



City of Ozark Missouri

P.O. Box 295
Ozark, Missouri 65721

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BOARD OF ALDERMEN TENTATIVE MEETING AGENDA NOON WORK SESSION

Monday, February 27, 2012
12:00 P.M. Regular Session

POSTED 02-22-2012

Ordinance #12-0

CALL TO ORDER 12:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING(S):

CEREMONIAL MATTERS:

BILLS OPEN FOR PUBLIC DISCUSSION:

- A. BILLS REQUIRING A PUBLIC HEARING:
- B. FIRST READING BILLS:
- C. RESOLUTION:
- D. EMERGENCY BILLS:
- E. PUBLIC IMPROVEMENT BILLS (TAX BILLS):
- F. GRANTS:
- G. AMENDED BILLS:

SECOND READING AND FINAL PASSAGE OF BILLS. NO PUBLIC DISCUSSION. BOARD DISCUSSION ONLY:

REPORT OF OFFICERS, BOARDS AND COMMITTEES:

1. Administrative Committee: City Administrator Steve Childers.
 1. Planning and Development and Building Fee Schedules.
 2. Presentation and Discussion of the New Procurement Code.
2. Public Safety:
3. Public Works:
 1. 3rd Street Signalization Change Order Amendment.
4. Park:

UNFINISHED BUSINESS:

SCHEDULED VISITORS:

NEW BUSINESS/COUNCIL COMMENTS:

MISCELLANEOUS BUSINESS:

ADJOURNMENT

Representatives of the News Media may obtain copies of this notice by contacting: The City Clerk's Office at (417) 581-2407 or by E-Mail hwilson@ozarkmissouri.org All Board of Aldermen Agenda Documents can be obtained from the City's Website www.ozarkmissouri.com.

(To be posted at least 24 hours prior to the commencement of the Meeting on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for posting notices at the principal office of the Municipal Corporation or Political Subdivision or, if no such office exists, at the building in which the meeting is to be held). In accordance with ADA Guidelines, if you need special accommodations when attending City Meetings, please notify the City Clerk's Office at least 3 days prior to the scheduled meeting.

Planning and Development Application Fees

Red = Existing to change

Green = New Proposed

Annexation	\$225 (Paid at time of submittal) plus publication expenses.
Rezoning/Zoning Amendment	\$225 (Paid at time of submittal) Plus publication expenses.
Site Plan Application	
Administrative Approval	\$75 \$125 (Paid at time of submittal)
And/or Requires P & Z Commission Approval	\$125 (Paid at time of submittal)
Subdivision Platting Application	
Preliminary Plat	\$225 plus \$1.50 per lot (Paid at time of submittal)
Final Plat	\$225 plus \$1.50 per lot (Paid at time off submittal)
Planned Unit Development (PUD)	
Sketch Plan	No charge \$125 (Paid at the time of submittal)
Preliminary PUD Plan	\$225 (Paid at time of submittal)
Final PUD Plan	\$225 plus \$5.00 \$1.50 Per lot (Paid time of submittal)
Minor Subdivision Application	\$125.00 (Paid at time of submittal)
Lot Split, Lot Combination Property Line Adjustment, Re-Plat	\$125 (Paid at time of submittal)
Vacation of Easement	\$75.00 \$225 (Paid at time of submittal) Plus publication expense
Conditional Use Permit Application	\$200 \$225 (Paid at time of submittal) Plus publication expenses
Board of Adjustment-Appeal	\$200.00 (paid at time of submittal)

Current Building Permit Fees in Black

~~Strike through to be removed~~

New Residential Building Permit Fees

Plan review fee	\$50
Multiply total square feet under roof	X \$0.25
Water inspection fee (PW)	\$40
Sewer inspection fee (PW)	\$40
Final inspection fee	\$50

Residential Building Addition and Remodel

100 to 400 sq. ft.	\$40
Over 400 sq. ft.	X \$0.10
With Electrical	\$40
With Plumbing	\$40
With Mechanical	\$40

Accessory Building Permits (Residential)

200 to 500 sq. ft.	\$40
501 to 700 sq. ft.	X \$0.07
Over 700 sq. ft.	\$50
With plumbing	\$15
With Electrical (from house)	\$15
With Electrical Separate service	\$25

Wooden Decks Permits

200 to 500 sq. ft.	\$30
501 to 750 sq. ft.	X \$0.10
Over 750 sq. ft.	\$50

Changes in Red

New in Green

Remove

up to 500 sq. ft. \$50

over 500 sq. ft. \$75

Residential trades if applicable

\$40 each

Electric, Mechanical, Plumbing, Framing

up to 500 sq. ft. max \$50

(500 sq. ft. max in residential areas)

(Includes in ground storm shelters)

Residential trades if applicable

\$40 each

up to 500 sq. ft. \$50

over 500 sq. ft. \$65

Miscellaneous Permits

Swimming Pool above ground	\$30		
Swimming Pool in ground	\$80 + trades		\$100 all inclusive
Moving Buildings / Structures	\$75		
Infrastructure damage bond	\$1000 min		
Demolition Fee each \$1000 valuation	X \$5		\$50
Re-inspection fee	\$50		\$100
Signs each \$1000 valuation	\$45 + electric		\$75.00 all inclusive electric
Banners / Temporary signs	\$30		\$45
Firework Tents	\$100		\$125
Towers (plus 3 rd party fees if applicable)	\$0	NEW	\$150 (+ 95/hr. plan review)
Door furnace	\$0	NEW	\$50
Mobile Home set up	\$0	NEW	\$100 all inclusive trades
Redevelopment Review for Certificate of Occupancy	\$0	NEW	\$50
Temporary Vendor Permit	\$0	NEW	\$100 all inclusive trades, review

Fees and Penalties

Work without a permit	Court Summons		\$150 plus cost of permit
Overtime Fees	\$0	NEW	\$45 per hr. min 2 hrs.
Refund on permit	\$25		\$25 Refund Fee (no refund on plan review)
Permit Renewal	\$50		\$75 residential \$125 commercial

New Commercial and Infill Permit Fees

Multiply total sq. ft. X \$0.20
(A minimum of \$300 will be charged if greater than sq. ft. fee.)

Plan review	25% of permit cost or \$85/hr. (whichever is greater)		25% of permit cost or \$95/hr. (whichever is greater)
Plan review re-submittal fee	\$0	NEW	\$100 4 th submittal
Plan review re submittal fee	\$0	NEW	\$200 5 th submittal \$100 ea. After

If the re-submittal of the design document is due solely to an error or omission by the City, no additional fee or penalty will be assessed.

