

**BOA Meeting Agenda
Peculiar City Board of Aldermen
Meeting and Public Hearing
City Hall – 250 S. Main St
Tuesday January 21, 2014 6:30 p.m.**

Notice is hereby given that the Board of Aldermen of the City of Peculiar will hold a regularly scheduled meeting on Tuesday, January 21, 2014 at 6:30 pm, in the Council Chambers at 250 S. Main St. Representatives of the news media may obtain copies of this notice by contacting the City Clerk at City Hall, 250 S. Main St Peculiar, MO 64078 or by calling 816-779-2221. All proposed Ordinances and Resolutions will be available for viewing prior to the meeting in the Council Chambers.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. City Clerk – Read the Board of Alderman Statement
5. Consent Agenda
 - A. Approval of the Agenda
 - B. Approval of the Draft Minutes of December 16, 2013 BOA Meeting.
 - C. Approval of the Draft Minutes of January 6, 2014 Work Session Meeting.
6. Public Comment – Jennifer Bedford – Twin Oaks HOA update
7. New Business
 - A. Public Hearing – Saferooms – Bill No. 2014-01 - AN ORDINANCE DELETING CHAPTER 400 ARTICLE VIII, DIVISION 5 OF THE PECULIAR MUNICIPAL CODE REGARDING SAFE ROOMS; AND ESTABLISHING A NEW SECTION 400 ARTICLE VIII, DIVISION 5 SAFE ROOMS:
1st Reading
 - B. Resolution No. 2014-02 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI TO AUTHORIZE THE FORMATION OF AN INDUSTRIAL DEVELOPMENT CORPORATION IN THE CITY OF PECULIAR, MISSOURI, AND DETERMINING AND APPROVING CERTAIN MATTERS RELATED THERETO.
 - C. Resolution No. 2014-03 – A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE CITY OF PECULIAR 2014 LEGISLATIVE POLICIES
8. Topic for Discussion
 - A. City Logo
9. City Administrator Report
10. Aldermen Concerns
11. Aldermen Directives
12. Adjournment

**Board of Aldermen Regular Meeting Minutes
Monday December 16, 2013**

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 December 16, 2013. 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.

Consent Agenda

- A. Approval of the Agenda**
- B. Approval of the Draft Minutes of November 18, 2013 BOA Meeting.**
- C. Approval of the Draft Minutes of December 2, 2013 Work Session Meeting.**

Alderman Turner commented that the December 2nd minutes need to be amended to reflect that he was absent for the adjournment.

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

**Mayor's Appointments – Roger Dougherty to Planning Commission
Resolution 2013-45 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR,
MISSOURI APPROVING THE APPOINTMENT OF ROGER DOUGHERTY TO THE PLANNING
COMMISSION**

City Planner Cliff McDonald addressed the Board relating to the reappointment of Roger Dougherty to the Planning Commission. He stated that Mr. Dougherty has been a good member of the Planning Commission and recommends the reappointment.

No public comment.

Alderman Stark made a motion to adopt Resolution No. 2013-45. The motion was seconded by Alderman Gallagher 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

New Business

- A. Resolution 2013-46 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI TO APPROVE AND ADOPT A DEBT MANAGEMENT POLICY FOR THE CITY OF PECULIAR.**

Brad Ratliff addressed the Board regarding the Debt Management Policy. He stated that it is basically putting what we currently practice in a formal policy. He thinks it will be a good tool for the to City have. This policy was brought before the Board at the December 2nd Worksession meeting.

No public comment.

Alderman Stark made a motion to adopt Resolution No. 2013-46. The motion was seconded by Alderman Gallagher 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 2013-47 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI TO APPROVE AND ADOPT AN INVESTMENT POLICY FOR THE CITY OF PECULIAR.**

Brad Ratliff addressed the Board pertaining to the presented Investment Policy. He stated that this is a good tool showing that the entity is well managed. He said that this document is well outlined through State Statute to ensure that all rules are being followed and adhered to. This policy was brought before the Board at the December 2nd Worksession meeting.

No public comment.

Alderman Stark made a motion to adopt Resolution No. 2013-47. The motion was seconded by Alderman Gallagher 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. Bill No. 2013-23 - AN ORDINANCE BY THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR TO ADOPT AN OFFICIAL ZONING MAP WHICH INCORPORATES ALL CHANGES IN ZONING, CHANGES IN ZONING DISTRICTS, AND CHANGES TO THE OFFICIAL CITY LIMITS OF PECULIAR FROM ANNEXATIONS SINCE MAY 2009.

**1st Reading*

City Planner Cliff McDonald addressed the Board stating that the proposed map includes all changes in zoning and City Limits since May of 2009.

Alderman Gallagher asked if our borders asked if our limits bordered Raymore.

Staff commented that we do not border them as of yet but they are South of 203rd St. on the East side.

The Mayor stated that the agreement with Raymore is that they will not annex South of 203rd St.

No public comment.

Alderman Stark made a motion to introduce Bill No. 2013-23 and read one time by title only. The motion was seconded by Alderman Gallagher and was approved by a 6-0 voice vote. Alderman Stark made a motion to accept the first reading of Bill No. 2013-23. 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. 2013-24 - 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 (\$.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 APRIL 8, 2014.

**1st Reading*

Brad Ratliff addressed the Board stating that this is the 3rd time bringing before the voters of Peculiar. He stated that a lot of people do not realize that fuel tax is distributed by population not by where you fill up. After some research the City is estimating between \$80,000 to \$100,000 of revenue each year. This would give the City a funding mechanism to be able to try and get caught up on taking care of the roads in Peculiar.

Alderman Fines stated that this tax is needed. We do not have the budget to take care of our roads.

Brad stated that the money can only be used for roads not any of the other rumors that seem to float around.

Alderman Ray stated that when it did not pass the 2nd time, she had people ask her why this is not passing. A penny per gallon is not much at all in the big picture.

Alderman Gallagher said he believes that the problem is that in the ballot language it says the City can pay off Bond Debt. Alderman Stark responded stating that it can only be used to pay of Street Bonds and the City currently does not have and Street Bonds.

Alderman Stark said she is not a fan of continually running something until it passes. It ran twice and was shot down twice. She believes that the City needs it but is not a fan of continually running it.

There was further discussion.

No public comment.

Alderman Stark made a motion to introduce Bill No. 2013-24 and read one time by title only. The motion was seconded by Alderman Gallagher and was approved by a 4-2 voice vote. Alderman Stark made a motion to accept the first reading of Bill No. 2013-24. The motion was seconded by Alderman Gallagher and was approved by a 4-2 voice vote.

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

E. Bill No. 2013-25 – AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AMENDING CHAPTER 600 OF THE PECULIAR MUNICIPAL CODE AND UPDATING ELIGIBILITY PARAMETERS FOR THE RECEIPT OF LIQUOR LICENSES AND EMPLOYEE PERMITS.

1st Reading

City Attorney Reid Holbrook addressed the Board. He stated that after review, the City's Ordinance is currently out of compliance and will need to be changed.

There was further discussion amongst the Board asking various questions about what needs to be changed to be in compliance. The primary change is allowing felons to receive the permit as long as their felon is not alcohol related.

Robert Elliott 10006 E 22nd St. addressed the Board. Asking questions if all of the restrictions apply to just a liquor license or to permits as well.

Mr. Holbrook responded that in Mr. Elliott's case it would only apply to permits.

There was further discussion amongst the Board.

Alderman Stark made a motion to introduce Bill No. 2013-25 and read one time by title only. The motion was seconded by Alderman Gallagher and was approved by a 6-0 voice vote. Alderman Stark made a motion to accept the first reading of Bill No. 2013-25. 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

City Administrator Report

The police garage was paved recently. The interior offices were painted and camera and lighting systems will be installed shortly. A new trailer was purchased to haul the new UTV. School Road has been opened but they have not paved it. The Ford F550's are supposed to be delivered this week. The sealing and reclamation was finished up. There have been three water main breaks recently. The monies from the most recent Bond issue has been delivered. The monument sign is still underway and staff is trying to get a schedule from MoDOT. There is no info on the Smart Light program. Basketball practices have begun last week. The Land Use Matrix is still being reviewed.

Alderman Concerns

Alderman Dunsworth addressed the Board regarding the Park Board. He stated that there is still a split in the Board and needs to be corrected. He recommended suspending the Park Board for two years and having the Parks and Recreation Director report straight to the Aldermen. Alderman Fines stated he would support this movement.

Alderman Stark asked if staff had brought any issues to him about the Board. Brad commented that it had not been initiated by staff.

Alderman Dunsworth continued to explain his issues that he sees in the Board.

There was further discussion amongst the Aldermen.

The Mayor recommended to invite the Park Board to the next meeting and hear their side of things and vote as to whether or not to suspend them.

After much discussion it was decided to do what the Mayor had presented and invite the Park Board to the January meeting.

Brad wanted to let the Board know that staff has no official grounds on this situation as it was initiated by the Board.

Alderman Stark moved to have a 5 minute recess at 8:15pm in preparation of a 20 minute executive session to discuss personnel matters per Rsmo 621.021(3) not to exceed 20 minutes. Seconded by Alderman Gallagher and passed by the following 6-0 Roll Call Vote.

Alderman Gallagher	Aye	Alderman Ray	Aye
Alderman Dunsworth	Aye	Alderman Stark	Aye

Adjournment

On a motion from Alderman Stark, second from Alderman Turner, the meeting was adjourned at 8:42pm 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:

**Board of Aldermen Regular Meeting Minutes
Monday January 6, 2014**

A regular work session 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 January 6, 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, Veronika Ray, Donald Turner, Bob Fines, Holly Stark and Homer Dunsworth

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, City Planner Clifford McDonald, Business Office Manager Trudy Prickett, and Parks & Recreation Director Nathan Musteen.

Business

A. Park Board – Topic for Discussion

RESOLUTION No. 2014-01 - A RESOLUTION OF THE CITY OF PECULIAR, MISSOURI STATING THE BOARD OF ALDERMEN'S DESIRE TO DISSOLVE THE PARK BOARD; AND DIRECTING CITY STAFF TO UNDERTAKE ANY NECESSARY ADMINISTRATIVE MEASURES TO FINALIZE THE DISSOLUTION.

Brad Ratliff addressed the Board pertaining to the Park Board. He stated that staff was directed to bring the Park Board to the Board as a topic for discussion and have the appropriate Resolution prepared to dissolve the Park Board. He made it clear that this was not a staff directive but an alderman directive and staff is not for or against it.

Alderman Fines said that he was reviewing the attendance of the Park Board. He said that it seems that quite often members would not show up. He stated that he sees a dysfunctional Park Board. He stated that the Board has a liaison for a reason and thinks that we should listen to him.

Alderman Turner said he feels that it would be a great disservice to the community to dissolve the Park Board. He said that he has attended some Park Board meetings and has noticed a fracture. He suggested to perhaps change the liaison to the Board of Aldermen.

There was further discussion amongst the Board.

Alderman Gallagher commented that he does not want to see the Park Board dissolved but rather give them the direction the Board of Aldermen want them to take.

Aldermen Ray commented that everyone has to realize that it is not one person's personal agenda but rather the City of Peculiar as a whole.

Alderman Fines asked Nathan if there needed to be an Ordinance change for the Park Board. Nathan commented that there are a few sections that are outdated and need some updating.

There was further discussion amongst the Board.

Park Board President Andrew Boston addressed the Board stating that since he was appointed to the Board they have added two new members and deserves a chance.

Park Board member Doug Stark addressed the Board. He commented that the Park Board has not hindered Nathan at all. He stated that the City needs a Park Board.

There was further discussion.

Park Board member Kelsie McCrea addressed the Board. She also stated that it would be a disservice to dissolve the Park Board. She said it's an opportunity for everyday citizens to give input on how the parks operate.

Park Board member Chris Green addressed the Board he listed his reasons as to why the Board should not be dissolved.

Kerri Robinson addressed the Board. She stated that after coming to the meetings for years, she thinks the Park Board should get an opportunity to work it out.

Toni Wiseman addressed the Board. She was one of the original members of the first park Board. She listed some of the history of the Park Board and how it would be a bad decision to disband the Park Board.

The Mayor stated that he agreed with Alderman Turner on his points, Doug Stark on his points, Toni Wiseman, Kerri Robinson, and Alderman Ray on their points. He stated that Peculiar is growing. He stated that the residents and volunteers established the Park Board and does not want to take it away from them.

Alderman Dunsworth moved to adopt Resolution No. 2014-01, seconded by Alderman Gallagher was failed by a 3-3 roll call vote. It was stated by the City Attorney that the Mayor does not vote on a tie in regards to a resolution.

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

The mayor announced a 5 minute recess at 8:00 pm to reconvene at 8:05pm.

B. Bill No. 2013-23 - AN ORDINANCE BY THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR TO ADOPT AN OFFICIAL ZONING MAP WHICH INCORPORATES ALL CHANGES IN ZONING, CHANGES IN ZONING DISTRICTS, AND CHANGES TO THE OFFICIAL CITY LIMITS OF PECULIAR FROM ANNEXATIONS SINCE MAY 2009.

**2nd Reading*

Cliff McDonald addressed the Board pertaining to the new zoning map. He stated that have been no changes since the last meeting.

No public comment.

Alderman Stark moved to have the second reading of Bill No. 2013-23 by title only, seconded by Alderman Gallagher and was approved by a 6-0 voice vote. Alderman Stark moved to accept the second reading of the bill and place on final passage as Ordinance number 01062014, seconded by Alderman Gallagher and approved by the following 6-0 roll call vote.

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

C. Bill No. 2013-24 - 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 APRIL 8, 2014.

**2nd Reading*

Brad Ratliff addressed the Board pertaining to the fuel tax. He stated that this money can only be used for roads. If it were used inappropriately the auditors would catch it.

Alderman Turner stated that he had people contact him who are sick of seeing it on the ballot.

Alderman Ray stated that the biggest problem is people who reside outside of city limits speaking ill of the proposed tax.

Further discussion continued amongst the Board.

No public comment.

Alderman Stark moved to have the second reading of Bill No. 2013-24 by title only, seconded by Alderman Fines and was approved by a 4-2 voice vote. Alderman Stark moved to accept the second reading of the bill and place on final passage as Ordinance number 01062014A, seconded by Alderman Dunsworth and approved by the following 4-2 roll call vote.

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

D. Bill No. 2013-25 – AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AMENDING CHAPTER 600 OF THE PECULIAR MUNICIPAL CODE AND UPDATING ELIGIBILITY PARAMETERS FOR THE RECEIPT OF LIQUOR LICENSES AND EMPLOYEE PERMITS.

**2nd Reading*

City Attorney Reid Holbrook addressed the Board. He stated that this Ordinance will change the current Code to reflect State Statute.

There was some discussion amongst the Board about potential codes that may be outdated.

Alderman Stark moved to have the second reading of Bill No. 2013-25 by title only, seconded by Alderman Turner and was approved by a 6-0 voice vote. Alderman Stark moved to accept the second reading of the bill and place on final passage as Ordinance number 01062014B, seconded by Alderman Dunsworth and approved by the following 6-0 roll call vote.

Alderman Gallagher Aye
Alderman Dunsworth Aye
Alderman Fines Aye

Alderman Ray Aye
Alderman Stark Aye
Alderman Turner Aye

Alderman Ray left the meeting at 8:28pm due to illness.

Topics for Discussion

A. Industrial Development Authority

Cliff McDonald addressed the Board pertaining to the Industrial Development Authority. He said the City used to have an Industrial Development Authority but it was disbanded. He feels that this was a poor move by the former City government. This is merely a tool the City can use to help future development.

There was some discussion amongst the Board relating to the previous Industrial Development Authority.

B. Economic Development Incentive Policy

Cliff McDonald addressed the Board relating to the Economic Development Incentive Policy. It outlines the various steps to forming and regulating various districts such as Community Improvement District (CID), Neighborhood Improvement District (NID), Transportation Development District (TDD).

Brad stated that this policy will help the City be prepared for future developments.

There was some further discussion amongst the Board and staff relating to the benefits of the policy.

C. Land Use Matrix

Cliff McDonald addressed the Board pertaining to the Land Use Matrix. This is merely presented to the Board for informational purposes right now as it hasn't been finalized through the Planning Commission. There is a wealth of information that is being updated and the Planning Commission has been working diligently on the Matrix for some time.

Cliff also presented a draft version of the Ordinance necessary to incorporate the Matrix into the code and make other necessary corrections.

There was much discussion about various definitions and term usage in the Matrix.

The Land Use Matrix will be brought before the Board via a Public Hearing in February.

Alderman Turner left the meeting at 8:57pm.

Alderman Concerns or Additional Topics for Discussion by Aldermen

No Aldermen Concerns or Topics.

Aldermen Directives Reported by City Administrator

Sign and institute bill 2013-23 Zoning Map.

