

**CITY OF WARSAW  
BOARD OF ALDERMEN MINUTES  
JANUARY 8, 2018**

**REGULAR MEETING:**

Mayor Eddie Simons called the meeting to order at 6:00 p.m. on Monday, January 8, 2018 at 181 W. Harrison Dr. Warsaw, Missouri.

Those Present: Mayor Eddie Simons, Alderperson's Lou Breshears, Aldermen Terry Marshall, Sr., Eric Masoner, Dave Williams and Eric Flores. Absent was Aldermen Adam Howe. Also present were City Administrator Randy Pogue, City Clerk Jessica Kendall, Interim Police Chief Jason Wenberg and City Attorney Cale Haddock.

**Agenda, Council Minutes**

Aldermen Flores made a motion to approve the January 8, 2018 agenda and the bills. Seconded by Aldermen Marshall Sr. Motion carried.

**Visitors:**

Homer May-Benton County Enterprise.

**New Business:**

- A) Bill No: 2018-01, Ordinance No. 316, **AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF WARSAW AND THE WARSAW AREA CHAMBER OF COMMERCE COMMISSION FOR TOURISM, RELATED SERVICES.** Alderperson Breshears made a motion to approve Bill No: 2018-01, Ordinance No. 316, An ordinance authorizing the Mayor to execute a contract by and between the City of Warsaw and Warsaw Area Chamber of Commerce Commission for tourism, related services. Seconded by Aldermen Marshall, Sr.

**Roll Call Vote:**

Alderperson Breshears-Aye  
Aldermen Marshall, Sr.-Aye  
Aldermen Williams- Aye  
Motion carried.

Aldermen Masoner-Aye  
Aldermen Flores- Aye

- A) Bill No. 2018-02, Ordinance 317, **AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF WARSAW AND THE BENTON COUNTY HISTORICAL SOCIETY FOR HISTORIC PRESERVATION RELATED SERVICES.** Aldermen Flores made a motion to approve Bill No: 2018-02, Ordinance No. 317, An ordinance authorizing the Mayor to execute a contract by and between the City of Warsaw and the Benton County Historical Society for historic preservation related services. Seconded by Alderperson Breshears.

**Roll Call Vote:**

Aldermen Williams- Aye  
Alderperson Breshears-Aye  
Aldermen Marshall, Sr.-Aye

Aldermen Masoner-Aye  
Aldermen Flores- Aye

Motion carried.

- B) Bill No. 2018-03, Ordinance 318, **AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF WARSAW AND THE BENTON COUNTY TOURISM COMMISSION FOR TOURISM, ECONOMIC AND COMMUNITY DEVELOPMENT RELATED SERVICES.** Alderperson Breshears made a motion to approve Bill No: 2018-03, Ordinance No. 318, An ordinance authorizing the Mayor to execute a contract by and between the City of Warsaw and the Benton County Tourism Commission for tourism, economic and community development related services. Seconded by Aldermen Flores.

Roll Call Vote:

Alderperson Breshears-Aye

Aldermen Masoner-Aye

Aldermen Williams- Aye

Motion carried.

Aldermen Marshall, Sr.-Aye

Aldermen Flores- Aye

C) **TRANSPORTATION SUMMIT**

City Administrator Randy Pogue discussed 2018 Missouri Transportation Future Summit being held February 22, 2018 at the Capitol Plaza Hotel, Jefferson City, MO. City Administrator Randy Pogue will be attending along with the Mayor or any other interested.

**EXECUTIVE SESSION**

Aldermen Flores moved to enter into Executive Session under Chapter 610.021, Seconded by Aldermen Marshall, Sr.

Roll Call: Ayes: Alderperson Breshears, Aldermen Marshall, Sr., Aldermen Williams, Aldermen Masoner, and Aldermen Flores.

Motion carried.

Aldermen Marshall, Sr. made a motion to release the City's right of first refusal to purchase real property situated in the City of Warsaw, as reserved in Ordinance 2001-09, Bill No. 0950, Section 2: and legally described in the aforesaid ordinance and legal description attached therein. Seconded by Aldermen Flores. Motion carried.

Alderperson Breshears moved to exit Executive Session. Seconded by Aldermen Flores.

Roll call vote: Ayes: Aldermen Williams, Aldermen Flores, Aldermen Masoner, Aldermen Marshall, Sr., Aldermen Flores and Alderperson Breshears.

**ADJOURNMENT**

Alderperson Breshears moved to adjourn the meeting, seconded by Aldermen Flores. Motion carries.

Ordinance # 2001-09  
Bill # 0950

AN ORDINANCE PROVIDING FOR THE EXTENSION OF WATER MAINS AND THE CONTRACTING FOR THE PURCHASE OF REAL ESTATE AND CONSENTING TO ANNEXATION OF REAL ESTATE INTO THE CITY OF WARSAW.

