

**BOA Meeting Agenda
Peculiar City Board of Aldermen
Meeting and Public Hearing
City Hall – 250 S. Main St
Monday December 15, 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, December 15, 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 Draft Minutes of November 17, 2014 BOA Meeting.
 - B. Approval of the Draft Minutes of December 1, 2014 Worksession Meeting
6. Employee of the Quarter – Trudy Prickett
7. Presentation

Resolution 2014-62 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI TO APPROVE ESTABLISHING THE HONORARY AND PERMANENT FACILITY NAME OF THE WASTEWATER TREATMENT PLANT AS THE ENGLAND FACILITY
8. Unfinished Business
 - A. Bill No. 2014-32 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI CALLING FOR A GENERAL MUNICIPAL ELECTION ON APRIL 7, 2015 AND ESTABLISHING FILING DATES FOR SAID ELECTION
**2nd Reading*
 - B. Bill No. 2014-33 - AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE REZONING OF MR. ALFRED E. DIBBENS PROPERTY COMMONLY KNOWN AS 21107 S. PECULIAR DRIVE.
**2nd Reading*
9. New Business
 - A. Resolution 2014-63 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE CITY OF PECULIAR 2015 LEGISLATIVE POLICIES
 - B. Resolution 2014-64 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING AUTHORIZATION FOR STREET LIGHT CHANGES CITY OF PECULIAR.
 - C. Bill No. 2014-34 - AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING AND ACCEPTING THE MISSOURI DEPARTMENT OF TRANSPORTATION (MODOT) COST SHARE SUPPLEMENTAL AGREEMENT NO 2 FOR THE I-49 AND 211TH STREET INTERCHANGE (CASS COUNTY), MISSOURI
**1st Reading*
10. Topic for Discussion
 - A. Proposed Annexation for General Election
11. City Administrator Report
12. Aldermen Concerns
13. Aldermen Directives

14. **Executive Session**

The City Attorney has requested a 10-minute Executive Session, per RSMo. §610.021(1)

Resolution 2014-65 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AUTHORIZING THE MAYOR TO ENTER INTO A CLOSING AGREEMENT WITH THE INTERNAL REVENUE SERVICE ON BEHALF OF THE CITY TO ACHIEVE A FINAL DETERMINATION AND SETTLEMENT OF ISSUES RAISED IN A VOLUNTARY CLOSING AGREEMENT PROGRAM (VCAP); AND

The City Attorney has requested a 15-minute Executive Session, per RSMo. §610.021(2)

The Mayor has requested a 45-minute Executive Session, per RSMo. §610.021(3)

15. **Adjournment**

**Board of Aldermen Regular Meeting Minutes
Monday November 17, 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 November 17, 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: Patrick Roberts, Bob Fines, Donald Turner, Veronika Ray, Jerry Ford and Kelsie McCrea.

City Staff present for the meeting were City Administrator Brad Ratliff, City Clerk Nick Jacobs, City Attorney Reid Holbrook, Chief of Police Harry Gurin, Parks & Recreation Director Nathan Musteen, Business Office Manager Trudy Prickett and City Engineer Carl Brooks.

Consent Agenda

- A. Approval of the Draft Minutes of October 20, 2014 BOA Meeting.**
- B. Approval of the Draft Minutes of November 3, 2014 Worksession Meeting**

On a motion by Alderman Roberts and seconded by Alderman Ford consent agenda was approved by a 6-0 roll call vote.

New Business

- A. Bill No. 2014-30 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AMENDING SECTION 130.260 OF PECULIAR MUNICIPAL CODE.
*1ST Reading**

Police Chief Harry Gurin addressed the Board. He stated the proposed bill would allow for an additional \$2 to be assessed to court costs to be sent to Hope Haven Domestic Violence Shelter as well as a new \$2 that could be assessed to take care of biometric fingerprint equipment and inmate housing charges.

Alderman Turner asked if any other cities in the area were assessing these fees. Staff commented that both Raymore and Belton have the \$2 inmate fee and that they were both looking at implementing the additional \$2 for hope haven.

No public comment.

Alderman Roberts made a motion to have the first reading of Bill No. 2014-30 by title only. The motion was seconded by Alderman Ford and was approved by a 6-0 voice vote. Alderman Roberts made a motion to accept the first reading of Bill No. 2014-30. The motion was seconded by Alderman Ford and was accepted by a 6-0 voice vote.

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

- B. Resolution 2014-60 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI REDUCING BUILDING PERMIT FEES BY \$500.00 FOR BUSINESSES WITHIN PECULIAR'S CITY LIMITS WHICH HAVE BEEN OPEN FOR FIVE (5) YEARS OR LONGER.**

City Clerk Nick Jacobs addressed the Board. He stated that the proposed resolution would decrease the fee for a building permit for a business that has been in business inside the city for a period of 5 years or longer. He stated that no hard costs of any department would be lost with the reduction. And it would take approximately 5 years to recoup the discount. The reduction would equate to a rough \$36,000 investment into the business.

Alderman Turner asked if the term 5 years meant how long the business existed or how long the business had been owned by the same owner or is it based on the tax ID number. He used the example of Good times Liquor and Bait stating they have had several owners in the past 5 years.

Staff commented that since Goodtimes rents its space it could not be applicable to this reduction since a renter cannot apply for a building permit only the owner can.

Staff commented that the intent of the reduction is not to exclude any businesses but to reward businesses who have stayed in our community.

The Mayor commented that the determination would be an active business license for the company for a period of 5 years or more.

Alderman Ford made a motion to adopt Resolution No. 2014-60. 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

C. Bill No. 2014-31 - AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AMENDING SECTION 105.020 IN ORDER TO COMPLY WITH REV. STAT. MO §§ 115.342, SECTIONS 1, 2 AND 3.

**1st Reading*

City Attorney Reid Holbrook addressed the Board. He stated that the Missouri Congress has changed the way a candidate can file for office. He stated the City Clerk is no longer required to determine if a candidate is in arrears for any taxes and now a potential candidate will have to file an affidavit with the Missouri Department of Revenue stating they owe no taxes of any kind. A copy of said affidavit must accompany a candidate's declaration of candidacy that is to remain on file with the City Clerk. He stated that the City is trying conform City Code to State Statute prior to candidate filing on December 16th.

Alderman Fines asked why this did not come before the Board sooner.

Staff commented that Missouri Municipal League sent out a notice to all City Clerks on November 8th stating he change and this is the first chance to get it in front of the Board of Aldermen.

Alderman Ray asked where to go to get the affidavit.

Staff commented that it is on the Missouri Department of Revenue's website.

Alderman Ford asked what day was the last to file.

Staff commented January 20th.

There was further discussion amongst the Board.

Alderman Roberts made a motion to have the first reading of Bill No. 2014-31 by title only. The motion was seconded by Alderman Ford and was approved by a 6-0 voice vote. Alderman Roberts made a motion to accept the first reading of Bill No. 2014-31. The motion was seconded by Alderman Ford and was accepted by a 6-0 voice vote.

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

D. Resolution 2014-61 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI STATING THE BOARD'S APPROAVL OF A SLUDGE DISPOSAL AGREEMENT WITH THE CITY OF HARRISONVILLE THROUGH NOVEMBER 30, 2019.

City Engineer Carl Brooks addressed the Board. He stated that this agreement will allow the City of Peculiar to take "sludge" to the City of Harrisonville and drastically reduce the mileage and wear and tear on the City's sludge hauling truck. Staff has received approval from the City Attorney as well as from our insurance provider.

Mayor Stark asked if the indemnification clause was ironed out.

City Attorney Reid Holbrook stated that some of the language is not ideal it is sufficient for the intent of the contract.

Alderman Ford made a motion to adopt Resolution No. 2014-61. The motion was seconded by Alderman Roberts and was accepted by a 6-0 roll call vote.

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

City Administrators Report

Joint meeting is Wednesday night at the School District. 3 housing permits were pulled this month 2 in Setters Pointe 1 in Carriage Meadows. The \$4.30 convenience fee is only for transactions done by credit card and it is assessed to the customer by the payment processor and the City does not see a dime from it. The Water Rate increase that went into effect is to go towards the connection to Kansas City as our direct water supplier.

There was further discussion amongst the Board regarding water rates and the need for the connection to Kansas City.

Animal license renewals will be coming up at the Police Department. The City is in negotiations with Incode software to get a new City wide system for Utility Billing as well as Code Enforcement and General Ledger etc. The police garage project is nearing completion with the additional asphalt being laid hopefully in the upcoming week, weather permitting. Letters are being sent to those affected by the new water main location along J Highway. Repairs are being conducted at Mayor's Park.

Alderman Concerns

Alderman Ford asked about the completion of the bridge on School Road.

Staff commented that it was a county project and the City will forward the concern to the county.

Alderman Roberts thanked the students who were present in the audience.

Alderman Turner asked when 211th Street would begin construction.
Mayor Stark stated the information is in the City Administrator's report.

Alderman Turner asked if the City posted on the website the cleanup effort that was at Raisebeck Park.
Staff commented that it was put on by the South Grand River Water Shed Alliance and notification would be through them.

Aldermen Directives

Bring back Bill 2014-30 for second reading.
Implement Resolution for permit fee reduction for businesses.
Bring back Bill 2014-31 for second reading.
Move forward with Harrisonville on discussion of Sludge Agreement.
Remind County of the displeasure of the status of School Road.

Adjournment

On a motion from Alderman Ford, second from Alderman Roberts, the meeting was adjourned at 7:20pm 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 December 1, 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 December 1, 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: Donald Turner, Bob Fines, Jerry Ford, Patrick Roberts, Veronika Ray and Kelsie McCrea.

City Staff present for the meeting were City Administrator Brad Ratliff, City Attorney Reid Holbrook, Chief of Police Harry Gurin, City Clerk Nick Jacobs, City Planner Clifford McDonald, and Parks & Recreation Director Nathan Musteen.

