

**BOA Meeting Agenda
Peculiar City Board of Aldermen
Work Session Meeting and Public Hearing
City Hall – 250 S. Main St
Monday April 7, 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 Monday, April 7, 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. Board of Alderman Statement

5. Mayor's Appointments – Jeff Harlan to Park Board

Resolution No. 2014-18 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF JEFF HARLAN TO THE PARKS & RECREATION BOARD

6. Business

A. **Bill No. 2014-06 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI ALTERING THE QUALIFICATIONS OF ALDERMEN AND AMENDING SECTION 110.010 OF THE PECULIAR MUNICIPAL CODE.**

**2nd Reading*

B. **Bill No. 2014-07 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI ALTERING THE MEANS IN WHICH VOTES MAY BE TAKEN BY THE MEMBERS OF THE BOARD OF ALDERMEN AND AMENDING SECTION 110.060 OF THE PECULIAR MUNICIPAL CODE.**

**2nd Reading*

C. **Bill No. 2014-08 - AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING AND ACCEPTING THE INTERLOCAL AGREEMENT WITH CASS COUNTY FOR THE REPAVEMENT OF SCHOOL ROAD FROM E. 203RD STREET TO E. 211TH STREET.**

**2nd Reading*

D. **Resolution No. 2014-19 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI, APPROVING AND ACCEPTING THE ABBREVIATED AGREEMENT BETWEEN CLIENT AND LAMP, RYNEARSON & ASSOCIATES, INC DBA LARKIN LAMP RYNERSON FOR THE ENGINEERING DESIGN AND CONSTRUCTION PHASE SERVICES OF THE 211TH STREET WATER MAIN PROJECT**

7. Topics for Discussion

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

B. **Bill No. 2014-10 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI ESTABLISHING SECTION 135.090 OF PECULIAR MUNICIPAL CODE TITLED "MOTOR VEHICLE FUEL TAX."**

C. **Bill No. 2014-11 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AMENDING SECTIONS 210, 310, 380, AND 385 OF PECULIAR MUNICIPAL CODE.**

D. **Water Department municipal codes discussion.**

E. **Code Watch update – Bill amending section 115.020 of Peculiar Municipal Code.**

F. **Building Permit fee reduction update and discussion.**

G. **Chief of Police discussing third degree assault.**

H. **Monument Sign update.**

I. Lock Fence under three legged water tower.

J. Railbed Trail update

8. Aldermen Concerns or Additional Topics for Discussion by Aldermen

9. Aldermen Directives Reported by City Administrator

10. Adjournment

City Administrator
Brad Ratliff

City Clerk
Nick Jacobs

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: Mayor and Board of Alderman
From: Nathan Musteen, Parks Director
Date: April 7, 2014
Re: Resolution #2014-18
Appointment of Jeff Harlan to the Park Board

GENERAL INFORMATION

Applicant: Jeff Harlan
Status of Applicant: Park Board Volunteer Applicant
Requested Actions: Appointment by Mayor to the Park Board.
Date of Application: March 15, 2014
Purpose: Appointment to Park Board
Property Location (if applicable): 10006 E. 220th Street, Peculiar, MO 64078

PROPOSAL

As per Peculiar Municipal Code, Section 125.020 & 125.040

PREVIOUS ACTIONS

Park Board Member, Kasey King, notified City Staff and fellow Park Board Members during the March 2014 Park Board meeting that he and his family have purchased a home in Raymore. With his moving outside of Peculiar city limits, he left a vacancy on the Park Board per the residency requirements in the Peculiar Municipal Code, Section 125.010.

Member King was appointed to fill a open Park Board seat vacated by former member Jason Ashley per Resolution 2012-52 that expires on September 1, 2014.

Longtime Peculiar resident and current Peculiar Parks & Recreation basketball coach, Jeff Harlan, expressed interest in joining the Park Board during this past basketball season. Staff recommended he fill out the volunteer application to have on file for any future vacancies.

KEY ISSUES

Applicant will fill a vacated seat on the City of Peculiar's Park Board ending in September 2014 with an automatic re-appointment through 2017 to align and re-establish "Terms of Office" as per Peculiar Municipal Code, Section 125.030.

STAFF COMMENTS AND SUGGESTIONS

The City and the Parks Department is fortunate and excited to have residents interested in Peculiar Parks and Recreation and be willing to volunteer for service on the Park Board. Upon approval of the Board of Alderman and appointment by the Mayor, the Park Board will welcome its newest member and continue moving forward while maintaining good Ward Representation throughout the City.

STAFF RECOMMENDATION

Approval of Appointment by Mayor

ATTACHMENTS

Resolution 2014-18

STAFF CONTACT: Nathan Musteen, CPRP
Parks & Recreation Director
816-779-2225
nmusteen@cityofpeculiar.org

City of Peculiar

Boards / Commissions Application Form



Thank you for your interest in serving on one of the City's Boards/Commissions. Volunteers are essential to ensure our City government is responsive to the needs of the community. Please help us place you on the most appropriate commission by completing this questionnaire, you may attach your resume or additional information as needed.

Boards / Commissions of Interest:

Planning Commission Parks & Recreation Board Board of Adjustment Peculiar Tree Board

Name: Jeff Harlan Home Phone: 816-260-8429
Address: 10006 E 220th ST Alternate Phone: 816-260-3626
City, State, Zip: Peculiar MO 64078 Email Address: jharlan87@gmail.com
Ward: 1) 2) 3) (contact City Hall if you are unsure of your Ward)

Education: (Please mark the highest level completed)

High School (please list the High School you attended) _____
 College (please list College/University and Degree) _____

Current Employment:

Employer: Jack Cooper Transport Position: Dispatcher
Address: 1100 Walnut St, KC MO 64106 Work Phone: _____

Have you previously served on a City Board or Commission? Yes No If Yes, please describe: _____

Are you currently registered to vote in the City of Peculiar? Yes No

Why do you want to serve on this Board/Commission? I want to make this a better Parks + Recreation, to get our kids to stay in Peculiar and play sports. Also I would like to see the Parks improve.

Please describe any business or property interest which might place you in a conflict of interest situation should you be appointed to this Board/Commission. _____

Are you related to any current member of the Board of Alderman? Yes No If Yes, please describe: _____

BOA Member Name: _____ Relationship: _____

Signature: Jeff Harlan Date: 3/15/14

Return Application to:	City of Peculiar C/O City Clerk 250 South Main Street Peculiar, MO 64078
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RESOLUTION 2014-18

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF JEFF HARLAN TO THE PECULIAR PARK BOARD

- WHEREAS,** Chapter 125:010 of the Peculiar Municipal Code establishes a Park Board consisting of seven (7) members; and
- WHEREAS,** Chapter 125:020 of the Peculiar Municipal Code authorizes the Mayor to make appointments to the Park Board with approval by the Board of Alderman; and
- WHEREAS,** the Board of Aldermen have determined the need to appoint a member to the Park Board; and
- WHEREAS,** Jeff Harlan meets the qualifications for appointment to this board as a Resident of Ward 2; and
- WHEREAS,** said appointment carries a completed term ending on September 1, 2017; and
- WHEREAS,** Mayor Ernest Jungmeyer recommends the appointment of Jeff Harlan as a member to the Park Board upon approval of the Board of Aldermen

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

- Section 1 – Appointment: The Board of Aldermen approves the appointment of Jeff Harlan to the Park Board.
- Section 2 - Effective Date: This resolution shall become effective upon approval and passage by the Board of Aldermen.

THIS RESOLUTION WAS ADOPTED BY THE FOLLOWING ROLL CALL VOTE THIS 7th DAY OF APRIL, 2014

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

Approved: _____
Ernest Jungmeyer, Mayor

Attest: _____
Nick Jacobs, City Clerk

REID F. HOLBROOK*
JANET M. SIMPSON**
KURT S. BRACK**
LAWRENCE J. LOGBACK**
TODD A. NORRIS**
MARK A. LYNCH**
JEFFREY A. BULLINS***
TREVIN E. WRAY**
MARK W. STAFFORD**
CAROL R. BONEBRAKE
MEGAN L. LEWIS+
LORI D. DOUGHERTY
BENJAMIN J. SIMON+
PETER R. GLASSER**
IVERY A. GOLDSTEIN

HOLBROOK & OSBORN, P.A.

ATTORNEYS AT LAW

COMMERCE PLAZA II
7400 WEST 110TH STREET, SUITE 600
OVERLAND PARK, KANSAS 66210
(913) 342-2500
FAX (913) 342-0603
HOLBROOKOSBORN.COM

DONALD H. CORSON
(1900-1985)

DONALD H. CORSON, JR.
(1926-2006)

ROBERT L. KENNEDY
(1924-2007)

THOMAS E. OSBORN

ESTABLISHED 1980

* ADMITTED IN KANSAS, MISSOURI AND DISTRICT OF COLUMBIA

** ADMITTED IN KANSAS AND MISSOURI

*** ADMITTED IN KANSAS, MISSOURI AND NEBRASKA

+ ADMITTED IN KANSAS, MISSOURI AND ILLINOIS

MEMORANDUM

TO: Mayor Jungmeyer
Board of Aldermen

FROM: Megan L. Lewis
Reid F. Holbrook
Ryan Nichols

DATE: February 27, 2014

RE: Sullivan Publications Codewatch—First Round Ordinance Revisions

Today we present for your consideration two ordinances. The first is an ordinance revising Peculiar Municipal Code § 110.010 to reflect recent changes to Rev. Stat. Mo. § 79.070. This ordinance changes the age of qualification for an Alderman from 21 to 18 years of age. In addition, the ordinance provides clarification regarding the requirement that an Alderman must be a resident of the Ward from which he is elected.

The second is an ordinance revising Peculiar Municipal Code § 110.060 to reflect changes to Rev. Stat. Mo. § 610.015. This ordinance describes the means by which votes may be taken by the members of the Board of Aldermen. The ordinance allows votes to be taken from Aldermen either physically present at the meeting, or who are participating via videoconferencing.

cc: Brad Ratliff

BILL NO. 2014-06
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI ALTERING THE QUALIFICATIONS OF ALDERMEN AND AMENDING SECTION 110.010 OF THE PECULIAR MUNICIPAL CODE.

WHEREAS the City is authorized, under Rev. Stat. Mo. §§ 79.130 and 79.450 to enact ordinances, rules, and regulations not otherwise inconsistent with Missouri laws and "expedient for maintaining the peace, good government and welfare of the city and its trade and commerce;" and

WHEREAS, the proposed ordinance will harmonize Peculiar Municipal Code § 110.010 with current Missouri Statutes.

NOW THEREFORE BE IT ORDAINED by the Board of Aldermen of the City of Peculiar, Missouri as follows:

SECTION I. Pursuant to the authority granted by and subject to the provisions of Rev. Stat. Mo. §§ 79.130 and 79.450, that Peculiar Municipal Code § 110.010 be amended to read as follows:

“No person shall be an Alderman unless he be at least eighteen (18) years of age, a citizen of the United States, an inhabitant and resident of the City for one (1) year next preceding his election, and a resident (at the time he files and during the time he serves) of the Ward from which he is elected.”

SECTION II: The effective date of this ordinance shall be _____, 2014.

First Reading: March 17th, 2014 **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 Turner _____
Alderman Ray _____	Alderman Stark _____

Approved:	Attest:
 _____	 _____
Ernest Jungmeyer, Mayor	Nick Jacobs, City Clerk

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

Alderman Gallagher _____

Alderman Fines _____

Alderman Ray _____

Alderman Dunsworth _____

Alderman Turner _____

Alderman Stark _____

Approved:

Attest:

Ernest Jungmeyer, Mayor

Nick Jacobs, City Clerk

REID F. HOLBROOK*
JANET M. SIMPSON**
KURT S. BRACK**
LAWRENCE J. LOGBACK**
TODD A. NORRIS**
MARK A. LYNCH**
JEFFREY A. BULLINS***
TREVIN E. WRAY**
MARK W. STAFFORD**
CAROL R. BONEBRAKE
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MEMORANDUM

TO: Mayor Jungmeyer
Board of Aldermen

FROM: Megan L. Lewis
Reid F. Holbrook
Ryan Nichols

DATE: February 27, 2014

RE: Sullivan Publications Codewatch—First Round Ordinance Revisions

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The second is an ordinance revising Peculiar Municipal Code § 110.060 to reflect changes to Rev. Stat. Mo. § 610.015. This ordinance describes the means by which votes may be taken by the members of the Board of Aldermen. The ordinance allows votes to be taken from Aldermen either physically present at the meeting, or who are participating via videoconferencing.

cc: Brad Ratliff

BILL NO. 2014-07
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI ALTERING THE MEANS IN WHICH VOTES MAY BE TAKEN BY THE MEMBERS OF THE BOARD OF ALDERMEN AND AMENDING SECTION 110.060 OF THE PECULIAR MUNICIPAL CODE.

WHEREAS the City is authorized, under Rev. Stat. Mo. §§ 79.130 and 79.450 to enact ordinances, rules, and regulations not otherwise inconsistent with Missouri laws and "expedient for maintaining the peace, good government and welfare of the city and its trade and commerce;" and

WHEREAS, the proposed ordinance will harmonize Peculiar Municipal Code § 110.060 with current Missouri Statutes.

NOW THEREFORE BE IT ORDAINED by the Board of Aldermen of the City of Peculiar, Missouri as follows:

SECTION I. Pursuant to the authority granted by and subject to the provisions of Rev. Stat. Mo. §§ 79.130 and 79.450, that Peculiar Municipal Code § 110.060 be amended to read as follows:

“The style of the ordinance of the City shall be: “Be it ordained by the Board of Aldermen of the City of Peculiar, Missouri, as follows:” No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members elected to the Board of Aldermen shall vote for it, and the “ayes” and “nays” be entered on the journal. All votes taken by roll call in meetings of the Board of Aldermen, shall be cast by members of the Board of Aldermen who are physically present and in attendance at the meeting or who are participating via videoconferencing. Every proposed ordinance shall be introduced to the Board of Aldermen in writing and shall be read by title or in full two (2) times prior to passage, both readings may occur at a single meeting of the Board of Aldermen. If the proposed ordinance is read by title only, copies of the proposed ordinance shall be made available for public inspection prior to the time the bill is under consideration by the Board of Aldermen. No bill shall become an ordinance until it shall have been signed by the Mayor, or person exercising the duties of the Mayor’s office, or shall have been passed over the Mayor’s veto as herein provided.”

SECTION II: The effective date of this ordinance shall be _____, 2014.

First Reading: March 17th, 2014

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 Fines _____
Alderman Ray _____

Alderman Dunsworth _____
Alderman Turner _____
Alderman Stark _____

Approved:

Attest:

Ernest Jungmeyer, Mayor

Nick Jacobs, City Clerk

City Administrator
Brad Ratliff

City Clerk
Nick Jacobs

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: 03/17/14
Re: Approval of the Interlocal Government Agreement with Cass County

GENERAL INFORMATION

Applicant: Staff
Status of Applicant: City Administrator
Requested Actions: Approval of an Interlocal Government Agreement on School Road
Date of Application:
Purpose: To ensure the funding responsibilities for the School Road Project
Property Location (if applicable):

PROPOSAL

It has been a priority of the City to have an agreement in place for the completion of the Phase 3 School Road project. Since the approval from all Cass County voter’s years back in extending the County bonds for Cass County roads, School Road improvements have been promised. There is concern that another election in the present Commission and Alderman could possibly change again the officials and without an agreement in place, the needed School Road improvements would not be accomplished. The agreement before you tonight does not fulfill the campaign promise of a 60% County and 40% City split in funding. However it does calculate better than first request by the Commission which was a 50% to 50% arrangement. The funding presented tonight would represent a 55% County and 45% City arrangement. Staff is still concerned in funding at this level. From the City bonds passed in 2009 for the interchange and road improvements leaves us with only \$800,000 toward the School Road project. The funding required from the City to join in the current agreement with the County would be \$1million. A possible solution by staff is to make up that difference utilizing the \$50,000 per year in the agreed ¼ Cent sales tax that the County sends Peculiar. We could hold this money back each year to get us within \$50,000 of the needed \$1million for the project. Another opportunity is the project being fully funded through the MARC STP/BR grant projects that the County will be submitting on March 21, 2014. This would potentially fully fund the project in the year 2017 and would not require a great amount in funds from the City or the County. Either way the City is in a position due to the need to find a way to fund the improvements.

PREVIOUS ACTIONS

BOA Approved a 50% County 50% City Funded Project on April 1, 2013.
Was passed by County Commission 03/20/2014

KEY ISSUES

- This is a 55% County to 45% City Funded project
- The City is \$200,000 short in available bond capacity to do the project.

- The Funding short fall can be met in setting back the \$50,000 per year from the County ¼ Cent Sales Tax
- The County with the City’s help is submitting the project for full funding through MARC STP/BR Funds for 2017.
- This is the most heavily used road in the City of Peculiar with the most inexperienced drivers using it.

STAFF COMMENTS AND SUGGESTIONS

The City cannot do this project without the County’s help. Even without getting the campaigned promised amounts, the current funding promised in the agreement gets us within the ability to do the project.

STAFF RECOMMENDATION

Staff recommends approval of the contract and that City Staff set a plan through the budget to meet the \$200,000 short fall needed if grant funds are not awarded.

ATTACHMENTS

- Letter from Presiding Commissioner
- Contract

STAFF CONTACT: Brad Ratliff
City Administrator
bratliff@cityofpeculiar.org

Certified Copy of Record

STATE OF MISSOURI,

ss.

County of Cass,

In the County Commission of Cass County, Missouri, at the January Term, 2014, held on the 20th day of March, 2014 amongst others, were the following proceedings:

RESOLUTION NO. 14-19 OF THE CASS COUNTY COMMISSION

**APPROVING AN AGREEMENT FOR PHASE 3 OF SCHOOL ROAD PROJECT
WITH CITY OF PECULIAR, MISSOURI**

***BE IT HEREBY RESOLVED AND ORDERED BY THE COUNTY COMMISSION
OF CASS COUNTY, MISSOURI, THAT,*** the Commission hereby approves the
Agreement with the City of Peculiar for School Road Phase 3 Road Project.

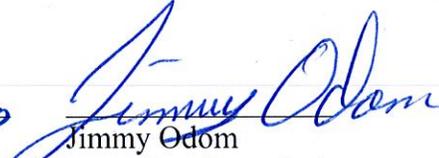
ADOPTED BY THE COUNTY COMMISSION OF CASS COUNTY, MISSOURI,
THIS 20th DAY OF MARCH, 2014.



