

**Board of Aldermen Regular Meeting Minutes
Monday April 21, 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 Monday April 21, 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, 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 March 17, 2014 BOA Meeting.**
- C. Approval of the Draft Minutes of April 7, 2014 Work Session Meeting.**

Mayor Jungmeyer stated the agenda needed to be amended to put Unfinished Business items A, B, and C as New Business Items G, H, and I.

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

Employee of the Quarter Presentation – Tom Ephland

City Administrator Brad Ratliff gave a brief overview of Tom's experience with the City and at his previous career with Cass County. He stated that has a good attitude and has been very instrumental in the recent water loss percentages. Brad stated that he is a good employee and a great asset to the City of Peculiar.

Proclamation – Arbor Day

The Mayor gave a brief statement regarding the importance of Arbor Day and proclaimed April 22nd as Arbor Day in the City of Peculiar.

Unfinished Business

- A. Resolution No. 2014-20 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI REDUCING BUILDING PERMIT FEES FOR THE NEXT TWENTY (20) BUILDING PERMITS ISSUED FOR NEW SINGLE FAMILY DWELLINGS.**

City Planner Cliff McDonald addressed the Board pertaining to the proposed Resolution. He gave an overview of the program that was instituted last year for the first 13 homes and stated that 12 permits had been sold. He said that he would like to continue this program for the next 20 homes.

Alderman Stark asked if West Peculiar Fire Protection District had agreed to lower their fee as well. The Mayor commented that yes they have agreed to lower the fee for the next 20 homes.

No public comment.

Alderman Stark made a motion to adopt Resolution No. 2014-20. 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. 2014-21 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE FINANCIAL REPORT AND BUDGET AMENDMENT ENDING MARCH 31, 2014 OF THE FISCAL YEAR 2013-2014.**

City CPA Ben Hart addressed the Board regarding the mid-year budget amendment. He went through the highlights of the various amendments. He stated that the General fund was amended to receive certain refunds from the 211th street interchange project. He went over other funds in a similar manner stating the reason how the fund was amended and why. The trash fund has a \$0.30 proposed increase since other increases from the City's Solid Waste Removal provider have not been passed along.

Brad commented that he had also put \$30,000 under equipment in the Capital Improvement Fund for replacement banners and Christmas decorations.

Alderman Stark stated that it is under Equipment in Capital Improvements and it is not really equipment and that the \$30,000 may be needed later for actual equipment.

Alderman Turner asked if there was anything on Carl's checklist that the \$30,000 could go for.

No public comment.

Alderman Stark made a motion to adopt Resolution No. 2014-21 as amended to remove the \$30,000 from Capital Improvement Equipment until there is further information. 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

C. Resolution No. 2014-22 - A RESOLUTION TO ACCEPT THE CERTIFICATION OF ELECTION RESULTS BY THE COUNTY CLERK FOR THE GENERAL MUNICIPAL ELECTION HELD APRIL 8, 2014.

City Clerk Nick Jacobs addressed the Board asking for the acceptance of the results of the most recent election for the offices of Mayor and Alderman Ward 1, Ward 2, and Ward 3 but not accept the results of the question on Motor Fuel Tax. Because the vote on the motor fuel tax was within ½ percent there are certain actions the City may exercise which is a topic later in this meeting.

Alderman Turner asked when the other results would be accepted.

Staff commented that depending on the outcome of the actions the City seeks they can be accepted at a later time.

No public comment.

Alderman Stark made a motion to adopt Resolution No. 2014-22. 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

City Clerk Nick Jacobs read the Election Results which are as follows:

Mayor

Holly Stark	360 votes
Kimberly Mallinson	99 votes
Michael Gallagher	189 votes
Deborah Pearson	98 votes

Alderman Ward 1

Kelsie McCrea	211 votes
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Alderman Ward 2

Donald Turner	137 votes
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Alderman Ward 3

Kristina Vassar	128 votes
Jerry Ford	156 votes

Question 1 Motor Fuel Tax

Yes	493 votes
No	252 votes

Swearing in of New Elected Officials

City Clerk Nick Jacobs swore in the new Mayor Holly Stark and the three Alderman, Kelsie McCrea, Donald Turner, and Jerry Ford.

Former Mayor Ernest Jungmeyer presented recognition plaques to both Michael Gallagher and Homer Dunsworth for their time and dedication to the City of Peculiar as Aldermen.

Homer Dunsworth addressed the Board and members of the public present. He thanked those who served with him, and the staff who he had the opportunity to work alongside.

