

**BOA Meeting Agenda
Peculiar City Board of Aldermen
Meeting and Public Hearing
City Hall – 250 S. Main St
Monday May 19, 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 19, 2014 at 6:30 pm, in the Council Chambers at 250 S. Main St. Representatives of the news media may obtain copies of this notice by contacting the City Clerk at City Hall, 250 S. Main St Peculiar, MO 64078 or by calling 816-779-2221. All proposed Ordinances and Resolutions will be available for viewing prior to the meeting in the Council Chambers.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **City Clerk – Read the Board of Alderman Statement**
5. **Consent Agenda**
 - A. **Approval of the Agenda**
 - B. **Approval of the Draft Minutes of April 21, 2014 BOA Meeting.**
 - C. **Approval of the Draft Minutes of May 5, 2014 Work Session Meeting.**
6. **Proclamation – Public Works Week**
7. **Mayor’s Appointments – Joyce Connaway to Board of Adjustment
Resolution 2014-30 – A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR,
MISSOURI APPROVING THE APPOINTMENT OF JOYCE CONNAWAY TO THE BOARD OF ADJUSTMENT**
8. **Public Comment – Rehman Zahid Goodtimes Liquor & Bait
Resolution 2014-31 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR,
MISSOURI APPROVING CLASS A & J LIQUOR LICENSES FOR GOODTIMES LIQUOR & BAIT.**
9. **Unfinished Business**
 - A. **Bill No. 2014-09 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI PROVIDING FOR THE
EXTENSION OF THE CITY LIMITS OF THE CITY OF PECULIAR, MISSOURI BY EMBRACING AND
INCLUDING UNINCORPORATED REAL PROPERTY LOCATED IN SECTIONS 9, 16, 17, 25, AND 26 OF
TOWNSHIP 45 NORTH, RANGE 32 WEST IN CASS COUNTY, MISSOURI AND HEREINAFTER
PARTICULARLY DESCRIBED.
3rd Reading*
 - B. **Bill No. 2014-13 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI SPECIFYING CERTAIN
PAVING REQUIREMENTS FOR PARKING LOTS AND DRIVEWAYS AND AMENDING SECTION 400.820
OF THE PECULIAR MUNICIPAL CODE
2nd Reading*
 - C. **Bill No. 2014-14 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AMENDING SECTION
400.1800: EXEMPT SIGNS, OF THE PECULIAR MUNICIPAL CODE TO PROVIDE POLITICAL SIGN
REQUIREMENTS
2nd Reading*
10. **New Business**
 - A. **Public Hearing, Bill No. 2014-15 - AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF
PECULIAR, MISSOURI APPROVING THE REZONING OF S.A. HOLDINGS, INC.’S LOT 6, TWIN OAKS
COMMERCIAL, COMMONLY KNOWN AS 721 AND 725 J. HIGHWAY.
1st Reading*
 - B. **Public hearing, Bill No. 2014-16 - AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF
PECULIAR, MISSOURI APPROVING THE RE-PLAT OF LOT 55 CENTENNIAL FARMS, SUBMITTED BY
DOBSON HOMES INC.
1st Reading & potential 2nd Reading*

- C. **Bill No. 2014-17 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI, IMPOSING A LOCAL FUEL TAX TO BE USED TO FUND THE CONSTRUCTION, RECONSTRUCTION, MAINTENANCE, REPAIR, POLICING, SIGNING, LIGHTING, AND CLEANING OF ROADS AND/OR STREETS; AND FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDED INDEBTEDNESS INCURRED FOR ROAD AND STREET PURPOSES, THE USE THEREOF BEING SUBJECT TO SUCH OTHER PROVISIONS AND RESTRICTIONS AS PROVIDED BY LAW, AT THE RATE OF ONE CENT (\$0.01) PER GALLON TO BE IMPOSED ON ALL MERCHANTS FOR THE SALE OF FUEL USED FOR PROPELLING MOTOR VEHICLES PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO THE PROVISIONS OF ARTICLE IV SECTION 30(a) OF THE MISSOURI CONSTITUTION; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE ELECTION CALLED AND TO BE HELD IN THE CITY ON AUGUST 5, 2014.**
**1st & 2nd Readings*
- D. **Bill No. 2014-18 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AMENDING PECULIAR MUNICIPAL CODE § 500.070 C "WATERLINE STANDARDS FOR THE CITY OF PECULIAR."**
**1st Reading*
- E. **Resolution 2014-32 – A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE MISSOURI STATE TRACTOR PULLERS ASSOCIATION (MSTPA) FOR THE PURPOSE OF HOLDING A TRACTOR PULL EVENT ON JUNE 21, 2014 IN THE CITY OF PECULIAR**
- F. **Resolution 2014-33 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE RAYMORE-PECULIAR BAND BOOSTERS (BOOSTERS) FOR THE PURPOSE OF SELLING BEVERAGES AT THE ANNUAL TRACTOR PULL ON JUNE 21, 2014 IN THE CITY OF PECULIAR**

- 11. **Topic for Discussion**
 - A. **Active Warrants**
- 12. **City Administrator Report**
- 13. **Aldermen Concerns**
- 14. **Aldermen Directives**
- 15. **Executive Session**
 The City Attorney has requested a 20-minute Executive Session to discuss Litigation matters, per RSMo. §610.021(1)
- 16. **Adjournment**

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- 16. **Adjournment**

**Board of Aldermen Regular Meeting Minutes
Monday April 21, 2014**

A regular meeting and public hearing of the Board of Aldermen of the City of Peculiar, Missouri, was held in the Council Chambers in City Hall at 6:30 p.m. on Monday April 21, 2014. Mayor Ernest Jungmeyer called the meeting to order and all who were present joined in reciting the Pledge of Allegiance.

The following aldermen responded to roll call: Michael Gallagher, Holly Stark, Bob Fines, Donald Turner, Homer Dunsworth and Veronika Ray.

City Staff present for the meeting were City Administrator Brad Ratliff, City Attorney Reid Holbrook, Chief of Police Harry Gurin, City Clerk Nick Jacobs and City Planner Cliff McDonald.

Consent Agenda

- A. Approval of the Agenda**
- B. Approval of the Draft Minutes of March 17, 2014 BOA Meeting.**
- C. Approval of the Draft Minutes of April 7, 2014 Work Session Meeting.**

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

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

Employee of the Quarter Presentation – Tom Ephland

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

Proclamation – Arbor Day

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

Unfinished Business

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

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

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

No public comment.

Alderman Stark made a motion to adopt Resolution No. 2014-20. The motion was seconded by Alderman Turner and was accepted by a 6-0 roll call vote.

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

- B. Resolution No. 2014-21 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE FINANCIAL REPORT AND BUDGET AMENDMENT ENDING MARCH 31, 2014 OF THE FISCAL YEAR 2013-2014.**

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

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

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

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

No public comment.

Alderman Stark made a motion to adopt Resolution No. 2014-21 as amended to remove the \$30,000 from Capital Improvement Equipment until there is further information. The motion was seconded by Alderman Turner and was accepted by a 6-0 roll call vote.

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

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

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

Alderman Turner asked when the other results would be accepted.

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

No public comment.

Alderman Stark made a motion to adopt Resolution No. 2014-22. The motion was seconded by Alderman Turner and was accepted by a 6-0 roll call vote.

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

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

Mayor

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

Alderman Ward 1

Kelsie McCrea	211 votes
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Alderman Ward 2

Donald Turner	137 votes
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Alderman Ward 3

Kristina Vassar	128 votes
Jerry Ford	156 votes

Question 1 Motor Fuel Tax

Yes	493 votes
No	252 votes

Swearing in of New Elected Officials

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

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

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

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

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

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

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

New Business

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

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

Alderman Ray made a motion to adopt Resolution No. 2014-23. The motion was seconded by Alderman Ford and was accepted by a 6-0 roll call vote.

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

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

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

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

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

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

There was further discussion amongst the Board.

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

No public comment.

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

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

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

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

No Board comments
No public comment.

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

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

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

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

No Board comment.
No public comment.

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

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

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

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

No Board comment.
No public comment.

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

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

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

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

Alderman Fines nominated Patrick Roberts.

Alderman Turner nominated Veronika Ray.

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

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

Alderman Roberts made a motion to adopt Resolution No. 2014-27 with the addition of Pat Roberts. The motion was seconded by Alderman Ford and was accepted by a 6-0 roll call vote.

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

G. Bill No. 2014-09 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI PROVIDING FOR THE EXTENSION OF THE CITY LIMITS OF THE CITY OF PECULIAR, MISSOURI BY EMBRACING AND INCLUDING UNINCORPORATED REAL PROPERTY LOCATED IN SECTIONS 9, 16, 17, 25, AND 26 OF

TOWNSHIP 45 NORTH, RANGE 32 WEST IN CASS COUNTY, MISSOURI AND HEREINAFTER PARTICULARLY DESCRIBED.

****1st Reading***

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

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

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

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

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

Alderman Turner asked about the negatives about annexing.

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

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

There was further discussion amongst the Board.

No public comment.

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

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

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

****1st Reading***

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

No Board comment

No public comment.

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

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

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

****1st Reading***

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

No Board comments

No public comments.

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

Alderman Ford	Aye	Alderman Ray	Aye
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Alderman McCrea Aye
Alderman Fines Aye

Alderman Roberts Aye
Alderman Turner Aye

Topic for Discussion

A. Training for Newly Elected Officials

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

There was some discussion amongst the Board.

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

B. Motor Fuel Tax Discussion

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

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

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

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

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

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

City Administrator Report

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

Alderman Concerns

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

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

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

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

Alderman Ray asked about the decorative street lights in downtown.
Mayor Stark stated that the program through KCP&L has been discontinued.

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

Alderman Directives

Move forward with 20 reduced permits
Update budget approved by BOA
Accepted election results except fuel tax
Update information on City's Website
2nd reading on Police Advisory Board on May 5th
Have Cliff McDonald contact Mr. Hammack on Planning Commission
Have Nathan contact Mr. Dunsworth on Park Board
2nd reading of annexation on May 5th

2nd reading on new police laws on May 5th
2nd reading on removal of chief from office bill on May 5th
Set up meeting with Gary Markinson for Alderman Training.

Adjournment

On a motion from Alderman Ford, second from Alderman Turner, the meeting was adjourned at 8:50pm with a 6-0 voice vote.

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

Nick Jacobs, City Clerk

Approved by the Board of Aldermen:

DRAFT

**Board of Aldermen Regular Meeting Minutes
Monday May 5, 2014**

A regular work session meeting and public hearing of the Board of Aldermen of the City of Peculiar, Missouri, was held in the Council Chambers in City Hall at 6:30 p.m. on Monday May 5, 2014. Mayor Holly Stark called the meeting to order and all who were present joined in reciting the Pledge of Allegiance.

The following aldermen responded to roll call: Veronika Ray, Donald Turner, Bob Fines, Jerry Ford, and Kelsie McCrea. Patrick Roberts was absent.

City Staff present for the meeting were City Administrator Brad Ratliff, City Attorney Reid Holbrook, City Engineer Carl Brooks, Police Sargent James Kirkpatrick, City Clerk Nick Jacobs, City Planner Clifford McDonald, Business Office Manager Trudy Prickett, and Parks & Recreation Director Nathan Musteen.

