



City of Ozark Missouri

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Ozark, Missouri 65721

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BOARD OF ALDERMEN REGULAR MEETING MONDAY, JANUARY 6, 2025 AT 7:00 P.M.

7:00 P.M.

This meeting was conducted at the Ozark City Hall Council Chambers.

Present: Mayor Don Currence, Alderman Chris Aiken, Alderman Eddie Campbell, Alderman Bruce Galloway, Alderman Jean Ann Hutchinson, Alderman James Metcalf and Alderman David Snider.

Staff Present: Asst. City Administrator Cameron Smith, City Clerk Chandra Hodges, City Attorney Amanda Callaway, Communications Manager Ben Ward, Communications Director Maria Neider, Parks and Recreation Director Hayden Ponsar, HR Director Tracey Hasler, IT Manager Dusty Hardcastle, Finance Director Mary Edna Wilson, Public Works Director Jeremy Parsons, and Police Chief Justin Arnold.

1. **CALL TO ORDER:** Mayor Don Currence opened the Regular Meeting at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited.
3. **VIDEO OF DECORUM:** played
4. **ROLL CALL:** City Clerk Chandra Hodges called the Roll:

Alderman Chris Aiken	Present
Alderman Eddie Campbell	Present
Alderman Bruce Galloway	Present
Alderman Jean Ann Hutchinson	Present
Alderman Jim Metcalf	Present
Alderman David Snider	Present

5. **APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING(S):**

a. **December 2, 2024 – Special Session**

Motion was made by Alderman Galloway to approve the minutes from December 2, 2024 as written after being tabled at the December 16, 2024 regular meeting. Further discussion was held with the motion to approve seconded by Alderman Aiken with Alderman Campbell voting nay and the rest present voting aye.

b. December 16, 2024 – Regular Session

Alderman Hutchinson made the request to add the last name of the new HRD Executive Director's last name on page 2, her full name is Diane Richardson. Motion was made by Alderman Hutchinson to approve the December 16, 2024 Regular Session Meeting minutes as amended seconded by Alderman Metcalf with all present voting aye.

c. December 19, 2024 - Special Session

Motion was made by Alderman Aiken to approve the December 16, 2024 Special Session minutes as written seconded by Alderman Snider with Alderman Metcalf abstaining and the rest present voting aye.

6. CEREMONIAL MATTERS:

7. SCHEDULED VISITORS:

a. Historic River District - Updates

Jillian Johnson, Board President introduced Vice President Ashleigh Hawkins who then gave their update and recapped their Annual Report.

8. FIRST READING BILL AND RESOLUTIONS: (Open or Public Discussion)

a. NEW BILLS:

1. Bill #3629 An Ordinance Calling For And Giving Notice of a General Municipal Election to be Held on April 8, 2025 to Elect A Mayor and Alderman for Wards One, Two and Three

Motion was made by Alderman Galloway to place Bill #3629 on its first reading by title only seconded by Alderman Aiken with all present voting aye.

City Attorney Amanda Callaway read Bill #3629 by title only.

i. Staff Comments

City Attorney Amanda Callaway explained this is calling for our General Election in April, we do this every year. Our Ordinance must be filed with the Christian County Clerk by January 28, 2025 and we are requesting this to be expedited.

ii. In Person Comments

iii. Board Comments

Mayor Currence opened and closed the Public Hearing.

Motion was made by Alderman Galloway to place Bill #3629 on its second and final reading by title only seconded by Alderman Aiken with all present voting aye.

City Attorney Amanda Callaway read Bill #3629 by title only.

Motion was made by Alderman Galloway to adopt Bill #3629 as Ordinance #25-001 seconded by Alderman Aiken. The Clerk called roll call vote:

Alderman David Snider	aye
Alderman Bruce Galloway	aye
Alderman Eddie Campbell	aye
Alderman Jean Ann Hutchinson	aye
Alderman Chris Aiken	aye
Alderman Jim Metcalf	aye

b. RESOLUTIONS: NONE

9. SECOND READING AND FINAL PASSAGE OF BILLS. Bills Closed To Public Discussion (Board

Discussion)

1. Bill #3619 An Ordinance Of The City Of Ozark, Missouri, Approving the Preliminary Plat For The Ozark Marketplace Subdivision And Authorizing The Director Of Planning And Development To Accept The Dedication Of The Public Streets And Easements To The City As Shown On The Preliminary Plat, Upon The Applicant Filing And Recording A Final Plat That Substantially Conforms To The Preliminary Plat; And Authorizing The City Clerk To Sign The Final Plat Upon Compliance With The Terms Of This Ordinance

Motion was made by Alderman Metcalf to place Bill #3619 on its second and final reading by title only seconded by Alderman Campbell with all present voting aye.

