

**BOA Meeting Agenda
Peculiar City Board of Aldermen
Meeting and Public Hearing
City Hall – 250 S. Main St
Monday March 16, 2015 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, March 16, 2015 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 February 17, 2015 BOA Meeting.
 - B. Approval of the Draft Minutes of March 2, 2015 Worksession Meeting
 - C. Resolution 2015-12 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF DAVE FELLER TO THE TAX INCREMENT FINANCING COMISSION.
 - D. Resolution 2015-13 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF TED TURNER TO THE TAX INCREMENT FINANCING COMISSION.
 - E. Resolution 2015-14 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF SHARON SHORES TO THE TAX INCREMENT FINANCING COMISSION.
 - F. Resolution 2015-15 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF KYLE GILLESPIE TO THE TAX INCREMENT FINANCING COMISSION.
 - G. Resolution 2015-16 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF TOM BROADHURST TO THE TAX INCREMENT FINANCING COMISSION.
 - H. Resolution 2015-17 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF JERRY FORD TO THE TAX INCREMENT FINANCING COMISSION.
6. Unfinished Business
 - A. Bill No. 2015-07 - AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION STREET BONDS, SERIES 2015, OF PECULIAR, MISSOURI; PRESCRIBING THE FORM AND DETAILS OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.
*2nd Reading
 - B. Resolution 2015-18 - A RESOLUTION AUTHORIZING A TAX AND DISCLOSURE COMPLIANCE PROCEDURE FOR FINANCIAL OBLIGATIONS OF PECULIAR, MISSOURI
 - C. Bill No. 2015-08- AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE REZONING OF MRS. PAULA STILL’S PROPERTIES COMMONLY KNOWN AS 325 W. 4TH STREET AND 355 W. 4TH STREET, PECULIAR, MISSOURI.
*2nd Reading
 - D. Bill No. 2015-09 - AN ORDINANCE AMENDING ONE (1) SECTION OF CHAPTER 400, TWO (2) SECTIONS OF CHAPTER 405 AND ESTABLISHING CHAPTER 425, EROSION AND SEDIMENT CONTROL OF THE PECULIAR MUNICIPAL CODE.
*2nd Reading

- E. **Bill No. 2015-10 - AN ORDINANCE AMENDING CHAPTER 500: GENERAL PROVISIONS, ARTICLE IV: LAND-DISTURBANCE PERMITS OF THE PECULIAR MUNICIPAL CODE.**
*2nd Reading

- F. **Bill No. 2015-11 - AN ORDINANCE AMENDING SECTION 500.065 ADOPTION OF STANDARD SPECIFICATION AND DESIGN CRITERIA OF THE PECULIAR MUNICIPAL CODE TO ADOPT KANSAS CITY APWA STANDARD SPECIFICATION AND DESIGN CRITERIA.**
*2nd Reading

7. **New Business**

- A. **RESOLUTION 2015-19 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AUTHORIZING THE MAYOR TO ENTER INTO A INTER GOVERNMENTAL AGREEMENT WITH THE CITIES OF BELTON, RAYMORE, PECULIAR, PLEASANT HILL AND GRANDVIEW FOR PARTICIPATION IN THE STREET MAINTENANCE CONTRACTS WHICH PROVIDES THE OPPORTUNITY FOR CAPITAL STREET IMPROVEMENTS FOR THE CITY OF PECULIAR, MO**

- B. **RESOLUTION 2015-20 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MIKE JOHNSON OF EXCALIBUR CONTRACTING FOR THE PURPOSE OF PERFORMING GENERAL MAINTENANCE FOR CITY PARKS IN PECULIAR, MISSOURI**

8. **City Administrator Report**

9. **Alderman Concerns**

10. **Aldermen Directives**

11. **Adjournment**

**Board of Aldermen Regular Meeting Minutes
Tuesday, February 17, 2015**

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 February 17, 2015. 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: Bob Fines, Donald Turner, Veronika Ray, Jerry Ford, Patrick Roberts and Kelsie McCrea was present by video conference.

City Staff present for the meeting were City Administrator Brad Ratliff, City Clerk Janet Burlingame, City Attorney Reid Holbrook, Chief of Police Harry Gurin, City Engineer Carl Brooks, City Planner Cliff McDonald and Parks Director Nathan Musteen.

Consent Agenda

- A. Approval of the Draft Minutes of January 20, 2015 BOA Meeting.**
- B. Approval of the Draft Minutes of February 2, 2015 Worksession Meeting**

Alderman Turner requested to remove the Draft Minutes of January 20, 2015 BOA Meeting.

Alderman Roberts moved to accept consent agenda as amended and move to approve the Draft Minutes of February 2, 2015, seconded by Alderman Ford, consent agenda was approved by a 6-0 voice vote.

Public Comment – Jodie Huston – Ray-Pec Public School Foundation

Executive Director of the Raymore-Peculiar Public School Foundation Jodie Huston addressed the Board regarding the many opportunities it provides. The mission of the Public School Foundation is to enhance educational opportunities for the benefit of students, staff and community. Ms. Huston discussed several initiatives that they support, such as the Classroom Initiative Impact Grant, Senior Academic Awards, caring about Nutrition Program (Backpack Program) and the Mad Dash 5K only to name a few. Information on the Foundation is available on the Raymore-Peculiar School District website.

Unfinished Business

- A. Bill No. 2015-03 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI PROVIDING FOR THE EXTENSION OF THE CITY LIMITS OF THE CITY OF PECULIAR, MISSOURI BY EMBRACING AND INCLUDING UNINCORPORATED REAL PROPERTY LOCATED IN SECTIONS 9, AND 17 OF TOWNSHIP 45 NORTH, RANGE 32 WEST IN CASS COUNTY, MISSOURI AND HEREINAFTER PARTICULARLY DESCRIBED.**
***2nd Reading**

City Planner Cliff McDonald described the area of the proposed annexation to the Board. Resident Mary Fay stated she is not opposed to the annexation but asks what this area will be zoned and is it possible for the City to change what it is zoned as? Also, what type of zoning is needed for a church? Mr. McDonald stated the proposed area would be residential and would require notification to area property owners to change what the area is zoned for and a church would be an allowable use for the area.

Alderman Ford moved to have the second reading of Bill No. 2015-03 by title only, seconded by Alderman Roberts 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 02172015, 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. Public Hearing & Annexation Plan of Intent - Cliff McDonald**
- C. Bill No. 2015-03 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI PROVIDING FOR THE EXTENSION OF THE CITY LIMITS OF THE CITY OF PECULIAR, MISSOURI BY EMBRACING AND INCLUDING UNINCORPORATED REAL PROPERTY LOCATED IN SECTIONS 9, AND 17 OF TOWNSHIP 45 NORTH, RANGE 32 WEST IN CASS COUNTY, MISSOURI AND HEREINAFTER PARTICULARLY DESCRIBED.**
***3rd Reading**

City Planner Cliff McDonald discussed the timeline and presentation of the Ordinance of Annexation for Involuntary Annexation of two (2) tracts of property adjacent to existing City of Peculiar city limits.

Alderman Roberts moved to have the third reading of Bill No. 2015-03 by title only, seconded by Alderman Fines and was approved by a 6-0 voice vote. Alderman Roberts moved to accept the third reading of the bill and place on final passage as Ordinance number 02172015A, 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 |

New Business

**A. Bill No. 2015-06 - AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI INCREASING THE TERM OF MAYOR.
*1st Reading**

City Administrator Brad Ratliff commented on the process for increasing the term of mayor and this gives the citizens the opportunity to answer the question.

Alderman Ford moved to have the first reading of Bill No. 2015-06 by title only, seconded by Alderman Roberts and was approved by a 4-2 voice vote. Alderman Ford moved to accept the first reading of Bill No. 2015-06 and seconded by Alderman Roberts and approved by the following 4-2 voice vote.

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

B. Resolution 2015-06 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING CENTRAL BANK OF THE MIDWEST AS THE DEPOSITORY FOR THE CITY OF PECULIAR AND ALLOWING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SAID BANK.

City Administrator Brad Ratliff commented on the process of RFP for bank depository for the City of Peculiar. CPA Benjamin Hart discussed the proposals that were received. It was decided to recommend the Central Bank of the Midwest.

Alderman Roberts made a motion to adopt Resolution 2015-06. The motion was seconded by Alderman Ford and was accepted by a 6-0 roll call vote.

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

C. Resolution 2015-07 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI IMPLEMENTING A "METER AVAILABILITY FEE" AS ESTABLISHED IN SECTION 700.015 OF PECULIAR MUNICIPAL CODE

City Administrator Brad Ratliff discussed the "Meter Availability Fee" in the ordinance that is allowed to be established based upon the resolution being adopted that would be implemented as a monthly fee.

Alderman Ford made a motion to adopt Resolution 2015-07. 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 |

D. Resolution 2015-08 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING AN AGREEMENT OF SETTLEMENT WITH WHITSON J. KIRK JR., TRUSTEE OF THE WHITSON J. KIRK JR., TRUST AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT

City Administrator Brad Ratliff discussed the terms agreed upon with MoDot, current property owners and City Staff regarding the said agreement. Alderman Turner asked about the easement and how much is involved? City Engineer Carl Brooks stated this was a water main easements and was all frontage. Discussion ensued regarding cost of long term additional options.

Alderman Roberts made a motion to adopt Resolution 2015-08. The motion was seconded by Alderman Ford and was accepted by a 6-0 roll call vote.

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

Alderman Turner made a motion to amend draft minutes of January 20, 2015 regarding Bill No. 2015-01. No second. Motion died for lack of a second.

Alderman Roberts moved to accept the Draft Minutes of January 20, 2015, seconded by Alderman Ford, and was approved by a 5-1 roll call vote.

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

City Administrators Report

City Administrator Brad Ratliff addressed the Board. He discussed the upcoming Chamber Coffee at Peculiar Drive-In, the Creative Community Award was recently presented at Jefferson City and the Joint Cities Meeting scheduled for February 18, 2015. He met with Legislators in Jefferson City regarding important issues to the City. There was some intermittent discussion amongst the Board and staff regarding this legislation. The citywide garage sale and city clean-up is coming up. We have moved forward with the trail on YY. Progress is moving forward with Encode. You will be seeing bond issuance coming up. Also, Inter Local Agreements with Raymore and Belton, CIP Projects and water projects.