Forward bill 2013-24 Fuel Tax will be sent to Cass County for the election.

Bill 2013-24 Liquor Requirements will be added to our Code.

Industrial Development Authority bring back for February Worksession

Economic Development Incentive Policy bring to February Worksession

Land Use Matrix bring back in February.

Adjournment

On a motion from Alderman Stark, second from Alderman Gallagher, the meeting was adjourned at 9:03pm with a 4-0 voice vote with Alderman Turner and Alderman Ray leaving before adjournment.

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

Nick Jacobs, City Clerk

Approved by the Board of Aldermen:

City Administrator
Brad Ratliff

City Clerk
Nick Jacobs

City Attorney
Reid F. Holbrook



City Engineer
Carl Brooks

Business Office
Trudy Prickett

City Planner
Cliff McDonald

Municipal Offices - 250 S. Main St., Peculiar, MO 64078
Phone: 816.779.2221 Facsimile: 816.779.5213

AGENDA REQUEST FORM
(Board of Aldermen)

This form must be completed and submitted to the office of the City Clerk. Complete materials for the agenda shall be submitted no later than Thursday at 5:00 pm, 9 business days prior to the next Board of Aldermen's meeting. If an observed holiday falls on a Thursday, materials will be accepted until 5:00 pm on Wednesday. The Board of Aldermen's Regular Meeting is to be held the Third Monday of each month.

Date of Request: 1/7/14 Scheduled Meeting Date: 1/21/14

Full Name of Speaker: Jennifer Bedford Organization: _____

Home Address: 12415 Live Oaks Circle City Peculiar State MO Zip 64078

Home Phone #: _____ Work Phone #: _____ Cell #: 816-726-5498 Email: bedfordj03@comcast.net
Resident of the City of Peculiar? Yes No

Specifics of Topic:
Twin Oaks HOA update

Desired Outcome: _____

If applicable has this item been previously presented to any of the following Boards for consideration?

<input checked="" type="checkbox"/> Board of Aldermen	Date Presented <u>11/7/13</u>	Outcome _____
<input type="checkbox"/> Planning Commission	Date Presented _____	Outcome _____
<input type="checkbox"/> Park Board	Date Presented _____	Outcome _____
<input type="checkbox"/> Board of Adjustment	Date Presented _____	Outcome _____

***I have been made aware of the date and time of the next scheduled Board of Aldermen meeting.

Office Use Only:
Date request Received: <u>1/7/14</u>

Signature:

City Administrator
Brad Ratliff

City Clerk
Nick Jacobs

Business Office
Trudy Prickett

City Attorney
Reid F. Holbrook



City Engineer
Carl Brooks

Chief of Police
Harry Gurin

City Planner
Cliff McDonald

Parks Director
Nathan Musteen

*Municipal Offices – 250 S Main, Peculiar, MO 64078
Phone: 816.779.5212 Facsimile: 816.779.1004*

To: Board of Aldermen; Brad Ratliff

From: Clifford L. McDonald

Date: January 21, 2014

Re: Zoning Text Amendment – Chapter 400, ARTICLE VIII, DIVISION 5, SAFE ROOMS

GENERAL INFORMATION

Applicant: BOA

Status of Applicant: N/A

Requested Actions: Consider Amending Chapter 400, ARTICLE VIII, DIVISION 5, SAFE ROOMS to revise the requirement of constructing Safe Rooms

Date of Application: **January 21, 2014**

Property Location (if applicable): Citywide

PROPOSAL

Board to consider amending Chapter 400, ARTICLE VIII, DIVISION 5, SAFE ROOMS of the City Zoning Ordinance to alter the requirement for constructing a Safe Room.

PREVIOUS ACTIONS

Discussed by the BOA on December 2, 2013 this action was forwarded to the Planning Commission for review and consideration. The Planning Commission reviewed the proposed amendment and held its Public Hearing on January 9th, 2014; the Commission approved the attached Safe Room Amendment by a vote of 6:1.

KEY ISSUES

There could be health and safety issues associated with this change. The cost of a Safe Room is approximately Three Thousand Dollars (\$3,000.00) which adds to the cost of residential construction and overall pricing of a home. Other information to consider:

1. The “Safe Room” requirement was adopted by Ordinance on 11-18-08; it was included in the complete revision of the City’s Chapter 400 Zoning Ordinance.
2. The construction of a Safe Room is required for all “New Construction” and is also required for repair or remodeling existing structures if the cost exceeds Fifty Percent (50%) of the Cass County assessed valuation

or if an addition was equal to fifty percent (50%) of the existing square footage of the habitable structure.

3. There are three (3) exceptions to the Safe Room Requirement:
 - (1) Residential construction within 1,000 feet of a Community Safe Room.
 - (2) Residential construction with a minimum basement depth of eight (8) feet which has a minimum of six (6) feet below grade.
 - (3) The requirement may be waived by the proposed purchaser of a single-family structure (proof required, typically a copy of the executed construction contract).
4. The City's Adopted Building Code, 2003 ICC (International Code Council) does not include a "Safe Room" requirement (the Safe Room Code was written by the ICC/NSSA in 2008).
5. There are no federal housing, or FEMA regulations requiring Safe Room construction in new housing units with which the City must comply.

STAFF COMMENTS AND SUGGESTIONS

The Draft Ordinance presented for your consideration was amended to provide for both Builder/Developer and Proposed Purchaser waiver options for Single Family, R-1, Residential Construction. In previous discussions retaining the requirement for Safe Rooms in higher density R-3 and R-4 Districts was not an issue.

Please Note: builder discussion about this added cost for a new home and its potential impact on marketing has remained very limited.

STAFF RECOMMENDATION

Board of Aldermen consider adoption of the Amendment to Safe Room Ordinance as presented.

STAFF CONTACT:
Clifford L. McDonald

BILL NO. 2014-01
ORDINANCE NO. _____

AN ORDINANCE DELETING CHAPTER 400 ARTICLE VIII, DIVISION 5 OF THE PECULIAR MUNICIPAL CODE REGARDING SAFE ROOMS; AND ESTABLISHING A NEW SECTION 400 ARTICLE VIII, DIVISION 5 SAFE ROOMS:

WHEREAS, the Board of Aldermen desire to delete Chapter 400 ARTICLE VIII, Division 5 of the Peculiar Municipal Code relating to Safe Rooms; and to establish a new Chapter 400 ARTICLE VIII, Division 5 Safe Rooms; and

WHEREAS, the Planning Commission recommend approval of establishing a new Chapter 400 ARTICLE VIII, Division 5, Safe Rooms of the Peculiar Municipal Code at a January 9, 2014 Public Hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AS FOLLOWS:

SECTION 1: That all of Chapter 400 ARTICLE VIII, Division 5 of the Peculiar Municipal Code pertaining to Safe Rooms shall be deleted and a new Chapter 400 ARTICLE VIII Division 5 Safe Rooms shall be inserted with the following:

DIVISION 5. SAFE ROOMS

SECTION 400.1400: TORNADO AND SEVERE WIND EVENT PROTECTION

A. Purpose: In order to provide for the safety and welfare of the citizens of the community during severe windstorm events, a "Storm Shelter, Safe Room, or Community Safe Room" shall be required in all Single Family Dwelling Districts R-1, Two Family Dwelling Districts R-2 and all Multiple-Family Dwelling Districts R-3 and R-4. Community Storm Shelters or Safe Rooms shall be located within 1,000 feet of all residential units to be served.

B. Definition: "Storm Shelter or Safe Room" - A reinforced area of a dwelling(s) designed to withstand severe windstorms and meeting the standards of the International Code Counsel/National Storm Shelter Association (ICC/NSSA 500:2008 Standard for the Design and Construction of Storm Shelters) or FEMA Publications 320 or 361.

C. Construction of the "Storm Shelter or Safe Room" shall be as submitted to, and approved, by the City Building Official.

SECTION 400.1410: EXEMPTIONS FROM THIS DIVISION

A. This Division does not apply to the repair, reconstruction, remodeling, or addition to existing structures unless the reconstruction or addition totals more than 50% of the current assessed value as determined by the Cass County Assessor.

B. This Division is not applicable to new development of habitable structures that are constructed with a basement with walls that are a minimum of eight (8) feet deep and are located at least seventy-five percent (75%) below grade as measured by the surface area of the basement walls that are exposed above grade from the exterior of the habitable structure.

C. This Division is not applicable to new development of habitable structures that are constructed within One Thousand (1,000) Feet of a Community Storm Shelter or Safe Room which serves that residential unit(s).

SECTION 400.1420: WAIVER OF DIVISION FOR A SINGLE FAMILY DWELLING

The enforcement of this Division may be waived by the purchaser for which a single-family structure is being built or by the builder/developer of the Single Family Dwelling if no purchase contract exists. The waiver shall acknowledge that the City of Peculiar is in a high risk zone for severe weather, including tornadoes, and request a waiver of this Division applicable to the construction of the structure. The waiver must be signed by the proposed purchaser or the builder/developer, as applicable, and must be presented to the City; a waiver by the purchaser shall include a copy of a fully executed construction contract signed by the proposed purchaser.

SECTION 2: Effective Date. The effective date of this ordinance shall be the ____ day of _____ 2014.

First Reading: _____

Second Reading: _____

BE IT REMEMBERED THE PRECEDING ORDINANCE WAS ADOPTED ON ITS SECOND READING THIS ____ DAY OF _____, 2014, BY THE FOLLOWING VOTE:

Alderman Gallagher _____
Alderman Dunsworth _____
Alderman Fines _____

Alderman Ray _____
Alderman Stark _____
Alderman Turner _____

Approved:

Attest:

Ernest Jungmeyer, Mayor

Nick Jacobs, City Clerk



City Administrator
Brad Ratliff

City Clerk
Nick Jacobs

Business Office Manager
Trudy Prickett

City Attorney
Reid F. Holbrook

City Engineer
Carl Brooks

Chief of Police
Harry Gurin

City Planner
Cliff McDonald

Parks Director
Nathan Musteen

Municipal Offices – 250 S. Main, Peculiar, MO 64078
Phone: 816.779.5212 Facsimile: 816.779.1004

To: Board of Aldermen
From: Clifford L. McDonald
Date: January 21, 2014
Re: Forming a City of Peculiar, Industrial Development Authority

GENERAL INFORMATION

Applicant: City Staff

Requested Actions: Board of Aldermen consider forming an Industrial Development Authority

Date of Application: January 6, 2014

Purpose: The purpose is for the City of Peculiar to authorize the formation of an Industrial Development Authority (IDA) to provide an optional means of project funding to attract & develop future economic growth within the City.

PROPOSAL: See “Requested Actions” above.

PREVIOUS ACTIONS:

Peculiar had previously approved, and established an Industrial Development Authority (IDA). It was formed as a public corporation under Chapter 349 of the Revised Statues of Missouri (the “Industrial Development Corporations Act”); unfortunately it was dissolved.

KEY ISSUES

The City desires to use economic development tools to attract desired industrial and commercial growth. An IDA under authority of Chapter 349 of the Revised Statues of Missouri has the authority to authorize Tax Exempt Status for bonds necessary to support approved projects. These bonds have no tie, impact or obligation to the City of Peculiar nor do they adversely impact the City’s bonding ability/capacity. To implement an IDA and support its effort toward economic development, the following IDA Bylaws, Project Application and Resolution for the City to establish an IDA were drafted, reviewed by Staff and are now presented for your consideration to approve.

STAFF COMMENTS AND SUGGESTIONS

This corporation would exist to: develop, advance, encourage and promote commercial, industrial, agricultural and manufacturing facilities in the City of Peculiar, Missouri. The Peculiar IDA could become the primary economic development organization of the community. As a nonprofit corporation under the laws of Missouri, the Peculiar IDA has broad powers, including issuing bonds for specific types of projects described in the state law-enabling legislation. Such projects include, but are not limited to the following:

1. Educational facilities;
2. Manufacturing facilities;
3. Office buildings for use as corporate or company headquarters or regional offices;
4. Health care facilities;
5. Housing; and
6. Facilities owned or operated by a 501(c) organization.

There are numerous benefits in having an IDA serve the interests of Peculiar, which include:

- Issuance of bonds create a win-win situation for all parties involved. Bonds benefit the borrower, the investors and the community in which the projects are located.
- Due to the tax-exempt status of bonds, investors benefit from the tax-free interest earnings received from the bonds. The interest income may be lower than other investments, but the tax savings may offset the difference.
- The renovation of abandoned and deteriorating buildings, as well as the development of underutilized land revitalizes the surrounding community. The growth in business resulting from bond proceeds allow for the creation of jobs that are usually filled by local residents.
- Over the past ten years, the "all-in" interest rate has averaged approximately 4.65%. During this same period, the bond interest rate was as low as 2.8% and the commercial interest rate indicators have consistently been higher than the tax-exempt interest rates.
- Bonds typically reduce financing costs by 20% - 30% annually. In many cases these savings allow companies to purchase their leased facility or acquire a new property, allowing them to expand and increase the capacity of their operations.

STAFF RECOMMENDATION

I recommend the Board strongly consider approving the attached documents and establish an Industrial Development Authority for the City of Peculiar to provide another means of facilitating Economic Development and growth within the Corporate City Limits.

STAFF CONTACT:
Clifford L. McDonald

**BYLAWS OF
THE INDUSTRIAL DEVELOPMENT AUTHORITY OF
THE CITY OF PECULIAR, MISSOURI**

**ARTICLE I
OFFICES**

1. Name. The name of this corporation shall be The Industrial Development Authority of the City of Peculiar, Missouri.

2. Principal Office, Registered Office and Registered Agent. The principal office and location of the corporation shall always be in the City of Peculiar, Missouri. The location of the registered office and the name of the registered agent shall be such as determined from time to time by the Board of Directors and as of file in the appropriate office in the State of Missouri. The principal office shall be located at such place as the Board of Directors may from time to time determine.

3. Records. The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of the Board of Directors and each committee of the Board of Directors. The corporation shall keep at its principal or registered office a record of the name and address of each director. Such records shall be public records open for inspection by any interested person.

4. Seal. The Board of Directors may adopt, and may alter at pleasure, a corporate seal, which shall have inscribed thereon the name of the corporation, and the words: Corporate Seal – Missouri. The corporate seal may be used by causing it, or a facsimile thereof, to be impressed or affixed or to be in any other manner reproduced.

**ARTICLE II
PURPOSES**

1. Purposes States In Articles. The purposes of this corporation shall be those purposes stated in the Articles of Incorporation as may be amended from time to time. The corporation shall be a nonprofit corporation and no part of the net earnings or other assets of the corporation shall inure to the benefit of any director, contributor, officer or other private individual having, directly or indirectly, any personal or private interest in the activities of the corporation.

**ARTICLE III
DIRECTORS**

1. Directors in Lieu of Members or Shareholders. The corporation shall not have members or shareholders as such, but, in lieu thereof, shall have only a Board of Directors.

2. Powers. The property and affairs of the corporation shall be managed by the Board of Directors of the corporation. The Board of Directors shall have and is invested with all and unlimited powers and authorities, except as it may be expressly limited by law, the Articles of Incorporation or these bylaws, to supervise, control, direct and manage the property, affairs and activities of the corporation, to determine the policies of the corporation, to do or cause to be done any and all lawful things for and on behalf of the corporation, to exercise or cause to be exercised any or all of its powers, privileges or franchises, and to seek the effectuation of its objects and purposes; provided, however, that (1) the Board of Directors shall not authorize or permit the corporation to engage in any activity not

(b) Notification. Not less than sixty (60) days prior to the annual meeting of the Board of Directors to be held in 2014 and each second annual meeting of the board thereafter, the secretary of the corporation shall, with respect to each director whose term will expire with such annual meeting, notify (in the manner hereinafter set forth) the Board of Aldermen and the Mayor of the City of Peculiar, Missouri. Such notice shall set forth the name of the person whose term is about to expire and shall advise such Board of Aldermen and the Mayor of the City that the Mayor shall have the right to appoint, with the advice and consent of a majority of the Board of Aldermen of the City, by a date specified in the notice (which shall be not less than seven (7) days prior to the annual meeting date) a person as a director for a six (6) year term.

(c) Appointment. Each such person appointed as a director by the Mayor with the advice and consent of the Board of Aldermen of the City of Peculiar, Missouri shall be appointed to serve for a term of six (6) years (commencing with the annual meeting specified in the notice by the secretary) and until his successor is duly appointed and has commenced his term of office.

The name of any individual who has been so appointed by the Mayor with the advice and consent of the Board of Aldermen of the City of Peculiar, Missouri, shall be forwarded by the City Clerk of the City of Peculiar, Missouri to the secretary of the corporation not less than seven (7) days prior to the date of the annual meeting.

The failure to comply with the time schedule hereinabove set forth shall not invalidate the election of any director otherwise duly elected.