Jeff Cox
Presiding Commissioner



Luke Scavuzzo
Associate Commissioner
Dist. 1



Jimmy Odom
Associate Commissioner
Dist. 2

ATTEST:





Janet Burlingame, County Clerk
Clerk of the Commission

Re: School Road Phase 3 Project

Pursuant to Section 50.660, RSMo, I certify that there is an unencumbered balance to the credit of the appropriation to which this agreement is to be charged, and an unencumbered cash balance in the treasury to the credit of a fund from which the payment is to be made sufficient to meet the obligation incurred.

Ron Johnson
Ron Johnson
Cass County Auditor
by Chief Deputy auditor. Kim York
Dated: *3/20/14*



Cass County Commission

102 East Wall • Harrisonville, Missouri 64701

LUKE A. SCAVUZZO
ASSOCIATE COMMISSIONER • DISTRICT 1
E-MAIL: lukes@casscounty.com
PHONE: 816/380-8158

JEFF COX
PRESIDING COMMISSIONER
E-MAIL: jeffe@casscounty.com
PHONE: 816/380-8160

JIMMY ODOM
ASSOCIATE COMMISSIONER • DISTRICT 2
E-MAIL: jimmyo@casscounty.com
PHONE: 816/380-8159

JAN CANTRELL
ADMINISTRATIVE ASSISTANT
E-Mail: janc@casscounty.com
Phone: 816/380-8155

MICHELE PHILLIPS
H. R. DIRECTOR
E-Mail: michelep@casscounty.com
Phone: 816/380-8103 Fax: 816/380-8113

March 13, 2014

Peculiar Board of Aldermen
250 South Main Street
Peculiar, Missouri 64078

**Re: Proposed Intergovernmental Cooperative Agreement for Road Improvements
between Cass County and City of Peculiar – South School Road**

Dear Mr. Mayor and Board of Aldermen:

Enclosed is a proposed Intergovernmental Cooperative Agreement for Road Improvements for South School Road between Cass County and the City of Peculiar. This is in regards to the portion of the road that the County refers to as “Phase 3” of the project, which roughly runs from 203rd Street to 211th Street.

Also enclosed is an updated engineer’s cost estimate which now reflects a five foot sidewalk on a portion of the east side of the road, and an updated preliminary engineering map that includes both aerial and profile views of the improvements, which also now includes a sidewalk.

On February 27, the County Commission granted me the authority to submit a draft of this proposal to the City of Peculiar for consideration. After meeting with the Mayor and City Manager, I have made some minor adjustments to the language of the agreement at their request. Upon the City granting first reading approval at your March 17 meeting, my intent would be to place it on the March 20 County Commission meeting agenda for formal approval.

The Proposed Cost Sharing between Cass County and Peculiar:

As you can find in the updated engineer’s estimate attached, the total cost estimates for Phase 3 of the project is \$2,155,220.00. Under the proposed agreement, the estimated cost sharing breakdown for the County and Peculiar would be as follows (note that the term “entire project” here only refers to Phase 3):

COUNTY	
50% of Grading and Surfacing for entire project	\$927,610.00
100% of Engineering and Surveying for entire project	\$80,000.00
100% of Construction Administration and Inspection for entire project	\$180,000.00
100% of Right of Way acquisition located in unincorporated County	\$0.00
100% of Utility Relocations located in unincorporated County	\$0.00
County Total	<u>\$1,187,610.00</u>

PECULIAR	
50% of Grading and Surfacing for entire project	\$927,610.00
100% of Right of Way acquisition located in city limits of Peculiar	\$20,000.00
100% of Utility Relocations located in city limits of Peculiar	<u>\$20,000.00</u>
Peculiar Total	\$967,610.00

As you can see, this roughly breaks down to the County paying for 55% and Peculiar paying for 45% of the improvements. These numbers are of course estimates, and will somewhat fluctuate as the project comes to fruition.

Please note the County is moving forward with Phases 1 and 2 of the project on its own, and that this proposed agreement only relates to Phase 3 of the project. Also worth noting is that this proposal does not include the City foregoing any Road and Bridge Sales Tax distributions, and does not in any way include the City of Raymore. Finally, I should point out that the County and Peculiar are in the process of jointly applying for grant money for the project, which, if obtained would apply equally to both jurisdictions.

I believe that the proposed cooperative agreement between the County and the City for Phase 3 of the School Road Project would be a viable way for us to ensure that we are able to get a much needed project completed for the benefit of the citizens of Cass County and the City of Peculiar.

Respectfully,



Jeff Cox
Presiding Commissioner

**INTERGOVERNMENTAL COOPERATIVE AGREEMENT FOR DESIGN,
ADVERTISEMENT, AWARD AND CONSTRUCTION OF ROAD IMPROVEMENTS
SOUTH SCHOOL ROAD**

NOW ON THIS 20th day of March, 2014, this Intergovernmental Cooperative Agreement for Design, Advertisement, Award and Construction of Road Improvements is made, by and between the City of Peculiar, Missouri, hereinafter referred to as "PECULIAR," and Cass County, Missouri, hereinafter referred to as "COUNTY."

Recitals

WHEREAS, South School Road, located at places in unincorporated Cass County and at other places in Peculiar, serves as a primary connecting route for the Raymore-Peculiar School District; and

WHEREAS, South School Road is in need of improvement; and

WHEREAS, the parties wish to enter into an agreement regarding the financing of the cooperative effort to improve South School Road;

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein, the parties hereby mutually agree as follows:

Agreement

1. Purpose of Agreement. The purpose of this Agreement is to provide for a cooperative effort between PECULIAR and COUNTY for the improvement of South School Road in accordance with the terms and conditions set forth herein.

2. South School Road Improvement Project Description.

The South School Road Improvement Project, hereinafter referred to as "the Project," means the design, advertisement, award and construction of road improvements for South School Road, generally, from 203rd Street to 211th Street. Subject to timing variables related to any

funding contingencies, necessary right-of-way or easement acquisition and utility relocations, the Project is expected to be commenced and/or completed in 2015 or 2016, or, in the event that grant funding is able to be obtained, as late as 2017.

3. **License to use right-of-way.** PECULIAR hereby grants to COUNTY, its representatives, employees, engineers, consultants and contractors a license to use that portion of the public right-of-way within its jurisdiction in order to allow the performance of the Project in accordance with the terms of this Agreement. The term of the license shall run concurrently with the term of this Agreement and shall expire at the time PECULIAR accepts the Project from COUNTY. The grant of a license by PECULIAR to COUNTY shall not constitute a conveyance of any interest in the public right-of-way.

4. **Obligations of COUNTY.** COUNTY agrees to the following:

A. **SPECIFIC IMPROVEMENTS.** COUNTY shall design, advertise, award and construct the Project improvements in accordance with the general design, quantities and materials, which are subject to change as a part of the final design process, as contained in Exhibit A, Engineer's Cost Estimates and Preliminary Design Documents.

B. **SELECTION OF DESIGN CONSULTANTS.** PECULIAR acknowledges that COUNTY has selected Cook, Flatt & Strobel Engineers, P.A., as the Project's design and construction consultant.

C. **PLAN DEVELOPMENT, REVIEW AND APPROVAL.** COUNTY shall provide bidding and construction plans for the Project. All plans shall conform to COUNTY and PECULIAR standards for storm sewer, street and utility design, although both COUNTY and PECULIAR reserve the right to issue variances to these standards as deemed necessary. Once the construction plans are complete, COUNTY shall submit the

plans to PECULIAR for review and comment. Any PECULIAR comments forwarded to COUNTY shall be addressed by the design consultant, and COUNTY shall then resubmit the construction plans to PECULIAR for its final approval.

D. ADDITIONAL RIGHT-OF-WAY. COUNTY shall be responsible for acquiring within its jurisdiction any additional right-of-way and easements needed for any transportation related improvements constructed pursuant to this Agreement.

E. CONSTRUCTION CONTRACT. Upon completion of the construction plans, COUNTY shall solicit bids from construction contractors in accordance with COUNTY's bidding procedures required by Missouri Law. After review of all bids, COUNTY shall award the construction contract to the lowest and best bidder, reserving the right to refuse any and all bids. PECULIAR will be named on construction contractor's general liability policy for the Project.

F. CONSTRUCTION RECORDS. COUNTY agrees to furnish to PECULIAR information consisting of reports and engineering plans and studies concerning the Project constructed pursuant to this Agreement. COUNTY agrees to furnish to PECULIAR for information purposes, within thirty (30) calendar days following completion of the work, one (1) set of reproducible Mylar drawings and one (1) electronic file for all drawings generated by the computer-aided drafting system.

G. PARTICIPATION. COUNTY agrees to seek and encourage full participation and attendance from staff members of PECULIAR in all meetings relating to the construction of the Project, including, but not limited to development of design plans, plan review, right-of-way acquisition, utility relocation and construction of transportation related improvements.

5. **Obligations of PECULIAR.** PECULIAR agrees to the following:
- A. **PLAN REVIEW.** PECULIAR shall have thirty (30) calendar days to review the plans and provide comments to COUNTY.
 - B. **FINAL ACCEPTANCE.** Upon completion of the Project, PECULIAR shall evidence its final acceptance of the Project in writing to COUNTY.
 - C. **MAINTENANCE OF IMPROVEMENTS AND RIGHT-OF-WAY.** Upon PECULIAR'S final acceptance of the Project, PECULIAR shall be responsible for maintenance of all transportation related improvements and of all right-of-way, including any right-of-way acquired specifically pursuant to this project located within the municipal boundaries of PECULIAR.
 - D. **FEES.** Plan review and project coordination fees will not be assessed to COUNTY by PECULIAR. In addition, PECULIAR shall assess no permit fees associated with design or construction, road closure fees, land disturbance fees to COUNTY or any contractor employed by COUNTY pursuant to this Agreement.
 - E. **UTILITY RELOCATION.** PECULIAR agrees to cooperate with COUNTY as necessary to facilitate any utility relocation.
 - F. **RIGHT-OF-WAY.** PECULIAR shall be responsible for acquiring within its jurisdiction any additional right-of-way and easements needed for any roadway improvements constructed pursuant to this Agreement. PECULIAR agrees to cooperate with COUNTY as necessary to facilitate the acquisition of right-of-way and easements.
 - G. **CONSTRUCTION PROCESS.** During the construction process, COUNTY will perform or cause to be performed complete inspection of the construction of the Project. All inspection reports will be provided to PECULIAR. COUNTY agrees that all

work in constructing the Project pursuant to this Agreement shall be open to inspection by PECULIAR.

6. Cost Sharing.

A. COUNTY will:

1. Pay 50% of the costs associated with Grading and Surfacing for the entirety of the Project.
2. Pay 100% of the costs associated with Engineering and Surveying for the entirety of the Project.
3. Pay 100% of the costs associated with Construction Administration and Inspection for the entirety of the Project.
4. Pay 100% of the costs associated with acquiring Right of Way for the portion of the Project located within the unincorporated area of COUNTY.
5. Pay 100% of the costs associated with Utility Relocations of the Project located within the unincorporated area of COUNTY.

B. PECULIAR will:

1. Pay 50% of the costs associated with Grading and Surfacing for the entirety of the Project.
2. Pay 100% of the costs associated with acquiring Right of Way for the portion of the Project located within the municipal boundaries of PECULIAR.
3. Pay 100% of the costs associated with Utility Relocations of the Project located within the municipal boundaries of PECULIAR.

- 7. Governing Law.** This Agreement shall be construed and governed in accordance with the law of the State of Missouri. The parties submit to the jurisdiction of the courts of the State of Missouri and venue shall be proper only in Cass County.

8. **Compliance with Laws.** COUNTY and all its Contractors shall comply with all federal, state and local laws, ordinances and regulations applicable to the Project.
9. **Waiver.** No consent or waiver, express or implied, by any party to this Agreement or of any breach or default by any other party in the performance by such other party of its obligations under this Agreement shall be deemed or construed to be a consent or waiver to or of any other breach or default in the performance by such other party of the same or any other obligations of such party hereunder. Failure on the part of any party to complain of any act or failure to act of any of the other parties or to declare any of the other parties in default, irrespective of how long such failure continues, shall not constitute a waiver by such party of its rights under this Agreement. The parties reserve the right to waive any term, covenant, or condition of this Agreement; provided, however, such waiver shall be in writing and shall be deemed to constitute a waiver only as to the matter waived and the parties reserve the right to exercise any and all of its rights and remedies under this Agreement irrespective of any waiver granted.
10. **Modification.** This Agreement shall not be amended, modified or canceled without the written consent of the parties to this Agreement.
11. **Audit.** PECULIAR shall have the right to audit this Agreement and all books, documents and records relating thereto. COUNTY shall maintain all its books, documents and records relating to this Agreement, and they shall be made available to PECULIAR upon written request.
12. **Prevailing Wage.** COUNTY and all its Contractors shall comply in all respects with the Prevailing Wage Laws of the State of Missouri, Section 290.210 to 290.340, R.S.Mo., 1994, as amended, and any federal prevailing wage laws that apply to the work.

COUNTY agrees that PECULIAR shall not be responsible for assisting COUNTY and its Contractors in providing any required documentation necessary to demonstrate compliance with the Prevailing Wage Laws.

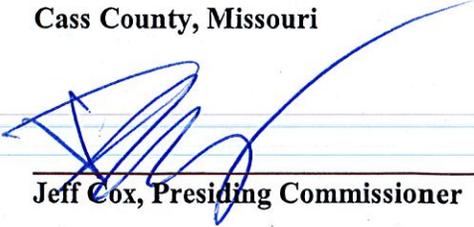
13. **Binding Effect.** This Agreement shall be binding upon the parties hereto and upon their assigns, transferees and successors in interest, provided neither party may assign this Agreement or the rights or obligations hereunder without the express written consent of the other party.
14. **No 3rd Party Rights.** Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either PECULIAR or COUNTY.
15. **Contingency.** This Agreement is contingent upon COUNTY, using reasonable effort, obtaining necessary and adequate financing related to its funding obligations. If COUNTY is not able to obtain such financing related to its funding obligations, then COUNTY can notify PECULIAR that it is terminating this Agreement, in which case all parties shall have no further obligations under this Agreement.
16. **Outside Funding Sources.** Any additional sources of funding obtained from outside sources for the Project, either jointly by COUNTY and PECULIAR, or separately by COUNTY or PECULIAR—such as grant monies from other entities, contributions from private parties or other jurisdictions, etc.—shall be applied to the project equally between COUNTY and PECULIAR. This section shall not apply to any bond funds from COUNTY or PECULIAR used to fund the Project.

IN WITNESS WHEREOF, the parties hereto have duly executed this instrument the day and year first above written.

City of Peculiar, Missouri

Cass County, Missouri

Ernie Jungmeyer, Mayor


Jeff Cox, Presiding Commissioner

Attest:

Attest:

Nick Jacobs, City Clerk


Janet Burlingame, County Clerk



Exhibit A

Engineer's Cost Estimates and Preliminary Design Documents

Cass County Missouri/ City of Peculiar
South School Road Project from 203rd Street to 211th Street
3 Lane Section with Curb and Gutter
Includes 5' sidewalk along East S