Alderman Concerns

Mayor Holly Stark spoke on how productive her meeting in Jefferson City was and discussed Bills that are currently being introduced in Jefferson City. Alderman Ford discussed Senate Bill 15 and how it provides review of the sales tax system and he is encouraging everyone to contact your Legislators to hold off on passing tax legislation until this is reviewed. Alderman Fines asked about changing the specs for concrete on the 211th Street Project. There was discussion amongst the Board and staff regarding this matter. Alderman Ford talked about a toll road for I-70 or a sales tax to fund the maintenance of highways. Also, he stated concerns about the ordinance regarding parking on grass. Discussion ensued amongst Board and Staff.

Aldermen Directives Reported by City Administrator

2015-03 was approved for 3rd reading and note to the minutes why it was approved for a 3rd reading
2015-03 was approved annexation
2015-06 is approved for a 2nd reading
Mayor sign the Meter Availability Fee that begins on the next billing cycle
Mayor sign agreement to go to MoDot
Staff review parking ordinance

Adjournment

On a motion from Alderman Ford, second from Alderman Fines, the meeting was adjourned at 7:59 pm with a 6-0 voice vote.

Regular session minutes were taken and transcribed by Janet Burlingame, City Clerk.

Janet Burlingame, City Clerk

Approved by the Board of Aldermen: 3/16/15

**Board of Aldermen Regular Meeting Minutes
Monday March 2, 2015**

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 March 2, 2015. 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: Bob Fines, Donald Turner, Veronika Ray, Jerry Ford, Patrick Roberts and Kelsie McCrea was present by video conference.

City Staff present for the meeting were City Administrator Brad Ratliff, City Clerk Janet Burlingame, City Attorney Reid Holbrook, Chief of Police Harry Gurin, City Planner Cliff McDonald and Business Office Manager Trudy Prickett.

Public Comment – Boy Scout Seth Kelley with Troop 1032 – Eagle Scout Project Proposal

Boy Scout Seth Kelley with Troop 1032 addressed the Board regarding his Eagle Scout Project. The proposed project is to include repainting the faded parking lot stalls, handicapped parking symbols and installing handicapped parking signs at Peculiar City Hall. The estimated time to complete the project is approximately one or two days. City Staff has reviewed Mr. Kelley’s request and may need to prep the parking lot before he begins. They will work together to coordinate the completion of his project.

Unfinished Business

- A. Bill No. 2015-06 - AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI INCREASING THE TERM OF MAYOR.
*2nd Reading**

City Administrator Brad Ratliff commented on the process for increasing the term of mayor and this gives the citizens the opportunity to answer the question.

Alderman Ford moved to have the second reading of Bill No. 2015-06 by title only, seconded by Alderman Roberts and was approved by a 4-2 voice vote. Alderman Ford moved to accept the second reading of the bill and place on final passage as Ordinance number 03022015, seconded by Alderman Roberts and approved by the following 4-2 roll call vote.

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

New Business

- A. Bill No. 2015-07 - AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION STREET BONDS, SERIES 2015, OF PECULIAR, MISSOURI; PRESCRIBING THE FORM AND DETAILS OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.
*1st Reading**

McLiney & Company Joseph McLiney presented to the Board the 21st Street Interchange issuance of the General Obligation Street Bonds, Series 2015. Mr. McLiney outlined the approximate bond size would be \$7,000,000 of general obligation bonds and the various steps in working through the process.

Alderman Roberts moved to have the first reading of Bill No. 2015-07 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 Bill No. 2015-07 and 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 |

- B. Public Hearing & Bill No. 2015-08- AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE REZONING OF MRS. PAULA STILL’S PROPERTIES COMMONLY KNOWN AS 325 W. 4TH STREET AND 355 W. 4TH STREET, PECULIAR, MISSOURI.
*1st Reading**

City Planner Cliff McDonald discussed key issues of the Re-Zoning Application submitted by Ms. Paula Still to consider the Re-Zoning Application for 325 W. 4th Street and 355 W. 4th Street in accordance with established procedure.

Belton Resident Emmett “Frosty” Smith spoke in opposition of the proposed Re-Zoning Application. He stated there are other options for this area, such as a park. Mr. Smith asked the Board of Alderman to not approve this application.

Alderman Ford moved to have the first reading of Bill No. 2015-08 by title only, seconded by Alderman Turner and was approved by a 6-0 voice vote. Alderman Ford moved to accept the first reading of Bill No. 2015-08 and seconded by Alderman Turner and approved by the following 5-1 voice vote.

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

C. Public Hearing & Bill No. 2015-09 - AN ORDINANCE AMENDING ONE (1) SECTION OF CHAPTER 400, TWO (2) SECTIONS OF CHAPTER 405 AND ESTABLISHING CHAPTER 425, EROSION AND SEDIMENT CONTROL OF THE PECULIAR MUNICIPAL CODE.

***1st Reading**

City Planner Cliff McDonald discussed key issues regarding amendments to Chapter 400, Zoning Regulations of the City of Peculiar Municipal Code. Discussion ensued amongst Board Members regarding the impact of the amendments.

Alderman Roberts moved to have the first reading of Bill No. 2015-09 by title only, seconded by Alderman Turner and was approved by a 6-0 voice vote. Alderman Roberts moved to accept the first reading of Bill No. 2015-09 and 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. Bill No. 2015-10 - AN ORDINANCE AMENDING CHAPTER 500: GENERAL PROVISIONS, ARTICLE IV: LAND-DISTURBANCE PERMITS OF THE PECULIAR MUNICIPAL CODE.

***1st Reading**

City Planner Cliff McDonald discussed key issues regarding amendments to Chapter 500 of the City of Peculiar Municipal Code.

Alderman Ford moved to have the first reading of Bill No. 2015-10 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 Bill No. 2015-10 and 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 |

E. Bill No. 2015-11 - AN ORDINANCE AMENDING SECTION 500.065 ADOPTION OF STANDARD SPECIFICATION AND DESIGN CRITERIA OF THE PECULIAR MUNICIPAL CODE TO ADOPT KANSAS CITY APWA STANDARD SPECIFICATION AND DESIGN CRITERIA.

***1st Reading**

City Planner Cliff McDonald discussed key issues regarding amendments to Chapter 500.065 of the City of Peculiar Municipal Code.

Alderman Roberts moved to have the first reading of Bill No. 2015-11 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 Bill No. 2015-11 and 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 |

F. Resolution 2015-09 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI REDUCING BUILDING PERMIT FEES FOR THE NEXT THIRTY (30) BUILDING PERMITS ISSUED FOR NEW SINGLE FAMILY DWELLINGS.

City Planner Cliff McDonald discussed key issues regarding building permit fee reduction for thirty (30) single family residences. Discussion ensued amongst Board Members regarding the impact of implementing the fee reduction.

Alderman Ford made a motion to adopt Resolution 2015-09 as amended from thirty (30) building permits to twenty (20) building

permits. 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 |

G. Resolution 2015-10 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING AN AMENDED COMPREHENSIVE FEE SCHEDULE, DATED MARCH 2015.

City Planner Cliff McDonald discussed key issues regarding the amended comprehensive fee schedule.

Alderman Roberts made a motion to adopt Resolution 2015-10. The motion was seconded by Alderman Ford and was accepted by a 6-0 roll call vote.

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

H. Bill No. 2015-12 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI AUTHORIZING THE MAYOR TO SUBMIT THE SUPPLEMENTAL TRANSPORTATION ENHANCEMENT GRANT APPLICATION ON BEHALF OF THE BOARD OF ALDERMEN.

***1st Reading & *2nd Reading**

City Administrator Brad Ratliff discussed the various phases in working with MoDot and Landplan Engineering to approve the agreement for the City of Peculiar monument sign.

Alderman Ford made a motion to have the first reading of Bill No. 2015-12 by title only. The motion was seconded by Alderman Turner and was approved by a 6-0 voice vote. Alderman Ford made a motion to accept the first reading of Bill No. 2015-12. The motion was seconded by Alderman Roberts 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 |

Alderman Ford made a motion to have the second reading of Bill No. 2015-12 by title only. The motion was seconded by Alderman Roberts and was approved by a 6-0 voice vote. Alderman Ford made a motion to accept the second reading of Bill No. 2015-12 and place on final passage as ordinance number 03022015A. 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 |

I. Resolution 2015-11 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AUTHORIZING THE MAYOR TO ENTER INTO A INTER LOCAL AGREEMENT WITH THE CITY OF BELTON FOR A MUTUAL UNDERSTANDING OF THE POTENTIAL OF SANITARY SERVICES FOR THE CITY OF PECULIAR TO BE PROVIDED BY THE CITY OF BELTON AS RECOMMENDED IN THE PROPOSED PRELIMINARY WASTEWATER SYSTEM ENGINEERING REPORT/FACILITY PLAN FOR THE CITY OF PECULIAR, MO PREPARED BY CAROLLO ENGINEERS

City Administrator Brad Ratliff stated we have had discussions with the City of Belton on the northwest part of our community regarding the sewer capacity at their wastewater treatment facility. This is an opportunity for the City to enter into an agreement with Belton and move forward with wastewater treatment of that area of our community. Discussion ensued amongst Board Members regarding the Inter Local Agreement with the City of Belton.

Alderman Roberts made a motion to adopt Resolution 2015-11. The motion was seconded by Alderman Ford and was accepted by a 6-0 roll call vote.

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

Alderman Concerns

Alderman McCrea voiced concern regarding the replacement of Parks Director Nathan Musteen and asked if there is a plan in place for the projects that he has been working on? City Administrator Brad Ratliff stated the Parks Director position could not be posted until a resignation was submitted. We will move forward with the application process. Meanwhile, Mr. Musteen is putting together a list of projects that he is working on to make sure nothing is overlooked. Alderman Ford asked if there is a contact at a regional level we can approach with MoDot regarding the Tiger Grant? Mr. Ratliff stated that MARC (Mid-America Regional Council) is the group that we will attempt to meet with in Washington. Alderman Fines asked for an update every 30 days on how the Safety Program is doing. Mr. Ratliff stated that the workman's compensation increased since we started the Safety Program. Since the first of the year a new Safety Program has been enacted. Additionally, Alderman Fines asked; where are we at on the waterlines and the engineering study? Mr. Ratliff discussed the process regarding waterlines and the design stage.

Aldermen Directives Reported by City Administrator

Move forward with Eagle Scout Project
2015-07 General Obligation Bonds is approved for 2nd Reading
2015-08 Re-Zoning is approved for 2nd Reading
2015-09 Amending Chapter 400 is approved for 2nd Reading
2015-10 Amending Chapter 500 is approved for 2nd Reading
2015-11 Amending Section 500.065 is approved for 2nd Reading
Move forward with Building Permit reductions
Update the Comprehensive Fee Schedule
Mayor sign Supplemental Agreement and send to MoDot
Notify and send the City of Belton the signed Inter Local Agreement

Adjournment

On a motion from Alderman Ford, second from Alderman Roberts, the meeting was adjourned at 7:52 pm with a 6-0 voice vote.