5. Commencement of Term of Office. A director shall be deemed appointed as of the time specified at the time of his appointment, but he shall not be deemed to have commenced his term of office or to have any of the powers or responsibilities of a director until the time he accepts the office of director either by written acceptance filed with the City Clerk of the City of Peculiar, Missouri, or by participating in the affairs of the corporation at a meeting of the Board of Directors or otherwise.

6. Vacancies. Vacancies among the directors resulting from the death, resignation, removal, incapacity or disqualification of a director, or by reason of an increase in the number of directors or the failure of an elected director to accept the office of director, may be filled by the Mayor with the advice and consent of the Board of Aldermen of the City of Peculiar, Missouri. A director elected to fill a vacancy shall meet any qualifications set forth in these bylaws, and shall serve for the unexpired term of his predecessor and until his successor has been duly elected and has commenced his term of office.

7. Compensation. No director shall receive compensation from the corporation for any service he may render to it as a director. However, a director may be reimbursed for his actual expenses reasonably incurred in and about the performance of his duties as a director.

8. Resignation. Any director may resign from the Board of Directors. Such resignation shall be in writing and shall be filed with the City Clerk and effective upon appointment of a new director by the Mayor with the advice and consent of the Board of Aldermen of the City of Peculiar, Missouri.

9. Removal. Directors may be removed by the Board of Aldermen of the City of Peculiar, Missouri, with or without cause at any time, but a director shall be removed only after a hearing in the event that a director requests a hearing.

ARTICLE IV MEETINGS

1. Place. Meetings of the Board of Directors of the corporation may be held at the City Hall in the City of Peculiar, Missouri or such other place as may be determined from time to time by resolution of the board or by written consent of the members of the board.

2. Annual Meetings. The annual meeting of the Board of Directors shall be held on the 2nd Tuesday of November each year, commencing in 2014, if not a legal holiday, and if a legal holiday then on the next secular day following. Notice of an annual meeting shall be given to each appointed and newly appointed director not less than five (5) days before the date of the annual meeting.

3. Special Meetings. In addition to the annual meeting, special meetings of the Board of Directors may be held at any time and for any purpose or purposes. Special meetings may be called by the president or the secretary or by a majority of the Board of Directors by notice duly signed by the officer or directors calling the same and given in the manner hereinafter provided. Special meetings may be held telephonically.

4. Notice of Special Meetings. Written or printed notice stating the place, day and hour of a special meeting and the purpose for which the meeting is called shall be delivered to each director not less than two (2) days before the date of the meeting, either personally or by mail, by or at the direction of the president, or the persons calling the meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail addressed to the director at his address as it appears on the records of the corporation, with postage thereon prepaid.

5. Waiver and Publication of Notice. Any notice provided or required to be given to the directors may be waived in writing by any of them whether before or after the time stated therein. Attendance of a director at any meeting shall constitute a waiver of notice of such meeting except where the director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

Notice of any annual and special meeting of the Board of Directors shall also be given in such manner as necessary to comply with the provisions of Chapter 610, R.S.Mo., as amended.

6. Quorum. The presence of a majority of the whole board shall be requisite for and shall constitute a quorum for the transaction of business at all meetings. The act of a majority of the directors present at a meeting at which a quorum is present shall be valid as the act of the Board of Directors except in those specific instances in which a larger vote may be required by law, by the Articles of Incorporation or by these bylaws.

7. Adjournment. If a quorum shall not be present at any such meeting, the directors present shall have power successively to adjourn the meeting, without notice other than announcement at the meeting, to a specified date. At any such adjourned meeting at which a quorum shall be present any business may be transacted which could have been transacted at the original session of the meeting.

8. Voting. Each director present at any meeting shall be entitled to cast one vote on each matter coming before such meeting for decision.

9. Agenda. The secretary or his designate shall prepare for each regular meeting of the board an agenda of the items to be considered in accordance with these bylaws. Twenty-four hour notice shall be given of items to be placed on the agenda prior to meeting.

ARTICLE V OFFICERS

1. General. The officers of the corporation shall be a president, a vice president, a secretary, a treasurer, and such other officers as the Board of Directors may elect, including, but not limited to, assistant secretaries and assistant treasurers. All officers shall be elected from among the members of the Board of Directors and shall at all times while holding such office be a member of the Board of Directors. Any two or more offices may be held by the same person, except the offices of president and secretary.

Initially, the officers shall be elected by the Board of Directors named in these bylaws at the first meeting of that body following adoption of these bylaws, to serve at the pleasure of the board until the first annual meeting of the board and until their successors are duly elected and qualified.

At the first and each subsequent annual meeting of the Board of Directors following adoption of these bylaws the newly elected board shall elect officers to serve at the pleasure of the board until the next annual meeting of the board and until their successors are duly elected and qualified.

An officer shall be deemed qualified when he enters upon the duties of the office to which he has been elected or appointed and furnishes any bond required by the board or these bylaws; but the board may also require of such person his written acceptance and promise faithfully to discharge the duties of such office.

2. Removal. Any officer of the corporation may be removed with or without cause or discharged from his position as an officer of the corporation by an affirmative vote of a majority of the other members of the Board of Directors.

If for any reason any officer ceases to be a member of the Board of Directors, then such officer shall automatically be removed from his office in the corporation.

3. Compensation. No officer shall receive any salary or compensation for serving as such. Each officer may be reimbursed for his actual expenses if they are reasonable and incurred in connection with the business and activities of the corporation.

4. Vacancies. Vacancies in the offices of the corporation caused by the death, resignation, incapacity, removal or disqualification of an officer of the corporation shall be filled by the Board of Directors at an annual or other regular meeting or at any special meeting called for that purpose, and such person or persons so elected to fill any such vacancy shall serve at the pleasure of the board until the next annual meeting of the board, and until his successor is duly elected and qualified.

5. The President. Unless, the board otherwise provides, the president shall be the chief executive of the corporation, and shall have such general executive powers and duties of supervision and management as are usually vested in the office of the chief executive of a corporation, and he shall carry into effect all directions and resolutions of the board. The president shall preside at all meetings of the Board of Directors at which he may be present. If the Board of Directors appoints no administrator

pursuant to Article VI or in the absence, disability or inability to act of any administrator so appointed, the president may exercise all of the powers and perform all of the duties of the administrator.

The president may execute all bonds, notes, debentures, mortgages, and other contracts requiring a seal, under the seal of the corporation and may cause the seal to be affixed thereto, and all other instruments for and in the name of the corporation.

The president shall have the right to attend any meeting of any committee of the Board of Directors and to express his opinion and make reports at such meeting; provided, however, that unless he shall be specifically appointed to any committee he shall not be considered to be a committee member or have the right to vote or be counted for the purpose of determining a quorum at any such meeting.

The president shall have such other duties, powers and authority as may be prescribed elsewhere in these bylaws or by the Board of Directors.

6. Vice President. The vice president shall work in cooperation with the president and shall perform such duties as the Board of Directors may assign to him. In the event of the death, absence, incapability, inability or refusal to act of the president, the vice president (in order of seniority if there is more than one vice president) shall be vested with all the powers and perform all the duties of the office of president. He shall have such other or further duties or authority as may be prescribed elsewhere in these bylaws or from time to time by the Board of Directors.

7. The Secretary. The secretary shall attend the meetings of the Board of Directors and shall record or cause to be recorded all votes taken and the minutes of all proceedings in the minute of all proceedings in the minute book of the corporation to be kept for that purpose. He shall perform like duties for any standing or special committees when requested by such committee to do so. He shall be the custodian of all the books, papers, and records of the corporation and shall at such reasonable times as may be requested permit an inspection of such books, papers and records by any director of the corporation. He shall, upon reasonable demand, furnish a full, true and correct copy of any book, paper or record in his possession. He shall be the administrative and clerical officer of the corporation under the supervision of the president and Board of Directors.

The secretary shall keep in safe custody the seal of the corporation and when authorized to do so shall affix the same to any instrument requiring the seal, and when so affixed he shall attest the same by his signature.

The secretary shall have the principal responsibility to give or cause to be given notice of the meetings of the Board of Directors, but this shall not lessen the authority of others to give such notice as provided in these bylaws.

The secretary shall have the general duties, powers and responsibilities of a secretary of a corporation and shall have such other or further duties or authority as may be prescribed elsewhere in these bylaws or from time to time by the Board of Directors.

8. The Treasurer. The treasurer shall have supervision and custody of all monies, funds and credits of the corporation and shall cause to be kept full and accurate accounts of the receipts and disbursements of the corporation in books belonging to it. He shall keep or cause to be kept all other books of account and accounting records of the corporation as shall be necessary, and shall cause all monies and credits to be deposited in the name and to the credit of the corporation in such accounts and depositories as may be designated by the Board of Directors. The treasurer shall disburse or supervise the

disbursement of funds of the corporation in accordance with the authority granted by the Board of Directors, taking proper vouchers therefor.

The treasurer shall be relieved of all responsibility for any monies or other valuable property or the disbursement thereof committed by the Board of Directors to the custody of any other person or corporation, or the supervision of which is delegated by the board to any other officer, agent or employee.

The treasurer shall render to the president or to any member of the Board of Directors, whenever requested by any of them, an account of all transactions as treasurer and of those under his jurisdiction and the financial condition of the corporation.

The treasurer shall be bonded unless the Board of Directors expressly waives the requirement of such bonding.

The treasurer shall be a member of the Board of Directors, shall have the general duties, powers and responsibilities of a treasurer of a corporation, shall be the chief financial officer and shall have and perform such other duties, responsibilities and authorities as may be prescribed from time to time by the Board of Directors or by law.

9. Assistant Secretary and Assistant Treasurer. Each assistant secretary or assistant treasurer, if any, in order of their seniority, in the event of the death, absence, incapacity, inability or refusal to act of the secretary or treasurer, respectively, shall perform the duties and exercise the powers of said respective officers and perform such other duties as the directors may from time to time prescribe by law.

10. Other Agents. The Board of Directors from time to time may also appoint such other agents for the corporation as it shall deem necessary or advisable, each of whom shall serve at the pleasure of the Board of Directors for such period as the Board of Directors may specify and shall exercise such powers and perform such duties as shall be determined from time to time by the Board of Directors.

11. Duties of Officers may be Delegated. The Board of Directors, by majority vote, may delegate some or all of the functions, duties, powers and responsibilities of any officer to any other officer or to any other agent or employee of the corporation for such purpose or purposes and for such period as the Board of Directors may determine.

ARTICLE VI EMPLOYEES

1. General. There shall be such administrative employees as required by law, by the Articles of Incorporation, by these bylaws or as the Board of Directors may establish. The powers and duties of any employee shall be prescribed by the Board of Directors when such position of employment is created. Employees cannot be a member of the Board of Directors.

2. Salaries. No employee shall receive any salary or other compensation for services rendered unless the same shall first be set by the Board of Directors. Employees may be reimbursed for their actual expenses if they are reasonable and incurred in connection with the business and activities of the corporation.

3. Personnel System. In the event the Board of Directors shall hire any administrative employees pursuant to the terms of this Article, the Board of Directors shall adopt an orderly and consistent personnel system which shall apply to all employees of the corporation.

ARTICLE VII GENERAL PROVISIONS

1. Contracts. The Board of Directors may authorize any officer or employee to enter into any contract or execute and deliver any instrument, in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances.

2. Depositories and Checks. The monies of the corporation shall be deposited in such manner as the directors shall direct in such banks or trust companies as the directors may designate and shall be drawn out by checks signed in such manner as may be provided by resolution adopted by the Board of Directors.

3. Bonds. In addition to any bonds required of the treasurer, any other officer or employee handling monies of the corporation may be bonded at the corporation's expense in such amounts as may be determined by the Board of Directors.

4. Custodian of Securities. The Board of Directors may from time to time appoint one or more banks or trust companies to act for reasonable compensation as custodian of all securities and other valuables owned by the corporation, and to exercise in respect thereof such powers as may be conferred by resolution of the Board of Directors. The Board of Directors may resolve any such custodian at any time.

5. Loans. No loans shall be contracted on behalf of the corporation and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Directors. Such authority may be general or confined to specific instances. The corporation shall not make any loan to a member of the Board of Directors, officer or employee of the corporation.

6. Indemnification and Liability of Directors and Employees. Each director and employee or former director and employee shall be indemnified by the corporation as provided by law.

7. Absence of Personal Liability and Indemnification. The directors of the corporation are not individually or personally liable for the debts, liabilities or obligations of the corporation.

Each person who is or was a director or officer of the corporation (including the heirs, executors, administrators and estate of such person) shall be indemnified by the corporation as of right to the full extent permitted or authorized by the laws of Missouri against any liability, judgment, fine, amount paid in settlement, cost and expense (including attorneys' fees) asserted or threatened against and incurred by such person in such person's capacity as or arising out of such person's status as a director or officer of the corporation.

The indemnification provided for herein shall not be exclusive of any other rights to which any person indemnified may be otherwise entitled under any other agreement and shall not in any way limit in any way any right which the corporation may have to make different or further indemnifications.

8. Checks, Drafts, etc. All checks, drafts, or other orders for the payment of bonds, notes, or other evidences of indebtedness issued in the name of the corporation shall be signed by the treasurer

and countersigned by the president or other officer or employee of the corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors.

**ARTICLE VIII
FISCAL YEAR**

The fiscal year of the corporation shall begin on the 1st day of January each year and end on the 31st day of December each year.

**ARTICLE IX
LEGAL COUNSEL; FINANCIAL ADVISORS**

The Board of Directors may require a letter of agreement from any company applying for authorization to issue bonds stating that the company requesting the bond issue furnish all funds necessary for legal counsel or financial advice for the board pertaining to such bond issue during and through the life of the bonds.

The Board of Directors may require that outside legal counsel and financial advisors shall be obtained for any transactions prior to the issuance of the bonds.

**ARTICLE X
AMENDMENTS**

The Board of Directors of the corporation shall have the power to make, alter, amend and repeal the bylaws of the corporation and to adopt new bylaws, which power may be exercised by the affirmative vote of a majority of the members of the Board of Directors. The corporation shall keep at its principal office a copy of the bylaws as amended, which shall be open to inspection by any board member at all reasonable times during office hours.

Adopted and effective this 20th day of January, 2014.

**THE INDUSTRIAL DEVELOPMENT AUTHORITY OF
THE CITY OF PECULIAR, MISSOURI**

Application Procedures

Any application to the Industrial Development Authority of the City of Peculiar, Missouri requesting the issuance of Industrial Revenue Bonds for the purpose of acquiring land and/or buildings, constructing buildings and facilities, or for purchasing equipment must be submitted in writing on the attached Application Form. All applications should be made before finalizing any legal transactions concerning the project, including sales contracts. The completed Application shall be forwarded to the Authority at 250 S. Main Street, Peculiar, Missouri 64078, and shall be accompanied by the appropriate financial information and filing fee (filing fees are shown on Page 9 of the Application).

In reviewing the Application, the Authority will concern itself with the applicant's financial responsibility, the type of proposed business activity, the nature of improvements to be financed, the marketing of bonds and the economic benefits to be derived by the community. After review and evaluation of the above by the Authority and its financial advisor, the Authority may then issue a letter of intent to issue revenue bonds.

The issuance of a letter of intent may be made subject to approval of pending or subsequent zoning, which may be required, restrictions or expenditures if they do not meet established criteria, or other conditions which may be deemed advisable.

As an attachment to the Application Form, or in the packet of information given to developers at the time an inquiry regarding an Authority project is made.

- A. The applicant must reimburse the Authority for the services provided by Holbrook & Osborn, P.A. or any other bond counsel as approved by the Authority on behalf of the Authority. Such reimbursement will be obtained from the retainage fee.
- B. The Authority will obtain an independent Financial Advisor, McLiney and Company or any other firm approved by the Authority. The applicant must reimburse the Authority for the services provided by the financial advisor on behalf of the Authority. Such reimbursement will be obtained from the retainage fee.
- C. The applicant must retain a trustee that is located within the State of Missouri.
- D. Should the applicant request services from the Authority not covered in the schedule of fees; the Authority will establish a reasonable fee for such service.
- E. The Authority has the discretion to waive any of its requirements, including fees, upon the request of the applicant, where waiver is legally permissible, where the applicant presents evidence of unusual circumstances or hardship, and where the Authority believes it is in the best interest of the furtherance of its mission to waive said requirements.

**RETURN COMPLETED APPLICATION, NON-REFUNDABLE
APPLICATION FEE AND RETAINAGE FEE TO:**

The Industrial Development Authority of the City of Peculiar
250 S. Main Street
Peculiar, MO 64078

**THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE
CITY OF PECULIAR, MISSOURI**

REVENUE BOND PROJECT APPLICATION

The undersigned Applicant hereby submits this Project Application and requests The Industrial Development Authority of the City of Peculiar, Missouri (the "Authority"), to issue and sell its Revenue Bonds (the "Bonds"), for the purpose of financing the Project described below (the "Project").