ENGINEER'S ESTIMATE

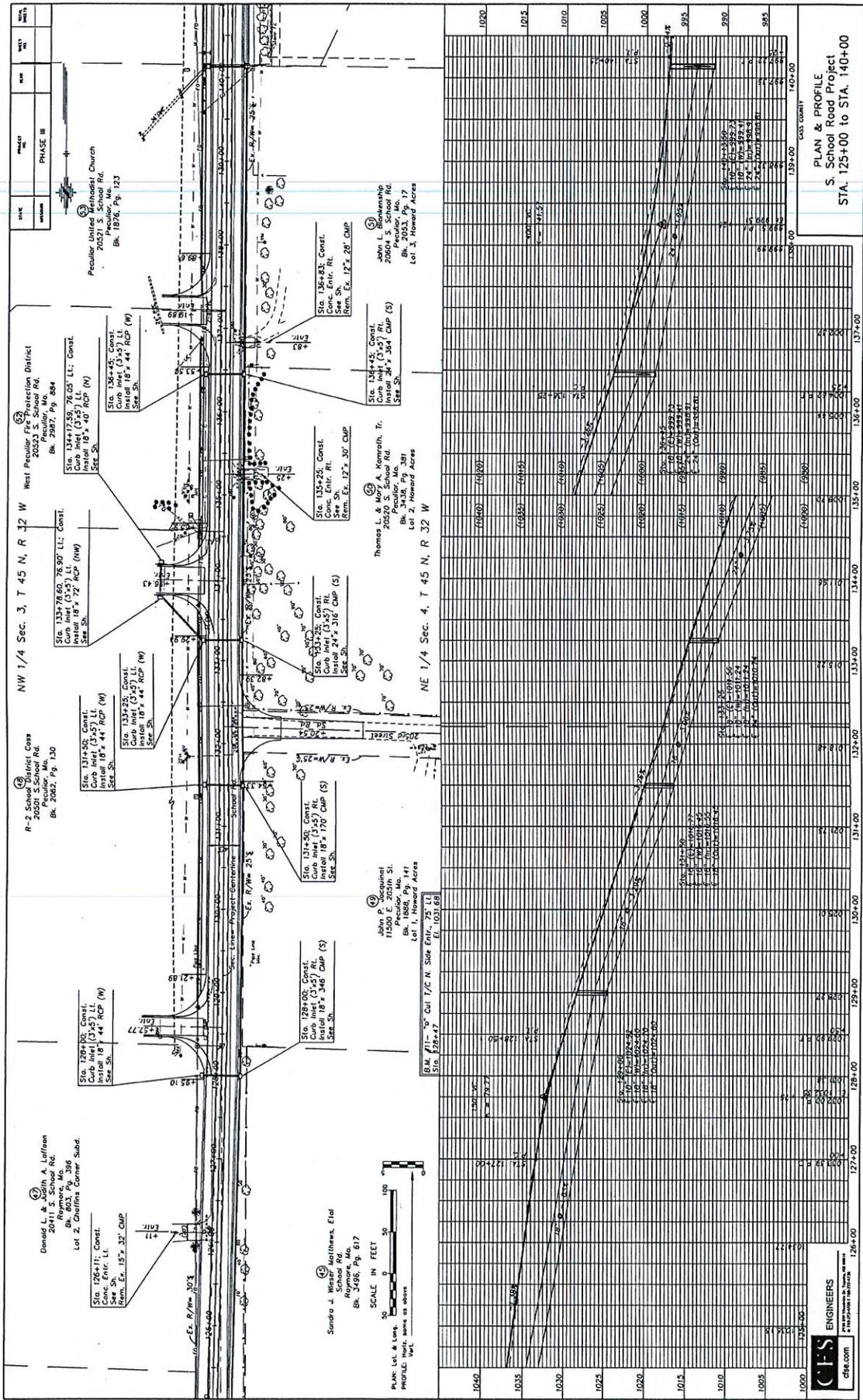
ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL
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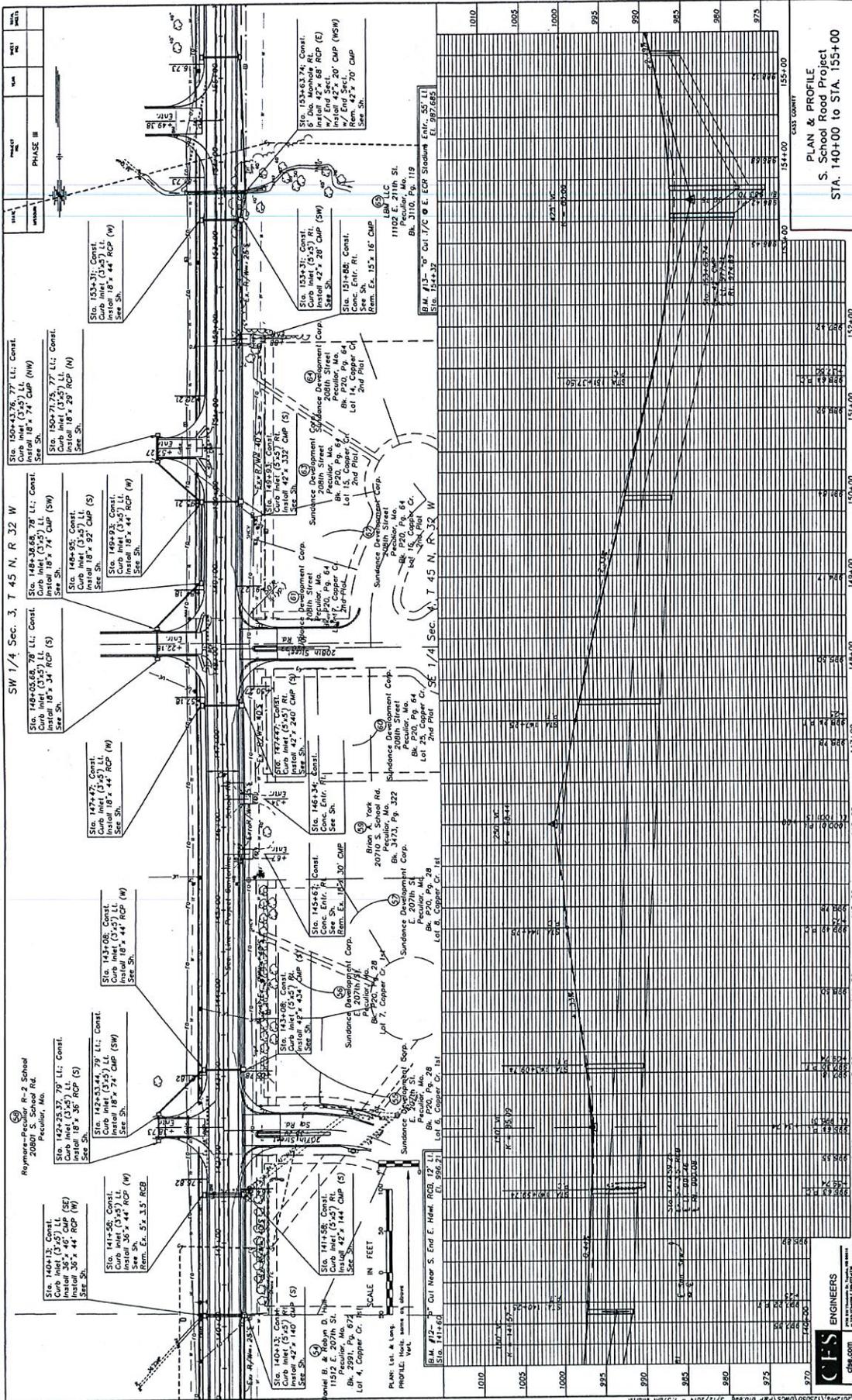
GRADING AND SURFACING

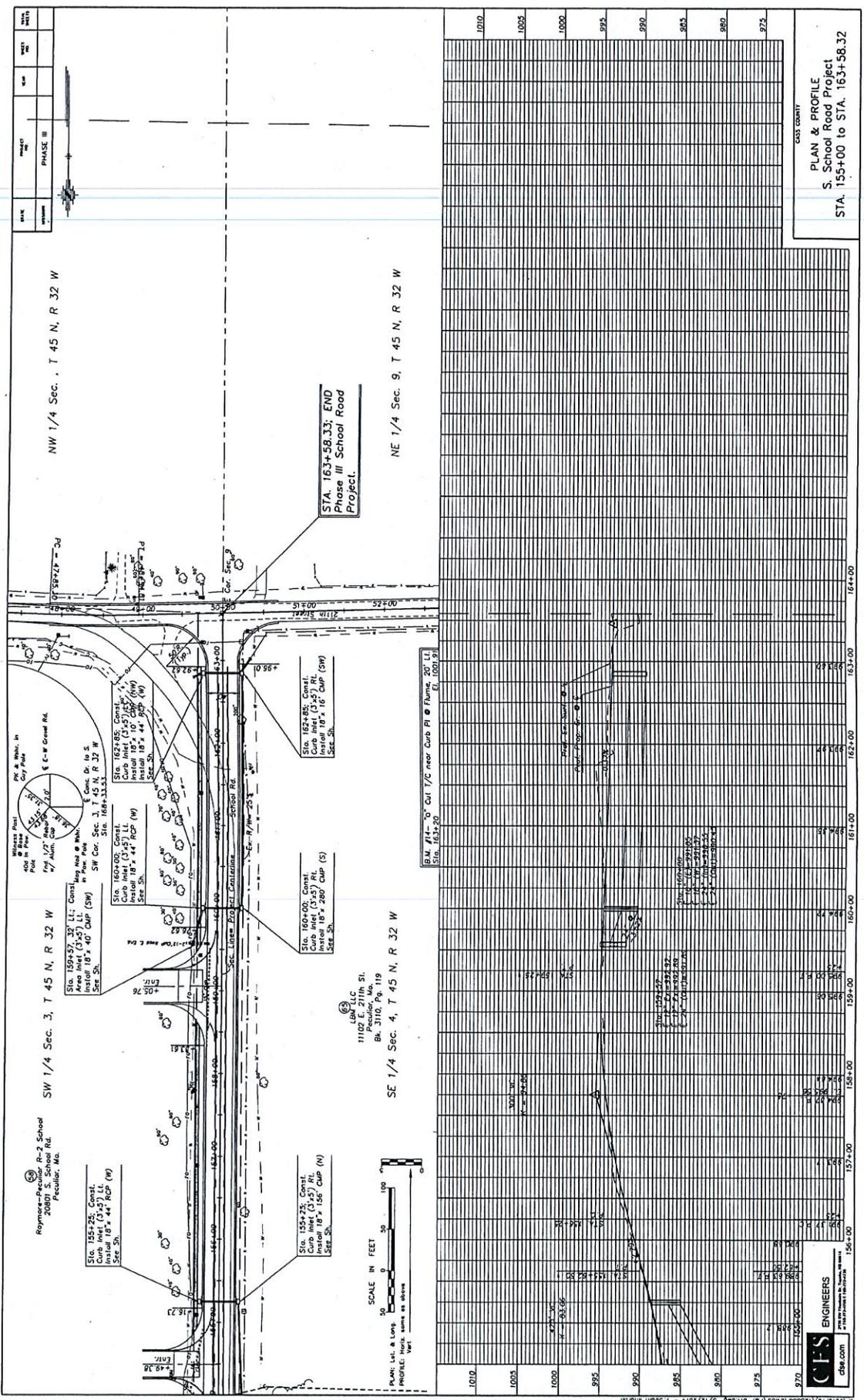
5	Removal of Existing Pavement	1 Lump Sum	\$30,000.00	\$30,000.00
6	Common Excavation	4500 Cu. Yds.	\$8.00	\$36,000.00
7	Rock Excavation	120 Cu. Yds.	\$15.00	\$1,800.00
8	Embankment in Place	1450 Cu. Yds.	\$9.50	\$13,775.00
11	Subgrade Compaction (6 inch depth)	53 Sta.	\$400.00	\$21,200.00
12	Compacting Embankment	4200 Cu. Yds.	\$1.75	\$7,350.00
13	4" Type 1 Aggregate Base	21400 Sq. Yds.	\$6.50	\$139,100.00
14	8.5" Type 1 AC Base	8800 Tons	\$70.00	\$616,000.00
15	1.5" Type 3 AC Surface	1620 Tons	\$70.00	\$113,400.00
16	Curb and Gutter	10500 Lin. Ft.	\$25.00	\$262,500.00
17	Curb Inlets	30 Each	\$2,600.00	\$78,000.00
18	Storm Sewer Pipe	5800 Lin. Ft.	\$45.00	\$261,000.00
19	End Sections	6 Each	\$450.00	\$2,700.00
20	Pavement Markings	15800 Lin. Ft.	\$0.40	\$6,320.00
21	Sidewalk	17350 Sq. Ft.	\$4.50	\$78,075.00
22	Driveway Reconstruction	600 Sq. Yds.	\$60.00	\$36,000.00
23	Erosion Control	1 Lump Sum	\$2,500.00	\$2,500.00
24	Traffic Control	1 Lump Sum	\$25,000.00	\$25,000.00
25	Permanent Signing	1 Lump Sum	\$2,500.00	\$2,500.00
26	Seeding, Mulch etc.	5 Acre	\$400.00	\$2,000.00
27	Contractor Construction Staking	1 Lump Sum	\$25,000.00	\$25,000.00
28	Temporary Surfacing	1 Lump Sum	\$15,000.00	\$15,000.00
29	Mobilization	1 Lump Sum	\$80,000.00	\$80,000.00
TOTAL: (Grading and Surfacing)				\$1,855,220.00

Engineering and Survey Costs	\$80,000.00
Construction Administration and Inspection Costs	\$180,000.00
Right of Way Costs	\$20,000.00
Utility Relocations	\$20,000.00

TOTAL: (Project Costs) **\$2,155,220.00**







DATE	DESCRIPTION

BILL NO. 2014-08

ORDINANCE _____

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING AND ACCEPTING THE INTERLOCAL AGREEMENT WITH CASS COUNTY FOR THE REPAVEMENT OF SCHOOL ROAD FROM E. 203RD STREET TO E. 211TH STREET.

WHEREAS, the Board of Aldermen and the Cass County Commissioners are desirous of repaving School Road, and

WHEREAS, the attached Interlocal Agreement will outline the financial responsibility of each entity in regards to the project, and

WHEREAS, this agreement will be a prime example of two government entities working together for the common good,

NOW THEREFORE, be it ordained by the Board of Aldermen of the City of Peculiar, Missouri as follows:

Section 1. The approval of the Interlocal Agreement showing that Cass County shall be responsible for 55% of the project and the City of Peculiar shall be responsible for 45% of the project.

Section 2. The Mayor is authorized to execute this ordinance acknowledging the Interlocal Agreement.

Section 3. *Effective Date.* The effective date of this Ordinance shall be the ____ day of _____, 2014.

First Reading: March 17th, 2014

Second Reading: _____

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

Alderman Dunsworth _____
Alderman Fines _____
Alderman Gallagher _____

Alderman Ray _____
Alderman Stark _____
Alderman Turner _____

APPROVED:

ATTEST:

Ernest Jungmeyer, Mayor

Nick Jacobs, City Clerk

City Administrator
Brad Ratliff

City Clerk
Nick Jacobs

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: Mayor & Board of Aldermen
From: Carl Brooks, City Engineer (cbrooks@cityofpeculiar.com)
Date: April 3, 2014
Re: Resolution No. 2014-xx, Mayor & Board of Alderman (BOA) Acceptance of the Larkin, Lamp Rynearson & Associates, Inc. (LLR) Abbreviated Agreement for the design and construction phase services for the relocation of the City's existing eight (8)-inch water main along 211th Street from Peculiar Drive to School Road as part of the I-49 & 211th Street Interchange Project and the 211th Street Project (Cass County), Missouri

GENERAL INFORMATION

Applicant: City Staff
Requested Actions: Approval of resolution
Purpose: Acceptance of the (LLR) Abbreviated Agreement for the design and construction phase services for the relocation of the City's existing eight (8)-inch water main along 211th Street from Peculiar Drive to School Road as part of the I-49 & 211th Street Interchange Project and the 211th Street Project (Cass County), Missouri
Property Location: 211th Street and I-49 Interstate Highway

PROPOSAL

The acceptance of the LLR Abbreviated Agreement for the design and construction phase services for the relocation of the City's existing eight (8)-inch water main along 211th Street from Peculiar Drive to School Road as part of the I-49 & 211th Street Interchange Project and the 211th Street Project (Cass County), Missouri to LLR in the amount of \$21,440.00.

Therefore, City staff proposes that the LLR Abbreviated Agreement for the design and construction phase services for the relocation of the City's existing eight (8)-inch water main along 211th Street from Peculiar Drive to School Road as part of the I-49 & 211th Street Interchange Project and the 211th Street Project be accepted by resolution by the Mayor and the BOA.

PREVIOUS ACTIONS

The MoDOT Supplemental Cost Agreement which was approved as an ordinance with the second reading by the Mayor and the Board of Aldermen at their regular meeting on February 25, 2014, allows for the design and construction of the relocation of the city's existing water main.

KEY ISSUES

MoDOT will pay one hundred percent (100%) of the new water main easement, design and construction cost of the relocation of the City's existing eight (8)-inch water main along 211th Street from Peculiar Drive to School Road, which is currently estimated at a construction cost of \$294,580.00

As part of the water main project, LLR will also design the plans and specifications for the potential of a twelve (12)-inch water main along 211th Street, based on an analysis of our updated hydraulic water. The 12-inch water main is currently estimated at a construction cost of \$404,360.00.

If the City's updated water hydraulic model, which is part of an engineering grant that the city received, indicates that the City's future growth and development needs are better served by the installation of the new 12-inch main rather than the 8-inch main, City staff will recommend the installation of the 12-inch water main. The cost difference between the construction of the 8-inch and 12-inch main will be 100% of the City's responsibility, currently estimated at \$109,780.00, and would be paid with the water bonds (\$1.245M) issued December 5, 2013. The 12-inch water main along 211th Street is identified in our 5-year CIP.

Based on how the funds are allocated, MoDOT shall provide the City the entire amount of the engineering and construction cost of the 8-inch water main project. If the 12-inch water main is to be installed, the City shall be responsible (100%) of the difference in the construction costs.

With the construction of the interchange anticipated to begin in March 2015, the new water main is to be installed prior to March 2015.

STAFF COMMENTS AND SUGGESTIONS

City staff, MoDOT local agency staff and LLR staff have meet and discussed the project schedule, funding time line and the LLR Agreement of the relocation of the City's water main project along 211th Street. The LLR Agreement for the relocation of the water main for the I-49 & 211th Street Interchange and 211th Street Projects is attached for your review and consideration.

STAFF RECOMMENDATION

City staff recommends the approval of the LLR Abbreviated Agreement for the design and construction phase services for the relocation of the City's existing eight (8)-inch water main along 211th Street from Peculiar Drive to School Road as part of the I-49 & 211th Street Interchange Project and the 211th Street Project (Cass County), Missouri, and be accepted by resolution by the Mayor and the BOA. City staff also recommends the installation of the 12-inch water main (or larger) in lieu of the 8-inch water main

ATTACHMENTS

Cover letter to MoDOT staff
LLR Abbreviated Agreement
Fee Schedule
Engineer's Rate Schedule
Opinion of Probable Construction Cost
Resolution 2014-xx

_____, 2014

Robert Rhodes, P.E.
District Utilities Engineer
Kansas City District
Missouri Department of Transportation
600 NE Colbern Road
Lee's Summit, MO 64086

REFERENCE: Waterline Relocations for City of Peculiar at I-49 and 211th Interchange
MoDOT Job No. J4P2247 and J4P22478

Dear Mr. Rhodes,

This letter is to advise you that the City of Peculiar does not have the required staff to prepare preliminary and construction engineering plans for the waterline relocations that are associated with the I-49 Interchange project. The City utilizes Larkin Lamp Ryneerson for most of its waterline projects. We are requesting that MoDOT authorize the use of Larkin Lamp Ryneerson for the engineering services necessary to complete the waterline relocations on this project. The following attachments are included as requested:

1. Preliminary Cost Estimate for the relocations
2. Scope of Engineering Services required (on Abbreviated Agreement)
3. 2014 Billing Rate Schedule of Consultant
4. Executed Work Authorization

When Larkin Lamp Ryneerson is approved to perform this work, the Certification of Consultant will be furnished. Please note that the preliminary cost estimate and estimate of engineering services does not include fees for any property or engineering survey, legal description or easement acquisition required for the waterline relocations. To keep engineering costs at a minimum and to ensure that relocation work is in accordance with MoDOT's planned project, we are requesting that an electronic copy of the preliminary plan and profile sheets for the project be sent directly to Larkin Lamp Ryneerson.

If you have any questions, please contact me at 816-823-7203 or Carl Brooks (City of Peculiar) at 816-779-2228.

Sincerely,

LARKIN LAMP RYNEARSON

Chad A. Harrington, P.E.
Enclosures

cc: Carl Brooks, City of Peculiar, with enclosures
Project File with enclosures

**ABBREVIATED AGREEMENT BETWEEN
CLIENT AND LAMP, RYNEARSON & ASSOCIATES, INC.
dba LARKIN LAMP RYNEARSON**

CLIENT: City of Peculiar, MO

JOB NUMBER: _____

PROJECT DESCRIPTION: I-49 Interchange Waterline Relocations

DATE ISSUED: March 28, 2014

LOCATION OF PROJECT: Along 211th St. near Peculiar, Cass County, MO

INITIATED BY: _____ CLIENT

PROJECT TITLE: I-49 Interchange Waterline Relocaton

DETAILED DESCRIPTION OF WORK TO BE PERFORMED: _____ STARTING DATE: EST. 4/30/14 COMPL. DATE: 6/30/14 (Design)
(Attached additional page(s) or detailed Letter Proposal, if this space is too limited.)