At 6:33pm Alderman Turner made a motion to leave regular session and enter into a public hearing. The motion was seconded by Alderman Ford and was approved by a 5-0 all in favor vote with Alderman Roberts being absent.

Public Hearing & Annexation Plan of Intent - Cliff McDonald

City planner Cliff McDonald addressed the Board pertaining to the City's Plan of Intent for the upcoming annexation. This is a statutory requirement and it outlines the services in which the City currently provides, what services the City will provide, the timeline for providing said services, what the current tax rates are, and what the zoning designation will be if annexed.

Tract 1 is commonly known as 21604 S. School Road. It is currently bordered 100% by current City limits. The property is identified as a priority in the City's 3, 8, and 13 year annexation plan. The property currently has water service readily available via a 4 inch water line. Sewer Service is available to the north of the property within 100 feet of the property line. Fire Protection is currently handled by West peculiar Fire Protection District and will not change. The property is currently served by Cass County Sheriff's department and will begin being served by the Peculiar Police Department at no additional cost. The zoning upon annexation will be R-1 Single family Residential.

Tract 2 is commonly known as 9707 E State Route YY. It is currently bordered 67% by current City Limits. Water Service would be presented by Public Water Supply District # 7. Sewer Service would be provided by the City off of the Sanitary Sewer main in Setter's Pointe Subdivision. Fire Protection is currently handled by West peculiar Fire Protection District and will not change. The property is currently served by Cass County Sheriff's department and will begin being served by the Peculiar Police Department at no additional cost. The zoning upon annexation will be R-1 Single family Residential.

Tract 3 is commonly known as Harper Farm. It is currently bordered 69% by Current City Limits. The property is identified as a priority in the City's 3, 8, and 13 year annexation plan. The property currently has water service readily available via a 10 inch water line on the North border; a 12 inch water main is available on Harper road, and another 10 inch water main on the south property line. Sewer Service is available via a sanitary sewer main running through the center of it. Fire Protection is currently handled by West peculiar Fire Protection District and will not change. The property is currently served by Cass County Sheriff's department and will begin being served by the Peculiar Police Department at no additional cost. The zoning upon annexation will be AG Agriculture

Tract 4 is commonly known as 24110 S Peculiar Drive. It is currently bordered 59% by Current City Limits. The property is identified as a priority in the City's 3, 8, and 13 year annexation plan. The property was originally designated to be annexed in 2004 as a stipulation of a Community Development Block Grant. The property currently has water service provided by Public Water Supply District #10. Sewer Service is currently provided by City of Peculiar. Fire Protection is currently handled by West peculiar Fire Protection District and will not change. The property is currently served by Cass County Sheriff's department and will begin being served by the Peculiar Police Department at no additional cost. The zoning upon annexation will be I-1 Light Industrial.

No Board comments.

Victoria Bailey 22025 S. Knight Road addressed the Board in favor of the annexation.

Joe Ismert CEO of Sioux Chief Mfg. addressed the Board in opposition of the proposed annexation. He said Sioux Chief is operating perfectly fine the way they are.

Joe Ismert Jr. President of Sioux Chief Mfg. addressed the Board in opposition of the proposed annexation. He asked how the contiguous boundary was figured. Staff commented that it is the highway frontage which borders Sioux Chief. He asked what other benefits will be included to the tracts being annexed. Staff commented that the services are outlined in the Plan of Intent.

Martin Cody 239 S Lucille Lane addressed the Board asking if only residents get to vote in the election. Staff commented that residents and anyone living on the tracts to be annexed will get to vote in the election.

Ryan Bevins of Sioux Chief Mfg. addressed the Board asking if there would be any other taxes and fees. Mayor Stark answered that the only tax the City may impose is the yearly tax levy. She stated that the City is unable to impose an Earnings Tax as has been rumored.

Victoria Bailey 22025 S. Knight Road addressed the Board in changing her mind to opposition of the annexation.

At 7:17pm Alderman Turner made a motion to leave public hearing and enter into regular session. The motion was seconded by Alderman Ford and was approved by a 5-0 all in favor vote with Alderman Roberts being absent.

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*

Cliff McDonald addressed the Board that this is the second reading of the annexation ordinance. There will be a 3rd reading of the annexation ordinance at the May 19th meeting.

No Board comments.

No public comments.

Alderman Turner moved to have the second reading of Bill No. 2014-09 by title only, seconded by Alderman Fines and was approved by a 5-0 voice vote. Alderman Turner moved to accept the second reading of the bill, seconded by Alderman Fines and approved by the following 4-1 voice vote.

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

- 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*

City Clerk Nick Jacobs addressed the Board regarding the new police codes. This bill addresses Resisting Arrest, Interfering With Government Operations, Move Over for Stopped Emergency Vehicles, Failure to Produce Driver's License on Demand, and Headlights on when Wipers are Required.

No Board comments.

No public comment.

Alderman Turner moved to have the second reading of Bill No. 2014-10 by title only, seconded by Alderman Fines and was approved by a 5-0 voice vote. Alderman Turner moved to accept the second reading of the bill and place on final passage as Ordinance number 05052014, seconded by Alderman Fines and approved by the following 5-0 roll call vote.

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

- 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*

City Clerk Nick Jacobs addressed the Board regarding the proposed bill. He stated that this bill will bring City Code in alliance with Missouri State Statutes.

No Board comments.

No public comments.

Alderman Turner moved to have the second reading of Bill No. 2014-11 by title only, seconded by Alderman Ford and was approved by a 5-0 voice vote. Alderman Turner moved to accept the second reading of the bill and place on final passage as Ordinance number 05052014A, seconded by Alderman Ford and approved by the following 5-0 roll call vote.

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

- 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*

City Clerk Nick Jacobs addressed the Board pertaining to the reestablishment of the Police Advisory Board. He stated that it will be primarily an informational tool for the Chief of Police and will be headed by the Police Commissioner.

No Board comment.

Martin Cody 239 S Lucille Lane addressed the Board pertaining any additional cost to the City for the Board.

Mayor Stark stated that it is a volunteer Board and there would be no additional cost to the City.

Alderman Turner moved to have the second reading of Bill No. 2014-12 by title only, seconded by Alderman Ford and was approved by a 5-0 voice vote. Alderman Turner moved to accept the second reading of the bill and place on final passage as Ordinance number 05052014B, seconded by Alderman Fines and approved by the following 5-0 roll call vote.

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

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*

City Planner Cliff McDonald addressed the Board. He stated that this was originally brought to the Board 2 years ago. This went to the Planning Commission and they believe that existing gravel driveways should have an option of asphalt or concrete apron. The new revision addresses that new driveways will be constructed to American Public Works Association section 2200 standards.

Mayor Stark stated that existing gravel driveways are only required to be paved if they expand or wish to upgrade.

Alderman Turner asked why the new revisions to the bill are not going back to Planning Commission.

Mayor Stark stated that it does not change the intent of the bill, just the clarification regarding the language in the bill.

No public comment.

Alderman Ford moved to have the first reading of Bill No. 2014-13 by title only, seconded by Alderman Ray and was approved by a 4-1 voice vote with Alderman Turner casting the nay vote. Alderman Ford moved to accept the first reading of the bill, seconded by Alderman Fines and approved by the following 5-0 voice vote.

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

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

City Planner Cliff McDonald addressed the Board regarding political sign requirements. He gave a history of the topic and how it came before the Board tonight. This was presented to the Planning Commission and approved at the last meeting.

Alderman Ford asked if the 7 day removal timeframe could be lowered to 48 hours.

Staff commented that the Board can set whatever timeframe they see fit.

No public comment.

Alderman Turner moved to have the first reading of Bill No. 2014-14 by title only, seconded by Alderman Ford and was approved by a 5-0 voice vote. Alderman Turner moved to accept the first reading of the bill, seconded by Alderman Ford and approved by the following 5-0 roll call vote.

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

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.

City Planner Cliff McDonald addressed the Board pertaining to updating the Industrial Development Authority with the addition of 2 more members. After review from Gillmore & Bell it was determined to establish the full Board and establish the by-laws of the Board.

Alderman Turner asked if this was amending the formerly approved Resolution adopted by the Board.

Staff commented this would supersede it.

Alderman Turner moved to adopt Resolution 2014-28, seconded by Alderman Ford and was approved by a 5-0 roll call vote.

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

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.

City Clerk Nick Jacobs addressed the Board pertaining to the Town & Country Disposal Contract. He stated that the original contract was in August 2010 for 3 years ending July 31st, 2013. It has the option for auto renewal which it has already renewed for one year and this will allow it to renew for a second year.

Mayor Stark commented that there has been no real issues brought up about the current service being provided and that there is a written commitment from Town & Country to hold rates for the next 2 years.

No public comment.

Alderman Ford moved to adopt Resolution 2014-29, seconded by Alderman Turner and was approved by a 5-0 roll call vote.

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

Aldermen Concerns or Additional Topics for Discussion by Aldermen

Mayor Stark reminded the Board that if there are any request of staff to go through the City Administrator and if need be to go through the Mayor.

Alderman Ford asked that if there was another rezoning request to please give a heads up to the Board of Aldermen. Staff commented that it is usually in the City Administrator's report.

Alderman Ford asked about an update on the paving of School Road Bridge. Staff commented that the County is planning on paving on June 3rd through the 5th.

Alderman Ray asked how parking on the street is determined. Staff commented that it is through the City Code and depends on the width of the street.

Aldermen Ray also asked about if Town & Country could please place the trash receptacles back in the driveway and not in the street.

Aldermen Turner asked about the cost of the 211th street interchange and why the I-435 and Roe interchange in Kansas was cheaper. Staff commented that they are completely different projects with different specs.

Aldermen Directives Reported by City Administrator

3rd Reading of Bill 2014-09
Implement Police code Ordinance
Implement removal of Chief Ordinance
Implement Police Board Ordinance
2nd reading of paving requirements on May 19th.
2nd reading of political sign requirements on May 19th.
Implement Industrial Development Authority Resolution
Notify Town & Country of 1 year contract renewal
Notify Town & Country of placing trash receptacles in driveway not in road.

Alderman Turner made a motion to leave regular session and enter into executive session at 8:15 pm for a period not to exceed 15 minutes. Seconded by Alderman Ford and approved by a 5-0 roll call vote.

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

Aldermen Turner made a motion to leave executive session and return to regular session at 8:30 pm. Seconded by Alderman Ford and was approved by a 5-0 roll call vote.

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

Adjournment

On a motion from Alderman Ford, second from Alderman Ray, the meeting was adjourned at 8:30pm with a 5-0 voice vote.