Electrical Inspection Fee	\$100
Mechanical Inspection Fee	\$100
Plumbing Inspection Fee	\$100
Final Inspection Fee	\$100

Definition:

Infill:

- a. A unit that has over 50% of square footage construction changes to it.
- b. The unit has a change of use by International Building Code guide lines.

Commercial Alteration Permit

Plan review	25% of permit cost or \$85/hr. (whichever is greater)	Minimum \$125 or \$95/hr. (whichever is greater)
Electrical Inspection Fee	\$100	
Mechanical Inspection Fee	\$100	
Framing Fee	\$100	Clarified use to be same as mechanical.
Plumbing Inspection Fee	\$100	
Final Inspection Fee	\$100	

Definition:

Alteration:

- a. A unit that has less than 50% of square footage changes to it and does not have a change of use.
- b. A unit that does not increase in life safety requirements in like use groups and less than 25% sq.ft. of changes.

Commercial Accessory Structures

200 to 500 sq. ft.	_____	\$40
501 to 700 sq. ft.	_____	X \$0.07
Over 700 sq. ft.	_____	\$50

up to 600 sq. ft. max \$75

600 sq. ft. max in commercial
Over 600 requires a special use permit
Over 600 will be counted as a new building

With plumbing	_____	\$15
With Electrical (from house)	_____	\$15
W Electrical Separate service	_____	\$25

Commercial trades if applicable
\$100 each

Commercial Sprinkler Permit

Plan review 25% of permit cost or
\$85/hr. (whichever is greater)

Sprinkler Fee	per \$1000 Valuation	_____	X \$45
	Plumbing	_____	\$100

\$300 (+ \$95/hr. plan review)

Sprinkler Modification \$0 New

\$100 (+ \$95/ hr. plan review)



City of Ozark, Missouri

Department of Public Works

2/22/2011

To Whom It May Concern:

Ref; Existing water impact fees

The correct term is considered to be "water capacity charge" instead of water impact fees. Therefore this term should be used in future references.

The existing water impact fees, (see attached existing water impact fees, table #1) are not correctly related to the potential water flow thru each meter size,. We had our water engineer confirm the correct ratio between each meter size, (see attached water capacity analysis).

The city should develop equality between the individual meter capacities charges that are directly related to the potential water usage for each meter size.

The average total annual charge collected for the last three years is $\$38,700 + \$18,100 + \$26,200 = \$83,000/3 = \$27,667$, (see table #2A, #2B and #2C).

If the ratio between meter sizes is adjusted, some meter capacity charges would be reduced if the \$100.00 rate is retained for the 5/8" meter. For example the capacity charge for a 1" meter would be \$256.00 instead of the present charge of \$1000.00, (see table #3). The capacity charges should be adjusted so that the overall capacity charges that are collected annually are not reduced.

To maintain a capacity charge schedule that would approximate the existing overall total annual charges collected, a charge of \$140.00 could be assigned to the 5/8" meter size, (see table #4). Totals for Table #4 would result in annual totals, (\$27,853) similar to the average of the total annual charges collected for the previous three years

Staff recommends that the rates in table #4 be adopted. This would provide "fairness" to the rates for each meter size and would maintain the approximate total annual charges collected. It is also recommended that the same capacity charge be applied to both the 5/8" commercial and residential applications. In most cases, the commercial usage will not exceed the residential usage on a 5/8" meter size.

A handwritten signature in cursive script that reads "Robert L. Wilslef".

Robert Wilslef
Public Works Department
Engineering and Environmental Resources

P.O. Box 295. Ozark, Mo 65721

◆ Phone: 417-581-2407 ◆ Fax: 417-581-0353

◆ engtech@ozarkmissouri.org ◆ www.ozarkmissouri.com

WATER IMPACT FEES

TABLE 1 EXISTING WATER IMPACT FEES PER APR 18, 2000 ORDINANCE				
Meter Size (inches)		Water Impact Fee (Inside City Limits)		Water Impact Fee (Outside City Limits)
3/4" Residential*		\$100.00		\$200.00
3/4" Commercial*		\$200.00		\$400.00
1"		\$1,000.00		\$2,000.00
1.5"***				
2"		\$2,000.00		\$4,000.00

*The 3/4" meters listed in the ordinance are actually 5/8" size. The impact fee for this meter is doubled when used in a commercial application. **The 1.5" meter is not actually listed in our existing ordinance but was normally estimated to be half way between a 1" meter and a 2" meter. Per the ordinance, sizes above a 2" are to be assessed as deemed appropriate. These rates do not accurately reflect the actual ratio between the meter sizes. For example a 1" water service is actually 2.56 times as large as a 5/8" water service and a 2" meter is 3.97 times as large as a 1" meter.

SCOTT CONSULTING ENGINEERS, P.C.

550 E. St. Louis Street, Springfield, MO (417) 866-8644 FAX (417) 866-3035

Client: City of Ozark, Missouri
Project Name: Water Impact Fee Analysis
Project Number: 109040.00
Description:

WATER CAPACITY ANALYSIS

$Q = AV$

Q = Flow (cubic feet per second)

A = Area (square feet)

V = Velocity (feet per second)

WATER CAPACITY ANALYSIS				
Meter Size (inches)	Area (square feet)	Velocity (feet per second)	Flow (cfs)	Percent Increase from 5/8" Meter
0.63	0.002	5.00	0.011	100%
0.75	0.003	5.00	0.015	144%
1.00	0.005	5.00	0.027	256%
1.50	0.012	5.00	0.061	576%
2.00	0.022	5.00	0.109	1024%
3.00	0.049	5.00	0.245	2304%
4.00	0.087	5.00	0.436	4096%
6.00	0.196	5.00	0.982	9216%

WATER CAPACITY CHARGES

Tables - The totals are based on the existing water capacity charges applied to the number of meters installed for each of the last three years. IE; the totals collected for each year