Business

A. Bill No. 2014-30 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AMENDING SECTION 130.260 OF PECULIAR MUNICIPAL CODE.

**2nd Reading*

Chief of Police Harry Gurin addressed the Board. He stated that this Bill will increase the surcharge for municipal violations an additional \$2 for Hope Haven and \$2 Inmate Housing Charges. Per the question from Alderman Turner at the last meeting Chief Gurin discovered that Cass County has approved the additional \$2 for Hope Haven as well.

No Board comments.

No public comments.

Alderman Roberts moved to have the second reading of Bill No. 2014-30 by title only, seconded by Alderman Ford and was approved by a 6-0 voice vote. Alderman Roberts moved to accept the second reading of the bill and place on final passage as Ordinance number 12012014, seconded by Alderman Ford and approved by 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

B. Bill No. 2014-31 - AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AMENDING SECTION 105.020 IN ORDER TO COMPLY WITH REV. STAT. MO §§ 115.342, SECTIONS 1, 2 AND 3.

**2nd Reading*

City Clerk Nick Jacobs addressed the Board. He stated that it will remove the section in the City Code that requires the City Clerk to check if a potential candidate is in arrears for municipal taxes and replace it with the new statutory requirement of the potential candidate filing with the Missouri Department of Revenue an affidavit stating they owe no taxes. This will bring current code in line with State Statutes. He stated that he spoke with a representative of the Missouri Department of Revenue and they were made aware of the changes in State Statutes two weeks ago and that their work load was going to increase significantly.

Mayor Stark asked if other Cities were changing due to the new Statute revision.

Staff commented that Grandview, Raymore and Pleasant Hill were all changing very soon and that Belton already had the requirement in their code.

Alderman Ray stated she got on to the Missouri Department of Revenue website and was able to find it easily and that it is fillable online.

No public comments.

Alderman Ford moved to have the second reading of Bill No. 2014-31 by title only, seconded by Alderman Roberts and was approved by a 6-0 voice vote. Alderman Ford moved to accept the second reading of the bill and place on final passage as Ordinance number 12012014A, seconded by Alderman Roberts and approved by 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

C. Bill No. 2014-32 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI CALLING FOR A GENERAL MUNICIPAL ELECTION ON APRIL 7, 2015 AND ESTABLISHING FILING DATES FOR SAID ELECTION

**1st Reading*

City Clerk Nick Jacobs addressed the Board. This will establish the filing dates for the April 2015 General Election as well as call for an election. He stated that he included in the packet the public notice that will be put in the newspaper. He stated that on the public notice he put the requirement of a candidate to file the affidavit with the Missouri Department of Revenue as well as that the City will conduct the random draw procedure for deciding ballot placement.

Alderman McCrea asked how many Cities utilize the random draw procedure.

Staff commented that Cass County, Lee's Summit utilizes it and Grandview is trying to propose that their council utilize this method.

Alderman Roberts moved to have the first reading of Bill No. 2014-32 by title only, seconded by Alderman Ford and was approved by a 6-0 voice vote. Alderman Roberts moved to accept the first reading of the bill, seconded by Alderman Ford and approved by the following 6-0 voice vote.

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

D. Public Hearing & Bill No. 2014-33 - AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE REZONING OF MR. ALFRED E. DIBBENS PROPERTY COMMONLY KNOWN AS 21107 S. PECULIAR DRIVE.
**1st Reading*

City Planner Cliff McDonald addressed the Board. He gave a brief overview of the background of the property location and that the property owner is requesting to be rezoned to C-1 General Business. He stated that this is consistent with the City Comprehensive Plan. The property has water and electrical service available to it. The properties on 3 side are zoned C-1, making this rezoning compatible with surrounding properties. The current property has been vacant for 15 years. The Planning Commission approved the rezoning at its last regular meeting.

Alderman McCrea asked why he wanted to rezone the property.

Staff commented that the owner noticed that the surrounding properties are zoned commercial and this should increase its value.

Alderman Turner asked if this property was one of the properties the City is getting Right-of-way from for the new interchange.

Staff commented that it was.

Alderman Turner stated that once the rezoning is complete the land will be more valuable and may increase the cost of the Right-of-way.

Staff commented that the criteria for the Board to consider the rezoning had been presented and that status of an agreement for Right-of-way was not a stipulation to either approve or disapprove a rezoning request and the decision must be made on the outlined criteria.

Kerri Robinson addressed the Board. She stated that governments should not be able to hold someone's property hostage. She said that that the cost of the project should not increase significantly due to this property.

Alderman Ford moved to have the first reading of Bill No. 2014-33 by title only, seconded by Alderman Roberts and was approved by a 6-0 voice vote. Alderman Ford moved to accept the first reading of the bill, seconded by Alderman Roberts and approved by the following 6-0 voice vote.

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

Topics for Discussion

A. Road Improvement Plan utilizing Chapter 88 of RSMo

City Clerk Nick Jacobs addressed the Board. He stated that he has been looking through Missouri State Statutes trying to find a means of helping to cover costs of daily activities as well as large projects. He stated that Chapter 88 of Missouri State Statutes allows for a fourth class city to assess road improvements to adjoining property owners. He stated that the City of Clinton utilized this chapter to pay for a large project in 2004.

He outlined the 3 streets that were set to be repaired and overlaid in the current fiscal year. He broke down each cost to do the project as well as the assessed amounts to each property. He went into detail about the assessment amounts for each road and the process to be able to assess these amounts.

Alderman Fines stated that this does not seem like an idea the current Board would utilize given the current water rates and property tax levels but it is good to have for future knowledge.

City Administrator Brad Ratliff addressed the Board. He stated that an idea he had was to allow citizens to essentially move their road project up the list by utilizing this chapter. This would merely be a policy that could be adopted by the Board of Aldermen at a later date.

There was further discussion amongst the Board.

Alderman McCrea stated that she was impressed by the creativity that Nick brings but is not in favor of this particular plan. She wondered if this could be placed out to the residents as almost a survey stating how you would like to fund the aging roads.

The consensus of the Board was to put it as a voluntary policy for residents to use.

B. 2015 Legislative Policy

City Administrator Brad Ratliff addressed the Board. He gave a brief overview of the reason for this procedure before allowing the City Clerk Nick Jacobs to go over each policy change in detail.

Nick outlined the various changes from the Missouri Municipal Leagues policies. He went over the various policy changes and gathered from the Board which policies they concurred with and which they did not concur with.

After much discussion, the Board of Aldermen concurred with all of the policies that were changed that were presented except the Super Tax Increment Financing which they chose to have no stance on.

C. Street Light Request at YY Highway & Harper Road

City Engineer Carl Brooks addressed the Board. He stated a citizen has approached the City requesting a street light at the corner of YY Highway and Harper Road. He stated that KCP&L will install the street light at the approval of the Board of Aldermen.

Mayor Stark asked if there were multiple requests for this light. Staff commented that this was the only request.

Alderman Roberts stated that if it needed more requests his wife and he would both be in support of a light at the intersection. Staff commented they would bring a resolution the next meeting for approval.

At 7:32pm there was a 5 minute break with meeting continuing at 7:37pm.

State of the City Address, by the City Administrator

City Administrator Brad Ratliff addressed the Board. He went over the individual statistics for each department as far as Work Orders issued, Code Violations issued, Moving Violations issued and so forth. He spoke at great length regarding the details of each department's goals and accomplishments for the previous fiscal year as well as the projected goals for the current year. He thanked staff for the hard work over the year.

There was some intermittent discussion amongst the Board and staff regarding particular statistics.

Aldermen Concerns or Additional Topics for Discussion by Aldermen

Aldermen Directives Reported by City Administrator

Execute Bill No. 2014-30 & 31.
Bring back Bill No. 2014-32 & 33 for second reading.
Bring Legislative Policy back for approval.
Bring street light request back for approval.
Develop a voluntary road repaving policy.

Adjournment

On a motion from Alderman Ford, second from Alderman Turner, the meeting was adjourned at 8:45pm 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:



THE ENGLAND FACILITY

PECULIAR'S WASTE WATER TREATMENT PLANT

This Facility is dedicated to Ray and Bill England
for their tireless efforts and combined service of over 65 years with the City of Peculiar.

RESOLUTION 2014-62

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI TO APPROVE ESTABLISHING THE HONORARY AND PERMANENT FACILITY NAME OF THE WASTEWATER TREATMENT PLANT AS THE ENGLAND FACILITY

WHEREAS, the Board of Aldermen desire to recognize the professional service and selfless dedication provided to the City of Peculiar and its citizens by the England family; and

WHEREAS, Ray England managed the City of Peculiar Wastewater Treatment Plant and oversaw maintenance of the City’s Sanitary Sewer System for over 25 years; and

WHEREAS, Bill England has worked for the City for over 30 years and subsequently became the manager the City of Peculiar Wastewater Treatment Plant and oversaw maintenance of the City’s Sanitary Sewer System; and

WHEREAS, it is the desire of the Mayor and Board of Aldermen to express their deep appreciation to Ray and Bill England for their combined years of dedicated service to the City of Peculiar; and

WHEREAS, the Mayor and Board of Aldermen recommend the City of Peculiar Wastewater Treatment Plant be designated and named “The England Facility” 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 honorary and permanent name designation of the City of Peculiar Wastewater Treatment Plant as “The England Facility.”

Section 2. *Effective Date.* This resolution shall become effective upon approval and passage by the Board of Aldermen.

THIS RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE THIS ___ DAY OF DECEMBER, 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 Alderman
From: Nick Jacobs
Date: December 12, 2014
Re: General Municipal Election April 7, 2015

GENERAL INFORMATION

Applicant: Nick Jacobs
Status of Applicant: City Clerk
Requested Actions: Passage of Bill #2013-32 Calling for a General Municipal Election
Date of Application:
Purpose: Approve the Request for a General Municipal Election and establish filing dates for said election.
Property Location (if applicable):

PROPOSAL

Approve Bill No. 2013-32

PREVIOUS ACTIONS

First Reading approved at the December 1st Worksession.