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

DRAFT

City of Peculiar, Missouri



Mayor

Holly J. Stark

PROCLAMATION

WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and,
WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, storm water, streets, solid waste services, and public facilities; and,
WHEREAS, the health, safety and comfort of this community greatly depend on these facilities and services; and,
WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of public works officials; and,
WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform;

NOW, THEREFORE, I, Holly J. Stark, Mayor of the City of Peculiar, do
hereby proclaim May 18-24, 2014 as

"Public Works Week"

in the City of Peculiar

*IN WITNESS WHEREOF, I have here unto set my hand
and caused the Seal of the City of Peculiar to be affixed on
the nineteenth day of May, Two-thousand Fourteen.*

Holly J. Stark, Mayor

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 19, 2014
Re: *Appointment of Joyce Connaway to the Board of Adjustment*

GENERAL INFORMATION

Applicant: Mrs. Joyce Connaway

Status of Applicant: N/A

Requested Actions: Board of Aldermen to consider appointing Joyce Connaway to the Board of Adjustment for a term of Five (5) Years.

Date of Application: April 22, 2014

Purpose: The purpose is to consider appointing Joyce Connaway to the Board of Adjustment for a term of Five (5) Years.

Property Location (if applicable): N/A

PROPOSAL

See "Requested Actions" above.

PREVIOUS ACTIONS

Joyce Connaway has previously served the City of Peculiar with distinction as both a Planning Commissioner and Chairman of the Planning Commission.

KEY ISSUES

Joyce Connaway has volunteered to serve on the Board of Adjustment for a term of Five (5) Years.

STAFF COMMENTS AND SUGGESTIONS

As Joyce Connaway has previously served on the Planning Commission both as Commissioner, and Chairman, I believe she would be a tremendous asset to both the City and the Board of Adjustment.

STAFF RECOMMENDATION

Favorably consider appointing Joyce Connaway to the Board of Adjustment for a term of Five (5) Years.

ATTACHMENTS

[Application Form](#)

STAFF CONTACT:

[Clifford L. McDonald,](#)

[PH: 816-779-2226](#)

[E-mail: cmcdonald@cityofpeculiar.com](mailto:cmcdonald@cityofpeculiar.com)

City of Peculiar

Boards / Commissions Application Form



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

Boards / Commissions of Interest:

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

Name: Joyce Conway **Home Phone:** 816 779 6396
Address: PO Box 481 135 Care Circle **Alternate Phone:** _____
City, State, Zip: Peculiar, MO 64078 **Email Address:** jconway@aol.com
Ward: 1) _____ 2) _____ 3) _____ (contact City Hall if you are unsure of your Ward)

Education: (Please mark the highest level completed)

High School (please list the High School you attended) Southeast HS, KC MO
 College (please list College/University and Degree) _____

Current Employment:

Employer: Self **Position:** owner
Address: same **Work Phone:** same

Have you previously served on a City Board or Commission? Yes No If Yes, please describe:
Chair of Planning & Zoning

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

Why do you want to serve on this Board/Commission? Was asked to by Mayor

Please describe any business or property interest which might place you in a conflict of interest situation should you be appointed to this Board/Commission. None

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

BOA Member Name: _____ Relationship: _____

Signature: Joyce E Conway **Date:** 4/22/14

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

RESOLUTION 2014-30

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF JOYCE CONNAWAY TO THE BOARD OF ADJUSTMENT

WHEREAS, the Board of Aldermen have determined a need to appoint a member to the Board of Adjustment; and

WHEREAS, Joyce Connaway meets the qualifications for appointment to this board; and

WHEREAS, said appointment carries a term of five (5) years commencing with the effective date of this resolution; and

WHEREAS, Mayor Holly Stark recommends the appointment of Joyce Connaway to the Board of Adjustment upon approval of the Board of Aldermen

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

Section 1. The Board of Aldermen approves the appointment of Joyce Connaway to the Board of Adjustment.

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 19th DAY OF MAY, 2014.

Alderman Fines _____
Alderman Ford _____
Alderman McCrea _____

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 Aldermen
From: Nick Jacobs
Date: May 19, 2014
Re: Resolution 2014-31 approval of Class A & J Liquor License for Goodtimes Liquor & Bait.

GENERAL INFORMATION

Applicant: Rehman Zahid
Status of Applicant: N/A
Requested Actions: Approval of the Resolution.
Date of Application: April 29, 2014
Purpose: The purpose is to consider adopting the proposed Resolution.
Property Location (if applicable): N/A

PROPOSAL

Rehman Zahid is the new owner of Goodtimes Liquor & Bait. He would like to re-open the store but needs to get his Liquor Licenses to do so. Mr. Zahid has meet all requirements of City Code and submitted all forms of documentation necessary to apply for his Licenses. He owns other convenience stores in the Kansas City Metro area and is excited to do business in Peculiar. Per City Code if the Board approves the Resolution Mr. Zahid will submit a copy of the Resolution to Missouri Division of Alcohol and Tobacco Control as the City's letter of recommendation for him to get his State liquor License.

PREVIOUS ACTIONS

None.

KEY ISSUES

STAFF COMMENTS AND SUGGESTIONS

Staff has performed the required background check through the Chief of Police and there is nothing barring him from receiving the license.

STAFF RECOMMENDATION

Staff recommends approval.

ATTACHMENTS

Application Form, and Resolution.

City Administrator
Brad Ratliff

City Clerk
Nick Jacobs

City Attorney
Reid F. Holbrook



City Engineer
Carl Brooks

Business Office
Trudy Prickett

City Planner
Cliff McDonald

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

AGENDA REQUEST FORM
(Board of Aldermen)

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

Date of Request: April - 29 - 14

Scheduled Meeting Date: May - 19 - 14

Full Name of Speaker: REHMAN ZAHED Organization: Good times liquor and Bait

Home Address: 1700se 12th streets City Leas Summit State MO Zip 64081

Home Phone #: _____ Work Phone #: _____ Cell #: 913-742-1321 Email: Rz.zahed@tmo.com
Resident of the City of Peculiar? Yes No

Specifics of Topic: Need to get liquor license.

This is the only store in peculiar and wants to stay open

Desired Outcome: Better sales, help Community

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

<input type="checkbox"/> Board of Aldermen	Date Presented _____	Outcome _____
<input type="checkbox"/> Planning Commission	Date Presented _____	Outcome _____
<input type="checkbox"/> Park Board	Date Presented _____	Outcome _____
<input type="checkbox"/> Board of Adjustment	Date Presented _____	Outcome _____

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

Office Use Only: Date request Received: <u>4/29/14</u>

Signature: [Handwritten Signature]

RESOLUTION 2014-31

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

WHEREAS, Rehman Zahid has submitted an application for Class A & Class J Liquor Licenses; and

WHEREAS, the Board of Aldermen have reviewed the request by Rehman Zahid, and a background check has been completed; and

WHEREAS, said license, upon approval shall be granted to the application for a term to expire with the thirty-first (31st) day of December next succeeding the date of such license, unless such license be revoked or suspended for cause before the expiration of such time

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

Section 1. RESOLVED, the City of Peculiar is authorized by Chapter 600: Alcoholic Beverages, of the City of Peculiar Municipal Code, to approve liquor licenses for businesses and organizations in good standing.

Section 2. RESOLVED, the Board of Aldermen hereby approves the request of Rehman Zahid who has submitted application for Class A & Class J Liquor Licenses for Goodtimes Liquor & Bait contingent upon receipt of the approved Missouri Division of Alcohol and Tobacco Control license.

Section 3. *Effective Date.* The effective date of this resolution shall be the ___ day of May, 2014.

THIS RESOLUTION WAS ADOPTED BY THE FOLLOWING ROLL CALL VOTE ON THE ___ 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

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 19, 2014
Re: Presentation of the Ordinance of Annexation for the Involuntary Annexation of Four (4) Tracts of Property Adjacent to Existing City of Peculiar City Limits; Third of Three Readings.

GENERAL INFORMATION

Applicant: BOA

Status of Applicant: N/A

Requested Actions: Consider the Ordinance of Annexation for its Third and Final Reading

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

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

PREVIOUS ACTIONS

1. The BOA held its First Reading of this Ordinance on April 19th, 2014; and passed the First Reading by a vote of 6:0.
2. The BOA held a Public Hearing on May 5th, 2014 for the proposed annexation of Four (4) Tracts of Land identified in the Ordinance, and the City’s “Plan of Intent” was presented describing municipal services that are available to the properties upon annexation.
3. The BOA held its Second Reading of this Ordinance on May 5th, 2014; and passed the Second Reading by a vote of 4:1.

KEY ISSUES

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

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

STAFF COMMENTS AND SUGGESTIONS

City Staff is working closely with our City Attorney to ensure all required steps will be addressed and completed on-time (see attached Annexation Timeline).

STAFF RECOMMENDATION

Board of Aldermen consider approving the Proposed Ordinance of Annexation as presented for its Third and Final Reading on May 19th, 2014.

ATTACHMENTS

- (1) [Annexation Timeline](#)
- (2) [Ordinance of Annexation](#)

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

**Annexation Timeline
For August and November Elections
May 19th, 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. **COMPLETE**
9. **May 19th, 2014:** Third reading of Involuntary Annexation Ordinance and potential passage of the annexation ordinance. **SCHEDULED**
(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: May 5th, 2014

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 Alderman

From: Clifford L. McDonald

Date: May 19, 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 Approving the Second Reading of the Ordinance which Amends 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 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.

The Board of Aldermen held their Public Hearing on this Ordinance on May 5th, 2014; there was no Public Comment either for or against. The Ordinance presented for consideration was an amended version of what the Planning Commission had approved. Upon further review, references to compacted subgrade and specifications

were removed and instead reference to the City’s adopted Kansas City APWA Specifications were used. Board members sought clarification that existing gravel driveways were not required to be paved as a result of passing this Ordinance; existing driveways are “Grandfathered” or “Exempt”, and may be maintained with gravel (but not enlarged) and would have to meet these paving requirements should they be subsequently paved. The Board approved the First Reading of this Ordinance by a vote of 5:0.

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

The Purpose of this amendment is to require the use of Concrete Pavement within the City’s Right-of-way, with an exception of permitting Asphalt Pavement for existing Residential gravel driveways; and the use of other pavement surface materials as approved by the City Engineer. It is not the intent of this Ordinance, nor Chapter 400 Zoning Regulations, to create or list specifications for pavement within the City’s Right-of-way – that is the purpose of Chapter 500.

STAFF RECOMMENDATION

Staff Recommends Approval of the Second Reading of this Ordinance.

ATTACHMENTS

1. **Ordinance Amending SECTION 400.820: PAVING REQUIRED, ALTERNATIVES**

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 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: May 5th, 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 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 19, 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 the Second Reading of the 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.

The Board of Aldermen held a Public Hearing on the proposed amendments to this Ordinance on May 5th, 2014; no public comment was received either for or against the amendments. The Board of Aldermen subsequently approved the First Reading of the Ordinance to amend SECTION 400.1800, Political Signs, by a vote of 6:0.

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 the Second Reading of is 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: May 5th, 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 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 Aldermen
From: Clifford L. McDonald
Date: May 19, 2014
Re: Public Hearing on Re-zoning Application, Submitted by S.A. Holdings, Inc., For Lot 6 Twin Oaks Commercial subdivision, commonly known as 721 & 725 J Hwy, from C-1 General Business District to R-2 Two-Family Dwelling District.

GENERAL INFORMATION

Applicant: S.A. Holdings, Inc.

Status of Applicant: N/A

Requested Actions: Board of Aldermen to Conduct a Public Hearing and consider the Re-zoning Application for Lot 6, Twin Oaks Commercial subdivision, from C-1 General Business District to R-2 Two-Family Dwelling District.