TABLE 2A					
TOTAL ANNUAL CHARGES COLLECTED FOR 2008					
Meter Size (inches)	Water capacity charge (Inside City Limits)	Water capacity charge (Outside City Limits)	# of meters installed in 2008, (within city limits)	# of meters installed in 2008, (outside of city limits)	Total water capacity charge collected for 2008
3/4" Res	\$100.00	\$200.00	121	29	\$17,900.00
3/4" Comm	\$200.00	\$400.00	14	0	\$2,800.00
1"	\$1,000.00	\$2,000.00	2	0	\$2,000.00
1.5"	\$1,500.00	\$3,000.00	0	0	\$0.00
2"	\$2,000.00	\$4,000.00	8	0	\$16,000.00
3"	\$3,000.00	\$6,000.00	0	0	\$0.00
4"	\$4,000.00	\$8,000.00	0	0	\$0.00
6"	\$6,000.00	\$12,000.00	0	0	\$0.00
TOTAL					\$38,700.00

TABLE 2B					
TOTAL ANNUAL CHARGES COLLECTED FOR 2009					
Meter Size (inches)	Water capacity charge (Inside City Limits)	Water capacity charge (Outside City Limits)	# of meters installed in 2009, (within city limits)	# of meters installed in 2009, (outside of city limits)	Total water capacity charge collected for 2009
3/4" Res	\$100.00	\$200.00	19	10	\$3,900.00
3/4" Comm	\$200.00	\$400.00	1	0	\$200.00
1"	\$1,000.00	\$2,000.00	1	0	\$1,000.00
1.5"	\$1,500.00	\$3,000.00	2	0	\$3,000.00
2"	\$2,000.00	\$4,000.00	3	0	\$6,000.00
3"	\$3,000.00	\$6,000.00	0	0	\$0.00
4"	\$4,000.00	\$8,000.00	1	0	\$4,000.00
6"	\$6,000.00	\$12,000.00	0	0	\$0.00
TOTAL					\$18,100.00

TABLE 2C					
TOTAL ANNUAL CHARGES COLLECTED FOR 2010					
Meter Size (inches)	Water capacity charge (Inside City Limits)	Water capacity charge (Outside City Limits)	# of meters installed in 2010, (within city limits)	# of meters installed in 2010, (outside of city limits)	Total water capacity charge collected for 2010
3/4" Res	\$100.00	\$200.00	43	15	\$7,300.00
3/4" Comm	\$200.00	\$400.00	2	0	\$400.00
1"	\$1,000.00	\$2,000.00	2	0	\$2,000.00
1.5"	\$1,500.00	\$3,000.00	1	0	\$1,500.00
2"	\$2,000.00	\$4,000.00	4	0	\$8,000.00
3"	\$3,000.00	\$6,000.00	1	0	\$3,000.00
4"	\$4,000.00	\$8,000.00	1	0	\$4,000.00
6"	\$6,000.00	\$12,000.00	0	0	\$0.00
TOTAL					\$26,200.00

WATER CAPACITY CHARGES

TABLE 3					
ANNUAL TOTALS BASED ON CORRECTED METER RATIOS					
Meter Size (inches)	Water Capacity Charge (Inside City Limits)	Water Capacity Charge (Outside City Limits)	Avg # of meters installed in last 3 years, (within city limits)	Avg # of meters installed in last 3 years, (outside of city limits)	Total average capacity charges that would be collected
5/8" *	\$100	\$200	66.67	18	\$10,267
1"	\$256	\$512	1.67	0	\$428
1.5"	\$576	\$1,152	1	0	\$576
2"	\$1,024	\$2,048	5	0	\$5,120
3"	\$2,304	\$4,608	0.33	0	\$760
4"	\$4,096	\$8,192	0.67	0	\$2,744
6"	\$9,216	\$18,432	0	0	\$0
TOTAL					\$19,895

Table 3 - The resulting water capacity charge for the different meter sizes is based off of the existing \$100 fee for the 5/8" meter and increased for each subsequent meter based on a percentage of increased allowable flow from the 5/8" meter. *The 3/4" residential and the 3/4" commercial meters are both counted as 5/8" meters for this chart. The water capacity charges are rounded off to the nearest dollar. The average number of meters are carried to two decimal points.

TABLE 4					
ANNUAL TOTALS BASED ON ADJUSTED WATER CAPACITY FEES					
Meter Size (inches)	Water Capacity Charge (Inside City Limits)	Water Capacity Charge (Outside City Limits)	Avg # of meters installed in last 3 years, (within city limits)	Avg # of meters installed in last 3 years, (outside of city limits)	Total estimated capacity charges that would be collected.
5/8" *	\$140	\$280	66.67	18	\$14,374
1"	\$358	\$717	1.67	0	\$599
1.5"	\$806	\$1,613	1	0	\$806
2"	\$1,434	\$2,867	5	0	\$7,168
3"	\$3,226	\$6,451	0.33	0	\$1,064
4"	\$5,734	\$11,469	0.67	0	\$3,842
6"	\$12,902	\$25,805	0	0	\$0
TOTAL					\$27,853

Table 4 - The resulting water capacity charge for the different meter sizes is based off of a proposed \$140 fee for the 5/8" meter and increased for each subsequent meter based on a percentage of increased allowable flow from the 5/8" meter. *The 3/4" residential and the 3/4" commercial meters are both counted as 5/8" meters for this chart. The water capacity charges are rounded off to the nearest dollar. The average number of meters are carried to two decimal points.



City of Ozark Missouri
Department of Public Works

PUBLIC WORKS DEPARTMENT FEES		
ITEM	EXISTING FEES	PROPOSED FEES
LAND DISTURBANCE PERMIT*	\$0.00 (Plus security deposit to ensure that disturbed area is restored) (DNR charges \$300.00)	< 5 ACRES = \$200.00 5 TO 20 ACRES = \$400.00 > 20 ACRES = \$800.00 (Plus security deposit)
DRIVEWAY/CURB CUTS	\$10.00 + REFUNDABLE DEPOSIT OF \$450.00	ELIMINATE
STREET UTILITY CUTS	\$10.00 + REFUNDABLE DEPOSIT OF \$450.00	ELIMINATE
RIGHT-OF-WAY PERMIT (COMBINES THE DRIVEWAY/CURB CUT AND STREET UTILITY CUTS PERMITS)	N/A	\$10.00 + REFUNDABLE DEPOSIT OF \$450.00
WATER MAIN TAP INSPECTION	\$40.00	NO CHANGE
SEWER MAIN TAP INSPECTION	\$40.00	NO CHANGE
WATER MAIN TESTING	\$0.14/LF FOR FIRST TEST \$0.07/LF FOR REPEAT TESTS + COSTS OF TESTING AT HEALTH DEPT	NO CHANGE

*Springfields fees are <5 acres = \$250.00, 5 to 20 acres = \$500.00 and >20 acres = \$1,000.00, (with subsidy from tax). It would be <5 acres = \$850.00, 5 to 20 acres = \$1700.00 and >20 acres = \$3400.00 without the stormwater tax subsidy. Greene County's fees are <1 acre = \$100.00**, <1 to 5 acres = \$200.00, >5 acres to 20 acres = \$400.00 & >20 acres = \$600.00 + a \$1000.00 bond is also required per acre. **Neither we nor DNR require a permit for projects that are less than one acre.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF OZARK BY DELETING CHAPTER 140 OF TITLE I OF SAID CODE RELATING TO "PROCUREMENT" AND ENACTING, IN LIEU THEREOF, ONE NEW CHAPTER RELATING TO THE SAME SUBJECT MATTER.