Regular session minutes were taken and transcribed by Janet Burlingame, City Clerk.

Janet Burlingame, City Clerk

Approved by the Board of Aldermen: 3/16/15

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks

Business Office
Trudy Prickett



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

Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney
Reid Holbrook

Parks Director
Nathan Musteen

January 28, 2015

Mr. Dave Feller
867 E. 1st St.
Peculiar, MO 64078

Dear Mr. Feller,

The City of Peculiar is forming a Tax Increment Financing Commission (TIF) to aid the City in economic incentives for potential companies looking to relocate within the City of Peculiar. Currently this is the ordinance that mirrors State law on the Commission:

The Tax Increment Financing Commission shall be composed of eleven (11) members to be appointed as follows:

1. Two (2) members shall be appointed by the chief elected officer of Cass County with consent of a majority of the Cass County Commission;
2. Two (2) members shall be appointed by the Board of Education of the Raymore Peculiar School District;
3. One (1) member shall be appointed in any manner agreed upon by the affected districts to represent all districts other than school districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the Peculiar Board of Aldermen.
4. Six (6) members shall be appointed by the Mayor of the City of Peculiar with the consent of the majority of the Board of Aldermen.

The terms of the members shall be:

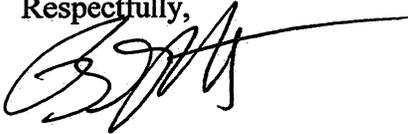
1. At the option of the members appointed by the Mayor of the City of Peculiar, the terms of the members of the Tax Increment Financing Commission who are appointed by the school board or other taxing districts shall coincide with the length of time a development project, redevelopment plan designation of a redevelopment area as defined in the Act is considered for approval by the Tax Increment Financing Commission. Such term shall terminate upon final approval of the project, plan or designation of the area by the City of Peculiar. Thereafter, the Tax Increment Financing Commission shall consist of the six (6) members appointed by the Mayor of the City of Peculiar, except that members representing the school board and other taxing districts shall be appointed as provided in the Act prior to any amendments to any redevelopment plans, redevelopment projects or redevelopment area. If any school district or other taxing jurisdiction fails to appoint members to the Tax Increment Financing Commission within thirty (30) days of receipt of written notice of a proposed redevelopment plan, development area, the remaining members may proceed to exercise the power of the Tax Increment Financing Commission.

2. Of the members first (1st) appointed by the Mayor of the City of Peculiar, two (2) shall be designated to serve for a term of two (2) years, two (2) shall be designated to serve for a term of three (3) years and two (2) shall be designated to serve for a term of four (4) years from the date of such initial appointments. Thereafter, the members appointed by the Mayor of the City of Peculiar shall serve for a term of four (4) years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

Mayor Holly Stark has selected you to serve a two (2) year term on the Commission. Please contact Janet Burlingame, City Clerk, to advise her on if you accept the appointment to the commission. You may contact Mrs. Burlingame by email jburlingam@cityofpeculiar.org or call her at (816) 779-2221. In order to ensure we have a full commission appointed so that we can conduct training, please let Mrs. Burlingame know by February 9, 2015 that you have accepted or rejected the nomination. If we do not hear from you we will assume you have rejected the nomination.

Thank you again for your efforts in our community to make it better!

Respectfully,



Brad Ratliff
City Administrator

RESOLUTION 2015-12

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF DAVE FELLER TO THE TAX INCREMENT FINANCING COMISSION

- WHEREAS,** Chapter 127 of the Peculiar Municipal Code establishes a Tax Increment Financing Commission consisting of six (6) members appointed by the City; and
- WHEREAS,** Chapter 127.020 of the Peculiar Municipal Code authorizes the Mayor to make appointments with approval by the Board of Alderman; and
- WHEREAS,** the Board of Aldermen have determined the need to appoint members to the Tax Increment Financing Commission; and
- WHEREAS,** said appointment carry's a term of 2 years expiring on March 16, 2017; and
- WHEREAS,** Mayor Holly Stark recommends the appointment of Dave Feller as a member of the Tax Increment Financing Commission upon approval of the Board of Aldermen.

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

- Section 1 – Appointment: The Board of Aldermen approves the appointment of Dave Feller to the Tax Increment Financing Commission.
- Section 2 - Effective Date: This resolution shall become effective upon approval and passage by the Board of Aldermen.

THIS RESOLUTION WAS ADOPTED BY THE FOLLOWING ROLL CALL VOTE THIS __ DAY OF MARCH, 2015

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

Approved: _____
Holly Stark, Mayor

Attest: _____
Janet Burlingame, City Clerk

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks

Business Office
Trudy Prickett



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

Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney
Reid Holbrook

Parks Director
Nathan Musteen

January 28, 2015

Mr. Ted Turner
11407 Shadow Glen Ct.
Peculiar, MO 64078

Dear Mr. Turner,

The City of Peculiar is forming a Tax Increment Financing Commission (TIF) to aid the City in economic incentives for potential companies looking to relocate within the City of Peculiar. Currently this is the ordinance that mirrors State law on the Commission:

The Tax Increment Financing Commission shall be composed of eleven (11) members to be appointed as follows:

1. Two (2) members shall be appointed by the chief elected officer of Cass County with consent of a majority of the Cass County Commission;
2. Two (2) members shall be appointed by the Board of Education of the Raymore Peculiar School District;
3. One (1) member shall be appointed in any manner agreed upon by the affected districts to represent all districts other than school districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the Peculiar Board of Aldermen.
4. Six (6) members shall be appointed by the Mayor of the City of Peculiar with the consent of the majority of the Board of Aldermen.

The terms of the members shall be:

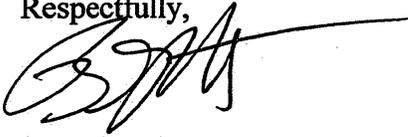
1. At the option of the members appointed by the Mayor of the City of Peculiar, the terms of the members of the Tax Increment Financing Commission who are appointed by the school board or other taxing districts shall coincide with the length of time a development project, redevelopment plan designation of a redevelopment area as defined in the Act is considered for approval by the Tax Increment Financing Commission. Such term shall terminate upon final approval of the project, plan or designation of the area by the City of Peculiar. Thereafter, the Tax Increment Financing Commission shall consist of the six (6) members appointed by the Mayor of the City of Peculiar, except that members representing the school board and other taxing districts shall be appointed as provided in the Act prior to any amendments to any redevelopment plans, redevelopment projects or redevelopment area. If any school district or other taxing jurisdiction fails to appoint members to the Tax Increment Financing Commission within thirty (30) days of receipt of written notice of a proposed redevelopment plan, development area, the remaining members may proceed to exercise the power of the Tax Increment Financing Commission.

2. Of the members first (1st) appointed by the Mayor of the City of Peculiar, two (2) shall be designated to serve for a term of two (2) years, two (2) shall be designated to serve for a term of three (3) years and two (2) shall be designated to serve for a term of four (4) years from the date of such initial appointments. Thereafter, the members appointed by the Mayor of the City of Peculiar shall serve for a term of four (4) years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

Mayor Holly Stark has selected you to serve a two (2) year term on the Commission. Please contact Janet Burlingame, City Clerk, to advise her on if you accept the appointment to the commission. You may contact Mrs. Burlingame by email jburlingam@cityofpeculiar.org or call her at (816) 779-2221. In order to ensure we have a full commission appointed so that we can conduct training, please let Mrs. Burlingame know by February 9, 2015 that you have accepted or rejected the nomination. If we do not hear from you we will assume you have rejected the nomination.

Thank you again for your efforts in our community to make it better!

Respectfully,



Brad Ratliff
City Administrator

RESOLUTION 2015-13

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF TED TURNER TO THE TAX INCREMENT FINANCING COMISSION

- WHEREAS,** Chapter 127 of the Peculiar Municipal Code establishes a Tax Increment Financing Commission consisting of six (6) members appointed by the City; and
- WHEREAS,** Chapter 127.020 of the Peculiar Municipal Code authorizes the Mayor to make appointments with approval by the Board of Alderman; and
- WHEREAS,** the Board of Aldermen have determined the need to appoint members to the Tax Increment Financing Commission; and
- WHEREAS,** said appointment carry's a term of 2 years expiring on March 16, 2017; and
- WHEREAS,** Mayor Holly Stark recommends the appointment of Ted Turner as a member of the Tax Increment Financing Commission upon approval of the Board of Aldermen.

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

- Section 1 – Appointment: The Board of Aldermen approves the appointment of Ted Turner to the Tax Increment Financing Commission.
- Section 2 - Effective Date: This resolution shall become effective upon approval and passage by the Board of Aldermen.

THIS RESOLUTION WAS ADOPTED BY THE FOLLOWING ROLL CALL VOTE THIS ___ DAY OF MARCH, 2015

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

Approved: _____
Holly Stark, Mayor

Attest: _____
Janet Burlingame, City Clerk

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks

Business Office
Trudy Prickett



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

Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney
Reid Holbrook

Parks Director
Nathan Musteen

January 28, 2015

Ms. Sharon Shores
11010 E. Summerskill Rd.
P.O. Box 545
Peculiar, MO 64078

Dear Ms. Shores,

The City of Peculiar is forming a Tax Increment Financing Commission (TIF) to aid the City in economic incentives for potential companies looking to relocate within the City of Peculiar. Currently this is the ordinance that mirrors State law on the Commission:

The Tax Increment Financing Commission shall be composed of eleven (11) members to be appointed as follows:

1. Two (2) members shall be appointed by the chief elected officer of Cass County with consent of a majority of the Cass County Commission;
2. Two (2) members shall be appointed by the Board of Education of the Raymore Peculiar School District;
3. One (1) member shall be appointed in any manner agreed upon by the affected districts to represent all districts other than school districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the Peculiar Board of Aldermen.
4. Six (6) members shall be appointed by the Mayor of the City of Peculiar with the consent of the majority of the Board of Aldermen.