New Mayor Holly Stark presented Former Mayor Ernest Jungmeyer with a plaque for his dedication to the City of Peculiar.

Former Mayor Ernest Jungmeyer gave a farewell speech. He said that he had been having a lot of "lasts". Earlier in the day was his last official event to attend as Mayor. He outlined the various accomplishments the City has seen in his 6 years of Mayor. He thanked the past and present staff and Aldermen for their support.

Mayor Holly Stark stated there would be 15 Minute intermission for the new Aldermen to take their seats and the meeting would reconvene at 7:30 pm.

At 7:30 pm Mayor Holly Stark reconvened the meeting.

New Business

A. Resolution No. 2014-23 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF PAT ROBERTS TO THE BOARD OF ALDERMEN TO FILL THE VACANCY OF HOLLY STARK AND FINISH HER ELECTED TERM THROUGH APRIL 2015.

Mayor Holly Stark addressed the Board regarding the appointment of Pat Roberts to fill her vacant seat. She feels that he can hit the ground running and is familiar with the way the Board operates as he was an Alderman previously.

Alderman Ray made a motion to adopt Resolution No. 2014-23. The motion was seconded by Alderman Ford and was accepted by a 5-0 roll call vote.

Alderman Ford	Aye	Alderman Ray	Aye
Alderman McCrean	Aye		
Alderman Fines	Aye	Alderman Turner	Aye

City Clerk Nick Jacobs swore in Patrick Roberts as the new Alderman for Ward 2 filling the vacant seat of Holly Stark.

B. Bill No. 2014-12 – AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI ESTABLISHING A POLICE ADVISORY BOARD, ESTABLISHING THE DUTIES OF THE BOARD, AND THE METHOD OF APPOINTMENT OF MEMBERSHIP THEREOF.
**1st Reading*

Mayor Holly Stark addressed the Board regarding the formation of the Police Advisory Board. She said that there was interest in public for wanting this Board to be reestablished. It would have a slight different function than the Board that was established in the 1990's. The primary function of the Board would be informational rather than a grievance Board.

City Clerk Nick Jacobs stated that the composition of the Board would be 1 citizen from each ward and 1 member at large who was hopefully going to be a business owner who resides in the City and the Police Commissioner.

Alderman Turner asked how often the Board would meet.
Mayor Stark commented that they would meet once a month.

There was further discussion amongst the Board.

Alderman Roberts asked about the liability of the Police Board not taking action.
City Attorney Reid Holbrook stated that if it is a violation of City Code then they would have immunity, but if it was a federal violation then it would have to be defended. Reid stated that the chances of the Police Board getting into a legal dispute seem relatively remote.

No public comment.

Alderman Ford made a motion to have the first reading of Bill No. 2014-12 by title only. The motion was seconded by Alderman Roberts.. Alderman Turner made a motion to accept the first reading of Bill No. 2014-12, seconded by Alderman Ford and was accepted by a 6-0 all in favor vote.

Alderman Ford	Aye	Alderman Ray	Aye
Alderman McCrean	Aye	Alderman Roberts	Aye
Alderman Fines	Aye	Alderman Turner	Aye

C. Resolution No. 2014-24 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF MATT HAMMACK TO THE PLANNING COMMISSION.

Mayor Stark addressed the Board stating that Matt Hammack has shown an interest in joining the Planning Commission.

No Board comments
No public comment.

Alderman Turner made a motion to adopt Resolution No. 2014-24. The motion was seconded by Alderman Ford and was accepted by a 6-0 roll call vote.

Alderman Ford	Aye	Alderman Ray	Aye
Alderman McCrea	Aye	Alderman Roberts	Aye
Alderman Fines	Aye	Alderman Turner	Aye

D. Resolution No. 2014-25 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF HOMER DUNSWORTH TO THE PARK BOARD.

Mayor Stark addressed the Board stating that Homer Dunsworth has a continuous desire to remain on the Park Board.

No Board comment.
No public comment.

Alderman Ford made a motion to adopt Resolution No. 2014-25. The motion was seconded by Alderman Turner and was accepted by a 6-0 roll call vote.

Alderman Ford	Aye	Alderman Ray	Aye
Alderman McCrea	Aye	Alderman Roberts	Aye
Alderman Fines	Aye	Alderman Turner	Aye

E. Resolution No. 2014-26 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF KELSIE MCCREA AS THE BOARD LIAISON TO THE PARK BOARD FOR A ONE YEAR TERM.