WHEREAS, The Board of Aldermen, after reviewing our existing procurement procedures and receiving the recommendations of the State auditor, have determined that a revision of our Ordinances relating to Purchases and Sales within the City are in need of revision; and

WHEREAS, The Board of Aldermen, in conjunction with the City Administrator, Director of Finance and staff have made recommendations for the improvement of the procedures for the purchase of services and property as well as the sale or other disposition of City Property.

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

SECTION 1. The Code of Ordinances of the City of Ozark is hereby amended by deleting Chapter 140: "PROCUREMENT" of Title I "GOVERNMENT CODE" and enacting in lieu thereof one new Chapter relating to purchasing and sales of City property which new Chapter shall read as follows:

"CHAPTER 140: PURCHASING AND SALES

SECTION 140.010: PURCHASING AND SALES POLICY

A. *Purchasing and Sales Policy.*

1. *Purpose.* The purpose of this Chapter is to establish guidelines regarding purchases made by the City and the sale of City property in order to maximize the value realized for each public dollar spent and for public property.

2. *Applicability.* This Chapter is applicable to all purchasing for the City regardless of the source of funds used for the purchase and the sale of any City property outside the scope of ordinary services. With the exception of Federal Forfeiture Funds which are managed by the Chief of Police and may be utilized to acquire any authorized items or services, the Police Chief will additionally comply with the latest copy of the *Guide to Equitable Sharing for State and Local Law Enforcement Agencies* published by the United States Department of Justice.

3. *Basic goals.* The basic goals of the City are:

- a. To comply with all applicable Federal, State and Local legal requirements.
- b. To assure vendors and buyers that impartial and equal treatment will be afforded to all who wish to do business with the City.

- c. To maximize the value realized for each public dollar spent and for public property.
- d. To obtain goods and services at the time and place needed in the proper quantity and quality.
- e. To sell or lease property that is no longer necessary or useful to the City and that can be better used by the private sector.

If the procedures and guidelines established in this Chapter are followed, each department should efficiently manage, control and plan its available resources to meet present and future departmental needs and help the City meet its goals.

B. *Definitions.* The following terms shall be defined as stated for purposes of this Chapter:

APPROPRIATION: The legal authorization of monies for anticipated or incurred expense.

AUTHORIZED PURCHASER: An approved employee of the City who has been nominated by a Department Director and appointed by the City Administrator to make purchases at a specified monetary level on behalf of the City. The Accounts Payable Clerk shall maintain the list of authorized purchasers as supplied by the Department Directors.

BUDGET: A document which sets forth proposed revenues and expenses to be incurred during a fiscal year for the various City operations.

CONSTRUCTION: The process of building, altering, repairing, improving or demolishing any public structure or facility or other public improvement of any kind.

CONTRACT: A legally binding promise enforceable by law and, generally, in writing.

COOPERATIVE PURCHASING AGREEMENT: A legally binding contract approved by the Board of Aldermen entered into by the City, the United States of America, the State of Missouri or any of their subordinate Agencies or Departments and any other approved organization which manages a cooperative purchasing program to obtain goods and services at the most advantageous price for its members and the City specifically.

COST COMPARISONS: An informal analysis of the amounts paid or requested for a product or service accomplished through personal contact, printed or digital media.

DEPARTMENTS: Includes law, administration, finance, police, parks and recreation, planning and development, public works, municipal court and the office of the city clerk.

EXISTING PURCHASING CONTRACT: A contract previously entered into by the City and currently existing including, but not limited to, a term-and-supply contract, an annual contract, a maintenance contract and a warranty contract.

FORMAL WRITTEN BID: A competitive bid which must be submitted in response to an advertised request in a prescribed format pursuant to applicable instructions, including typically that the bid be submitted in a sealed envelope to be opened in public at a specified time.

ITEM: A product, material or service.

OPEN MARKET SALE: The sale of an item of property in a market in which any buyer or seller may trade and in which prices and product availability are determined by free competition.

MATERIAL VALUE: The value of an item to be purchased or sold, to be determined in the first (1st) instance by the department director.

PROCUREMENT: Purchasing, renting, leasing or otherwise acquiring any supplies, services, property or construction, including performance of any necessary functions such as writing specifications, selection and solicitation of sources, preparation and award of contract and contract administration.

QUOTATION: A statement of price, terms of sale and description of property, goods or services offered by a vendor to a prospective purchaser by digital communication, letter, fax, telephone or other means of communication. A quotation (or 'quote') is not required to be in writing from the vendor; however, some written memorandum of the elements listed above must be maintained.

REQUISITION: An internal document by which a department sends details of supplies, services or material required to the Finance Department, including documentation of authority to commit funds for the purchase.

SCOPE OF SERVICES: A detailed description of the tasks to be performed.

SPECIFICATIONS: A description of the physical or functional characteristics or the nature of a supply, service, property or construction item; the requirements to be satisfied by a product or process; indicating, if appropriate, the procedures to determine whether the requirements are satisfied and/or the capabilities and performance characteristics that the item must satisfy.

SECTION 140.020: PAYMENTS

A. The City Administrator shall have the discretion to direct payment of an invoice so long as the transaction was approved in compliance with Section 140.030. Any other invoice shall require review and approval by the Board of Aldermen prior to payment.

B. At each regularly scheduled Board of Aldermen meeting, the City Administrator shall provide a copy of all invoices which have been received since the previous regular Board of Aldermen meeting.

