

**Board of Aldermen Regular Meeting Minutes
Monday May 19, 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 May 19, 2014. Mayor Holly Stark called the meeting to order and all who were present joined in reciting the Pledge of Allegiance.

The following aldermen responded to roll call: Jerry Ford, Patrick Roberts, Bob Fines, Donald Turner, Kelsie McCrea 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 and City Engineer Carl Brooks.

Consent Agenda

- A. Approval of the Agenda**
- B. Approval of the Draft Minutes of April 21, 2014 BOA Meeting.**
- C. Approval of the Draft Minutes of May 5, 2014 Work Session Meeting.**

Alderman Turner stated that there needed to be a correction in the minutes from April 21st stating that the vote on Resolution 2014-27 needed to be changed from a 6-0 to a 5-1 with Alderman Turner casting the Nay vote.

On a motion made by Alderman Roberts and seconded by Alderman Ford the amended consent agenda was approved as amended by a unanimous voice vote.

Proclamation – Public Works Week

The Mayor gave a brief explanation of how this proclamation came to be. City Engineer Carl Brooks introduced the new Public Works Manager Tom Epland to the Board and recognized the members of Public Works who were in attendance: Waterworks Manager David Shrout, Wastewater Manager Bill England, Wastewater Operator Sam York and new Intern Matt Wallace.

The Mayor proclaimed that May 18-24 would be Public Works Week in the City of Peculiar.

Mayor’s Appointments – Joyce Connaway to Board of Adjustment

**Resolution 2014-30 – A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR,
MISSOURI APPROVING THE APPOINTMENT OF JOYCE CONNAWAY TO THE BOARD OF
ADJUSTMENT**

Mayor Stark gave a brief overview of Mrs. Connaway’s experience with the City of Peculiar as she has served on the Planning Commission in previous years.

There was no Board comments
No public comment.

Alderman Roberts made a motion to adopt Resolution No. 2014-30. 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

Public Comment – Rehman Zahid Goodtimes Liquor & Bait

**Resolution 2014-31 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR,
MISSOURI APPROVING CLASS A & J LIQUOR LICENSES FOR GOODTIMES LIQUOR & BAIT.**

City Clerk Nick Jacobs introduced Mr. Zahid and stated that he had submitted for a Class A and a Class J Liquor License through the City. All of his documentation received met the requirements of City Code and this was the last step for him to get his State Liquor License. Staff recommended approval.

No Board comment.
No public comment.

Alderman Ford made a motion to adopt Resolution No. 2014-31. 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

The Mayor thanked Mr. Zahid for him wanting to conduct business within Peculiar and wished him well.

Unfinished Business

A. 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.

****3rd Reading***

City Planner Cliff McDonald addressed the Board regarding the annexation. He stated that this is the final reading of the annexation bill and with the approval of the proposed bill would place the annexation question on the August 5th ballot.

The Mayor stated that normally a bill only requires two readings but because of Missouri State Statutes, annexations require three readings of an annexation bill.

Phillip Ismert of Sioux Chief Mfg. addressed the Board. He asked questions to the Board about why the City wanted to annex Sioux Chief.

Staff commented that it was part of the City's 3, 8 and 13 Year Annexation Plan which was adopted in October 2013.

Staff additionally commented that the City is trying to protect its southern boundary.

Mr. Ismert asked why the City did not want to annex the property immediately to the north of Sioux Chief.

Staff commented that it did not meet the 15% contiguous boundary requirement of Missouri State Statute.

There was further discussion amongst the Board and staff.

Citizen Karen McKee also addressed the Board stating that if you look at the map the annexation of Sioux Chief makes the map look odd shaped.

Alderman Fines made a motion to have the third reading of Bill No. 2014-09 by title only. The motion was seconded by Alderman Ford and was approved by a unanimous vote. Alderman Roberts made a motion to accept the third reading of Bill No. 2014-09 and place on final passage as Ordinance #05192014, seconded by Alderman Ford and was accepted by a 5-1 roll call vote.