The undersigned hereby agrees that the submission of this Project Application to the Authority, and the Authority's adoption of a Resolution indicating an intent to issue the Bonds to provide funds for the Project, will not give rise to an obligation by the Authority to fund such Project in the amount requested or in any amount. The undersigned further understands and agrees there is no assurance that Bonds will be issued by the Authority or that Bond proceeds will be sufficient to fund the Project as hereby requested.

Date: _____ Amount of Bonds Requested: _____

Proposed Borrower (Applicant):

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Contact: _____ Telephone: _____

Title: _____ Fax: _____

Types of Revenue Bonds Requested:

_____ Industrial Development Revenue Bonds

_____ Multi-family Housing Revenue Bonds

_____ Qualified 501 (c)(3) Revenue Bond

_____ Refunding Revenue Bond

_____ Other (describe): _____

A. THE APPLICANT

1. Business Organization:

- _____ Corporation
- _____ S-Corporation
- _____ Limited Liability Company
- _____ Partnership (_____ General _____ Limited)
- _____ Sole Proprietorship

State of Organization: _____ Date of Organization: _____

Is the Applicant a subsidiary or affiliated directly with any other organization? _____ If yes, indicate relationship and name of related organization: _____.

2. Officers and Directors

<u>Title</u>	<u>Name</u>	<u>Home Address</u>
President	_____	_____
Vice-President	_____	_____
Secretary	_____	_____
Treasurer	_____	_____
Directors	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____

Attach resumes of each, if available. List other principal business affiliations, if any.

3. Principal Stockholders or Partners:

<u>Name</u>	<u>%</u>	<u>City/State</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. Legal Counsel to the Applicant:

Name: _____
Address: _____
Telephone: _____ Fax: _____

5. Applicant's Principal Bankers:

Name: _____

Address: _____

Telephone: _____ Fax: _____

Name: _____

Address: _____

Telephone: _____ Fax: _____

6. Bond Counsel for the Financing:

Name: _____

Address: _____

Telephone: _____ Fax: _____

7. Applicant's Historical Operations:

Provide the date the Applicant's existing business was established and a brief history of events leading to its current state of operations:

8. Applicant's Current Operations:

Briefly describe the Applicant's operations, including: description of existing products, existing facilities, its method of operations, customers and suppliers. Also provide its primary Standard Industrial Classification Code: _____.

B. THE PROJECT

1. Project Description:

Type of Expansion:

- _____ Construction of new facilities
- _____ Additions or improvements to existing facilities
- _____ Refinancing of existing facilities

Location of Project Site:

(Street) (City) (Country)

Is the Project an expansion or relocation of another facility: _____

If this is an expansion, describe current operation. If this is relocation, describe size and location of current operation.

Description of the Project, including land, buildings (type and size), improvements, machinery and equipment to be acquired or constructed, the principal use of the facilities once acquired or constructed and the address of the proposed Project (attach Exhibits if necessary):

Has construction of the Project commenced?

_____ Yes

_____ No

If yes, state the date construction commenced, the extent of such construction and the time needed to complete each remaining portion of the Project:

2. Project Costs:

State the costs reasonably necessary for the acquisition of the site and/or construction of the proposed Project together with any machinery and equipment in connection therewith, including any utilities hook-up, access roads, or appurtenant structures.

	<u>Amount</u>	<u>Cost Financed with Bond Proceeds</u>
A. Acquisition of Land and Existing Buildings	\$ _____	\$ _____
B. Construction Costs		
1. Architectural and Engineering	_____	_____
2. Site Preparation	_____	_____
3. Materials	_____	_____
4. Labor	_____	_____
5. Construction Contracts	_____	_____
6. Utilities Connection	_____	_____
7. Paving	_____	_____
8. Landscaping	_____	_____
C. Renovation Costs	_____	_____
D. Machinery and Equipment	_____	_____
E. Furniture and Fixtures	_____	_____
F. Interest During Construction (From _____ to _____)	_____	_____
G. Accounting, Legal, Miscellaneous	_____	_____
H. Contingency	_____	_____
I. Working Capital, Moving Costs, etc.	_____	_____
TOTAL PROJECT COSTS	\$ _____	\$ _____

Source of Funds:

State amount and sources of financing for all of the Project costs listed above.

<u>Sources</u>	<u>Amount</u>
Bond Proceeds	\$ _____
Other Financing	_____
Applicant's Funds	_____
TOTAL	\$ _____

3. Construction:

State the name and address of the contractor and architect for the Project:

Ownership:

Present legal owner of Project site: _____

If presently owned by Applicant, indicate date of purchase, reason for purchase, and current use of site:

Is there a relationship legally or by virtue of common control between either the proposed Project occupant or proposed Project owner and seller of the Project? _____. If yes, explain:

4. Management of the Project:

Describe the management company for the Project, if not the Applicant:

Is the management company a subsidiary of or affiliated directly with any other organization? If so, indicate relationship and name of related organization:

Briefly describe the management company's experience:

5. Effect of Project on Employment.

- a. Number of temporary jobs (including construction) created as a result of the Project: _____
- b. Number of new permanent jobs initially created as a result of the Project: _____
- c. Number of new permanent jobs created long-term as a result of the Project: _____
- d. Number of existing jobs that will be retained as a result of this Project: _____
- e. What is the current percentage of minority employment of the Borrower: _____
- f. What is the estimated percentage of minority employment at the Project: _____

C. FINANCIAL INFORMATION

1. Financial Statements:

Attach financial statements for at least the last three (3) fiscal years, including a recent statement (less than 60 days old). If pro forma financial statements have been prepared, please submit. If the Applicant is a corporation and it or its parent is publicly held and regularly files annual and quarterly reports on SEC Forms 10-K and 10-Q, attach copies of the most recent Forms 10-K and 10-Q, and Applicant's (or its parent's) most recent report to shareholders, and any reports on Form 8-K filed within the past fiscal year.

2. Certified Public Accountant:

List the name of the certified public accounting firm(s), which has (have) performed audits of the Applicant's books and records for the past five years.

3. Outstanding Prior Bond Issues:

Has the Applicant (or related persons or organizations) previously received financing from the sale of tax-exempt bonds? _____ Yes _____ No If yes, give details.

4. Existing Collateral:

	<u>Present Market Value</u>	<u>Present Mortgage Balance</u>
a. Land and Building	\$ _____	\$ _____
b. Machinery and Equipment	_____	_____
c. Furniture and Fixtures	_____	_____
d. Accounts Receivable	_____	_____
e. Inventory	_____	_____
f. Other (Specify)	_____	_____
TOTAL COLLATERAL	\$ _____	\$ _____

Will Applicant pledge any assets other than the Project itself to secure the bonds?
_____ Yes _____ No. If yes, describe:

5. Marketing of Bonds:

Will the Bonds be publicly sold or privately placed? _____

Provide name, address and telephone number of investment banker:

Proposed date of issuance of the Bonds: _____

Has the Borrower investigated conventional financing? _____ Yes _____ No

6. Low-Income Housing Tax Credits:

Are low-income housing tax credits involved in this Project? _____ Yes _____ No.
If yes, describe status and relationship to the Project.

7. Financial Difficulties:

Has the Applicant or any of the management of the Applicant or its affiliates, or any concern with which such management has been connected, ever defaulted on its debt obligations, been involved in bankruptcy, creditor's rights, or receivership proceedings, or involved in criminal proceedings bearing on the handling of financial matters?

_____ Yes _____ No. If yes, please give details:

8. Litigation:

Is the Applicant presently involved in any litigation which would have a material effect on its financial solvency? _____ Yes _____ No. If yes, please give details:

9. Payroll and employment Data:

At location to be financed:

Current

After the First Year
of Project

Annual Payroll

Number of Employees

At other Missouri locations:

Current

After the First Year
of Project

Annual Payroll

Number of Employees

10. Other information:

Indicate facts which would support the Authority's determination that the Project will tend to maintain, or provide gainful employment, for the people of the State of Missouri; maintain or increase the tax base or the economy of the State; maintain, diversify or expand industry in the State or in any other way be a benefit to the economy of the State.

D. CERTIFICATION OF APPLICANT

The undersigned hereby represents and certifies that to the best knowledge and belief of the undersigned, this Project Application contains no information or data, contained herein or in the accompanying exhibits or attachments, that is false or incorrect and that it is truly descriptive of the property which is intended as the security for the proposed bonds.

The undersigned acknowledges the Authority requires the Borrower display in a prominent location at the Project during construction and/or renovation a sign in a size, color and wording approved by the Authority acknowledging the assistance of the Authority in financing the Project.

A check in the amount of \$ _____ representing the non-refundable application fee and retainage fee is enclosed.

The issuance fee of \$ _____ will be due to the Authority simultaneously with the issuance of the Bonds.

NAME: _____

SIGNATURE: _____

TITLE: _____

Non-refundable Application Fee: 0.10% of principal amount of Bonds requested (Minimum of \$500, and a Maximum of \$2,000).

Retainage Fee: \$3,000 to compensate the Authority for initial legal fees and services from an independent financial advisor. In the event the retainage fee is not fully expended the excess will be refunded to Applicant. In the event expenses exceed the retainage fee, Applicant will be notified and shall be required to pay such expenses as they are due.

Issuance Fee: 0.08% of principal amount of Bonds issued.

Private not-for-profit 501(c)(3) Corporations shall follow the fee schedule reflected above, except the maximum issuance fee shall be \$20,000.

RESOLUTION 2014 -02

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI TO AUTHORIZE THE FORMATION OF AN INDUSTRIAL DEVELOPMENT CORPORATION IN THE CITY OF PECULIAR, MISSOURI, AND DETERMINING AND APPROVING CERTAIN MATTERS RELATED THERETO.

WHEREAS, three individuals (the "Applicants"), each being a duly qualified elector of and taxpayer in the City of Peculiar, Missouri (the "City"), have filed an Application with the governing body of the City pursuant to Chapter 349 of the Revised Statutes of Missouri (the "Industrial Development Corporations Act"), seeking permission to form an Industrial Development Corporation of the City for the purpose of developing commercial, industrial, agricultural and manufacturing facilities, a copy of the Application being attached hereto and marked Exhibit A; and

WHEREAS, the Applicants have also filed, as part of the Application, the form of Articles of Incorporation proposed to be used in organizing such Industrial Development Corporation, a copy of said Articles of Incorporation being attached hereto and marked Exhibit B; and

WHEREAS, since the Industrial Development Corporations Act requires that the governing body of the City of Peculiar take certain actions with respect to the formation of the Industrial Development Corporation, it is necessary and advisable to adopt this Resolution;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI, AS FOLLOWS:

Section 1. Findings and Determinations. The Board of Aldermen of the City of Peculiar, Missouri hereby finds and determines that it is wise, expedient, necessary and advisable that an Industrial Development Corporation under the name of "The Industrial Development Authority of the City of Peculiar, Missouri" (the "Authority") be formed.

Section 2. Approval of Application and Authorization to Form the Authority. The Application is hereby approved and the Applicants are hereby granted permission and authorized to proceed to form and organize the Authority pursuant to the provisions of the Industrial Development Corporations Act.

Section 3. Approval of Articles. The form of Articles of Incorporation proposed to be used in organizing the Authority and attached as Exhibit B are hereby approved, and the Applicants are hereby authorized and directed to execute, acknowledge and file said Articles of Incorporation with the Secretary of the State of Missouri, in the form attached hereto.

Section 4. Election of Directors. The following persons, who are duly qualified electors of and taxpayers in the City of Peculiar, Missouri, and who are not officers or employees of the City of Peculiar, Missouri, are hereby elected as the initial directors of the Authority, each such person to serve for an initial term equal to the number of years set forth opposite his or her name below (such term to commence on the date of incorporation of the Authority) and until his or her successor is duly elected and has commenced his or her term of office:

	<u>Name</u>	<u>Initial Term</u>
1	Nora Dodge	Two Years
2	Jerry Harper	Two Years
3	Sharon Shores	Four Years
4		Four Years
5		Six Years

Section 5. Captions. The captions and headings of the sections of this Resolution are for convenience only and are not to be used to interpret or define the provisions hereof.

Section 6. Effective Date. The effective date of this Resolution shall be 21st day of January, 2014.

Upon a roll call, said Resolution was adopted by the following vote:

Alderman Gallagher	_____	Alderman Ray	_____
Alderman Turner	_____	Alderman Stark	_____
Alderman Fines	_____	Alderman Dunsworth	_____

APPROVED:

ATTEST:

Ernest Jungmeyer, Mayor

Nick Jacobs, City Clerk

City Administrator
Brad Ratliff

City Clerk
Josette Poirier

City Engineer
Carl Brooks

Business Office
Trudy Prickett



Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney
Reid Holbrook

Parks Director
Nathan Musteen

Municipal Offices – 250 S. Main Street, Peculiar, MO 64078
Phone: 816.779.5212 Facsimile: 816.779.1004

To: Board of Alderman
From: Brad Ratliff, City Administrator
Date: 1/16/14
Re: 2014 Legislative Policy

GENERAL INFORMATION

Applicant: Staff
Status of Applicant: City Administrator
Requested Actions: Approve the policy
Date of Application:
Purpose: This is to ensure the legislators know of our needs and where we agree and disagree with MML

Property Location (if applicable):

PROPOSAL

Attached is the 2014 Legislative Policy. Most things are the same; however there were some deletions of policy from MML to point out as well as new policies that we will go over with the BOA. We will get your input for support or nonsupport of the new issues.

PREVIOUS ACTIONS

This will be out 7th Legislative policy that we have sent to our legislators.

KEY ISSUES

- It is important to make sure the Legislators know where we stand on the issues. As representatives of our community, we want to make sure they understand how their local community feels about the issues and what are needs are.

STAFF COMMENTS AND SUGGESTIONS

This is a good tool to ensure clarity on the issues to our legislators.

STAFF RECOMMENDATION

Staff recommends approval subject to the changes made by the BOA.

ATTACHMENTS

1. Policy

2. Resolution

STAFF CONTACT: Brad Ratliff, bratliff@cityofpeculiar.org

2014

City of Peculiar

Mayor and
Board of Aldermen



LEGISLATIVE POLICY

The City of Peculiar supports the home rule concept for all municipalities and the right contained therein of municipal self-determination. The City of Peculiar urges the General Assembly to refrain from enacting legislation in areas that can be better dealt with by local government.

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City of Peculiar Policy

The City of Peculiar supports the home rule concept for all municipalities and the right contained therein of municipal self-determination. The City of Peculiar urges the General Assembly to refrain from enacting legislation in areas that can be better dealt with by local government.

Audit Petitions

Under Rev. Stat. Mo. § 29.230, the State Auditor can audit any political subdivision of the State if a petition is signed by the requisite percent of the qualified voters of the political subdivision. The number of signatures varies depending upon the population of the political subdivision and the number of registered voters and/or votes cast in the last gubernatorial election. Although the petition audit process places a heavy burden on the City to fund such an audit out of their own funds and punishes non-compliance, the audit petition framework imposes no standing requirements for petition organizers and provides no protections for political subdivisions from audits premised upon misrepresentations. See Rev. Stat. Mo. §§ 29.230, 29.250, 29.260, 29.275, 29.340.

MML Policy

MML has not taken any public position on this issue. However, we feel they would be supportive of our position, as it would promote honesty in the petition audit process.

City of Peculiar Policy

The City of Peculiar requests that the State Delegation limit the power of the Office of the State Auditor to conduct audits until due diligence verifies the authenticity of the petition and the organizer's concerns. Specifically, the City of Peculiar requests the inclusion of a requirement that the organizer(s) of an audit petition execute a verified statement regarding the basis for the audit and that said statement be read to each signatory prior to signing the audit petition. In addition, the City of Peculiar requests that the State Delegation further support standing requirements for the audit petition process so that the process could only be triggered by a member of the political subdivision for which the audit is sought. For example, an audit petition of a City could only be organized by a resident of the City; an audit petition of a County could only be organized by a resident of the County; and/or an audit petition of the State or a state-wide agency could only be organized by a resident of the State of Missouri.