SECTION 140.030: GENERAL GUIDELINES

A. *General Guidelines.*

1. *Buying preferences.* It is the desire of the City to purchase from City of Ozark, Missouri, and/or American vendors whenever possible. When all other factors are equal, preference shall be provided to City of Ozark vendors first (1st), Missouri vendors second (2nd) and American vendors third (3rd). To be considered a City of Ozark vendor, the person or entity must have a physical place of business located in the City and a City business registration. To be considered a Missouri vendor, the person or entity must have a physical place of business in the State and authority to conduct business in the State. To be considered an American vendor, the person or entity must have a physical place of business in the country and authority to conduct business in the country.

2. *Recycled products.* The City shall purchase recycled-content products in preference to those made from virgin materials when cost, quality, variety, quantity, delivery time and any other defined specifications are comparable to products made from virgin materials.

3. *Planning.* Small orders and last-minute purchases should be minimized, thereby increasing the capability of each department to purchase its goods and services in larger quantities in order to obtain the maximum discounts possible.

4. *Buying proper quality.* It is the duty of the requisitioning department to secure the best quality for the purpose intended. "*Quality buying*" is the buying of goods or services that will meet or exceed the requirements for which they are intended.

5. *Sales tax.* The City is generally exempt from paying local and State sales taxes and Federal excise taxes (except for motor fuels). The Finance Department can provide the necessary exemption documents to any vendor upon request.

6. *Endorsements.* It is the policy of the City not to endorse or in any way permit an employee's name, position or the City's name to be used and advertised as supporting a product or vendor.

7. *Personal purchases.* Purchases for employees' personal use by the City are prohibited. City employees are also prohibited from using the City's name or the employee's position to obtain special consideration in personal purchases.

8. *Lowest responsible bidder.* Contracts for purchases shall be awarded to the lowest and best bidder. In determining the "lowest responsible bidder", in addition to price, the City will consider, when applicable, the following:

a. The ability, capacity and skill of the bidder to perform the contract or provide the service required.

b. Whether the bidder can perform the contract or provide the service promptly or within the time specified without delay or interference.

- c. The character, integrity, reputation, judgment, experience and efficiency of the bidder.
- d. The quality of performance of previous contracts or services.
- e. The previous and existing compliance by the bidder with applicable laws.
- f. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.
- g. The quality, availability and adaptability of the supplies or contractual services to the particular use required.
- h. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract.
- i. The number and scope of conditions attached to the bid.
- j. Any other pertinent factor.

B. *Purchasing Procedures for materials and supplies.*

1. Purchases with material value below One Thousand Dollars (\$1,000.00), within total budget may be made by an *authorized purchaser* without a *quotation*.

2. Purchases with material value from one thousand dollars, one cent (\$1,000.01) to five thousand dollars (\$5,000.00), within total budget and not available through an *existing purchasing contract* or a *cooperative purchasing agreement* may be made by an *authorized purchaser*. Prior to placing an order, the *authorized purchaser* should obtain the lowest cost through *quotations* whenever reasonably possible.

3. Purchases with material value from Five Thousand Dollars, one cent (\$5,000.01) to Twenty Thousand Dollars (\$20,000.00) within total budget and not available through an *existing purchasing contract* or a *cooperative purchasing agreement* may be ordered by the *authorized purchaser* with the approval of the Director of the Department or the City Administrator. Any other purchase must have at least three (3) *quotations*. Any *requisition* must be signed by the *authorized purchaser*, the Director of the Department or the City Administrator and submitted, along with a record of the *quotations* to the Finance Department for issuance of a purchase order.

4. Purchases with material value greater than Twenty Thousand Dollars, one cent (\$20,000.01), within total budget and not available through an *existing purchasing contract* or a *cooperative purchasing agreement* may be ordered by the Department Director with the approval of the City Administrator and/or Director of Finance. For any such purchase, a *formal written bid* must be advertised once a week on the same day for two (2) consecutive weeks in a written and/or electronic publication of general circulation. Any purchase request having a value greater than Twenty Thousand Dollars, one cent (\$20,000.01) that is outside the total budget may be

ordered only after a *formal written bid*, advertised once a week on the same day for two (2) consecutive weeks in a written and/or electronic publication of general circulation and formal approval by a majority of the Board of Aldermen. Purchases with material value greater than Twenty Thousand Dollars, one cent (\$20,000.01), within total budget and available through an *existing purchasing contract* or a *cooperative purchasing agreement* may be ordered by the Department Director with the approval of the City Administrator and/or Director of Finance.

5. The City Administrator shall have the authority to approve purchases of less than Twenty Thousand Dollars (\$20,000.00) which require the transfer of funds from one (1) budgetary line item to another within the same Department and/or Fund as long as the expenditure is within the total budget.

6. *Multiple or repeat orders.* Multiple or repeat orders from the same vendor during any consecutive five (5) business days cannot be used to avoid the requisite approvals for the total purchase amount.

7. *Special circumstances.* On purchases of less than twenty thousand dollars (\$20,000.00), if less than three (3) *quotations* are received and the *quotations* all exceed the amount budgeted for the purchase, departments should either request new *quotations* for the desired goods or services or obtain approval from the City Administrator to proceed based on the initial *quotation(s)* on the grounds that special circumstances exist such that requests for new *quotations* would not generate a different result. Such special circumstances should be explained in a written memorandum accompanying the purchase order.

7. *Exempt purchases.* The following purchases, by their very nature, are exempt from the normal purchasing guidelines and require the special procurement practices set forth below:

- a. Fuel purchases;
- b. Cooperative purchase agreements;
- c. Term-and-supply and annual contracts;
- d. Professional services;
- e. Emergency purchases;
- f. Sole-source and monopoly purchases.

C. *Change Orders.*

1. *Construction change orders approved by City Administrator.* The City Administrator is authorized to approve change orders so long as the amount of the change order does not cause the project to exceed the total budget amount, the approved project cost or the available bond proceeds whichever is greater.

2. *Construction change orders approved by the Board of Aldermen.* In the event a construction change order contains costs in an amount that exceeds the authorization of the City Administrator, the change order must go to the Board of Aldermen for approval. In the event change orders on a single contract accumulate to an amount in excess of the City Administrator's authorization, all subsequent change orders, regardless of amount, must go to the Board of Aldermen for approval.

3. *Changes to purchase orders.* Change orders to purchase orders are only allowed if the change is in the cost of the item being purchased. No change orders are allowed for changes in quantity or scope of the original purchase order. Changes in quantity or scope are to be purchased with separate purchase order numbers unless the City Administrator or his/her designee authorizes the amendment of an existing purchase order. When the cost of an item changes the approval requirements, a new purchase order will be requested following the appropriate purchase procedures.

