

**BOA Meeting Agenda
Peculiar City Board of Aldermen
Work Session Meeting and Public Hearing
City Hall – 250 S. Main St
Monday May 5, 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, May 5, 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. Public Hearing & Annexation Plan of Intent - Cliff McDonald
6. Business
 - A. Bill No. 2014-09 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI PROVIDING FOR THE EXTENSION OF THE CITY LIMITS OF THE CITY OF PECULIAR, MISSOURI BY EMBRACING AND INCLUDING UNINCORPORATED REAL PROPERTY LOCATED IN SECTIONS 9, 16, 17, 25, AND 26 OF TOWNSHIP 45 NORTH, RANGE 32 WEST IN CASS COUNTY, MISSOURI AND HEREINAFTER PARTICULARLY DESCRIBED.
**2nd Reading*
 - B. Bill No. 2014-10 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AMENDING SECTIONS 210, 310, 380, AND 385 OF PECULIAR MUNICIPAL CODE.
**2nd Reading*
 - C. Bill No. 2014-11 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI RESTRICTING THE MEANS BY WHICH A CHIEF MAY BE REMOVED FROM OFFICE AND AMENDING SECTION 115.020 OF THE PECULIAR MUNICIPAL CODE.
**2nd Reading*
 - D. Bill No. 2014-12 – AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI ESTABLISHING A POLICE ADVISORY BOARD, ESTABLISHING THE DUTIES OF THE BOARD, AND THE METHOD OF APPOINTMENT OF MEMBERSHIP THEREOF.
**2nd Reading*
 - E. Public Hearing Bill No. 2014-13 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI SPECIFYING CERTAIN PAVING REQUIREMENTS FOR PARKING LOTS AND DRIVEWAYS AND AMENDING SECTION 400.820 OF THE PECULIAR MUNICIPAL CODE
**1st Reading*
 - F. Public Hearing Bill No. 2014-14 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AMENDING SECTION 400.1800: EXEMPT SIGNS, OF THE PECULIAR MUNICIPAL CODE TO PROVIDE POLITICAL SIGN REQUIREMENTS
1st Reading
 - G. RESOLUTION 2014-28 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI TO AUTHORIZE THE FORMATION OF AN INDUSTRIAL DEVELOPMENT CORPORATION IN THE CITY OF PECULIAR, MISSOURI, AND DETERMINING AND APPROVING CERTAIN MATTERS RELATED THERETO.
 - H. RESOLUTION 2014-29 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI STATING THE BOARD'S CONTINUED DESIRE TO UTILIZE TOWN & COUNTRY DISPOSAL FOR SOLID WASTE REMOVAL SERVICES THROUGH JULY 31ST, 2015.
7. Aldermen Concerns or Additional Topics for Discussion by Aldermen
8. Aldermen Directives Reported by City Administrator
9. Executive Session
The City Attorney has requested a 15-minute Executive Session to discuss Potential Litigation matters, per RSMo. §610.021(1)
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: Board of Aldermen

From: Clifford L. McDonald

Date: May 5, 2014

Re: Presentation of the City’s “Plan of Intent” to provide City Services to these Four (4) Tracts of Property upon Annexation, and

Presentation of the Ordinance of Annexation for Involuntary Annexation of Four (4) Tracts of Property Adjacent to Existing City of Peculiar City Limits - Second of Three Readings.

GENERAL INFORMATION

Applicant: BOA

Status of Applicant: N/A

Requested Actions: Consider Ordinance of Annexation for Second Reading and Review the City’s “Plan of Intent” Scheduled for Public Hearing Presentation at Tonight’s Meeting

Date of Application: March 17, 2014

Purpose: To Annex Adjacent and “Island” 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

The City is required by State Statute to develop, and present at Public Hearing, a “Plan of Intent” which outlines the City Services the Four (4) Tracts of property will be provided upon Annexation and the timeline these Services shall be provided if not readily available (must be within three (3) years of Annexation). The Plan of Intent (attached) will be presented at Public Hearing scheduled for tonight’s BOA meeting, and by State Statute, must be presented prior to Final Adoption of the Annexation Ordinance.

Following the presentation of the Plan of Intent, the BOA is asked to consider approving the Ordinance which will Annex 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

The BOA held its First Reading of this Ordinance on April 19th, 2014; and passed the First Reading by a vote of 6:0

KEY ISSUES

The City's Plan of Intent is required to outline the City Services a property proposed for annexation will receive as well as the affect the annexation will have upon the property. The following are the most significant issues the Plan of Intent addresses:

1. List of major services presently provided by the city, including but not limited to: police and fire protection, water and sewer systems, street maintenance, parks and recreation, refuse collection, etc.;
2. A proposed time schedule whereby the city plans to provide such services to the residents of the proposed area to be annexed within three (3) years from the date the annexation is to become effective;
3. The level at which the city assesses property and the rate at which it taxes that property;
4. How the city proposed to zone the area to be annexed; and
5. When the proposed annexation shall become effective.

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 consider approving the Proposed Ordinance of Annexation as presented for its Second (of Three Readings) on May 5th, 2014.

ATTACHMENTS

- (1) [Annexation Plan of Intent](#)
- (2) [Ordinance of Annexation](#)

STAFF CONTACT: [Clifford McDonald](#)
[Phone: 779-2226](#)
[E-mail: cmcdonald@cityofpeculiar.com](mailto:cmcdonald@cityofpeculiar.com)



City of Peculiar Plan of Intent (Annexation)

May 5th, 2014

PLAN OF INTENT

PLAN OF INTENT TO PROVIDE MUNICIPAL SERVICES TO FOUR (4) TRACTS OF PROPERTY UNDER CONSIDERATION FOR ANNEXATION LOCATED IN SECTIONS 9, 16, 17, 25 AND 26 OF TOWNSHIP 45 NORTH, RANGE 32 WEST IN CASS COUNTY, ADJACENT TO CITY OF PECULIAR'S CORPORATE CITY LIMITS

The Board of Aldermen of the City of Peculiar, Missouri, have expressed intent to annex the four (4) Tracts of property generally described above and further defined in AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI PROVIDING FOR THE EXTENSION OF THE CITY LIMITS OF THE CITY OF PECULIAR; BILL NO. 2014-09.

These areas have been previously identified for the City's future expansion and economic development as supported by the City of Peculiar's 2008 Comprehensive Plan, and the City of Peculiar 3, 8 & 13 Year Annexation Plan adopted October 21, 2013. Missouri law requires that prior to annexation, a report be prepared and presented at a public hearing setting forth the plans of the municipality to provide major municipal services.

The following information has been compiled by the principal departments of the City of Peculiar, Missouri that would be responsible for providing services to the newly annexed areas. The services presently provided by the City and a list of services available to the residents or property owners upon annexation are summarized for each Tract (by paragraph) in this Plan of Intent.

Contents

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Tract 2	Page 8 - 11
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Tract 4	Page 19 - 25

TRACT 1 -21604 S. School Road, legally described in Bill No. 2014-09

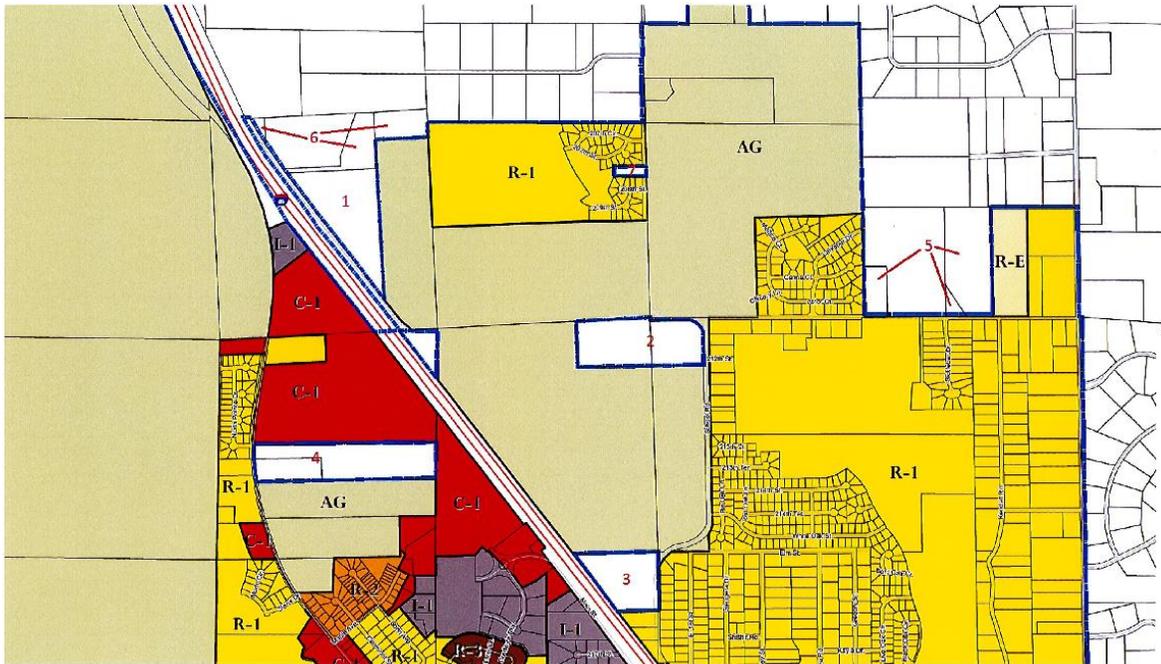
This area proposed for annexation is an unincorporated island property of 7.55 acres, bordered one hundred Percent (100%) by the City of Peculiar’s Corporate City Limits (see Map #1, page 3). This property was identified for future development in the City of Peculiar’s Comprehensive Plan, adopted in 2008 (specifically the Future Land Use Plan). The annexation of this property was identified in the City of Peculiar 3, 8 & 13 Year Annexation Plan adopted October 21, 2013 (see Map #2, page 4). This property was prioritized for annexation due to planned Destination Retail development of the Southeast I-49 & East 211th Street Intersection as identified in the City’s Future Land Use Plan.

The services presently provided by the City and a list of services available to the residents or property owners upon annexation are summarized for TRACT 1 in paragraphs “a thru j” as follows:

MAP #1 TRACT 1



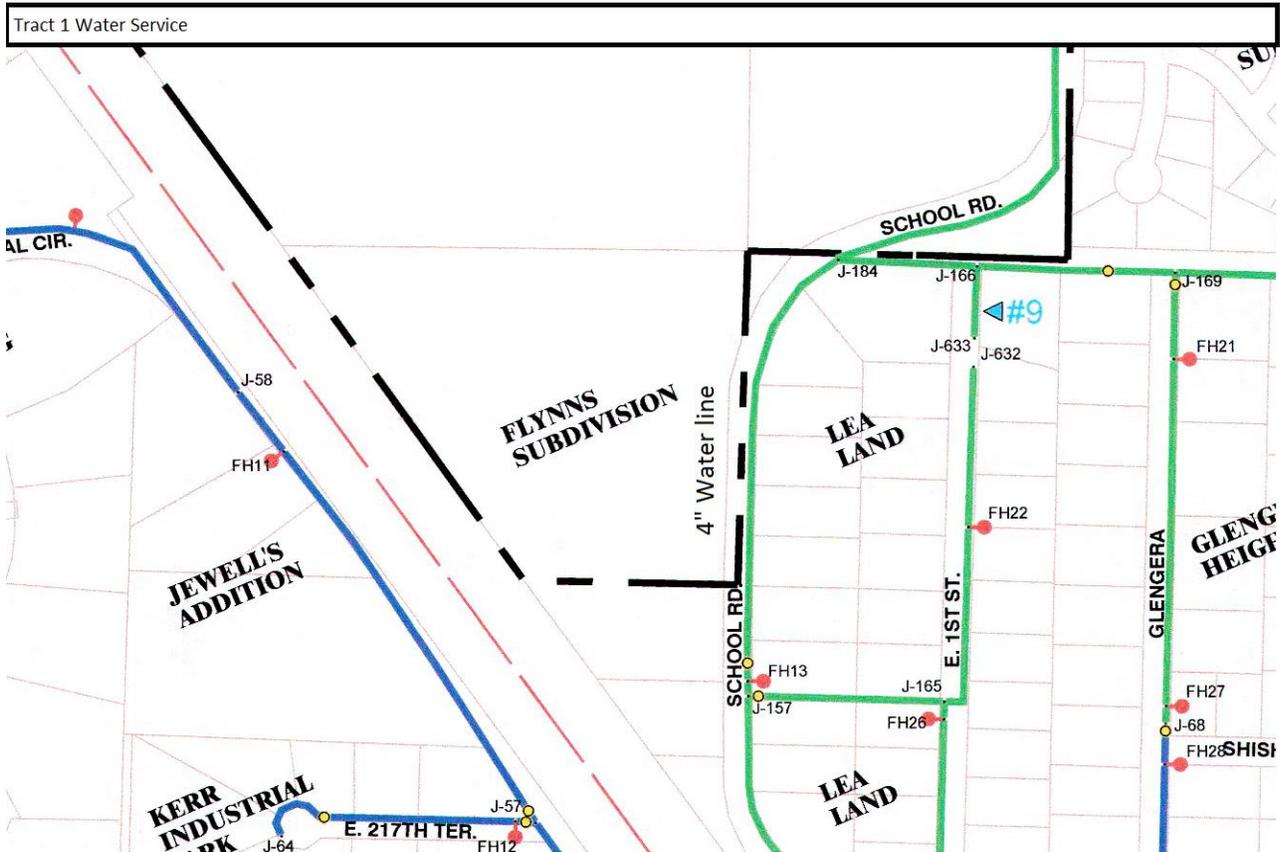
MAP #2 TRACT 1 (City of Peculiar 3, 8 & 13 Year Annexation Plan, Item #3)



- a. Proposed Street Improvements. TRACT 1 is presently served by School Road on the Eastern border; no additional street improvements are planned or necessary.

