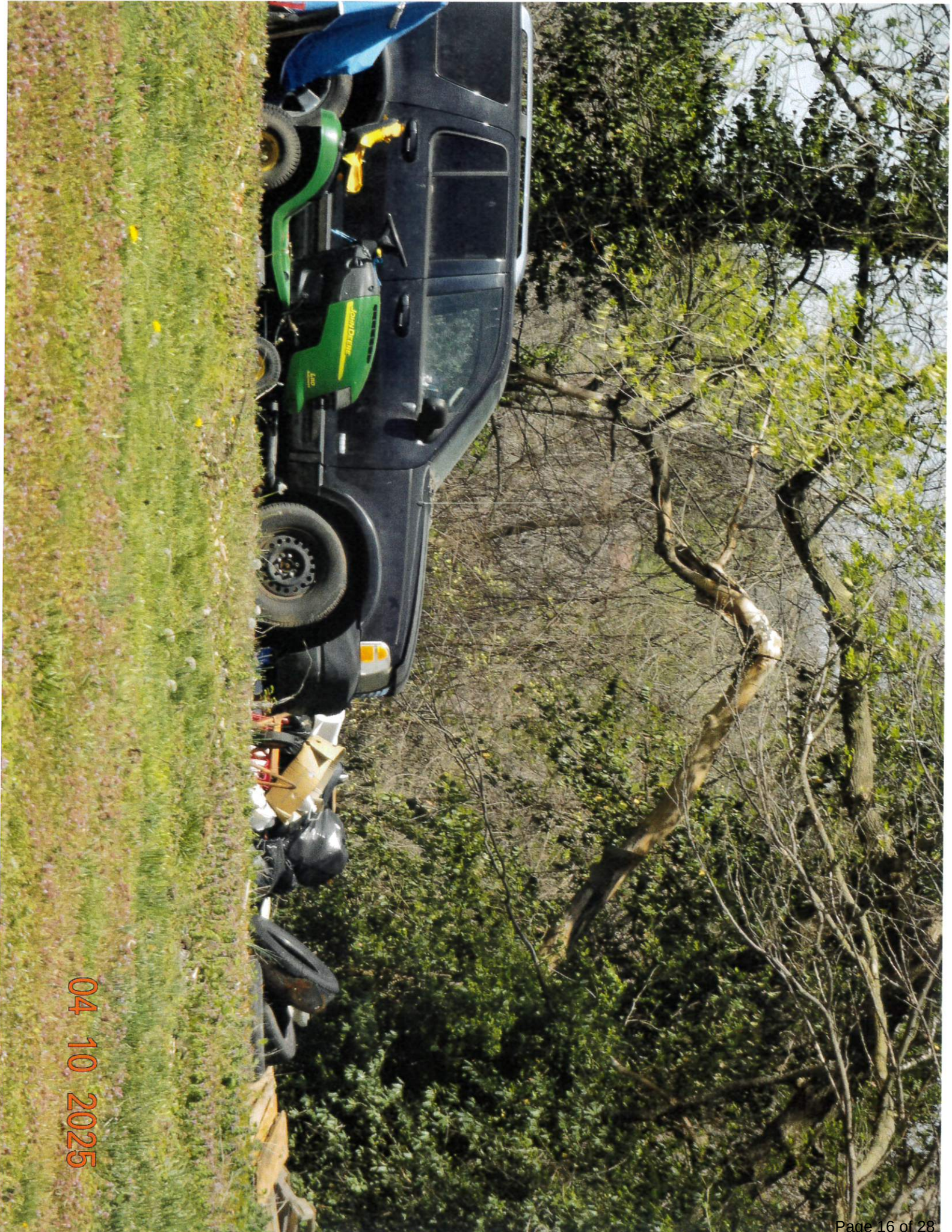
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Staff Report

To: Mayor & Commissioners

From: City Staff

Date: April 24, 2025

Re: Sale of City Property

GENERAL INFORMATION

The city has acquired land through various means over the years. Some of the land has been platted for future development. The other land is within a current residential setting.

PROPOSAL

Develop a request for qualifications (RFQ) for a realtor to represent the city for the purpose of provided fair market pricing and then selling the property.

RECOMMENDATION

Send the RFQ to all of the realtors within the city limits of Monett.

ATTACHMENTS

- No hard copy attachments.
- Digital images of the properties to be shown on the monitor in the Council room.

Staff Report

To: Mayor & Commissioners

From: City Staff

Date: April 24, 2025

Re: City Hall repairs

GENERAL INFORMATION

The following is informational at this time to allow Council knowledge of repairs needed at City Hall. The focus is on the separation of the walls where the elevator shaft resides.

PROPOSAL

Get cost estimate for minimal repairs.

RECOMMENDATION

Direct city staff to receive cost estimates for the repairs.

ATTACHMENTS

Photos