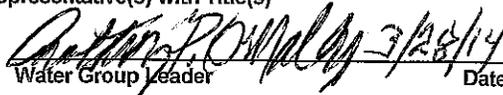
1. Prepare Plan Sheets and Specifications to City standards to relocate the existing waterlines along 211th St from Peculiar Drive east to the east tee of 211th St and School Road as necessary into newly acquired easements and right-of-ways.
2. Engineer shall receive base map and survey from MoDOT and I-49 Project Engineer. This will be base map for design
3. Update City's hydraulic model and perform hydraulic analysis.
4. Prepare necessary Missouri Department of Natural Resources and MoDOT permits.
5. Prepare final Design Plans based upon comments received.
6. Submit Plans, Specifications, Construction Permit Application and hydraulics for approval to City of Peculiar, MoDOT and MoDNR.
7. Upgrade City's WaterCad model and distribution system map files.
8. Chair and attend a pre-bid meeting with City and potential bidders.
9. Engineer to be present during bid opening and to prepare contract award recommendation letter and budget for City approval.
10. Prepare Contract Documents, any necessary Change Orders, and review Pay Estimates.
11. Chair and attend a pre-construction meeting.
12. Review shop drawings submitted by Contractor for compliance with specifications.
13. Chair and attend 50% construction complete meeting.
14. Attend substantial completion project inspection and review close out submittals.
15. Prepare record drawings.

This Agreement is subject to the Billing Information and General Conditions, pages 2 and 3 of 3.

BILLING INSTRUCTIONS:

- % of Construction Contracts
- % of Construction By Phase
- Special _____
- Lump Sum \$ _____
- Cost + _____ % + Expense \$ _____
- Hourly Rates Up to a Max. incl., Expenses \$ 21,440.00
- Cost plus fixed fee \$ _____
- Other \$ _____

SIGNATURES:

Larkin Lamp Ryneason Authorized Representative(s) with Title(s)
 3/28/14
Water Group Leader Date

Client/Client Authorized Representative with Title

Date

DISTRIBUTION:

- CLIENT
- LARKIN LAMP RYNEARSON
- OTHER _____
- OTHER _____



LARKIN
LAMP RYNEARSON
9200 Ward Parkway, Suite 200
Kansas City, Missouri 64114
P | 816.361.0440
www.LRA-inc.com www.larkin-grp.com

BILLING INFORMATION

Standard Time Basis: Fees for professional and/or technical services which are to be performed in connection with any project on Lamp, Ryneerson & Associates, Inc. dba Larkin Lamp Ryneerson (Larkin Lamp Ryneerson) Standard Time Basis will be calculated as follows:

Charges shall be equal to total of (a) "Hourly Rates," (b) "Reimbursable Expenses," and (c) 110% of "Subcontract Expenses." Hourly rates are subject to annual change.

"Reimbursable Expenses" are defined as actual non-labor expenditures incurred on the project including transportation, subsistence and other travel expenses, printing of specifications, reproductions, blue prints, mailing, computer charges and similar items, as approximately defined in Agreement between Owner and Engineer for Professional Services, Engineers Joint Contract Documents Committee No. E-500, hereafter "EJCDC No. E-500."

"Subcontract Expenses" are defined as expenditures for specialized outside services, such as sub-consultants, special studies, professional estimators, aerial surveys, renderings, models, ownership searches, etc.

Estimates of Fees, Based on Hourly Rate: If an estimate of Larkin Lamp Ryneerson's fee is stated in this Proposal, the estimate shall not be considered a firm figure and actual fees and expenses may vary.

Fees Billed as a Lump Sum: Lump Sum billings for professional services will be based upon Larkin Lamp Ryneerson's estimate of the proportion of the total services actually completed at the time of billing.

GENERAL CONDITIONS

Responsibility of Larkin Lamp Ryneerson: Basic services shall be performed in accordance with the terms and conditions outlined in the latest edition of EJCDC No. E-500 and as set forth in the Abbreviated Agreement, which documents are incorporated herein by this reference.

Responsibility of Client: The Client's responsibilities shall be in accordance with terms and conditions outlined in the latest edition of EJCDC No. E-500.

Insurance: During the term of this Agreement, Larkin Lamp Ryneerson agrees to provide a certificate of insurance if requested showing the types and amounts of insurance carried by Larkin Lamp Ryneerson. In addition, Larkin Lamp Ryneerson agrees to attempt to maintain continuous professional liability coverage for the period of design and construction of this project, and for a period of two years following substantial completion, if such coverage is reasonably available at commercially affordable premiums. For the purposes of this Agreement, "reasonably available" and "commercially affordable" shall mean that more than half the design professionals practicing in this state in this discipline are able to obtain such coverage.

Limitation of Liability: In recognition of the relative risks and benefits of the project to both the Client and Larkin Lamp Ryneerson, the risks have been allocated such that the Client agrees, to the fullest extent permitted by law, to limit the liability of Larkin Lamp Ryneerson and its officers, employees, agents, and subconsultants to the Client on the project for any claims, losses, costs, damages or expenses of any nature whatsoever, from any cause or causes, so that the total aggregate liability of all those named shall not exceed \$50,000, or Larkin Lamp Ryneerson's total fee for services rendered on this project, whichever is greater. Such claims and causes include, but are not limited to negligence, professional acts, errors or omissions, strict liability, breach of contract or warranty, not including gross negligence or intentional misconduct. It is agreed that one percent (1%) of Larkin Lamp Ryneerson's fee represents specific consideration for this limitation.

Termination: Either the Client or Larkin Lamp Ryneerson may terminate this Agreement at any time, with or without cause, upon giving the other party seven (7) calendar days prior written notice. The Client shall, within fourteen (14) calendar days of receipt of Larkin Lamp Ryneerson's final invoice, pay Larkin Lamp Ryneerson for all services rendered and all costs incurred up to the date of termination.

Terms of Payment: Unless otherwise provided for in this Agreement, Larkin Lamp Ryneerson will submit monthly invoices for services which have been completed, each of which is due and payable upon receipt of invoice. If any invoice is not paid within thirty (30) days after receipt, late payment charges of 1.0% per month, or the maximum allowed by Statute in the State where the project is located, whichever is lower, will be added. Client agrees that funds are available to compensate Larkin Lamp Ryneerson and are in no way contingent upon the Client obtaining funding. Larkin Lamp Ryneerson may, after giving seven (7) days written notice to Client, suspend services under this Agreement until it has been paid in full all accounts due for services and expenses.

Ownership of Instruments of Service: All documents, including reports, drawings, specifications, and electronic media (disks) furnished by Larkin Lamp Ryneerson pursuant to this Agreement, are instruments of this service in respect of the project and shall be the property of Larkin Lamp Ryneerson who retains all rights therein, including the copyrights. They are not intended or represented to be suitable for reuse by the Client or others on extensions of the project or for any other project. Any reuse without specific written authorization by Larkin Lamp Ryneerson is prohibited and Client shall indemnify and hold harmless Larkin Lamp Ryneerson from all claims, damages, liabilities, and expenses, including attorney's fees, arising out of or resulting therefrom. Any verification or adaptation for reuse will entitle Larkin Lamp Ryneerson to further compensation at rates to be agreed upon by Client and Larkin Lamp Ryneerson.

Opinions of Probable Construction Costs: In providing opinions of probable construction cost, the Client understands that Larkin Lamp Ryneerson has no control over costs or the price of labor, equipment or materials, or over the Contractor's method of pricing, and that the opinions of any probable construction costs provided will be made on the basis of Larkin Lamp Ryneerson's qualifications and experience. Larkin Lamp Ryneerson makes no warranty, expressed or implied, as to the accuracy of such opinions as compared to bid or actual costs, which may vary.

Bidding, Construction, and Operational Phases: It is understood and agreed that Larkin Lamp Ryneerson's Basic Services under this Agreement do not include project observation or review of the Contractor's performance or any other services during the bidding or negotiation phase, construction phase, and operational phase, and that such services will be provided by the Client. The provisions of EJCDC No. E-500 regarding such phases shall not be part of Basic Services unless such services are stated in and agreed to in the Abbreviated Agreement. The Client assumes all responsibility for interpretation of the Contract Documents and for construction observation and supervision and waives any claims against Larkin Lamp Ryneerson that may be in any way connected thereto.

In addition, the Client agrees, to the fullest extent permitted by law, to indemnify and hold Larkin Lamp Ryneerson harmless from any claim, damage, liability or cost, including reasonable attorneys' fees and costs of defense, arising or resulting from the performance of such services by other persons or entities and from any and all claims arising from modifications, clarifications, interpretations, adjustments or changes made to the Contract Documents to reflect changed field or other conditions, including those relating to Larkin Lamp Ryneerson's own alleged negligence.

If the Client requests in writing that Larkin Lamp Ryneerson provide any specific construction phase services and if Larkin Lamp Ryneerson agrees in writing to provide such services, then Larkin Lamp Ryneerson shall be compensated as Additional Services, per Larkin Lamp Ryneerson's and its subconsultants' standard hourly rates.

Jobsite Safety: Neither the professional activities of Larkin Lamp Ryneerson, nor the presence of Larkin Lamp Ryneerson or its employees and subconsultants at a construction site, shall relieve the Contractor and any other entity of their obligations, duties and responsibilities including, but not limited to, construction means, methods, sequence, techniques or procedures necessary for performing, superintending or coordinating all portions of the work of construction in accordance with the contract documents and any health or safety precautions required by any regulatory agencies. Larkin Lamp Ryneerson and its personnel have no authority to exercise any control over any construction contractor or other entity or their employees in connection with their work or any health or safety precautions. The Client agrees that the Contractor is solely responsible for jobsite safety, and warrants that this intent shall be made evident in the Client's agreement with the Contractor. The Client also agrees that the Client, Larkin Lamp Ryneerson and Larkin Lamp Ryneerson's consultants shall be made additional insureds under the Contractor's general liability insurance policy.

Dispute Resolution: In an effort to resolve any conflicts that arise during the design or construction of the project or following the completion of the project, the Client and Larkin Lamp Ryneerson agree that all disputes between them arising out of or relating to this Agreement shall be submitted to mediation unless the parties mutually agree otherwise. The parties agree to split the mediator's fee equally and that all such mediations shall be held in Kansas City, Missouri.

Hazardous Materials: It is acknowledged by both parties that Larkin Lamp Ryneerson's scope of services does not include any services related to asbestos or hazardous or toxic materials. In the event Larkin Lamp Ryneerson or any other party encounters asbestos or hazardous or toxic materials at the jobsite or any adjacent areas that may affect the performance of Larkin Lamp Ryneerson's services, Larkin Lamp Ryneerson may, at his or her option and without liability for consequential or any other damages, suspend performance of services on the project until the Client retains appropriate specialist consultant(s) or contractor(s) to identify, abate and/or remove the asbestos or hazardous or toxic materials, and warrant that the jobsite is in full compliance with applicable laws and regulations.

Miscellaneous: If the Client issues a Purchase Order of which this Abbreviated Agreement becomes a part, the terms of this Agreement will take precedence in the event of a conflict of terms. Larkin Lamp Ryneerson makes no warranty, express or implied, to Client with regard to its services or the results to be obtained from the same.

The EJCDC No. E-500 Agreement shall be furnished by Larkin to Client upon request. In the event of any conflict between the terms of that document and this Agreement, this Agreement shall control.

Governing Law: In the event that any part of this document is held invalid by any court, the remainder of the Agreement shall remain in full force and effect. This document shall be governed by the laws of the State of Missouri.

Amendments: This Agreement and documents incorporated herewith constitute the entire agreement of the parties and supersedes all prior negotiations and representations. The Agreement can only be amended in writing, signed by both parties. There are no third party beneficiaries, intended or otherwise, hereto, except as Client's limitation of liability and indemnity obligations are expressly to benefit others as stated herein.



LARKIN
LAMP RYNEARSON
 9300 Ward Parkway, Suite 200
 Kansas City, MO 64114
 [P] 816.361.0440
 [F] 816.361.0645
 www.lamp-ryneason.com

1-49 and 211th Street Water Main Relocation **Proj. No.:**
 Peculiar, MO **By:** Chad Harrington
 3/21/2014

Classification:	Project	Office	Subtotal of
Associate: O'Malley	Manager Harrington	Technician McMurry	Subtotal of
Hourly Rate: \$213.00	Manager \$117.00	Technician \$81.00	hrs per item
		Office Cunningham	Subtotal of
		Office \$59.00	fee per item

Water Main Relocation Design											
Task	4	8	4	8	4	8	4	8	4	8	
Pre-contract work	4	8								12	\$1,788.00
Kickoff Meeting/Progress Meeting	4	4								8	\$1,320.00
Incorporate Survey/Drawings from MDOT			4							4	\$324.00
Plans	2	12	25							39	\$3,855.00
Specs		8			12					20	\$1,644.00
Hydraulics		4								4	\$468.00
Plan and Spec Review	4									4	\$652.00
Permitting (DNR and MoDOT)		8								8	\$936.00
Plan Review Meeting	4	4								8	\$1,320.00
Revise from City/MDOT comments		4	8							12	\$1,116.00
Pre-Bid Meeting		3								3	\$351.00
Bidding		7	2		5					14	\$1,276.00
Construction Administration		20	2		3				1	26	\$2,778.00
50% Construction Meeting		3								3	\$351.00
Substantial Completion Inspection		3								3	\$351.00
Record Drawing Preparation			3							3	\$243.00
Subtotal of hours per associate	18	88	44	20	1	171					
Subtotal of fee per associate	\$3,834.00	\$10,296.00	\$5,564.00	\$1,180.00	\$99.00						
											\$18,973.00
											\$569.19
											\$1,897.30
											\$21,439.49
Summary											
Total Of Hours Per Associate	18	88	44	20	1	171					
Total Of Fee Per Associate	\$3,834.00	\$10,296.00	\$5,564.00	\$1,180.00	\$99.00						\$18,973.00
											\$569.19
											\$1,897.30
											\$21,439.49

City of Peculiar Missouri
Opinion of Probable Costs
I-49 Interchange Waterline Relocations
March 21, 2014

Item No.	Description	Quantity	Units	Unit Price	Cost
1	8" PVC, Cl. 200	5000	LF	\$20.00	\$100,000.00
2	Tracer Wire	5000	LF	\$0.30	\$1,500.00
3	Connect to Existing 8"	3	LS	\$3,000.00	\$9,000.00
4	Connect to Existing 6"	1	LS	\$2,500.00	\$2,500.00
5	8" Valves	6	LS	\$1,800.00	\$10,800.00
6	Service Reconnection (long)	1	EA	\$1,500.00	\$1,500.00
7	Abandon Existing Waterline	3	EA	\$1,500.00	\$4,500.00
8	8" School Road Crossing - Bore and Case 70'	1	LS	\$15,000.00	\$15,000.00
9	8" 211th St Crossing-110' Bore and Case	1	LS	\$25,000.00	\$25,000.00
10	Service Reconnection	1	LS	\$1,000.00	\$1,000.00
11	10" 300' HDPE Bore or 8" Fusible PVC	1	LS	\$67,500.00	\$67,500.00
12	Bore under existing barn	1	LS	\$8,000.00	\$8,000.00
13	Restoration	1	LS	\$5,000.00	\$5,000.00
14	Mobilization, Bonds and Insurance	1	LS	\$6,000.00	\$6,000.00
15	Fire Hydrants	3	EA	\$3,500.00	\$10,500.00

Construction Subtotal \$267,800.00
Contingency \$26,780.00
Total \$294,580.00

Item No.	Description	Quantity	Units	Unit Price	Cost
1	12" PVC, Cl. 200	5000	LF	\$30.00	\$150,000.00
2	Tracer Wire	5000	LF	\$0.30	\$1,500.00
3	Connect to Existing 8"	3	LS	\$3,000.00	\$9,000.00
4	Connect to Existing 6"	1	LS	\$2,500.00	\$2,500.00
5	12" Valves	6	LS	\$2,100.00	\$12,600.00
6	Service Reconnection (long)	1	EA	\$1,500.00	\$1,500.00
7	Abandon Existing Waterline	3	EA	\$1,500.00	\$4,500.00
8	12" School Road Crossing - Bore and Case 70'	1	LS	\$25,000.00	\$25,000.00
9	12" 211th St Crossing-110' Bore and Case	1	LS	\$35,000.00	\$35,000.00
10	Service Reconnection	1	LS	\$1,000.00	\$1,000.00
11	16" 300' HDPE Bore or 12" Fusible PVC	1	LS	\$90,000.00	\$90,000.00
12	Bore under existing barn	1	LS	\$12,000.00	\$12,000.00
13	Restoration	1	LS	\$5,000.00	\$5,000.00
14	Mobilization, Bonds and Insurance	1	LS	\$7,500.00	\$7,500.00
15	Fire Hydrants	3	EA	\$3,500.00	\$10,500.00

Construction Subtotal \$367,600.00
Contingency \$36,760.00
Total \$404,360.00



LARKIN LAMP RYNEARSON

Billing Rate Schedule

Rates beginning February 1, 2014

Professional Services		Billing Rate Range		
	GROUP LEADER	\$170	to	\$240
	SENIOR PROJECT MANAGER	\$135	to	\$151
	PROJECT MANAGER	\$115	to	\$125
	PROJECT ENGINEER & SENIOR PROJECT ENGINEER	\$80	to	\$125
	PROJECT REPRESENTATIVE	\$70	to	\$89
	PROJECT DESIGNER	\$100	to	\$136
	ENGINEERING TECHNICIAN & SENIOR ENGR TECH	\$60	to	\$104
	ACCOUNTING SUPPORT SERVICES	\$80	to	\$115
	ADMINISTRATIVE SUPPORT SERVICES	\$55	to	\$125
	SUBCONSULTANT SERVICES	Cost + 15%		
Salary adjustments will occur on approximately April 1, 2014.				
Reimbursable Expenses:				
	REPRODUCTION	Cost plus 15%		
	RENTAL AUTO AND FUEL	Direct Cost		
	AUTOMOBILE MILEAGE	\$0.56 /mile		

RESOLUTION 2014-19

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI, APPROVING AND ACCEPTING THE ABBREVIATED AGREEMENT BETWEEN CLIENT AND LAMP, RYNEARSON & ASSOCIATES, INC DBA LARKIN LAMP RYNERSON FOR THE ENGINEERING DESIGN AND CONSTRUCTION PHASE SERVICES OF THE 211TH STREET WATER MAIN PROJECT

WHEREAS, the Board of Aldermen previously approved City staff to apply for the MoDOT Cost Share Program for the 211th Street and 71 Hwy Interchange Project, and

WHEREAS, the MoDOT Cost Share Program application for the 211th Street and 71 Hwy Interchange Project has been approved and awarded by the MoDOT Cost Share Review Committee, and

WHEREAS, the citizens of Peculiar have previously approved \$8.0M in G.O. bonds for improvements of the proposed interchange and local roads, and the \$1.245M in revenue bonds for water main improvements

NOW THEREFORE, be it ordained by the Board of Aldermen of the City of Peculiar, Missouri as follows:

Section 1. The approval of the agreement with the City of Peculiar and Larkin Lamp Ryneerson in the amount of \$21,440.00.