The terms of the members shall be:

1. At the option of the members appointed by the Mayor of the City of Peculiar, the terms of the members of the Tax Increment Financing Commission who are appointed by the school board or other taxing districts shall coincide with the length of time a development project, redevelopment plan designation of a redevelopment area as defined in the Act is considered for approval by the Tax Increment Financing Commission. Such term shall terminate upon final approval of the project, plan or designation of the area by the City of Peculiar. Thereafter, the Tax Increment Financing Commission shall consist of the six (6) members appointed by the Mayor of the City of Peculiar, except that members representing the school board and other taxing districts shall be appointed as provided in the Act prior to any amendments to any redevelopment plans, redevelopment projects or redevelopment area. If any school district or other taxing jurisdiction fails to appoint members to the Tax Increment Financing Commission within thirty (30) days of receipt of written notice of a proposed redevelopment plan,

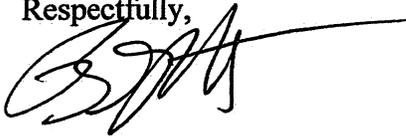
development area, the remaining members may proceed to exercise the power of the Tax Increment Financing Commission.

2. Of the members first (1st) appointed by the Mayor of the City of Peculiar, two (2) shall be designated to serve for a term of two (2) years, two (2) shall be designated to serve for a term of three (3) years and two (2) shall be designated to serve for a term of four (4) years from the date of such initial appointments. Thereafter, the members appointed by the Mayor of the City of Peculiar shall serve for a term of four (4) years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

Mayor Holly Stark has selected you to serve a three (3) year term on the Commission. Please contact Janet Burlingame, City Clerk, to advise her on if you accept the appointment to the commission. You may contact Mrs. Burlingame by email jburlingam@cityofpeculiar.org or call her at (816) 779-2221. In order to ensure we have a full commission appointed so that we can conduct training, please let Mrs. Burlingame know by February 9, 2015 that you have accepted or rejected the nomination. If we do not hear from you we will assume you have rejected the nomination.

Thank you again for your efforts in our community to make it better!

Respectfully,



Brad Ratliff
City Administrator

RESOLUTION 2015-14

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF SHARON SHORES TO THE TAX INCREMENT FINANCING COMISSION

- WHEREAS,** Chapter 127 of the Peculiar Municipal Code establishes a Tax Increment Financing Commission consisting of six (6) members appointed by the City; and
- WHEREAS,** Chapter 127.020 of the Peculiar Municipal Code authorizes the Mayor to make appointments with approval by the Board of Alderman; and
- WHEREAS,** the Board of Aldermen have determined the need to appoint members to the Tax Increment Financing Commission; and
- WHEREAS,** said appointment carry's a term of 3 years expiring on March 16, 2018; and
- WHEREAS,** Mayor Holly Stark recommends the appointment of Sharon Shores as a member of the Tax Increment Financing Commission upon approval of the Board of Aldermen.

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

- Section 1 – Appointment: The Board of Aldermen approves the appointment of Sharon Shores to the Tax Increment Financing Commission.
- Section 2 - Effective Date: This resolution shall become effective upon approval and passage by the Board of Aldermen.

THIS RESOLUTION WAS ADOPTED BY THE FOLLOWING ROLL CALL VOTE THIS __ DAY OF MARCH, 2015

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

Approved: _____
Holly Stark, Mayor

Attest: _____
Janet Burlingame, City Clerk

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks

Business Office
Trudy Prickett



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

Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney
Reid Holbrook

Parks Director
Nathan Musteen

January 28, 2015

Mr. Kyle Gillespie
955 N. Hurley St.
Peculiar, MO 64078

Dear Mr. Gillespie,

The City of Peculiar is forming a Tax Increment Financing Commission (TIF) to aid the City in economic incentives for potential companies looking to relocate within the City of Peculiar. Currently this is the ordinance that mirrors State law on the Commission:

The Tax Increment Financing Commission shall be composed of eleven (11) members to be appointed as follows:

1. Two (2) members shall be appointed by the chief elected officer of Cass County with consent of a majority of the Cass County Commission;
2. Two (2) members shall be appointed by the Board of Education of the Raymore Peculiar School District;
3. One (1) member shall be appointed in any manner agreed upon by the affected districts to represent all districts other than school districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the Peculiar Board of Aldermen.
4. Six (6) members shall be appointed by the Mayor of the City of Peculiar with the consent of the majority of the Board of Aldermen.

The terms of the members shall be:

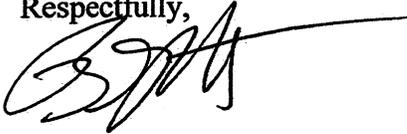
1. At the option of the members appointed by the Mayor of the City of Peculiar, the terms of the members of the Tax Increment Financing Commission who are appointed by the school board or other taxing districts shall coincide with the length of time a development project, redevelopment plan designation of a redevelopment area as defined in the Act is considered for approval by the Tax Increment Financing Commission. Such term shall terminate upon final approval of the project, plan or designation of the area by the City of Peculiar. Thereafter, the Tax Increment Financing Commission shall consist of the six (6) members appointed by the Mayor of the City of Peculiar, except that members representing the school board and other taxing districts shall be appointed as provided in the Act prior to any amendments to any redevelopment plans, redevelopment projects or redevelopment area. If any school district or other taxing jurisdiction fails to appoint members to the Tax Increment Financing Commission within thirty (30) days of receipt of written notice of a proposed redevelopment plan, development area, the remaining members may proceed to exercise the power of the Tax Increment Financing Commission.

2. Of the members first (1st) appointed by the Mayor of the City of Peculiar, two (2) shall be designated to serve for a term of two (2) years, two (2) shall be designated to serve for a term of three (3) years and two (2) shall be designated to serve for a term of four (4) years from the date of such initial appointments. Thereafter, the members appointed by the Mayor of the City of Peculiar shall serve for a term of four (4) years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

Mayor Holly Stark has selected you to serve a three (3) year term on the Commission. Please contact Janet Burlingame, City Clerk, to advise her on if you accept the appointment to the commission. You may contact Mrs. Burlingame by email jburlingam@cityofpeculiar.org or call her at (816) 779-2221. In order to ensure we have a full commission appointed so that we can conduct training, please let Mrs. Burlingame know by February 9, 2015 that you have accepted or rejected the nomination. If we do not hear from you we will assume you have rejected the nomination.

Thank you again for your efforts in our community to make it better!

Respectfully,



Brad Ratliff
City Administrator

RESOLUTION 2015-15

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF KYLE GILLESPIE TO THE TAX INCREMENT FINANCING COMISSION

WHEREAS, Chapter 127 of the Peculiar Municipal Code establishes a Tax Increment Financing Commission consisting of six (6) members appointed by the City; and

WHEREAS, Chapter 127.020 of the Peculiar Municipal Code authorizes the Mayor to make appointments with approval by the Board of Alderman; and

WHEREAS, the Board of Aldermen have determined the need to appoint members to the Tax Increment Financing Commission; and

WHEREAS, said appointment carry's a term of 3 years expiring on March 16, 2018; and

WHEREAS, Mayor Holly Stark recommends the appointment of Kyle Gillespie as a member of the Tax Increment Financing Commission upon approval of the Board of Aldermen.

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

Section 1 – Appointment: The Board of Aldermen approves the appointment of Kyle Gillespie to the Tax Increment Financing Commission.

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

THIS RESOLUTION WAS ADOPTED BY THE FOLLOWING ROLL CALL VOTE THIS __ DAY OF MARCH, 2015

Alderman McCrea _____
Alderman Fines _____
Alderman Ford _____

Alderman Ray _____
Alderman Roberts _____
Alderman Turner _____

Approved: _____
Holly Stark, Mayor

Attest: _____
Janet Burlingame, City Clerk

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks

Business Office
Trudy Prickett



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

Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney
Reid Holbrook

Parks Director
Nathan Musteen

January 28, 2015

Mr. Tom Broadhurst
11104 Timber Creek Dr.
Peculiar, MO 64078

Dear Mr. Broadhurst,

The City of Peculiar is forming a Tax Increment Financing Commission (TIF) to aid the City in economic incentives for potential companies looking to relocate within the City of Peculiar. Currently this is the ordinance that mirrors State law on the Commission:

The Tax Increment Financing Commission shall be composed of eleven (11) members to be appointed as follows:

1. Two (2) members shall be appointed by the chief elected officer of Cass County with consent of a majority of the Cass County Commission;
2. Two (2) members shall be appointed by the Board of Education of the Raymore Peculiar School District;
3. One (1) member shall be appointed in any manner agreed upon by the affected districts to represent all districts other than school districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the Peculiar Board of Aldermen.
4. Six (6) members shall be appointed by the Mayor of the City of Peculiar with the consent of the majority of the Board of Aldermen.

The terms of the members shall be:

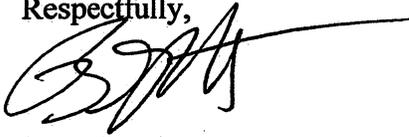
1. At the option of the members appointed by the Mayor of the City of Peculiar, the terms of the members of the Tax Increment Financing Commission who are appointed by the school board or other taxing districts shall coincide with the length of time a development project, redevelopment plan designation of a redevelopment area as defined in the Act is considered for approval by the Tax Increment Financing Commission. Such term shall terminate upon final approval of the project, plan or designation of the area by the City of Peculiar. Thereafter, the Tax Increment Financing Commission shall consist of the six (6) members appointed by the Mayor of the City of Peculiar, except that members representing the school board and other taxing districts shall be appointed as provided in the Act prior to any amendments to any redevelopment plans, redevelopment projects or redevelopment area. If any school district or other taxing jurisdiction fails to appoint members to the Tax Increment Financing Commission within thirty (30) days of receipt of written notice of a proposed redevelopment plan, development area, the remaining members may proceed to exercise the power of the Tax Increment Financing Commission.

2. Of the members first (1st) appointed by the Mayor of the City of Peculiar, two (2) shall be designated to serve for a term of two (2) years, two (2) shall be designated to serve for a term of three (3) years and two (2) shall be designated to serve for a term of four (4) years from the date of such initial appointments. Thereafter, the members appointed by the Mayor of the City of Peculiar shall serve for a term of four (4) years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

Mayor Holly Stark has selected you to serve a four (4) year term on the Commission. Please contact Janet Burlingame, City Clerk, to advise her on if you accept the appointment to the commission. You may contact Mrs. Burlingame by email jburlingam@cityofpeculiar.org or call her at (816) 779-2221. In order to ensure we have a full commission appointed so that we can conduct training, please let Mrs. Burlingame know by February 9, 2015 that you have accepted or rejected the nomination. If we do not hear from you we will assume you have rejected the nomination.

Thank you again for your efforts in our community to make it better!