D. *Fuel Purchases.* Bulk fuel purchases for vehicles may be made without approval of a purchase order, provided that three (3) quotes are obtained and the lowest cost vendor is selected. To the extent vehicles cannot be fueled through the City's bulk-purchasing program, purchases may be made at any commercial service station, although price shopping is still encouraged. Documentation of the purchase shall be submitted.

E. *Cooperative Agreements.*

1. The City may contract directly with other governmental entities (other municipalities, County, State or Federal) for the purchase of items. The City may also participate in, sponsor, conduct or administer a cooperative-purchasing agreement whereby items are procured in accordance with a contract established by another governmental entity provided that such contract was established in accordance with the laws and regulations applicable to the establishing governmental entity.

2. The City Clerk shall make available to Department Directors and *Authorized Purchasers* a list of cooperative-purchasing programs in which the City will participate. The City Clerk shall be responsible for notifying the Departments of current approved cooperative-purchasing agreements and any limitation or special requirements for their use.

3. The City Administrator will review and approve all cooperative purchasing agreements with other governmental agencies with material value under twenty thousand dollars (\$20,000.00) prior to their use. The Board of Aldermen shall review and approve cooperative-purchasing agreements with material value of twenty thousand dollars (\$20,000.00) or more. Competitive-bidding procedures do not apply to such purchases made through approved cooperative-purchasing agreements.

4. "*Acceptable cooperative-purchasing agreements*" are agreements which contain the same terms, conditions, specifications and pricing for the respective item that the department would bid and purchase on their own.

5. Additional Board of Aldermen approval shall not be required for the purchase of any budgeted items from approved "acceptable cooperative-purchasing agreements".

F. *Term-And-Supply And Annual Contracts Open Purchase Orders.*

1. Term-and-supply contracts and annual contracts shall be bid through each department following the same procedures established by this policy for other purchases based upon the estimated material value of a contract. The department requesting the service shall prepare a recommendation of award for the Board of Aldermen approval for all term-and-supply and annual contracts with material value of Twenty Thousand Dollars (\$20,000.00) or more based upon the annual value of the contract. All multiple-year contracts should contain a clause explaining that the obligation of the City to pay for goods and/or services under the contract is limited to payment from available revenues and shall constitute a current expense of the City and shall not in any way be construed to be a debt of the City in contravention of any applicable constitutional or statutory limitations or requirements concerning the creation of indebtedness by the City nor shall anything contained in the contract constitute a pledge of the general tax revenues, funds or monies of the City and all provisions of the contract shall be construed so as to give effect to such intent.

2. Once such a contract is approved, specific purchases within budget should be made on an "as-needed" basis without further bidding while the contract remains open, unless and until the City terminates the contract. Any department that believes such a contract is no longer competitive should provide such information to the City Clerk.

G. *Professional Services Contracts.*

1. Contracts for professional services provided by legal counsel, financial advisors, physicians, certified public accountants, engineers, architects, land surveyors, brokers, consultants and other specialized or technical services shall be obtained through the special procurement procedures set forth in this Section.

2. Requests for qualifications for professional services shall be submitted to the City Administrator, Administrative Projects Director or other appropriate Department Director as assigned by the City Administrator for review and approval prior to distribution. When an RFQ for professional services is approved, a number of qualified professionals will be invited to submit a proposal setting forth their interest, qualifications and description of proposed services. The selection committee will then proceed with the necessary stages of the selection process including but not limited to; development of a selection committee, grading of proposals based upon fair and equitable grading criteria, ranking of interviews based upon fair and equitable criteria and negotiation of a contract with the professionals deemed to best meet the City's needs.

3. Unless otherwise required by State Statute and upon approval of the City Administrator, professional services contracts under Twenty Thousand Dollars (\$20,000.00) annually, may be exempt from the request for qualifications process.

4. Professional services contracts for Twenty Thousand Dollars (\$20,000.00) or more, annually, must be approved by the Board of Aldermen.

H. *Emergency Purchases.* In case of an emergency which requires immediate purchase of supplies or services, the City Administrator may authorize such purchase or secure such services needed without complying with the procedures as set out above. Department directors faced with an emergency purchase need shall notify the City Administrator as soon as possible. When possible [if purchase is greater than twenty thousand dollars (\$20,000.00)] in such an emergency, the City Administrator shall seek approval from the Board of Aldermen at a special or regular meeting prior to the purchase. If a timely special or regular meeting of the Board of Aldermen is not possible, a full report of such an emergency purchase shall be made by the City Administrator to the Board of Aldermen as soon as possible.

I. *Sole-Source and Monopoly Purchases.*

1. The City Administrator or a Department Director may authorize a sole-source purchase, at any monetary purchasing level set forth in Section 140.030 B. above and accordingly waive competitive-purchasing procedures, when such a request is presented in writing by the requesting *authorized purchaser* with the requisition, documenting that only a single feasible procurement source exists. A single feasible sole source exists when:

a. Supplies or services are proprietary and only available from a single manufacturer or a single distributor, or

b. It is determined that only one (1) distributor services the region, or

c. When supplies or services are available at a significant discount from a single distributor for a limited period of time, or

d. When a project with specific circumstances requires specialized consultant or technical services with a unique combination of abilities or expertise.

2. In the event the amount of a sole-source purchase will exceed Twenty Thousand Dollars (\$20,000.00), it must also be approved in advance by the City Administrator and must be approved by the Board of Aldermen.

J. *Lease of Real Property.*

1. The City may lease real property that it owns for fair market value, if authorized by the Board of Aldermen when such property is currently underutilized, in order to maximize the economic return of the property to the City until such time as such property shall be required for public usage.

2. Nothing herein shall prevent the City Administrator or designated representative from negotiating a higher rent for a lessee of any real property that is shown to have a unique value to such lessee due to its configuration, accessibility or size, subject to approval from the Board of Aldermen.

K. *Sale of Real Property.*

1. The City may sell unneeded real property for fair market value with the approval of the Board of Aldermen.

2. Nothing herein shall prevent the City Administrator or designated representative from negotiating a higher price for sale or trade to a buyer for any real property that is shown to have a unique value to such buyer due to its configuration, accessibility or size, subject to approval from the Board of Aldermen.