KEY ISSUES

(3) Alderman terms will expire in April, 2015. One from Ward #1, one from Ward #2 and one from Ward #3. An ordinance is required to hold a Municipal Election for the purpose of filling these terms.

STAFF COMMENTS AND SUGGESTIONS

A General Municipal Election will be required on April 7, 2015 for the purpose of filling 3 Aldermen terms that will expire in April, 2015. The filing and closing dates have been determined by the Missouri Secretary of State's office.

STAFF RECOMMENDATION

Approval of first reading of Bill #2013-32 calling for a General Municipal Election on April 7, 2015 for the purpose of electing, one Alderman from Ward #1 for a 2-year term, one Alderman from Ward #2 for a 2-year term, and one Alderman from Ward #3 for a 2-year term. Also establish the filing dates for said election.

ATTACHMENTS

Bill #2013-32

PUBLIC NOTICE
City of Peculiar, Missouri

Filing for the annual City Election, Tuesday, April 7, 2015 opens Tuesday, December 16, 2014, at 8:00 a.m. and ends on Tuesday, January 20, 2015 at 5:00 p.m., in accordance with Section 115.127.5 RSMo as amended.

At said election there shall be elected:

- One (1) member of the Board of Aldermen for Ward #1 for the full term of two (2) years.
- One (1) member of the Board of Aldermen for Ward #2 for the full term of two (2) years.
- One (1) member of the Board of Aldermen for Ward #3 for the full term of two (2) years.

Qualified candidates may file with the City Clerk at Peculiar City Hall, 250 South Main, from 8:00 a.m. until 5:00 p.m. Monday through Friday.

Please note: Filing opens on December 16, 2014, at 8:00 a.m. and ends on Tuesday, January 20, 2015 at 5:00 p.m., City Hall will be closed for business December 25, 2014 for the Christmas Holiday and January 1, 2015 for the New Years Day Holiday and January 19, 2015 for Martin Luther King Day.

There is a \$10.00 filing fee payable by cash or check to the City of Peculiar at the time of filing. Candidates are required to file a form 5120, Candidate's Affidavit of Tax Payments and Bonding Requirements, with the Missouri Department of Revenue and include a completed copy said form with their Declaration of Candidacy.

The City of Peculiar will be performing the random draw method in accordance with Section 115.12.1 (2) RSMo as amended on the first day of filing to determine the filing order of candidates for each office. After the first day, the order will be determined by the next candidate that files for each available office and so forth.

If you have questions or need additional information, contact the City Clerk's office at 816-779-2221.

Nick Jacobs, City Clerk

BILL NO. 2014-32
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI CALLING FOR A GENERAL MUNICIPAL ELECTION ON APRIL 7, 2015 AND ESTABLISHING FILING DATES FOR SAID ELECTION

WHEREAS, the General Municipal Election Day in Missouri has been determined to be April 7, 2015; and

WHEREAS, the term of three aldermen will expire in April, 2015; and

WHEREAS. The filing and closing dates for such election have been determined by the State of Missouri

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

Section 1. A Municipal Election will be held on April 7, 2015 for the purpose of electing the following:

- One Alderman from Ward #1 for a term of two (2) years
- One Alderman from Ward #2 for a term of two (2) years
- One Alderman from Ward #3 for a term of two (2) years

Section 2. Qualified candidates may file with the City Clerk beginning at 8:00 a.m. on December 16, 2014. Filing will close at 5:00 p.m. on January 20, 2015.

Section 3. The effective date of this ordinance shall be the ___ day of December, 2014.

First Reading: December 1, 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 Turner	_____
Alderman Ray	_____	Alderman Roberts	_____

Approved:

Attest:

Holly Stark, Mayor

Nick Jacobs, City Clerk

City Administrator
Brad Ratliff

City Clerk
Nick Jacobs

City Engineer
Carl Brooks

Business Office
Trudy Prickett



Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney
Reid Holbrook

Parks Director
Nathan Musteen

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

To: Board of Aldermen
From: Clifford L. McDonald
Date: December 15, 2014
Re: Re-zoning Application for 21107 S. Peculiar Drive, submitted by Mr. Alfred E. Dibbens.

GENERAL INFORMATION

Applicant: Mr. Alfred E. Dibbens

Status of Applicant: N/A

Requested Actions: Board of Aldermen to consider Mr. Dibbens Application to Re-zone 21107 S. Peculiar Drive from R-1, Single Family Dwelling District to C-1, General Business District.

Date of Application: September 26, 2014

Purpose: To review the Application submitted by Mr. Alfred E. Dibbens and consider approving the Re-zoning of 21107 S. Peculiar Drive from R-1, Single Family Dwelling District to C-1, General Business District.

Property Location (if applicable): 21107 S. Peculiar Drive, Peculiar, Missouri; see attached map.

PROPOSAL

See "Requested Actions" above.

PREVIOUS ACTIONS

The Planning Commission held its Public Hearing on this Re-zoning application on Thursday, November 13th, 2014; no Public comments were presented either for or against the Re-zoning and no objections have been filed. The Planning Commission unanimously approved the Re-zoning of 21107 S. Peculiar Drive from R-1, Single Family Dwelling District to C-1, General Business District on November 13, 2014.

The Board of Aldermen held its Public Hearing on this Re-zoning application on Monday, December 1st, 2014; no Public comments were presented either for or against the Re-zoning and no objections have been filed. The Board unanimously approved the First Reading of the Ordinance to Re-zone 21107 S. Peculiar Drive at that meeting.

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:

1. **Consistency with the Comprehensive Plan, neighborhood development plan (if applicable) and any other official planning and development policies of the City;**
 - a. 21107 S. Peculiar Drive is currently Zoned R-1, Single Family Dwelling District. The proposed zoning change to C-1, General Business District would be consistent with the Future Land Use Plan of the City of Peculiar’s Comprehensive Plan. This proposed Re-zoning of 21107 S. Peculiar Drive 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. 21107 S. Peculiar Drive is currently zoned R-1, Single Family Dwelling District. The Re-zoning of this property to C-1, General Business District will increase projected traffic volumes; however the property is adjacent to the 211th Street & I-49 interchange which is designed to accommodate commercial development and future growth. This Re-zoning is not detrimental to pedestrian safety, traffic flow or the accessibility of emergency vehicles and equipment.

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. 21107 S. Peculiar Drive has water and electrical utility service readily available. The proposed Re-zoning of this property to C-1, General Business District has no significant impact upon roads or streets as explained in item 2.a above and the City’s Wastewater Treatment Plant has sufficient capacity to accommodate & support this zoning change. Site Storm Sewerage and Sanitary Sewerage improvements are the responsibility of a developer who is required to meet City Code & Design standards.

4. **Compatibility of the proposed district classification with nearby properties;**
 - a. Except for half of the West border which abuts District R-1, Single Family Dwelling District, 21107 S. Peculiar Drive is completely surrounded by properties zoned C-1, General Business District. The proposed district classification is compatible with adjacent properties.

5. **If vacant, the length of time the property has remained vacant as zoned.**
 - a. 21107 S. Peculiar Drive was annexed into the City of Peculiar in October, 2013. The property has been vacant for almost Fifteen (15) years.

STAFF COMMENTS AND SUGGESTIONS

The City’s Future Land Use Plan identifies this property for Commercial Business development because it forms the Southwest border of the 211th Street & I-49 intersection. Per City Code, upon annexation this property was zoned District R-1 Single Family Dwelling District to correspond with the Cass County Assessor’s Classification.

STAFF RECOMMENDATION

Board of Aldermen to consider approving the Second Reading of the Ordinance to Re-zone this property as presented.

ATTACHMENTS

- (1) Cass County Map (Beacon), Page 3
 - (2) 21107 S. Peculiar Drive Plat, Page 4
-

STAFF CONTACT:

Clifford McDonald

Phone: 779-2226

E-mail: cmcdonald@cityofpeculiar.com

Cass County Map (Beacon) – 21107 S. Peculiar Drive, Peculiar, Missouri

The screenshot shows the Beacon GIS application interface. The main map area displays a satellite view of a residential area with several parcels outlined in blue. The parcels are labeled with their unique Parcel IDs. A detailed information panel is visible at the bottom of the map area, providing the following data:

Parcel ID	07020900000003000	Alternate ID	n/a	Owner Address	DIBBEN, DANIEL & DAVID
Sec/Twp/Rng	9-45-32	Class	Residential		19805 E 241ST TER
Property Address	21107 S PECULIAR & 21101 DR PECULIAR, MO		Acres	5.000	PECULIAR MO 64078-0000

The interface also includes a search bar, a legend on the left side, and a status bar at the bottom showing the time as 8:09 AM on 11/6/2014.

BILL NO. 2014-33
ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE REZONING OF MR. ALFRED E. DIBBENS PROPERTY COMMONLY KNOWN AS 21107 S. PECULIAR DRIVE.