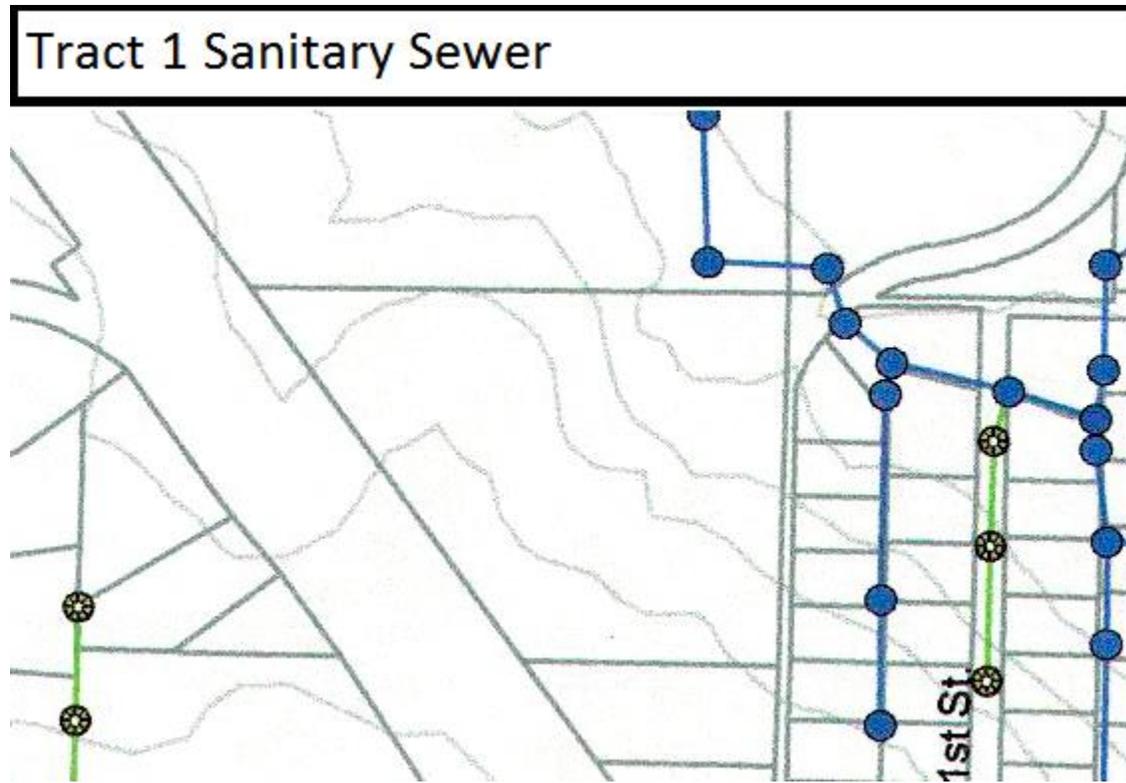
- b. Water Service. TRACT 1 has City Water Service readily available from a four (4) inch water line adjacent to School Road (see Map #3, page 5).

MAP #3 TRACT 1 (TRACT 1 Water Service, City 4 inch line)



- c. Sanitary Sewer Service. TRACT 1 has Sanitary Sewer Service available from a City Sanitary Sewer Main which lies within One Hundred (100) feet immediately Northeast of its property line (see Map #4, page 6).

MAP #4 TRACT 1 (TRACT 1 Sanitary Sewer Service)



- d. Fire Protection. TRACT 1 is presently within, and served by, the West Peculiar Fire Protection District (WFPFD). The City of Peculiar does not operate its own Fire Department. It continues to be more cost effective for the citizens of Peculiar to have the West Peculiar Fire Protection District provide the service. The Fire Protection Rating for the proposed annexation area is 4. The WFPFD is able to respond to a call with 4 – 6 personnel and 4,600 gallons of water for initial response.
- e. Police Protection. TRACT 1 is presently served by the Cass County Sheriff’s Department. Upon annexation, police protection would be provided by the City of Peculiar Police Department. There would be no additional cost of providing Police Protection to this property.

f. Parks and Recreation. TRACT 1 is presently served by the City of Peculiar Department of Parks & Recreation. The City provides 7 public parks and over 170 acres of park land that any residents of the proposed annexation area would have full access too. Upon annexation, any non-resident fees for programs or shelter rentals would no longer apply as this proposed area would fall under the “resident” fee structure.

g. Other Municipal Services

Street Lighting: The City manages the street lighting throughout the City through a lease agreement with KCP&L. Presently street lighting is provided on School Road near intersections, no additional street lights are planned at this time.

Code Enforcement: The City codes for building, plumbing, electrical, housing, safety, nuisance abatement and development are administered by the City; the Fire Code is administered by West Peculiar Fire Protection District. Commercial building plans are reviewed by the City Planner and City Engineer. Upon annexation, the applicable building and zoning codes will be administered uniformly throughout the annexed area.

Refuse (Trash) Collection: The City provides refuse collection to City residents. The service is contracted by the City with a private company, the service includes bulky waste pick-up. Upon annexation, refuse collection would be available to any residential customer in TRACT 1; this would not include dumpster service for businesses.

h. Taxation. According to state law, the city may not assess any property at any higher level for city assessment purposes than it is assessed by the County Assessor. The present City of Peculiar Tax Rate is \$0.8626 per \$100 assessed valuation.

i. Existing Land Use and Proposed Zoning. In accordance with the City of Peculiar Municipal Code, SECTION 400.310, ZONING UPON ANNEXATION. Whenever any land shall be annexed to the Municipality, the Zoning designation of such land shall, at the discretion of the City Planner, be changed to “AG” Agriculture or to the Municipal Zoning designation that most closely resembles the “Existing Use” of the property. The Proposed Zoning for TRACT 1 based upon the Existing Land Use of the property, its size of 7.55 acres and the current Cass County Assessor’s classification of the property is R-1, Single Family Dwelling District.

j. Effective Date. The Effective Date of the Annexation shall be the Day/Date immediately following the election approving the annexation (authorized by Rev. Stat. Mo. § 71.015) or upon the receipt of a Final Order from a Court of competent jurisdiction, whichever is later.

TRACT 2 -9707 E. State Route YY, legally described in Bill No. 2014-09

This area proposed for annexation is an unincorporated property of 2.72 acres, which has a contiguous border of Sixty Seven Percent (67%) with the City of Peculiar’s Corporate City Limits (see Map #5, page 8). TRACT 2 is developed with an electrical substation and prioritized for annexation as it is adjacent to a residential subdivision. Additionally, two very similar facilities already lie within Peculiar’s Corporate City Limits:

- The South Harper Peaking Facility (electrical generating facility) at 24404 S. Harper Road, and
- The Peculiar 345 kV Substation (located at East 203rd Street and South Knight Road)

The services presently provided by the City and a list of services available to the residents or property owners upon annexation are summarized for TRACT 2 in paragraphs “a thru j” as follows:

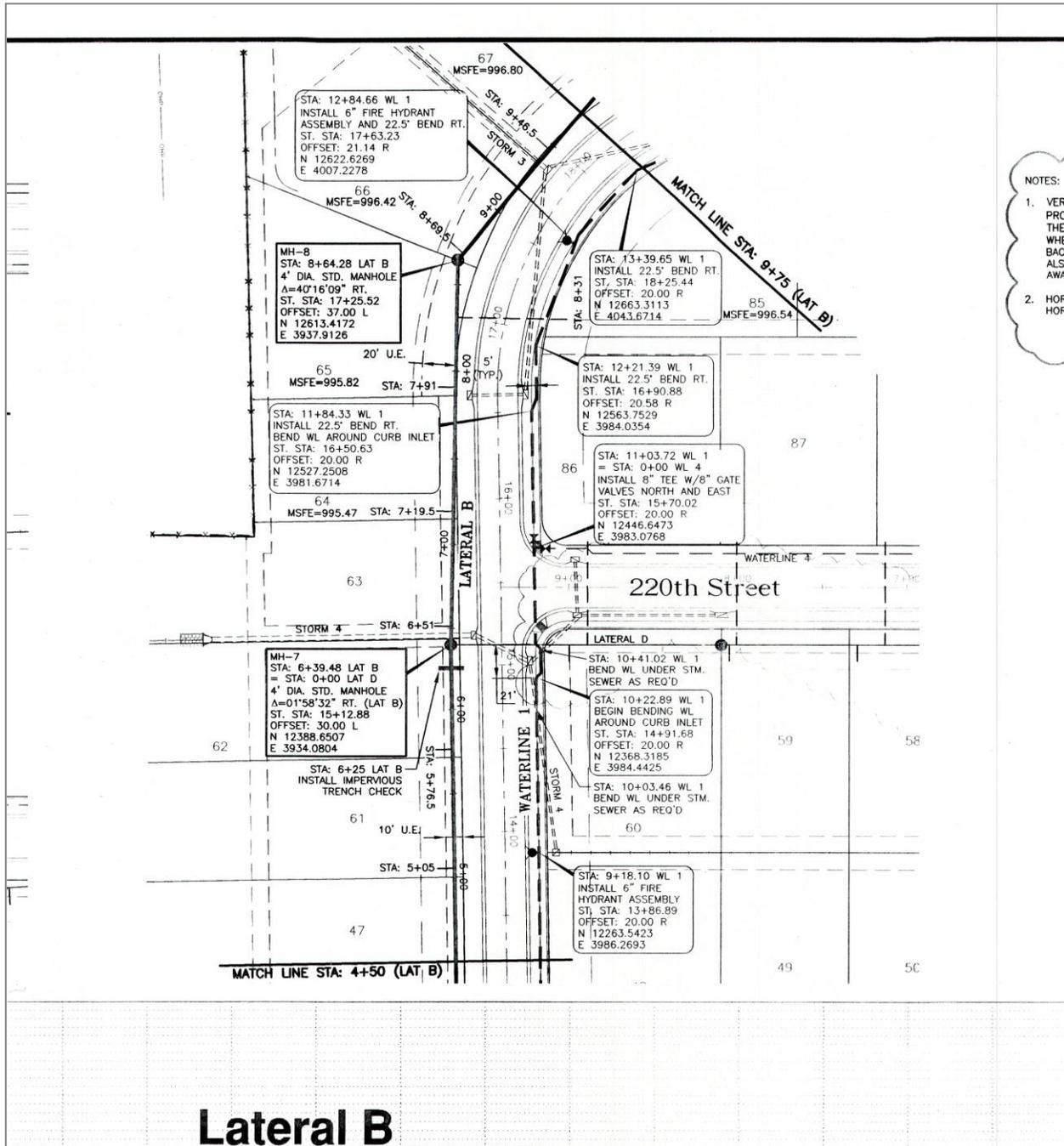
MAP #5 TRACT 2



- a. Proposed Street Improvements. TRACT 2 is presently served by State Route YY on the Northern border, maintained by MoDOT; no additional improvements are necessary.
- b. Water Service. TRACT 2 would have Water Service provided by Public Water Supply District No. 7.

- c. Sanitary Sewer Service. TRACT 2 would have Sanitary Sewer Service available from a City Sanitary Sewer Main adjacent to Crystal Avenue (see Map #6, page 9) if required.