Section 2. The Mayor is authorized to execute this resolution acknowledging the Larkin Lamp Ryneerson Agreement.

Section 3. *Effective Date.* The effective date of this Resolution is the 7th day of April, 2014.

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

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

APPROVED:

ATTEST:

Ernest Jungmeyer, Mayor

Nick Jacobs, City Clerk

City Administrator
Brad Ratliff

City Clerk
Nick Jacobs

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 Aldermen
From: Clifford L. McDonald
Date: April 7, 2014
Re: Introduction of Ordinance of Annexation for Involuntary Annexation of Four (4) Tracts of Property Adjacent to Existing City of Peculiar City Limits

GENERAL INFORMATION

Applicant: BOA

Status of Applicant: N/A

Requested Actions: Review of Ordinance of Annexation

Date of Application: March 17, 2014

Purpose: To Annex Adjacent and “Isand” Properties which have City Services and Utilities Readily Available Into the City Limits of the City of Peculiar In Accordance With the City’s 3, 8 and 13 Year Annexation Plan.

Property Location (if applicable): Four (4) Tracts of Land Proposed for Annexation

PROPOSAL

Review by the BOA of the Ordinance which shall approve the Annexation of Four (4) Tracts of Land adjacent to the City of Peculiar’s City Limits subject to approval by Peculiar’s Citizens on the August 5th, 2014 Election and the subsequent rendering of a Declaratory Judgement by the Circuit Court of Cass County approving the Annexation.

PREVIOUS ACTIONS

NONE

KEY ISSUES

It is the belief of City Staff that one of the keys to Peculiar’s growth will be land use decisions that are designed to not only make the City an attractive place to live, but also to engage in business. It is important that the City be able to control growth in an orderly and desirable manner both for the impact upon the City’s infrastructure and our residents.

Effectively the only method the City can employ to control growth is to bring lands, not currently in the City, within Peculiar’s City Limits and therefore subject such lands to the City’s zoning and land use regulations as established by ordinance. To accomplish this, City staff is requesting the Board of Aldermen to review the Ordinance of Annexation designed to annex four (4) key tracts of property In-accordance-with the City’s 3, 8 & 13 Year Annexation Plan. The

Board of Aldermen are being presented the Resolution stating the City of Peculiar's Intent to Annex and the Resolution calling for and Election to approve the Annexation for your review and consideration.

STAFF COMMENTS AND SUGGESTIONS

City Staff is working closely with our City Attorney to ensure all required steps will be addressed and completed on-time.

STAFF RECOMMENDATION

Board of Aldermen review the Proposed Ordinance of Annexation as presented, which will be presented for consideration and approval (First Reading) on April 21st, 2014.

ATTACHMENTS

(1) Ordinance of Annexation

STAFF CONTACT: Clifford McDonald
Phone: 779-2226
E-mail: cmcdonald@cityofpeculiar.com

BILL NO. 2014-09
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI PROVIDING FOR THE EXTENSION OF THE CITY LIMITS OF THE CITY OF PECULIAR, MISSOURI BY EMBRACING AND INCLUDING UNINCORPORATED REAL PROPERTY LOCATED IN SECTIONS 9, 16, 17, 25, AND 26 OF TOWNSHIP 45 NORTH, RANGE 32 WEST IN CASS COUNTY, MISSOURI AND HEREINAFTER PARTICULARLY DESCRIBED.

WHEREAS, on the 17th day of March, 2014, the City of Peculiar, Missouri declared by resolution of the Board of Aldermen its intent to annex the following unincorporated areas into the City of Peculiar, Missouri:

Tract 1 - 21604 S. School Road, legally described on Exhibit A to this Ordinance.

Tract 2 - 9707 E. State Route YY, Legally described on Exhibit B to this Ordinance.

Tract 3 - E. 227th Street, Commonly referred to as Harper Farm, legally described on Exhibit C to this Ordinance. This tract encompasses the properties on the deeds attached hereto as exhibit D.

Tract 4 - 24110 S. Peculiar Drive & adjacent properties, legally described on Exhibit E to this Ordinance. This tract encompasses the properties on the deeds attached hereto as exhibit F.

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

SECTION I. That the corporate limits of the City of Peculiar, in the County of Cass, State of Missouri, be extended so as to embrace and include all that part of said County of Cass lying within the following boundary lines, to-wit:

Tract 1

LOTS 7 AND 8, FLYNN'S SUBDIVISION, A SUBDIVISION IN CASS COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 2, PAGE 72, EXCEPT THAT PART IN U.S. HIGHWAY 71 AND THAT PART WEST OF SAID HIGHWAY.

Tract 2

ALL THAT PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 45, RANGE 32 IN CASS COUNTY, MISSOURI DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID QUARTER QUARTER SECTION; THENCE DUE EAST ALONG THE NORTH LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 249.45 FEET; THENCE SOUTH 2 DEGREES 09 MINUTES 05 SECONDS EAST, A DISTANCE OF 470.18 FEET; THENCE DUE WEST, A DISTANCE OF 255.00 FEET TO A POINT ON THE WEST LINE OF SAID QUARTER QUARTER SECTION; THENCE NORTH 1 DEGREES 38 MINUTES 30 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 470.00 FEET TO THE POINT OF BEGINNING EXCEPT THAT PART ON THE NORTH TAKEN FOR MISSOURI STATE ROUTE YY RIGHT OF WAY.

Tract 3

ALL OF SECTION 16, TOWNSHIP 45, RANGE 32 IN CASS COUNTY, MISSOURI DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 16; THENCE N87°21'29"W ALONG THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 884.29 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING N87°21'29"W ALONG SAID SOUTH LINE ALSO BEING THE CENTERLINE OF 227th STREET, A DISTANCE OF 1824.35 FEET TO THE SOUTHWEST CORNER OF SECTION 16; THENCE N02°20'23"E ALONG THE WEST LINE OF SECTION 16, ALSO BEING THE CENTERLINE OF SOUTH HARPER ROAD, A DISTANCE OF 1087.45 FEET TO THE SOUTHWEST CORNER OF PARCEL DESCRIBED IN BOOK 2927 AT PAGE 791; THENCE S86°58'22"E, A DISTANCE OF 208.71 FEET; THENCE N02°20'23"E, A DISTANCE OF 208.71 FEET; THENCE N86°58'22"W, A DISTANCE OF 208.71 FEET TO A POINT ON THE WEST LINE OF SECTION 16; THENCE N02°20'23"E, ALONG SAID WEST LINE, A DISTANCE OF 28.21 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER, OF THE SOUTHWEST QUARTER OF SECTION 16; THENCE S87°23'46"E ALONG THE NORTH LINE OF SAID QUARTER, QUARTER, A DISTANCE OF 1353.08 FEET TO NORTHEAST CORNER OF SAID QUARTER, QUARTER SECTION 16; THENCE N02°17'11"E, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16 AND THE NORTHERLY PROLONGATION THEREOF, A DISTANCE OF 1376.32 FEET TO A POINT ON THE SOUTH LINE OF PARCEL DESCRIBED IN BOOK 1197 AT PAGE 213; THENCE S87°26'04"E, ALONG SAID SOUTH LINE AND THE EASTERLY PROLONGATION THEREOF, A DISTANCE OF 2028.33 FEET TO THE SOUTHEAST CORNER OF PARCEL DESCRIBED IN BOOK 1927 AT PAGE 104; THENCE S02°09'42"W ALONG THE EAST LINE OF THE WEST ONE-HALF OF THE WEST ONE-HALF OF THE SOUTH EAST QUARTER OF SAID SECTION 16, A DISTANCE OF 1877.36 FEET TO THE NORTHEAST CORNER OF PARCEL DESCRIBED IN BOOK 3323 AT PAGE 341; THENCE N87°50'18"W, FOLLOWING ALONG SAID DEED, A DISTANCE OF 427.27 FEET; THENCE S56°55'26"W, A DISTANCE OF 125.00 FEET; THENCE S58°05'19"W, A DISTANCE OF 50.01 FEET; THENCE S49°23'48"W, A DISTANCE OF 137.96 FEET; THENCE N40°36'12"W, A DISTANCE OF 117.91 FEET; THENCE N89°14'47"W, A DISTANCE OF 108.42 FEET; THENCE S71°56'15"W, A DISTANCE OF 123.39 FEET; THENCE S12°54'53"E, A DISTANCE OF 82.97 FEET; THENCE S0758'12"E, A DISTANCE OF 80.95 FEET; THENCE S03°08'35"W, A DISTANCE OF 79.08 FEET; THENCE S01°21'53"W, A DISTANCE OF 77.02 FEET TO A POINT ON THE NORTH LINE OF HARPER FARM ADDITION; THENCE N87°21'29"WEST, ALONG SAID NORTH LINE, A DISTANCE OF 311.35 FEET TO THE NORTHWEST CORNER OF SAID ADDITION; THENCE S02°13'59"W, ALONG THE WEST LINE OF SAID ADDITION, A DISTANCE OF 49.03 FEET TO THE NORTHEAST CORNER OF PARCEL DESCRIBED IN BOOK 3215 AT PAGE 885; THENCE N87°21'29"W, ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 302.08 FEET TO THE TRUE POINT OF

BEGINNING. THIS TRACT CONTAINS 145 ACRES, MORE OR LESS. EXCEPT FOR THOSE AREAS USED FOR ROAD RIGHT OF WAYS AS NOW ESTABLISHED.

Tract 4

ALL OF TRACT 1, 2, 3, & 4, IN C. PHILLIPS PARK, A SUBDIVISION OF LAND IN CASS COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF, FILED IN PLAT BOOK 6, PAGE 49, AND ALL THAT PART OF THE ABANDONED RAIL ROAD RIGHT OF WAY AS DESCRIBED IN DEED BOOK 1313, PAGE 233 ON JULY 30, 1993 LYING NORTH EASTERLY OF AND ADJACENT TO C. PHILLIPS PARK SUBDIVISION AND ALL OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 45, RANGE 32, CASS COUNTY, MISSOURI, AND ALL THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, AND PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 25, ALL BEING IN TOWNSHIP 45, RANGE 32, CASS COUNTY, MISSOURI DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER SAID SECTION 26; THENCE NORTH 01 DEGREES 01 MINUTES 04 SECONDS WEST, ALONG THE EAST LINE OF SECTION 26, A DISTANCE OF 1330.95 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER SAID SECTION 26, ALSO BEING THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE SOUTH 89 DEGREES 34 MINUTES 45 SECONDS WEST, ALONG THE SOUTH LINE OF SAID QUARTER, QUARTER, A DISTANCE OF 1093.86 FEET; THENCE NORTH 11 DEGREES 36 MINUTES 17 SECONDS WEST, A DISTANCE OF 637.14 FEET; THENCE NORTH 89 DEGREES 34 MINUTES 45 SECONDS EAST, ALONG A LINE 625.04 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF NORTHEAST QUARTER OF THE SOUTHEAST QUARTER SECTION 26, A DISTANCE OF 362.07 FEET; THENCE NORTH 01 DEGREES 01 MINUTE 04 SECONDS WEST, A DISTANCE OF 655.12 FEET; THENCE NORTH 89 DEGREES 34 MINUTES 45 SECONDS EAST, ALONG A LINE 1280.12 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, A DISTANCE OF 634.70 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF PECULIAR DRIVE AS NOW LOCATED; THENCE SOUTH 27 DEGREES 23 MINUTES 12 SECONDS EAST ALONG SAID RIGHT OF WAY LINE, 735.00 FEET; THENCE SOUTH 89 DEGREES 34 MINUTES 45 SECONDS WEST, A DISTANCE OF 112.32 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 26; THENCE SOUTH 01 DEGREES 01 MINUTES 04 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 625.07 FEET TO THE TRUE POINT OF BEGINNING. CONTAINING 96 ACRES, MORE OR LESS.

SECTION II. The perimeter of the Four (4) areas proposed to be annexed is 26,423 feet, and the length of the contiguous boundary common to the existing corporate limits of the City of Peculiar, Missouri and the Four (4) proposed areas to be annexed is 15,835.5 feet, which is equal to at least Fifty Nine (59) percent of the length of the total perimeter of the area proposed for annexation; and

The perimeter of Tract 1 proposed to be annexed is 3,165 feet, and the length of the contiguous boundary common to the existing corporate limits of the City of Peculiar, Missouri and the Tract 1 proposed to be annexed is 3,165 feet, which is equal to at least One Hundred (100) percent of the length of the total perimeter of the area proposed for annexation; and

The perimeter of Tract 2 proposed to be annexed is 1432 feet, and the length of the contiguous boundary common to the existing corporate limits of the City of Peculiar, Missouri and the Tract 2 proposed to be annexed is 961 feet, which is equal to at least Sixty Seven (67) percent of the length of the total perimeter of the area proposed for annexation; and

The perimeter of Tract 3 proposed to be annexed is 12,635 feet, and the length of the contiguous boundary common to the existing corporate limits of the City of Peculiar, Missouri and the Tract 3 proposed to be annexed is 8,728.50 feet, which is equal to at least Sixty Nine (69) percent of the length of the total perimeter of the area proposed for annexation; and

The perimeter of Tract 4 proposed to be annexed is 9,191 feet, and the length of the contiguous boundary common to the existing corporate limits of the City of Peculiar, Missouri and the Tract 4 proposed to be annexed is 2,981 feet, which is equal to at least Thirty Two (32) percent of the length of the total perimeter of the area proposed for annexation; and

SECTION III. The Board of Aldermen has determined, and hereby determines, that the proposed annexation is reasonable and necessary to the proper development of the City of Peculiar.

SECTION IV. The City of Peculiar, Missouri has developed a *Plan of Intent* to provide services to the proposed area on the same basis upon which services presently are provided to the residents of the City of Peculiar.

SECTION V: A public hearing shall be held concerning this matter and this public hearing shall be on the 5th day of May, 2014 at 6:30 p.m. in the City Hall (250 S. Main Street) of Peculiar, Missouri.

SECTION VI: Provided, however, that the annexation of the above-described real estate is subject to the City of Peculiar, Missouri obtaining a favorable judgment from the Cass County Circuit Court authorizing the annexation of the area.

SECTION VII: Further provided, however, that the annexation of the above-described real estate is subject to the approval of the voters of the area subject to annexation and/or the approval of the voters of the City of Peculiar.

SECTION VIII: The annexation of the above described real estate shall be effective immediately following the election approving such annexation as authorized by Rev. Stat. Mo. § 71.015.

SECTION IX: This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor, except as provided in Section VIII.

First Reading: _____

Second Reading: _____

Third Reading: _____

BE IT REMEMBERED THE PRECEDING ORDINANCE WAS ADOPTED ON ITS THIRD READING THIS 19TH DAY OF MAY, 2014, BY THE FOLLOWING VOTE:

Alderman Dunsworth _____

Alderman Ray _____

Alderman Fines _____

Alderman Stark _____

Alderman Gallagher _____

Alderman Turner _____

Approved:

Attest:

Ernest Jungmeyer, Mayor

Nick Jacobs, City Clerk

City Administrator
Brad Ratliff

City Clerk
Nick Jacobs

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 Aldermen
From: Clifford L. McDonald
Date: April 7, 2014
Re: Involuntary Annexation of Four (4) Tracts of Property Adjacent to Existing City of Peculiar City Limits

GENERAL INFORMATION

Applicant: BOA

Status of Applicant: N/A

Requested Actions: Informational Review of the City's Upcoming Annexation Process for the Involuntary Annexation of Four (4) Tracts of Property

Date of Application: March 17, 2014

Purpose: To present an Updated Annexation Process Timeline for your information.

Property Location (if applicable): Four (4) Tracts of Land Proposed for Involuntary Annexation

PROPOSAL

Presentation of the Annexation Process Timeline to the BOA for your general information.

PREVIOUS ACTIONS

The Board of Aldermen passed two Resolutions on March 17th, 2014: (1) with Respect to the Proposed Annexation of Certain Unincorporated Areas into the City, and (2) a Resolution Calling for an Election on the Annexation of Certain Unincorporated Areas into the City.

KEY ISSUES

The Board of Aldermen approved the Resolution stating the City of Peculiar's Intent to Annex and the Resolution calling for and Election to approve the Annexation on March 17th, 2014. The City of Peculiar will have a number of actions to complete and deadlines it must meet to prepare for the election August 5th, 2014 and ensure the annexation process required by Missouri State Statute is followed. The sequence of events for this annexation process is outlined on the attached Annexation Timeline dated March 28th, 2014 for the Intent to Annex these Four (4) Tracts of property.

STAFF COMMENTS AND SUGGESTIONS

City Staff is working closely with our City Attorney to ensure all required steps are addressed and completed on-time.

STAFF RECOMMENDATION

Board of Aldermen review the Annexation Timeline dated March 28th, 2014 for your information.

