

BILL NO. 1045

RESOLUTION _____

A RESOLUTION OF THE CITY OF WEST PLAINS, MISSOURI
AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH
WEST PLAINS DOWNTOWN REVITALIZATION INC. FOR ECONOMIC
DEVELOPMENT.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WEST
PLAINS, MISSOURI AS FOLLOWS;

Section 1: The Mayor is hereby authorized and directed to execute an
agreement with the West Plains Downtown Revitalization, Inc. The amount
expended for the contract shall be limited to \$12,000.00.

Section 2: The agreement shall be substantially the same in form and
content as that agreement attached hereto as Exhibit A.

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

PASSED AND APPROVED THIS 20TH DAY OF MARCH 2017.

CITY OF WEST PLAINS, MISSOURI

BY: _____
MAYOR JACK PAHLMANN

ATTEST:

CITY CLERK MALLORY PREWETT

SERVICE CONTRACT

This agreement, entered into this 20th day of March, 2017, by and between the City of West Plains, Missouri, a municipal corporation, acting by and through its Mayor, hereinafter referred to as "City" and the West Plains Downtown Revitalization Inc., a corporation formed and existing under the General Not for Profit Corporation Act of Missouri, hereinafter referred to as the "Downtown".

WHEREAS, City desires to continue to promote the prosperity, economic betterment, general interest and welfare of the City of West Plains according to its powers granted by law; and

WHEREAS, the West Plains Downtown Revitalization Inc. was formed for the purpose of performing functions and services which include those required to give expression to the City's said desire; and

WHEREAS, it is in the best interest of the City to utilize the services of the Downtown for the performance of said functions and services, for which reason the City desires to engage the Downtown and the Downtown desires to be engaged, for the performance of said functions and services.

NOW THEREFORE, the parties hereto do mutually agree that:

1. The Downtown shall perform functions and services including but not limited to industrial/business development.
2. Downtown shall submit to the Mayor, City Council, and City Administrator a separate accounting of economic development expenditures including the specific use the City's contribution on a monthly basis.
3. The services of the Downtown are to commence upon the first day of April 2017 and shall be for a period expiring March 31, 2018.
4. The City agrees to pay the Downtown for services to be rendered hereunder the sum of twelve thousand dollars (\$12,000.00) to be paid in three equal payments of four thousand dollars (\$4,000.00) on or about April 1, July 1, and October 1.
5. The Downtown agrees to furnish the City, at the end of the contract period, a complete financial audit report prepared by a certified public accountant.
6. This contract may be terminated by either party with just cause, provided that the terminating party shall give written notice to the other party at least three (3) months prior to termination of this contract. In the event of termination, all

moneys due and owing shall be determined on a monthly prorata basis over the life of the contract until the effective date of termination.

7. The execution of the contract by the Mayor and the City of West Plains and the approval thereof by the City Council of West Plains is not intended to and does not in any manner make the Downtown an agent, agency, or servant of the City of West Plains, Missouri, it being expressly understood that the Downtown is in all respects an independent contractor, and the only liability of City created by the terms of this contract is the obligation to pay Downtown for services rendered.

8. Downtown shall keep its books and records open for inspection at reasonable times by the Finance Director or by any persons or entities designated by the City to perform audits.

9. This contract shall become effective upon execution by the parties herein and authorization or confirmation by ordinance of the City Council of West Plains, Missouri.

IN WITNESS WHEREOF, the parties hereto have executed this contract as of the date first above written.

WEST PLAINS DOWNTOWN
REVITALIZATION INC.

CITY OF WEST PLAINS, MISSOURI

TITLE:

MAYOR JACK PAHLMANN

ATTEST:

ATTEST:

TITLE:

CITY CLERK M. PREWETT