MAP #6 TRACT 2 (Sanitary Sewer Main. Lateral B Availability)



- NOTES:
1. VER PRO THE WHE BAC ALS AWA
 2. HOR HOR

- d. Fire Protection. TRACT 2 is presently within, and served by, the West Peculiar Fire Protection District (WPPFD). The City of Peculiar does not operate its own Fire Department. It continues to be more cost effective for the citizens of Peculiar to have the West Peculiar Fire Protection District provide the service. The Fire Protection Rating for the proposed annexation area is 4. The WPPFD is able to respond to a call with 4 – 6 personnel and 4,600 gallons of water for initial response.
- e. Police Protection. TRACT 2 is presently served by the Cass County Sheriff’s Department. Upon annexation, police protection would be provided by the City of Peculiar Police Department. There would be no additional cost of providing Police Protection to this property.
- f. Parks and Recreation. TRACT 2 is presently served by the City of Peculiar Department of Parks & Recreation. The City provides 7 public parks and over 170 acres of park land that any resident of the proposed annexation area would have full access too. Upon annexation, any non-resident fees for programs or shelter rentals would no longer apply as this proposed area would fall under the “resident” fee structure.
- g. Other Municipal Services
 - Street Lighting: The City manages the street lighting throughout the City through a lease agreement with KCP&L. Presently street lighting is provided on State Route YY near intersections, no additional street lights are planned at this time.
 - Code Enforcement: The City codes for building, plumbing, electrical, housing, safety, nuisance abatement and development are administered by the City; the Fire Code is administered by West Peculiar Fire Protection District. Commercial building plans are reviewed by the City Planner and City Engineer. Upon annexation, the applicable building and zoning codes will be administered uniformly throughout the annexed area.
 - Refuse (Trash) Collection: The City provides refuse collection to City residents. The service is contracted by the City with a private company, the service includes bulky waste pick-up. Upon annexation, refuse collection would be available to any residential customer in TRACT 2; this would not include dumpster service for businesses.
- h. Taxation. According to state law, the city may not assess any property at any higher level for city assessment purposes than it is assessed by the County Assessor. The present City of Peculiar Tax Rate is \$0.8626 per \$100 assessed valuation.
- i. Existing Land Use and Proposed Zoning. In accordance with the City of Peculiar Municipal Code, SECTION 400.310, ZONING UPON ANNEXATION. Whenever any land shall be annexed to the Municipality, the Zoning designation of such land shall, at the discretion of the City Planner, be changed to “AG” Agriculture or to the Municipal Zoning designation that most closely resembles the “Existing Use” of the property. The Proposed Zoning for TRACT 2 based upon its size of 2.72 acres and the current Cass County Assessor’s classification of the property is R-1, Single Family Dwelling District.

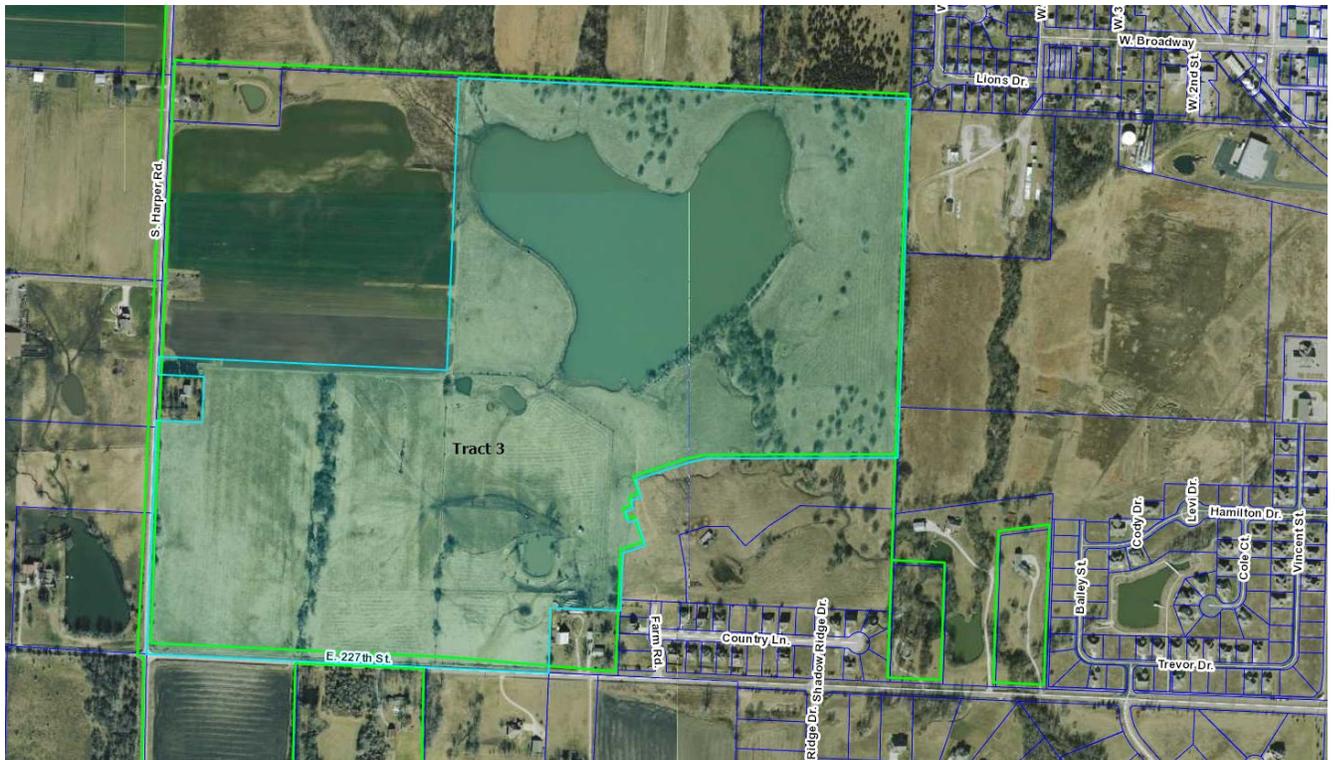
- j. Effective Date. The Effective Date of the Annexation shall be the Day/Date immediately following the election approving the annexation (authorized by Rev. Stat. Mo. § 71.015) or upon the receipt of a Final Order from a Court of competent jurisdiction, whichever is later.

TRACT 3 –E. 227th Street and Harper Road, legally described in Bill No. 2014-09

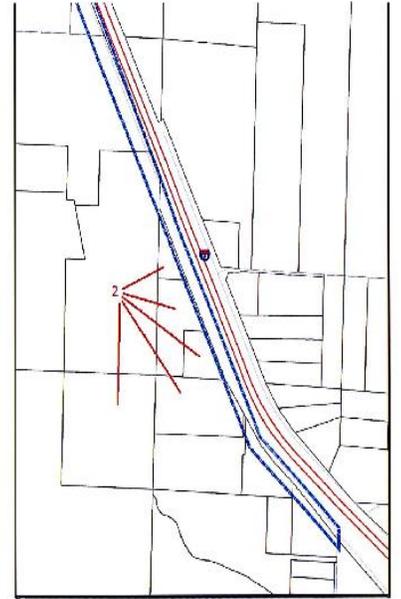
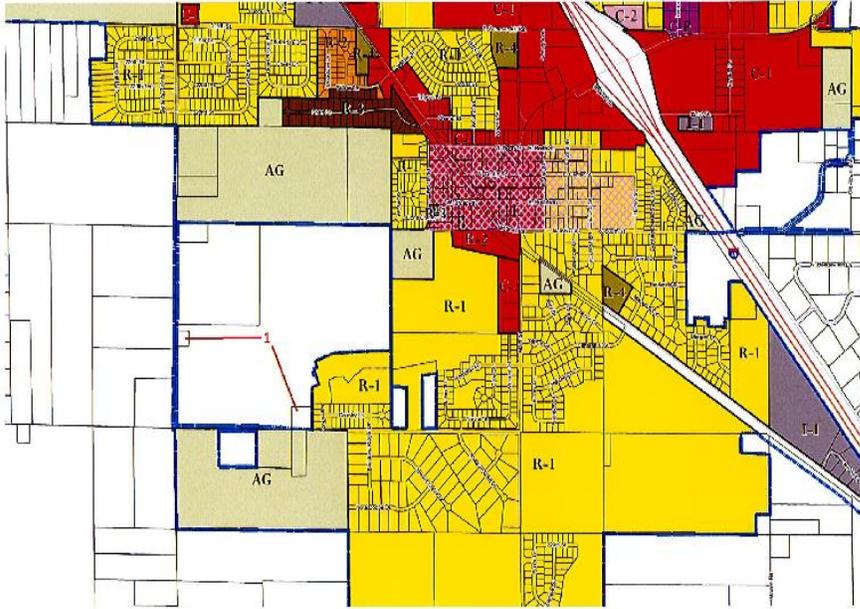
This area proposed for annexation is an unincorporated property of 128.57 acres, with a contiguous border of Sixty Nine Percent (69%) with the City of Peculiar Corporate City Limits (see Map #7, page 12). TRACT 3 was identified for future development in the City of Peculiar Comprehensive Plan, adopted in 2008 (specifically the Future Land Use Plan). The annexation of this property was identified as a priority in the City of Peculiar 3, 8 & 13 Year Annexation Plan adopted October 21, 2013 (see Map #8, page 13). The City constructed a Sanitary Sewer Main through the property in 2013 to improve the collection system (see Map #9, page 14). Having a readily available gravity sanitary sewer main running through a large tract of cleared property makes TRACT 3 an ideal area for development, evidenced by the recent Craigslist advertisement listing this property for sale (see Attachment #1, page 15). It is important for the City to be able to control growth in an orderly and desirable manner due to its impact upon both the City’s infrastructure and the property value of our residents.

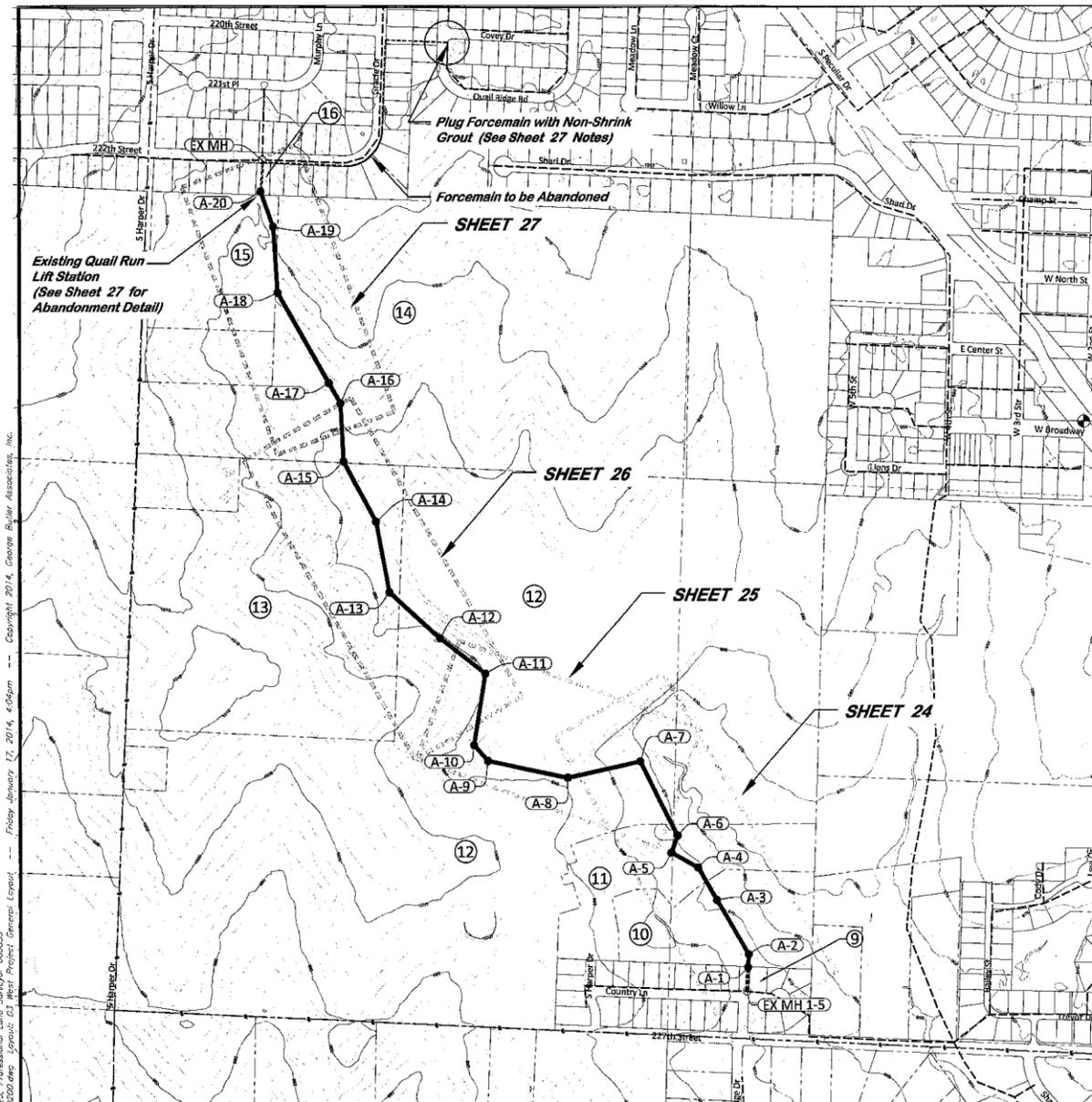
The services presently provided by the City and a list of services available to the residents or property owners upon annexation are summarized for TRACT 3 in paragraphs “a thru j” as follows:

MAP #7 TRACT 3



MAP #8 TRACT 3 (City of Peculiar 3, 8 & 13 Year Annexation Plan, Item #1)





LAND ideal for DEVELOPING

kansascity.craigslist.org/bfd/4382281863.html

CL > kansas city > all for sale / wanted > business/commercial - by dealer

prohibited Posted: 5 days ago

★ **LAND ideal for DEVELOPING - S1 (E. 227 Street, Peculiar, MO)**

147.51 acres ideal for developing. Has a 20-30 acre stocked lake, road frontage on 2 sides, adjoins Harper Farms on south where utilities would be accessible. Property is currently leased. Price is \$9,900 per survey acre. YY to Harper NE corner of Harper and 227th.