City Attorney Amanda Callaway read Bill #3619 by title only.

Motion was made by Alderman Metcalf to adopt Bill #3619 as Ordinance #25-002 seconded by Alderman Campbell. The Clerk called roll call vote:

Alderman Bruce Galloway	aye
Alderman Chris Aiken	aye
Alderman Jean Ann Hutchinson	aye
Alderman Jim Metcalf	aye
Alderman David Snider	aye
Alderman Eddie Campbell	aye

2. Bill #3620 An Ordinance Of The City Of Ozark, Missouri, Amending The Zoning Code And Official Map By Changing The Zoning Classification Of Certain Real Property Located At 1767 South 15th Avenue, C-2 to OW

Motion was made by Alderman Metcalf to place Bill #3620 on its second and final reading by title only seconded by Alderman Campbell with all present voting aye.

City Attorney Amanda Callaway read Bill #3620 by title only.

Motion was made by Alderman Metcalf to adopt Bill #3620 as Ordinance #25-003 seconded by Alderman Campbell. The Clerk called roll call vote:

Alderman Eddie Campbell	aye
Alderman Chris Aiken	aye
Alderman David Snider	nay
Alderman Bruce Galloway	aye
Alderman Jim Metcalf	aye
Alderman Jean Ann Hutchinson	aye

3. Bill #3621 An Ordinance Of The City Of Ozark, Missouri, Adopting One New Chapter, Chapter 660, Residential Rental Dwelling Unit Inspections And Certificates

Motion was made by Alderman Metcalf to place Bill #3621 on its second and final reading by title only seconded by Alderman Aiken with all present voting aye.

City Attorney Amanda Callaway read Bill #3621 by title only.

Further discussion was held.

Motion was made by Alderman Metcalf to adopt Bill #3621 as Ordinance #25-004 seconded by Alderman Campbell. The Clerk called roll call vote:

Alderman Jean Ann Hutchinson	nay
Alderman David Snider	aye
Alderman Bruce Galloway	aye
Alderman Eddie Campbell	nay
Alderman Chris Aiken	nay
Alderman Jim Metcalf	nay

Vote tally: 2 aye, 4 nay – MOTION FAILS

4. Bill #3622 An Ordinance Of The City Of Ozark, Missouri, Adopting One New Chapter, Chapter 670, Regarding Contractor's Licenses

Motion was made by Alderman Metcalf to place Bill #3622 on its second and final reading by title only seconded by Alderman Campbell with all present voting aye.

City Attorney Amanda Callaway read Bill #3622 by title only.

Motion was made by Alderman Metcalf to adopt Bill #3622 as Ordinance #25-004 seconded by Alderman Campbell. The Clerk called roll call vote:

Alderman Chris Aiken	aye
Alderman Jean Ann Hutchinson	aye
Alderman David Snider	aye
Alderman Jim Metcalf	aye
Alderman Eddie Campbell	aye
Alderman Bruce Galloway	aye

5. Bill #3623 An Ordinance Of The City Of Ozark, Missouri, Amending The 2025 Fee Study To Add Five New Fees

Motion was made by Alderman Galloway to place Bill #3623 on its second and final reading by title only seconded by Alderman Aiken with Alderman Campbell voting nay and the rest present voting aye.

City Attorney Amanda Callaway read Bill #3623 by title only.

Alderman Metcalf made a motion to amend Bill #3623 by removing all fees associated with rental inspections second by Alderman Campbell with all present voting aye.

Motion was made by Alderman Galloway to adopt Bill #3623 as Ordinance #25-005 as amended seconded by Alderman Snider. The Clerk called roll call vote:

Alderman Jim Metcalf	aye
Alderman Jean Ann Hutchinson	aye
Alderman David Snider	aye
Alderman Eddie Campbell	aye
Alderman Chris Aiken	aye
Alderman Bruce Galloway	aye

6. Bill #3624 An Ordinance Of The City Of Ozark, Missouri, Authorizing The City To Enter Into A Contract With Radmacher Brothers Excavating Company, Inc., For Phase 4, Phase 5, And Spur Improvements To The Chadwick Flyer Trail

Motion was made by Alderman Aiken to place Bill #3624 on its second and final reading by title only seconded by Alderman Campbell with all present voting aye.

City Attorney Amanda Callaway read Bill #3624 by title only.

Public Works Director Jeremy Parsons explained there is new language required by the Missouri Dept. of Economic Development that has to be added to this contract. Staff is currently working with Jefferson City. A new Bill will come forward January 21, 2025 with a request to expedite.