Date of Application: March 31, 2014

Purpose: To review the Re-zoning Application for Lot 6, Twin Oaks Commercial subdivision in accordance with established procedure, conduct a Public Hearing for additional information and render a decision either for or against the Re-zoning of Lot 6.

Property Location (if applicable): Lot 6, Twin Oaks Commercial Subdivision; see attached map.

PROPOSAL

See “Requested Actions” above.

PREVIOUS ACTIONS

The Planning Commission held a Public Hearing on the Re-zoning application of both Lot 5 and Lot 6 on May 8th, 2014. The Commission received many Public Comments against the re-zoning of Lot 5, and subsequently the Re-zoning Application for Lot 5 was withdrawn by the applicant. The Planning Commission approved this Re-zoning of Lot 6 from C-1 General Business District to an R-2 Two-Family Dwelling District by a vote of 5:0.

KEY ISSUES

In order for the Commission to recommend approval or disapproval of an application for Map Amendment (Re-zoning), or for the Board to approve or deny an application for a map amendment, they shall make findings of fact to determine whether the application is found to be compatible with the following (IAW Municipal Code, SECTION 400.2450):

1. Consistency with the Comprehensive Plan, neighborhood development plan (if applicable) and any other official planning and development policies of the City;

- a. Lot 6, Twin Oaks Commercial subdivision, is currently Zoned C-1, General Business District; this is consistent with the Future Land Use Plan of the City of Peculiar's Comprehensive Plan. The proposed Re-zoning of Lot 6 to Two-Family Dwelling District is not supported by the City's Comprehensive Plan.

2. The impact of projected vehicular traffic volumes and site access is not detrimental with regard to the surrounding traffic flow, pedestrian safety and accessibility of emergency vehicles and equipment;

- a. Lot 6, Twin Oaks Commercial subdivision being re-zoned R-2, Two-Family Dwelling District has no impact on projected traffic volumes and is not detrimental to surrounding traffic flow, pedestrian safety or accessibility of emergency vehicles and equipment to the area.

3. Adequacy of existing public utilities and facilities or of provisions to accommodate resulting additional demands which may be imposed upon roads and streets, water supply and storage, storm sewerage, sanitary sewerage and wastewater treatment;

- a. Lot 6, currently has utility service; the proposed zoning change has no impact on public utilities or facilities and will not create a significant impact/demand upon roads and streets resulting from additional traffic.

4. Compatibility of the proposed district classification with nearby properties;

- a. Lot 6 is bordered to the East by property zoned R-1, Single Family Dwelling District. The other three sides border property zoned C-1, General Business District. Lot 6 is developed with an existing Single Family Residence and an Accessory Building which has living quarters. The requested R-2, Two-Family Dwelling District zoning would buffer the East R-1 Single Family Dwelling District from Commercial C-1 Lots. The proposed district classification is compatible with adjacent properties.

5. If vacant, the length of time the property has remained vacant as zoned.

- a. The Final Plat of Twin Oaks Commercial was recorded June 13, 2006. All the Tracts were previously zoned C-1, General Business District per the City of Peculiar Zoning Map dated November, 1999. Lot 6 is the only developed lot and both structures have been vacant for more than one (1) year. All other Lots have remained vacant for almost Fifteen (15) years.

STAFF COMMENTS AND SUGGESTIONS

The City's Future Land Use Plan identifies this entire area for development into Commercial Business. Commercial development is desirable, especially those with retail sales; preferred locations are lots which "front" streets with high traffic volumes (in this case, J Hwy). Lot 6 is already developed with a Single Family Residence and an Accessory Building with a two bedroom apartment. Re-zoning Lot 6 to an R-2 Two-Family Dwelling District is not the best use of the property, given its frontage on J Hwy, however given the number of properties zoned C-1 General Business District which are readily available and undeveloped in this immediate area it is perhaps the most practical use of the property at this time.

STAFF RECOMMENDATION

Board of Aldermen to consider approving the Re-zoning of Lot 6 as presented.

ATTACHMENTS

- (1) Twin Oaks Commercial Final Plat
 - (2) Cass County (beacon) Lot 6 area map
 - (3) Ordinance to Re-zone Lot 6, Twin Oaks Commercial to R-2, Two-Family Dwelling District
-

STAFF CONTACT:

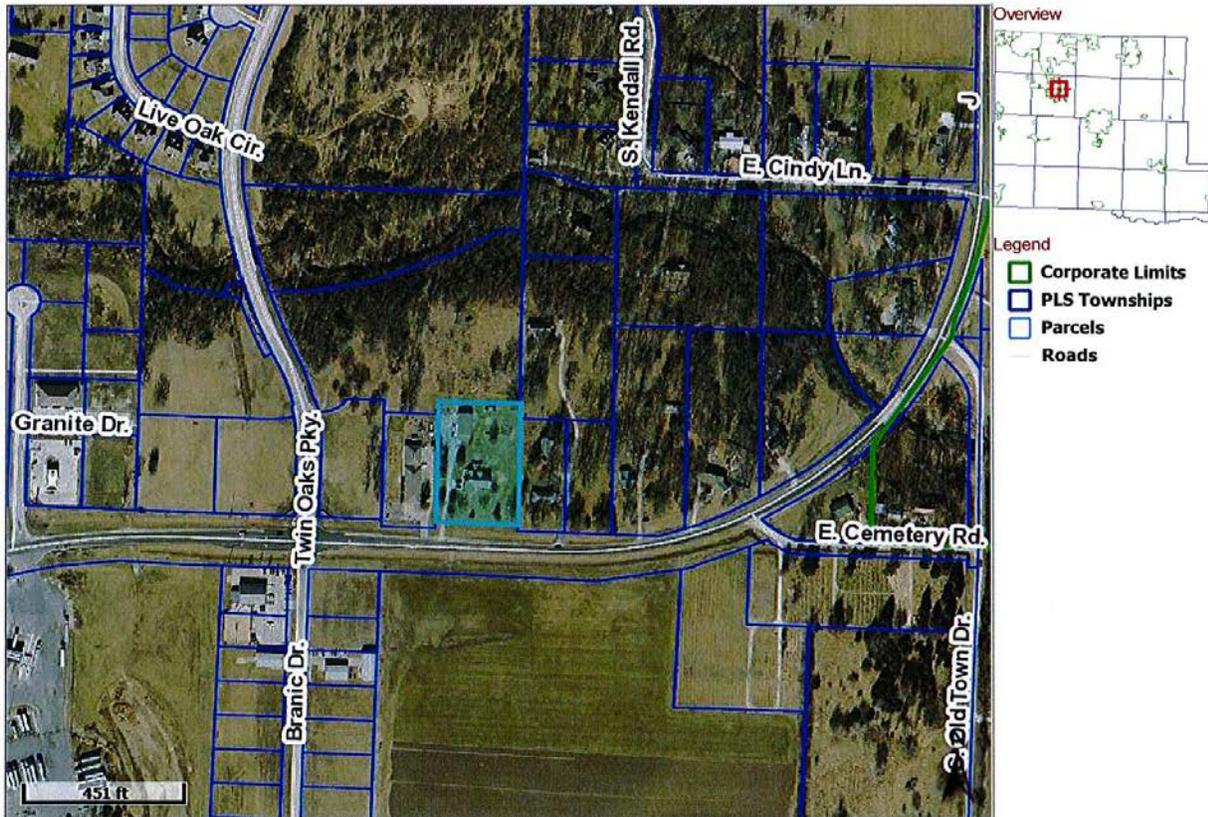
Clifford McDonald

Phone: 779-2226

E-mail: cmcdonald@cityofpeculiar.com

Lot 6, Twin Oaks Comm.

Created By: Clifford L. McDonald
Date Created: 5/12/2014



Parcel ID 07021000000032004
Sec/Twp/Rng 10-45-32
Property Address 721 J HWY & 725
 PECULIAR

Alternate ID n/a
Class Residential
Acreage 1.85

Owner Address SA HOLDINGS INC
 7701 E KELLOGG
 WICHITA KS 67207-0000

District 6717001
Brief Tax Description TWIN OAKS COMMERCIAL LOT 6
 (Note: Not to be used on legal documents)

Last Data Upload: 5/11/2014 2:07:10 AM

BILL NO. 2014-15
ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE REZONING OF S.A. HOLDINGS, INC.'S LOT 6, TWIN OAKS COMMERCIAL, COMMONLY KNOWN AS 721 AND 725 J. HIGHWAY.

WHEREAS, S.A. Holdings, Inc. has requested the rezoning of Lot 6, Twin Oaks Commercial from C-1, General Business District to R-2, Two-Family Dwelling District; and,

WHEREAS, the Owner has met the requirements for rezoning the parcel from C-1, General Business District to R-2, Two-Family Dwelling District; and

WHEREAS, the Planning Commission held a Public Hearing on May 8, 2014, for this rezoning request and subsequent to that hearing has recommended approval of the rezoning request to the Board of Aldermen and the Board of Aldermen held a Public Hearing on May 19, 2014 to receive public comment relative to the rezoning request and no formal protests were received or heard.

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

Section 1. The requested rezoning of S.A. Holdings, Inc. property described as Lot 6, Twin Oaks Commercial subdivision, commonly known as 721 and 725 J Highway from C-1, General Business District, to R-2, Two-Family Dwelling District in the City of Peculiar is hereby approved.

Section 2. The amendment of the City of Peculiar's Future Land Use Plan (of the City's Comprehensive Plan) to reflect this change is hereby approved.

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

First Reading: _____

Second Reading: _____

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

Alderman Fines _____
Alderman Ford _____
Alderman McCrea _____

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 Aldermen
From: Clifford L. McDonald
Date: May 19, 2014
Re: Application to Re-plat Lot 55, Centennial Farms, submitted by Dobson Homes, Inc.

GENERAL INFORMATION

Applicant: Dobson Homes, Inc.
Status of Applicant: N/A
Requested Actions: Board of Aldermen to Conduct a Public Hearing and consider the Application to Re-plat Lot 55, Centennial Farms, submitted by Dobson Homes, Inc. and for the Board to Consider the First Reading of the Ordinance to Approve the Re-plat of Lot 55.
Date of Application: April 17, 2014
Purpose: To review the Application to Re-plat Lot 55, Centennial Farms, which increases the depth of Lot 55 by twenty-five (25) feet on each side.
Property Location (if applicable): Lot 55 Centennial Farms; see attached copy of Final Plat.

PROPOSAL

See “Requested Actions” above.

PREVIOUS ACTIONS

The Planning Commission held its Public Hearing on the Re-plat of Lot 55, Centennial Farms on May 8th, 2014; no public comments either for or against were presented. The Planning Commission subsequently approved the Re-plat of Lot 55 as presented by a vote of 5:0.