WHEREAS, Mr. Alfred E. Dibbens has requested the rezoning of 21107 S. Peculiar Drive from R-1, Single Family Dwelling District to C-1, General Business District; and

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

WHEREAS, the Planning Commission held a Public Hearing on November 13, 2014, for this rezoning request and subsequent to that hearing has recommended approval of the rezoning request to the Board of Aldermen; and

WHEREAS, the Board of Aldermen held a Public Hearing on December 1, 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 Mr. Alfred E. Dibben's property described as:

Part of the Northwest Quarter of Section 9, Township 45, Range 32 in Cass County, Missouri, described as follows: From the Northwest Corner of the Northwest Quarter of Section 9, aforesaid, run thence North 86°01'56" East, along the North line of the Northwest Quarter of Section 9, 660.0 feet; thence South 3°58'04" East, 330.0 feet; thence South 86°01'56" West, parallel with the North line of the Northwest Quarter of Section 9, 726.45 feet to a point on the Easterly right-of-way line of Old U.S. Highway No. 71 (said highway now also known as Peculiar Drive); thence North 7°25'04" East, along said right-of-way line, 336.62 feet to the True Point of Beginning, containing 5.252 acres, more or less, commonly known as 21107 South Peculiar Drive, Peculiar, Missouri from R-1, Single Family Dwelling District to C-1, General Business 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: December 1, 2014

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

2015 MML Legislative Policy Changes

MISSOURI WORKS PROGRAM

MML Policy

The MML supports “Missouri Works,” a program that combines the Development Tax Credit Program, the Rebuilding Communities Tax Credit Program, the Enhanced Enterprise Zone Tax Credit Program, and the Missouri Quality Jobs program and rolls their functions into one streamlined program to promote business expansion and attraction in Missouri for job creation and capital investment. **The state should consider establishing additional programs for the retention and expansion of existing businesses at a community level.**

City of Peculiar Policy

The City of Peculiar concurs with MML

(MML has added an additional line to their policy)

DOWNTOWN REVITALIZATION AND ECONOMIC ASSISTANCE FOR MISSOURI PROGRAM (DREAM)

MML Policy

The MML supports the concept of downtown revitalization and reinstating the funding and expanding of the DREAM program due to prior success.

City of Peculiar Policy

The City of Peculiar concurs with MML.

(MML deleted their former policy and replaced with new language)

(Former Policy)

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

SUPER TAX INCREMENT FINANCING CAPS

MML Policy

The MML urges the General Assembly to increase the existing fiscal cap on the super Tax Increment Financing (TIF) program.

City of Peculiar Policy

The City of Peculiar has no stance on this issue.

(New MML policy)

TAX CREDIT PROGRAMS

MML Policy

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

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

i. Investment Credit Tax Programs

City of Peculiar Policy

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

(MML added a new Tax Credit Program (i))

TAX INCREMENT FINANCING

MML Policy

The MML opposes legislation to exempt any governmental entity from being required to contribute to the tax increment financing (TIF) allocation fund. The MML opposes any attempt to change the purpose or types of development permitted under current TIF statutes. The MML supports legislation that clearly requires all applicable taxes, pre- and post- adoption, to be subject to the TIF.

City of Peculiar Policy

The City of Peculiar concurs with MML.

(New MML policy)

WORKFORCE DEVELOPMENT AND HUMAN RESOURCES

MML Policy

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

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

(MML added 2 new lines to their policy)

WATER QUALITY

MML Policy

The MML encourages Missouri municipalities to attempt to meet and/or exceed their water permit requirements using watershed-based best management practices, including a strong emphasis on green infrastructure strategies, to mitigate pollutants and storm water runoff. Given the enormous costs of constructing wastewater treatment and collection facilities, MML recommends that the General Assembly appropriate sufficient funds to provide adequate technical assistance through the Department of Natural Resources (DNR) to determine the most

cost effective means of meeting state and federal standards. Further, MML urges the Clean Water Commission and the EPA to develop realistic standards based on 1) documented studies that verify potential health risks and 2) site-specific pollution impacts.

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

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

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

The MML supports an increase of the NPDES fee of no more than the consumer price index, provided that DNR be prohibited from collecting fees from permit holders until permits have been brought up-to-date by DNR. **The MML urges DNR and EPA to base affordability evaluations upon households at or below a community's household median income.**

City of Peculiar Policy

The City of Peculiar concurs with MML.

(MML has added an additional line to their policy)

PROPERTY MAINTENANCE ACCOUNTABILITY

The Missouri Municipal League urges the Missouri General Assembly to enact legislation requiring limited liability companies that own, rent or lease real property, or owns unoccupied real property to file with the municipality in which the real property is located an affidavit listing the name(s) and address of the person(s) who has management control and responsibility for the real property owned, rented or leased by the limited liability company. Further, the League urges the Missouri General Assembly to authorize municipalities to file legal action to requiring limited liability companies who fail to file an affidavit with the municipality to file such affidavit.

City of Peculiar Policy

The City of Peculiar concurs with MML.

(New MML policy)

2015

City of Peculiar

Mayor and
Board of Aldermen



LEGISLATIVE POLICY

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

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City of Peculiar Policy

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

Audit Petitions

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

MML Policy

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

City of Peculiar Policy

The City of Peculiar requests that the State Delegation limit the power of the Office of the State Auditor to conduct audits until due diligence verifies the authenticity of the petition and the organizer's concerns. Specifically, the City of Peculiar requests the inclusion of a requirement that the organizer(s) of an audit petition execute a verified statement regarding the basis for the audit and that said statement be read to each signatory prior to signing the audit petition. In addition, the City of Peculiar requests that the State Delegation further support standing requirements for the audit petition process so that the process could only be triggered by a member of the political subdivision for which the audit is sought. For example, an audit petition of a City could only be organized by a resident of the City; an audit petition of a County could only be organized by a resident of the County; and/or an audit petition of the State or a state-wide agency could only be organized by a resident of the State of Missouri. Recently the State Auditor and the Secretary of State championed a verification requirement to place issues on the ballot in the State of Missouri. We feel verification the authenticity of an audit petition should be the same. Subjecting the citizens of our community to paying for an audit that is not verified to be conceived in mistruths and from outside the community is ludicrous.

CITY OF HARRISONVILLE ROAD ANNEXATION

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

MML Policy

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

City of Peculiar Policy

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

SALES TAX COLLECTION

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

MML Policy

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

City of Peculiar Policy

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

LANDLORD OCCUPATIONAL LICENSES/SUBMITTING TO CITY INSPECTION

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

MML Policy

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

City of Peculiar Policy

The City of Peculiar suggests that this statute be revised to include landlords, rental properties, rock quarry and mining operations, and whatever other businesses and occupations smaller cities feel the need to regulate. The City is pressed by the citizens to ensure that properties are protected from those who refuse to keep properties up to standard. This is a particular concern with properties for profit which is not being maintained. These are local decisions based on the local citizen's desires.

MoDOT REPAIRS AND NEW CONSTRUCTION

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

MML Policy

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

City of Peculiar Policy

The City of Peculiar urges our State Delegation to address funding for areas of rapid growth in the State. The City of Peculiar requests that MoDOT address the only bridge overpass and exit to Peculiar. The bridge was repaired in August 2012. Therefore, the City of Peculiar wishes to have a new bridge constructed at 211th street. This would ease the traffic from the east and west as well as provide better access to the Raymore-Peculiar School District on 211th street. Cass County has partnered with the City on this project and made it one of the top bridge priorities in Cass County. The approximate alignment and environmental study is completed as well as the Area Justification Report. The interchange is on MARC's long range planning list. We meet bi-monthly with MoDOT on the progress of the project. It is vital that we receive support from the State, and as our legislators we want you to know that this project will bring a large economic impact to the County and region. In the spring of 2012 MoDOT awarded Peculiar \$8.1 million as a cost share to the project. In 2014 the City of Peculiar received \$1.1 Million in Federal Funds through MARC. 211th will begin construction in September of 2015. We are excited with the partnership, but we need more matches to help take the burden off local taxpayers. Any additional dollars to help shoulder this large project would be a great aid to a small community.

STATE MANDATED TRAINING

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

MML Policy

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

City of Peculiar Policy

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

The following are the positions of the Missouri Municipal League as well as the City of Peculiar's stance on those issues. These are just MML's positions not the background for each issue. There are some MML stances that the Board of Aldermen in Peculiar, MO does not support. However, there are many that they do support fully.

Economic Development and Human Resources

ECONOMIC DEVELOPMENT

MML Policy

Introduction

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

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

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

ACCESS TO CAPITAL

MML Policy

The MML supports public and private efforts to provide access to seed and venture capital for viable projects by Missouri entrepreneurs. The state of

Missouri, in conjunction with its communities, shall make an effort to assist new and expanding business with access to competitively price financing.

City of Peculiar Policy

The City of Peculiar concurs with MML.

MISSOURI WORKS PROGRAM

MML Policy

The MML supports “Missouri Works,” a program that combines the Development Tax Credit Program, the Rebuilding Communities Tax Credit Program, the Enhanced Enterprise Zone Tax Credit Program, and the Missouri Quality Jobs program and rolls their functions into one stream-lined program to promote business expansion and attraction in Missouri for job creation and capital investment. **The state should consider establishing additional programs for the retention and expansion of existing businesses at a community level.**

City of Peculiar Policy

The City of Peculiar concurs with MML

CONFIDENTIAL NEGOTIATIONS

MML Policy

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

City of Peculiar Policy

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

DOWNTOWN REVITALIZATION AND ECONOMIC ASSISTANCE FOR MISSOURI PROGRAM (DREAM)

MML Policy

The MML supports the concept of downtown revitalization and reinstating the funding and expanding of the DREAM program due to prior success.

City of Peculiar Policy

The City of Peculiar concurs with MML.

ECONOMIC INCENTIVE PROGRAMS

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

INDUSTRIAL REVENUE BONDS

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

LIFE SCIENCES AND BIOTECHNOLOGY

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

MARKETING EFFORTS

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

SUPER TAX INCREMENT FINANCING CAPS

MML Policy

The MML urges the General Assembly to increase the existing fiscal cap on the super Tax Increment Financing (TIF) program.

City of Peculiar Policy

The City of Peculiar has no stance on this issue.

MISSOURI TECHNOLOGY CORPORATION

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

RURAL ECONOMIC DEVELOPMENT TRAINING

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

STATEWIDE SPORTS COMMISSION

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

TAX ABATEMENT

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

TAX CREDIT PROGRAMS

MML Policy

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

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

City of Peculiar Policy

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

TAX INCREMENT FINANCING

MML Policy

The MML opposes legislation to exempt any governmental entity from being required to contribute to the tax increment financing (TIF) allocation fund. The MML opposes any attempt to change the purpose or types of development permitted under current TIF statutes. The MML supports legislation that clearly requires all applicable taxes, pre- and post- adoption, to be subject to the TIF.