Mayor Stark stated that Kelsie was originally on the Park Board and would like to continue to be on the Park Board.

No Board comment.
No public comment.

Alderman Turner made a motion to adopt Resolution No. 2014-26. The motion was seconded by Alderman Ford and was accepted by a 6-0 roll call vote.

Alderman Ford	Aye	Alderman Ray	Aye
Alderman McCrea	Aye	Alderman Roberts	Aye
Alderman Fines	Aye	Alderman Turner	Aye

F. Resolution No. 2014-27 – A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE ELECTION OF _____ AS PRESIDENT OF THE BOARD

Mayor Stark opened the floor for nominations of a Board President.

Alderman Fines nominated Patrick Roberts.

Alderman Turner nominated Veronika Ray.

Mayor Stark asked that there be a Roll Call vote for Patrick Roberts for Board President and the vote was.

Alderman Ford	Aye	Alderman Ray	Aye
Alderman McCrea	Aye	Alderman Roberts	Nay
Alderman Fines	Aye	Alderman Turner	Nay

Alderman Roberts made a motion to adopt Resolution No. 2014-27 with the addition of Pat Roberts. The motion was seconded by Alderman Ford and was accepted by a 5-1 roll call vote.

Alderman Ford	Aye	Alderman Ray	Aye
Alderman McCrea	Aye	Alderman Roberts	Aye
Alderman Fines	Aye	Alderman Turner	Nay

G. Bill No. 2014-09 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI PROVIDING FOR THE EXTENSION OF THE CITY LIMITS OF THE CITY OF PECULIAR, MISSOURI BY EMBRACING AND INCLUDING UNINCORPORATED REAL PROPERTY LOCATED IN SECTIONS 9, 16, 17, 25, AND 26 OF TOWNSHIP 45 NORTH, RANGE 32 WEST IN CASS COUNTY, MISSOURI AND HEREINAFTER PARTICULARLY DESCRIBED.

**1st Reading*

City Planner Cliff McDonald addressed the Board regarding annexing 4 tracts of land into the City of Peculiar. All tracts were identified in the City's 3, 8, and 13 year annexation plan. The first reading is presented this evening for approval, the second reading and the Plan of Intent will be conducted at the May 5th meeting and the 3rd and final reading will be May 19th.

Mayor Stark commented that she has the same fear as she stated when it was brought before the Board as a topic for discussion about the potential legal battle that might ensue.

City Attorney Reid Holbrook stated that after the election if a lawsuit is filed the Board can decide to walk away.

Alderman Ray felt that the City was biting off more than it could chew.

Alderman Roberts stated that we won't know the opposition until we move forward. He stated that now is the time to fight the fight.

Alderman Turner asked about the negatives about annexing.

City Attorney Reid Holbrook commented that there would be about a \$4,000 decrease in their sewer bill.

Brad commented that there are a lot of rumors that are going around that are not true. The biggest is that the City will institute an Earnings Tax. This is completely untrue as the City is unable to pass such a tax based on the State Statutes.

There was further discussion amongst the Board.

No public comment.

Alderman Roberts made a motion to have the first reading of Bill No. 2014-09 by title only. The motion was seconded by Alderman Turner and was approved by a unanimous vote. Alderman Roberts made a motion to accept the first reading of Bill No. 2014-09, seconded by Alderman Turner and was accepted by a 6-0 all in favor vote.

Alderman Ford	Aye	Alderman Ray	Aye
Alderman McCrea	Aye	Alderman Roberts	Aye
Alderman Fines	Aye	Alderman Turner	Aye

H. Bill No. 2014-10 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AMENDING SECTIONS 210, 310, 380, AND 385 OF PECULIAR MUNICIPAL CODE.

****1st Reading***

Chief of Police Harry Gurin addressed the Board regarding the changes in some of the Police Code. Some of the changes are considered housekeeping in nature and some are new to the code. The topics covered are Resisting Arrest, Interfering with Government Operations, Move Over for Stopped Emergency Vehicle, Failure to Produce Driver's License on Demand and Headlights on When Wipers are Required.

No Board comment

No public comment.

Alderman Roberts made a motion to have the first reading of Bill No. 2014-10 by title only. The motion was seconded by Alderman Turner and was approved by a unanimous vote. Alderman Roberts made a motion to accept the first reading of Bill No. 2014-10, seconded by Alderman Turner and was accepted by a 6-0 all in favor vote.