KEY ISSUES

In order for the Commission to recommend approval or disapproval of an application for Map Amendment (Re-plat), or for the Board to approve or deny an application for a map amendment, they shall make findings of fact to determine whether the application is found to be compatible with the following (IAW Municipal Code, SECTION 400.2450):

1. **Consistency with the Comprehensive Plan, neighborhood development plan (if applicable) and any other official planning and development policies of the City;**
 - a. Lot 55, Centennial Farms, is currently Zoned R-1, Single Family Dwelling District; this is consistent with the Future Land Use Plan of the City of Peculiar's Comprehensive Plan. The proposed Re-plat of Lot 55 is supported by, and consistent with the City's Comprehensive Plan.
2. **The impact of projected vehicular traffic volumes and site access is not detrimental with regard to the surrounding traffic flow, pedestrian safety and accessibility of emergency vehicles and equipment;**
 - a. Lot 55 is currently zoned R-1, Single Family Dwelling District; the Re-plat of Lot 55 has no impact on projected traffic volumes and is not detrimental to the adjacent property owners.
3. **Adequacy of existing public utilities and facilities or of provisions to accommodate resulting additional demands which may be imposed upon roads and streets, water supply and storage, storm sewerage, sanitary sewerage and wastewater treatment;**
 - a. Lot 55 currently has utility service available; the proposed Re-plat of Lot 55 has no additional impact.
4. **Compatibility of the proposed district classification with nearby properties;**
 - a. Lot 55 is currently zoned R-1, Single Family Dwelling District. There is no change of Zoning proposed, nor required, for the Re-plat of Lot 55 thus this application is fully compatible with adjoining properties.
5. **If vacant, the length of time the property has remained vacant as zoned.**
 - a. The Final Plat of Centennial Farms, Lots 31 thru 67 was recorded January 23, 2006; all the Lots were zoned R-1, Single Family Dwelling District. Lot 55 has never been developed and has remained vacant for Eight (8) years.

STAFF COMMENTS AND SUGGESTIONS

The Re-plat of Lot 55 requires a recommendation from the Planning Commission following a Public Hearing and subsequent approval by the Board of Aldermen following another Public Hearing. The proposed Re-plat of Lot 55 is nominal, increasing the depth of the Lot by twenty-five (25) feet on each side with no impact on zoning, utilities or infrastructure resulting from this change.

STAFF RECOMMENDATION

Staff recommends the Board of Aldermen consider approving the Re-plat as presented.

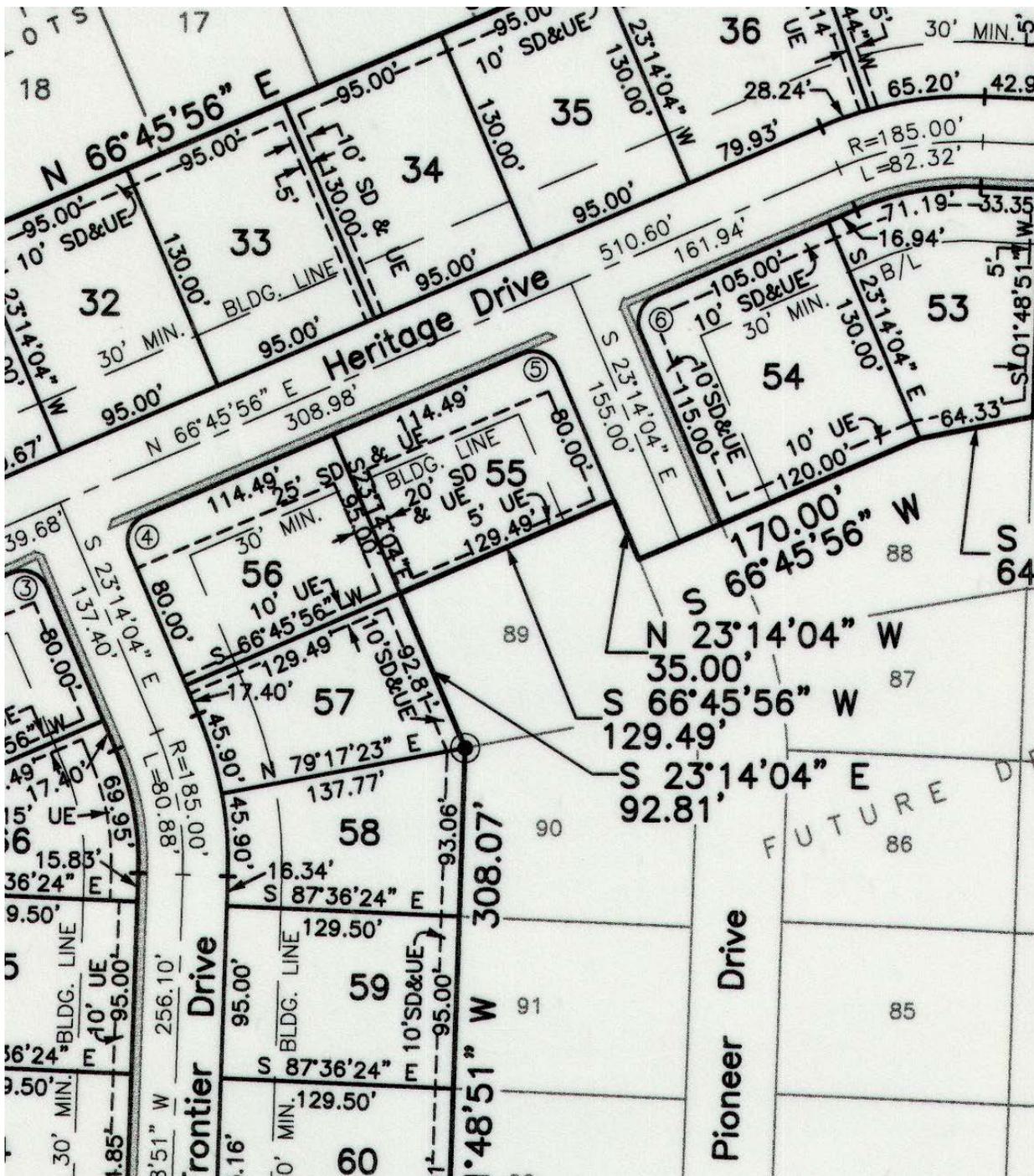
ATTACHMENTS

- (1) Centennial Farms Final Plat Exerpt showing existing Lot 55 Dimensions
- (2) Proposed Re-plat of Lot 55, Centennial Farms
- (3) Ordinance to Approve the Re-plat of Lot 55 Centennial Farms

STAFF CONTACT:

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

Final Plat, Centennial Farms, Lots 31-67



Final Plat of Centennial Farms Replat Lot 55A

Being a Replat of Lot 55
Centennial Farms, Lots 31 thru 67,
and Additional Tract
in Section 15, Township 45, Range 32
Peculiar, Cass County, Missouri



Notes:

BEARINGS SHOWN ARE BASED ON THE RECORDED FINAL PLAT OF CENTENNIAL FARMS LOTS 31 THRU 67, A SUBDIVISION OF LAND IN THE CITY OF PECULIAR, CASS COUNTY, MISSOURI.

THIS PROPERTY IS NOT WITHIN THE BOUNDARIES OF THE 100 YEAR FLOOD PLAIN ACCORDING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 2803700154F, DATED JANUARY 2, 2013. BOWERS ENGINEERING, INC. IS NOT LIABLE AND OFFERS NO WARRANTY AS TO THE LOCATION OF SAID FLOOD PLAIN.

A CURRENT TITLE COMMITMENT HAD NOT BEEN PROVIDED BY THE OWNER AS OF THE DATE OF ISSUANCE OF THIS FINAL PLAT. THIS COMPANY HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

THIS SURVEY MEETS OR EXCEEDS THE ACCURACY STANDARDS OF AN URBAN CLASS SURVEY AS DEFINED BY THE MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

1/2" IRON BARS WITH 1" PLASTIC CAPS STAMPED PLS 2616, TO BE SET ON ALL BOUNDARY AND REAR LOT CORNERS AND CURBS TO BE NOTCHED, UNLESS NOTED OTHERWISE ON THIS PLAT.

Description:

PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 45, RANGE 32, CASS COUNTY, MISSOURI, BEING LOT 55, CENTENNIAL FARMS, LOTS 31 THRU 67, A SUBDIVISION OF LAND IN THE CITY OF PECULIAR, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND AN ADDITIONAL TRACT OF LAND, ALL BEING DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF LOT 55, AFORESAID, RUN THENCE NORTH 66°45'56" EAST ALONG THE NORTHERLY LINE OF SAID LOT 55, 114.49 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT, BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 15.00 FEET AND AN ARC LENGTH OF 23.56 FEET; THENCE SOUTH 23°14'04" EAST ALONG THE EASTERLY LINE OF SAID LOT 55 AND AN EXTENSION THEREOF, 105.00 FEET; THENCE SOUTH 66°45'56" WEST PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT 55, 129.49 FEET TO A POINT ON AN EXTENSION OF THE WESTERLY LINE OF SAID LOT 55; THENCE NORTH 23°14'04" WEST ALONG SAID WESTERLY LINE AND EXTENSION LINE THEREOF, 120.00 FEET TO THE POINT OF BEGINNING. CONTAINS 0.35 ACRES, MORE OR LESS, SUBJECT TO ANY EXISTING EASEMENTS.

Vacation:

THE 5 FEET UTILITY EASEMENT BEING A PART OF LOT 55, CENTENNIAL FARMS, LOTS 31 THRU 67, AS SHOWN ON THIS PLAT AS "EXISTING 5 FEET UE TO BE VACATED" IS HEREBY VACATED BY THE CITY OF PECULIAR, MISSOURI.

Dedication:

THE UNDERSIGNED PROPRIETORS OF THE REAL ESTATE DESCRIBED HEREIN HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THIS PLAT, WHICH SUBDIVISION AND PLAT SHALL HEREAFTER BE KNOWN AS "CENTENNIAL FARMS REPLAT", LOT 55A. IT SHALL BE A SUFFICIENT DESCRIPTION OF THE LOT PLATTED HEREON TO BE DESIGNATED BY THE NUMBER WHICH APPEARS NUMBER WHICH APPEARS ON SAID LOT FOLLOWED BY THE WORDS "CENTENNIAL FARM REPLAT".

AN EASEMENT OR LICENSE IS HEREBY GRANTED TO THE CITY OF PECULIAR, TO LOCATE, CONSTRUCT AND MAINTAIN OR TO AUTHORIZE THE LOCATION, CONSTRUCTION AND MAINTENANCE OF CONDUITS, WATER, GAS AND SEWER PIPES, POLES, WIRES AND ANCHORS AND ALL OR ANY OF THEM UPON THOSE AREAS IN THIS SUBDIVISION OUTLINED ON THIS PLAT AND DESIGNATED BY THE WORDS "UTILITY EASEMENT" (UE) OR "STORM DRAINAGE & UTILITY EASEMENT" (SD & UE).

THE USE OF ALL LOTS SHOWN ON THIS PLAT SHALL BE SUBJECT TO ANY AND ALL RESTRICTIONS RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN CASS COUNTY, MISSOURI.

APPROVED: THE CITY PLANNING COMMISSION OF PECULIAR, MISSOURI.

SIGNED: _____ CHAIRMAN

DATE: _____

APPROVED: THE CITY COUNCIL OF PECULIAR, MISSOURI.