CITY OF HARRISONVILLE ROAD ANNEXATION

Three years back the City of Harrisonville made the request of the legislators to change 71.012 that would allow the City to annex outside its boundaries to aid in the County installing ramps to the “bridge with no exists”. The County voiced from the very beginning a joint effort with both cities. It came to light that the City of Peculiar and the City of Harrisonville had a previous annexation agreement for this area that dated back to January 3, 2005. The description of that area outlines the whole proposed interchange as being in the Harrisonville annexation. However, the current administration and Board of Aldermen of the City of Peculiar do not support the agreement. The population of the City of Peculiar doubled from that date to current changing the demographics of the area. There have been meetings with both City officials and the State Delegation on this issue. The City of Peculiar has only requested the northwest corner of the proposed interchange as a future annexation for the City of Peculiar. The last correspondence was from the former Presiding Commissioner Gary Mallory who was trying to get the issue resolved between the cities. He stated to the Mayor of Peculiar that he had spoken with the Mayor of Harrisonville about the issue. If the City of Peculiar would agree to send Harrisonville an email stating that we only wanted the NW corner, Harrisonville would move forward with that change to the current agreement. That email was sent by the City Administrator of Peculiar on July 18, 2009. There has been no response to the email. The City Administrator of Peculiar talked to the City of Harrisonville Administrator a few weeks after that email. He said the Harrisonville BOA stated they would take it under consideration. Last several years there was an attempt by the City of Harrisonville to talk to the new legislator about moving forward with the road annexation they wanted to complete. On November 21, 2013 there was a meeting with the Mayor and City Administrators of both cities which was reaffirmed our August 22, 2012 request to amend the December 21, 2004 annexation agreement. The outline was shown of the area being requested; which we all respectively refer to the North West corner of the “bridge with no exists.” Harrisonville agreed to take this to the BOA for consideration and approval.

MML Policy

MML has not taken any public position on this issue. However, we feel they would be supportive.

City of Peculiar Policy

Modify the current agreement to allow the City of Peculiar to annex the NW corner of the future hospital interchange. The City of Peculiar does not oppose a change to 71.012 (or any other statute) allowing Harrisonville to annex roads up to the future hospital interchange, as long as they agree to modify the current contract accordingly. The City of Peculiar thanks the County and State Delegation for their good efforts and their ability to work with both Cities on this issue.

SALES TAX COLLECTION

Currently the State of Missouri collects all sales taxes due to the City of Peculiar and reissues those dollars to the City. The City of Peculiar was involved in litigation resulting in the annexation of a rock quarry. The City of Peculiar won the litigation and has requested through our State Representative the procedures for back sales tax owed to the City. The Missouri Department of Revenue stated that they have no such procedures or ability to collect those back taxes owed.

MML Policy

MML has not taken any public position on this issue. However, we feel they would be supportive.

City of Peculiar Policy

The City of Peculiar requests the State Delegation to mandate the Department of Revenue to implement procedures to address back taxes owed to a City for which they collect. I am sure that if back taxes were owed to the State of Missouri, the Department of Revenue would find a way to collect it.

LANDLORD OCCUPATIONAL LICENSES/SUBMITTING TO CITY INSPECTION

The City of Peculiar urges our State Delegation to address R.S.Mo. 94.270 which is, antiquated and needs to be revised. This statute lists the businesses and occupations that can be regulated, licensed and taxed by a fourth-class city. Landlords and rental property are not listed. Existing statutes and case law indicate that if an occupation or business is not expressly listed in the statute, it is not within a city's jurisdiction to regulate. This is an area where state law is limiting cities like Peculiar.

MML Policy

The Missouri Municipal League supports the City of Peculiar's position. (Current MML Policy)

Business and Occupational Licenses

The MML supports legislation to authorize municipalities to license, tax and regulate the occupation of merchants, manufacturers and all businesses, avocations, pursuits and callings and to, by ordinance, base such licenses on gross receipts, square footage, per capita, flat fee, graduated scale based on gross or net receipts or sales, or any other method of measurement of tax or any combination thereof derived or allocable to the carrying on or conducting of any business, avocation, pursuits or callings or activities carried on in such cities

City of Peculiar Policy

The City of Peculiar suggests that this statute be revised to include landlords, rental properties, rock quarry and mining operations, and whatever other

Comment [CG1]: Recommend inserting MML Business and Occupational Licenses Policy to document MML's support of the City of Peculiar's Landlord Occupational Licenses/Submitting to City Inspection Policy.

businesses and occupations smaller cities feel the need to regulate. The City is pressed by the citizens to ensure that properties are protected from those who refuse to keep properties up to standard. This is a particular concern with properties for profit which is not being maintained. These are local decisions based on the local citizen's desires.

MoDOT REPAIRS AND NEW CONSTRUCTION

The City of Peculiar population growth outpaced all cities in Cass County during the period of 2000 to 2010. In those years, the population grew by 77% resulting in the School District, (Raymore-Peculiar) facilities located within our City to grow dramatically. The rapid growth has burdened our streets and bridge overpass. Traffic flow problems occur at three different times of the day; morning, afternoon and 5pm. These traffic flow issues cause injury, accidents and long delays. Compounding the problem, a major truck stop is located at the only access bridge to our community. A recent study by George Butler Associates verified that Highways C and J are failing.

MML Policy

MML has not taken any public position on this issue. However, we feel they would be supportive.

City of Peculiar Policy

The City of Peculiar urges our State Delegation to address funding for areas of rapid growth in the State. The City of Peculiar requests that MoDOT address the only bridge overpass and exit to Peculiar. The bridge was repaired in August 2012. Therefore, the City of Peculiar wishes to have a new bridge constructed at 211th street. This would ease the traffic from the east and west as well as provide better access to the Raymore-Peculiar School District on 211th street. Cass County has partnered with the City on this project and made it one of the top bridge priorities in Cass County. The approximate alignment and environmental study is completed as well as the Area Justification Report. The interchange is on MARC's long range planning list. We meet bi-monthly with MoDOT on the progress of the project. It is vital that we receive support from the State, and as our legislators we want you to know that this project will bring a large economic impact to the County and region. In the spring of 2012 MoDOT awarded Peculiar \$8.1 million as a cost share to the project. 211th will begin construction in June 2014. We are excited with the partnership, but we need more matches to help take the burden off local taxpayers. Any additional dollars to help shoulder this large project would be great.

STATE MANDATED TRAINING

Missouri State Statute 590.050. 1. States in part: The POST commission shall establish requirements for the continuing education of all peace officers. Peace officers who make traffic stops shall be required to receive annual training concerning the prohibition against racial profiling and such training shall promote understanding and respect for racial and cultural differences and the use of effective, non-combative methods for carrying out law enforcement duties in a racially and culturally diverse environment.

MML Policy

The Missouri Municipal League supports the City of Peculiar's position. (Current MML Policy)

WORKFORCE DEVELOPMENT AND HUMAN RESOURCES

MML Policy

To encourage the continued implementation of job training, the MML supports:

- 1) Continued emphasis on the education and training necessary to provide a competitive work force in Missouri, including promoting higher standards for all levels of education.
- 2) Adequate state funding for primary, secondary and post-secondary public education, including new educational initiatives to ensure the availability of a Missouri work force equipped with the technical skills to compete in future decades.
- 3) Strong coordination between agencies involved in the job training, retraining and placement systems and the business sector;
- 4) More resources for centers designed to assist high school drop outs and potential drop outs to earn high school diplomas or equivalency certification;
- 5) Continued and increased support for state job training funds targeted for all businesses and not-for-profit organizations.
- 6) More training dollars as an economic incentive to encourage organizations to target further development of their existing workforce.
- 7) Working closely with private industry and not-for-profits to plan and implement programs that assist in adult/youth training, worker reentry, the underemployed, seniors and work reentry programs for ex-offenders.
- 8) Preserving economic development tools used to support affordable "workforce" housing

City of Peculiar Policy

The City of Peculiar urges our State Delegation to address Missouri State Statute 590.050. 1 The City of Peculiar is funding an unfunded State mandate that requires all commissioned officers to attend a one-hour racial sensitivity class annually. This costs police departments on average \$35 per officer annually. Additionally, many of these officers are paid overtime to attend racial profiling classes. There is no standard curriculum and the instructors are not adequately trained. The City of Peculiar supports all efforts to ensure that no one in the State of Missouri is racially profiled. However, the statute in its current form should be eliminated, rewritten or the State of Missouri should provide the training and a standard curriculum using trained instructors and reimburse police agencies for overtime and travel expenses incurred in fulfilling this training mandate

TAX ON HOTEL/MOTEL GUESTS

The MML urges the General Assembly to adopt legislation authorizing all cities to levy a tax on hotel guests with approval of said tax by the voters. The legislation should also require the Department of Revenue to collect the tax if requested to do so by a city enacting the tax.

Currently, Peculiar has a motel within the city limits. Our community and surrounding communities will be impacted. The statutes currently do not allow cities of a 3rd or 4th class to levy a tax on hotel guests.

MML Policy

The Missouri Municipal League supports the City of Peculiar’s position. (Current MML Policy)

City of Peculiar Policy

The City of Peculiar urges our State Delegation to adopt legislation authorizing all cities of the third and fourth class to levy a tax on hotel guests with approval of said tax by the voters. The legislation should also require the Department of Revenue to collect the tax if requested by the city enacting the tax.

PROPERTY TAX RATE CAP

MML Policy

The MML urges the General Assembly and the electorate to raise the caps by .25 cents respectively imposed on municipal property tax rates by Article X, Section 11(b) Missouri Constitution and Chapter 94 RSMo.

City of Peculiar Policy

The City of Peculiar urges our State Delegation and the electorate to eliminate or raise the caps imposed on municipal property tax rates by Article X, Section 11(b) and Chapter 94 RSMo. This should be a local decision.

PRESERVATION OF PEG ACCESS TELEVISION

MML Policy

The MML supports the Community Access Preservation Act (CAP) that removes use restrictions on public, educational and government (PEG) access fees, restores PEG revenue streams, and ends cable operators' discriminatory treatment of PED channels. The MML urges Congress to enact the CAP Act in order to preserve local PEG channels.

City of Peculiar Policy

City of Peculiar sees this as an important tool to get information to residents.

FINES IN MUNICIPAL COURT

The MML supports legislation to standardize the maximum fine for violation of city ordinances at \$1,000 for statutory municipalities.

The City of Peculiar concurs with MML policy. We have great concerns in our community in dealing appropriately with habitual violators with the rise in population. The \$500.00 limit is inadequate for today's conditions.

MML Policy

The Missouri Municipal League supports the City of Peculiar's position. (Current MML Policy)

City of Peculiar Policy

The City of Peculiar urges our State Delegation to support legislation to set the maximum fine for violation of city ordinances at \$1,000 for statutory municipalities.

PREVAILING WAGE

The MML supports legislation to clarify the existing the prevailing wage law to define exemptions from the law for dominium work on public projects including work involving repair and maintenance of public facilities.

MML Policy

The Missouri Municipal League supports the City of Peculiar's position. (Current MML Policy)

City of Peculiar Policy

The elected officials of the City of Peculiar are split on this issue.

EXTRATERRITORIAL PLANNING AND ZONING POWERS

The MML supports the amendment of Sections 89.144 and 89.145 RsMo to extend to all municipalities in the state extraterritorial planning, zoning, and subdivision and code enforcement powers in the surrounding unincorporated areas. Additional provisions should include mandatory representation of residents in the areas affected on planning and zoning boards during consideration of issues related to their area and the retention of the primacy of the extraterritorial powers by municipalities regardless of whether or not the respective county has adopted planning and/zoning procedures.

MML Policy

The League supports the amendment of Sections 89.144 and 89.145, RSMo 1994 to extend to all municipalities in the state extraterritorial planning, zoning, and subdivision and code enforcement powers in the surrounding unincorporated areas. Additional provisions should include mandatory representation of residents in the areas affected on planning and zoning boards during consideration of issues related to their area and the retention of the primacy of the extraterritorial powers by municipalities regardless of whether or not the respective county has adopted planning and/or zoning procedures.

City of Peculiar Policy

The City of Peculiar supports the amendment of Sections 89.144 and 89.145, RSMo 1994 to extend to all municipalities in the state extraterritorial planning, zoning, and subdivision and code enforcement powers in the surrounding unincorporated areas.

COLLECTION OF DELINQUENT UTILITY BILLS

The Current statutes are correct and should not be changed. Any repeal to state law would be devastating to the City of Peculiar making it impossible to collect monies owed for service. This would in the tens of thousands of loss as the biggest problem the City deals with in collection of water and sewer bills in rental properties.

MML Policy

The League opposes the repeal of the state law authorizing municipalities to hold the property owner and tenant jointly responsible for delinquent water and sewer bills. Approximately 50 percent of Missouri's municipalities have adopted such a policy, because it is virtually impossible to sue renters who have left the municipality. Repeal of this law would cause increases in water and sewer user fees to compensate for the rise in uncollectible accounts.

Further, MML supports legislation providing the authority to municipally owned utilities to hold the property owner and tenant jointly responsible for electric, gas, refuse collection, and other utility bills.

Utility billing policies should be left to local officials who are ultimately responsible for the proper management of municipal utilities.

City of Peculiar Policy

The City of Peculiar strongly aligns with MML to oppose the repeal of the state law authorizing municipalities to hold the property owner and tenant jointly responsible for delinquent water and sewer bills. If this was appealed the City would lose over \$30,000.00. Why should the citizen's subsidize land lord's that have made bad tenant decisions. Abolishing this state law would require apartment owners to install separate meters in each apartment instead of installing one master meter to serve the entire apartment complex.

Utility billing polices should be left to local officials who are ultimately responsible for the proper management of municipality utilities.

The following are the positions of the Missouri Municipal League as well as the City of Peculiar's stance on these issues. These are just MML's positions not the background for each issue. There are some MML stances that the Board of Aldermen does not support.

Economic Development and Human Resources

ECONOMIC DEVELOPMENT

MML Policy

Introduction

The most important resources in our municipalities are people. The human resource development efforts of all levels of government must be directed toward the ultimate goal of improving the quality of life of people by increasing their social, economic and physical health, security and personal mobility, and by ensuring an equal opportunity in the selection of basic goods and services. Because the ultimate responsibility for implementation of human resource and economic development policies and programs generally falls to local governments, their input to state and federal policy and program development must be considered crucial.

Municipal officials must play a key role in the partnership with state officials and the Missouri Department of Economic Development as well as the private sector in strengthening the economies of their communities. The Missouri Municipal League (MML) recognizes economic development as more than attraction of new industry. Economic development encompasses all forms of business retention, attraction and expansions. Economic development should include: 1) deliberate and coordinated efforts in business retention; 2) expansion of existing business; 3) marketing and positioning of Missouri products and services within state, national and world markets; 4) promotion of Missouri and its communities for new investment, including but not limited to life sciences/biotechnology; 5) the attraction of tourism to Missouri; 6) promotion of Missouri location for conventions; 7) funding for improvement and expansion of infrastructure; 8) funding support for applied research at Missouri's universities that can be commercialized to create jobs in Missouri; and 9) support of the Missouri Community Betterment Program.

Economic incentive programs should provide competitive, performance based discretionary economic development tools throughout the state. The state should look for and encourage the use of new economic development tools to encourage economic growth.

City of Peculiar Policy

The City of Peculiar concurs with MML.

ACCESS TO CAPITAL

MML Policy

The MML supports public and private efforts to provide access to seed and venture capital for viable projects by Missouri entrepreneurs. The state of Missouri, in conjunction with its communities, shall make an effort to assist new and expanding business with access to competitively price financing.

City of Peculiar Policy

The City of Peculiar concurs with MML.

BROADBAND ACCESS

MML Policy

The state of Missouri should promote wide spread development of broadband infrastructure and refrain from legislation that limits such infrastructure.

Comment [CG2]: Broadband Access:: Deleted from from MML Legislative Policy Book

City of Peculiar Policy

The City of Peculiar concurs with MML.

INDUSTRIAL REVENUE BONDS

MML Policy

The MML supports the extension and expansion of the dollar limit of tax-exempt industrial revenue bonds to provide financing for business expansions.

City of Peculiar Policy

The City of Peculiar concurs with MML.

ECONOMIC INCENTIVE PROGRAMS

MML Policy

The state of Missouri should maintain basic economic incentive programs, including but not limited to: 1) Community Development Block Grants, 2) taxable and tax-exempt financing programs, 3) various tax credits, 4) the Missouri Linked Deposit Program, 5) Environmental Improvement and Energy Resource Authority, 6) Missouri Industrial Development Loan Guarantees, 7) enterprise zones 8) and, support the Missouri Community Betterment Program. All such programs should be maintained at existing or increased levels.

City of Peculiar Policy

The City of Peculiar concurs with MML.

TAX ABATEMENT

MML Policy

The MML supports the preservation of Chapter 353 RSMO, the urban redevelopment law, including the option of tax abatement without unwarranted restriction by other governmental units.

City of Peculiar Policy

The City of Peculiar concurs with MML.

JOBS NOW PROGRAM

MML Policy

The MML supports full and adequate funding for the infrastructure and the retraining component of the Jobs Now Program.

Comment [CG3]: Jobs Now Program: Deleted from MML Legislative Policy Book

City of Peculiar Policy

The City of Peculiar concurs with MML.

LIFE SCIENCES AND BIOTECHNOLOGY

MML Policy

The MML supports state efforts to promote life sciences/biotechnology investments in Missouri.

City of Peculiar Policy

The City of Peculiar concurs with MML.