Alderman Ford	Aye	Alderman Ray	Aye
Alderman McCrea	Aye	Alderman Roberts	Aye
Alderman Fines	Aye	Alderman Turner	Aye

I. Bill No. 2014-11 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI RESTRICTING THE MEANS BY WHICH A CHIEF MAY BE REMOVED FROM OFFICE AND AMENDING SECTION 115.020 OF THE PECULIAR MUNICIPAL CODE.

****1st Reading***

City Administrator Brad Ratliff addressed the Board regarding a change in State Statute making it more difficult to remove a Police Chief from office. This is a housekeeping Bill to bring City Code in alignment with State Statute.

No Board comments

No public comments.

Alderman Roberts made a motion to have the first reading of Bill No. 2014-11 by title only. The motion was seconded by Alderman Turner and was approved by a unanimous vote. Alderman Roberts made a motion to accept the first reading of Bill No. 2014-11, seconded by Alderman Turner and was accepted by a 6-0 all in favor vote.

Alderman Ford	Aye	Alderman Ray	Aye
Alderman McCrea	Aye	Alderman Roberts	Aye
Alderman Fines	Aye	Alderman Turner	Aye

Topic for Discussion

A. Training for Newly Elected Officials

Brad Ratliff commented that he has the opportunity to have the former President of Missouri Municipal League come to a meeting and help train the new Board members. There is also training for newly elected officials in Colombia in June.

There was some discussion amongst the Board.

Consensus of the Board was to have a special meeting for Aldermen Training in the near future and directed staff to set it up.

B. Motor Fuel Tax Discussion

City Clerk Nick Jacobs addressed the Board regarding the results of the April 8th, 2014 Election pertaining to the Motor Fuel Tax. He outlined the options the Board could take. He stated that since the question failed by less than 1% the City is entitled for a recount. Another option is that the City can petition for a recount and a reelection at Cass County's expense. The third option is to have a circuit court judge render a decision stating that due to some election irregularities and the fact that the City has ran it four times and has had a majority in every election that it would be deemed passed by the judge.

There was discussion amongst the Board about the pros and cons of each option.

The consensus of the Board was to go through with a recount.

Justin Wise Public Works Manager addressed the Board speaking of the state of disrepair the roads are currently in.

Alderman Turner made a motion to order a recount, seconded by Alderman Ford and was passed with the following 6-0 Roll Call vote.

Alderman Ford	Aye	Alderman Ray	Aye
Alderman McCrea	Aye	Alderman Roberts	Aye
Alderman Fines	Aye	Alderman Turner	Aye

City Administrator Report

Yard Waste Pickup is April 26th. City Wide Garage Sale May 31st. 3 new Building Permits were issued in April 2 in Twin Oaks and 1 in Olive Branch. Staff is submitting for the TIGER Grant next week which would allow the City to Fund 211th Street without issuing Bonds. Water Loss was at 3 percent which is significantly less than industry standard of 15 percent. YY Highway will be getting paved shoulders thanks to MoDOT. Told engineers to go back to the drawing board on the Monument Sign Project. New radio system is currently being implemented through the sales tax passed last year for Cass County 911. Some vandalism at City Lake, one door was ripped off of the lake garage.

Alderman Concerns

Mayor Stark brought up the topic about the Mayor's role in granting extensions and credits for utility bills. She asked for direction from the Board as to how to handle future extensions and credits.

Alderman Fines stated to only grant them in times of need not to habitual users of the system.

Mayor Stark said that there is no extension policy and it is at the discretion of the Mayor and that is the stance she is taking.

Mayor Stark stated that there will be more appointments coming to the Board in the future.

Alderman Ray asked about the decorative street lights in downtown.

Mayor Stark stated that the program through KCP&L has been discontinued.

Alderman Ford asked about a status update on the School Road Bridge paving. Staff commented that it is the County's top priority.

Alderman Directives

Move forward with 20 reduced permits
Update budget approved by BOA
Accepted election results except fuel tax
Update information on City's Website
2nd reading on Police Advisory Board on May 5th
Have Cliff McDonald contact Mr. Hammack on Planning Commission
Have Nathan contact Mr. Dunsworth on Park Board
2nd reading of annexation on May 5th
2nd reading on new police laws on May 5th
2nd reading on removal of chief from office bill on May 5th
Set up meeting with Gary Markinson for Alderman Training.

Adjournment

On a motion from Alderman Ford, second from Alderman Turner, the meeting was adjourned at 8:50pm 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: 5/19/14