SIGNED: _____ MAYOR

DATE: _____

ATTEST: _____ CITY CLERK

Owner's Certificate:

AS OWNER I HEREBY CERTIFY THAT I HAVE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED, DEDICATED AND ACCESS RIGHTS RESERVED AS REPRESENTED ON THIS PLAT.

IN WITNESS WHEREOF, THE UNDERSIGNED PROPRIETORS HAVE HEREUNTO SET THEIR HANDS THIS

_____ DAY OF _____, 2014.

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2014, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, CAME _____ TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGED THE EXECUTION OF SAME. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

STATE OF MISSOURI, COUNTY OF CASS, SS. _____ NOTARY PUBLIC

MY COMMISSION EXPIRES: _____



Monumentation:

- = SET 1/2" IRON BAR WITH 1" PLASTIC CAP STAMPED PLS 2616
- = FOUND 5/8" IRON BAR WITH 2" ALUMINUM MONUMENT STAMPED BOWERS SURVEY CO.

I HEREBY CERTIFY THAT THE FINAL PLAT OF CENTENNIAL FARMS REPLAT, LOT 55A IS BASED ON AN ACTUAL SURVEY BY ME AND IS SUBDIVIDED AS SHOWN HEREON AND THAT SAID SURVEY MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS, AND THE MISSOURI DEPARTMENT OF AGRICULTURE, LAND SURVEY PROGRAM. I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATTING OF SUBDIVISIONS TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

FOR: LARRY DOBSON, DOBSON DEVELOPMENT, INC. PO BOX 347, PECULIAR, MO



BOWERS ENGINEERING, INC.

1908 N. MECHANIC STREET, SUITE 104
P.O. BOX 541
HARRISBORO, MISSOURI 64701
PHONE (816) 380-2600



SECTION	TOWNSHIP	RANGE	COUNTY	STATE	DATE	JOB NO.
15	45	32	CASS	MISSOURI	4/25/14	435-14

DRAWING NO. 435-14 REPLAT 2/02 DRAWN BY: TB CHECKED BY: _____
PROFESSIONAL ENGINEERING CORPORATION, MISSOURI STATE CERTIFICATE OF AUTHORITY NO. 200203141
PROFESSIONAL LAND SURVEYING CORPORATION, MISSOURI STATE CERTIFICATE OF AUTHORITY NO. 2008025770

BILL NO. 2014-16
ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE RE-PLAT OF LOT 55 CENTENNIAL FARMS, SUBMITTED BY DOBSON HOMES INC.

WHEREAS, Dobson Homes Inc. has requested approval for the re-plat of Lot 55, Centennial Farms and the Owner has met the requirements for re-platting Lot 55; and

WHEREAS, the Planning Commission held a Public Hearing on May 8, 2014, for this re-plat request and subsequent to that hearing has recommended approval of the re-plat request to the Board of Aldermen; and

WHEREAS, the Board of Aldermen held a Public Hearing on May 19, 2014 to receive public comment relative to the re-plat of Lot 55 and no formal protests were received or heard.

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

Section 1. The request to Re-plat Lot 55, Centennial Farms, in the City of Peculiar submitted by Dobson Homes, Inc. is hereby approved.

Section 2. The amendment of the City of Peculiar’s Future Land Use Plan (of the City’s Comprehensive Plan) to reflect this change is hereby approved.

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

First Reading: _____

Second Reading: _____

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

Alderman Fines _____
Alderman Ford _____
Alderman McCrea _____

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 Aldermen

From: Nick Jacobs

Date: May 19, 2014

Re:

GENERAL INFORMATION

Applicant: Staff

Status of Applicant: City Clerk

Requested Actions: Placing a One Penny Motor Vehicle Fuel Tax on August 5, 2014 Ballot

Purpose: To allow the Voters of Peculiar to vote on a revenue stream for roads.

Property Location (if applicable):

PROPOSAL

The City of Peculiar receives fuel tax from the State based on census 10 year populations, not to the point of purchase. Flying J and Casey's receives a lot of car traffic off of 71 Highway. Flying J receives an even larger amount of truck traffic. 1 penny would help aid our aging road system in Peculiar. We have many new housing additions in Peculiar but the property taxes are in no way close to addressing the infrastructure needs. The City of Peculiar in 5 years will be facing some direr road conditions as the new developments will start needing their streets overlaid. If we do not find a way to address future street repairs, we will not be able to sustain growth and repairs of our roadway systems in the City. Therefore, we are in hope that the penny will aid us in addressing some of the street issues in the community.

We are estimating that this one penny could possibly bring in around \$80,000 annually. We should use the first year in collection to base our data on future budgeting of these dollars for road improvements.

This Bill would need 2 readings at the May 19, 2014 BOA Meeting to be placed on the August 5th, 2014 Primary Election as the certification date is May 27, 2014.

PREVIOUS ACTIONS

- Failed to receive the required 2/3 voter approval on the ballot April 2010
- Failed to receive the required 2/3 voter approval on the ballot November 2010
- Failed to receive the required 2/3 voter approval on the ballot April 2014 by .5%

KEY ISSUES

- Aid in addressing current street repairs
- Aid in future street repairs
- Visitors to the community paying for City street repairs
- More citizens currently talking about the need to approve this tax.
- Must be approved at May 19, 2014 BOA Meeting to be placed on August Ballot
- We are unsure the total amount this 1 penny would generate
- It takes 2/3 or 66.67% of the votes cast to approve this provision.

STAFF COMMENTS AND SUGGESTION

We would run the issue again before the citizens. We have received numerous citizens requesting us to run the ballot issue again.

STAFF RECOMMENDATION

Staff recommends approval.

ATTACHMENTS

STAFF CONTACT: Nick Jacobs, City Clerk
njacobs@cityofpeculiar.com

BILL NO. 2014-17
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI, IMPOSING A LOCAL FUEL TAX TO BE USED TO FUND THE CONSTRUCTION, RECONSTRUCTION, MAINTENANCE, REPAIR, POLICING, SIGNING, LIGHTING, AND CLEANING OF ROADS AND/OR STREETS; AND FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDED INDEBTEDNESS INCURRED FOR ROAD AND STREET PURPOSES, THE USE THEREOF BEING SUBJECT TO SUCH OTHER PROVISIONS AND RESTRICTIONS AS PROVIDED BY LAW, AT THE RATE OF ONE CENT (\$0.01) PER GALLON TO BE IMPOSED ON ALL MERCHANTS FOR THE SALE OF FUEL USED FOR PROPELLING MOTOR VEHICLES PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO THE PROVISIONS OF ARTICLE IV SECTION 30(a) OF THE MISSOURI CONSTITUTION; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE ELECTION CALLED AND TO BE HELD IN THE CITY ON AUGUST 5, 2014.

WHEREAS, the City is authorized, under Article IV Section 30(a) of the Missouri Constitution, to impose a local fuel tax at a rate of one cent (\$0.01) per gallon to be imposed on all merchants for the sale of fuel used for propelling motor vehicles within the City; and

WHEREAS, the proposed City fuel tax cannot become effective until approved by a two-thirds majority of the voters at a general, primary, or special election at the municipal, county, or state level.

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

Section 1. Pursuant to the authority granted by and subject to the provisions of Article IV Section 30(a) of the Missouri Constitution, a motor vehicle fuel tax on both gasoline and diesel fuel shall be used to fund the construction, reconstruction, maintenance, repair, policing, signing, lighting, and cleaning of roads and/or streets; and for the payment of principal and interest on bonded indebtedness incurred for road and street purposes, the use thereof being subject to such other provisions and restrictions as provided by law.

Section 2. The rate of the tax shall be one cent (\$0.01) per gallon.

Section 3. The tax shall be submitted to the qualified voters of Peculiar, Missouri, for their approval, as required by the provisions of Article IV Section 30(a) of the Missouri Constitution, at the election hereby called and to be held in the City on the 5th day of August, 2014. The ballot of submission shall contain substantially the following language:

Shall the City of Peculiar, Missouri, impose a motor vehicle fuel tax, including both gasoline and diesel fuel, at a rate of (\$0.01) per gallon to be used to fund the construction, reconstruction, maintenance, repair, policing, signing, lighting, and cleaning of roads and/or streets; and for the payment of principal and interest on bonded indebtedness incurred for road and street purposes, the use thereof being subject to such other

provisions and restrictions as provided by law?

[] YES

[] NO

If you are in favor of the question, place an "X" in the box opposite "YES." If you are opposed to the question, place an "X" in the box opposite "NO."

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: Mayor & Board of Aldermen
From: Carl Brooks, City Engineer (cbrooks@cityofpeculiar.com)
Date: May 15, 2014
Re: Minimum Water Main Size and the Missouri Department of Natural Resources Owner's Supervised Program

GENERAL INFORMATION

Applicant: City Staff
Requested Actions: Passage of an ordinance amending Peculiar Municipal Code Section 500
Property Location: City Wide
Purpose: 1) Establish a minimum water main size for new development in accordance with practical engineering design standards to safeguard life and health; and in accordance with the Missouri Department of Natural Resources (MDNR) Owner's Supervised Program

PROPOSAL

City staff proposes passage of an ordinance amending the Peculiar Municipal Code Section 500 establishing a minimum water main size in accordance with practical engineering design standards to safeguard life and health; and in accordance with the MDNR Owner's Supervised Program.

PREVIOUS ACTIONS

The City of Peculiar references the American Public Works Association (APWA) Specifications and Regulations for the majority of their standards. Then to be more precise the City has addendums to these standards. While researching City Standards by city staff, it has been brought to my attention there is incomplete information for staff to be effective regarding the capacity of water mains and the minimum water main size. The current version the American Public Works Association Specifications and Regulations (January 2004) allows the use of water mains having a diameter of two (2) inches ...

Therefore, City staff proposes the following as an addendum to the above standards in its Municipal Codes.

“All water mains shall be sized in accordance with a hydraulic analysis based on flow demands and pressure requirements. The water distribution system and any extension thereof shall have adequate capacity to:

1) Supply the peak hour demand (estimated at 0.34GPM/meter) of all customers domestic, public, commercial and industrial while maintaining a minimum pressure of not less than 35 pounds per square inch at ground level at all points of delivery within the distribution system under all conditions of design flow not including fire flow, without reducing the service to any customer below these requirements.

2) For residential fire protection, the system must be capable of delivering not less than 1,000 gallons each minute for fire protection on the day of maximum customer demand with a residual pressure of not less than 20 pounds per square inch to at least one point within 300 feet of each building to be served or proposed to be served by such a system and extension for residential. For building of 3,600 square feet, the currently-adopted Fire Code shall be followed.

3) For other than residential fire protection, currently-adopted Fire Code shall be followed.

4) The minimum water main size shall be eight (8)-inches in diameter.

KEY ISSUES

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

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

In order to be approved for MDNR's Owner Supervised Program, the adoption of a minimum pipe size for water main replacement not otherwise shown on the master plan which will maintain a minimum pressure of twenty pounds/square inch (20 psi) under all normal operating conditions; must be approved by ordinance by the Mayor and Board of Aldermen

STAFF COMMENTS AND SUGGESTIONS

We attempt to be a leader in the area and stay ahead of change. To keep abreast of change, City staff asks you to consider the option of adopting the minimum water main size based on capacity first and foremost, then as a minimum, and 8-inch main.