MISSOURI DOWNTOWN ECONOMIC STIMULUS ACT (MODESA)

MML Policy

The MML urges the General Assembly to increase the fiscal caps on the Missouri Downtown Economic Stimulus (MODESA) program as well as the super Tax Increment Financing (TIF) program.

City of Peculiar Policy

The City of Peculiar concurs with MML.

TECHNOLOGY TRANSFER

MML Policy

The MML Supports funding for applied research at Missouri based educational facilities, technology transfer, and the commercialization of this knowledge to create jobs in Missouri.

City of Peculiar Policy

The City of Peculiar concurs with MML.

DOWNTOWN REVITALIZATION AND ECONOMIC ASSISTANCE FOR MISSOURI PROGRAM (DREAM)

MML Policy

The MML supports continuance of the Downtown Revitalization and Economic Assistance Program for Missouri (DREAM) communities.

City of Peculiar Policy

The City of Peculiar concurs with MML.

MISSOURI TECHNOLOGY CORPORATION

MML Policy

The MML supports full utilization of the Missouri Technology Corporation and support of its goals and objectives.

City of Peculiar Policy

The City of Peculiar concurs with MML.

MARKETING EFFORTS

MML Policy

The MML supports increased emphasis should be placed on marketing the state of Missouri as a location for business expansions. Marketing efforts should be expanded to include additional emphasis on high tech companies, manufacturing, and agriculture and service operations. A coordinated effort between all appropriate state agencies and between state and municipal groups promoting business, industry, agriculture, animal science and tourism should be fostered in promoting the resources already available in Missouri. The State of Missouri must continue to assist businesses in reaching new markets for their products and services, including an increased awareness of international opportunities and new technologies.

City of Peculiar Policy

The City of Peculiar concurs with MML.

TOURISM PROMOTION

MML Policy

The MML supports increased funding efforts for tourism promotion campaigns, including promoting the State of Missouri domestically and internationally as a visitor destination. In addition, cost sharing between local and state promotional groups has proven to be a cost-effective way to increase exposure and should be expanded.

The MML supports development of art and cultural industries in Missouri.

The MML supports the preservation of Missouri's natural beauty which makes it a tourist destination.

City of Peculiar Policy

The City of Peculiar concurs with MML.

STATEWIDE SPORTS COMMISSION

MML Policy

The MML urges the state of Missouri to consider the economic benefits of a statewide sports commission with the responsibility for assisting in the recruitment and support of regional sporting efforts.

City of Peculiar Policy

The City of Peculiar concurs with MML.

TAX CREDIT PROGRAMS

MML Policy

The MML opposes subjecting the tax credit program to the appropriations process as this puts Missouri at a competitive disadvantage. MML supports retention, full funding, and maintaining the existing statutory caps of these tax credit programs that include:

- a. Low Income Housing Tax Credits
- b. Tax Credit for Contributions Program
- c. Neighborhood Assistance Program Tax Credits
- d. Historic Preservation Tax Credits
- e. Brownfields Jobs and Investment Tax Credits
- f. Missouri Quality Jobs Tax Credits
- g. Development Tax Credits
- h. Enhanced Enterprise Zone Tax Credits
- i. Missouri Build Tax Credits (F)
- j. Film Production Tax Credit (G)
- k. New Markets Tax Credits (H)

Comment [CG4]: F,g,and h have been deleted from the MML Legislative Policy book

City of Peculiar Policy

The City of Peculiar requests the legislators to inquire of the City's position on any of the above issues prior to any legislative vote.

"COMPETE MISSOURI" LEGISLATION

MML Policy

The MML supports legislation, known as "Compete Missouri" programs and combines six existing business incentive programs and provides tax incentives for job creation and capital investment.

City of Peculiar Policy

The City of Peculiar concurs with MML.

Comment [CG5]: Compete Missouri Legislation: Deleted from MML Legislative Policy Book

CONFIDENTIAL NEGOTIATIONS

MML Policy

The MML supports changes to RSMo Chapter 610 to allow economic development projects to be negotiated in closed session similar to the exemption that currently exists for real estate.

City of Peculiar Policy

The City of Peculiar requests the legislators to inquire of the City's position on any of the above issues prior to any legislative vote.

RURAL ECONOMIC DEVELOPMENT TRAINING

MML Policy

The MML supports the Missouri Department of Economic Development in the creation of a program to provide rural officials and practitioners with development of skill sets that would enable them to better work with businesses to retain and expand employment.

City of Peculiar Policy

The City of Peculiar concurs with MML.

TRANSPORTATION INFRASTRUCTURE

MML Policy

The MML recognizes the importance of transportation infrastructure to Missouri economic development and supports continuing reviews of the structure of the Missouri Department of Transportation (MODot) and of funding resources to address transportation needs:

1. Consideration of the economic importance of connectivity.
2. Provide for mass transit.
3. Maintain existing infrastructure.

City of Peculiar Policy

The City of Peculiar concurs with MML.

CHILD CARE

MML Policy

The MML urges the state to develop education programs and incentives to ensure development of public/private partnerships to enhance expanded quality child care facilities, including care for infants, children with special needs, weekend and non-daytime shift workers and the adequate training of child care providers. Public and private employers should be encouraged to provide quality child care centers through the use of tax credits or other incentives including but not limited to cafeteria plans (Section 125 of the Internal Revenue Code) and flexible work schedules. Technical assistance and training must be available to local providers.

The MML urges the Department of Social Services (DSS) and the Department of Health and Senior Services (DHSS) to adequately fund services and staff to guarantee quality child care for Missouri children, particularly to ensure that funds be available for child care licensing staff to properly license and monitor family, group home and child care centers. The MML also supports the licensing of private and faith-based child care centers and encourages the DHSS to develop quality incentives that would promote voluntary accreditation or other similar quality standards for all child care providers.

City of Peculiar Policy

The City of Peculiar concurs with MML.

COMMUNITY EDUCATION

MML Policy

The MML strongly supports the use of state funds for community education programs that are proactive and/or rehabilitative. Examples of these include, but are not limited to programs that prevent or address issues such as:

- substance abuse;
- gambling addiction;
- juvenile delinquency;
- gang activity;
- child abuse;
- teenage pregnancy and the education of teenage parents (including prenatal and postnatal care);
- parenting skills;
- drop-out prevention programs;
- reduction of unemployment/underemployment;
- and development of adequate or available recreation facilities and programs.

City of Peculiar Policy

The elected officials of the City of Peculiar are split on this issue.

AFFORDABLE HOUSING AND HOMELESSNESS

MML Policy

The MML urges state agencies to work in conjunction with Missouri municipalities as well as private and not-for-profit organizations to address the areas: of homelessness; affordable housing; supported living services for seniors and the disabled; and rehabilitation of existing housing. Legislative oversight committees should be established to give these issues the attention they deserve.

City of Peculiar Policy

The City of Peculiar does not concur with MML.

II. Physical Resources

A. The state should provide or allow for adequate funding tools for improvements and expansion of existing and future infrastructure that will assist communities and position them for competitive site location.

B. MML recognizes the importance of transportation infrastructure to Missouri economic development and supports continuing reviews of the structure of the Missouri Department of Transportation and of funding resources to address transportation needs:

1. Consideration of the economic importance of connectivity.
 2. Provide for mass transit.
 3. Maintain existing infrastructure.
- C. MML supports increased efforts to preserve the natural beauty of Missouri are necessary to promote Missouri as a tourist destination.
- D. The State of Missouri should promote wide spread development of broad band infrastructure and refrain from legislation that limits such infrastructure.

City of Peculiar Policy

The City of Peculiar concurs with MML.

Comment [CG6]: II. Physical Resources: Recommend reviewing this entry. It appears to be outdated. The topics covered (with the exception of "A") are now all represented under their own heading.

NEEDS OF SENIORS AND ADULTS WITH DISABILITIES

MML Policy

The MML calls on all levels of government to recognize the needs of seniors and adults with disabilities and to help them remain independent. Further, the MML urges:

- 1) The Legislature to provide adequate funding to the Missouri Department of Health and Senior Services (DHSS). The DHSS should in turn provide adequate funding for services such as: Medicaid meals, home delivered meals and congregate meals, transportation, ombudsman, kitchen equipment and administrative costs.
- 2) The DHSS to make readily available funding to the local Agency on Aging for information and referral services.
- 3) Local governments to encourage senior volunteerism in their communities.
- 4) The DHSS to fund and encourage development of intergenerational mentoring and outreach program that focuses on: education, quality of life and life experiences.

City of Peculiar Policy

The City of Peculiar concurs with MML.

TAX INCREMENT FINANCING (TIF) AND TRANSPORTATION DEVELOPMENT DISTRICT (TDD) REPORT FILING PENALTY

MML Policy

The League supports a revision to the Tax Increment Financing (TIF) report filing law that prohibits cities from initiating a new TIF project until the annual report is filed. The MML also supports legislation to cap the penalties for late filing of Transportation Development Districts (TDD). Annual reports to \$10 per day with the fine not commencing until 14 days after notice by the State Auditor of the late filing.

City of Peculiar Policy

The City of Peculiar concurs with MML.

FINANCE AND TAXATION

EXEMPTIONS FROM LOCAL OPTION SALES TAX

MML Policy

The MML strongly opposes the exemption of any further items from the local option sales tax and encourages review of current exemptions to examine their validity. Also, the MML continues to oppose state-mandated sales tax holidays that do not provide a local decision on participation or nonparticipation in the holiday. Should the General Assembly approve additional sales tax holidays, the MML requests that all future sales tax holidays include an “opt in” provision while still allowing the municipality the decision to opt out in future years.

City of Peculiar Policy

The City of Peculiar concurs with MML.

PUBLIC DEPOSITS AND INVESTMENT OF IDLE FUNDS

MML Policy

The MML supports passage of legislation that would repeal the archaic laws governing depositories for funds and clarify the investment authority of statutory cities.

Such legislation, at a minimum, should include authority for statutory municipalities to choose one or more depositories for public funds under conditions and terms determined by the municipality, including the choice of facilities outside the city. It should also clearly permit investment of municipal funds in obligations of the state; obligations issued by the United States; obligations fully insured or guaranteed by the United States or a United States government agency; repurchase agreements secured by United States Treasury securities; obligations of any corporation of the United States government; prime bankers’ acceptances; and deposits, time deposits, certificates of deposit (negotiable or non-negotiable), shares, share accounts or other interest bearing accounts in depository institutions chartered by this state or by the United States. The MML further supports a standardization of collateralization requirements for depository institutions. Collateral should not be required of any depository institution for that portion of the municipality’s deposits covered by insurance of any federal agency.

City of Peculiar Policy

The City of Peculiar concurs with MML.

ROAD AND BRIDGE TAXES

MML Policy

The League supports legislation to require that the percentages stated in the various statutes on road and bridge taxes be spent for road and bridge projects in incorporated cities rather than such expenditures being discretionary on the part of county commissions and road districts.

City of Peculiar Policy

The City of Peculiar does not concur with MML.

LOCAL EARNINGS/INCOME TAXES

MML Policy

The MML supports legislation to require that the percentages stated in the various statutes on road and bridge taxes be spent for road and bridge projects in incorporated cities rather than such expenditures being discretionary on the part of counties and road districts.

Comment [CG7]: OLD VERBIAGE: Local Earning/
Income Taxes

MML Policy

The MML favors local control of decisions regarding levels and types of municipal taxation and believes it sets a bad precedent to allow voters throughout the state to overrule local voters' decisions to approve rates and methods of taxation to support essential local services such as police and fire protection

Comment [CG8]: NEW VERBIAGE- Local Earning
/income Taxes

City of Peculiar Policy

The City of Peculiar does not concur with MML.

FEE COLLECTIONS ON ANNUAL PROPERTY TAX BILLS

MML Policy

Any entity that collects the property tax for itself or for other taxing jurisdictions may also collect any other tax or fee that is authorized or is authorized by another taxing jurisdiction.

City of Peculiar Policy

The City of Peculiar concurs with MML.

STATE/FEDERAL MANDATES

MML Policy

The MML urges members of the General Assembly and Congress to work with local officials to determine how to limit the fiscal and other burdens of mandates on the operation of municipal government.

Further, the MML supports an assessment of current state and federal programs, regulations and policies to determine the extent of adverse cost, structural and intergovernmental impacts on cities.

City of Peculiar Policy

The City of Peculiar concurs with MML.

OTHER POST EMPLOYMENT BENEFITS (OPEBS)

MML Policy

Accounting standards, GASB (Governmental Accounting Standards Board) Statements 43 and 45, require all state and local governmental agencies to report costs and obligations for other post-employment benefits in their financial statements. While GASB Statements 43 and 45 do not require that governmental entities actually fund other postemployment benefits (OPEB), those that do not are in danger of lowered credit ratings, and may be subject to less favorable discount rates in calculating total unfunded OPEB liabilities or mandated revenue stream diversions. The MML urges the Governor and General Assembly to provide municipalities the ability to fund OPEB to ensure that local governments are able to adequately meet future obligations.

City of Peculiar Policy

The City of Peculiar concurs with MML.

BUSINESS AND OCCUPATION LICENSES

MML Policy

The Missouri Municipal League (MML) supports legislation to authorizing municipalities to license, tax and regulate the occupation of merchants, manufacturers and all businesses, avocations, pursuits and callings and may, by ordinance, base such licenses on gross receipts, per capita, flat fee, graduated scale based on gross or net receipts or sales, or any other method of measurement of tax or any combination thereof derived or allocable to the carrying on or conducting of any business, avocation, pursuits or callings or activities carried on in such cities.

City of Peculiar Policy

The City of Peculiar concurs with MML.

E-COMMERCE TAXATION

MML Policy

The MML urges Congress to define that all sales and use tax on sales of tangible property be treated fairly and equitably whether the sales take place over the counter, by phone, by mail order, by internet or by any other electronic means.

The MML urges Congress to enact legislation that redefines nexus to include economic nexus as well as physical nexus so that out-of-state mail order sales and internet sales are treated the same as sales within the same state.

City of Peculiar Policy

The City of Peculiar concurs with MML.

TRANSPORTATION NEEDS

MML Policy

While the MML strongly supports appropriate funding for transportation purposes in Missouri, the MML opposes the use of sales taxes by the state of Missouri as the primary source to raise revenue for meeting the needs of the state's highways, roads and transit systems. The MML urges the General Assembly and Missouri Department of Transportation (MoDOT) to devise a comprehensive plan to increase the needed revenue for meeting Missouri's transportation needs. Such plan should dedicate sufficient funding to provide quality mass transit services throughout the state. This should include funds for systems that serve the elderly, handicapped and low-income residents.

City of Peculiar Policy

The City of Peculiar concurs with MML, however the City does not agree with the verbiage of the second to last sentence.

TAXATION OF CELL PHONES, VOIP AND OTHER COMMUNICATION SYSTEMS

MML Policy

The MML supports legislation to impose or maintain local gross receipts taxes on cellular, land-line and VoIP telecommunications providers and other types of personal communications technology. The MML also supports legislation that allows wireless devices to be taxed while holding harmless the cities and counties that have enacted sales taxes to address 911 funding issues.

City of Peculiar Policy

The elected officials of the City of Peculiar are split on this issue.

UTILITY TAXES

MML Policy

The MML strongly opposes any legislation capping the rate or reducing the amount of gross receipts imposed by municipalities.

City of Peculiar Policy

The City of Peculiar concurs with MML.

CABLE AND VIDEO FRANCHISING

MML Policy

The MML vigorously opposes any federal legislation that would alter or completely eliminate the ability of local governments to enter into and enforce local cable franchise agreements unless such legislation requires the payment of local franchise fees, compliance with local rights-of-way regulations, payment in lieu of in-kind services and operational grants and consumer protection provisions.

City of Peculiar Policy

The City of Peculiar concurs with MML.

REGULATION OF MUNICIPAL BROADBAND

MML Policy

The MML opposes any state or federal legislation that regulates, restricts, or prohibits municipalities from providing municipal broadband services.

City of Peculiar Policy

The City of Peculiar concurs with MML.

PROPERTY TAX HEARING

MML Policy

The MML supports streamlining the process by changing the deadline for setting the municipal property tax levy as required in Section 67.110 RSMo to October 1.

City of Peculiar Policy

The City of Peculiar concurs with MML.

CAPITAL AND GENERAL CITY SALES TAXES

MML Policy

The MML supports establishing a sales tax rate cap on the general city sales tax of 2 percent and a cap on the capital improvements sales tax rate at 1 percent.

City of Peculiar Policy

The City of Peculiar concurs with MML.

Comment [CG9]: Capital and General city Sales Taxes: Deleted from the MML Legislative Policy Book

ABANDONED PROPERTIES/DEEDS OF TRUST

MML Policy

The MML supports legislation to require financial institutions to either foreclose or abandon outstanding deeds of trust within 90 days after being notified to do so by a city or county government.

City of Peculiar Policy

The City of Peculiar concurs with MML.