City of Peculiar Policy

The City of Peculiar concurs with MML.

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

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

TECHNOLOGY TRANSFER

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

TOURISM PROMOTION

MML Policy

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

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

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

TRANSPORTATION INFRASTRUCTURE

MML Policy

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

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

HUMAN RESOURCES POLICIES

AFFORDABLE HOUSING AND HOMELESSNESS

MML Policy

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

City of Peculiar Policy

The City of Peculiar does not concur with MML.

WORKFORCE DEVELOPMENT AND HUMAN RESOURCES

MML Policy

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

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

10) Develop incentives to retain college graduates throughout the state.

City of Peculiar Policy

The City of Peculiar concurs with MML.

CHILD CARE

MML Policy

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

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

COMMUNITY EDUCATION

MML Policy

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

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

and development of adequate or available recreation facilities and programs.

City of Peculiar Policy

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

NEEDS OF SENIORS AND ADULTS WITH DISABILITIES

MML Policy

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

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

FINANCE AND TAXATION

E-COMMERCE TAXATION

The MML urges Congress and the state of Missouri to define that all sales and use tax on sales of tangible property be treated fairly and equitably whether the sales take place over the counter, by phone, by mail order, by internet or by any other electronic means. The MML urges 14

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

PROPERTY TAX HEARING

MML Policy

The MML supports streamlining the process by changing the deadline for setting the municipal property tax levy as required in Section 67.110 RSMo to 30 days after receiving from the county the assessed valuation of all property located within the municipality.

City of Peculiar Policy

The City of Peculiar concurs with MML

TAX RESTRUCTURING

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML

BUSINESS AND OCCUPATION LICENSES

MML Policy

The Missouri Municipal League (MML) supports legislation to authorizing municipalities to license, tax and regulate the occupation of merchants, manufacturers and all businesses, avocations, pursuits and callings and may, by ordinance, base such licenses on gross receipts, per capita, flat fee, graduated scale based on gross or net receipts or sales, or any other method of measurement

of tax or any combination thereof derived or allocable to the carrying on or conducting of any business, avocation, pursuits or callings or activities carried on in such cities.

City of Peculiar Policy

The City of Peculiar concurs with MML.

EXEMPTIONS FROM LOCAL OPTION SALES TAX

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

FEE COLLECTIONS ON ANNUAL PROPERTY TAX BILLS

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

LOCAL EARNINGS/INCOME TAXES

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

PROPERTY TAX RATE CAP

MML Policy

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

City of Peculiar Policy

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

ROAD AND BRIDGE TAXES

MML Policy

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

City of Peculiar Policy

The City of Peculiar does not concur with MML.

TAX ON HOTEL/MOTEL GUESTS

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

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

MML Policy

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

City of Peculiar Policy

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

CABLE AND VIDEO FRANCHISING

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML

PRESERVATION OF PEG ACCESS TELEVISION

MML Policy

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

City of Peculiar Policy

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

REGULATION OF MUNICIPAL BROADBAND

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

TAXATION OF CELL PHONES, VOIP AND OTHER COMMUNICATION SYSTEMS

MML Policy

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

City of Peculiar Policy

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

UTILITY TAXES

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

STATE/FEDERAL MANDATES

MML Policy

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

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

OTHER POST EMPLOYMENT BENEFITS (OPEBS)

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML

PUBLIC DEPOSITS AND INVESTMENT OF IDLE FUNDS

MML Policy

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

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

TRANSPORTATION NEEDS

MML Policy

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

City of Peculiar Policy

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

Municipal Administration and Intergovernmental Relations

BLIGHT/EMINENT DOMAIN

MML Policy

The MML vigorously opposes efforts to prohibit the use of eminent domain to rehabilitate blighted areas. MML also opposes any effort that would negatively impact nuisance abatement programs. The MML should work with utilities, businesses, economic developers, and other groups to inform the public of the benefits of eminent domain and nuisance abatement efforts programs.

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

POSTING OF LEGAL NOTICES IN NEWSLETTERS OR ON WEB SITES

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

GENERAL ASSEMBLY TERM LIMITS

MML Policy

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

City of Peculiar Policy

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

SELF-GOVERNANCE

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML

MODERNIZATION OF LOCAL GOVERNMENT STATUTES

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

LABOR RELATIONS

MML Policy

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

City of Peculiar Policy

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

MUNICIPAL PERSONNEL POLICIES

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

STATE MANDATES

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

FINES IN MUNICIPAL COURT

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

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

MML Policy

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

City of Peculiar Policy

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

PREVAILING WAGE

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

MML Policy

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

City of Peculiar Policy

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

REGULATION OF MUNICIPAL RIGHTS-OF-WAY

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML

DEREGULATION IN THE NAME OF “RELIGIOUS FREEDOM”

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

PHOTOGRAPHIC ENFORCEMENT OF TRAFFIC VIOLATIONS

MML Policy

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

City of Peculiar Policy

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

CONCEALED WEAPONS IN MUNICIPAL FACILITIES

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

TAXPAYERS BILL OF RIGHTS (TABOR)

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

PRIMARY SAFETY BELT

MML Policy

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

City of Peculiar Policy

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

ORDINANCE VIOLATIONS BUREAU

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

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

MML Policy

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

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

Natural Resources and Urban Development

OUTDOOR AIR QUALITY

MML Policy

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

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

INDOOR AIR QUALITY

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

WATER QUALITY

MML Policy

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

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

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

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

The MML supports an increase of the NPDES fee of no more than the consumer price index, provided that DNR be prohibited from collecting fees from permit holders until permits have been brought up-to-date by DNR. **The MML urges DNR and EPA to base affordability evaluations upon households at or below a community's household median income.**

City of Peculiar Policy

The City of Peculiar concurs with MML.

RESPONSIBILITY FOR INCREASING WATER QUALITY IN CREEKS

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

SOLID WASTE MANAGEMENT

MML Policy

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

The MML urges the state agencies and departments involved with implementation of the state's solid waste management law to coordinate their efforts with municipal solid waste activities and initiatives. The MML encourages state leadership on policies and issues of the statewide significance, including public education, product stewardship, sustainable funding, incentives for diversion goals, and research on technologies and trends.

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

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

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

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

HAZARDOUS MATERIAL MANAGEMENT

MML Policy

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

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

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

City of Peculiar Policy

The City of Peculiar concurs with MML

SUSTAINABLE DEVELOPMENT

MML Policy

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

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

City of Peculiar Policy

The City of Peculiar concurs with MML

URBAN GROWTH INCENTIVE

MML Policy

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

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

REGIONALISM

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

LOCAL CODE COMPLIANCE

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

PRE-EMPTION OF MUNICIPAL LAND USE AUTHORITY

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

COLLECTION OF SPECIAL TAX BILLS

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

MUNICIPAL ACQUISITION OF LAND

MML Policy

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

City of Peculiar Policy

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

EXTRATERRITORIAL PLANNING AND ZONING POWERS

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

MML Policy

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

City of Peculiar Policy

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

LOCAL GOVERNMENT BOUNDARY ADJUSTMENT

MML Policy

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

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

City of Peculiar Policy

The City of Peculiar does not concur with MML.

EXTENSION OF MUNICIPAL SERVICES INTO ANNEXED AREAS

MML Policy

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

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

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

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

ENERGY

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

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

MML Policy

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

cooling fields and facilities yet to be defined. The MML encourages each locality to consider appropriate policies to encourage reasonable uses.

City of Peculiar Policy

The City of Peculiar concurs with MML.

MOVING UTILITIES IN PUBLIC RIGHTS-OF-WAY

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

COLLECTION OF DELINQUENT UTILITY BILLS

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

MML Policy

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

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

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

City of Peculiar Policy

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

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

RECAPTURE AGREEMENTS

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

HEALTHIER LIFESTYLES

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

RECREATIONAL USE LEGISLATION

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

MISSOURI'S LAND AND WATER CONSERVATION FUND PROGRAM

MML Policy

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

City of Peculiar Policy

The City of Peculiar concurs with MML.

PROPERTY MAINTENANCE ACCOUNTABILITY

The Missouri Municipal League urges the Missouri General Assembly to enact legislation requiring limited liability companies that own, rent or lease real property, or owns unoccupied real property to file with the municipality in which the real property is located an affidavit listing the name(s) and address of the person(s) who has management control and responsibility for the real property owned, rented or leased by the limited liability company. Further, the League urges the Missouri General Assembly to authorize municipalities to file legal action to requiring limited liability companies who fail to file an affidavit with the municipality to file such affidavit.

City of Peculiar Policy

The City of Peculiar concurs with MML.

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

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

RESOLUTION 2014-63

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE CITY OF PECULIAR 2015 LEGISLATIVE POLICIES

WHEREAS, The Missouri Municipal League has developed a Legislative Policy Statement for the year 2015 adopted by the membership at their annual meeting; and

WHEREAS, the City of Peculiar has prepared a Legislative Policy Statement for 2015 setting forth policies which are unique to the City of Peculiar; and

WHEREAS, the government entities which will have interest in the future needs of the City of Peculiar must be made aware of the 2015 Legislative Policy for the City of Peculiar for establishment of an attitude of cooperation among all participants in governmental decisions of mutual interest; and

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

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

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

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

Upon the following roll call vote, Resolution 2014-63 was adopted:

Alderman Ford	___	Alderman Fines	___
Alderman Ray	___	Alderman Roberts	___
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 Aldermen
From: Carl Brooks, City Engineer, "cbrooks@cityofpeculiar.com"
Date: December 11, 2014
Re: Resolution 2014-64, Recommended and Proposed Street Light Locations – Harper Road and YY Hwy

GENERAL INFORMATION

Applicant: Staff
Requested Actions: Approval of resolution by the Mayor and Board of Aldermen of the recommended and proposed location for a Street Light
Purpose: City staff, at the request of property owner and Chief of Police, has requested Kansas City Power & Light (KCP&L) to install a street light at the southwest corner of Harper Road and YY Hwy.