STAFF RECOMMENDATION

City staff's recommendation would be the passage of an ordinance amending the Peculiar Municipal Code Section 500 establishing a minimum water main size in accordance with practical engineering design standards to safeguard life and health; and in accordance with the Missouri Department of Natural Resources (MDNR) Owner's Supervised Program.

ATTACHMENTS

Bill No. 2014-18 Ordinance No. _____

BILL NO. 2014-18
ORDINANCE NO. _____

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

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

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

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

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

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

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

SECTION I.

Water distribution systems. All water mains shall be sized in accordance with a hydraulic analysis based on flow demands and pressure requirements. The water distribution system and any extension thereof shall have adequate capacity to:

- 1) Supply the peak hour demand (estimated at 0.34GPM/meter) of all customers domestic, public, commercial and industrial while maintaining a minimum pressure of not less than 35 pounds per square inch at ground level at all points of delivery within the distribution system under all conditions of design flow not including fire flow, without reducing the service to any customer below these requirements.
- 2) For residential fire protection, the system must be capable of delivering not less than 1,000 gallons each minute for fire protection on the day of maximum customer demand with a residual pressure of not less than 20 pounds per square inch to at least one point within 300 feet of each building to be served or proposed to be served by such a system and extension for residential. For building of 3,600 square feet, the currently-adopted Fire Code shall be followed.

3) For other than residential fire protection, currently-adopted Fire Code shall be followed.

4) The minimum water main size shall be eight (8)-inches in diameter.

SECTION II: The effective date of this ordinance shall be June __, 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 Fines _____
Alderman Ford _____
Alderman McCrea _____

Alderman Ray _____
Alderman Roberts _____
Alderman Turner _____

Approved:

Attest:

Holly J. 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: Mayor and Board of Alderman
From: Nathan Musteen, Parks Director
Date: May 19, 2014
Re: 2014 Peculiar Tractor Pull / MSTPA Contract

GENERAL INFORMATION

Applicant: Peculiar Park Board
Requested Actions: Approval of Resolution No 2014-32
Purpose: Enter into an agreement with Missouri State Tractor Pullers Association
Property Location: 66 Acre Park off Harper Road

PROPOSAL

At the April 2014 meeting of the Peculiar Park Board, members of the board discussed the upcoming Tractor Pull event. Staff was directed to update last year's contract with the Missouri State Tractor Pullers Association (MSTPA) to reflected new dates & times.

The attached contract has been reviewed by Mr. Holbrook the City Attorney, approved by the Park Board and signed by Michael McCoy, President of MSTPA.

The approval of this resolution by the BOA will authorize the Mayor to sign the contract. The MSTPA will be compensated \$12,250.00 as part of the contract.

PREVIOUS ACTIONS

The MSTPA have conducted similar events in Peculiar from 2007 through 2012, the event in 2013 was canceled due to inclement weather. The Park Board sees the event as a way to generate revenue, bring the community together for a special event, and utilizes Peculiar Park (aka 66-acre property).

KEY ISSUES

As was with last years' event, assisting the Park Board with annual special events is now part of the agreement with Excalibur Contracting (Mike Johnson).

STAFF RECOMMENDATION

Staff recommends approval of the resolution and acceptance of the contract.

ATTACHMENTS

The contract and resolution are attached for your review.

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



CONTRACT

**CITY OF PECULIAR
and
MISSOURI STATE TRACTOR PULLERS ASSOCIATION
for
OPERATION OF TRACTOR PULL EVENTS ON JUNE 21, 2014**

THIS AGREEMENT is entered by the City of Peculiar, Missouri and the Missouri State Tractor Pullers Association, for the purpose of establishing the rights and conditions of the operation of recreational tractor pull activities at the City of Peculiar's Annual Tractor Pull to be held on June 21, 2014.

RECITALS

I. PARTIES

A. The City of Peculiar, Missouri, ("City") is a municipal entity of the fourth class located in Cass County, State of Missouri. As used in this agreement, "City" shall mean any officer, director, representative, executive, employee, assignee, or other agent, which is employed or controlled by contract by the City of Peculiar, Missouri.

B. Missouri Tractor Pullers Association ("MSTPA"), is a private association with a registered address of 502 E PINE ST, ARCHIE, MO 64725. As used in this agreement, "MSTPA" shall mean any officer, executive, agent, employee, or member of MSTPA.

II. PREMISES

Per the terms of this agreement, MSTPA is granted the limited right to occupy and use the land which is identified in Exhibit "A", attached hereto, in Peculiar, Cass County, Missouri, ("Premises,") for the purpose of facilitating a series of tractor pull events. To facilitate the event, City agrees to provide the following access as a part of the premises for MSTPA use at City's expense:

1. Available paramedic service and ambulance, to begin at or before the commencement of events;
2. A tract of land at least two hundred fifty (250) feet long and thirty (30) feet wide for use in the tractor pull events;
3. Two vehicles to be used for pull-off.

MSTPA will owe no consideration other than that which is contained in Section VIII of this agreement in exchange for use of the premises and the materials and services provided in

this paragraph. MSTPA will be permitted access to the premises from 12:00 a.m. on June 21, 2014, to 12:00 a.m. on June 23, 2014. At the expiration of the period in which MSTPA is granted access and use of the premises, MSTPA will vacate the premises completely.

III. APPLICATION FOR PERMIT

MSTPA agrees to abide by all applicable laws of the State of Missouri and the ordinances of the City of Peculiar, Missouri. This agreement shall serve as a substitute for any necessary permit required for operations, provided the activities of MSTPA are consistent with those outlined in this agreement.

IV. COMPLIANCE

The parties agree that compliance with applicable city, state, and federal regulations is made the responsibility of MSTPA. Payment of all applicable taxes for revenues procured through the presentation of events is the responsibility of MSTPA.

V. LIABILITY (Insurance Coverage Required)

MSTPA will provide single occurrence liability coverage of one million dollars (\$1,000,000.00), which covers any incidents which arise from any tractor pull event, including, but not limited to, spectator and participant incidents of personal injury. City agrees to release and indemnify MSTPA from all claims which arise from allegations of defective or deficient facility equipment not in the care or control of MSTPA.

VI. INDEMNITY

In addition to the liabilities accepted under Section V of this agreement, MSTPA further warrants that should any party independent of this agreement bring a cause of action against City in any capacity for incidents arising from the events presented by MSTPA, MSTPA expressly agrees to provide indemnity to City for any fees, damages, costs, or other expenditures associated with the action.

MSTPA further waives all claims or other recourse against City for any claims which arise from this contract or the operations permitted by this contract, with the sole exception for those claims which result from the grossly negligent or willful misconduct committed by City or its officers, directors, representatives, executives, employees, assignees, or other agents.

VII. EMPLOYMENT

MSTPA expressly warrants that it is responsible for all employment or other employee related issues which arise from its use of labor during the period of use permitted by this agreement. City accepts no responsibility of liability or responsibility for agents, contractors, officers, assignees, or employees of Jones, and accepts no liability for employment related issues. MSTPA expressly warrants that any employment activities it conducts will be in compliance with applicable federal labor laws and the Missouri rules on worker's compensation.

VIII. CONSIDERATION

In exchange for MSTPA presenting the events provided for by this agreement, City agrees to pay the following bill of costs. This agreement reflects the entirety of the consideration to be paid by either party:

1. Sanctioning Fee	\$	<u>4,000</u>
2. Sled and Scales	\$	<u>1,850</u>
3. Prize Money	\$	<u>10,150</u>
4. Announcer	\$	<u>250</u>
5. Discount	\$	<u>1,000</u>
TOTAL	\$	<u>12,250</u>

IX. CANCELLATION DUE TO INCLEMENT WEATHER

The parties expressly agree that upon any unforeseen event which requires the cancellation of the Festival or otherwise causes the fulfillment of this agreement to become impossible, including but not limited to adverse or inclement weather, the contract shall be terminated at no cost to either party.

X. APPLICABLE LAW

The parties agree that the substantive provisions of this agreement will be governed by Missouri law and further agree that proper jurisdiction and venue for any dispute arising out of this contract shall be the Circuit Court of Cass County, Missouri.

WITNESSED THIS ____ day of _____, 2014

City of Peculiar, Missouri

Holly Stark, Mayor

Witnessed by: _____

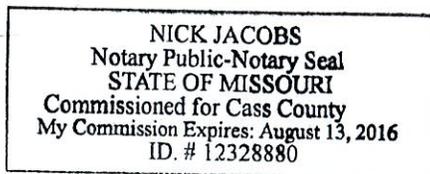
Notary Public

Missouri State Tractor Pullers Association

Michael J. McCoy (MSTPA) Pres

Witnessed by: Nick Jacobs

Notary Public 5/12/14



RELEASE AND WAIVER OF LIABILITY AND INDEMNITY AGREEMENT

(Description and Location of Event)

(Date Release Signed)

**MISSOURI STATE TRACTOR PULLERS ASSOCIATION
OPERATION OF TRACTOR PULL EVENTS ON JUNE 21, 2014**

_____, 2014

**City of Peculiar, Missouri
66 Acre Park
Harper Road
Peculiar, MO 64078**

IN CONSIDERATION of being permitted to enter for any purpose any RESTRICTED AREA (herein defined as including but not limited to the racing surface, pit areas, infield, burn out area, approach areas, shut down area, and all walkways concessions and other areas appurtenant to any area where any activity related to the event shall take place), or being permitted to compete, officiate, observe, work for, or for any purpose participate in any way in the event, EACH OF THE UNDERSIGNED for himself, his personal representatives, heirs, and next of kin, acknowledges, agrees and represents that he has, or will immediately upon entering any of such restricted areas, and will continuously thereafter, inspect such restricted areas and all portions thereof which he enters and with which he comes in contact, and he does further warrant that his entry upon such restricted area or areas and his participation, if any, in the event constitutes an acknowledgment that he has inspected such restricted area and that he finds and accepts the same as being safe and reasonably suited for the purposes of his use, and he further agrees and warrants that if, at any time, he is in or about restricted areas and he feels anything to be unsafe, he will immediately advise the officials of such and will leave the restricted areas:

1. HEREBY RELEASES, WAIVES, DISCHARGES AND COVENANTS NOT TO SUE the provider, participants, racing association, sanctioning organization or any subdivision thereof, track operator, City of Peculiar, City employees and elected officials, car owners, drivers, pit crews, any persons in any restricted area, promoters, sponsors, advertisers, owners and lessees of premises used to conduct the event and each of them, their officers and employees, all for the purposes herein referred to as "releasees", from all liability to the undersigned, his personal representatives, assigns, heirs, and next of kin for any and all loss or damage, and any claim or demands therefor on account of injury to the person or property or resulting in death of the undersigned, whether caused by the negligence of the releasees or otherwise while the undersigned is in or upon the restricted area, and/or, competing officiating in, observing, working for, or for any purpose participating in the event.

2. HEREBY AGREES TO INDEMNITY AND SAVE AND HOLD HARMLESS the releasees and each of them from any loss, liability, damage, or cost they may incur due to the presence of the undersigned, in or upon the restricted area or in any way competing, officiating, observing, or working for, or for any purpose participating in the event and whether caused by the negligence of the releasees or otherwise.

