

BILL NO. 1052

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF WEST PLAINS, MISSOURI, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH OZARKS COMMUNITY TELEVISION (OCTV) FOR BROADCASTING SERVICES.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WEST PLAINS, MISSOURI (CITY) AS FOLLOWS:

Section 1: The City Administrator/Engineer is authorized and directed to execute an Agreement with Ozarks Community Television (OCTV) for broadcasting City Council meetings and other public meetings as requested by City.

Section 2: The Agreement shall be substantially the same in form and content as the Agreement attached as an Exhibit to this Resolution.

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 21ST DAY OF AUGUST, 2017.

CITY OF WEST PLAINS, MISSOURI

BY: _____
MAYOR JACK PAHLMANN

ATTEST:

CITY CLERK MALLORY PREWETT

AGREEMENT FOR SERVICES

THIS Agreement, made and entered into this ____ day of August, 2017, by and between the CITY OF WEST PLAINS, MISSOURI, a municipal corporation, referred to as CITY, and OZARK COMMUNITY TELEVISION as subsidiary of The Media Arts Center, Inc., a Missouri nonprofit corporation, referred to as OCTV.

WHEREAS, CITY desires to continue promoting the wide-spread dissemination and availability of information to the general public about the projects and business of CITY; and

WHEREAS, OCTV was formed for the purpose of disseminating public information by broadcasting or otherwise transmitting events to the public; and

WHEREAS, it is in the best interest of CITY and its residents to utilize the services of OCTV as a means to promote an open and responsive local government and to keep its citizens informed about the functions, services, performance, operation, and meetings of CITY.

Now, in order to accomplish the above purposes, CITY and OCTV agree as follows:

1. **SERVICES TO BE PROVIDED BY OCTV.** In return for the consideration paid by CITY as provided in Paragraph 3, OCTV shall broadcast all council meetings of CITY.

OCTV shall be available to broadcast planning and zoning meetings and such other meetings or events as requested by CITY. However, for such broadcast other than council meetings, OCTV shall, in addition to the consideration paid by CITY as provided in Paragraph 3, bill CITY and receive payment at the then current rate and terms being charged by OCTV for such services.

2. **TERM.** The services provided under this Agreement shall commence on the date of this Agreement and continue for a period of ten (10) years.

3. **PAYMENT BY CITY.** CITY shall pay to OCTV an annual payment of Seven Thousand Five Hundred Dollars (\$7,500.00), payable in advance. After the first five years of the annual payment shall increase by ten percent (10%) so that each annual payments for years five (5) through ten (10) shall be Eight Thousand Two Hundred Fifty Dollars (\$8,250.00).

4. **GOOD FAITH.** Both CITY and OCTV agree to work with one another in good faith to comply with this Agreement for the mutual benefit of both parties. Each party shall discuss with the other party any concerns in regard to the operation of this Agreement. In the event this Agreement is terminated, all

moneys due and owing shall be paid immediately.

5. **INDEPENDENT CONTRACTOR.** This Agreement is not intended to and does not in any manner make OCTV an agent, representative or employee of CITY and it is expressly understood that OCTV is an independent contractor and the only obligation of CITY is to comply with the terms of this Agreement.

This Agreement shall be effective after approval by Resolution passed by the governing council of CITY, by approval of the governing board of OCTV, and signature by the duly authorized representative of both CITY and OCTV.

OZARKS COMMUNITY
TELEVISION

CITY OF WEST PLAINS,
MISSOURI

William Oakley, President

Tom Stehn, City Administrator/
Engineer