Alderman Campbell made a motion to table Bill #3624 indefinitely seconded by Alderman Metcalf with all present voting aye.

7. Bill #3625 An Ordinance Of The City Of Ozark, Missouri, Granting White River Valley Electric Cooperative, Inc. A Franchise For Electric Distribution

Motion was made by Alderman Galloway to place Bill #3625 on its second and final reading seconded by Alderman Hutchinson with all present voting aye.

City Attorney Amanda Callaway read Bill #3625 by title only.

Motion was made by Alderman Galloway to adopt Bill #3625 as Ordinance #25-006 as amended seconded by Alderman Snider. The Clerk called roll call vote:

Alderman Bruce Galloway	aye
Alderman Eddie Campbell	aye
Alderman Chris Aiken	aye
Alderman David Snider	aye
Alderman Jim Metcalf	aye
Alderman Jean Ann Hutchinson	aye

10. REPORT OF OFFICERS, BOARDS AND COMMITTEES:

a. City Administrator Eric Johnson

Mayor Currence stated City Administrator Eric Johnson is snowed in in Blue Springs with 12 inches of snow.

11. MAYOR AND BOARD OF ALDERMAN COMMENTS AND ANNOUNCEMENTS:

23. ADJOURNMENT

Motion was made by Alderman Snider seconded Alderman Aiken to adjourn the January 6, 2025 meeting at 8:46 pm.

Don Currence, Mayor

ATTEST:

Chandra Hodges City Clerk

**AN ORDINANCE, OF THE CITY OF OZARK, MISSOURI,
GRANTING WHITE RIVER VALLEY ELECTRIC COOPERATIVE,
INC. A FRANCHISE FOR ELECTRIC DISTRIBUTION**

WHEREAS, the City of Ozark, Missouri, (City) and White River Valley Electric Cooperative, Inc. (Cooperative) desire to enter into a Franchise Agreement; and

WHEREAS, the Cooperative is a rural electric cooperative corporation organized and existing under the laws of the State of Missouri; and

WHEREAS, Recent changes in the law have provided for rural electric cooperatives of this State to provide electric service within the corporate limits of certain cities, including the City of Ozark, Missouri, under the provisions of Sections 386.800, and 394.315, RSMo., and other applicable sections of Chapters 394 and 386, RSMo., if certain requirements are met; and

WHEREAS, the Franchise Agreement grants the Cooperative, its successors and assigns, the right to use the streets, alleys and public grounds for the purpose of erecting and maintaining an electric distribution system, with the necessary poles, wires and other apparatus, equipment and appliances therefor, and to string wires above ground or carry same thereunder; and the right to do all things necessary and proper for the purpose of generating or otherwise procuring electric energy, or any part thereof, and distributing same throughout the City and of supplying and selling electric energy for light, power, heat and any other purposes to the City and the inhabitants thereof, and fixing the terms and conditions upon which such rights may be granted and exercised.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OZARK, MISSOURI, as follows, that:

SECTION 1 – That White River Valley Electric Cooperative, Inc. (hereinafter called the “Cooperative”), its successors and assigns, are hereby authorized and empowered to use the streets, avenues, lanes, alleys and other public grounds and ways in the City of Ozark, Missouri, (hereinafter called the “City”), as its limits now exist or may be altered, for the purpose of erecting and maintaining an electric distribution system, with the poles, wires (above ground or thereunder) and other apparatus, equipment and appliances necessary therefor, subject to reasonable supervision of the Board of Aldermen as to the place and manner of erecting the poles for said purposes; and for the purpose of conducting, supplying, distributing, and selling electric energy to the City and/or the inhabitants thereof for light, power, heat, and any other purposes; and for the purpose of erecting and maintaining a plant or plants in said City for the generating of electric energy, with the right in said Cooperative also to generate or procure said electric energy, or any part thereof, at other points and to carry same into said City and there make distribution and sale thereof, and the further right in said Cooperative to transmit any of said electric

energy from or through said City for sale outside the limits thereof.

SECTION 2 – Said Cooperative shall use every reasonable precaution to avoid damage or injury to person or property and agrees to indemnify and save harmless the said City from damage, injury, suits, actions, loss or expense arising from any negligent construction, reconstruction, repair, maintenance or operation of its said electrical system.

SECTION 3 – The Cooperative agrees that it will furnish continuous and uninterrupted electric service from the beginning of such service to the end of the franchise period, except for interruptions caused by strikes, riots, governmental interference or regulation, acts of Providence, accidents beyond the control of the Cooperative, or necessary maintenance or replacements.