L. *Disposal of Surplus Goods.* The City should promptly dispose of all surplus property to the economic advantage of the City. Competitive bidding on surplus, obsolete or unusable goods is required through sealed bids, auction, open market sales or other available means. The disposal of all such goods requires the approval of the City Administrator; additional approval by the Board of Aldermen is required for goods in excess of Twenty Thousand dollars (\$20,000.00) in total material value. Trade-in opportunities should be pursued when available to reduce the City's purchasing costs. Competitive bidding shall only apply to a trade-in to the extent it applies to the new purchase. Approvals of a trade-in shall be handled in conjunction with the approval of the new purchase as dictated by the purchase price. The City Administrator is hereby authorized to dispose of any surplus property by transfer to any governmental agency within the State of Missouri regardless of the value of the surplus property.

M. *Purchasing Policy Supplements.* In the event a specific procurement procedure is required to be in writing when the City is purchasing an item which is funded in whole or in part by grant funds, (i.e., CDBG), the City Administrator shall have the authority to supplement this Section to incorporate the special requirements of that procurement.

N. *Policy Clarification.* The City Administrator may clarify the provisions of this Section in furtherance of the stated goals of this Section by written statement, provided the City Administrator cannot alter in any way the extent to which Board of Aldermen action is required hereunder.

SECTION 140.040: ACCOUNTING STANDARDS AND PROCEDURES

The City shall adopt the accounting standards as prescribed by the American Institute of Certified Public Accountants and the Governmental Accounting Standards Board. The City Administrator may promulgate administrative accounting procedures for uniform accounting procedures.

SECTION 140.050: FINANCIAL REPORTS

The Finance Director shall prepare or cause to be prepared monthly statements of municipal revenue, expenditures and current financial condition. Such reports shall be distributed to the City Administrator and made available to the Mayor and the Board of Aldermen as they may request.

SECTION 140.060: INVESTMENTS

A.. The Finance Director shall seek the highest yield from the investment of surplus City funds consistent with the safety of investment and cash flow requirements of the City provided such investments are consistent with State Statutes regulating such investments. A report shall be made to the Mayor and the Board of Aldermen.

B. The Board of Aldermen shall designate a City depository for handling any City checking account at least once every three (3) years.

SECTION 140.070: SUPPLEMENT TO CITY PURCHASING AND SALES POLICY

A. *Purchase Orders.*

1. After approval of a requisition, the City purchase order form will be completed by the Accounts Payable Clerk. In order to insure expeditious processing of purchase orders, it is important that the requisition be completed accurately by the requisitioning department. When applicable, a copy of the Board of Aldermen approval action, the City Administrator's approval action, the Department Director's approval action and bid or quotation documents shall be attached to the requisition.

2. A "*purchase order*" is an offer to make a contract between the City and a vendor. The contract is not binding until it is accepted by the vendor. The issuance of purchase orders or direct purchases by unauthorized individuals or any other unauthorized purchase (including, but not limited to, personal expenses) will not be recognized by the City and payment for these obligations will not be approved. Purchase orders in excess of five thousand dollars (\$5,000.00) must be signed by the Department Director or the City Administrator.

3. The purchase order will consist of three (3) copies; one (1) copy will remain in the Finance Department (attached to the requisition) and two (2) copies will be returned to the requisitioning department.

4. Purchase orders are classified as either "original" or "confirming" based on whether or not the vendor has previously been notified of the City's intent to make the purchase of goods or services.

B. *Construction Contracts.*

1. Construction contracts supervised by City personnel shall be bid through the City Clerk in accordance with the procedures established for other purchases according to the applicable price range and specifications shall be prepared by the appropriate Department and submitted to the City Clerk for posting as prescribed by State Statute.

2. Bid Specifications and requirements for construction contracts supervised by outside consulting services shall be prepared in coordination with the Public Works Department. A bid package shall be reviewed by the Public Works Department and approved by the Department Director or designated representative. The consultant, as determined by the Public Works Department and the Department Director or designated representative, shall distribute the bid package to the City Clerk for posting and distribution to interested bidders. The City Clerk shall receive, record and tabulate the bids and shall certify that bids were opened in compliance with all purchasing policy requirements. The final award of the bid shall be communicated to the successful bidder by the City Clerk.

3. All required performance and/or bid bonds must be obtained and documented prior to the award of the contract.

C. *Product Testing/Demonstrations.*

1. Product demonstrations may be held as deemed appropriate by a department director without prior approval of the Finance Department.

2. Prior to taking into the City's possession any item for testing or evaluation, departments shall contact the City Administrator for approval. The department shall notify the vendor in writing that the City has taken the item into possession for test purposes only and if a purchasing decision is made, that decision will be communicated directly to the vendor at the end of the test period. In no event shall the retention of a test item by the City be evidence of intent to purchase said item.

D. *General Instructions for Bid Specifications.*

1. *General specifications.*

a. Keep specifications as simple as possible while maintaining the exactness required insuring bidders provide the quality goods or services as required by specifications.

b. Whenever possible, identify the equipment or material required with some name brand or known standard specifications already on the market.

c. Specifications should promote competition. Justification must be provided to the City Administrator for restrictive specifications.

d. Flexibility in the specifications is desirable in instances where new technologies are being sought. Specifications should be specific enough to guarantee the quality required but sufficiently flexible to allow vendors to be creative in their proposals.

e. Specifications should be written with clear, simple language.

f. Bid specifications and requirements shall be prepared by the Department Director. The bid packet should be submitted to the City Clerk with all specifications, date of opening, award dates, requirements for potential bidders and names and addresses or known interested bidders to receive bid notices. The City Clerk shall be responsible for posting notice of bids, opening and recording of bids received and reporting to the City Administrator and the Board of Aldermen the bids received as well as the staff's recommendation as to the award of the bid.

2. *Types of specifications.* There are several ways of structuring specifications to protect the integrity of the purchasing process and to insure that the needs of the City are met. Different methods of structuring specifications include:

a. *Qualified products or acceptable brands list.* These lists are developed only where it is not possible to write specifications adequate to identify the quality and performance required of the goods or services to be purchased. Acceptable brands lists are also used when tests that would be necessary to determine compliance with technical specifications are lengthy, costly or require complicated technical equipment.

b. *Specifications by brand or trade name.* Brand or trade names should be used where brand-name products have been found to be superior to others for the purpose intended.

c. *Specifications by blueprint or dimension sheet.* Specifications of construction projects for everything from buildings and streets to custom-built cabinets, furniture, machines or other equipment should be written to reference the blueprints or dimension sheets prepared by the engineer or architect.

d. *Specifications by chemical analysis or physical properties.* Specifications which include the chemical analysis or physical properties of the goods, when clearly requested, place responsibility on the supplier to provide exactly those items requested.

e. *Specifications by performance, purpose or use.* Specifications which include a set of performance criteria for the goods or services required will provide flexibility for vendors to design products or programs specifically aimed at meeting such criteria.

f. *Specification by identification with industry standards.* Specifications will often refer to industry-wide standards or to standards set by other public jurisdictions.

g. *Specifications by samples.* Whenever appropriate, a sample is always a good way to make requirements perfectly clear.

