

**Board of Aldermen Regular Meeting Minutes
Tuesday February 18, 2014**

A regular meeting and public hearing of the Board of Aldermen of the City of Peculiar, Missouri, was held in the Council Chambers in City Hall at 6:30 p.m. on Tuesday February 18, 2014. Mayor Ernest Jungmeyer called the meeting to order and all who were present joined in reciting the Pledge of Allegiance.

The following aldermen responded to roll call: Michael Gallagher, Holly Stark, Bob Fines, Donald Turner, Homer Dunsworth and Veronika Ray.

City Staff present for the meeting were City Administrator Brad Ratliff, City Attorney Reid Holbrook, City Engineer Carl Brooks, Chief of Police Harry Gurin, City Clerk Nick Jacobs and City Planner Cliff McDonald.

Consent Agenda

- A. Approval of the Agenda**
- B. Approval of the Draft Minutes of January 21, 2014 BOA Meeting.**
- C. Approval of the Draft Minutes of February 3, 2014 Work Session Meeting.**

On a motion made by Alderman Stark and seconded by Alderman Dunsworth the consent agenda was approved by a unanimous voice vote.

Proclamation – National Engineer’s Week

The Mayor gave a brief overview of some of the benefits that Engineers bring to the world and how they help shape it. The Mayor then Proclaimed February 17th through the 21st as National Engineer’s week.

Public Comment – Andrew Boston-Baseball field at Shari Dr. Park

Andrew Boston addressed the Board regarding a volunteer project to put a baseball field at Shari Dr. Park. He stated that he wants to give children in town an option to through a baseball around without having to drive to Belton, Raymore, or Harrisonville.

The Mayor stated that the backstops will be from Raisebeck Park.

Alderman Dunsworth said that there were a couple of residents who have offered to grade the field.

Brad stated that the next step would be to send the design to the Park Director and City Engineer for final approval.

Public Comment – John Blessing, Deffenbaugh – Solid Waste Contract for 2014

John Blessing of Deffenbaiugh Industries addressed the Board regarding the Solid Waste Contract. He talked about how Deffenbaugh used to contract with the City and that the company has gone over a complete restructuring and would like the opportunity to compete for the next contract.

Alderman Dunsworth asked if they would pick up on holidays.

Mr. Blessing stated that there are some that they will pick up on and some that they run a day behind.

Alderman Turner asked if the next step would be a request for proposal.

City Administrator Brad Ratliff responded that the City is in its 1st renewal year of the contract with 2 more years left, but if the Board would like it would need to have a request for proposal.

The Mayor thanked Mr. Blessing for his time and that if the City does do a request for proposal he hopes it will submit.

Unfinished Business

- A. Bill No. 2014-02 - A ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING AND ACCEPTING THE MODOT COST SHARE SUPPLEMENTAL AGREEMENT NO 1 FOR THE I-49 AND 211TH STREET INTERCHANGE (CASS COUNTY), MISSOURI
*2nd Reading***

City Engineer Carl Brooks addressed the Board regarding the supplemental agreement. He stated that this was presented at the last meeting and there was one correction in the staff report adding the funds for the “B” project which is the 211th street portion East to School Road.

Alderman Fines asked about when School Road would be done and the Mayor stated that he thinks it will be completed after the interchange was completed.

Alderman Stark made a motion to have the second reading of Bill No. 2014-02 by title only. The motion was seconded by Alderman Turner and was approved by a 6-0 voice vote. Alderman Stark made a motion to accept the second reading of Bill No. 2014-02 and place on final passage as Ordinance No. 02122014. The motion was seconded by Alderman Turner and was approved by a 6-0 roll call vote.

Alderman Gallagher Aye

Alderman Ray

Aye

Alderman Dunsworth Aye
Alderman Fines Aye

Alderman Stark Aye
Alderman Turner Aye

New Business

A. Resolution No. 2014-06 – A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH COBRA CONTRACTING FOR THE RAISBECK PARK GRADING IMPROVEMENTS LOCATED AT RAISBECK PARK, 23205 SE OUTER ROAD, PECULIAR, MO 64078

Parks and Recreation Director Nathan Musteen addressed the Board to enter into a contract with Cobra Contracting for Phase 1 of improvements. The Park Board approved the contract with a vote of 5-1.

Alderman Turner asked about any comments from the individual who voted against it at the Park Board. Staff commented that it was primarily due to the low number of bids received.

Kelsie McCrea addressed the Board. She said that the Park Board needs more direction from the Board of Aldermen. She stated that she voted to approve the contract at the Park Board but shortly after realized that there was a piece of the contract missing since now they are into the construction phase. She is concerned because there is no total cost on Phase 1 improvements at this time.

Alderman Stark asked if the \$38,000 listed in the staff report to cover the remaining cost of the project was discussed at the Park Board meeting and where that \$38,000 was going to come from. Staff commented that the \$38,000 was going to be pulled from the Park Fund Money Market account and would be represented at the next budget amendment.

Alderman Dunsworth gave a brief overview of the project from its start. He discussed the steps that have been taken and the steps needing to be taken.