- do NOT contact me with unsolicited services or offers

© craigslist - Map data © OpenStreetMap contributors
227th at S. Harper

(google map) (yahoo map)

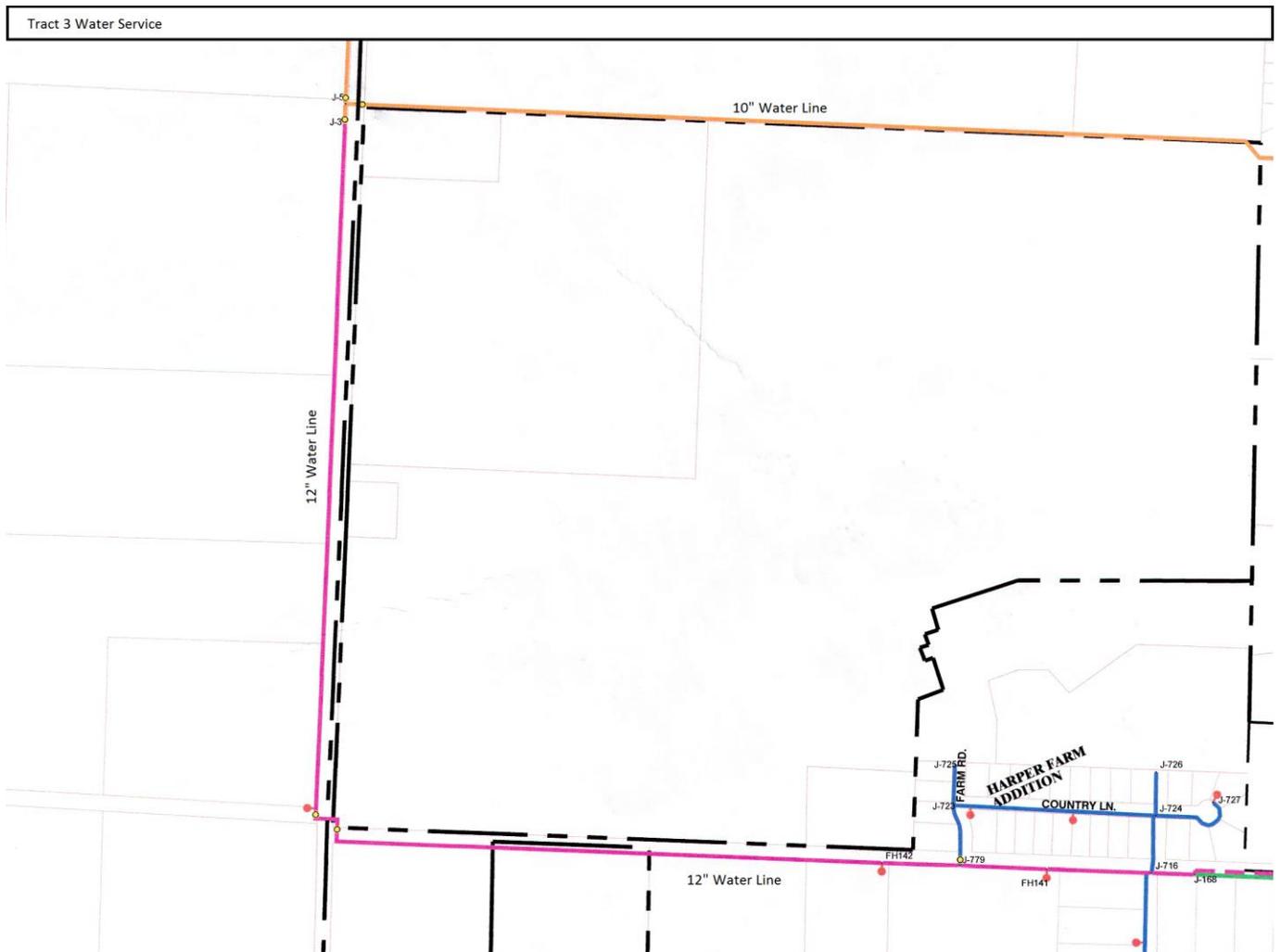
post id: 4382281863 posted: 5 days ago

[Avoid scams, deal locally](#): Beware wiring (e.g. Western Union), cashier checks, money orders, shipping.

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- a. Proposed Street Improvements. TRACT 3 is presently served by E. 227th Street on the Southern border and Harper Road on the Western Border; no additional street improvements are planned.
- b. Water Service. TRACT 3 has ample City Water Service readily available from a ten (10) inch water main on its North border, a twelve (12) inch water main on Harper Road and another twelve (12) inch water main on E. 227th Street. No additional water distribution improvements are necessary. (see Map #10, page 16).

MAP #10 TRACT 3 (Water Service Available: 12 inch & 10 inch Water Lines)



- c. Sanitary Sewer Service. TRACT 3 has Sanitary Sewer Service readily available from a Sanitary Sewer Main the City constructed through the property in 2013 (see Map #9, page 14). No additional Sanitary Sewer improvements are necessary.
- d. Fire Protection. TRACT 3 is presently within, and served by, the West Peculiar Fire Protection District (WPPFD). The City of Peculiar does not operate its own Fire Department. It continues to be more cost effective for the citizens of Peculiar to have the West Peculiar Fire Protection District provide the service. The Fire Protection Rating for the proposed annexation area is 4. The WPPFD is able to respond to a call with 4 – 6 personnel and 4,600 gallons of water for initial response.
- e. Police Protection. TRACT 3 is presently served by the Cass County Sheriff’s Department. Upon annexation, police protection would be provided by the City of Peculiar Police Department. There would be no additional cost of providing Police Protection to this property.
- f. Parks and Recreation. TRACT 3 is presently served by the City of Peculiar Department of Parks & Recreation. The City provides 7 public parks and over 170 acres of park land that any residents of the proposed annexation area would have full access too. Upon annexation, any non-resident fees for programs or shelter rentals would no longer apply as this proposed area would fall under the “resident” fee structure.

g. Other Municipal Services:

Street Lighting: The City manages the street lighting throughout the City through a lease agreement with KCP&L. Presently street lighting is provided on E. 227th Street and on Harper Road near intersections, no additional street lights are planned at this time.

Code Enforcement: The City codes for building, plumbing, electrical, housing, safety, nuisance abatement and development are administered by the City; the Fire Code is administered by West Peculiar Fire Protection District. Commercial building plans are reviewed by the City Planner and City Engineer. Upon annexation, the applicable building and zoning codes will be administered uniformly throughout the annexed area.

Refuse (Trash) Collection: The City provides refuse collection to City residents. The service is contracted by the City with a private company, the service includes bulky waste pick-up. Upon annexation, refuse collection would be available to any residential customer in TRACT 3; this would not include dumpster service for businesses.

- h. Taxation. According to state law, the city may not assess any property at any higher level for city assessment purposes than it is assessed by the County Assessor. The present City of Peculiar Tax Rate is \$0.8626 per \$100 assessed valuation.

- i. Existing Land Use and Proposed Zoning. In accordance with the City of Peculiar Municipal Code, SECTION 400.310, ZONING UPON ANNEXATION. Whenever any land shall be annexed to the Municipality, the Zoning designation of such land shall, at the discretion of the City Planner, be changed to “AG” Agriculture or to the Municipal Zoning designation that most closely resembles the “Existing Use” of the property. The Proposed Zoning for TRACT 3 based upon its Existing Land Use, size of 128.57 acres and the current Cass County Assessor’s classification of the property is AG, Agriculture District.

- j. Effective Date. The Effective Date of the Annexation shall be the Day/Date immediately following the election approving the annexation (authorized by Rev. Stat. Mo. § 71.015) or upon the receipt of a Final Order from a Court of competent jurisdiction, whichever is later.

TRACT 4 -24110 S. Peculiar Drive, legally described in Bill No. 2014-09

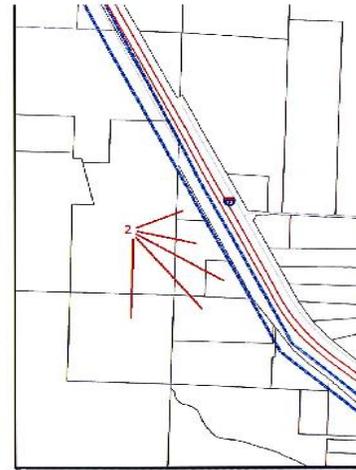
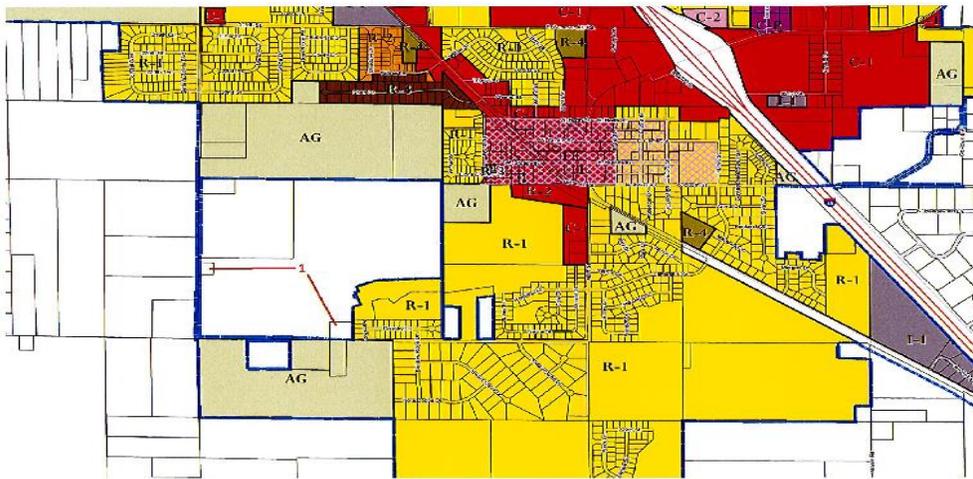
This area proposed for annexation is an unincorporated property of 96 acres, more or less, with a contiguous border of Fifty Nine Percent (59%) with the City of Peculiar Corporate City Limits (see Map #11, page 19). TRACT 4 is primarily developed Light Industrial with manufacturing & office facilities. The annexation of this property was identified as a priority in the City of Peculiar 3, 8 & 13 Year Annexation Plan adopted October 21, 2013 (see Map #12, page 20). This annexation is consistent with the Proposed Annexation Agreement between the City of Peculiar and the City of Harrisonville (see Map #13, page 20). The annexation of Tract 4 was originally planned in 2004 conditioned upon the completion of the Community Development Block Grant (CDBG) which funded construction of the Sanitary Sewer Extension to TRACT 4 (see Attachment #2, page 21 and Attachment #3, page 22).