SECTION 4 – The distribution and sale of electric energy to consumers shall be governed by such operating rules, regulations and practices of the Cooperative as may now or hereafter be prescribed or approved by competent authority.

SECTION 5 – The Cooperative shall abide by all applicable provisions of the Municipal Code of the City of Ozark, Missouri, including but not limited to the Dark Skies ordinance for all street lighting. The Cooperative shall use fixtures in the right-of-way that are Dark Skies compliant.

SECTION 6 – The Cooperative shall utilize energy efficient fixtures in the right-of-way.

SECTION 7 – The Cooperative agrees to pay to the City during the term of this Franchise and at such times as may be mutually agreed upon an amount equal to two (2) percent of the charges for services to customers under rate schedules for Residential and Commercial Service.

SECTION 8 – All terms and provisions of this Ordinance shall be binding upon the parties hereto, and upon their respective successors and assigns.

SECTION 9 – This Ordinance establishes a non-exclusive franchise granted by the City to the Cooperative.

SECTION 10 – This Ordinance shall be in full force and effect from and after passage and approval; and all the rights hereby granted shall continue and remain in full force and effect for a period of twenty (20) years from and after the date of passage of this Ordinance, provided that written acceptance by the Cooperative shall be filed with the Clerk within ten (10) days after such passage and approval.

PASSED AT MEETING ON JANUARY 6, 2025.

	AYE	NAY	ABSENT/ABSTAIN
ALDERMAN BRUCE GALLOWAY	X		
ALDERMAN EDDIE CAMPBELL	X		
ALDERMAN CHRIS AIKEN	X		
ALDERMAN DAVID SNIDER	X		
ALDERMAN JIM METCALF	X		
ALDERMAN JEAN ANN HUTCHINSON	X		

APPROVED ON JANUARY 6, 2025.


DON CURRENCE, MAYOR

ATTEST:


CHANDRA HODGES, CITY CLERK

CERTIFICATION

I, Chandra Hodges, Clerk of the City of Ozark, Missouri do hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 25-006, duly passed by the Governing Body of said City and the execution of the contract therein provided, as the same appears on the records of said City.

Witness my hand and the seal of said City, this 6th day of January, 2025.


CITY CLERK

(CITY SEAL)

EXPLANATION TO BOARD OF ALDERMAN BILL NO: 3625

FILED DATE: 12-2-2024

ORIGINATING DEPARTMENT: Law Department

PURPOSE: AN ORDINANCE, OF THE CITY OF OZARK, MISSOURI, GRANTING WHITE RIVER VALLEY ELECTRIC COOPERATIVE, INC. A FRANCHISE FOR ELECTRIC DISTRIBUTION

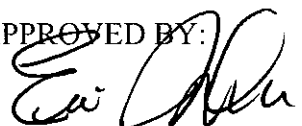
BACKGROUND INFORMATION: The City of Ozark, Missouri, ("City") and White River Valley Electric Cooperative, Inc. ("White River"), wish to enter into a Franchise Agreement establishing the rights and responsibilities of each party for the distribution of electric power within the City limits. Recent changes in Missouri law allow for rural electric cooperatives of this state to provide electric service within the corporate boundaries of certain cities, including the City. Property owners are utilizing this change in state law to select electric cooperative service providers prior to annexation. Therefore, the City and White River now wish to enter into a non-exclusive Franchise Agreement.

The proposed Franchise Agreement grants White River the right to use the streets, alleys, and public grounds for the purpose of erecting and maintaining an electric distribution system, with the necessary poles, wires, and other apparatus, equipment and appliances. Pursuant to the terms of this Franchise Agreement, White River will pay to the City an amount equal to two percent of the charges for service to customers under the rate schedules for Residential and Commercial Services. This is the same franchise fee for other electric franchises currently operating within the City limits. Additionally, White River has agreed to comply with the City's Dark Skies law and to utilize energy efficient fixtures in the right-of-way.

SUBMITTED BY:

/s/ Amanda Callaway
Amanda Callaway
City Attorney

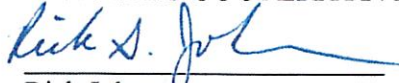
APPROVED BY:


Eric Johnson
City Administrator

ACCEPTED:

IN WITNESS WHEREOF, White River Valley Electric Cooperative, Inc. hereby
accepts this Franchise Agreement as memorialized in Ozark, Missouri Ordinance No. 25-006
and agrees to abide by its terms as of this date, January 8, 2025.

**WHITE RIVER VALLEY
ELECTRIC COOPERATIVE, INC.**



Rick Johnson
Vice President & Chief Engineering Officer

Witness:



Name: Devin Sonnenfelt

Title: SR Business Dev. Specialist