PROPOSAL

KCP&L will request a resolution for the installation of a street light at the southwest corner of Harper Road and YY Hwy.

PREVIOUS ACTION(S)

The Mayor and Board of Aldermen have requested City staff to request Kansas City Power & Light (KCP&L) to install a street light at the southwest corner of E. 227th Street and C Hwy.

STAFF ANALYSIS & COMMENTS

City staff has verified that there are no known existing city owned utilities at the location proposed for the new street light at the southwest corner of Harper Road and YY Hwy.

STAFF RECOMMENDATION

Staff recommends the installation of a street light at the southwest corner of Harper Road and YY Hwy by KCP&L, and approval of the attached proposed resolution.

The additional increase to our KCPL monthly bill will be \$41.24, or \$494.88/year.

City staff has requested KCP&L to install a "smart" light.

ATTACHMENTS

Resolution 2014-64
KCP&L Authorization for Street Light Changes form
Area map
KCP&L street view drawing

RESOLUTION 2014-64

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING AUTHORIZATION FOR STREET LIGHT CHANGES CITY OF PECULIAR.

WHEREAS, the Mayor and Board of Aldermen have requested City staff to request Kansas City Power & Light (KCP&L) to install a street light at the southwest corner of Harper Road and YY Hwy, and

WHEREAS, the KCP&L requests a resolution for the installation of a street light at the southwest corner of Harper Road and YY Hwy.

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 405: Land Subdivision Regulations, of the City of Peculiar Municipal Code, to approve street lights in accordance with the standards established by Section 405.490.

Section 2. RESOLVED, that the Board of Aldermen hereby approves the request of KCP&L for the installation of a street light at the southwest corner of Harper Road and YY Hwy.

Section 3. *Effective Date.* The effective date of this Resolution shall be the 15th day of December, 2014

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

Alderman Ford _____
Alderman Fines _____
Alderman McCray _____

Alderman Ray _____
Alderman Roberts _____
Alderman Turner _____

APPROVED:

ATTEST:

Holly Stark, Mayor

Nick Jacobs, City Clerk



**AUTHORIZATION FOR STREET LIGHT CHANGES
City of Peculiar, MO**

Gentlemen:

At a meeting of the _____ on _____
the following changes were authorized in our street lighting system by resolution of the _____.
Street lights will be installed, in accordance with the schedule of charges listed below or any effective superseding rate
schedules on file with the governmental regulatory agency having jurisdiction over rates and charges for service hereunder.

Add or Remove	No. Lights	Watts/ Lumens	*Type	MRU Code Number	Location	Pole #	MONTHLY COST
Add	1	250/25500	SP,SVL,UG	M377	Harper and Y Hwy		\$24.25
Add	1 BASES			BKWY	Break away bases		\$2.81
Add	1 POLES			M812	40' Special Mounting Height		\$13.43
Add				M806	Underground wiring under Parkway		\$.05 x 15' =.75
					TOTAL MONTHLY		\$41.24

TYPE ABBREVIATIONS

- AP -Additional Pole
- EDP -Existing Distribution Pole
- EG -Enclosed Glassware
- L -Lumens
- MV -Mercury vapor
- MVS -Mercury Vapor Streamlined
- OG -Open Glass
- OH -Overhead Wiring
- SP -Steel Pole Mounting
- SVL -Sodium Vapor Lucalox
- SVU -Sodium Vapor Unalux
- SVUS -Sodium Vapor Unalux Streamlined
- TS -Traffic Signal (Location)
- UG -Underground Wiring
- WP -Wood Pole Mounting

Signed _____
City Clerk

FOR KCPL USE ONLY	
Date of Change	_____
Change Made By	_____
Work Request #	_____
Subdivision	_____
Blanket WO #	_____
Signed	_____
CIS+ updated By	_____

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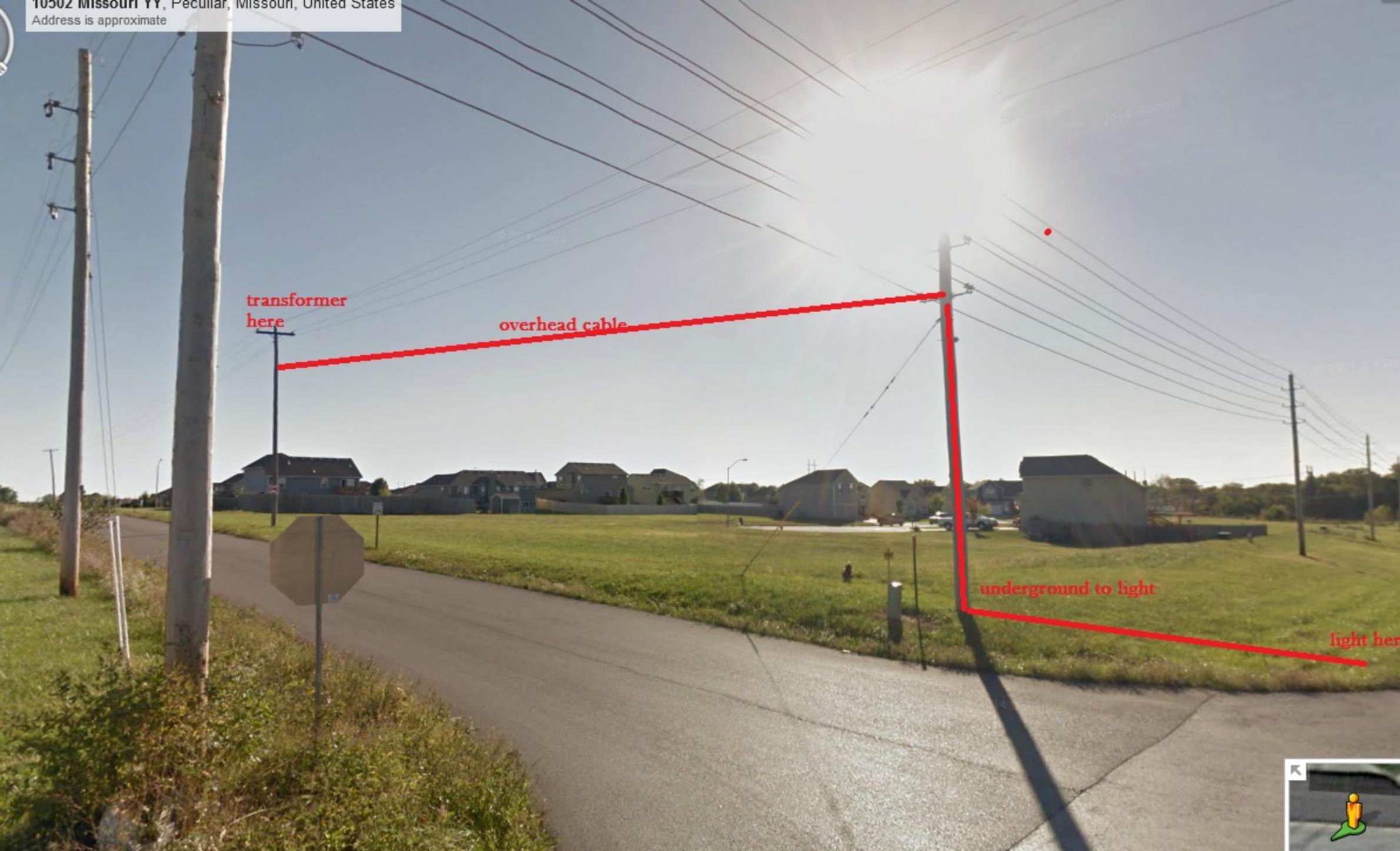
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Harper Road

YY Hwy

YY Hwy

Walper Road



transformer here

overhead cable

underground to light

light here

City Administrator
Brad Ratliff

City Clerk
Nick Jacobs

City Attorney
Reid F. Holbrook



City Engineer
Carl Brooks

Chief of Police
Harry Gurin

Business Office Manager
Trudy Prickett

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: December 4, 2014
Re: Bill No. 2014-34, Mayor & Board of Alderman (BOA) Acceptance of the MoDOT Cost Share Supplemental Agreement No. 2 for the I-49 & 211th Street Interchange Project and the 211th Street Project (Cass County), Missouri

GENERAL INFORMATION

Applicant: City Staff
Requested Actions: Approval of ordinance
Purpose: Acceptance of the MoDOT Cost Share Supplemental Agreement No. 2 for the I-49 & 211th Street Interchange Project and the 211th Street Project (Cass County), Missouri
Property Location: 211th Street and I-49 Interstate Highway

PROPOSAL

The cost share grant application has been awarded by MoDOT to the City in the amount of \$8.164 Million. Final plans, specifications and cost estimates have been provided by the engineer. However, with the potential and possible overall higher total project cost (12%) and the award of the MARC STP award of the project, MoDOT staff and the Commission request the attached Cost Share Supplemental Agreement No. 2 for the I-49 & 211th Street Interchange Project and the 211th Street Project (Cass County), Missouri be approved with the following revisions:

- (1) Revision – (9)(A) The currently estimated total project cost is \$16,049,804.70; which includes \$13,980,434.51 for the interchange project, and \$2,069,370.19 for 211th Street project.
- (1) Revision – (9)(B) The currently estimated cost of the city’s responsibility is \$9,059,587.44.
- (1) Revision – (9)(B) **The 211th Street project has been allocated (as a credit amount from the City) STP funds through MARC in the amount of \$1,100,000.00.**
- (1) Revision – (9)(B)(3) was revised to reflect that the City’s deposit is currently estimated to be \$6,872,637.20. (This is a decrease in the amount of \$74,701.37 – Good News!).
- (1) Revision – (9)(B)(3) was revised to reflect that the deposit of construction funds will be made by *electronic funds* no later than five days prior to the project advertisement which is April 16, 2015.
- Signature page – year adjusted to reflect current year (2015).
- Exhibit B – project costs have been revised to reflect current estimates.