The services presently provided by the City and a list of services available to the residents or property owners upon annexation are summarized for TRACT 4 in paragraphs “a thru k” as follows:

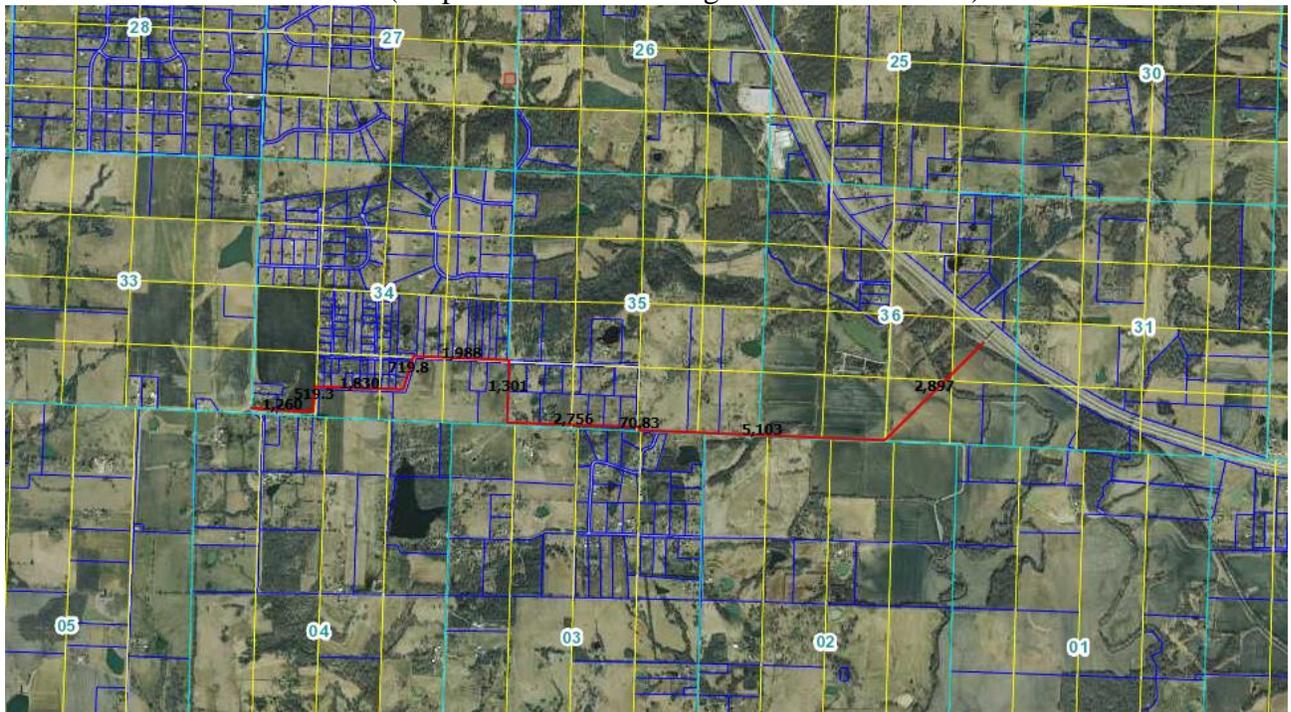
MAP #11 TRACT 4

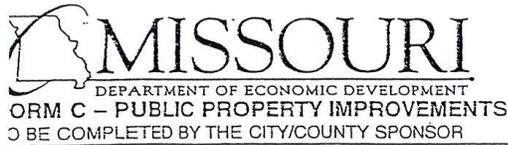


MAP #12 TRACT 4 (City of Peculiar 3, 8 & 13 Year Annexation Plan, Item #2)



MAP #13 TRACT 4 (Proposed Annexation Agreement Addendum)





Directions: Specify in as much detail as possible the public improvements (regardless of funding source) proposed which directly support the company's project. Sources of funds may be CDBG, private funds, city, county, company, or other state or federal programs. Distinguish between activities, which are in different locations, such as Main Street, Oak Street, etc. The activities and unit costs must correspond to the preliminary engineering report and map/blueprint submitted in this application. Public Property Improvements are defined as those owned by a Public Entity that will benefit more than one entity.

(a) Activity	CDBG	Local	INKIND	TOTAL	(f) Source of Funds*
1. Sewer Improvements	449,000			449,000	CDBG
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10. Sub-total	449,000			449,000	
11. Engineering Design	39,150			39,150	CDBG
12. Construction Inspection	11,850		3,025	14,875	CDBG/INK
13. Other Professional Services					
14. CDBG Administration	15,000			15,000	CDBG
15.					
16. Total	515,000	0	3,025	518,025	

*Source of Funds: For sources other than CDBG, attach a commitment letter from the source noting the status of the funding, the amount, and any contingencies or deadlines imposed on the funding commitment. For city/county funded activities, indicate "ik" in this column for non-cash in-kind items.

Form D
Narratives

8. Land Use

- a. Describe the land use immediately surrounding the project (residential, commercial, industrial, undeveloped), and its applicability for the proposed use given noise, dust, traffic, unsightliness, odor, or any other related concern of interest to residents of the area.

Land uses immediately surrounding the project is undeveloped. Sioux Chief is currently located and this project will address an on-site expansion of Sioux Chief's current facilities.

- b. Indicate current zoning status, or steps proposed to re-zone the area, if needed.

The current zoning is manufacturing and agricultural. The project site will be annexed into the City of Peculiar and the City will re-establish zoning for properties new to the city.

- c. Generally describe the topography of the project area, noting any possible concerns with storm drainage, utilities, truck traffic, etc.

The topography is rolling

9. Surrounding Land Value

- a. Indicate any property (and the ownership of such) adjacent to the project site, which may realize a substantial increase in value due to the proposed public improvements. (This is to prevent potential conflicts of interest and to disclose other parties who may realize a substantial gain in land value.)

Other property owners may realize a substantial increase in the value due to the installation of sewer line.

10. Operation and Maintenance

- a. Identify the public entity(s) who will own and be responsible for the operation and maintenance of the proposed public improvements. If public entities other than the applicant are involved, a written commitment to own and maintain the facilities must be provided.

The City of Peculiar will own and be responsible for the operation and maintenance of the proposed public improvements.

- a. Economic Development Programs. Upon annexation, TRACT 4 would be eligible for multiple programs administered by the City of Peculiar which include:
 - i. The City of Peculiar Industrial Development Authority
 - ii. The City of Peculiar Economic Development Incentive Policy, and the
 - iii. Missouri Clean Energy District, “Property Assessed Clean Energy Act”

- b. Proposed Street Improvements. TRACT 4 is presently served by S. Peculiar Drive on the East border which is maintained by MoDOT; no additional improvements are planned.

- c. Water Service. TRACT 4 has Water Service provided by Public Water Supply District, PWSD #10; they would continue providing Water Service upon annexation.

- d. Sanitary Sewer Service. TRACT 4 has Sanitary Sewer Service from a City Sanitary Sewer Extension constructed to the property in 2004 by a CDBG (see Attachment #4, page 24). No additional Sanitary Sewer improvements are necessary.
 - i. Upon annexation, the monthly rates for sewerage services would be reduced per SECTION 705.230: ACTUAL USE RATES. The estimated annual savings by the Monthly Rate classification changing from “Outside City Limits” to “Business-government” would be around Four Thousand Dollars (\$4,000.00).

SIoux CHIEF SEWER EXTENSION FOR PECULIAR, MISSOURI

2004

LOCATION MAP

STATE LOCATION MAP

LIST OF DRAWINGS

1. COVER SHEET
2. INDEX AND CONTROL TIES SHEET
3. FORCE MAIN PLAN AND PROFILE
4. GRAVITY SEWER PLAN AND PROFILE
5. LIFT STATION SITE PLAN AND DETAILS
6. LIFT STATION PLAN AND SECTIONS
7. MISCELLANEOUS DETAILS

P.C. 1. Left station on the down pipe

CONTACTS:

CITY OF PECULIAR WORK CENTER 816-779-1512	SOUTHERN BELL GAS PIPELINE 816-779-1512
MOBILE HOME FRANK WILSON 816-779-6976	LIGHT CONCRETE CONCRETE STEVE BELL 816-779-1512
MOBILE HOME FRANK WILSON 816-779-6976	MOBILE HOME FRANK WILSON 816-779-6976
MOBILE HOME FRANK WILSON 816-779-6976	MOBILE HOME FRANK WILSON 816-779-6976

LARKIN GROUP P.C.
9200 Ward Parkway • Kansas City, MO • 64114
CONSULTING ENGINEERS

GENERAL NOTES:

1. Locations of sewer, force main, waterlines, and utilities shown are approximate only, and should be verified by Contractor prior to construction. The Contractor shall verify the location and depth of all utilities prior to construction.
2. The Contractor is to utilize the following toll free number provided by Dig-Rite: 1-(800)-DIG-RITE.
3. Prior to commencement of work, the Contractor shall notify all those companies which have facilities in the vicinity 72 hours prior to the construction to be performed.
4. Separation of sanitary sewers and water mains shall be in accordance with published standards as established by the Department of Natural Resources. Parallel installation 10 feet horizontal separation. Crossing - 18 inches vertical separation.
5. Contractor is to coordinate w/ property owners prior to any temporary closing of drives and/or parking areas.
6. All County roads, Missouri Highway Right-of Ways, and Private property monuments shall be protected.
7. All structures, fences, pavement, driveways and other improvements disturbed by construction activities shall be restored by the Contractor to condition equal or better than pre-construction condition.
8. Backfill all driveway crossings with 3/4" type I rock. Resurface drives with material to match existing type and thickness. Culverts shall be replaced and ditches graded to drain.
9. Contractor shall provide access to all private property by the end of each work day.

LA No. KC03-0026.01

- e. Fire Protection. TRACT 4 is presently within, and served by, the West Peculiar Fire Protection District (WPFPD). The City of Peculiar does not operate its own Fire Department. It continues to be more cost effective for the citizens of Peculiar to have the West Peculiar Fire Protection District provide the service. The Fire Protection Rating for the proposed annexation area is 4. The WPFPD is able to respond to a call with 4 – 6 personnel and 4,600 gallons of water for initial response.
- f. Police Protection. TRACT 4 is presently served by the Cass County Sheriff’s Department. Upon annexation, police protection would be provided by the City of Peculiar Police Department. There would be no additional cost of providing Police Protection to this property.
- g. Parks and Recreation. TRACT 4 is presently served by the City of Peculiar Department of Parks & Recreation. The City provides 7 public parks and over 170 acres of park land; any residents of the proposed annexation area would have full access too. Upon annexation, any non-resident fees for programs or shelter rentals would no longer apply as this proposed area would fall under the “resident” fee structure.

h. Other Municipal Services

Street Lighting: The City manages the street lighting throughout the City through a lease agreement with KCP&L. Presently street lighting is provided on S. Peculiar Drive near intersections, no additional street lights are planned at this time.

Code Enforcement: The City codes for building, plumbing, electrical, housing, safety, nuisance abatement and development are administered by the City; the Fire Code is administered by West Peculiar Fire Protection District. Commercial building plans are reviewed by the City Planner and City Engineer. Upon annexation, the applicable building and zoning codes will be administered uniformly throughout the annexed area.

Refuse (Trash) Collection: The City provides refuse collection to City residents. The service is contracted by the City with a private company, the service includes bulky waste pick-up. Upon annexation, refuse collection would be available to residential customers in TRACT 4, however this would not include dumpster service for businesses.

i. Taxation. According to state law, the city may not assess any property at any higher level for city assessment purposes than it is assessed by the County Assessor.

The present City of Peculiar Tax Rate is \$0.8626 per \$100 assessed valuation.

j. Existing Land Use and Proposed Zoning. In accordance with the City of Peculiar Municipal Code, SECTION 400.310, ZONING UPON ANNEXATION. Whenever any land shall be annexed to the Municipality, the Zoning designation of such land shall, at the discretion of the City Planner, be changed to “AG” Agriculture or to the Municipal Zoning designation that most closely resembles the “Existing Use” of the property. The Proposed Zoning for TRACT 4 based upon its Existing Land Use, size of 128.57 acres and the current Cass County Assessor’s classification of the property is I-1, Light Industrial.

k. Effective Date. The Effective Date of the Annexation shall be the Day/Date immediately following the election approving the annexation (authorized by Rev. Stat. Mo. § 71.015) or upon the receipt of a Final Order from a Court of competent jurisdiction, whichever is later.

**Annexation Timeline
For August and November Elections
May 5th, 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. **COMPLETE**
5. **Weeks of April 10, 17, 24 and May 1, 2014:** Public Hearing Notice published regarding the P.H. on the proposed annexation scheduled **May 5, 2014.** *(Required: Publish 3 consecutive weeks before Public Hearing)* **COMPLETE**
6. **April 17th, 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.)* **COMPLETE**
7. **April 21, 2014:** First reading of Involuntary Annexation Ordinance **COMPLETE**
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. **SCHEDULED**
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.