Nathan commented that once the fields were topographical surveyed it was discovered that the fields were lower than originally thought. This is why the bids came in higher than usual since they need more fill. He recommends that the project move forward with the Park Boards recommendation of 5-1. He stated that he did not catch that the contractors scope of his contract was overstepped and they stopped to renegotiate.

Alderman Stark asked why the project was sent to bid without negotiating with the current contractor for project oversight. Staff commented that it was missed and staff takes responsibility. She stated that this should be a learning experience.

There was further discussion amongst the Board.

Brad addressed that after the 5-1 vote of the Park Board there was an email from a member of the Park Board asking that the recommendation be held up. The majority of the Park Board responded that the vote was taken and should be moved forward.

Alderman Turner asked about the proposed start date and stop date of the project. Staff commented that the project will begin once it is approved and completion date of May 15th.

Alderman Turner asked if the FEMA issue from earlier would be run into again. Staff commented that there are no further issues.

Further discussion ensued.

Alderman Stark made a motion to adopt Resolution No. 2014-06. The motion was seconded by Alderman Turner and was accepted by a 6-0 roll call vote.

Alderman Gallagher	Aye	Alderman Ray	Aye
Alderman Dunsworth	Aye	Alderman Stark	Aye
Alderman Fines	Aye	Alderman Turner	Aye

B. Resolution No. 2014-07 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI TO ADOPT A NEW CITY LOGO.

Nathan Musteen addressed the Board about the new logo. The last redraw of the logo has been completed and presented to the Board for approval.

Alderman Turner asked about the total cost of the changeover to the new logo. Staff commented that at this time there is no estimate. With the new vehicles the logo will be replaced at no charge from Knapheide.

Some discussion ensued amongst the Board and staff. The new logo is below.



Alderman Stark made a motion to adopt Resolution No. 2014-07. The motion was seconded by Alderman Dunsworth and was accepted by a 5-1 roll call vote.

Alderman Gallagher	Aye	Alderman Ray	Aye
Alderman Dunsworth	Aye	Alderman Stark	Aye
Alderman Fines	Aye	Alderman Turner	Nay

There was a 5 min recess at 7:30 pm.

C. Bill No. 2014-03 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AMENDING SECTION 110 OF PECULIAR MUNICIPAL CODE TITLED "GENERAL PROVISIONS" WITH THE ADDITION OF SECTION 110.025 TITLED "VIDEO CONFERENCE VOTING POLICY"
1st Reading

City Clerk Nick Jacobs addressed the Board regarding the adoption of the Video Conference Voting Policy. It is the same format that was sent out by Missouri Municipal League. He stated that placing it in section 110 seemed to be the best place because it talks about the composition of the board and what constitutes a quorum.

Alderman Ray asked about what happens after the Alderman attends more than 2 meetings via video conferencing. Staff commented that they would be represented the same as a teleconferencing call in which the individual can make comments but would not be able to cast a roll call vote.

There was further discussion amongst the Board.

Alderman Stark made a motion to introduce Bill No. 2014-03 and read one time by title only. The motion was seconded by Alderman Dunsworth and was approved by a 6-0 voice vote. Alderman Stark made a motion to accept the first reading of Bill No. 2014-03. The motion was seconded by Alderman Gallagher and was approved by a 6-0 voice vote.

Alderman Gallagher	Aye	Alderman Ray	Aye
Alderman Dunsworth	Aye	Alderman Stark	Aye
Alderman Fines	Aye	Alderman Turner	Aye

D. Bill No. 2014-04 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AMENDING SECTION 110 OF PECULIAR MUNICIPAL CODE TITLED "GENERAL PROVISIONS" WITH THE ADDITION OF SECTION 110.015 TITLED "CODE OF CONDUCT OF OFFICIALS"
1st Reading

The Mayor stated that at the last meeting this would be brought before the Board as either an ordinance or resolution and this bill is what staff came up with.

City Clerk Nick Jacobs addressed the Board. He said that placing the bill into section 110.015 was because it comes right after the qualifications of an Alderman and right before the composition of the Board. This seemed like the most logical place for the bill to go.

Alderman Turner asked about what the ramifications of violating this bill would be. The Mayor stated that there wouldn't be any besides what the Board can already do.

Alderman Turner asked if this would be for the Aldermen or for appointed boards as well. Staff commented that it will be for both and be cross referenced in the appointed boards section of the code.

Alderman Turner asked that the following statement be recorded in the minutes: "I am going to vote nay on this, not due to the idea, but due to the duplication of intent and purpose. I view this as a redundant ordinance with zero impact and ramifications. The items in this new bill are already covered in multiple codes such as: Section 100, Section 110, Section 115, Ethics ordinance number 09032013, Robert's rules of order, and the Oath of Office."

Alderman Stark made a motion to introduce Bill No. 2014-04 and read one time by title only. The bill died for lack of a second and no vote was taken.

E. Resolution No. 2014-08 - A RESOLUTION OF THE CITY OF PECULIAR, MISSOURI ADOPTING AN ECONOMIC DEVELOPMENT INCENTIVE POLICY.