ATTACHMENTS

(1) Annexation Timeline dated March 28th, 2014

STAFF CONTACT:

Clifford McDonald

Phone: 779-2226

E-mail: cmcdonald@cityofpeculiar.com

**Annexation Timeline
For August and November Elections
March 28, 2014**

1. **March 3, 2014:** Introduction and presentation of Resolutions stating the City's intent to annex and calling for an annexation election at Work Session Meeting. *(Required: verify 15% contiguous border)* **COMPLETE**
2. **March 17, 2014:** Presentation of Resolutions stating the City's intent to annex and calling for an annexation election; BOA approved. **COMPLETE**
3. **March 28, 2014:** City Staff sends certified mail to property owners – Public Hearing Notice for May 5, 2014 BOA meeting. *(Required: certified mail notice to all property owners of Public Hearing - minimum 30 days, maximum 60 days before Public Hearing date)* **COMPLETE**
4. **April 7, 2014:** Introduction of Involuntary Annexation Ordinance at BOA Work Session Meeting.
5. **Weeks of April 10; April 17; April 24 and May 1, 2014:** Public Hearing Notice published regarding the Public Hearing on the proposed annexation to be held **May 5, 2014.** *(Required: Published 3 consecutive weeks before Public Hearing)*
6. **April 18th, 2014:** Post Public Hearing Notice Signs on Property to be annexed and at City Hall. *(Required: Signs posted 15 days before Public Hearing IAW City Ord.)*
7. **April 21, 2014:** First reading of Involuntary Annexation Ordinance and Introduction of City's Plan of Intent.
8. **May 5th, 2014:** Public Hearing on the proposed Annexation and *presentation of the City's Plan of Intent.* Second reading of Involuntary Annexation Ordinance.
9. **May 19th, 2014:** Third reading of Involuntary Annexation Ordinance and potential passage of the annexation ordinance. *(Required: Final adoption of approving Ordinance AFTER Pubic Hearing)*
10. **May 27, 2014:** Ballot submission and certification of deadline for August Election. **(DEADLINE)**
11. **August 5, 2014:** Elections.
12. **August 26, 2014:** Ballot submission and certification of deadline for November Election (if necessary). **(DEADLINE)**
13. **November 4, 2014:** Elections.

City Administrator
Brad Ratliff

City Clerk
Nick Jacobs

City Engineer
Carl Brooks

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Phone: (816)779-5212 Facsimile: (816)779-1004

To: Board of Aldermen
From: Nick Jacobs, City Clerk,
Date: April 7, 2014
Re: Motor Fuel Tax Bill

GENERAL INFORMATION

Applicant: Staff

Status of Applicant: N/A

Requested Actions: Review and consider proposed Bill for 1st reading at the April 21st BOA Meeting if the proposition is passed by the voters on April 8th, 2014.

Date of Application: April 7, 2014

Purpose: To present Bill for your information.

Property Location (if applicable): N/A

PROPOSAL

Informational Presentation to the BOA for your general information.

PREVIOUS ACTIONS

None.

KEY ISSUES

This bill will set the parameters for assessing and collecting the \$.01 Motor Fuel Tax. This is almost a carbon copy of the bill which was passed by Matthews Mo, the only City in the state to pass a Motor Fuel tax. This Bill will only be brought back to the Board if the proposition is approved by the voters on April 8th.

STAFF COMMENTS AND SUGGESTIONS

None at this time.

STAFF RECOMMENDATION

Board of Aldermen consider the information/discussion presented this evening.

ATTACHMENTS

Bill 2014-10

BILL NO. 2014-10
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI ESTABLISHING SECTION 135.090 OF PECULIAR MUNICIPAL CODE TITLED “MOTOR VEHICLE FUEL TAX.”

WHEREAS, section 94.270 of the Rev. Stat. Mo., as amended, authorizes the imposition of a license tax on gasoline filling stations; and

WHEREAS, Article IV, section 30(a) of the Missouri Constitution provides that a city may impose a tax measured by or with respect to the importation, receipt, manufacture, storage, transportation, sale or use, of fuel used for propelling motor vehicles if said tax is approved by a vote of the people of the city by a two-thirds majority; and

WHEREAS, the Board of Aldermen of the City submitted for consideration of the voters of the City the question of imposing a motor fuel tax in the amount not to exceed one cent (\$.01) per gallon based on the gallons of motor vehicle fuel sold, said tax to be paid by gasoline filling stations selling diesel fuel, gasoline, and/or blended fuels; and

WHEREAS, on April 8, 2014, the people of the City voted and approved the imposition of a motor fuel tax in an amount not to exceed one cent (\$.01) per gallon based on the gallons of motor vehicle fuel sold, said tax to be paid by gasoline filling stations selling diesel fuel, gasoline, and/or blended fuels by more than the requisite two-thirds majority.

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

SECTION I. Definitions and rules of construction.

Terms used in this article shall have the meanings ascribed to them in this section and shall be construed as indicated in this section:

Gasoline filling station means any retail establishment where motor vehicle fuel is sold.

Motor vehicle fuel means diesel, gasoline and/or blended fuels.

SECTION II. Levy of tax.

Starting the 1st of June 2014, there is hereby levied a motor fuel tax on gasoline filling stations in an amount equal to one cent (\$.01) per gallon for every gallon of motor vehicle fuel sold. This tax shall be in addition to all other taxes which are applicable to gasoline filling stations, but shall not apply to motor vehicle fuel sold to individuals or entities showing proof of their exemption from Missouri or federal fuel taxes.

SECTION III. Establishment of the street improvement fund.

There is hereby established a street improvement fund. All taxes collected pursuant to this article shall be deposited to the credit of this fund.

SECTION IV. Use of fund.

The street improvement fund shall be used exclusively for construction, reconstruction, maintenance, repair, policing, signing, lighting, and cleaning roads and streets of the city; 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.

SECTION V. License; payment of tax.

No person shall operate a gasoline filling station without a current license obtained pursuant to the terms of this article. Application for such license shall be made to the City Clerk on forms prescribed by him/her. License issued under this article shall be on a calendar year basis. Applications for license renewals shall be filed in December of each year. The tax due under this article shall be paid to the City Clerk monthly and shall be payable on or before the twentieth day of each month for the tax due for the preceding month.

SECTION VI. Reports required.

Every person engaged in the business of operating a gasoline filling station shall file with the City Clerk forms prescribed by him/her, giving such information as may be necessary to determine the amounts to which the tax shall apply for the monthly period, to be submitted with monthly payments.

SECTION VII. Examination of books, records.

The City Clerk or his/her authorized representative shall have the right at all reasonable times during business hours to make such examination and inspection of the books and records of the licensee as may be necessary to determine the correctness of the reports required by this article.

SECTION VIII. Penalties for nonpayment.

For each month, or part thereof, any tax provided for under this article remains unpaid after the same shall be due and payable, there shall be added to such tax as a penalty, ten (10) percent of the amount of such tax for the first month or part thereof the same is unpaid, and for each and every month thereafter two (2) percent of the amount of such tax shall be added until the same is fully paid. In no case shall the total penalty exceed thirty (30) percent of the tax. In addition to the penalties provided herein, any person subject to the provisions of this article who fails to obtain a license, file a statement or pay the tax or files a false or a fraudulent statement, required by this article

or within the time required by this article shall, upon conviction thereof, shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment not exceeding three (3) months, or by both such fine and imprisonment.

SECTION IX: The effective date of this ordinance shall be _____.

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

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 Aldermen
From: Nick Jacobs, City Clerk, Harry Gurin, Chief of Police
Date: April 7, 2014
Re: Ordinance amending and adding new enforceable police codes.

GENERAL INFORMATION

Applicant: Staff

Status of Applicant: N/A

Requested Actions: Review and consider proposed Bill for 1st reading at the April 21st BOA Meeting.

Date of Application: April 7, 2014

Purpose: To present Bill for your information.

Property Location (if applicable): N/A

PROPOSAL

Informational Presentation to the BOA for your general information.

PREVIOUS ACTIONS

None.

KEY ISSUES

Several officers of the Police department have requested there be new Codes to issue citations which they see while patrolling the City and for the safety of the officers. Upon receiving the list, staff researched the State Statutes to find which one would give authority to impose such codes. This bill will address Resisting Arrest, Obstructing Government Operations, Move Over for Stopped Emergency Vehicles, Failure to Produce Driver License upon Demand, Lights on when Wipers are Required.

STAFF COMMENTS AND SUGGESTIONS

None at this time.

STAFF RECOMMENDATION

Board of Aldermen consider the information/discussion presented this evening.

ATTACHMENTS

Bill 2014-11

BILL NO. 2014-11
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AMENDING SECTIONS 210, 310, 380, AND 385 OF PECULIAR MUNICIPAL CODE.

WHEREAS the City is authorized, under Rev. Stat. Mo. §§ 79.130 and 79.450 to enact ordinances, rules, and regulations not otherwise inconsistent with Missouri laws and "expedient for maintaining the peace, good government and welfare of the city and its trade and commerce;" and;

WHEREAS, this proposed ordinance will maintain the good government of the City of Peculiar by giving Law Enforcement Officers the necessary tools to perform their duties and ensure public safety.

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

SECTION I. Pursuant to the authority granted by and subject to the provisions of Rev. Stat. Mo. §§ 575.150 that Peculiar Municipal Code § 210.320 be removed in its entirety and replaced with the following:

1. A person commits the crime of resisting or interfering with arrest, detention, or stop if, knowing that a law enforcement officer is making an arrest, or attempting to lawfully detain or stop an individual or vehicle, or the person reasonably should know that a law enforcement officer is making an arrest or attempting to lawfully detain or lawfully stop an individual or vehicle, for the purpose of preventing the officer from effecting the arrest, stop or detention, the person:

(1) Resists the arrest, stop or detention of such person by using or threatening the use of violence or physical force or by fleeing from such officer; or

(2) Interferes with the arrest, stop or detention of another person by using or threatening the use of violence, physical force or physical interference.

2. This section applies to:

(1) Arrests, stops, or detentions, with or without warrants;

(2) Arrests, stops, or detentions, for any crime, infraction, or ordinance violation;
and

(3) Arrests for warrants issued by a court or a probation and parole officer.

3. A person is presumed to be fleeing a vehicle stop if that person continues to operate a motor vehicle after that person has seen or should have seen clearly visible emergency lights or has heard or should have heard an audible signal emanating from the law enforcement vehicle pursuing that person.

4. It is no defense to a prosecution pursuant to subsection 1 of this section that the law enforcement officer was acting unlawfully in making the arrest. However, nothing in this section shall be construed to bar civil suits for unlawful arrest.

Resisting or interfering with an arrest, detention or stop in violation of subdivision (1) or (2) of subsection 1 of this section is a misdemeanor.

SECTION II. Pursuant to the authority granted by and subject to the provisions of Rev. Stat. Mo. §§ 576.030 that Peculiar Municipal Code § 210.315 be established to read as follows:

SECTION 210.315: OBSTRUCTING GOVERNMENT OPERATIONS

1. A person commits the crime of obstructing government operations if he purposely obstructs, impairs, hinders or perverts the performance of a governmental function by the use or threat of violence, force, or other physical interference or obstacle.

2. Obstructing government operations is a misdemeanor.

SECTION III. Pursuant to the authority granted by and subject to the provisions of Rev. Stat. Mo. §§ 304.022 that Peculiar Municipal Code § 310.070, paragraph A, 2 be removed in its entirety and replaced with the following:

2. Upon the approach of an authorized emergency vehicle, as above stated, the driver of every motor vehicle shall:

(1) Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle;
or

(2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

SECTION IV. Pursuant to the authority granted by and subject to the provisions of Rev. Stat. Mo. §§ 302.181 that Peculiar Municipal Code § 380.060 be established to read as follows:

SECTION 380.060: FAILURE TO PRODUCE DRIVER LICENSE UPON DEMAND

A. The license issued shall be carried at all times by the holder thereof while driving a motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any police officer or peace officer, or any other duly authorized person, for inspection when demand is made therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any duly authorized officer shall be presumptive evidence that such person is not a duly licensed operator.

SECTION V. Pursuant to the authority granted by and subject to the provisions of Rev. Stat. Mo. §§ 307.020 and §§ 307.040 that Peculiar Municipal Code § 385.075 be established to read as follows:

SECTION 385.075: WHEN LIGHTS REQUIRED – VIOLATION, PENALTY.

A. No person shall drive, move, park or be in custody of any vehicle or combination of vehicles on any street or highway during the times when lighted lamps are required unless such vehicle or combination of vehicles displays lighted lamps and illuminating devices as hereinafter in this chapter required.

B. Violation of this section shall be deemed an infraction and any person who violates this section as it relates to violations of the usage of lighted lamps required due to weather conditions or fog shall only be fined ten dollars and no court costs shall be assessed.

C. "When lighted lamps are required" means at any time from a half-hour after sunset to a half-hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred feet ahead. Lighted lamps shall also be required any time the weather conditions require usage of the motor vehicle's windshield wipers to operate the vehicle in a careful and prudent manner as defined in Rev. Stat. Mo. §§ 304.012. The provisions of this section shall be interpreted to require

lighted lamps during periods of fog even if usage of the windshield wipers is not necessary to operate the vehicle in a careful and prudent manner.

SECTION VI: The effective date of this ordinance shall be _____, 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 Turner _____

Alderman Ray _____

Alderman Stark _____

Approved:

Attest:

Ernest Jungmeyer, Mayor

Nick Jacobs, City Clerk

City Administrator
Brad Ratliff

City Clerk
Nick Jacobs

City Engineer
Carl Brooks

Business Office
Trudy Prickett



Chief of Police
Harry Gurin

City Planner
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Municipal Offices – 250 S. Main Street, Peculiar, MO 64078
Phone: (816)779-5212 Facsimile: (816)779-1004

To: Mayor & Board of Aldermen
From: Carl Brooks, City Engineer (cbrooks@cityofpeculiar.com)
Date: April 3, 2014
Re: Technical changes procedures to the engineering design and construction manual

GENERAL INFORMATION

Applicant: City Staff
Requested Actions: Passage of an ordinance amending Peculiar Municipal Code Section 500
Property Location: City Wide
Purpose: 1) Establish a minimum water main size for new development in accordance with practical engineering design standards to safeguard life and health; and
2) Allowing future technical changes to the engineering design specifications and standards by streamlining the process of changing the City's current engineering design guideline standards to be made by the City Administrator as recommended by the City Engineer.

PROPOSAL

City staff proposes passage of an ordinance amending the Peculiar Municipal Code Section 500 establishing a minimum water main size in accordance with practical engineering design standards to safeguard life and health; and allowing future technical changes to the engineering design specifications and standards to be made with the approval of the City Administrator as recommended by the City Engineer.

PREVIOUS ACTIONS

The City of Peculiar references the American Public Works Association Specifications and Regulations for the majority of their standards. Then to be more precise the City has addendums to these standards in its Municipal Codes.

While researching City Standards by city staff, it has been brought to my attention there is incomplete information for staff to be effective. An example is the lack of or inadequate minimum water main size. The current version the American Public Works Association Specifications and Regulations (January 2004) allows the use of water mains having a diameter of two (2) inches ... The water distribution system should have adequate capacity to: 1) be of adequate size to supply peak hourly demands while maintaining a pressure of not less than 40 pounds per square inch at all points of delivery; and 2) be capable of delivering fire flow protection.

We are also requesting any engineering design specifications and standard changes to the City of Peculiar's Municipal Code for Public Works (Storm and Streets, Water or Wastewater Divisions) can be changed with approval of the City Administrator as recommended by the City Engineer.

At the present time, an ordinance is required to be presented to the Mayor and Board of Alderman with staff recommendations for reading and approval. If this request is approved, the same high level of research will still be completed. The proposed request will streamline the process of changing the City's current engineering design specifications and standards and keep the City Ordinances up-to-date.

This request is not asking or suggesting to include changes to be made without the Mayor and Board of Alderman approval to any rate change, fee adjustment or any revenue related Ordinance. This is directed only to modifying the City Engineering Standards.

KEY ISSUES

Currently, the City does have a minimum main size. However, the minimum that is addressed in the APWA standards, which the City has adopted is inadequate. An eight (8)-inch main size is a standard used around the greater Kansas City metropolitan area to supply drinking water, bathing, health, outside watering, business and fire protection.

City staff has begun reviewing the City's engineering design specifications and standards to be ready for new development. City staff would like to have the most current standards to fit the City of Peculiar's development needs. We strive for the specifications and standards to address new, as well as future needs; and not place new development costs on current residents and customers.

STAFF COMMENTS AND SUGGESTIONS

We attempt to be a leader in the area and stay ahead of change. To keep abreast of change, City staff asks you to consider the option of presenting changes to the engineering design specifications and standards to the City Administrator for approval as recommended by the City Engineer. The specifications and standards we propose to adopt are used industry wide.

STAFF RECOMMENDATION

City staff's recommendation would be the of an ordinance amending the Peculiar Municipal Code Section 500 establishing a minimum water main size in accordance with practical engineering design standards to safeguard life and health; and allowing future technical changes to the engineering design specifications and standards to be made with the approval of the City Administrator as recommended by the City Engineer.

ATTACHMENTS

Bill No. 2014-xx Ordinance No. _____

BILL NO. 2014-__
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AMENDING PECULIAR MUNICIPAL CODE § 500.070 C “WATERLINE STANDARDS FOR THE CITY OF PECULIAR.”

WHEREAS, the City is authorized, under Rev. Stat. Mo. §§ 71.520, 71.530, 91.010, 91.090, and 250.020 to erect, maintain, and a operate waterworks system;

WHEREAS, the City is further authorized, pursuant to Rev. Stat. Mo. §§ 79.130 and 79.450, to enact ordinances, rules, and regulations "expedient for maintaining the peace, good government and welfare of the city and its trade and commerce;" and

WHEREAS, this proposed ordinance will maintain the good government and commercial welfare of the City of Peculiar; and shall ensure the continuing viability of the City's waterworks system, and

WHEREAS, the City desires to set a minimum specification for water main size for future developments.

NOW THEREFORE, be it ordained by the Board of Aldermen of the City of Peculiar, Missouri as follows:

The City of Peculiar hereby adopts the American Public Works Association (APWA) Standards, current edition. The following additions supersede and discrepancies with APWA Standards for use within Peculiar.

SECTION I.

1. Water distribution systems. The minimum requirement for water distribution systems is the extension of eight (8)-inch water distribution main according to the city’s minimum specifications.
2. Engineering design specifications and standards may be modified and approved by the City Administrator as recommended by the City Engineer.