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: April 21st, 2014

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 McCrea _____
Alderman Fines _____
Alderman Ford _____

Alderman Ray _____
Alderman Roberts _____
Alderman Turner _____

Approved:

Holly Stark, Mayor

Attest:

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: May 1, 2014
Re: Ordinance amending and adding new enforceable police codes.

GENERAL INFORMATION

Applicant: Staff

Status of Applicant: N/A

Requested Actions: Consider proposed Bill for 2nd reading.

Date of Application: April 17, 2014

Purpose: To update current police laws and add new tools for the officers to utilize if necessary.

Property Location (if applicable): N/A

PROPOSAL

PREVIOUS ACTIONS

Board passed First Reading on April 21st, 2014.

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

Staff recommends Approval.

STAFF RECOMMENDATION

Board of Aldermen consider the adoption of the new Ordinance.

ATTACHMENTS

Bill 2014-10

BILL NO. 2014-10
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: April 21st, 2014

Second Reading: _____

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

Alderman Ford _____
Alderman Fines _____
Alderman Ray _____

Alderman McCrea _____
Alderman Turner _____
Alderman Roberts _____

Approved:

Attest:

Holly Stark, 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
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: 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. 2014-11
ORDINANCE NO. ____

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: April 21st, 2014

Second Reading: _____

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

Alderman Ford _____
Alderman Fines _____
Alderman Ray _____

Alderman McCrea _____
Alderman Turner _____
Alderman Roberts _____

Approved:

Attest:

Holly Stark, 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
Date: May 1, 2014
Re: Establishment of the Police Board

GENERAL INFORMATION

Applicant: BOA
Status of Applicant: N/A
Requested Actions: Approval of 2nd Reading of proposed Bill
Date of Application: April 17, 2014
Purpose: Establishment of the Police Board.

Property Location (if applicable):

PROPOSAL

Mayor Elect Holly Stark has brought forth the idea to reinstate the Police Board. This will be a volunteer Board whose primary purpose is to be an informational tool for the Chief of Police. The 2nd function of the Police Board will be to hear grievances. It will be headed by the Police Commissioner and will pass any recommendations to the City Administrator.

PREVIOUS ACTIONS

NONE

KEY ISSUES

STAFF COMMENTS AND SUGGESTIONS

STAFF RECOMMENDATION

ATTACHMENTS

Ordinance.

STAFF CONTACT:

BILL NO. 2014-12
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI ESTABLISHING A POLICE ADVISORY BOARD, ESTABLISHING THE DUTIES OF THE BOARD, AND THE METHOD OF APPOINTMENT OF MEMBERSHIP THEREOF.

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 citizens the opportunity to serve on the Police Advisory Board and take an active role in the community.

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

SECTION I. That all of Chapter 200 ARTICLE II, POLICE COMMISSIONER of the Peculiar Municipal Code pertaining to Police Commissioner shall be deleted and a new Chapter 200 ARTICLE II POLICE ADVISORY BOARD shall be inserted with the following:

ARTICLE II. POLICE ADVISORY BOARD

SECTION 200.110: ESTABLISHMENT AND PURPOSE

- A. There is hereby established a Police Advisory Board, which may hereinafter be referred to as the "Police Board".
- B. **PURPOSE OF THE POLICE ADVISORY BOARD:** The purpose of the Peculiar Police Advisory Board is to afford the citizens of Peculiar an unbiased group of citizens who will review new ideas given to the Board by the Chief of Police and who will listen to grievances and complaints on police related matters who have the authority to determine the validity of such matters and who have the authority to recommend to the City Administrator the action necessary to correct valid complaints.

SECTION 200.120: COMPOSITION OF THE POLICE BOARD:

The Police Board shall consist of five (5) members (one from each ward, one member at large and one Board of Aldermen liaison who shall serve as Police Commissioner). The Mayor shall, with the approval of the Board of Aldermen, appoint one (1) member from each of the three (3) wards of the City, one (1) member from residents at large and one (1) Alderman to the Police Board who shall serve as Police Commissioner. Members of the Police Board shall be qualified voters of the City and shall have resided in the City for at least one year prior to their appointment.

SECTION 200.130: TERM OF OFFICE:

Police Board Members will be appointed for a one year term. Vacancies on the board due to resignations, removal or other reasons will be filled by appointment and confirmation for the period of the unexpired term.

SECTION 200.140: DUTIES OF THE POLICE BOARD:

To meet as required to provide input to the Chief of Police about new policies and procedures, to hear citizen complaints and grievances, to determine the validity of said complaints and grievances and to make such recommendations to the City Administrator they deem necessary as to the appropriate action to correct or eliminate a complaint or grievance. Recommendations shall be submitted in writing to the City Administrator. The City Administrator will take the Board's recommendation under advisement and subsequently administer the corrective action he/she deems necessary.

SECTION 150: OFFICERS OF THE POLICE BOARD:

The Police Board shall by a simple majority vote, elect a Co-Chairman and a Secretary who will keep minutes of meetings and notify members of upcoming meetings.

SECTION 160: DUTIES OF THE POLICE COMMISSIONER:

The Police Commissioner shall serve as Chairman of the Police Board shall preside over the meetings. He shall call meetings as he deems necessary to give valued input to the Chief of Police, and to hear complaints and grievances of the citizens of Peculiar. Police Board members and citizens who submit complaints shall be given 24 hours advance notice of meetings called. The Chairman shall convene the Police Board within 10 working days after receipt of a written grievance or complaint. Upon completion of the hearing, the Chairman shall forward in writing a report of the findings and recommendations to the City Administrator. The Police Commissioner will be an advisor to the Police Board and will serve as liaison between the Police Board and the Board of Aldermen.

SECTION 170: DUTIES OF THE SECRETARY:

The Secretary shall keep a written set of minutes of the meetings. A copy of these minutes will be furnished to the City Clerk for file and a copy for information shall be provided to the Chief of Police.

SECTION 180: CHIEF OF POLICE:

The Chief of Police may be asked to attend such meetings. If the Chairman of the Police Board deems his appearance is necessary, the Chief of Police shall attend. Since police matters will be discussed at most meetings, it would be prudent for the Chief of Police to be in attendance but it not a requirement.

SECTION 190: COMPLAINT FORMS:

Any citizen who has a complaint should contact the police department, obtain a complaint form, fill it out and submit it to the Chief of Police. If the Chief of Police has the authority to settle or resolve the complaint, he will take the necessary action to solve the problem. If said citizen is dissatisfied with the solution, the complaint will then be forwarded to the Police Board for review and action. The Board shall determine if the complaint is valid or invalid and if valid, process the complaint and submit their recommendations to the City Administrator for final action.

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

First Reading: April 21st, 2014

Second Reading: _____

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

Alderman Ford _____
Alderman Fines _____
Alderman Ray _____

Alderman McCrea _____
Alderman Turner _____
Alderman _____ _____

Approved:

Attest:

Holly Stark, 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: May 5, 2014

Re: Proposed Amendment to SECTION 400.820, PAVING REQUIRED, ALTERNATIVES to Establish Paving Requirements Within the City's Right-of-ways.

GENERAL INFORMATION

Applicant: City Staff

Status of Applicant: N/A

Requested Actions: Board of Aldermen to Consider Approval of the Proposed Amendments to SECTION 400.820, PAVING REQUIRED, ALTERNATIVES

Date of Application: April 7, 2014

Purpose: The purpose is to amend SECTION 400.820 of the Municipal Code to establish Pavement requirements for driveways and parking areas which are within the City's Right-of-way.

Property Location (if applicable): City Wide

PROPOSAL

See "Requested Actions" above.

PREVIOUS ACTIONS

This proposed Amendment to SECTION 400.820 was presented to the Board of Aldermen on March 5th, 2012 for Review and Discussion however it was never brought forth for subsequent approval. The Planning Commission held a Public Hearing on the proposed amendments on March 13th, 2014 – there were no public comments either for or against the amendments. The Planning Commission tabled action on the proposed amendment until their April 10th, 2014 meeting to incorporate changes to pavement markings (commercial property only) and provide existing residential gravel driveways the option of being paved with asphalt pavement. The Planning Commission approved the "Draft" Ordinance on April 10th by a vote of 3:2

KEY ISSUES

The existing Ordinance does not specify the type of pavement (Asphalt or Concrete) required within the City's Right-of-way. This amendment will establish the type (Asphalt Concrete Pavement or Portland Cement Concrete Pavement (PCCP) within the City's Right-of-way depending upon the City Engineer's approval.

STAFF COMMENTS AND SUGGESTIONS

1. The “Draft” Ordinance to amend SECTION 400.820 was approved by the Planning Commission at their April 10th, 2014 meeting – it is presented for your review, all “New/Additional” Text is underlined for your information. Several areas of concern were raised after this Draft was approved, especially the references to Specifications, Minimum Specifications and Compacted Earth Subgrade.
(see Attach 1)
2. The Purpose of this amendment is to require the use of Concrete Pavement within the City’s Right-of-way, an option of using Asphalt Pavement on existing Residential gravel driveways, or the use of other pavement surface materials as approved by the City Engineer. It is not the intent to create or list specifications for the pavement within the City’s Right-of-way – that is the purpose of Chapter 500.
3. A “Revised” Ordinance to amend SECTION 400.820 is presented for your review which depicts suggested changes (additions underlined, deletions lined-thru) to eliminate confusion with the City’s Specifications and references to compacted earth subgrade (see Attach 2)
4. Lastly, a “Clean Text” version of the Revised Ordinance is presented for your final review and consideration for approval.

STAFF RECOMMENDATION

Staff Recommends Approval of the final Ordinance.

ATTACHMENTS

1. “Draft” Ordinance Amending SECTION 400.820: PAVING REQUIRED, ALTERNATIVES
2. “Revised” Ordinance Amending SECTION 400.820 – (which shows recommended changes)
3. Ordinance Amending SECTION 400.820: PAVING REQUIRED, ALTERNATIVES (clean text)

STAFF CONTACT:

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

BILL NO. 2014-13
ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI SPECIFYING CERTAIN PAVING REQUIREMENTS FOR PARKING LOTS AND DRIVEWAYS AND AMENDING SECTION 400.820 OF THE PECULIAR MUNICIPAL CODE

WHEREAS, the City is authorized, under Rev. Stat. Mo. § 89.020, to regulate zoning and land use within the city limits for the purpose of promoting health, safety and/or the general welfare of the community; and

WHEREAS, the City desires to implement new paving requirements to govern parking areas and driveways within City right-of-ways.

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

SECTION I. That Section 400.820 be removed in its entirety and replaced with the following:

SECTION 400.820: PAVING REQUIRED, ALTERNATIVES

A. *Paved Surface Required.* All parking lots and driveways shall be paved with a concrete, asphalt or other alternative surface as approved by the City Engineer as indicated in paragraphs B, C and D below in accordance with City specifications and maintained in a manner that no dust will result from continued use. No vehicle shall be parked on a non-paved surface (even if not a required parking or loading space) except those vehicles permitted in the rear and side yards of residential districts. All pavement shall be so marked as to delineate all parking and non-parking areas.

B. All parking areas and driveways not within the City's Right-of-Way shall be constructed and ready for use prior to the issuance of a certificate of occupancy and shall be paved in accordance with specifications approved by the City Engineer. The minimum specifications shall include either:

1. A four (4) inch asphalt base course meeting APWA standard mix type 1-01 placed on a compacted earth subgrade, overlaid with a two (2) inch asphalt surface course meeting APWA standard mix type 3-01; or

2. A six (6) inch layer of reinforced Portland Cement Concrete meeting APWA specifications (MCIB Section 4-4, Concrete Pavement) shall be placed on a compacted earth subgrade; or

3. Any other paving specification reviewed and approved by the City Engineer.

C. All new driveways within the City's Right-of-Way shall be constructed and ready for use prior to the issuance of a certificate of occupancy and shall be paved in accordance with specifications approved by the City Engineer as follows:

1. A six (6) inch layer of reinforced Portland cement concrete shall be placed on a compacted earth sub grade, without exception.

D. Gravel driveways existing on the date this Ordinance is enacted shall have the option of paving within the City’s Right-of-way with asphalt in accordance with paragraph B.1 above.

E. The City Engineer may grant an extension of the deadline for paving by issuing a temporary certificate of occupancy when weather conditions are not satisfactory for placing paving materials.