Respectfully,



Brad Ratliff
City Administrator

RESOLUTION 2015-16

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF TOM BROADHURST TO THE TAX INCREMENT FINANCING COMISSION

WHEREAS, Chapter 127 of the Peculiar Municipal Code establishes a Tax Increment Financing Commission consisting of six (6) members appointed by the City; and

WHEREAS, Chapter 127.020 of the Peculiar Municipal Code authorizes the Mayor to make appointments with approval by the Board of Alderman; and

WHEREAS, the Board of Aldermen have determined the need to appoint members to the Tax Increment Financing Commission; and

WHEREAS, said appointment carry's a term of 4 years expiring on March 16, 2019; and

WHEREAS, Mayor Holly Stark recommends the appointment of Tom Broadhurst as a member of the Tax Increment Financing Commission upon approval of the Board of Aldermen.

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

Section 1 – Appointment: The Board of Aldermen approves the appointment of Tom Broadhurst to the Tax Increment Financing Commission.

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

THIS RESOLUTION WAS ADOPTED BY THE FOLLOWING ROLL CALL VOTE THIS __ DAY OF MARCH, 2015

Alderman McCrea _____
Alderman Fines _____
Alderman Ford _____

Alderman Ray _____
Alderman Roberts _____
Alderman Turner _____

Approved: _____
Holly Stark, Mayor

Attest: _____
Janet Burlingame, City Clerk

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks

Business Office
Trudy Prickett



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

Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney
Reid Holbrook

Parks Director
Nathan Musteen

January 28, 2015

Mr. Jerry Ford
11805 White Oak St.
Peculiar, MO 64078

Dear Mr. Ford,

The City of Peculiar is forming a Tax Increment Financing Commission (TIF) to aid the City in economic incentives for potential companies looking to relocate within the City of Peculiar. Currently this is the ordinance that mirrors State law on the Commission:

The Tax Increment Financing Commission shall be composed of eleven (11) members to be appointed as follows:

1. Two (2) members shall be appointed by the chief elected officer of Cass County with consent of a majority of the Cass County Commission;
2. Two (2) members shall be appointed by the Board of Education of the Raymore Peculiar School District;
3. One (1) member shall be appointed in any manner agreed upon by the affected districts to represent all districts other than school districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the Peculiar Board of Aldermen.
4. Six (6) members shall be appointed by the Mayor of the City of Peculiar with the consent of the majority of the Board of Aldermen.

The terms of the members shall be:

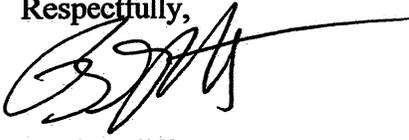
1. At the option of the members appointed by the Mayor of the City of Peculiar, the terms of the members of the Tax Increment Financing Commission who are appointed by the school board or other taxing districts shall coincide with the length of time a development project, redevelopment plan designation of a redevelopment area as defined in the Act is considered for approval by the Tax Increment Financing Commission. Such term shall terminate upon final approval of the project, plan or designation of the area by the City of Peculiar. Thereafter, the Tax Increment Financing Commission shall consist of the six (6) members appointed by the Mayor of the City of Peculiar, except that members representing the school board and other taxing districts shall be appointed as provided in the Act prior to any amendments to any redevelopment plans, redevelopment projects or redevelopment area. If any school district or other taxing jurisdiction fails to appoint members to the Tax Increment Financing Commission within thirty (30) days of receipt of written notice of a proposed redevelopment plan, development area, the remaining members may proceed to exercise the power of the Tax Increment Financing Commission.

2. Of the members first (1st) appointed by the Mayor of the City of Peculiar, two (2) shall be designated to serve for a term of two (2) years, two (2) shall be designated to serve for a term of three (3) years and two (2) shall be designated to serve for a term of four (4) years from the date of such initial appointments. Thereafter, the members appointed by the Mayor of the City of Peculiar shall serve for a term of four (4) years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

Mayor Holly Stark has selected you to serve a four (4) year term on the Commission. Please contact Janet Burlingame, City Clerk, to advise her on if you accept the appointment to the commission. You may contact Mrs. Burlingame by email jburlingam@cityofpeculiar.org or call her at (816) 779-2221. In order to ensure we have a full commission appointed so that we can conduct training, please let Mrs. Burlingame know by February 9, 2015 that you have accepted or rejected the nomination. If we do not hear from you we will assume you have rejected the nomination.

Thank you again for your efforts in our community to make it better!

Respectfully,



Brad Ratliff
City Administrator

RESOLUTION 2015-17

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF JERRY FORD TO THE TAX INCREMENT FINANCING COMISSION

WHEREAS, Chapter 127 of the Peculiar Municipal Code establishes a Tax Increment Financing Commission consisting of six (6) members appointed by the City; and

WHEREAS, Chapter 127.020 of the Peculiar Municipal Code authorizes the Mayor to make appointments with approval by the Board of Alderman; and

WHEREAS, the Board of Aldermen have determined the need to appoint members to the Tax Increment Financing Commission; and

WHEREAS, said appointment carry's a term of 4 years expiring on March 16, 2019; and

WHEREAS, Mayor Holly Stark recommends the appointment of Jerry Ford as a member of the Tax Increment Financing Commission upon approval of the Board of Aldermen.

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

Section 1 – Appointment: The Board of Aldermen approves the appointment of Jerry Ford to the Tax Increment Financing Commission.

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

THIS RESOLUTION WAS ADOPTED BY THE FOLLOWING ROLL CALL VOTE THIS ___ DAY OF MARCH, 2015

Alderman McCrea _____
Alderman Fines _____
Alderman Ford _____

Alderman Ray _____
Alderman Roberts _____
Alderman Turner _____

Approved: _____
Holly Stark, Mayor

Attest: _____
Janet Burlingame, City Clerk

The ordinance before you is for the issuance of the remainder of our general obligations bonds for the 211th Street Interchange. The bond proceeds will be used for the interchanges construction along with the \$8,000,000 in grant funds received from MODOT. The Missouri Department of Transportation requires our funds to be in place by April 9th.

The bonds will mature from 2017 until 2035 (20 years) and also have an options to redeem them early if we are fortunate to get TIGER Grant funds we are pursuing.

Joey McLiney will be here to discuss and review the ordinance with the board. He will also discuss where he anticipates the tax-levy as well as three different scenarios for maturing the debt.

McLiney And Company
Kansas City, Missouri
(816) 221-4042
(415) 508-7922

BILL NO. 2015-07
ORDINANCE NO. _____

OF

PECULIAR, MISSOURI

PASSED

MARCH __, 2015

AUTHORIZING

GENERAL OBLIGATION STREET BONDS
SERIES 2015

600536.60026

ORDINANCE

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- Exhibit E – Form of Bond Purchase Agreement

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION STREET BONDS, SERIES 2015, OF PECULIAR, MISSOURI; PRESCRIBING THE FORM AND DETAILS OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.

WHEREAS, Peculiar, Missouri (the “City”), is a city of the fourth class and political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of the Constitution and laws of the State of Missouri; and

WHEREAS, the City is authorized under the provisions of Article VI, Section 26 of the Constitution of Missouri, 1945, as amended, and Section 95.115, RSMo, to incur indebtedness and issue and sell general obligation bonds of the City to evidence such indebtedness for lawful purposes, upon obtaining the approval of the required majority of the qualified electors of the City voting on the question to incur such indebtedness; and

WHEREAS, pursuant to such authority, an election was duly held in the City at the municipal election on April 7, 2009, on the question whether to issue the general obligation bonds of the City in the amount of \$8,000,000 for the purpose of extending and improving the streets and roads of the City, at least 90% of the bond proceeds to be used to build an interchange and connecting roads to the interchange and no more than 10% of bond proceeds to be used for improvements to existing streets; and

WHEREAS, the votes cast at said election were duly canvassed as provided by law, and it was found and declared that not less than four-sevenths of the qualified voters of the City voting at said election on said question voted in favor of the issuance of said bonds, the vote on said question having been 226 votes for the issuance of said bonds and 108 votes against the issuance of said bonds; and

WHEREAS, the City has heretofore issued \$1,039,998.80 principal amount of the bonds authorized at said election, pursuant to an ordinance of the City passed on October 1, 2012, and desires to issue the remaining principal amount of the bonds so authorized at said election; and

WHEREAS, it is hereby found and determined that it is necessary and advisable and in the best interest of the City and its inhabitants at this time to authorize the issuance and delivery of said bonds for the purposes aforesaid;

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

ARTICLE I

DEFINITIONS

Section 101. Definitions of Words and Terms. In addition to words and terms defined elsewhere herein, the following words and terms as used in this Ordinance shall have the following meanings:

“Authorized Denominations” means (a) with respect to any Current Interest Bonds, \$5,000 or any integral multiple thereof, and (b) with respect to any Capital Appreciation Bonds, the principal amount of such Capital Appreciation Bonds such that the Maturity Amount thereof shall be \$5,000 or any integral multiple thereof.

“Bond Counsel” means Gilmore & Bell, P.C., Kansas City, Missouri, or other attorneys or firm of attorneys with a nationally recognized standing in the field of municipal bond financing selected by the City.

“Bond Payment Date” means any date on which principal of, Compound Accreted Value, or interest on any Bond is payable.

“Bond Purchase Agreement” means the Bond Purchase Agreement between the City and the Purchaser in substantially the form attached hereto as **Exhibit E**.

“Bond Register” means the books for the registration, transfer and exchange of Bonds kept at the office of the Paying Agent.

“Bondowner,” “Owner” or “Registered Owner” when used with respect to any Bond means the Person in whose name such Bond is registered on the Bond Register.

“Bonds” means the General Obligation Street Bonds, Series 2015, authorized and issued by the City pursuant to this Ordinance.

“Business Day” means a day, other than a Saturday, Sunday or holiday, on which the Paying Agent is scheduled in the normal course of its operations to be open to the public for conduct of its banking operations.

“Capital Appreciation Bonds” means the Bonds described in **Section 202** hereof and the Certificate of Final Terms attached hereto as **Exhibit B** which provide for interest to be compounded semiannually on March 1 and September 1 until paid at the Stated Maturity.

“Cede & Co.” means Cede & Co., as nominee name of The Depository Trust Company, New York, New York.

“City” means the City of Peculiar, Missouri, and any successors or assigns.

“Code” means the Internal Revenue Code of 1986, as amended, and the applicable regulations of the Treasury Department proposed or promulgated thereunder.