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

B. Bill No. 2014-13 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI SPECIFYING CERTAIN PAVING REQUIREMENTS FOR PARKING LOTS AND DRIVEWAYS AND AMENDING SECTION 400.820 OF THE PECULIAR MUNICIPAL CODE

****2nd Reading***

City Planner Cliff McDonald addressed the Board regarding the proposed bill. He stated that this would amend section 400.820 to allow the new American Public Works Association sections pertaining to paving within the City's Right of Way. This would allow people who have a gravel driveway the option of putting wither asphalt or concrete within the City's Right of Way. Cliff also stated that this bill would require people who currently have a gravel driveway to upgrade unless they wanted to expand their driveway or to tear out the current driveway and replace it.

No Board comment.

No public comment.

Alderman Ford made a motion to have the second reading of Bill No. 2014-13 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 third reading of Bill No. 2014-13 and place on final passage as Ordinance #05192014A, 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

C. Bill No. 2014-14 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AMENDING SECTION 400.1800: EXEMPT SIGNS, OF THE PECULIAR MUNICIPAL CODE TO PROVIDE POLITICAL SIGN REQUIREMENTS

****2nd Reading***

City Planner Cliff McDonald addressed the Board about the second reading of the proposed bill. He stated that the procedures outlined in the proposed bill were adopted in October 2008 and subsequently overwrote after the passage of the new zoning codes in November 2008.

No Board comments.

No public comment.

Alderman Roberts made a motion to have the second reading of Bill No. 2014-14 by title only. The motion was seconded by Alderman Ford and was approved by a unanimous vote. Alderman Roberts made a motion to accept the third reading of Bill No. 2014-14 and place on final passage as Ordinance #05192014B, 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

New Business

A. Public Hearing, Bill No. 2014-15 - AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE REZONING OF S.A. HOLDINGS, INC.'S LOT 6, TWIN OAKS COMMERCIAL, COMMONLY KNOWN AS 721 AND 725 J. HIGHWAY.

**1st Reading*

City Planner Cliff McDonald addressed the Board regarding the proposed rezoning of Lot 6, Twin Oaks Commercial. He outlined the various parameters that the proposed zoning would need to accomplish for the Board to consider. He stated that the property is currently zoned Commercial but has a residence and an out building with living quarters in it. The new proposed zoning will be R-2 2 family Residential and staff recommends the approval of the rezoning.

The Board spoke amongst themselves regarding the proposed rezoning.

Kevin Enyeart of S.A Holdings, Inc.'s addressed the Board. He stated that the Bank he represents just wants the zoning to match the current use of the property. The difference between an individual being able to get a commercial loan and a residential loan is a down payment of 30% to about 3-5%.

Alderman Roberts made a motion to have the second reading of Bill No. 2014-14 by title only. The motion was seconded by Alderman Ford and was approved by a unanimous vote. Alderman Roberts made a motion to accept the third reading of Bill No. 2014-14 and place on final passage as Ordinance #05192014B, 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

B. Public hearing, Bill No. 2014-16 - AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE RE-PLAT OF LOT 55 CENTENNIAL FARMS, SUBMITTED BY DOBSON HOMES INC.

**1st Reading & potential 2nd Reading*

City Planner Cliff McDonald addressed the Board regarding the proposed re-plat of lot 55 in Centennial Farms subdivision. He stated that the developer would like to increase the depth of the lot by 25 to accommodate a walk out basement. He stated that the land in which this re-plat would be taking from is owned by the developer and is not currently platted. He asked that the Board consider having both readings of the bill this evening.

No Board comment.

Larry Dobson of Dobson Homes addressed the Board. He explained the reasoning behind wanting the re-plat as he has a nice plan for a home that has a walk out basement and it will not fit on the current lot size. He stated the lot across the street was replatted previously to add the additional 25 feet. He also stated that the road which runs next to the lot has curb and gutter all the way to the additional 25 feet mark he is requesting.