Comment [CG10]: Abandoned Properties/Deeds of Trust: Deleted from the MML Legislative

Policy book.

TAX RESTRUCTURING

MML Policy

The MML opposes the use of a higher sales tax rate to replace the corporate and individual income taxes. Missouri's cities rely upon sales taxes for general fund and enterprise fund operation. If the state sales tax rate is dramatically increased, municipalities would be crippled in seeking voter approval of new sales taxes and Missouri businesses would lose retail to adjoining states and the Internet.

City of Peculiar Policy

The City of Peculiar concurs with MML.

Municipal Administration and Intergovernmental Relations

HOME RULE

MML Policy

The Missouri Municipal League (MML) continues its strong support for the home rule concept for all municipalities and the right contained therein of municipal self-determination. The League urges the General Assembly to refrain from enacting legislation in areas that can be better dealt with by local government.

City of Peculiar Policy

The City of Peculiar concurs with MML.

Comment [CG11]: Home Rule: Deleted from MML Legislative Policy Book. However, it is referenced several times in the "Introduction" of the "MUNICIPAL ADMINISTRATION AND INTERGOVERNMENTAL RELATION" portion of the MML Legislative Policy book

MODERNIZATION OF LOCAL GOVERNMENT STATUTES

MML Policy

The MML urges the repeal or revision of contradictory and/or archaic provisions of the statutes that create barriers to efficient administration of local government. Further, the MML supports legislation that permits the use of electronic and digital archiving of public records.

City of Peculiar Policy

The City of Peculiar concurs with MML.

LABOR RELATIONS

MML Policy

The MML supports legislation to resolve issues from the *Independence NEA v. Independence School District* decision. Such legislation must preserve traditional management rights, the fiscal integrity of the city, the delivery of services to the taxpayer and the role of the duly elected representatives of the people as the final decision-makers on contract provisions. Also, the MML Board is urged to appoint a committee to study potential, new MML services in support of local officials in the collective bargaining process.

City of Peculiar Policy

The City of Peculiar does not take a position on this issue.

MUNICIPAL PERSONNEL POLICIES

MML Policy

The MML strongly opposes legislation that would interfere with municipal authority to determine personnel or merit system rules and regulations.

City of Peculiar Policy

The City of Peculiar concurs with MML.

STATE MANDATES

MML Policy

The MML urges the Governor and General Assembly to provide for the reimbursement to cities for direct costs of compliance with state laws, policies, regulations and standards that impose additional costs and responsibilities on local governments, pursuant to the Missouri Constitution. (Article X, Section 21) commonly referred to as the “Hancock Amendment.”

City of Peculiar Policy

The City of Peculiar concurs with MML.

REGULATION OF MUNICIPAL RIGHTS-OF-WAY

MML Policy

The MML supports the authorization of local governments to impose reasonable nondiscriminatory fees for the use of the public rights-of-way.

City of Peculiar Policy

The City of Peculiar concurs with MML.

DEREGULATION IN THE NAME OF “RELIGIOUS FREEDOM”

MML Policy

While the MML supports free exercise of religion, the MML opposes legislation to further erode, under the guise of religious freedom, local authority to protect the health, safety and welfare of all people, including but not limited to municipal zoning, building codes, sign regulations, child care regulations and all other applicable local ordinances.

City of Peculiar Policy

The City of Peculiar concurs with MML.

PHOTOGRAPHIC ENFORCEMENT OF TRAFFIC VIOLATIONS

MML Policy

The MML supports cities' use automated cameras to enforce traffic ordinances, and opposes any efforts to restrict cities' current authorized use of photographic enforcement for traffic violations.

City of Peculiar Policy

The elected officials of the City of Peculiar are split on this issue.

CONCEALED WEAPONS IN MUNICIPAL FACILITIES

MML Policy

The MML supports language to clarify the concealed and carry law (Section 571.107 RSMo) to permit local governments to adopt ordinances to prohibit the carrying of concealed weapons in all city facilities and parks.

City of Peculiar Policy

The City of Peculiar concurs with MML.

BLIGHT/EMINENT DOMAIN

MML Policy

The MML vigorously opposes efforts to prohibit the use of eminent domain to rehabilitate blighted areas. MML also opposes any effort that would negatively impact nuisance abatement programs. The MML should work with utilities, businesses, economic developers, and other groups to inform the public of the benefits of eminent domain and nuisance abatement efforts programs. Eminent domain is indispensable and is most often used as a last resort for revitalizing local economies, creating much-needed jobs and generating revenue that enables cities to provide essential services. Eminent domain is a powerful tool; its prudent use, when exercised in the sunshine of public scrutiny, help achieve a great public good that benefits the entire community. Economic policies and incentives supported by the Governor and adopted by the General Assembly will have little effect in encouraging business to expand or relocate in Missouri, to support the economic vitality of the state, if land cannot be assembled through the power of eminent domain, if necessary. The MML supports changes in the law to further ensure fair treatment and just compensation of property owners but any such changes should be carefully drafted to permit use of eminent domain for economic development purposes when necessary.

City of Peculiar Policy

The City of Peculiar concurs with MML.

TAXPAYERS BILL OF RIGHTS (TABOR)

MML Policy

The MML opposes efforts by any group to impose further restrictions on state revenues and spending through the so-called Taxpayers Bill of Rights (TABOR).

City of Peculiar Policy

The City of Peculiar concurs with MML.

PRIMARY SAFETY BELT

MML Policy

The MML supports legislation to change Missouri's secondary seat belt law to a primary seat belt law by allowing law enforcement officers to stop drivers for failing to wear their seat belts.

City of Peculiar Policy

The elected officials of the City of Peculiar are split on this issue.

ORDINANCE VIOLATIONS BUREAU

MML Policy

The MML supports legislation that would eliminate the requirement that municipal prosecutors review and file charges in cases where a defendant pleads guilty and pays a fine in a municipal ordinance violations bureau.

City of Peculiar Policy

The City of Peculiar concurs with MML.

OPPOSITION TO PREDATORY LENDING PRACTICES AND THE PROLIFERATION OF PAYDAY LOAN OPERATIONS

MML Policy

The MML supports legislation that would impose stricter regulations, with penalties, on lenders who engage in unfair and deceptive lending practices. The legislation should establish that the Missouri Attorney General should have increased responsibility to investigate and take legal action against predatory lenders.

In addition, the League supports legislation that would allow cities to impose limits on the number of payday loan companies or, if desired by the community, to ban these operations entirely.

City of Peculiar Policy

The City of Peculiar concurs with MML.

POSTING OF LEGAL NOTICES IN NEWSLETTERS OR ON WEB SITES

MML Policy

The MML supports legislation to allow for publication of legal notices such as financial statements and elections notices in municipal newsletters and on Web sites to help keep the public apprised of local affairs in a much more cost effective method.

Comment [CG12]: OLD VERBAIGE: Posting of Legal Notices in Newsletters or on Web Sites

MML Policy

The MML supports legislation to allow for publication of legal notices such as financial statements and elections notices in municipal newsletters and on Web sites to help keep the public apprised of local affairs in a much more cost effective method.

Comment [CG13]: NEW VERBAIGE: Posting of Legal Notices in Newsletters or on Web Sites

City of Peculiar Policy

The City of Peculiar concurs with MML.

MUNICIPAL COURT COST SURCHARGE FOR BIOMETRIC IDENTIFICATION EQUIPMENT

MML Policy

The League supports passage of legislation that would amend Section 488.5026, RSMo to authorize municipalities to be eligible to adopt an ordinance authorizing the assessment and collection of a \$2.00 court cost surcharge to help pay for biometric identification equipment and related expenses.

City of Peculiar Policy

The City of Peculiar concurs with MML.

Comment [CG14]: Municipal Court Cost Surcharge for Biometric Identification Equipment: Deleted from MML Legislative Policy book

INITIATIVE PETITION AND REFERENDUM PROCESS TRANSPARENCY

MML Policy

The MML supports legislation to increase public awareness by making the initiative petition process transparent and straightforward to all parties.

City of Peculiar Policy

The Board of Aldermen of the City of Peculiar has not addressed this issue.

Comment [CG15]: Initiative Petition and Referendum Process Transparency: Deleted from MML Legislative Policy book

GENERAL ASSEMBLY TERM LIMITS

MML Policy

The MML supports legislation to initiate an amendment to the Missouri Constitution to extend term limits of members of the General Assembly.

City of Peculiar Policy

The Board of Aldermen of the City of Peculiar is split on this issue.

SCRAP METAL RECYCLING

MML Policy

The MML strongly supports a state statute that limits the cash transactions for scrap metal and requires a photo recording system for all transactions that includes an electronic database accessible by law enforcement. In addition to dissuade the thefts of catalytic converters, MML supports new statute that requires the presentation of an automobile title to be presented with the catalytic converter when it is brought to scrap metal recycler. The statute also should require that copper from air conditioning units must be presented with evidence of its safe removal and proof of ownership when it is brought to a recycler.

City of Peculiar Policy

The Board of Aldermen of the City of Peculiar is split on this issue.

Comment [CG16]: Scrap Metal Recycling:
Deleted from MML Legislative Policy book

Energy Resources and Urban Development

ENERGY

MML Policy

The MML endorses incentives that foster transition to alternative and renewable clean energy sources, produced and delivered in the state, including, but not limited to, solar energy, wind power, geothermal, nuclear energy, synthetic fuels, biomass, methane gas and the continued examination of improvement in the conservation of energy. In order to prolong the supply of our natural resources, the MML endorses the policy of energy efficiency in order to ensure conservation as the most effective means of dealing with the energy situation, such as the weatherization of existing buildings.

City of Peculiar Policy

The City of Peculiar concurs with MML.

OUTDOOR AIR QUALITY

MML Policy

The Missouri Municipal League (MML) encourages all governmental jurisdictions in Missouri to initiate and support programs designed to increase public awareness and education about the air pollution issue and how pollution can be abated. The MML supports continued federal funding for those municipalities that have entered into a contract with the Missouri Air Conservation Commission to monitor air polluters within their jurisdictions, including point and area sources. The MML encourages all governmental jurisdictions to help foster a public clean air concern by leading by example to demonstrate energy efficiency, the benefits of native landscaping, use of quality transportation planning and user of low-emission and low-fuel consumption vehicles in conducting their governmental activities. The MML requests that the state of Missouri provide adequate financial assistance to municipalities in conforming to the state standards for clean air.

The state should continue to involve local officials in the implementation of any air pollution plan or policy that may be imposed to conform to EPA pollution standards.

City of Peculiar Policy

The City of Peculiar concurs with MML.

INDOOR AIR QUALITY

MML Policy

The MML supports all municipal efforts to improve indoor air quality and the air quality surrounding governmental and commercial buildings located within its boundaries, including the adoption of smoking restrictions. The MML opposes the adoption of any state law which preempts a municipality from adopting local smoking restrictions or any ordinances that are designed to improve indoor air quality. The MML supports an election on uniform statewide smoking restrictions.

City of Peculiar Policy

The City of Peculiar concurs with MML.

WATER POLLUTION

MML Policy

The MML encourages Missouri municipalities to attempt to meet and/or exceed the water quality standards as set by the Clean Water Commission and the Environmental Protection Agency (EPA) using watershed-based best management practices, including a strong emphasis on green infrastructure strategies, to mitigate pollutants and storm water runoff. Given the enormous costs of constructing wastewater treatment and collection facilities, MML recommends that the General Assembly appropriate sufficient funds to provide adequate technical assistance through the Department of Natural Resources (DNR) to determine the most cost standards. Further, MML urges the Clean Water Commission and the EPA to develop realistic standards based on 1) Documented studies that verify potential health risks and 2) site-specific pollution impacts.

The MML strongly urges the DNR to implement the storm water discharge permit program in a manner that will not impose delays on municipal and private projects. MML opposes any state storm water discharge permit regulation that exceeds the scope of the National Pollutant Discharge Elimination System (NPDES) permit application regulations for storm water discharge. The MML strongly urges the EPA and DNR to develop a more simplified and flexible approach to management of municipal storm water runoff than has been imposed on the state's larger municipalities. MML opposes any "end-of-pipe" testing requirement in storm water permits. Storm water regulations should be applied equally to all jurisdictions. MML strongly encourages the DNR to allow those municipalities with the administrative capacity to issue storm water discharge permits within their jurisdictions.

MML supports additional state funding for a comprehensive statewide program for flood control projects.

MML urges DNR and EPA to develop flexible standards for the treatment of combined sewer overflows that will allow all municipalities to implement solutions that will meet their geographic and environmental situation. The MML

opposes any state regulations that exceed the scope of the National Pollutant Discharge Elimination System (NPDES) permit program regulations. The MML supports an increase of the NPDES fee of no more than the consumer price index, provided that the DNR be prohibited from collecting fees from permit holders until permits have been brought up to date by DNR.

City of Peculiar Policy

The City of Peculiar concurs with MML.

RESPONSIBILITY FOR INCREASING WATER QUALITY IN CREEKS

MML Policy

The MML supports all levels of government, with substantial state and federal help, collaborating as equals to insure that high levels of harmful pollutants are within reasonable limits, based on cost benefit analysis, accurate testing, and other factors under scrutiny in the latest DNR reports. The likely use of the creek or waterway for recreation should also be a factor. Certainly, sewage from faulty infrastructure should be addressed if harmful bacteria result for any reasonable period of time. However, animal waste, certain unavoidable runoff such as that caused by treating streets for ice and snow, and similar pollutants found at relatively low levels in streams unlikely to be used for recreation should be addressed either state and/or federal funds if they mandate remediation.

City of Peculiar Policy

The Board of Aldermen of the City of Peculiar has not addressed this issue.

SOLID WASTE MANAGEMENT

MML Policy

The MML encourages municipalities to participate in a regional approach when addressing solid waste issues and urges municipalities to take an active role in the operation of solid waste management districts. Further, the MML encourages municipalities to promote efforts to reduce land-filled waste; to address management of recoverable materials; to ensure access to core residential services and household hazardous waste collection in an effort to minimize illegal dumping and littering and encourage waste diversion from landfills; to establish public education on waste reduction and solid waste management for residents and businesses; and to support the implementation of programs to reduce, eliminate or divert other household and business waste from landfills.

The MML urges the state agencies and departments involved with implementation of the state's solid waste management law to coordinate their efforts with municipal solid waste activities and initiatives. The MML encourages state leadership on policies and issues of the statewide significance, including public

education, product stewardship, sustainable funding, incentives for diversion goals, and research on technologies and trends.

The MML specifically encourages the state to aggressively deal with the stimulation of the demand and markets for recycled materials. The MML strongly encourages the federal and state government to take an active role in developing uses for recyclable materials and the marketing of the products developed from recyclable materials.

The MML urges Congress to eliminate the Commerce Clause barrier by authorizing states and local governments to require municipal solid waste (but not separated recyclables) be transported to municipal solid waste management facilities.

The MML urges the General Assembly to enact legislation giving municipalities' greater flexibility in meeting the post closure responsibilities for municipally owned landfills.

The League strongly urges the General Assembly to protect the yard waste ban, the statewide tonnage fee and the rights of local governments to develop and implement solid waste management strategies, facilities and services. In particular, MML urges the General Assembly to remove and prevent barriers for responsible and sustainable waste management best practices, including the elimination of the two-year notice requirement for local governments seeking to contract for solid waste services.

City of Peculiar Policy

The City of Peculiar concurs with MML.

HAZARDOUS MATERIAL MANAGEMENT

MML Policy

The MML encourages federal and state programs to ensure safe processing, incineration, recycling, transportation and storage of hazardous materials.

The MML supports an active investigative effort to identify sources, violators and existing sites of hazardous material. Such investigative efforts should include advance notification of municipal officials.

The MML further recommends clarification and limitations of the liabilities cities may have for unknown hazardous materials.

City of Peculiar Policy

The City of Peculiar concurs with MML.

LOCAL GOVERNMENT BOUNDARY ADJUSTMENT

MML Policy

The MML urges the immediate adoption of legislation amending the annexation statutes to provide that:

- 1) The current annexation procedures be simplified and expedited to the greatest extent possible;
- 2) Publicly held land be exempt from the election requirements;
- 3) Special provisions be included for “unincorporated islands” – land surrounded by incorporated area;
- 4) Normal municipal services and their funding sources be clearly defined;
- 5) Municipalities be given the authority to enter into binding pre-annexation agreements with landowners with property not contiguous to the corporate limits of a municipality.
- 6) A second election, as provided for in Section 71.015 RSMo, is not needed when two-thirds of the combined voters of the city and the area proposed to be annexed approve the annexation proposal in the first election, even if a majority of the voters in the area to be annexed fail to approve the annexation.
- 7) Procedures should be established to encourage territorial agreements between the investor owned electric system that serves the municipality and the rural electric coop that serves the area to be annexed.
- 8) The right of a property owner to voluntarily annex shall be protected.
- 9) Municipalities be granted clear authority to annex areas along a road or highway up to two miles from its corporate limits, for use in development, creation of industry or services that supports growth, unless there exists opposition from one of the contiguous cities.