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 McCrea _____
Alderman Ford _____
Alderman Fines _____

Alderman Ray _____
Alderman Roberts _____
Alderman Turner _____

Approved:

Attest:

Holly Stark, Mayor

Nick Jacobs, City Clerk

BILL NO. 2014-13
ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI SPECIFYING CERTAIN PAVING REQUIREMENTS FOR PARKING LOTS AND DRIVEWAYS AND AMENDING SECTION 400.820 OF THE PECULIAR MUNICIPAL CODE

WHEREAS, the City is authorized, under Rev. Stat. Mo. § 89.020, to regulate zoning and land use within the city limits for the purpose of promoting health, safety and/or the general welfare of the community; and

WHEREAS, the City desires to implement new paving requirements to govern parking areas and driveways within City right-of-ways.

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

SECTION I. That Section 400.820 be removed in its entirety and replaced with the following:

SECTION 400.820: PAVING REQUIRED, ALTERNATIVES

A. *Paved Surface Required.* All parking lots and driveways shall be paved with a concrete, asphalt or other alternative surface as approved by the City Engineer as indicated in paragraphs B, C and D below in accordance with City specifications and maintained in a manner that no dust will result from continued use. No vehicle shall be parked on a non-paved surface (even if not a required parking or loading space) except those vehicles permitted in the rear and side yards of residential districts. All commercial pavement shall be so marked as to delineate all parking and non-parking areas.

B. All parking areas and driveways not within the City's Right-of-Way shall be constructed and ready for use prior to the issuance of a certificate of occupancy and shall be paved in accordance with specifications approved by the City Engineer. The ~~minimum specifications shall~~ pavement surface material shall consist of either:

1. A four (4) inch asphalt base course meeting APWA standard mix type 1-01 ~~placed on a compacted earth subgrade~~, overlaid with a two (2) inch asphalt surface course meeting APWA standard mix type 3-01; or

2. A six (6) inch layer of reinforced Portland Cement Concrete meeting APWA specifications (MCIB Section 4-4, Concrete Pavement) ~~shall be placed on a compacted earth subgrade~~; or

3. Any other ~~paving specification~~ pavement surface material reviewed and approved by the City Engineer.

C. All new driveways within the City's Right-of-Way shall be constructed and ready for use prior to the issuance of a certificate of occupancy and shall be paved in accordance with specifications approved by the City Engineer as follows:

1. A six (6) inch layer of reinforced Portland cement concrete shall be placed on a compacted earth sub grade, without exception.

D. Gravel driveways existing on the date this Ordinance is enacted shall have the option of paving within the City's Right-of-way with asphalt in accordance with paragraph B.1 above.

E. The City Engineer may grant an extension of the deadline for paving by issuing a temporary certificate of occupancy when weather conditions are not satisfactory for placing paving materials.

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 Ford _____
Alderman Roberts _____
Alderman Fines _____

Alderman Ray _____
Alderman McCrea _____
Alderman Turner _____

Approved:

Attest:

Holly Stark, Mayor

Nick Jacobs, City Clerk

BILL NO. 2014-13
ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI SPECIFYING CERTAIN PAVING REQUIREMENTS FOR PARKING LOTS AND DRIVEWAYS AND AMENDING SECTION 400.820 OF THE PECULIAR MUNICIPAL CODE

WHEREAS, the City is authorized, under Rev. Stat. Mo. § 89.020, to regulate zoning and land use within the city limits for the purpose of promoting health, safety and/or the general welfare of the community; and

WHEREAS, the City desires to implement new paving requirements to govern parking areas and driveways within City right-of-ways.

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

SECTION I. That Section 400.820 be removed in its entirety and replaced with the following:

SECTION 400.820: PAVING REQUIRED, ALTERNATIVES

A. *Paved Surface Required.* All parking lots and driveways shall be paved with a concrete, asphalt or other alternative surface as approved by the City Engineer as indicated in paragraphs B, C and D below in accordance with City specifications and maintained in a manner that no dust will result from continued use. No vehicle shall be parked on a non-paved surface (even if not a required parking or loading space) except those vehicles permitted in the rear and side yards of residential districts. All commercial pavement shall be so marked as to delineate all parking and non-parking areas.

B. All parking areas and driveways not within the City's Right-of-Way shall be constructed and ready for use prior to the issuance of a certificate of occupancy and shall be paved in accordance with specifications approved by the City Engineer. The pavement surface material shall consist of either:

1. A four (4) inch asphalt base course overlaid with a two (2) inch asphalt surface course meeting **Kansas City Metropolitan Chapter of the American Public Works Association (APWA), DIVISION II, CONSTRUCTION AND MATERIAL SPECIFICATIONS STREETS, SECTION 2200 PAVING**; or

2. A six (6) inch layer of reinforced Portland Cement Concrete meeting **Kansas City Metropolitan Chapter of the American Public Works Association (APWA), DIVISION II, CONSTRUCTION AND MATERIAL SPECIFICATIONS STREETS, SECTION 2200 PAVING** ; or

3. Any other pavement surface material reviewed and approved by the City Engineer.

C. All new driveways within the City's Right-of-Way shall be constructed and ready for use prior to the issuance of a certificate of occupancy and shall be paved in accordance with specifications approved by the City Engineer as follows:

1. A six (6) inch layer of reinforced Portland Cement Concrete without exception.

D. Gravel driveways existing on the date this Ordinance is enacted shall have the option of paving within the City's Right-of-way with asphalt in accordance with paragraph B.1 above.

E. The City Engineer may grant an extension of the deadline for paving by issuing a temporary certificate of occupancy when weather conditions are not satisfactory for placing paving materials.

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 Ford _____
Alderman Roberts _____
Alderman Fines _____

Alderman Ray _____
Alderman McCrea _____
Alderman Turner _____

Approved:

Attest:

Holly Stark, 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: May 5, 2014
Re: Amending Political Sign Requirements, SECTION 400.1800: EXEMPT SIGNS

GENERAL INFORMATION

Applicant: City Staff

Status of Applicant: N/A

Requested Actions: Board of Aldermen to consider approving an Ordinance to amend SECTION 400.1800: EXEMPT SIGNS to provide nominal guidance for Political Signs in the City of Peculiar.

Date of Application: April 7, 2014

Purpose: The purpose is to amend the existing Sign Ordinance in which Political Signs are “Exempt” from the City Sign Code and provide nominal guidance on size, installation, removal and locations.

Property Location (if applicable): City Wide

PROPOSAL

See “Requested Actions” above.

PREVIOUS ACTIONS

The Board of Aldermen approved this Amendment to the Zoning Regulations for Political Signs in October, 2008; unfortunately when the “New” Zoning Regulations were adopted by the Board in November, 2008 those changes were never incorporated.

The Planning Commission held a Public Hearing on the proposed amendments to this Ordinance on April 10th, 2014; no public comment was received either for or against the amendments. The Planning Commission subsequently approved the Ordinance to amend SECTION 400.1800, Political Signs, by a vote of 4:1.

KEY ISSUES

Peculiar’s City Code lists Political Signs as “Exempt” from the City’s Sign Code (see SECTION 400.1800: EXEMPT SIGNS). Therefore there are no restrictions or guidance on size, placement or the length of time Political Signs may be erected in Peculiar. This City Planner believes the proposed amendment to the Sign Code will provide much needed direction without being restrictive.

STAFF COMMENTS AND SUGGESTIONS

The Board of Aldermen should consider approving this Ordinance to amend SECTION 400.1800: EXEMPT SIGNS to provide nominal guidance for the size, placement, and display time of Political Signs for future elections.

STAFF RECOMMENDATION

Staff Recommends Approval of the Ordinance and the proposed amendments for Political Signs.

ATTACHMENTS

Ordinance to Amend SECTION 400.1800: EXEMPT SIGNS, of the Peculiar Municipal Code

STAFF CONTACT:

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

BILL NO. 2014-14
ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AMENDING SECTION 400.1800: EXEMPT SIGNS, OF THE PECULIAR MUNICIPAL CODE TO PROVIDE POLITICAL SIGN REQUIREMENTS

WHEREAS, the City is authorized, under Rev. Stat. Mo. § 89.020, to regulate zoning and land use within the city limits for the purpose of promoting health, safety and/or the general welfare of the community; and

WHEREAS, the City desires to amend SECTION 400.1800: EXEMPT SIGNS to provide requirements for placement, size and display time for Political Signs.

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

SECTION I. That Section 400.1800, paragraph 5. Political message signs be removed in its entirety and replaced with the following:

5. Political message signs, provided:

- a. Signs shall not be erected earlier than thirty (30) days prior to the election or event to which they pertain and it shall be the responsibility of the property owner to have these signs removed no later than seven (7) days after the election or event.
- b. Maximum size in residential zoning districts shall be six (6) square feet in face area.
- c. Maximum size in commercial and industrial zoning districts shall be thirty-two (32) square feet in face area.
- d. There shall be no political signs on any public property, utility poles or Right-of-ways.

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 Ford _____
Alderman McCrea _____
Alderman Fines _____

Alderman Ray _____
Alderman Roberts _____
Alderman Turner _____

Approved:

Attest:

Holly Stark, 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: May 5, 2014
Re: City of Peculiar, Industrial Development Authority

GENERAL INFORMATION

Applicant: City Staff

Status of Applicant: N/A

Requested Actions: Board of Aldermen to consider updating the Industrial Development Authority

Date of Application: April 23, 2014

Purpose: The purpose is for the City of Peculiar to update the City of Peculiar Industrial Development Authority (IDA) Bylaws and Articles of Incorporation to implement a full Board for the IDA which will ensure the IDA will provide an optional means of project funding to attract & develop future economic growth within the City.

Property Location (if applicable): City Wide

PROPOSAL

See "Requested Actions" above.

PREVIOUS ACTIONS

Peculiar had previously approved, and established an Industrial Development Authority (IDA), formed as a public corporation under Chapter 349 of the Revised Statutes of Missouri (the "Industrial Development Corporations Act"); unfortunately it was dissolved. In January, 2014, the Board of Aldermen approved Resolution 2014-02 to establish an IDA for the City of Peculiar. The three (3) Board members approved by the Board of Aldermen subsequently held a meeting with City Staff to elect officers, and Gillmore & Bell has recommended updates to both the IDA Bylaws and Articles of Incorporation being presented to the Board of Aldermen for approval.

KEY ISSUES

The City desires to use economic development tools to attract desired industrial and commercial growth. An IDA under authority of Chapter 349 of the Revised Statutes of Missouri has the authority to authorize Tax Exempt Status for bonds necessary to support approved projects. These bonds have no tie, impact or obligation to the City of Peculiar nor do they adversely impact the City's bonding ability/capacity. To support the IDA and its effort toward economic development, the following Resolution and IDA Bylaws (Exhibit A) and Articles of Incorporation (Exhibit B) for the City to update the IDA were reviewed by Staff, Holbrook & Osborn, P.A. and Gillmore & Bell - and are now presented for your consideration to approve.

STAFF COMMENTS AND SUGGESTIONS

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

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

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

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

STAFF RECOMMENDATION

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

ATTACHMENTS

1. Resolution to Establish City of Peculiar Industrial Development Authority
2. IDA Bylaws (Exhibit A)
3. IDA Articles of Incorporation (Exhibit B)

STAFF CONTACT:

Clifford L. McDonald,
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RESOLUTION 2014-28

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI TO AUTHORIZE THE FORMATION OF AN INDUSTRIAL DEVELOPMENT CORPORATION IN THE CITY OF PECULIAR, MISSOURI, DETERMINING AND APPROVING CERTAIN MATTERS RELATED THERETO WHICH SHALL SUPERCEDE RESOLUTION 2014-02.

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

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

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

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

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

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

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

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

	<u>Name</u>	<u>Initial Term</u>
1	Herbert J. Harper	Two Years
2	Sharon Shores	Two Years
3	Nora L. Dodge	Four Years
4	Ernie Jungmeyer	Four Years
5	Homer Dunsworth	Six Years

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

Section 6. Effective Date. The effective date of this Resolution shall be 5th day of May, 2014.

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

Alderman Roberts	_____	Alderman Ray	_____
Alderman Turner	_____	Alderman Ford	_____
Alderman Fines	_____	Alderman McCrea	_____

APPROVED:

ATTEST:

Holly Stark, Mayor

Nick Jacobs, City Clerk

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

**ARTICLE I
OFFICES**

1. Name. The name of this corporation shall be The Industrial Development Authority of the City of Peculiar, Missouri.
2. Principal Office, Registered Office and Registered Agent. The principal office and location of the corporation shall always be in the City of Peculiar, Missouri. The location of the registered office and the name of the registered agent shall be such as determined from time to time by the Board of Directors and as of file in the appropriate office in the State of Missouri. The principal office shall be located at such place as the Board of Directors may from time to time determine.
3. Records. The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of the Board of Directors and each committee of the Board of Directors. The corporation shall keep at its principal or registered office a record of the name and address of each director. Such records shall be public records open for inspection by any interested person.
4. Seal. The corporation shall have no Seal.