Alderman Roberts made a motion to have the first reading of Bill No. 2014-16 by title only. The motion was seconded by Alderman Ford and approved by a unanimous all in favor vote. Alderman Roberts made a motion to accept the first reading of Bill No. 2014-16, seconded by Alderman Ford 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

Alderman Roberts made a motion to have the second reading of Bill No. 2014-16 by title only. The motion was seconded by Alderman Ford and was approved by a 5-1 voice vote with Aldermen Turner casting the nay vote. Alderman Roberts made a motion to accept the second reading of Bill No. 2014-16 and place on final passage as Ordinance 05192014C, 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

C. Bill No. 2014-17 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI, IMPOSING A LOCAL FUEL TAX TO BE USED TO FUND THE CONSTRUCTION, RECONSTRUCTION, MAINTENANCE, REPAIR, POLICING, SIGNING, LIGHTING, AND CLEANING OF ROADS AND/OR STREETS; AND FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDED INDEBTEDNESS INCURRED FOR ROAD AND STREET PURPOSES, THE USE THEREOF BEING SUBJECT TO SUCH OTHER PROVISIONS AND RESTRICTIONS AS PROVIDED BY LAW, AT THE RATE OF ONE CENT (\$0.01) PER GALLON TO BE IMPOSED ON ALL MERCHANTS FOR THE SALE OF FUEL USED FOR PROPELLING MOTOR VEHICLES PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO THE PROVISIONS OF ARTICLE IV SECTION 30(a) OF THE MISSOURI CONSTITUTION; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE ELECTION CALLED AND TO BE HELD IN THE CITY ON AUGUST 5, 2014.

*** 1st & 2nd Readings**

City Clerk Nick Jacobs addressed the Board regarding placing the penny fuel tax back on the August ballot. He explained that in the petition filed in Cass County asking for the recount of the April election, the City asked for a re-election of the fuel tax at the expense of Cass County due to election irregularities. The reason this bill is before the Board is if the Circuit Judge decides not to grant that stipulation of the petition, the City can still place the fuel tax question on the ballot by having both readings of the bill at this meeting.

There was some discussion amongst the Board regarding the pros and cons of placing it on the ballot again.

Citizen Hubble Hill addressed the Board asking if the City can just place the tax on diesel fuel. He said that he works for a trucking company who's trucks frequent Flying J. He stated that it would be better to get some money than none. The Mayor commented that the language in the Missouri Constitution does not allow the City to place the tax on specific types of fuel but on all fuels. She thanked him for his ideas.

Citizen Karen McKee addressed the Board asking if the signs that were placed around town could have what the money could be spent for on them.

Staff commented that the City does not place the signs out as the City cannot advocate for any ballot issue but would pass the information along to who handles the signs.

Alderman Roberts made a motion to have the first reading of Bill No. 2014-17 by title only. The motion was seconded by Alderman Ford and approved by a 5-1 voice vote with Alderman Turner casting the nay vote. Alderman Roberts made a motion to accept the first reading of Bill No. 2014-17, seconded by Alderman Ford and was accepted by a 5-1 all in favor vote.

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

Alderman Roberts made a motion to have the second reading of Bill No. 2014-17 by title only. The motion was seconded by Alderman Ford and was approved by a 5-1 voice vote with Alderman Turner casting the nay vote. Alderman Roberts made a motion to accept the second reading of Bill No. 2014-17 and place on final passage as Ordinance 05192014D, 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

D. Bill No. 2014-18 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AMENDING PECULIAR MUNICIPAL CODE § 500.070 C "WATERLINE STANDARDS FOR THE CITY OF PECULIAR."

*** 1st Reading**

City Engineer Carl Brooks addressed the Board. He stated that this bill is similar to the one that was presented in March but staff has removed the section pertaining to staff being able to make technical changes without the Board of Aldermen. He gave an overview of the details of the bill stating the basic purpose of the bill is to establish a waterline minimum standard for the City which would be 8". Per our current standard which is through the American Public Works Association the minimum is 2".

Alderman Fines stated that his house is served by a 4" waterline which is drastically undersized and wants to make sure that this type of situation does not happen again.

Kerrie Robinson addressed the Board stating that the minimum standard should be 10".

Alderman Ford made a motion to have the first reading of Bill No. 2014-18 by title only. The motion was seconded by Alderman Roberts and approved by a 6-0 all in favor vote. Alderman Ford made a motion to accept the first reading of Bill No. 2014-18, seconded by Alderman Roberts 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

E. Resolution 2014-32 – A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE MISSOURI STATE TRACTOR PULLERS ASSOCIATION (MSTPA) FOR THE PURPOSE OF HOLDING A TRACTOR PULL EVENT ON JUNE 21, 2014 IN THE CITY OF PECULIAR

Parks & Recreation Director Nathan Musteen addressed the Board. He stated that this is the contract with the Missouri State Tractor Pullers Association (MSTPA) to hold the annual tractor pull at the City's 66 acre park. He stated that this is the same contract as was presented last year and approved by the Board. He stated that the contract has already been signed by MSTPA.