City of Peculiar Policy

The City of Peculiar does not concur with MML.

URBAN GROWTH INCENTIVE

MML Policy

The MML recommends that existing statutes be revised to require that both central water service adequate for fire protection and state approved sewer service be provided prior to development of a subdivision and require adequate easements for utilities.

The MML opposes any regulatory changes by the Department of Natural Resources (DNR) that would encourage the development of subdivisions with separate sewer systems developed adjacent to a municipal system. Existing regulations should be actively enforced by the DNR.

City of Peculiar Policy

The City of Peculiar concurs with MML.

EXTENSION OF MUNICIPAL SERVICES INTO ANNEXED AREAS

MML Policy

The MML strongly opposes any legislation that restricts the ability of a municipality to extend municipal services into newly annexed areas. Further, the MML urges the repeal of current laws that restrict the extension of municipal services into annexed areas. Specifically, amend Section 247.165 RSMo. to remove the six month time period after an annexation for the municipality and water district to develop an agreement to provide water service to the annexed area.

In the creation or expansion of special use districts i.e. sewer, fire etc. that encroach or overlap a municipal jurisdiction, the municipality should have the legal grounds to file as an “Excerptor” and be notified via certified mail of the filing of the petition.

An excerptor is a party that can file exceptions to the legal petition requesting the formation of the district.

Current state law only allows municipalities to file exceptions when water districts are created or expanded. This authority should be granted to municipalities when all special districts are created or expanded. When creating a special district the filing party should be required to notify the municipality of the petition to create the special district. The MML opposes legislation that would require cities to provide municipal services beyond municipal boundaries.

Municipalities should be given the authority to set urban service standards that apply to all providers within municipal corporate limits.

City of Peculiar Policy

The City of Peculiar concurs with MML.

SUSTAINABLE DEVELOPMENT

MML Policy

The MML supports policies, legislation and incentives that lend themselves to sustainable development. Such smart growth policies and legislation will help establish Missouri as a competitive area with cost effective public systems. It also promotes the psychology of re-use of neighborhoods with their existing infrastructure, thereby supporting the established schools, churches, firehouses and systems that promote stability. However, development outside established systems and areas should not be discouraged when existing systems are at capacity and can be expanded and sustained with new revenue from the new development without negatively impacting existing systems.

The MML supports a triple bottom line (sustainability) approach to municipal and state policy and planning efforts balancing economic, community and environmental factors in decision making.

City of Peculiar Policy

The City of Peculiar concurs with MML.

LOCAL CODE COMPLIANCE

MML Policy

The MML urges the General Assembly to enact legislation requiring the mandatory referral of development plans by the state or its political subdivisions to the affected municipal government for compliance with local codes and coordination with municipal plans.

City of Peculiar Policy

The City of Peculiar concurs with MML.

REGIONALISM

MML Policy

The MML continues to support regional councils and opposes efforts to repeal or weaken the enabling legislation governing regional councils and their activities. The MML further supports state funding of regional council activities.

City of Peculiar Policy

The City of Peculiar concurs with MML.

MUNICIPAL ACQUISITION OF LAND

MML Policy

The MML strongly opposes any attempt to limit a municipality's power of eminent domain. The MML further opposes any requirement to pay "damages" to nearby property owners when a municipality purchases or condemns land for public purposes. The MML also opposes legislation that would encourage property owners to challenge, risk free, condemnation settlements offered in good faith.

City of Peculiar Policy

The City of Peculiar concurs with MML on the first sentence. However, the City of Peculiar does not concur with the rest of MML's position

PRE-EMPTION OF MUNICIPAL LAND USE AUTHORITY

MML Policy

The MML strongly opposes any further pre-emption of municipal land use regulations by the General Assembly.

City of Peculiar Policy

The City of Peculiar concurs with MML.

RECREATIONAL USE LEGISLATION

MML Policy

The MML urges the state of Missouri to enact Recreational Use Legislation to protect landowners from civil liability if the owner lets property be used by others for recreation purposes without charging a fee for profit.

City of Peculiar Policy

The City of Peculiar concurs with MML.

COLLECTION OF SPECIAL TAX BILLS

MML Policy

The MML urges the General Assembly to pass legislation authorizing municipalities to collect special tax bills for property maintenance code violations in the same manner as for delinquent property taxes.

City of Peculiar Policy

The City of Peculiar concurs with MML.

MOVING UTILITIES IN PUBLIC RIGHTS-OF-WAY

MML Policy

The MML strongly opposes any legislation that would prohibit or restrict a municipality's authority to require a utility company to pay the cost of relocating their facilities located in the public rights-of-way when the request is for a public purpose.

City of Peculiar Policy

The City of Peculiar concurs with MML.

LANDMARK LOCAL PARKS PROGRAM (LLPP)

MML Policy

The MML encourages the General Assembly to recognize the important contributions the Landmark Local Parks Program made to the quality of life for Missouri residents during the five years the program was funded and to fully fund the program when the State returns to more prosperous times.

City of Peculiar Policy

The City of Peculiar has no position on this issue.

Comment [CG17]: Landmark Local Parks Program (LLPP): Deleted from MML Legislative Policy book.

RECAPTURE AGREEMENTS

MML Policy

The MML urges the General Assembly to pass legislation authorizing municipalities to enter into an agreement with a developer to construct certain public improvements or excess utility capacity that would benefit other properties not yet subdivided or served by such facilities. The city would recapture for the developer a portion of the costs associated with the construction of these public improvements by requiring properties benefiting from the improvements to pay a proportional share of the installation of these oversized or expanded public improvements before connecting or using said facilities.

City of Peculiar Policy

The City of Peculiar concurs with MML.

HEALTHIER LIFESTYLES

MML Policy

The MML encourages all municipal leaders and members of the General Assembly to increase access and affordability for healthy food and beverage choices. Equally as important, communities should maximize access and incentives to participate in safe, multimodal transportation choices, mixed used development, and affordable physical activity, both indoors and outdoors.

City of Peculiar Policy

The City of Peculiar concurs with MML.

The City of Peculiar wishes to thank you for your time and hard fought energy. The City will continue to effectively communicate with you on the pressing needs of our community. Working together on all levels of government will make this community successful.

Please feel free to call the City Administrator at 816-779-2230 – (desk) or 816-564-1264- (cell) if you have any questions or needs.

MISSOURI WORKS PROGRAM

MML Policy

The MML supports “Missouri Works,” a program that combines the Development Tax Credit Program, the Rebuilding Communities Tax Credit Program, the Enhanced Enterprise Zone Tax Credit Program, and the Missouri Quality Jobs program and rolls their functions into one stream-lined program to promote business expansion and attraction in Missouri for job creation and capital investment.

SELF-GOVERNANCE

MML Policy

The MML continues its strong support for self-governance for all municipalities and the right contained therein of municipal self-determination. The MML urges the General Assembly to refrain from enacting legislation in areas that can be better dealt with by local government. Additionally, MML supports the elimination of the minimum population requirement to achieve constitutional charter city status.

WATER QUALITY

MML Policy

The MML encourages Missouri municipalities to attempt to meet and/or exceed the water quality standards as set by the Clean Water Commission and the Environmental Protection Agency (EPA) using watershed-based best management practices, including a strong emphasis on green infrastructure strategies, to mitigate pollutants and storm water runoff. Given the enormous costs of constructing wastewater treatment and collection facilities, MML recommends that the General Assembly appropriate sufficient funds to provide adequate technical assistance through the Department of Natural Resources (DNR) to determine the most cost-effective means of meeting state and federal standards. Further, MML urges the Clean Water Commission and the EPA to develop realistic standards based on 1) documented studies that verify potential health risks and 2) site-specific pollution impacts.

The MML strongly urges DNR to implement the storm water discharge permit program in a manner that will not impose delays on municipal and private

projects. MML opposes any state storm water discharge permit regulation that exceeds the scope of the National Pollutant Discharge Elimination System (NPDES) permit application regulations for storm water discharge. MML strongly urges the EPA and DNR to develop a more simplified and flexible approach to management of municipal storm water runoff than has been imposed on the state's larger municipalities. MML opposes any "end-of-pipe" testing requirement in storm water permits. Storm water regulations should be applied equally to all jurisdictions. MML strongly encourages the DNR to allow those municipalities with the appropriate administrative capacity to issue land disturbance storm water discharge permits within their jurisdictions.

MML supports additional state funding for comprehensive planning and management at the community and state level for flood control projects.

MML urges DNR and EPA to develop flexible standards for the treatment of combined sewer overflows that will allow all municipalities to implement solutions that will meet their geographic and environmental situation. The MML opposes any state regulations that exceed the scope of the National Pollutant Discharge Elimination System (NPDES) permit program regulations.

The MML supports an increase of the NPDES fee of no more than the consumer price index, provided that DNR be prohibited from collecting fees from permit holders until permits have been brought up-to-date by DNR.

LAND USE AND PERMITTING CONTROLS OVER ALL STRUCTURES, INCLUDING THOSE RELATED TO ALTERNATIVE ENERGY SOURCES

MML Policy

New facilities should be harmonious with other structures and uses as judged by local planning and zoning practices and related construction codes. A statewide standard should not supersede local ordinances because communities differ too much in density, architectural features, history, and other neighborhood factors for one standard to address every variable in every community. The MML discourages prohibitions on renewable energy facilities that might include solar panels, wind turbines, windmills, water structures, underground heating and cooling fields and facilities yet to be defined. The MML encourages each locality to consider appropriate policies to encourage reasonable uses.

MISSOURI'S LAND AND WATER CONSERVATION FUND PROGRAM

MML Policy

The MML supports the full funding of the Land and Water Conservation Fund, in particular, the renewed allocation of LWCF funds to each state

Comment [CG18]: NEW MML POLICIES NOT REFERENCED IN THE PECULIAR LEGISLATIVE POLICY BOOK

The City of Peculiar wishes to thank you for your time and hard fought energy. The City will continue to effectively communicate with you on the pressing needs of our community. Working together on all levels of government will make this community successful.

Please feel free to call the City Administrator at 816-779-2230 – (desk) or 816-564-1264- (cell) if you have any questions or needs.

RESOLUTION 2014-03

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE CITY OF PECULIAR 2014 LEGISLATIVE POLICIES

WHEREAS, The Missouri Municipal League has developed a Legislative Policy Statement for the year 2014 adopted by the membership at their annual meeting; and

WHEREAS, the City of Peculiar has prepared a Legislative Policy Statement for 2014 setting forth policies which are unique to the City of Peculiar; and

WHEREAS, the government entities which will have interest in the future needs of the City of Peculiar must be made aware of the 2014 Legislative Policy for the City of Peculiar for establishment of an attitude of cooperation among all participants in governmental decisions of mutual interest; and

WHEREAS, the Board of Aldermen have determined that the Legislative Policies of the City of Peculiar should be distributed to elected officials of the State of Missouri, County of Cass, and the Congress of the United States.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AS FOLLOWS:

Section 1. The Legislative Policy of the City of Peculiar, Missouri is hereby approved by the Board of Aldermen.

Section 2. *Effective Date.* This Resolution shall become effective immediately upon its approval and passage by the Board of Aldermen this ___ day of January, 2014.

Upon the following roll call vote, Resolution 2014-04 was adopted:

Alderman Gallagher	_____	Alderman Fines	_____
Alderman Ray	_____	Alderman Stark	_____
Alderman Dunsworth	_____	Alderman Turner	_____

APPROVED:

ATTEST:

Ernest Jungmeyer, Mayor

Nick Jacobs, City Clerk

City Administrator
Brad Ratliff

Chief of Police
Harry Gurin

City Attorney
Reid F. Holbrook

City Clerk
Nick Jacobs



Municipal Offices – 250 S. Main Street, Peculiar, MO 64078
Phone: 816.779.5212 Facsimile: 816.779.1004

City Engineer
Carl Brooks

City Planner
Cliff McDonald

Business Office
Trudy Prickett

Parks Director
Nathan Musteen

To: Mayor and Board of Aldermen
From: Nathan Musteen, Parks Director
Date: January 21, 2014
Subject: City of Peculiar Logo

GENERAL INFORMATION

In October, City Staff was tasked with providing options of a new, updated City of Peculiar Logo to the Board of Alderman. Staff requested quotes from local metro area graphic design companies and received over 6 qualified applicants. The City Administrator and Parks Director met with and selected Lifted Logic located in Overland Park.

The attached logo options are based on discussions between Mr. Adam Finchman of Lifted Logic and the City Administrator.

In December, the Board of Alderman viewed several logo options and gave direction for a final version.

PURPOSE

The purpose of this project is to present the Board of Alderman some new and fresh ideas for a City Logo based on the history of Peculiar and moving into Peculiar's future. The current logo has been in place since 2001 and recent discussions indicate that the board would be interested in a potential change.

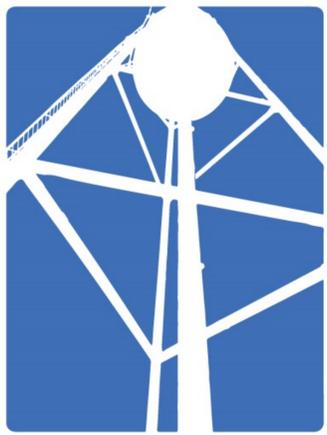
ATTACHMENTS

The attached options are based on direction given by the Board of Alderman and passed along to Lifted Logic for a re-draw.

ACTION ITEM

Staff is requesting the Board of Alderman select a logo or give further direction for the logo design.

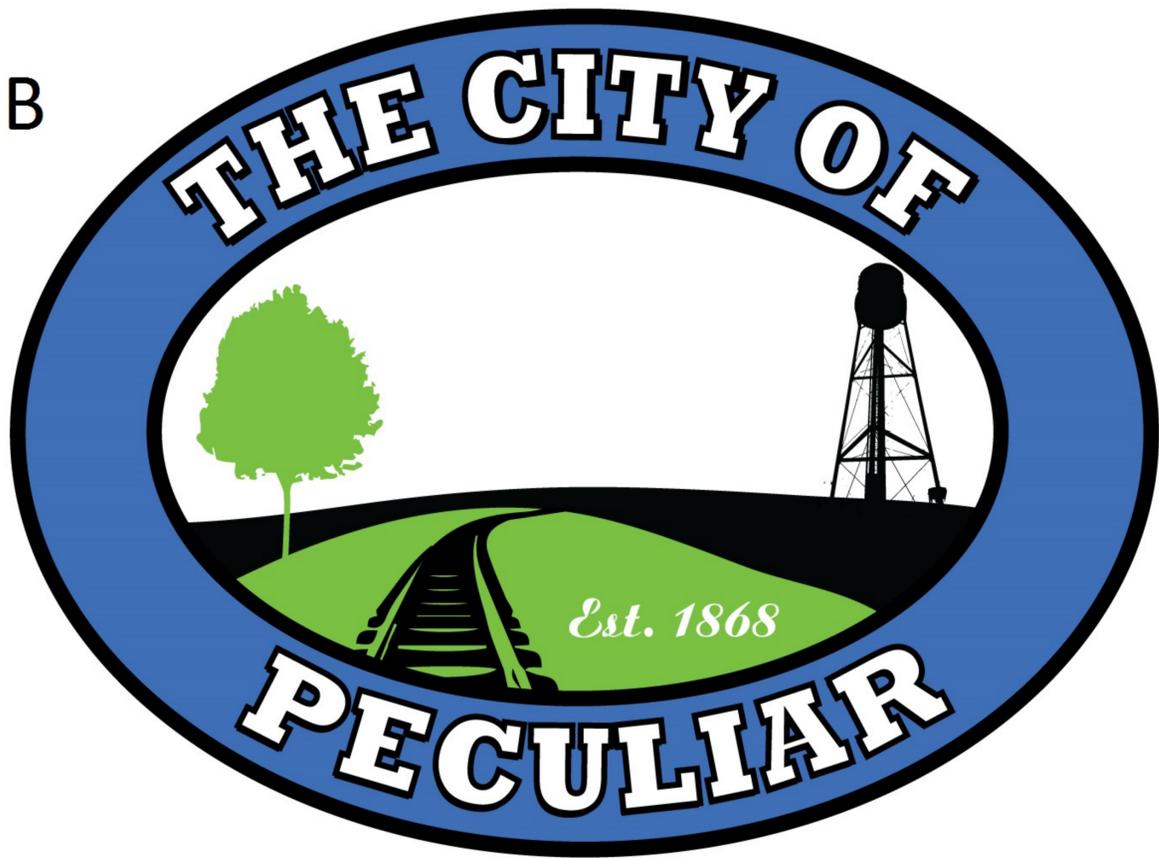
A



PECULIAR

MISSOURI Est. 1868

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C



D