WHEREAS, Ordinance #2000-34, dated December 18, 2000 incorrectly described the real estate affected by the provisions set forth between the City of Warsaw, Missouri and Allen Jones and Roberta Jones, husband and wife, and

WHEREAS, both parties are resolved that these events shall occur

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

Section 1: Be it resolved that the City of Warsaw, Missouri shall extend the water mains of the City to the tract of land now owned by Allen Jones and Roberta Jones, husband and wife, and located on the eastern edge of Warsaw.

Section 2: Be it resolved that the City of Warsaw, Missouri contract with Allen Jones and Roberta Jones for a right of first refusal on their real estate described as follows:

Tract 2:

Part of the Southwest quarter of the Southeast quarter of Section 9, Township 40 North, Range 22 West of the 5<sup>th</sup> P.M. in Benton County, Missouri described as follows:

From the intersection of the east line of said SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  and the center line of the Warsaw-Buffalo public road (now the Warsaw-Grandview Beach public road) run southwesterly along the center line of the said road to its intersection with former U.S. Highway 65 (as it existed on March 2, 1965) and being the point of beginning of the tract herein described; thence continue southwesterly along the center line of the abandoned Warsaw-Buffalo public road to the south line of said SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; thence east to the center line of said former U.S. Highway 65 (as it existed on March 2, 1965); thence northerly along said highway to the point of beginning.

EXCEPT that portion conveyed for State Highways, but including the portion of highway conveyed by State of Missouri to Allen L. Jones and Roberta A. Jones at Book 402, page 1774.

Tract 3:

Part of the Southwest quarter of the Southeast quarter of Section 9, Township 40 North, Range 22 West of the 5<sup>th</sup> P.M. in Benton County, Missouri, described as follows:

From the Southeast corner of the Southwest quarter of the Southeast quarter of Section 9, Township 40, Range 22 run south 88 degrees 51 minutes 15 seconds West 886.12 feet along the south line of said Southwest quarter of the southeast quarter; thence north 313.34 feet to the point of beginning of the tract herein described (said

P.O.B., being on the easterly right-of-way line of relocated Highway #65, 410 feet left of center line station 1144+40); thence North 36 degrees 46 minutes 10 seconds West 290.84 feet along said easterly right-of-way line of said relocated Highway #65; thence North 78 degrees 55 minutes 50 seconds East 311.51 feet to a point on the apparent right-of-way line of "Old" Highway #65; thence South 18 degrees 25 minutes 30 seconds East 139.11 feet along said apparent right-of-way; thence South 47 degrees 30 minutes 59 seconds west 238.09 feet along the center line of abandoned road to the point of beginning.

Section 3: Be it resolved that all commitments within the agreement between the City of Warsaw and Allen Jones and Roberta Jones, husband and wife, hereto to attached are to be withheld.

Section 4: Be it resolved that ordinance 2000-34 shall be repealed.


Section 5: Be it resolved that the City of Warsaw shall annex the real estate described in Section 2 hereof and shall zone said real estate C-3, Commercial.

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

First Reading: 2/05/01 Second Reading: 2/05/01

This ordinance approved and passed this 5<sup>th</sup> day of February, 2001.

  
Mayor James Bogart

  
City Clerk Betty Brumbaugh

#### CERTIFICATION

I, Betty Brumbaugh, the duly appointed City Clerk of the City of Warsaw, County of Benton, Missouri do hereby certify that this is a true and correct copy of ordinance # 2001-09 approving the annexation of real estate owned by Allen and Roberta Jones located within Section 9, Township 40 North Range 22 West of the 5<sup>th</sup> P.M. in Benton County, Missouri.



  
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#### AGREEMENT

This agreement by and between the City of Warsaw and Allen and Roberta Jones to provide water service to real estate further described as:

##### Tract 2:

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From the intersection of the east line of said SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  and the center line of the Warsaw-Buffalo public road (now the Warsaw-Grandview Beach public road) run southwesterly along the center line of the said road to its intersection with former U.S. Highway 65 (as it existed on March 2, 1965) and being the point of beginning of the tract herein described; thence continue southwesterly along the center line of the abandoned Warsaw-Buffalo public road to the south line of said SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; thence east to the center line of said former U.S. Highway 65 (as it existed on March 2, 1965); thence northerly along said highway to the point of beginning.

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Commitments within this agreement shall be:

City shall at no cost provide a water service at the minimal size of one (1") inch to the above described real estate.

Property owners shall agree to annex said property to the city limits of Warsaw.

  
City Clerk Jessica Kendall

  
Mayor Eddie Simons