3. HEREBY ASSUMES FULL RESPONSIBILITY FOR AND RISK OF BODILY INJURY, DEATH OR PROPERTY DAMAGE due to the negligence of releasees or otherwise while in or upon the restricted area and/or while competing, officiating, observing, or working

RESOLUTION 2014-32

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

WHEREAS, the Peculiar Park Board endeavors to find sources of revenue, bring the community together for special events, and promote future utilization of the City’s 66-acre property; and

WHEREAS, one means of accomplishing said goals has been to host an annual tractor pull event on the stated City property; and

WHEREAS, the MSTPA has successfully conducted many such events for municipalities including the City of Peculiar; and

WHEREAS, the Peculiar Park Board has recommended to the Board of Aldermen that a contract be executed with the MSTPA for the event to be held June 21, 2014; and

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

Section 1: The Mayor is authorized to execute the referenced contract with MSTPA.

Section 2: *Effective Date.* The effective date of this resolution shall be the 19th day of May, 2014.

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

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



Municipal Offices – 250 S. Main Street, Peculiar, MO 64078

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

Chief of Police

Harry Gurin

City Planner

Cliff McDonald

City Attorney

Reid Holbrook

Parks Director

Nathan Musteen

To: Mayor and Board of Alderman
From: Nathan Musteen, Parks Director
Date: May 19, 2014
Re: 2014 Peculiar Tractor Pull Beverage Contract

GENERAL INFORMATION

Applicant: Peculiar Park Board
Requested Actions: Approval of Resolution No 2014-33
Purpose: Enter into an agreement with Raymore-Peculiar Band Boosters
Property Location: 66 Acre Park off Harper Road

PROPOSAL

At the April 2014 meeting of the Peculiar Park Board, members of the board discussed the upcoming Tractor Pull event. Staff was directed to update last year's contract with the Ray-Pec Band Boosters to reflected new dates & times and to present to the Board of Alderman for approval.

The attached contract has been reviewed by Mr. Holbrook the City Attorney and approved by the Park Board.

The approval of this resolution by the BOA will authorize the Mayor to sign the contract. The Ray-Pec Band Boosters and the City will split the revenues with the Boosters receiving 50 percent of the revenues and the City receiving 50 percent of the revenues.

PREVIOUS ACTIONS

The Raymore Peculiar Band Boosters were contracted for the sale of alcoholic and non-alcoholic beverages at the 2012 and the 2013 event. However, the 2013 event was canceled due to inclement weather. The Park Board would like to see this partnership continue through 2014.

KEY ISSUES

The Raymore Peculiar Band Boosters is required to submit the appropriate forms for a "Picnic Liquor License Permit" and the City will complete a background check prior to issuing the temporary permit. In 2013, appropriate forms and paperwork were completed and presented to the BOA at the June work session meeting; staff anticipates presentation of the permit at the June work session as was done last year. Authorized sale of cereal malt beverages are prohibited at the event until the permit and forms have been approved by the Board of Alderman.

STAFF RECOMMENDATION

Staff recommends approval of the resolution and acceptance of the contract.

ATTACHMENTS

The contract and resolution are attached for your review.

STAFF CONTACT:

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



CONTRACT FOR SALE OF BEVERAGES

Whereas, the City of Peculiar, Missouri will sponsor a tractor pull on June 21, 2014; and

Whereas, the City wishes to provide for the provision of concessions at the tractor pull; and

Whereas, the Raymore-Peculiar Band Boosters desire to provide beverages for sale to spectators at the tractor pull; and

Whereas, the City of Peculiar (hereinafter "City") and the Raymore-Peculiar Band Boosters of Raymore (hereinafter "Vendor") desire to enter into an agreement to permit Vendor to engage in the sale of beverages at the tractor pull on June 21, 2014, according to the terms and conditions hereinafter set forth:

1. General Terms and Conditions

This Agreement provides that Vendor will be permitted to engage in the sale of beverages (hereinafter "Sale") to spectators at the tractor pull sponsored by City on June 21, 2014 to occur on the property of the City.

2. Definitions

2.1 Beverage: For purposes of this agreement, beverage shall include any non-alcoholic or non-intoxicating beverage, and any alcoholic or intoxicating beverage made by alcoholic fermentation of an infusion or concoction of barley, or other grain, malt and hops in water, generally referred to as "beer", containing no more than 5% alcohol by weight. This definition does not include and expressly excludes any beverage containing more than 5% alcohol by weight.

3. Terms of Agreement

3.1 Vendor agrees to procure all necessary state licenses for the sale of beverages and all necessary insurance coverage as required state statutes. Vendor further agrees to add City as additional insured on any required insurance policy.

3.2 Vendor agrees to purchase and provide all necessary quantities of beverages, containers, accessories and other supplies

necessary to operate the Sale.

3.3 Vendor agrees it will operate the Sale only at the designated area located on the City's property. Vendor agrees the location will be agreed upon by Vendor, City and Landowner prior to the commencement of the Sale.

3.4 Vendor and City agree that at the conclusion of the Sale and tractor pull, Vendor and City will collect cups, bottles, cans, other containers and trash associated with the Sale so that the property is free and clear of all debris created by the Sale.

3.5 City acknowledges its responsibility to provide security for the tractor pull and agrees that security arrangements will be made for the Sale as needed.

3.6 Vendor agrees that it will designate certain individuals to staff the Sale which shall consist solely of members of its group or other properly designated individuals who have reached the age of majority.

3.7 Vendor understands and agrees it is responsible for confirming the age of any tractor pull patron wishing to purchase an intoxicating beverage by any generally accepted method of personal identification, i.e. driver's license or state identification card. Vendor understands that failure to fulfill this responsibility which results in an illegal sale of an intoxicating beverage to a minor may subject Vendor and its agents and representatives to criminal sanctions.

3.8 Vendor and City agree that the hours of operation for the Sale will be from 5:00 p.m. until 11:00 p.m. on June 21, 2014. Vendor and City agree that Vendor is permitted to arrive at the designated location for the Sale at such time as Vendor deems necessary to prepare for the Sale.

3.9 Vendor and City agree that Vendor is permitted to establish the prices and quantities at which the beverages are sold, provided Vendor's determinations do not violate any city, state or federal regulations.

3.10 Vendor and City agree that the revenues from the Sale will be a split of 50/50 between the two parties with the Vendor receiving 50 percent of the revenues and the City receiving 50 percent of the revenues. The parties will agree on a method of calculating such revenues.

3.11 Vendor and City agree the cost of a 12-ounce can of beer will be \$2.00 each.

Indemnification

4.1 Vendor agrees that it will indemnify and hold harmless City and Landowner in the event any party seeks to hold City and/or Landowner liable for any alleged injuries or damages caused as a result of the Sale. This indemnification provision applies to any and all costs associated with litigation and/or other defense of any claim against City for injuries or damages.

Dated this ____ day of _____, 2014.

City of Peculiar, Missouri

Holly Stark, Mayor

Raymore-Peculiar Band Boosters

Holly Berry, Raymore-Peculiar Band Boosters

Sherri Jungman, Raymore-Peculiar Band Boosters

Attest:

Nick Jacobs, City Clerk

RESOLUTION 2014-33

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE RAYMORE-PECULIAR BAND BOOSTERS (BOOSTERS) FOR THE PURPOSE OF SELLING BEVERAGES AT THE ANNUAL TRACTOR PULL ON JUNE 21, 2014 IN THE CITY OF PECULIAR

Whereas, the City of Peculiar, Missouri will sponsor a tractor pull on June 21, 2014; and

Whereas, the City wishes to provide for the provision of concessions at the tractor pull; and

Whereas, the Raymore-Peculiar Band Boosters desire to provide beverages for sale to spectators at the tractor pull; and

Whereas, the City of Peculiar and the Raymore-Peculiar Band Boosters of Raymore desire to enter into an agreement to permit Boosters to engage in the sale of beverages at the tractor pull on June 21, 2014

WHEREAS, the Peculiar Park Board has recommended to the Board of Aldermen that a contract be executed with the Raymore-Peculiar Band Boosters to sale beverages for the event to be held June 21, 2014; and

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

Section 1: The Mayor is authorized to execute the referenced contract with the Raymore-Peculiar Band Boosters.

Section 2: *Effective Date.* The effective date of this resolution shall be the 19th day of May, 2014.

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

Alderman Ford	_____	Alderman Ray	_____
Alderman McCrea	_____	Alderman Roberts	_____
Alderman Fines	_____	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: Mayor, Board of Aldermen
From: Harry Gurin, Chief of Police
Date: May 16, 2014
Re: Publication of outstanding city warrants on city web site

GENERAL INFORMATION

Applicant: City Staff
Requested Actions: Publication on web site of outstanding city warrants
Purpose: Reduce city warrants
PROPOSAL Publish outstanding city warrants reducing the number of warrants

The City of Peculiar has approximately 800 outstanding city warrants on file. This information is considered as open public records since the source of information does not come from outside law enforcement records systems, according to Jason Murray, Missouri State Highway Patrol. As you are all well aware, the Federal Bureau of Investigation publishes their warrants with the news media. Cass County Sheriff's Office has warrants on their web site, open to the public, with the attached disclaimer, as an example. In addition, the Missouri Courts system, online, has state warrants listed for public view.

It would be the responsibility of the court and the police departments to update the website as warrants are cleared. Individuals with warrants would be identified by name, year of birth, and primary city of residence, charges, and bond amounts.

The web site would have a disclaimer, approved by the city attorney, as well as information on the process to satisfy an outstanding warrant.

STAFF RECOMMENDATION

Staff recommends approval

mation is provided as a service and is not considered official court record. This site lists the current outstanding warrants in Cass County, Missouri.

If you have information regarding someone with a warrant please call (816) 380-5200 or your local law enforcement agency. The information on this website is considered public record.

The Sheriff's Office requests that no citizen take any individual action in this matter. This information is not to be used as a confirmation or probable cause that any warrant is active. Information contained herein should not be relied upon for any type of legal action.

The information published on this web site was valid at the time of publication. Cass County reserves the right to make changes and improvements at any time and without notice, and assumes no liability for damages incurred directly or indirectly as a result of errors, omissions or discrepancies.

Are you a wanted person?

If there is an outstanding warrant for your arrest, we will (as a courtesy) allow you to turn yourself in at the Cass County Sheriff's Office located at 2501 West Wall in Harrisonville Missouri.

You will need to bring photo identification.

The warrant for your arrest has been entered into the statewide computer system. It is probable that any contact with a law enforcement officer will result in your immediate arrest and incarceration.

If you fail to turn yourself in, this matter will be resolved at our convenience. A Deputy Sheriff, State Trooper, or local Law Enforcement Officer will take whatever measures are necessary to locate you and execute the warrant for your arrest.

You could be physically arrested at home, at work, or while driving -- then incarcerated. In addition to the normal cost of an arrest, you may incur impound, towing, and storage charges regarding your vehicle.

If you have any questions, you may call the Cass County Sheriff's Office at (816) 380-5200, or [SEND AN EMAIL](#).

For additional information please check the Missouri Courts website by clicking [HERE](#).