Therefore, City staff proposes that the MoDOT Cost Share Supplemental Agreement No. 2 for the I-49 & 211th Street Interchange Project and the 211th Street Project (Cass County), Missouri be accepted by ordinance by the Mayor and the BOA.

PREVIOUS ACTIONS

The MoDOT Municipal Agreement and Cost Share Agreement were approved as an ordinance with the second reading by the Mayor and the Board of Aldermen at their regular meeting on June 18, 2012. The MoDOT Cost Share Supplemental Agreement No. 1 for the I-49 & 211th Street Interchange Project and the 211th Street Project were approved as an ordinance with the second reading by the Mayor and the Board of Aldermen at their regular meeting on February 18, 2014.

KEY ISSUES

The updates to the cost share supplemental agreement No. 2 are indicated above.

The MoDOT Commission (Committee) will pay fifty percent (50%) of the total interchange project cost, currently estimated at \$6,990,217.25, and none for the 211th Street project.

Based on how the funds are to be allocated, MoDOT shall provide their total 50% share by state fiscal year 2015 (as early as July 2014). Therefore, the City shall also be responsible for their total 50% share by April 16, 2015; which will include the cost of the feasibility study, preliminary and final engineering design, right-of-way acquisition and incidentals, utility relocation, construction, construction contingency, construction inspection, construction engineering and inflation on right of way, utility and construction costs. The local office anticipates construction occurring in 2015 and 2016. The construction of the interchange is anticipated to be an 18 month construction project. The City would have to provide 50% funding as follows:

Funding Schedule:	
City Fiscal Year	Amount
Previously funded by the county	\$ 94,950.24 paid
2013	\$745,000.00 paid
2014	\$247,000.00 paid
2014	<i>\$1,100,000.00</i> (MARC STP) fund award
2015	<u>\$6,872,637.20</u>
Total	\$9,059,587.44

Note: Approved bond amounts: \$7.2 M for the interchange, and \$0.8M for local roads.

Please also note that the above amount of \$9,059,587.44 which represents the total amount provided by the City (April 2015) **does** include the engineers' estimated City total project cost of \$2,069,370.19 associated with the improvements to 211th Street from the relocated East Outer Road to School Road.

However, the above amount of \$9,059,587.44 **does not** include the engineers' estimated City total project cost of \$967,610 associated with the improvements to School Road from 203rd Street to 211th Street in order to make the new interchange functional with the local streets.

STAFF COMMENTS AND SUGGESTIONS

Bad News! The projects' construction cost estimates have greatly increased (nearly \$2.2M) when compared to the previous construction cost estimates. However, with the MARC STP award of \$1.1M, this construction cost increase puts the construction and overall project cost just slightly under the city's budget for these two (2) projects.

City and MoDOT staff will be reviewing the recent cost estimates to be sure that the pay item quantities and unit prices are accurate. We will also need to identify work that we might be able to reduce or eliminate from the project in order to keep the project on budget.

City staff and the MoDOT local agency staff have meet and discussed the project schedule, funding time line and the MoDOT Cost Share Supplemental Agreement No. 2 for the I-49 & 211th Street Interchange Project. The MoDOT Cost Share Supplemental Agreement No. 2 for the I-49 & 211th Street Interchange Project are attached for your review and consideration.

STAFF RECOMMENDATION

City staff recommends the approval of the MoDOT Cost Share Supplemental Agreement No. 2 for the I-49 & 211th Street Interchange Project be accepted by ordinance by the Mayor and the BOA.

ATTACHMENTS

MoDOT Cost Share Supplemental Agreement No. 2 for the I-49 & 211th Street Interchange Project, Exhibit B
Bill 2014-34

CCO Form:
Approved:
Revised:
Modified:

Route 71 (I-49), Cass County
Project No. J4P2247/J4P2247B
City of Peculiar

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
COST SHARE SUPPLEMENTAL AGREEMENT #2**

THIS COST SHARE SUPPLEMENTAL AGREEMENT #2 is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Peculiar (hereinafter, "City").

WITNESSETH:

WHEREAS, on July 12, 2012, the Commission and City entered into a Cost Share Agreement (hereinafter, "Original Agreement") as to the public improvement to construct a new interchange on US 71, now designated as I-49, at 211th Street located approximately 3.5 miles south of N Cass Parkway and approximately 1.5 miles north of Route C/J.

WHEREAS, on March 14, 2014, the Commission and City entered into a Cost Share Supplemental Agreement #1.

WHEREAS, the Commission and City now desire to revise the Original Agreement and Cost Share Supplemental Agreement #1 as provided in Cost Share Supplemental Agreement #2.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representations contained herein, the parties agree as follows:

(1) REVISION: Paragraph (9) **FINANCIAL RESPONSIBILITIES** of the Original Agreement and Cost Share Supplemental Agreement #1 is hereby removed in its entirety and replaced with the following:

(9) **FINANCIAL RESPONSIBILITIES**: With regard to work under this Agreement, the City agrees as follows:

(A) Costs for J4P2247 are considered eligible for cost share funds reimbursement. Costs for J4P2247B are considered ineligible for cost share funds reimbursement. The currently estimated total project cost is sixteen million, forty-nine thousand, eight hundred four dollars and seventy cents (\$16,049,804.70), which includes thirteen million, nine hundred eighty thousand, four hundred thirty-four dollars and fifty-one cents (\$13,980,434.51) for J4P2247 and two million, sixty-nine thousand, three hundred seventy dollars and nineteen cents

(\$2,069,370.19) for J4P2247B. The details of the estimated cost breakdown may be seen in Exhibit B, which is incorporated herein and attached hereto. The total project cost includes the feasibility study, preliminary engineering, right of way acquisition, right of way incidentals, utility relocation, construction, construction contingency, construction inspection, construction engineering, and inflation on right of way, utility, and construction costs.

(B) The City will be responsible for fifty percent (50%) of the total project cost for J4P2247 and one hundred percent (100%) of the total project cost for J4P2247B. The currently estimated cost of the City's responsibility is nine million, fifty-nine thousand, five hundred eighty-seven dollars and forty-four cents (\$9,059,587.44), which includes six million, nine hundred ninety thousand, two hundred seventeen dollars and twenty-five cents (\$6,990,217.25) for J4P2247 and two million, sixty-nine thousand three hundred seventy dollars and nineteen cents (\$2,069,370.19) for J4P2247B. The City has completed a draft feasibility study, as part of project preliminary engineering, and has been credited ninety-four thousand, nine hundred fifty dollars and twenty-four cents (\$94,950.24) as shown in Exhibit B. J4P2247B has been allocated Surface Transportation Program (STP) large urban funds through the Mid-America Regional Council in the amount of eighty percent (80%) of the total eligible project costs, up to a maximum of one million, one hundred thousand dollars and zero cents (\$1,100,000.00). The City will be responsible for twenty percent (20%) of the total eligible project costs to cover the required local match of the STP funds. The City has authorized the Commission to use the one million, one hundred thousand dollars and zero cents (\$1,100,000.00) in STP large urban funds toward the J4P2247B project.

(1) The City has deposited seven hundred forty-five thousand dollars (\$745,000.00) to the *Missouri Highways and Transportation Commission – Local Fund* for project preliminary engineering for J4P2247 and J4P2247B on December 21, 2012.

(2) The City has deposited two hundred forty-seven thousand, dollars and zero cents (\$247,000.00) to the *Missouri Highways and Transportation Commission – Local Fund* for a portion of project right of way acquisition, right of way incidentals, utility relocation, and inflation for J4P2247 and J4P2247B on November 14, 2013.

(3) The City shall deposit the currently estimated amount of six million, eight hundred seventy-two thousand, six hundred thirty-seven dollars and twenty cents (\$6,872,637.20), which includes six million, eighty-six thousand, two hundred ten dollars and thirty cents (\$6,086,210.30) for J4P2247 and seven hundred eighty-six

thousand, four hundred twenty-six dollars and ninety cents (\$786,426.90) for J4P2247B, to the *Missouri Highways and Transportation Commission – Local Fund* by electronic funds transfer for project for remaining right of way acquisition, right of way incidentals, and utility relocation costs; and construction, construction contingency, construction inspection, construction engineering, and inflation no later than five days prior to advertisement of the project. If the City fails to make the deposit, the Commission is under no obligation to continue with the project.

(C) The Commission will pay fifty percent (50%) of the total project cost, currently estimated at six million, nine hundred ninety thousand, two hundred seventeen dollars and twenty-five cents (\$6,990,217.25) for J4P2247, and none for J4P2247B. Of this amount, the Commission shall provide up to a maximum of six million, ninety-nine thousand dollars (\$6,099,000.00) from the Commission's Cost Share program. Any remaining Commission funds, currently estimated at eight hundred ninety-one thousand, two hundred seventeen dollars and twenty-five cents (\$891,217.25), will be provided from the Commission's Kansas City District funds.

(D) The City is one hundred percent (100%) responsible for the balance of the total project cost in excess of the amount of sixteen million, three hundred twenty-eight thousand dollars (\$16,328,000.00) for J4P2247. The City is one hundred percent (100%) responsible for the balance of the total project cost of J4P2247B in excess of the amount of one million, one hundred thousand dollars (\$1,100,000.00) in suballocated STP large urban funds.

(2) ORIGINAL AGREEMENT: Except as otherwise modified, amended, or supplemented by this Cost Share Supplemental Agreement #2, the Original Agreement and Cost Share Supplemental Agreement #2 between the parties shall remain in full force and effect and shall extend and apply to this Cost Share Supplemental Agreement #2 as if fully written in this Cost Share Supplemental Agreement #2.

[Remainder of Page Intentionally Left Blank; Signatures and Execution Appear on Following Page]

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City this ____ day of _____, 2014.