**ARTICLE II
PURPOSES**

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

**ARTICLE III
DIRECTORS**

1. Directors in Lieu of Members or Shareholders. The corporation shall not have members or shareholders as such, but, in lieu thereof, shall have only a Board of Directors.
2. Powers. The property and affairs of the corporation shall be managed by the Board of Directors of the corporation. The Board of Directors shall have and is invested with all and unlimited powers and authorities, except as it may be expressly limited by law, the Articles of Incorporation or these bylaws, to supervise, control, direct and manage the property, affairs and activities of the corporation, to determine the policies of the corporation, to do or cause to be done any and all lawful things for and on behalf of the corporation, to exercise or cause to be exercised any or all of its powers, privileges or franchises, and to seek the effectuation of its objects and purposes; provided, however, that (1) the Board of Directors shall not authorize or permit the corporation to engage in any activity not permitted to be transacted by the Articles of Incorporation or by an industrial development corporation organized under the laws of the State of Missouri under Chapter 349 of the Revised Statutes of Missouri, as amended;

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

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

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

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

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

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

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

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

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

ARTICLE IV MEETINGS

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

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

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

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

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

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

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

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

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

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

ARTICLE V OFFICERS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ARTICLE VI EMPLOYEES

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

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

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

ARTICLE VII GENERAL PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

**ARTICLE VIII
FISCAL YEAR**

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

**ARTICLE IX
LEGAL COUNSEL; FINANCIAL ADVISORS**

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

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

**ARTICLE X
AMENDMENTS**

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

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

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

The undersigned, each being a natural person of the age of eighteen years or more, for the purpose of forming and constituting a public corporation under Chapter 349 of the Revised Statutes of Missouri (the "Industrial Development Corporations Act"), do hereby adopt, make and execute, the following Articles of Incorporation:

1. The names and residences of the applicants are as follows:

Name	Residence Address
Nora L. Dodge	101 Cindy Lane (P.O. Box 22), Peculiar, MO 64078
Sharon Shores	11010 Summerskill Road (P.O. Box 545), Peculiar, MO 64078
Herbert J. Harper	750 S. Peculiar Drive, Peculiar, MO 64078

2. Each applicant is an elector of and taxpayer in the City of Peculiar, Missouri.
3. The name of the corporation shall be:

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

4. The address of its initial registered office in the State of Missouri is 250 S. Main Street, Peculiar, Missouri 64078, and the name of its initial registered agent at such address is Herbert J. Harper.

5. The governing body of the City of Peculiar, Missouri, by resolution duly adopted on May 5, 2014, has, among other things, found and determined that it is wise, expedient, necessary and advisable that this corporation be formed, has granted permission and authorized the applicants to proceed to form and organize this corporation and has approved these Articles of Incorporation.

6. The principal office of the corporation is in the City of Peculiar, Missouri, and shall be located at 250 S. Main Street, Peculiar, Missouri 64078.

7. The purposes for which this corporation is organized are to develop, advance, encourage and promote commercial, industrial, agricultural and manufacturing facilities in and about the City of Peculiar, Missouri. Without limiting the generality of the foregoing, the purposes shall include the following powers:

- (a) To do and perform any and all other things necessary or desirable with respect to a project or projects (as defined in the Industrial Development Corporations act, as amended from time to time), or with respect to any other matter, to the extent permitted by, or contemplated by, the Industrial Development Corporations Act, as amended from time to time; and

- (b) In general, to carry on any other business in connection with each and all of the foregoing purposes or incidental thereto; and to have and exercise each and all of the powers and privileges, either direct or incidental, which are given and provided by or are available under the laws of the State of Missouri in respect of corporations organized under the Industrial Development Corporations Act, as amended from time to time.

None of the purposes and powers specified in any of the paragraphs of this Article shall be in any way limited or restricted by reference to or inference from the terms of any other paragraph, and the purposes and powers specified in each of the paragraphs of this Article shall be regarded as independent purposes and powers. The enumeration of specific purposes and powers in this Article shall not be construed to restrict in any manner the general purposes and powers of this corporation, nor shall the expression of one thing be deemed to exclude another, although it be of like nature. The enumeration of purposes or powers herein shall not be deemed to exclude or in any way limit by inference any purposes or powers which this corporation has power to exercise, whether expressly by the laws of the State of Missouri, now or hereafter in effect, or impliedly by any reasonable construction of such laws.

8. The corporation shall be a nonprofit corporation and no part of the net earnings or other assets of the corporation shall inure to the benefit of any director, contributor, officer or other private individual having, directly or indirectly, any personal or private interest in the activities of the corporation.

9. The corporation shall not have authority to issue capital stock and shall not have any members as such.

10. The duration of the corporation shall be perpetual.

11. Except as may be otherwise specifically provided by statute, or the Articles of Incorporation or the Bylaws of the corporation, as from time to time amended, all powers of the corporation and all powers of management, direction and control of the corporation shall be, and hereby are vested in the Board of Directors. The Board of Directors of the corporation shall consist of five (5) directors, all of whom shall be qualified electors of and taxpayers in the City of Peculiar, Missouri, and shall have been resident taxpayers thereof for at least one year immediately prior to their appointment. No director shall be an officer or employee of the City of Peculiar, Missouri. The directors shall be appointed by the Mayor of the City of Peculiar, Missouri, with the advice and consent of a majority of the members of the governing body of the City of Peculiar, Missouri, in the manner provided in the Bylaws and in accordance with the requirements, if any, of the Industrial Development Corporations Act, as amended from time to time. Directors shall be appointed so that they shall hold office for staggered terms.

12. Neither the directors of this corporation nor any person executing any bonds or notes of the corporation shall be liable personally on such bonds or notes by reason of the issuance thereof. Bonds and notes issued by this corporation shall not be a debt of the City of Peculiar or the State of Missouri, and neither such City or such State shall be liable thereon nor in any event shall such notes or bonds be payable out of any funds or properties other than those acquired for the purposes of the Industrial Development Corporations Act, as amended from time to time, and such bonds and notes shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

13. The corporation may agree to the terms and conditions upon which any director, officer, employee or agent accepts his office or position, and in its Bylaws or otherwise may agree to indemnify and protect any director, officer, employee or agent to the extent permitted by the laws of Missouri.

14. Insofar as it is permitted under the laws of Missouri and except as may be otherwise provided by the Bylaws of the corporation, no contract or other transaction between this corporation and any other firm or corporation shall be affected or invalidated solely by reason of the fact that any director or officer of this corporation is interested in, or is a member, shareholder, director or officer of such other firm or corporation; and any director or officer of this corporation, individually or jointly with one or more other directors or officers of this corporation, may be a party to, or may be interested in, any contract or transaction of his corporation or in which this corporation is interested, and no such contract or transaction shall be invalidated thereby.

15. The Bylaws of the corporation may from time to time be altered, amended, suspended or repealed, or new Bylaws may be adopted, by resolution adopted by a majority of the full Board of Directors at a meeting thereof.

16. At such time as this corporation is dissolved or terminated all assets of the corporation (except insofar as may be necessary for the proper winding up thereof) shall pass to and be vested in the City of Peculiar, Missouri, if then in existence, and if not then in existence, then to its successor or successors; subject, however, to the extent provided in the Industrial Development Corporations Act, as amended from time to time, to the rights of bondholders, noteholders and other creditors of this corporation. No distribution shall be made which would violate the statutes of Missouri then in effect. The foregoing shall constitute the plan of distribution upon dissolution of the corporation.

17. The corporation reserves the right to alter, amend or repeal any provision contained in its Articles of Incorporation in the manner now or hereafter prescribed by the statutes of Missouri and all rights and powers conferred herein are granted subject to this reservation.

IN AFFIRMATION WHEREOF, the facts stated above are true and correct, and each of the undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo.

Signature	Printed or Typed Name	Date of Signature
	Nora L. Dodge	
	Sharon Shores	
	Herbert J. Harper	

ACKNOWLEDGMENT

STATE OF MISSOURI)
) **SS.**
COUNTY OF CASS)

On this ____ day of _____, 2014, before me, the undersigned, a Notary Public, personally appeared **NORA L. DODGE**, known to me to be the same person who executed the within Articles of Incorporation, and acknowledged to me that she executed the same for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal, the day and year last above written.

Notary Public in and for said State
Commission Expires:

*PLEASE AFFIX SEAL FIRMLY AND
CLEARLY IN THIS BOX*

ACKNOWLEDGMENT

STATE OF MISSOURI)
) **SS.**
COUNTY OF CASS)

On this ____ day of _____, 2014, before me, the undersigned, a Notary Public, personally appeared **SHARON SHORES**, known to me to be the same person who executed the within Articles of Incorporation, and acknowledged to me that she executed the same for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal, the day and year last above written.

Notary Public in and for said State
Commission Expires:



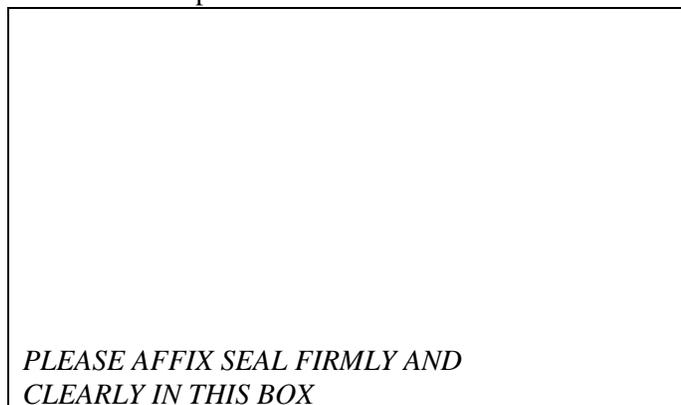
ACKNOWLEDGMENT

STATE OF MISSOURI)
) **SS.**
COUNTY OF CASS)

On this ____ day of _____, 2014, before me, the undersigned, a Notary Public, personally appeared **HERBERT J. HARPER**, known to me to be the same person who executed the within Articles of Incorporation, and acknowledged to me that he executed the same for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal, the day and year last above written.

Notary Public in and for said State
Commission Expires:



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: May 1, 2014

Re: Resolution approving the Board's desire to stay with Town & Country Disposal for Solid Waste Removal through July 31st, 2015.

GENERAL INFORMATION

Applicant: Staff

Status of Applicant: N/A

Requested Actions: Consider proposed Resolution for approval.

Date of Application: May 1, 2014

Purpose: To set forth the Boards desire to continue using Town & Country Disposal for Solid Waste Removal Services through 2015.

Property Location (if applicable): N/A

PROPOSAL

PREVIOUS ACTIONS

None.

KEY ISSUES

The City of Peculiar entered into an agreement with Town & Country Disposal for Solid Waste Removal Services on August 3, 2010. The Contract was for 3 years ending July 31st, 2013. The Contract will auto renew for 3 additional 1 year terms unless cancelled by one party or both. The purpose of this Resolution is to affirm that the Board is content with the Service which Town & Country Disposal is providing and desires to keep them for the remainder of the this renewal period and not have City Staff bid out Solid Waste Removal at this time.

STAFF COMMENTS AND SUGGESTIONS

Staff recommends Approval.

STAFF RECOMMENDATION

Board of Aldermen consider the approval of the Resolution.

ATTACHMENTS

Proposed Resolution

RESOLUTION 2014-29

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI STATING THE BOARD'S CONTINUED DESIRE TO UTILIZE TOWN & COUNTRY DISPOSAL FOR SOLID WASTE REMOVAL SERVICES THROUGH JULY 31ST, 2015.

WHEREAS, the City of Peculiar entered into an agreement with Town & Country Disposal for Solid Waste Removal Services on August 3rd, 2010 ; and

WHEREAS, the initial period of the agreement was for 3 years ending July 31st, 2013; and

WHEREAS, the agreement automatically renews for an additional 3 one year terms unless cancelled by one or both parties; and

WHEREAS, there have been no major complaints about the service that is being provided by Town & Country Disposal;

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

Section 1. The Board of Aldermen agrees to retain Town & Country Disposal for Solid Waste Removal Services through July 31st, 2015.

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 VOTE THIS ___ DAY OF MAY, 2014.

Alderman Ford _____
Alderman McCrea _____
Alderman Fines _____

Alderman Ray _____
Alderman Roberts _____
Alderman Turner _____

APPROVED:

ATTEST:

Holly Stark, Mayor

Nick Jacobs, City Clerk