“Compound Accreted Value” means, with respect to any Capital Appreciation Bond on any date of calculation, the initial principal amount of such Bond plus interest accrued and compounded from the date of such Bond to the date of calculation, as follows:

(1) if the date of calculation is March 1 or September 1 of any year, the Compound Accreted Value shall be the amount shown on **Exhibit C** attached hereto; and

(2) if the date of calculation is any date other than March 1 or September 1, the Compound Accreted Value shall be:

$$CAV_1 + [(CAV_2 - CAV_1) \times D/180]$$

where:

CAV_1 = the Compound Accreted Value of such Bond as of the March 1 or September 1 next preceding the date of calculation, as shown on **Exhibit C**.

CAV_2 = the Compound Accreted Value of such Bond as of the March 1 or September 1 next succeeding the date of calculation, as shown on **Exhibit C**.

D = the number of days from the March 1 or September 1 next preceding the date of calculation, to the date of calculation, using a 360-day year of twelve 30-day months.

“Continuing Disclosure Agreement” means the Continuing Disclosure Agreement between the City and the Dissemination Agent and attached to this Ordinance as **Exhibit D**.

“Current Interest Bonds” means the Bonds described in **Section 202** hereof and the Certificate of Final Terms attached hereto as **Exhibit B** which provide for the payment of interest semiannually on March 1 and September 1 in each year, beginning March 1, 2016.

“Dated Date” means the date of the Bonds as specified in **Exhibit B**.

“Debt Service Fund” means the fund by that name referred to in **Section 501** hereof.

“Defaulted Interest” means interest on any Current Interest Bond which is payable but not paid on any Interest Payment Date.

“Defeasance Obligations” means any of the following obligations:

(a) United States Government Obligations that are not subject to redemption in advance of their maturity dates; or

(b) obligations of any state or political subdivision of any state, the interest on which is excluded from gross income for federal income tax purposes and which meet the following conditions:

(1) the obligations are (i) not subject to redemption prior to maturity or (ii) the trustee for such obligations has been given irrevocable instructions concerning

their calling and redemption and the issuer of such obligations has covenanted not to redeem such obligations other than as set forth in such instructions;

(2) the obligations are secured by cash or United States Government Obligations that may be applied only to principal of, premium, if any, and interest payments on such obligations;

(3) such cash and the principal of and interest on such United States Government Obligations (plus any cash in the escrow fund) are sufficient to meet the liabilities of the obligations;

(4) such cash and United States Government Obligations serving as security for the obligations are held in an escrow fund by an escrow agent or a trustee irrevocably in trust;

(5) such cash and United States Government Obligations are not available to satisfy any other claims, including those against the trustee or escrow agent; and

(6) the obligations are rated in a rating category by Moody's or Standard & Poor's Ratings Group that is no lower than the rating category then assigned by that rating agency to United States Government Obligations.

“Dissemination Agent” means First Bank of Missouri, Gladstone, Missouri, and any successors or assigns.

“Federal Tax Certificate” means the City's Federal Tax Certificate relating to the Bonds, as the same may be amended or supplemented in accordance with the provisions thereof.

“Interest Payment Date” means the Stated Maturity of an installment of interest on any Current Interest Bond.

“Maturity” when used with respect to any Bond means the date on which the principal or Maturity Amount of such Bond becomes due and payable as therein and herein provided, whether at the Stated Maturity thereof or by call for redemption or otherwise.

“Maturity Amount” means, with respect to any Capital Appreciation Bonds, the Compound Accreted Value thereof at Maturity.

“Ordinance” means this Ordinance as from time to time amended in accordance with the terms hereof.

“Original Principal Amount” means the Original Principal Amount of the Bonds authorized in **Section 201** hereof and specified in the Certificate of Final Terms attached hereto as **Exhibit B**.

“Outstanding” means, when used with reference to Bonds, as of any particular date of determination, all Bonds theretofore authenticated and delivered hereunder, except the following Bonds:

(a) Bonds theretofore cancelled by the Paying Agent or delivered to the Paying Agent for cancellation;

(b) Bonds deemed to be paid in accordance with the provisions of **Section 701** hereof; and

(c) Bonds in exchange for or in lieu of which other Bonds have been authenticated and delivered hereunder.

“Participants” means those financial institutions for whom the Securities Depository effects book-entry transfers and pledges of securities deposited with the Securities Depository, as such listing of Participants exists at the time of such reference.

“Paying Agent” means First Bank of Missouri, Gladstone, Missouri, and any successors or assigns.

“Permitted Investments” means any of the following securities, if and to the extent the same are at the time legal for investment of the moneys held in the funds and accounts listed in **Section 501** hereof:

(a) United States Government Obligations;

(b) certificates of deposit or time deposits, whether negotiable or nonnegotiable, issued by any bank or trust company organized under the laws of the United States or any state, provided that such certificates of deposit or time deposits shall be either (1) continuously and fully insured by the Federal Deposit Insurance Corporation, or (2) continuously and fully secured by United States Government Obligations which shall have a market value, exclusive of accrued interest, at all times at least equal to the principal amount of such certificates of deposit or time deposits; and

(c) any other securities or investments that are lawful for the investment of moneys held in such funds or accounts under the laws of the State of Missouri.

“Person” means any natural person, corporation, partnership, joint venture, association, firm, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof or other public body.

“Project” means extending and improving the streets and roads of the City by paying part of the cost of building an interchange and connecting roads to the interchange.

“Purchase Price” means the Purchase Price authorized in **Section 210** hereof and specified in the Certificate of Final Terms attached hereto as **Exhibit B**.

“Purchaser” means the original purchaser of the Bonds specified in the Certificate of Final Terms attached hereto as **Exhibit B**.

“Record Date” for the interest payable on Current Interest Bonds on any Interest Payment Date means the 15th day (whether or not a Business Day) of the calendar month next preceding such Interest Payment Date.

“Redemption Date” when used with respect to any Bond to be redeemed means the date fixed for such redemption pursuant to the terms of this Ordinance.

“Redemption Price” when used with respect to any Bond to be redeemed means the price at which such Bond is to be redeemed pursuant to the terms of this Ordinance, including the applicable redemption premium, if any, but excluding installments of interest whose Stated Maturity is on or before the Redemption Date.

“Replacement Bonds” means Bonds issued to the beneficial owners of the Bonds in accordance with **Section 212(b)** hereof.

“Securities Depository” means, initially, The Depository Trust Company, New York, New York, and its successors and assigns.

“Series 2015 Project Fund” and **“Project Fund”** means the Series 2015 Project Fund referred to in **Section 501** hereof.

“Special Record Date” means the date fixed by the Paying Agent pursuant to **Section 204** hereof for the payment of Defaulted Interest.

“Stated Maturity” when used with respect to any Current Interest Bond or any installment of interest thereon means the date specified in such Current Interest Bond and this Ordinance as the fixed date on which the principal of such Current Interest Bond or such installment of interest is due and payable, and when used with respect to any Capital Appreciation Bond means the date specified in such Capital Appreciation Bond as the fixed date on which the Maturity Amount on such Capital Appreciation Bond is due and payable.

“United States Government Obligations” means bonds, notes, certificates of indebtedness, treasury bills or other securities constituting direct obligations of, or obligations the principal of and interest on which are fully and unconditionally guaranteed as to full and timely payment by, the United States of America, including evidences of a direct ownership interest in future interest or principal payments on obligations issued or guaranteed by the United States of America (including the interest component of obligations of the Resolution Funding Corporation), or securities which represent an undivided interest in such obligations, which obligations are rated in the highest rating category by a nationally recognized rating service and such obligations are held in a custodial account for the benefit of the City.

ARTICLE II

AUTHORIZATION OF BONDS

Section 201. Authorization of Bonds. There shall be issued and hereby are authorized and directed to be issued the General Obligation Street Bonds, Series 2015 (the “Bonds”), of the City in the Original Principal Amount specified in the Certificate of Final Terms attached hereto as **Exhibit B** for the purpose of providing funds to extend and improve the streets and roads of the City by paying part of the cost of building an interchange and connecting roads to the interchange (the “Project”).

Section 202. Description of Bonds. The Bonds shall consist of fully registered Current Interest Bonds and Capital Appreciation Bonds, without coupons, and shall be issued in Authorized Denominations. The Current Interest Bonds shall be numbered from R-1 consecutively upward in order of issuance. The Capital Appreciation Bonds shall be numbered from CR-1 consecutively upward in order of issuance.

The Bonds shall be substantially in the forms set forth in **Exhibits A-1** and **A-2** attached hereto, and shall be subject to registration, transfer and exchange as provided in **Section 205** hereof. The Bonds shall be dated and shall become due in the amounts on the Stated Maturities in the years specified in the Certificate of Final Terms attached hereto as **Exhibit B** (subject to redemption prior to Stated Maturity as provided in **Article III** hereof), shall bear interest at the rates per annum, and shall be issued with such terms and provisions specified in the Certificate of Final Terms attached hereto as **Exhibit B** subject to the following terms and conditions:

- (a) The Original Principal Amount of the Bonds shall not exceed \$6,960,000.
- (b) The maximum sale price to the Purchaser, including premium but excluding underwriting discount, shall not exceed 110% of Original Principal Amount.
- (c) The true interest cost on the Bonds, as described in Section 108.170(6), RSMo, shall not exceed 4.00%.
- (d) The debt service becoming due on the Bonds in each fiscal year shall not exceed the following amounts:

| <u>Fiscal Year ending September 30</u> | <u>Maximum Annual Debt Service</u> |
|--|------------------------------------|
| 2016 | \$510,000.00 |
| 2017 | 580,000.00 |
| 2018 | 578,250.00 |
| 2019 | 579,637.50 |
| 2020 | 599,650.00 |
| 2021 | 588,562.50 |
| 2022 | 591,787.50 |
| 2023 | 603,637.50 |
| 2024 | 599,250.00 |
| 2025 | 598,900.00 |
| 2026 | 618,450.00 |
| 2027 | 623,450.00 |
| 2028 | 633,450.00 |
| 2029 | 653,450.00 |
| 2030 | 670,387.50 |
| 2031 | 780,000.00 |
| 2032 | 810,000.00 |
| 2033 | 810,000.00 |
| 2034 | 810,000.00 |
| 2035 | 860,000.00 |

- (e) The last maturity date of the Bonds shall not be later than March 1, 2035.
- (f) The underwriting discount specified in the Purchase Price shall not exceed 1.50% of the Original Principal Amount.
- (g) The Current Interest Bonds shall be subject to redemption at the option of the City beginning no later than March 1, 2020, and thereafter at not to exceed 101% of the principal amount thereof.

(h) The Purchase Price of the Bonds shall be not less than \$7,000,000.

