

TOWN OF CARROLLTON, MISSOURI

BILL NO. 2023-31

ORDINANCE NO. 2023-1461

AN ORDINANCE AUTHORIZING THE TOWN OF CARROLLTON TO ENTER INTO AN AGREEMENT WITH SHANE POE CONSTRUCTION, L.L.C. FOR WATER SYSTEM IMPROVEMENTS AND AUTHORIZING ALL ACTS NECESSARY TO CARRY OUT THE TERMS OF SUCH AGREEMENT.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF CARROLLTON as follows:

Section 1: The Council authorizes the Town to enter into an Agreement for Water System Improvements with Shane Poe Construction, L.L.C., substantially in the form which is on file with the Town. The terms and provisions of the Agreement referenced are hereby approved and adopted by the Council of the Town of Carrollton, Missouri, on behalf of said Town.

Section 2: The Council authorizes and directs the Mayor of the Town of Carrollton, Missouri to execute the Agreement and any documents the Mayor deems necessary or proper to carry out fully the terms of such Agreement. The Mayor, with the advice of the attorney acting for the Town, may make minor corrections and changes to the Agreement that does not affect the substance of the Agreement.

The project approved by this Ordinance is subject to the requirements of Section 292.675, RSMo, which requires all contractors or subcontractors doing work on the Project to provide and require its on-site employees to complete, a ten (10) hour course in construction safety and health approved by the Occupational Safety and Health Administration ("OSHA") or a similar program approved by the Missouri Department of Labor and Industrial Relations which is at least as stringent as an approved OSHA Program. The training must be completed within sixty (60) days of the date work on the project commences. On-site employees found on the worksite without documentation of the required training shall have twenty (20) days to produce such documentation.

Section 3: The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the Town Council would have enacted the valid portions without the invalid one, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 4: This ordinance amends any prior ordinance or parts of any prior ordinance that might be in conflict herewith, including without limitation any ordinance requiring any other method for the purchase of such property.

Section 5: This ordinance shall be in full force and effect from and after the date of its passage and approval.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Council and this bill was read by title in the open meeting two times prior to its final passage.

PASSED AND APPROVED THIS 18th DAY OF SEPTEMBER 2023.

TOWN OF CARROLLTON, MISSOURI



John Sweeney, Mayor

ATTEST:


Dana Reimer, City Clerk