SECTION II: The effective date of this ordinance shall be April __, 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

City Engineer
Carl Brooks

Business Office
Trudy Prickett



Chief of Police
Harry Gurin

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Municipal Offices – 250 S. Main Street, Peculiar, MO 64078
Phone: (816)779-5212 Facsimile: (816)779-1004

To: Board of Aldermen
From: Clifford L. McDonald
Date: March 17, 2014
Re: Setter's Point Water Connection Fees

GENERAL INFORMATION

Applicant: Clifford McDonald, City Planner

Status of Applicant: N/A

Requested Actions: Informational Review by Board of Aldermen

Date of Application: March 17, 2014

Purpose: To inform the Board of Aldermen and City Staff of the Water Connection Fees and Timeline associated with the Setter's Point Subdivision for Future Building Permits based upon the Judgement Between the City of Peculiar and Public Water Supply District No.7, Dated May 10,2004.

Property Location (if applicable): Lots in Setter's Point

PROPOSAL

Review the Staff Report for Informational Purposes and Continuity as it impacts future Building Permit Costs.

PREVIOUS ACTIONS

NONE

KEY ISSUES

The City entered into this agreement with PWSD #7 on May 10, 2004 as part of the purchase and service arrangement when the City purchased a ten (10) inch water main on 227th Street from the District.

- In Shadow Glen Subdivision, each time a Water Meter is set the City must pay the District a One-time Connection fee of \$200.00.
- For Setter's Point Subdivision, the agreement requires the City to pay the District a \$400.00 Connection fee each time a Water Meter is set, plus a \$5.00 per month service fee which continues for 20 years – “calculated from the time the 31st water meter is set within this tract.”

For approximately sixteen (16) homes in Setter's Point, the City has payed \$5.00 per month for about 7 years. A better approach is to “Buy Out” this indebtedness on a new home when the Building Perimit is issued.

Researching the Building Permits issued for Setter's Point and our Inspection Records, verified that the 31st Water Meter was set on January 13, 2006.

STAFF COMMENTS AND SUGGESTIONS

City Staff is working closely.

STAFF RECOMMENDATION

Board of Aldermen review the attached material for informational purposes.

ATTACHMENTS

- (1) Judgement: City of Peculiar vs PWSO No. 7
- (2) Building Permit Inspection Record, Water Meter

STAFF CONTACT: Clifford McDonald
Phone: 779-2226
E-mail: cmcdonald@cityofpeculiar.com

BILL NO. _____
ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 700, SECTION 700.010: UTILITY SERVICE – CASH DEPOSIT AND CONNECTION FEES, TO INCORPORATE ADDITIONAL FEES PERTAINING TO THE AGREEMENT BETWEEN THE CITY OF PECULIAR AND PUBLIC WATER SUPPLY DISTRICT NO. 7.

WHEREAS, the Board of Aldermen desire to amend SECTION 700.010 to add Paragraphs D.1.a, D.1.b, D.1.c and Paragraph D.1.d of the Peculiar Municipal Code, and

WHEREAS, the Board of Aldermen are authorized by RSMo Statute to establish utility rates and connection fees for the City,

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

SECTION I: That SECTION 700.010: UTILITY SERVICE – CASH DEPOSIT AND CONNECTION FEES of the Peculiar Municipal Code shall be hereby amended as follows:

SECTION 700.010: UTILITY SERVICE – CASH DEPOSIT AND CONNECTION FEES

Add: D.1.a. In addition to the *Residential water connection fee* above, all Residential water connections located within the Setter’s Point Subdivision, and all future connections along the City Water Main on Harper Road from E. 227th Street North to 219th Street (State Route YY) shall pay an additional one-time *Connection Fee* of Four Hundred dollars (\$400.00) before the Water Meter is set.

Add: D.1.b In addition to the *Residential water connection fee* (para D.1) and the *Connection Fee* (para D.1.a), all Residential water connections located within the Setter’s Point Subdivision shall pay a *Buy Out Fee* of Five dollars for every month from the month the Water Meter is set thru January, 2026.

Add: D.1.c In addition to the *Residential water connection fee* (para D.1), all future Residential water connections along the City Water Main on Harper Road from E. 227th Street North to 219th Street (State Route YY) shall pay a *Buy Out Fee* of Twelve Hundred Dollars (\$1,200.00) which comprises the Five dollars per month for Twenty (20) years agreement.

Add: D.1.d In addition to the *Residential water connection fee* (para D.1), all Residential water connections within the Shadow Glen Subdivision, shall pay an additional one-time *Connection Fee* of Two Hundred dollars (\$200.00) before the Water Meter is set.

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 _____, 2013, BY THE FOLLOWING VOTE:

Alderman Gallagher _____
Alderman Dunsworth _____
Alderman Fines _____

Alderman Ray _____
Alderman Stark _____
Alderman Turner _____

APPROVED:

ATTEST:

Ernest Jungmeyer, Mayor

City Clerk

REID F. HOLBROOK*
JANET M. SIMPSON**
KURT S. BRACK**
LAWRENCE J. LOGBACK**
TODD A. NORRIS**
MARK A. LYNCH**
JEFFREY A. BULLINS***
TREVIN E. WRAY**
MARK W. STAFFORD**
CAROL R. BONEBRAKE
MEGAN L. LEWIS+
LORI D. DOUGHERTY
BENJAMIN J. SIMON+
PETER R. GLASSER**
IVERY A. GOLDSTEIN

HOLBROOK & OSBORN, P.A.

ATTORNEYS AT LAW

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DONALD H. CORSON
(1900-1985)

DONALD H. CORSON, JR.
(1926-2006)

ROBERT L. KENNEDY
(1924-2007)

THOMAS E. OSBORN

ESTABLISHED 1980

* ADMITTED IN KANSAS, MISSOURI AND DISTRICT OF COLUMBIA

** ADMITTED IN KANSAS AND MISSOURI

*** ADMITTED IN KANSAS, MISSOURI AND NEBRASKA

+ ADMITTED IN KANSAS, MISSOURI AND ILLINOIS

MEMORANDUM

TO: Mayor Jungmeyer
Board of Aldermen

FROM: Megan L. Lewis
Reid F. Holbrook
Ryan Nichols

DATE: April 1, 2014

RE: Sullivan Publications Codewatch—Second Round Ordinance Revisions

Today we present for your consideration one ordinance. The proposed ordinance seeks to revise Peculiar Municipal Code § 115.020 to reflect a recent change to Rev. Stat. Mo. § 79.240. This change simply provides that neither the mayor, nor the board of aldermen, have the power to remove the Chief of Police from office.

BILL NO. _____
ORDINANCE NO. 2014-_____

AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI RESTRICTING THE MEANS BY WHICH A CHIEF MAY BE REMOVED FROM OFFICE AND AMENDING SECTION 115.020 OF THE PECULIAR MUNICIPAL CODE.

WHEREAS the City is authorized, under Rev. Stat. Mo. §§ 79.130 and 79.450 to enact ordinances, rules, and regulations not otherwise inconsistent with Missouri laws and "expedient for maintaining the peace, good government and welfare of the city and its trade and commerce;" and

WHEREAS, the proposed ordinance will harmonize Peculiar Municipal Code § 115.020 with current Missouri Statutes.

NOW THEREFORE BE IT ORDAINED by the Board of Aldermen of the City of Peculiar, Missouri as follows:

SECTION I. Pursuant to the authority granted by and subject to the provisions of Rev. Stat. Mo. §§ 79.130 and 79.450, that Peculiar Municipal Code § 115.020 be amended to read as follows:

“The Mayor may, with the consent of a majority of all the members elected to the Board of Aldermen, remove from office, for cause shown, any elective officer of the City, such officer being first given opportunity, together with his witnesses, to be heard before the Board of Aldermen sitting as a Board of Impeachment. Any elective officer, including the Mayor, may in like manner, for cause shown, be removed from office by a two-thirds (2/3) vote of all members elected to the Board of Aldermen, independently of the Mayor's approval or recommendation. The Mayor may, with the consent of a majority of all the members elected to the Board of Aldermen, remove from office any appointive officer of the City at will, and any such appointive officer may be so removed by a two-thirds (2/3) vote of all the members elected to the Board of Aldermen, independently of the Mayor's approval or recommendation. The Board of Aldermen may pass ordinances regulating the manner of impeachments and removals. Nothing in this section shall be construed to authorize the mayor, with the consent of the majority of all the members elected to the Board of Aldermen, or the Board of Aldermen by a two-thirds vote of all its members, to remove or discharge any chief, as that term is defined in section 106.273, RSMo. (RSMo. §79.240)”

SECTION II: The effective date of this ordinance shall be _____, 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 Fines _____
Alderman Ray _____

Alderman Dunsworth _____
Alderman Turner _____
Alderman Stark _____

Approved:

Attest:

Ernest Jungmeyer, Mayor

Nick Jacobs, City Clerk

City Administrator
Brad Ratliff

City Clerk
Nick Jacobs

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: Clifford L. McDonald
Date: April 7, 2014
Re: *Building Permit Fee Reduction for Twenty (20) Single Family Residences*

GENERAL INFORMATION

Applicant: City Staff

Status of Applicant: N/A

Requested Actions: Board of Aldermen to consider approving a Resolution to issue a Memorandum to reduce Single Family Residence Building Permit Fees by \$2,000.00 for the next twenty (20) Single Family Residence Permits issued by the City.

Date of Application: April 7, 2014

Purpose: The purpose is to reduce the Cost of twenty (20) Building Permits for new Single Family Residence construction to help attract builders, generate more construction activity and promote future development.

Property Location (if applicable): City Wide

PROPOSAL

See “Requested Actions” above.

PREVIOUS ACTIONS

Last year the Board of Aldermen approved reducing the Building Permit Fee for the next thirteen (Lucky 13) Single Family Residence Permits by \$2,000.00. This proved modestly successful, as the City issued ten (10) of these Building Permits this past year.

KEY ISSUES

The Board of Aldermen should consider approving the Resolution to reduce Single Family Residence Building Permit Fees to attract builders, continue promoting construction and generate future development. The fees which are proposed for reduction are primarily “Administrative” in nature and no “Hard Costs” are incurred by any department of the City of Peculiar with this proposal.

STAFF COMMENTS AND SUGGESTIONS

Nothing promotes new home construction better than having new frameworks going up. This is a promotion action for the Board of Aldermen to consider to instigate additional activity for Peculiar’s housing market.

A number of items bear consideration in making this decision and are presented below for your information:

1. The housing market is recovering, as evidenced by the Home Builders Association of Greater Kansas City Residential Building Permit Statistics (Atch 1). In the lower right hand corner you will notice that the Total Units Issued Year-to-date is at their highest level since 2007. As a whole, Cass County issued 208 permits last year, with Ninety One (91) in the City of Raymore, Eleven (11) in the City of Belton, and Five (5) in the City of Peculiar (despite what the report says).
2. The City of Peculiar currently has an inventory of Five Hundred Seventeen (517) Single Family Dwelling lots in District R-1 available for construction, see Atch 2.
3. In September, 2012 the City of Harrisonville waived Impact Fees for the next 25 Residential Living Units built in their city. This represents a Building Permit reduction of approximately \$2,600.00; though little activity was generated initially, Harrisonville issued Four (4) permits in 2013.
4. Last year I contacted Community Development Officials and City Planners for Northern Cass County to compare Building Permit costs in the local area (see Atch 3); the City of Peculiar was the most expensive.
5. I recommend the \$2,000.00 Building Permit Fee reduction be achieved by reducing:
Building Permit Fee by \$995.75, or more (Fee for \$100,000 Bldg Cost)
Plumbing Inspection by \$4.25 (Fee is \$15.00), and
Sewer Tap Fee by \$1,000.00 (Fee is \$2,100.00).
6. The following Fees are not affected and remain fully funded:
Water Tap (\$1,600.00)
East/West Growth (roads) (\$1,000.00)
Park Fee (\$300.00), and
Storm Water (\$300.00)
7. Lastly, a typical residence valued at \$140,000.00 generates approximately \$400.00/year in revenue for the City (\$250.00 City Tax and \$150.00 for Sanitary Sewer Bond payments). I can only support a Fee Reduction of \$2,000.00 as it takes approximately Five (5) Years for the City to recoup this investment.

STAFF RECOMMENDATION

Staff Recommends Approval of the Resolution and the proposed Building Permit Fee reduction.

ATTACHMENTS

Home Builders Association, Residential Permit Statistics
City of Peculiar, Available Lot Inventory
Cass County Building Permit Cost Comparison

STAFF CONTACT: Clifford L. McDonald,
PH: 816-779-2226
E-mail: cmcdonald@cityofpeculiar.com



	Single Family Units [^]	M-F Units Sale%	M-F Units Rent	Total Units	S-F Units YTD	M-F Sale YTD	M-F Rent YTD	Total Units YTD
CASS COUNTY								
Archie	0	0	0	0	0	0	0	0
Belton	4	0	0	4	11	0	0	11
Cass County	0	0	0	0	23	0	0	23
Cleveland	0	0	0	0	0	0	0	0
Drexel	0	0	0	0	0	0	0	0
Garden City	0	0	0	0	0	0	0	0
Harrisonville	0	0	0	0	4	0	0	4
Lake Winnebago	0	0	0	0	1	0	0	1
Lee's Summit	1	0	0	1	37	0	0	37
Peculiar	2	0	0	2	3	0	0	3
Pleasant Hill	1	0	0	1	25	0	0	25
Raymore	13	0	0	13	91	0	0	91
Village of Loch Lloyd	3	0	0	3	13	0	0	13
	24	0	0	24	208	0	0	208
CLAY COUNTY								
Clay County	1	0	0	1	41	0	0	41
Excelsior Springs	0	0	0	0	0	0	0	0
Gladstone	0	0	221	221	2	0	221	223
Kansas City	40	0	0	40	425	0	340	765
Kearney	3	0	0	3	58	0	0	58
Lawson	0	0	0	0	1	0	0	1
Liberty	3	0	0	3	37	0	0	37
North Kansas City	0	0	0	0	9	0	0	9
Pleasant Valley	0	0	0	0	0	0	0	0
Smithville	7	0	0	7	27	0	0	27
	54	0	221	275	600	0	561	1161
JACKSON COUNTY								
Blue Springs	4	0	0	4	132	0	0	132
Buckner	0	0	0	0	0	0	0	0
Grain Valley	2	0	0	2	43	0	0	43
Grandview	0	0	0	0	22	0	0	22
Greenwood	7	0	0	7	32	0	0	32
Independence	0	0	0	0	63	0	0	63
Jackson County	3	0	0	3	34	0	0	34
Kansas City	5	0	24	29	58	0	432	490
Lake Lotawana	2	0	0	2	20	0	0	20
Lee's Summit	25	0	0	25	279	0	0	279
Oak Grove	0	0	0	0	11	0	0	11
Raytown	0	0	0	0	0	0	0	0
Sugar Creek	0	0	0	0	1	0	0	1
	48	0	24	72	695	0	432	1127
PLATTE COUNTY								
Edgerton	0	0	0	0	0	0	0	0
Kansas City	5	0	0	5	138	0	55	193
Parkville	6	0	0	6	52	0	0	52
Platte City	0	0	0	0	0	0	0	0
Platte County	13	0	0	13	172	0	0	172
Riverside	0	0	0	0	0	0	0	0
Weatherby Lake	0	0	0	0	4	0	0	4
Weston	0	0	0	0	0	0	0	0
	24	0	0	24	366	0	55	421
JOHNSON COUNTY								
De Soto	3	0	0	3	22	0	28	50
Edgerton	0	0	0	0	0	0	0	0
Fairway	0	0	0	0	4	0	0	4
Gardner	25	0	0	25	72	0	0	72
Johnson County	2	0	0	2	38	0	0	38
Leawood	8	0	0	8	108	0	170	278
Lenexa	23	0	30	53	199	0	131	330
Merriam	1	0	0	1	11	0	0	11
Mission Hills	2	0	0	2	7	0	0	7
Olathe	39	0	0	39	480	0	32	512
Overland Park	38	0	0	38	402	0	1053	1455
Prairie Village	2	0	0	2	8	0	0	8
Shawnee	14	0	0	14	142	0	0	142
Spring Hill	4	0	0	4	63	0	0	63
Westwood	0	0	0	0	2	0	0	2
	161	0	30	191	1558	0	1414	2972

	Single Family Units [^]	M-F Units Sale%	M-F Units Rent	Total Units	S-F Units YTD	M-F Sale YTD	M-F Rent YTD	Total Units YTD
LEAVENWORTH COUNTY								
Basehor	6	0	0	6	80	0	0	80
Lansing	1	0	0	1	19	0	0	19
Leav. County	2	0	0	2	50	0	0	50
Leavenworth	5	0	0	5	22	0	0	22
Tonganoxie	0	0	0	0	7	0	0	7
	14	0	0	14	178	0	0	178
WYANDOTTE COUNTY								
Bonner Springs	0	0	0	0	12	0	0	12
Edwardsville	0	0	0	0	1	0	0	1
KCK/Wyandotte C	15	0	0	15	138	0	306	444
	15	0	0	15	151	0	306	457
MIAMI COUNTY								
Louisburg	0	0	0	0	22	0	0	22
Miami County	0	0	0	0	20	0	0	20
Osawatomie	0	0	0	0	0	0	0	0
Paola	0	0	0	0	0	0	0	0
Spring Hill	0	0	0	0	5	0	0	5
	0	0	0	0	47	0	0	47
November 2013	340	0	275	615	3803	0	2768	6571

Comparison of Single Family Building Units for Greater Kansas City

(Cass, Clay, Jackson, Platte, Johnson, Leavenworth, Miami, Wyandotte Counties)

Month/Year	2007	2008	2009	2010	2011	2012	2013
January	353	221	96	137	90	188	273
February	475	262	129	145	121	182	224
March	824	353	131	252	180	270	335
April	687	441	184	228	210	277	444
May	677	231	189	213	230	294	337
June	616	260	204	239	262	268	333
July	546	311	196	180	204	288	409
August	515	293	207	243	205	260	354
September	397	264	219	173	202	379	383
October	597	314	226	279	205	331	371
November	385	167	192	173	185	283	340
December	313	115	182	209	207	279	
Annual Total*	6,385	3,232	2,155	2,471	2,301	3,299	3,803

All numbers shown in the box above are ACTUAL NUMBERS.,

Comparison of Permits By Units Issued Year to Date*

	2007 -2013		
	S-F Units	M-F Units	Total Units
2007	6072	1378	7450
2008	3117	1830	4947
2009	1973	692	2665
2010	2262	253	2515
2011	2094	600	2694
2012	3020	1749	4769
2013	3803	2768	6571

*Annual totals may not match seasonally adjusted numbers.