The Certificate of Final Terms attached hereto as **Exhibit B**, shall be completed and shall be executed by the Mayor, and the signature of Mayor on said Certificate of Final Terms, attested by the City Clerk, shall constitute conclusive evidence of the approval of both the Mayor and the Board of Aldermen of the City.

The Current Interest Bonds shall bear interest at the rates specified in the Certificate of Final Terms attached hereto as **Exhibit B** (computed on the basis of a 360-day year of twelve 30-day months) from the Dated Date thereof as specified in Certificate of Final Terms attached hereto as **Exhibit B** or from the most recent Interest Payment Date to which interest has been paid or duly provided for, payable semiannually on March 1 and September 1 in each year, beginning on March 1, 2016.

The principal amount of the Capital Appreciation Bonds shall bear interest at the rates specified in the Certificate of Final Terms attached hereto as **Exhibit B** (computed on the basis of a 360-day year of twelve 30-day months) from the Dated Date thereof as specified in the Certificate of Final Terms attached hereto as **Exhibit B**, with interest compounded semiannually on March 1 and September 1 in each year, beginning on September 1, 2015, to the Compound Accreted Values shown on **Exhibit C** attached hereto, payable at maturity only.

Section 203. Designation of Paying Agent. First Bank of Missouri, Gladstone, Missouri, is hereby designated as the City's paying agent for the payment of principal of and interest on the Bonds and as bond registrar with respect to the registration, transfer and exchange of Bonds (the "Paying Agent").

The City will at all times maintain a Paying Agent meeting the qualifications herein described for the performance of the duties hereunder. The City reserves the right to appoint a successor Paying Agent by (1) filing with the Paying Agent then performing such function a certified copy of the proceedings giving notice of the termination of such Paying Agent and appointing a successor, and (2) causing notice of the appointment of the successor Paying Agent to be given by first class mail to each Bondowner. No resignation or removal of the Paying Agent shall become effective until a successor has been appointed and has accepted the duties of Paying Agent.

Every Paying Agent appointed hereunder shall at all times be a commercial banking association or corporation or trust company located in the State of Missouri organized and in good standing and doing business under the laws of the United States of America or of the State of Missouri and subject to supervision or examination by federal or state regulatory authority.

Section 204. Method and Place of Payment of Bonds. The principal of, Compound Accreted Value of, or Redemption Price and interest on the Bonds shall be payable in any coin or currency of the United States of America that, on the respective dates of payment thereof, is legal tender for the payment of public and private debts.

The principal of, Compound Accreted Value or Redemption Price of each Bond shall be paid at Maturity by check or draft to the Person in whose name such Bond is registered on the Bond Register at the Maturity thereof, upon presentation and surrender of such Bond at the principal corporate trust office of the Paying Agent.

The interest payable on each Current Interest Bond on any Interest Payment Date shall be paid to the Registered Owner of such Bond as shown on the Bond Register at the close of business on the Record

Date for such interest by check or draft mailed by the Paying Agent to the address of such Registered Owner shown on the Bond Register or by electronic transfer to such Registered Owner.

Notwithstanding the foregoing provisions of this Section, any Defaulted Interest with respect to any Bond shall cease to be payable to the Registered Owner of such Bond on the relevant Record Date and shall be payable to the Registered Owner in whose name such Bond is registered at the close of business on the Special Record Date for the payment of such Defaulted Interest, which Special Record Date shall be fixed as hereinafter specified in this paragraph. The City shall notify the Paying Agent in writing of the amount of Defaulted Interest proposed to be paid on each Bond and the date of the proposed payment (which date shall be at least 30 days after receipt of such notice by the Paying Agent) and shall deposit with the Paying Agent at the time of such notice an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Paying Agent for such deposit prior to the date of the proposed payment. Following receipt of such funds the Paying Agent shall fix a Special Record Date for the payment of such Defaulted Interest which shall be not more than 15 nor less than 10 days prior to the date of the proposed payment. The Paying Agent shall promptly notify the City of such Special Record Date and, in the name and at the expense of the City, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, by first class mail, postage prepaid, to each Registered Owner of a Bond entitled to such notice at the address of such Registered Owner as it appears on the Bond Register not less than 10 days prior to such Special Record Date.

The Paying Agent shall keep a record of payment of principal, Compound Accreted Value and Redemption Price of and interest on all Bonds and at least annually shall forward a copy or summary of such records to the City.

Section 205. Registration, Transfer and Exchange of Bonds. The City covenants that, as long as any of the Bonds remain Outstanding, it will cause the Bond Register to be kept at the office of the Paying Agent as herein provided. Each Bond when issued shall be registered in the name of the owner thereof on the Bond Register.

Bonds may be transferred and exchanged only on the Bond Register as provided in this Section. Upon surrender of any Bond at the principal payment corporate trust operations office of the Paying Agent, the Paying Agent shall transfer or exchange such Bond for a new Bond or Bonds in any authorized denomination of the same Stated Maturity and in the same aggregate principal amount as the Bond that was presented for transfer or exchange. Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Paying Agent, duly executed by the Registered Owner thereof or by the Registered Owner's duly authorized agent.

In all cases in which the privilege of transferring or exchanging Bonds is exercised, the Paying Agent shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. The City shall pay the fees and expenses of the Paying Agent for the registration, transfer and exchange of Bonds provided for by this Ordinance and the cost of printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Paying Agent, are the responsibility of the Registered Owners of the Bonds. In the event any Registered Owner fails to provide a correct taxpayer identification number to the Paying Agent, the Paying Agent may make a charge against such Registered Owner sufficient to pay any governmental charge required to be paid as a result of such failure. In compliance with Section 3406 of the Code, such amount may be deducted by the Paying Agent from amounts otherwise payable to such Registered Owner hereunder or under the Bonds.

The City and the Paying Agent shall not be required (a) to register the transfer or exchange of any Bond after notice calling such bond or portion thereof for redemption has been mailed by the Paying Agent pursuant to **Section 303** hereof and during the period of 15 days next preceding the date of mailing of such notice of redemption; or (b) to register the transfer or exchange any Bond during a period beginning at the opening of business on the day after receiving written notice from the City of its intent to pay Defaulted Interest and ending at the close of business on the date fixed for the payment of Defaulted Interest pursuant to **Section 204** hereof.

The City and the Paying Agent may deem and treat the Person in whose name any Bond is registered on the Bond Register as the absolute owner of such Bond, whether such Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal or Redemption Price of and interest on said Bond and for all other purposes. All payments so made to any such Registered Owner or upon the Registered Owner's order shall be valid and effective to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the City nor the Paying Agent shall be affected by any notice to the contrary.

At reasonable times and under reasonable regulations established by the Paying Agent, the Bond Register may be inspected and copied by the Registered Owners of 10% or more in principal amount of the Bonds then Outstanding or any designated representative of such Registered Owners whose authority is evidenced to the satisfaction of the Paying Agent.

Section 206. Execution, Registration, Authentication and Delivery of Bonds. Each of the Bonds, including any Bonds issued in exchange or as substitutions for the Bonds initially delivered, shall be signed by the manual or facsimile signature of the Mayor and attested by the manual or facsimile signature of the City Clerk and shall have the official seal of the City affixed thereto or imprinted thereon. In case any officer whose signature appears on any Bond ceases to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, as if such person had remained in office until delivery. Any Bond may be signed by such persons who at the actual time of the execution of such Bond are the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

The Mayor and City Clerk are hereby authorized and directed to prepare and execute the Bonds in the manner herein specified, and to cause the Bonds to be registered in the office of the State Auditor of Missouri as provided by law, and, when duly executed and registered, to deliver the Bonds to the Paying Agent for authentication.

The Bonds shall have endorsed thereon a certificate of authentication substantially in the form set forth in **Exhibits A-1** and **A-2** attached hereto, which shall be manually executed by an authorized officer or employee of the Paying Agent, but it shall not be necessary that the same officer or employee sign the certificate of authentication on all of the Bonds that may be issued hereunder at any one time. No Bond shall be entitled to any security or benefit under this Ordinance or be valid or obligatory for any purpose unless and until such certificate of authentication has been duly executed by the Paying Agent. Such executed certificate of authentication upon any Bond shall be conclusive evidence that such Bond has been duly authenticated and delivered under this Ordinance. Upon authentication, the Paying Agent shall deliver the Bonds to the Purchaser upon payment of the Purchase Price.

Section 207. Mutilated, Destroyed, Lost and Stolen Bonds. If (a) any mutilated Bond is surrendered to the Paying Agent or the Paying Agent receives evidence to its satisfaction of the destruction, loss or theft of any Bond, and (b) there is delivered to the City and the Paying Agent such

security or indemnity as may be required by the Paying Agent, then, in the absence of notice to the City or the Paying Agent that such Bond has been acquired by a bona fide purchaser, the City shall execute and the Paying Agent shall authenticate and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost or stolen Bond, a new Bond of the same Stated Maturity and of like tenor and principal amount.

If any such mutilated, destroyed, lost or stolen Bond has become or is about to become due and payable, the Paying Agent, in its discretion, may pay such Bond instead of issuing a new Bond.

Upon the issuance of any new Bond under this Section, the City may require the payment by the Registered Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Paying Agent) connected therewith.

Every new Bond issued pursuant to this Section shall constitute a replacement of the prior obligation of the City, and shall be entitled to all the benefits of this Ordinance equally and ratably with all other Outstanding Bonds.

Section 208. Cancellation and Destruction of Bonds Upon Payment. All Bonds that have been paid or redeemed or that otherwise have been surrendered to the Paying Agent, either at or before Maturity, shall be cancelled by the Paying Agent immediately upon the payment, redemption and surrender thereof to the Paying Agent and subsequently destroyed in accordance with the customary practices of the Paying Agent. The Paying Agent shall execute a certificate in duplicate describing the Bonds so cancelled and destroyed and shall file an executed counterpart of such certificate with the City.

Section 209. Preliminary and Final Official Statement. A Preliminary Official Statement to be used by the Purchaser to offer the Bonds for sale is hereby authorized and approved, and the final Official Statement is hereby authorized and approved by supplementing, amending and completing the Preliminary Official Statement, with such changes and additions thereto as are necessary to conform to and describe the transaction. The Mayor is hereby authorized to execute the final Official Statement as so supplemented, amended and completed, and the use and public distribution of the final Official Statement by the Purchaser in connection with the reoffering of the Bonds is hereby authorized. The proper officials of the City are hereby authorized to execute and deliver a certificate pertaining to such Official Statement as prescribed therein, dated as of the date of payment for and delivery of the Bonds.