3. *Delivery and performance guidelines.* A contract or purchase order that is complete in all respects and that is accepted by the parties concerned still must produce the intended results or objectives before it can be considered a successful or completed purchase. The terms and conditions must clearly define the delivery and performance requirements of the services, supplies or equipment.

a. *Follow-up and expediting.* Follow-up normally applies to the monitoring of the delivery schedules to assure compliance. Expediting, in the purest sense, involves an attempt to improve or to reduce the contractually stipulated delivery time for various reasons and the vendor is not legally obligated to comply. The primary objectives of the follow-up function are:

- (1) To assure full compliance by the vendor; and
- (2) To develop documentation for future evaluation of the vendor's performance.

If delivery problems develop, there are certain techniques that may be used to help solve them:

- (a) Contact the salesman for assistance.
- (b) Initiate collect phone calls; letters may also be used.
- (c) Visit the vendor's plant. This might help solve the problem and will assist in verifying any reason for the delay.
- (d) Cancel the contract for non-performance.

Prior to the cancellation, authorization from the Director of Finance or City Administrator must be obtained.

4. *Delinquent deliveries.* When follow-up efforts have failed and the deliveries have become delinquent, one (1) of two (2) actions must be taken:

- a. Authorize additional time for delivery; or
- b. Cancel and order from other sources.

Prior to cancellation, authorization from the Director of Finance or City Administrator must be obtained. In all cases, the reasons for delinquent deliveries should be documented. This information may be needed in evaluating future bids submitted by that particular vendor.

5. *Partial deliveries.* Some purchase orders may list several items. If these items can be used separately, partial payments can and should be authorized. However, if the separate items are part of a system, then partial deliveries should not be authorized.

6. *Substitution.* To meet the contractual delivery schedule, it may be appropriate in some situations to consider substitute items. The specifications may cover such a possibility.

Whenever substitutions are necessary due to shortcomings of the vendor, it is the responsibility of the purchaser to seek and obtain an adjustment for lower prices on the substituted items.

7. *Non-performance.* Should the vendor fail to meet any requirements of the specifications, the vendor can be cited for non-performance. Recourse could include:

a. The City may exercise its rights under a liquidated-damages clause or under the terms of a performance bond.

b. The City may obtain the needed items from another source and charge delinquent vendor the excess difference in cost.

c. The City may terminate the contract for default if it is in the best interest of the City and items can be obtained under more favorable conditions from other sources.

Any such action should be approved by the Finance Director or the City Administrator.

8. *Inspection and testing guidelines.* Goods and materials should be checked at the time of receipt to detect any damage or defects. Inspection and testing may be performed at origin or destination.

a. *Reports, rejection and return authorization.* Whenever an inspection is performed, all reports to properly support claims or actions must be thoroughly documented. A copy of the inspection report will normally be used to substantiate payment for the goods and verification of receipt. In the event of rejection, for whatever purpose, certain steps must be taken to inform and protect the rights of the vendor as well as the City. Reasons for rejection must be listed and these reasons should reference specific requirements of the contract.

b. *Damage during shipment.* It is important that all damage be completely described on the receiving report. Any evidence of concealed damage should be noted at this time. The carrier should be notified immediately and a joint inspection should be scheduled with the carrier's representative. When it is apparent that the extent of the damage causes the goods to be worthless, they should not be accepted.

c. *Latent defects.* Latent defects may be the result of damages in transit or of failure of the manufacturer to conform to specifications. If specific liability for the defect cannot be determined between the carrier, the vendor or the manufacturer, the City may have to file a claim against all parties seeking their cooperation in resolving the situation.

9. *Invoices.* Vendors are to be instructed to send all original invoices to the City of Ozark, Accounts Payable Department, P.O. Box 295, Ozark, Missouri 65721-0295.

10. *Purchases supported by grant funds.* Departments shall review all requirements for grant funds used in the procurement of items to insure the bidding process required as a condition to receiving said grant funds is complied with during the procurement of the item. The Finance Department will assist in the inclusion of all required procedures that are in addition to the requirements of the policy.

11. *Delivery of items.* When items are delivered to City departments, the only paperwork to be signed is the delivery notice. Any other vendor purchase order, document, contract, warranty, maintenance agreement, etc., is not to be signed at delivery. All such documents shall be forwarded to the Accounts Payable Section or retained by the appropriate Department.

E.. *Disputes, Adjustments and Appeals.*

1. Departments shall notify the Finance Department in a timely manner concerning any complaint or dispute regarding an order, delivery, specification, defective goods or poor performance by a supplier. Any decision concerning an attempt to cancel a contract or an attempt to resolve a dispute regarding defective products or unacceptable services shall be made jointly by the Finance Department and the Department Director. Any correspondence with suppliers shall be made available to both the department director and the Director of Finance.

2. In the event a procurement dispute arises between the requesting department and the Finance Department, the City Administrator shall make the final decision.

F. *Compliance with Applicable Law.* All transactions shall be made in compliance with applicable law, including, but not limited to, the City's Code and ordinances and also State laws governing such issues as guaranteed energy cost savings contracts (Section 8.231, R.S.Mo.), buying preferences (Sections 34.073 et seq., R.S.Mo.), health insurance (Section 67.150, R.S.Mo.), transactions with Federal and State Government (Sections 70.100 et seq., R.S.Mo.), special assessment sidewalks (Sections 88.880 et seq., R.S.Mo.), solid waste (Section 260.208, R.S.Mo.) and prevailing wage on public works projects (Section 290.250, R.S.Mo.). Before commencing efforts regarding a transaction involving an unfamiliar subject area, a determination should be made as to whether a consultation with the City Attorney is necessary.”

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED THIS _____ DAY OF MARCH 2012.

AYE

NAY

ABSENT/ABSTAIN

APPROVED THIS _____ DAY OF MARCH 2012.

SHANE L. NELSON, MAYOR

ATTEST:

Lana Wilson, City Clerk