City Planner Cliff McDonald addressed the Board regarding the adoption of the incentive policy. He gave a brief overview of the contents of the policy and how it will benefit the City. He said that it was modeled after the City of Raymore's policy. This policy has been reviewed by McLiney & Co. and Gillmore & Bell to make sure everything was correct.

The Mayor stated that some of the material covered is already in the code and this is putting it in one place.

Alderman Stark made a motion to adopt Resolution No. 2014-08. The motion was seconded by Alderman Dunsworth and was accepted by a 6-0 roll call vote.

Alderman Gallagher	Aye	Alderman Ray	Aye
Alderman Dunsworth	Aye	Alderman Stark	Aye
Alderman Fines	Aye	Alderman Turner	Aye

F. Public Hearing - Bill No. 2014-05 - AN ORDINANCE AMENDING ELEVEN (11) SECTIONS OF CHAPTER 400 OF THE PECULIAR MUNICIPAL CODE; AND ESTABLISHING THREE (3) NEW SECTIONS TO PROVIDE AN APPROVED LAND USE TABLE FOR MULTIPLE ZONING DISTRICTS AND TO FURTHER DEFINE APPROVED LAND USES AND SPECIFIC EXCLUSIONS.

1st Reading

The Mayor commented that this was an advertised Public Hearing.

Cliff McDonald addressed the Board giving an overview of the bill. This topic has gone through the Planning Commission over the last 10 months and has been reviewed extensively. He gave a description of the "Land Use Table" which will become part of the City Code and how to decipher the table. The Planning Commission held its public hearing and approved it.

Alderman Stark wanted to give thanks to the Planning Commission for a job well done.

Alderman Stark also wanted to know why the one individual voted no.

Alderman Turner answered since he is the liaison to the Planning Commission and stated that the individual wanted to wait and modify other sections of Section 400 dealing with Height and setback requirements.

Brenda Conway addressed the Board stating that the Planning Commission worked very hard on this and how much her and the Downtown Peculiar Arts & Culture District appreciate their hard work.

Kerri Robinson addressed the Board stating that it was refreshing to see a Board not always agree but still come to an acceptable conclusion and hopes that the Board will review what the Planning Commission has done.

Brat Ratliff gave Cliff and the Planning Commission a lot of credit since this type of procedure would usually take a consultant.

Alderman Stark made a motion to introduce Bill No. 2014-05 and read one time by title only. The motion was seconded by Alderman Dunsworth and was approved by a 6-0 voice vote. Alderman Stark made a motion to accept the first reading of Bill No. 2014-05. The motion was seconded by Alderman Turner and was approved by a 6-0 voice vote.

Alderman Gallagher	Aye	Alderman Ray	Aye
Alderman Dunsworth	Aye	Alderman Stark	Aye
Alderman Fines	Aye	Alderman Turner	Aye

City Administrator Report

The Mayor Brad Alderman Stark and Gary Mallory met with the State Legislators last week. The State Legislators have some bills before them that will greatly affect each municipality. They have to do with telecommunications. The bills would strip the municipalities of their ability to have a say in where communication towers are located. This is truly an attack on cities.

Alderman Stark commented that 1 bill allows telecommunications companies to connect to existing poles with no connection fees or permission.

Shockey Consulting will be doing a market analysis on 211th street and Downtown as well as an economic impact citywide. The City has contracted with Molly McGovern to assist Carl with the TIGER Grant and getting a Certified Industrial Site which would be 1 of 13 in the state. The police garage has the cameras installed as well as lockers coming next week. The City has sold the old police cruisers. There is an uptick in housing permits as one was issued again last week. If the housing does pick up then phase 2 of the Sewer project will come to the forefront. Water loss was only 7% this month which is good but staff is not satisfied with this. Traffic signals at J/C Interchange are letting in the end of February and hope to be completed shortly. There has been no word on the MS4 permit from the State. The Groundwater storage tank is set to begin this spring. The rail bed trail project is going well as the trail has been secured from property owners.

Alderman Concerns

Alderman Dunsworth asked why the City did not plow the Fire Station.

Brad stated that there was a gentleman's agreement for the plowing of the fire station. He spoke with a former member of the fire board and they stated that no, that is the reason the fire department bought a plow.

Alderman Stark said that she heard that the fire department wanted some salt spread which is different than plowing. Staff commented that the Fire Station needs to approach either the Mayor or Brad if they want something accomplished.

Alderman Directives

Board ok with Ball field at Shari Park.
Sign and issue supplemental agreement with MoDOT.
Sign contract with Cobra Contracting.
Adopt plan for implementing new City Logo.
Bring back video conferencing voting policy bill.
Bill 2014-04 died for lack of a second.
Institute the economic development policy
Bring back land use matrix for March 3rd.

Adjournment

On a motion from Alderman Stark, second from Alderman Gallagher, the meeting was adjourned at 8:35pm with a 6-0 voice vote.

Regular session minutes were taken and transcribed by Nick Jacobs, City Clerk.

Nick Jacobs, City Clerk

Approved by the Board of Aldermen: 3/17/14