[^]The Single Family number is units and includes both attached and detached units.
 %Multi-Family units are in buildings with 5 or more units and are divided by sale/rent.
 # Not available at time of report

Permit information reflects the most recent data at time of publication. In order to ensure accurate recording of residential building permit statistics, the HBA may revise monthly and year-to-date figures when updated data is made available.

Residential Subdivisions		Light Industrial Subdivisions		Commercial Subdivisions	
Subdivision	Available Lots	Subdivision	Available Lots	Subdivision	Available Lots
Bradley's Crossing	51	Bradley's Crossing	11	Bradley's Crossing	5
Bridle Trail	0	Forest Scott Industrial Park	6	Irongate	8
Carriage Meadows	44	Kerr Industrial Park	10	Peculiar Junction	17
Centennial Farms	37	S. Peculiar Industrial Park	6	Twin Oaks	6
Copper Creek	37	Peculiar Junction	3		
Fox's Den	41				
Frontier Estates	4				
Harper Farm	13				
Harvest Hills	3				
Jenkins Estates	0				
North Pointe Village	30				
Olive Branch	45				
Quail Run	0				
Setter's Pointe	42				
Shadow Glen	35				
Tuscany	18				
Tuscany Estates	3				
Twin Oaks	70				
Windmill County Estates	44				
Available Lots:	517	Available Lots:	36	Available Lots:	36

Last Update: March 27th, 2014

Single Family Residential, Home value \$120,000 approx 1,250 SF						
	<i>Peculiar</i>	<i>Raymore</i>	<i>Belton</i>	<i>Pleasant Hill</i>	<i>Harrisonville</i>	<i>Grandview</i>
Permit fees	\$ 1,106.00	\$ 480.00	\$ 705.00	\$ 1,105.75	\$ 372.00	\$ 680.00
Water Tap	1,600.00	2,263.00	3,490.00	1,700.00	838.74	1,860.00
inspection fee					100.00	
Sewer Tap	2,100.00	2,263.00	2,000.00	950.00	1,374.00	50.00
inspection fee					100.00	
Plumbing						
inspection fee	15.00					128.00
Electrical					1,565.00	
inspection fee	10.00	45.00				128.00
Mechanical						
inspection fee	20.00	35.00				128.00
Storm Water	300.00	-				
Misc. Deposit/Fees			115.00			
Park Fee	300.00	300.00	-	\$181.60		-
Growth/Impact Fee	1,000.00	1,794.00	809.01	\$1,010.00		-
Review/Final Inspection Fees		84.00				135.00
Subtotal:	\$ 6,451.00	\$ 7,264.00	\$ 7,119.01	\$ 4,947.35	\$ 4,349.74	\$ 3,109.00
Fire District - APFF	1,000.00	0.00	0.00	0.00	0.00	0.00
Total:	\$ 7,451.00	\$ 7,264.00	\$ 7,119.01	\$ 4,947.35	\$ 4,349.74	\$ 3,109.00
With PWSD #10 Tap	\$ 8,851.00	\$ 8,001.00				
With PWSD #2 Tap	\$ 10,351.00		\$ 8,129.01			

Note: PWSD 10's water tap Fee is \$3,000

Note: PWSD 2's water tap Fee is \$4,500

APFF: Adequate Public Facilities Fee

RESOLUTION 2014 - _____

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI
REDUCING BUILDING PERMIT FEES FOR THE NEXT TWENTY (20) BUILDING PERMITS
ISSUED FOR NEW SINGLE FAMILY DWELLINGS.**

WHEREAS, The City of Peculiar has established charges and/or fees for City services which represent the City's cost(s) to process such permits and/or provide and maintain public infrastructure; and

WHEREAS, the City of Peculiar recognizes the competitiveness of the housing market in Northern Cass County and the recovering economy; and

WHEREAS, the City of Peculiar desires to stimulate the issuance of Building Permits for constructing Single Family Dwellings within the City to promote future growth and development.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF
PECULIAR, MISSOURI**

Section 1. The City of Peculiar shall reduce Building Permit Fees for the next twenty (20) Building Permits issued for new Single Family Dwellings by Two Thousand Dollars (\$2,000.00) for each permit.

Section 2. A Building Permit issued with this reduced fee shall be rescinded by the City if construction does not start within sixty (60) days of the date of issue.

Section 3. *Effective Date.* The effective date of this Resolution shall be _____ day of _____, 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
Nick Jacobs

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 Aldermen
From: Chief Harry Gurin
Date: April 7, 2014
Re: Third (3rd) Degree Assault Concerns

GENERAL INFORMATION

Applicant: Chief Harry Gurin
Status of Applicant: N/A
Requested Actions: Informational Presentation of Third (3rd) Degree Assault Concerns
Date of Application: April 7, 2014
Purpose: To present an Update for your information.
Property Location (if applicable): N/A

PROPOSAL

Informational Presentation to the BOA for your general information.

PREVIOUS ACTIONS

None.

KEY ISSUES

The Board of Aldermen should be aware of Third (3rd) Degree Assault Issues/Concerns for their general information. This presentation is a general discussion for the Board of Aldermen.

STAFF COMMENTS AND SUGGESTIONS

None at this time.

STAFF RECOMMENDATION

Board of Aldermen consider the information/discussion presented this evening.

ATTACHMENTS

None

STAFF CONTACT:

Chief Harry Gurin

Phone: 779-2240

E-mail: hgurin@cityofpeculiar.com

Missouri Revised Statutes

Chapter 167 Pupils and Special Services Section 167.117

August 28, 2013

Principal, teachers, school employees to report certain acts, to whom, exceptions--limit on liability--penalty.

167.117. 1. In any instance when any person is believed to have committed an act which if committed by an adult would be assault in the first, second or third degree, sexual assault, or deviate sexual assault against a pupil or school employee, while on school property, including a school bus in service on behalf of the district, or while involved in school activities, the principal shall immediately report such incident to the appropriate local law enforcement agency and to the superintendent, except in any instance when any person is believed to have committed an act which if committed by an adult would be assault in the third degree and a written agreement as to the procedure for the reporting of such incidents of third degree assault has been executed between the superintendent of the school district and the appropriate local law enforcement agency, the principal shall report such incident to the appropriate local law enforcement agency in accordance with such agreement.

2. In any instance when a pupil is discovered to have on or about such pupil's person, or among such pupil's possessions, or placed elsewhere on the school premises, including but not limited to the school playground or the school parking lot, on a school bus or at a school activity whether on or off of school property any controlled substance as defined in section 195.010 or any weapon as defined in subsection 6 of section 160.261 in violation of school policy, the principal shall immediately report such incident to the appropriate local law enforcement agency and to the superintendent.

3. In any instance when a teacher becomes aware of an assault as set forth in subsection 1 of this section or finds a pupil in possession of a weapon or controlled substances as set forth in subsection 2 of this section, the teacher shall immediately report such incident to the principal.

4. A school employee, superintendent or such person's designee who in good faith provides information to law enforcement or juvenile authorities pursuant to this section or section 160.261 shall not be civilly liable for providing such information.

5. Any school official responsible for reporting pursuant to this section or section 160.261 who willfully neglects or refuses to perform this duty shall be subject to the penalty established pursuant to section 162.091.

(L. 1996 H.B. 1301 & 1298 § 2, A.L. 1997 H.B. 641 & 593, A.L. 2000 S.B. 944, A.L. 2010 H.B. 1543)

City Administrator
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Municipal Offices – 250 S. Main Street, Peculiar, MO 64078
Phone: (816)779-5212 Facsimile: (816)779-1004

To: Mayor and Board of Aldermen
From: Carl Brooks, City Engineer
Date: March 27, 2014
Re: Peculiar Monument Sign Project

GENERAL INFORMATION

Applicant: City Staff
Requested Actions: Agree with MoDOT staff to reject all bids and re-bid the project
Purpose: Re-bid the project in order to meet allowable budget
Property Location: N. Main Street, Lot 6B Bradley's Crossings

PROPOSAL

City staff proposes that the Mayor and Board of Aldermen agree with MoDOT staff to reject all bids and re-bid the Peculiar Monument Sign project in order to meet the allowable budget.

PREVIOUS ACTIONS

City entered into an agreement and a supplemental agreement between the City and the Missouri Highways and Transportation Commission outlining procedures for the above project and its financing. In September 2006, the project was selected to receive funds through the Federal Highway Administration's Transportation Enhancement Program. This program will provide reimbursement to the City for 80% of eligible costs, not-to-exceed \$120,000.

As you may recall, City staff selected the design firm of Landplan Engineering, PA, for the project and have entered into an agreement and a supplemental agreement of the consultant's contract with the Mayor and Board of Aldermen. The agreement and supplemental agreement consultant contract was reviewed and approved by the Missouri Department of Transportation (MoDOT). The firm of Landplan Engineering, PA will provide both the design, bid and administer the construction phase improvements.

In addition, as you may recall, the Mayor and the Board of Aldermen (BOA) selected the following lettering suggestion to be on the three-sided monument sign "Welcome to the City of PECULAIR, MISSOURI", with the color option of the Black lettering and a font of "Times New Roman"; and with the color options of the "brown" face brick.

As you know, the total project budget amount is \$120,000. With our engineering design and construction phase services contract with Landplan Engineering, P.A. in the amount not to exceed \$20,444.00; then the construction project cost cannot exceed \$99,556.00 for the construction of the Peculiar Monument Sign. Any construction amount over said amount, then the City pays 100% of the cost. We have requested that Landplan Engineering, P.A review the bids and design a sign that can be built for \$100,000 or less. We have suggested the elimination of the one side of the monument that would then be open to the N. Main Street and the parking stalls; and eliminate the entire compacted fill in the middle, and the landscaping of the project. We need to move on this ASAP, as our 2014 construction season will be soon slipping away from us.

KEY ISSUES

Since the proposed work is more than \$10,000; it was important that the project be advertised and bid using prevailing wage requirements.

We received bids on March 25, 2014, from two (2) landscape contractor companies (bid summary also attached). Cobra Contracting was the low base bid of \$203,000.00.

The engineers estimate was \$125,551.00.

The two (2) bids received ranged from \$203,000.00 to \$245,667.45. Again, the total project budget (design and construction) is \$120,000.00

STAFF RECOMMENDATION

Staff recommends rejection of both bids, and have Landplan Engineering, P.A design a monument sign that can be built for \$100,000 or less.

ATTACHMENTS

The engineer's final estimate and unofficial bid tab are attached for your review.

Peculiar Entrance Monument
 Engineer's Opinion of Probable Construction Cost

31-Jan-14

NO. ITEM	UNIT	QUANT.	UNIT PRICE	COST	
FEDERAL PROJECT NO. STP-9900(491)					
CITY OF PECULIAR MISSOURI					
1	MOBILIZATION	EA	1	\$3,250.00	\$3,250.00
2	DEMOLITION (EX. CURB & GUTTER)	LF	72	\$8.00	\$576.00
3	CLEARING & GRUBBING (WITH OFF-SITE DISPOSAL)	SF	19800	\$0.10	\$1,980.00
EARTHWORK					
4	CUT	CY	90	\$8.00	\$720.00
5	FILL	CY	260	\$18.00	\$4,680.00
6	CONSTRUCTION FENCING	LF	235	\$5.00	\$1,175.00
7	SILT FENCING	SF	125	\$10.00	\$1,250.00
8	STABILIZED CONSTRUCTION ENTRANCE	EA	1		\$0.00
9	4" CONCRETE PAVEMENT	SY	42	\$33.00	\$1,386.00
10	6" CONCRETE PAVEMENT	SY	118	\$38.00	\$4,484.00
11	CG-1 CONCRETE CURB AND GUTTER	LF	102	\$22.00	\$2,244.00
12	ADA RAMP	EA	1	\$350.00	\$350.00
13	ADA SIGN AND POST	EA	1	\$470.00	\$470.00
14	PAVEMENT MARKING - 4" PAINTED (WHITE)	LF	125	\$6.00	\$750.00
IRRIGATION SYSTEM					
15	1" WATER METER	EA	1	\$500.00	\$500.00
16	1" DOUBLE-CHECK BACKFLOW PREVENTER	EA	1	\$350.00	\$350.00
17	1" WATERLINE SERVICE	LF	192	\$15.00	\$2,880.00
18	QUICK COUPLER	EA	3	\$500.00	\$1,500.00
19	RISER OR TRANSFORMER PAD	EA	1	\$500.00	\$500.00
20	ELECTRICAL CONDUIT	LF	175	\$4.00	\$700.00
21	ELECTRICAL CONDUIT AND WIRING	LF	241	\$6.00	\$1,446.00
3-SIDE ENTRY FEATURE/MONUMENT					
22	CONCRETE RETAINING WALL, ALL INCLUSIVE	CY	95	\$400.00	\$38,000.00
23	FILTER FABRIC	SF	2280	\$3.00	\$6,840.00
24	BRICK FACE	SF	980	\$20.00	\$19,600.00
25	3/4" WASHED GRAVEL	CY	67	\$15.00	\$1,005.00
26	18" LETTERS BLACK (VACUUM FORM)	EA	54	\$75.00	\$4,050.00
27	30" LETTERS BLACK (VACUUM FORM)	EA	48	\$150.00	\$7,200.00
28	LIMESTONE CAP	LF	120	\$35.00	\$4,200.00
29	LIGHTING FIXTURE	EA	9	\$620.00	\$5,580.00
30	SHADE TREE	EA	2	\$300.00	\$600.00
31	EVERGREEN TREE	EA	6	\$350.00	\$2,100.00
32	LARGE SHRUB	EA	1	\$250.00	\$250.00
33	SMALL SHRUB	EA	13	\$75.00	\$975.00
34	BUFFALOGRASS (SEED & PLUG) 24" O.C.	SF	19800	\$0.20	\$3,960.00
TOTAL				\$125,551.00	

Unit costs are best estimates based on similar projects. These costs are not guarantees. Many factors may affect these costs when priced by a contractor.

This "opinion of probable cost" does not include fees that may be charged by local municipalities such as impact fees, building permit fees, review fees, etc.

All costs requested by the owner/developer outside the scope of contracts negotiated during the course of this project will be listed as additional services and not included in the "Total Opinion of Probable Cost" as listed above.

Federal Project Bid No. STP-9900 (491)										
March 25, 2014 @ 3:00 P.M.										
ITEM	ENGINEERS ESTIMATE		Mega Industries Corporation		Corbra Contracts, LLC					
	TOTAL PR	Bid Bond	TOTAL PR	Bid Bond	TOTAL PR	Bid Bond	TOTAL PR	Bid Bond	TOTAL PR	
1	Base Bid	\$125,551.00	Yes	\$245,667.45	Yes	\$203,000.00				
	Acknowledgement of three (3) Addendums		Yes		Yes					
	DBE Summittal Forms		Yes		Yes					
TOTAL BASE BID:		\$125,551.00		\$245,667.45		\$203,000.00			\$0.00	
	Estimate Engineering Fees			Contract Engineering Fees						
	Engineering Design Contract Fee	\$20,193.99		Engineering Design Contract Fee					\$20,193.99	
	Engr. Const. Phase Services Fee	\$0.00		Engr. Const. Phase Services Fee					\$0.00	
	Total Project Estimate	\$145,744.99		Total Project Cost					\$223,193.99	
	Total Project Amount Budgeted	\$ 120,000.00								
	Over/Under		-\$25,744.99						-\$103,193.99	

City Administrator
Brad Ratliff

City Clerk
Nick Jacobs

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 Aldermen
From: Nick Jacobs, City Clerk
Date: April 7, 2014
Re: Lock Fence under three legged water tower

GENERAL INFORMATION

Applicant: Staff

Status of Applicant: N/A

Requested Actions: Informational Presentation of Putting a Lock Fence under the three legged water tower.

Date of Application: April 7, 2014

Purpose: To present an Update for your information.

Property Location (if applicable): N/A

PROPOSAL

Informational Presentation to the BOA for your general information.

PREVIOUS ACTIONS

None.

KEY ISSUES

The Board of Aldermen should be aware of the idea of placing a lock fence under the three legged water tower. This would be an attraction as well as put some use into the now “offline” water tower. This idea was presented at several meetings with DPACD chair Brenda Conway who thinks this is an excellent addition to downtown and will tie in well to the upcoming trail project through downtown.

STAFF COMMENTS AND SUGGESTIONS

None at this time.

STAFF RECOMMENDATION

Board of Aldermen consider the information/discussion presented this evening.

ATTACHMENTS

Rendering of Tower “key drop”
Imagery of current lock fences

Peculiar Key Drop Off

(Please deposit your key and it may end at the bottom of the tower forever)

Peculiar "Highline" Trail

This Trail was established with the help of the following property owners:
Glenn & Lisa Yoakum David & Sandy Arnall
Charles Booth West Peculiar Fire Protection District



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Brad Ratliff

City Clerk
Nick Jacobs

City Engineer
Carl Brooks

Business Office
Trudy Prickett



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To: Board of Aldermen
From: Nick Jacobs, City Clerk
Date: April 7, 2014
Re: Railbed Trail Update

GENERAL INFORMATION

Applicant: Staff

Status of Applicant: N/A

Requested Actions: Informational Update of the trail running from C Highway to West Broadway.

Date of Application: April 7, 2014

Purpose: To present an Update for your information.

Property Location (if applicable): N/A

PROPOSAL

Informational Presentation to the BOA for your general information.

PREVIOUS ACTIONS

None.

KEY ISSUES

An Eagle Scout by the name of Nick McCord is installing a trail from C Highway to West Broadway. To date the City has worked closely with Mr. McCord and has secured by deed or easement the necessary property for him to put his trail. To this date Staff has done a walk through with the McCord family to outline the parameters of the trail. It will be 10' wide and will be limestone pug millings as a surface. Mr. McCord expects to break ground on the trail in next few weeks with completion in the next 6-8 weeks. This project has sparked the interest of other Eagle Scout prospects to take up new sections and continue the trail. Staff has begun negotiations with property owners who currently hold title to other portions of the railbed for future growth.

STAFF COMMENTS AND SUGGESTIONS

None at this time.

STAFF RECOMMENDATION

Board of Aldermen consider the information/discussion presented this evening.

ATTACHMENTS

Imagery of trail path.