Executed by the Commission this ____ day of _____, 2014.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF PECULIAR

Title _____

By _____
Title _____

ATTEST:

ATTEST:

Secretary to the Commission

By _____
Title _____

Approved as to Form:

Approved as to Form:

Commission Counsel

Title _____

Ordinance No _____

EXHIBIT B

Project Name: 211th Street Interchange
MoDOT Job Number: J4P2247 and J4P2247B

Description: New interchange on US 71 (I-49) at 211th Street in Peculiar, MO

Definition of "Total Project" for Cost Sharing Includes:

Feasibility Study	Preliminary Engineering (Consultant)	Preliminary Engineering (Commission)
Right of Way Acquisition	Right of Way Incidentals	Utility Relocation
Construction	Construction Contingency	Construction Inspection (Consultant)
Construction Engineering (Commission)	Inflation	

Definition of "Total Project" for Cost Sharing Excludes:

NA		
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Project Cost Estimate

	Total Project Cost (J4P2247 + J4P2247B)	J4P2247 (Cost Share Eligible)	J4P2247B (Cost Share Ineligible)
Feasibility Study	\$94,950.24	\$94,950.24	\$0
Preliminary Engineering (Consultant)	\$1,569,131.20	\$1,393,439.56	\$175,691.64
Preliminary Engineering (Commission) (1%)	\$119,894.44	\$107,076.98	\$12,817.46
Right of Way Acquisition	\$401,998.00	\$353,060.00	\$48,938.00
Right of Way Incidentals	\$56,131.94	\$33,007.09	\$23,124.85
Utility Relocation	\$739,204.30	\$327,509.30	\$411,695.00
Construction	\$11,989,444.56	\$10,707,698.47	\$1,281,746.09
Construction Contingency (2%)	\$239,788.89	\$214,153.97	\$25,634.92
Construction Inspection (Consultant)	\$0.00	\$0.00	\$0.00
Construction Engineering (Commission) (7%)	\$839,261.12	\$749,538.89	\$89,722.23
Inflation (3% / yr - 1 yr R/W & Utilities, 2 yr Construction)	\$0.00	\$0.00	\$0.00
Total	\$16,049,804.69	\$13,980,434.50	\$2,069,370.19

Amt. of PE on MoDOT's ROW that is not cost share eligible \$ 0.00

Amt. of CE on MoDOT's ROW that is not cost share eligible \$ 0.00

Total estimated project cost on MoDOT right-of-way \$ 13,980,434.50

Project Responsibilities

Feasibility Study	City
Preliminary Engineering	Commission
Right of Way	Commission
Utility Relocation	Commission and City
Construction	Commission
Construction Inspection	Commission

Financial Responsibilities

City	\$7,959,587.44
City – STP Funds	\$1,100,000.00
Commission - Cost Share Funds	\$6,099,000.00
Commission - Kansas City District Funds	\$891,217.25

How are cost overruns and underruns handled?

The City will pay for any overall cost overruns in excess of the amount originally estimated and approved of \$16,328,000.00 for J4P2247. Cost underruns for J4P2247 will be reimbursed to the City based on their pro-rata share of the investment. The City will pay for any overall cost overruns for J4P2247B. Any cost underruns for J4P2247B will be reimbursed to the City.

BILL NO. 2014-34

ORDINANCE NO. _____

A ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING AND ACCEPTING THE MISSOURI DEPARTMENT OF TRANSPORTATION (MODOT) COST SHARE SUPPLEMENTAL AGREEMENT NO 2 FOR THE I-49 AND 211TH STREET INTERCHANGE (CASS COUNTY), MISSOURI

WHEREAS, the Board of Aldermen previously approved the MoDOT Municipal Agreement and Cost Share Agreement for the 211th Street 71 Hwy Interchange (Cass County), and the MoDOT Cost Share Supplemental Agreement No. 1 for the I-49 & 211th Street Interchange Project and the 211th Street Project, and

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

WHEREAS, the citizens of Peculiar have previously approved \$8.0M in bonds for improvements of the proposed interchange and local roads,

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

Section 1. The MoDOT Cost Share Supplemental Agreement No. 2 in the amount of \$7,959,587.44 is approved.

Section 2. The Mayor is authorized to execute this ordinance acknowledging the MoDOT Cost Share Supplemental Agreement No. 2.

Section 3. *Effective Date.* The effective date of this Ordinance shall be the 5th day of January, 2015.

First Reading: _____

Second Reading: _____

BE IT REMEMBERED THE PRECEDING ORDINANCE WAS ADOPTED ON ITS SECOND READING THIS ___ DAY OF _____, 2015, BY THE FOLLOWING VOTE:

Alderman Fines _____
Alderman Ford _____
Alderman McCray _____

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: December 15, 2014
Re: Involuntary Annexation of Two (2) Tracts of Property Adjacent to Existing City of Peculiar City Limits

GENERAL INFORMATION

Applicant: BOA
Status of Applicant: N/A
Requested Actions: Informational Review of the City’s Upcoming Annexation Process for the Involuntary Annexation of Two (2) Tracts of Property
Date of Application: December 15, 2014
Purpose: To present an Annexation Process Timeline for your information.
Property Location (if applicable): Two (2) Tracts of Land Proposed for Involuntary Annexation

PROPOSAL

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

PREVIOUS ACTIONS

These Two tracks were presented to the voters last year for annexation approval as part of the Four (4) Tract Annexation.

KEY ISSUES

The Board of Aldermen will be presented with a Resolution stating the City of Peculiar’s Intent to Annex and a Resolution calling for an Election to approve the Annexation - on January 5th, 2015. The City of Peculiar will have a number of actions to complete and deadlines it must meet to prepare for the April 7th, 2015 election and ensure the annexation process required by Missouri State Statute is followed. The sequence of events for this annexation process is outlined on the attached Annexation Timeline dated December 15th, 2014 for these Two (2) Tracts of property.

STAFF COMMENTS AND SUGGESTIONS

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

STAFF RECOMMENDATION

Board of Aldermen review the Annexation Timeline dated December 15th, 2014 for your information.

ATTACHMENTS

(1) Annexation Timeline dated December 15th, 2014

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

**ANNEXATION PROCESS
TIMELINE
December 15th 2014**

- *Jan 5th – City Staff send Certified Mail Notice to Property Owners on proposed Annexation and scheduled Public Hearing.* **SCHEDULED**
- *Jan 5th – Resolutions stating the City’s Intent to Annex and calling for an Election for Annexation presented to BOA.* **SCHEDULED**
- *Jan 5th – Introduction of Involuntary Annexation Ordinance at BOA Work Session.* **SCHEDULED**
- *Jan 20th – First Reading, Involuntary Annexation Ordinance by BOA (Deadline)* **SCHEDULED**
- *Jan 22nd – Notice of Public Hearing sent to The Journal to publish for three (3) weeks.* **SCHEDULED**
- *Jan 27th – Ballot Submission/Certification to Cass County for April Ballot (Deadline)* **SCHEDULED**
- *Jan 29th – Public Hearing Notice, BOA Meeting of February 17th, published (Deadline)* **SCHEDULED**
- *Jan 29th – Public Hearing Notice, BOA Meeting of February 17th, posted @ City Hall (Deadline)* **SCHEDULED**
- *Jan 29th – Public Hearing Notice, BOA Meeting of February 17th, placards posted @ property to be annexed (Deadline)* **SCHEDULED**
- *Jan 29th – Draft “Plan of Intent” (Annexation) ready for review*
- *Feb 2nd – Second Reading, Involuntary Annexation Ordinance by BOA (Deadline)* **SCHEDULED**
- *Feb 2nd – Draft “Plan of Intent” (Annexation) presented to BOA for informational review*
- *Feb 17th – Public Hearing, BOA, on Annexation & presentation of the “Plan of Intent”* **SCHEDULED**
After the hearing, potential 3rd Reading and passage of the Annexation Ordinance.
- *April 7th - Elections*

STAFF CONTACT:
Clifford L. McDonald

RESOLUTION 2014-65

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AUTHORIZING THE MAYOR TO ENTER INTO A CLOSING AGREEMENT WITH THE INTERNAL REVENUE SERVICE ON BEHALF OF THE CITY TO ACHIEVE A FINAL DETERMINATION AND SETTLEMENT OF ISSUES RAISED IN A VOLUNTARY CLOSING AGREEMENT PROGRAM (VCAP); AND

WHEREAS, the City of Peculiar issued \$2,530,000 refunding certificates, bonds to refund the 2007 (issuance date November 14, 2007).

WHEREAS, a portion of the sale proceeds of the Bonds were deposited into a fund to pay capitalized interest on the Bonds. The capital projects originally financed were completed more than one year prior to the issuance of the Bonds; therefore, there was no qualifying capitalized interest. Sales proceeds in the amount of \$141,815.72 (or 5.6%) are allocable to the advance Refunded Certificates constituting excess gross proceeds.

WHEREAS, the IRS has a basis to conclude that interest on the Bonds is not excludable from the bondholder's gross income pursuant to Section 103(b) of the Code; and

WHEREAS, the City has requested the IRS to resolve the violation described above;

WHEREAS, the terms of a proposed agreement were arrived at pursuant to negotiation between the issuer and the IRS;

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

SECTION I. The Mayor shall execute on behalf of the City the Voluntary Closing Agreement wherein the City agrees to pay a settlement of \$8,774.06 allowing it to preserve its tax exempt status.

SECTION II. The Mayor shall cause to be electronically paid the sum of \$8,774.06 (the settlement amount) to the United States Treasury via the Electronic Federal Tax Payment System in accordance with the directions contained in Exhibit A of this agreement.

Upon a roll call, said Resolution was adopted by the following vote on this 15th day of December, 2014:

Alderman Ford _____
Alderman Fines _____
Alderman Ray _____

Alderman McCrea _____
Alderman Turner _____
Alderman Roberts _____

Approved:

Attest:

Holly Stark, Mayor

Nick Jacobs, City Clerk