No comments by the Board.
No public comment.

Alderman Roberts made a motion to adopt Resolution No. 2014-32. 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 2014-33 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE RAYMORE-PECULIAR BAND BOOSTERS (BOOSTERS) FOR THE PURPOSE OF SELLING BEVERAGES AT THE ANNUAL TRACTOR PULL ON JUNE 21, 2014 IN THE CITY OF PECULIAR

Nathan Musteen addressed the Board about the proposed contract for the sale of alcoholic beverages at the annual tractor pull. He stated that this is the same contract as last year. The Ray-Pec Band Boosters would still need to apply for a picnic liquor license through the Board of Aldermen before they could sell any alcohol at the tractor pull.

No Board comment.
No public comment.

Alderman Ford made a motion to adopt Resolution No. 2014-33. The motion was seconded by Alderman Roberts 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

Topic for Discussion

A. Active Warrants

Police Chief Harry Gurin addressed the Board. He stated that he wanted to get the Boards direction on placing the City's current active warrants on the City's website. He stated that other agencies such as the Cass County Sherrif and FBI currently use this feature. This would be maintained by Police staff and would be updated daily as warrants are cleared. The drive behind this request is that the City currently has over 800 active warrants.

Alderman Ford asked what the success rate is for other entities that currently utilize this.
Staff commented that they were unaware of the success rate.

The Board discussed amongst themselves.

The consensus of the Board was to go ahead and list the warrants but be sure to not include any personal information.
Staff commented that it would only be the name of the individual and the year of birth.

City Administrator Report

The City Wide Garage Sale is May 31st. The 6th Annual Clara Brierly WAM Festival is set for June 6-8. The Tractor Pull is set for June 21st. City Staff promoted Tom Ephland to Public Works Manager. The City has a new Engineering Intern whose name is Matthew Wallace. Amnesty Day will be June 21. Municipal Court is trying to clear some of the 800 outstanding warrants. The new radio system has been deployed and is in use by Public Works and Police personnel. Two new house permits were issued in Twin Oaks and staff is excited about the housing market beginning to come back. The School Road Bridge Project is scheduled to be paved June 3-5. Water loss this month was 1.09% which is well below the 15% industry standard. The Water Department staff has been working diligently to try and keep water loss at a minimum.

Alderman Concerns

Brad Ratliff addressed the Board that the goal setting meeting with the Board of Aldermen & AGH would be at the July 7th Worksession meeting.

Alderman Directives

Sign Resolution 2014-30 and send letter to Mrs. Connaway welcoming her to the Board of Adjustments.
Sign Resolution 2014-31 and issue letter to Alcohol and Tobacco Control for Good Time Liquor and Bait.
Sign Ordinance No. 05192014.
Sign Ordinance No. 05192014A.
Sign Ordinance No. 05192014B.
Bring back Bill No. 2014-15 for 2nd reading at June 2nd meeting.
Sign Ordinance No. 05192014C.
Sign Ordinance No. 05192014D.
Bring back Bill No. 2014-18 for 2nd Meeting.
Sign Resolution 2014-32 and execute contract with MSTPA for Tractor Pull.
Sign Resolution 2014-33 and execute contract with Raymore Peculiar Band Boosters.
Proceed with placing active warrants on city website.

Executive Session

The City Attorney has requested a 20-minute Executive Session to discuss Litigation matters, per RSMo. §610.021(1)

At 8:50pm Alderman Roberts made a motion to leave regular session and go into executive session for a period not to exceed 20 minutes to discuss litigation matters per RSMo 610.021(1). The motion was seconded by Alderman Ford and was approved by the following 6-0 roll call vote:

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

At 9:10pm Alderman Turner made a motion to leave executive session and return to regular session seconded by Aldermen Ford and was approved by the following 6-0 roll call vote:

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

Adjournment

On a motion from Alderman Ford, second from Alderman Turner, the meeting was adjourned at 9:10pm 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: 06/16/2014