For the purpose of enabling the Purchaser to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission, the City hereby deems the information regarding the City contained in the Preliminary Official Statement to be “final” as of its date, except for the omission of such information as is permitted by Rule 15c2-12(b)(1), and the appropriate officers of the City are hereby authorized, if requested, to provide the Purchaser a letter or certification to such effect and to take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the Purchaser to comply with the requirement of such Rule.

The City agrees to provide to the Purchaser within seven business days of the date of the sale of Bonds sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of Rule 15c2-12(b)(4) of the Securities and Exchange Commission and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 210. Sale of Bonds. Upon completion and execution of the Certificate of Final Terms attached hereto as **Exhibit B**, the Mayor is hereby authorized to enter into a Bond Purchase Agreement

between the City and the Purchaser in substantially the form attached hereto as **Exhibit E** under which the City agrees to sell the Bonds to the Purchaser at the Purchase Price specified in **Exhibit B**, upon the terms and conditions set forth therein and with such changes therein as shall be approved by the Mayor, which officer is hereby authorized to execute the Bond Purchase Agreement for and on behalf of the City, such officer's signature thereon being conclusive evidence of his or her approval thereof.

Section 211. Book-Entry Bonds; Securities Depository.

(a) The Bonds shall initially be registered to Cede & Co., the nominee for the Securities Depository, and no beneficial owner will receive certificates representing their respective interests in the Bonds, except in the event the Paying Agent issues Replacement Bonds as provided in subsection (b) hereof. It is anticipated that during the term of the Bonds, the Securities Depository will make book-entry transfers among its Participants and receive and transmit payment of principal of, premium, if any, and interest on, the Bonds to the Participants until and unless the Paying Agent authenticates and delivers Replacement Bonds to the beneficial owners as described in subsection (b).

(b) (1) If the City determines (A) that the Securities Depository is unable to properly discharge its responsibilities, or (B) that the Securities Depository is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, or (C) that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the beneficial owners of the Bonds, or (2) if the Paying Agent receives written notice from Participants having interests in not less than 50% of the Bonds Outstanding, as shown on the records of the Securities Depository (and certified to such effect by the Securities Depository), that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the beneficial owners of the Bonds, then the Paying Agent shall notify the Owners of such determination or such notice and of the availability of certificates to Owners requesting the same, and the Paying Agent shall register in the name of and authenticate and deliver Replacement Bonds to the beneficial owners or their nominees in principal amounts representing the interest of each, making such adjustments as it may find necessary or appropriate as to accrued interest and previous calls for redemption; provided, that in the case of a determination under (1)(A) or (1)(B) of this subsection (b), the City, with the consent of the Paying Agent, may select a successor securities depository in accordance with **Section 211(c)** hereof to effect book-entry transfers. In such event, all references to the Securities Depository herein shall relate to the period of time when at least one Bond is registered in the name of the Securities Depository or its nominee. Upon the issuance of Replacement Bonds, all references herein to obligations imposed upon or to be performed by the Securities Depository shall be deemed to be imposed upon and performed by the Paying Agent, to the extent applicable with respect to such Replacement Bonds. If the Securities Depository resigns and the City, the Paying Agent or Owners are unable to locate a qualified successor of the Securities Depository in accordance with **Section 211(c)** hereof, then the Paying Agent shall authenticate and cause delivery of Replacement Bonds to Owners, as provided herein. The Paying Agent may rely on information from the Securities Depository and its Participants as to the names of the beneficial owners of the Bonds, their addresses and principal amount held. The cost of printing, registration, authentication and delivery of Replacement Bonds shall be paid for by the City.

(c) In the event the Securities Depository resigns, is unable to properly discharge its responsibilities, or is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, the City may appoint a successor Securities Depository provided the Paying Agent and the City receive written evidence with respect to the ability of the successor Securities Depository to discharge its responsibilities. Any such successor Securities Depository shall be a securities depository which is a registered clearing agency under the Securities and

Exchange Act of 1934, as amended, or other applicable statute or regulation that operates a securities depository upon reasonable and customary terms. The Paying Agent upon its receipt of a Bond or Bonds for cancellation shall cause the delivery of Bonds to the successor Securities Depository in appropriate denominations and form as provided herein.

ARTICLE III

REDEMPTION OF BONDS

Section 301. Redemption of Bonds.

(a) **Optional Redemption of Bonds.** At the option of the City, certain Current Interest Bonds specified in the Certificate of Final Terms attached hereto as **Exhibit B** or portions thereof may be called for redemption and payment prior to their Stated Maturity in whole or in part on the dates and at the redemption prices set forth in specified in the Certificate of Final Terms attached hereto as **Exhibit B**. The Capital Appreciation Bonds shall not be subject to redemption or payment prior their stated maturity.

(b) **Mandatory Redemption.** The Current Interest Term Bonds specified in the Certificate of Final Terms attached hereto as **Exhibit B** will be subject to mandatory redemption and payment prior to Stated Maturity in part on the dates and in the principal amounts specified in the Certificate of Final Terms attached hereto as **Exhibit B**, at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the Redemption Date.

At its option, to be exercised on or before the 45th day next preceding any mandatory Redemption Date, the City may: (1) deliver to the Paying Agent for cancellation Current Interest Term Bonds subject to mandatory redemption on said mandatory Redemption Date, in any aggregate principal amount desired; or (2) furnish the Paying Agent funds, together with appropriate instructions, for the purpose of purchasing any Current Interest Term Bonds subject to mandatory redemption on said mandatory Redemption Date from any Registered Owner thereof, whereupon the Paying Agent shall expend such funds for such purpose to such extent as may be practical; or (3) receive a credit with respect to the mandatory redemption obligation of the City under this Section for any Current Interest Term Bonds subject to mandatory redemption on said mandatory Redemption Date which, prior to such date, have been redeemed (other than through the operation of the mandatory redemption requirements of this subsection (b)) and cancelled by the Paying Agent and not theretofore applied as a credit against any redemption obligation under this subsection (b). Each Current Interest Term Bond so delivered or previously purchased or redeemed shall be credited at 100% of the principal amount thereof on the obligation of the City to redeem Current Interest Term Bonds of the same Stated Maturity on such mandatory Redemption Date, and any excess of such amount shall be credited on future mandatory redemption obligations for Current Interest Term Bonds of the same Stated Maturity in chronological order, and the principal amount of Current Interest Term Bonds of the same Stated Maturity to be redeemed by operation of the requirements of this Section shall be accordingly reduced. If the City intends to exercise any option granted by the provisions of clauses (1), (2) or (3) above, the City will, on or before the 45th day next preceding each mandatory Redemption Date, furnish the Paying Agent a written certificate indicating to what extent the provisions of said clauses (1), (2) and (3) are to be complied with with respect to such mandatory redemption payment.

Section 302. Selection of Bonds to Be Redeemed.

(a) The Paying Agent shall call Bonds for redemption and payment and shall give notice of such redemption as herein provided upon receipt by the Paying Agent at least 45 days prior to the Redemption Date of written instructions from the City specifying the principal amount, Stated Maturities, Redemption Date and Redemption Prices of the Bonds to be called for redemption. If the Bonds are refunded more than 90 days in advance of such Redemption Date, any escrow agreement entered into by the City in connection with such refunding shall provide that such written instructions to the Paying Agent shall be given by the escrow agent on behalf of the City not more than 90 days prior to the Redemption Date. The Paying Agent may in its discretion waive such notice period so long as the notice requirements set forth in **Section 303** are met. The foregoing provisions of this paragraph shall not apply to the mandatory redemption of Bonds hereunder, and Bonds shall be called by the Paying Agent for redemption pursuant to such mandatory redemption requirements without the necessity of any action by the City and whether or not the Paying Agent shall hold in the Debt Service Fund moneys available and sufficient to effect the required redemption.

(b) Bonds shall be redeemed only in the principal amount of \$5,000 or any integral multiple thereof. Bonds of less than a full Stated Maturity shall be selected by the Paying Agent in \$5,000 units of principal amount in such equitable manner as the Paying Agent may determine.

(c) In the case of a partial redemption of Bonds at the time outstanding in denominations greater than \$5,000, then for all purposes in connection with such redemption each \$5,000 of face value shall be treated as though it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of face value represented by any Bond are selected for redemption, then upon notice of intention to redeem such \$5,000 unit or units, the Registered Owner of such Bond or the Registered Owner's duly authorized agent shall present and surrender such Bond to the Paying Agent (1) for payment of the Redemption Price and interest to the Redemption Date of such \$5,000 unit or units of face value called for redemption, and (2) for exchange, without charge to the Registered Owner thereof, for a new Bond or Bonds of the aggregate principal amount of the unredeemed portion of the principal amount of such Bond. If the Registered Owner of any such Bond fails to present such Bond to the Paying Agent for payment and exchange as aforesaid, such Bond shall, nevertheless, become due and payable on the redemption date to the extent of the \$5,000 unit or units of face value called for redemption (and to that extent only).

Section 303. Notice and Effect of Call for Redemption. Unless waived by any Registered Owner of Bonds to be redeemed, official notice of any redemption shall be given by the Paying Agent on behalf of the City by mailing a copy of an official redemption notice by first class mail at least 30 days prior to the Redemption Date to the State Auditor of Missouri, the Purchaser of the Bonds and each Registered Owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register.

All official notices of redemption shall be dated and shall contain the following information:

- (a) the Redemption Date;
- (b) the Redemption Price;
- (c) if less than all Outstanding Bonds of a maturity are to be redeemed, the identification (and, in the case of partial redemption of any Bonds, the respective principal amounts) of the Bonds to be redeemed;

(d) a statement that on the Redemption Date the Redemption Price will become due and payable upon each such Bond or portion thereof called for redemption and that interest thereon shall cease to accrue from and after the Redemption Date; and

(e) the place where such Bonds are to be surrendered for payment of the Redemption Price, which shall be the principal corporate trust office of the Paying Agent.

The failure of any Registered Owner to receive notice given as heretofore provided or any defect therein shall not invalidate any redemption.

Prior to any Redemption Date, the City shall deposit with the Paying Agent an amount of money sufficient to pay the Redemption Price of all the Bonds or portions of Bonds that are to be redeemed on that date.

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds to be redeemed shall become due and payable on the Redemption Date, at the Redemption Price therein specified, and from and after the Redemption Date (unless the City defaults in the payment of the Redemption Price) such Bonds or portion of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with such notice, the Redemption Price of such Bonds shall be paid by the Paying Agent. Installments of interest due on or prior to the Redemption Date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the Registered Owner a new Bond or Bonds of the same Stated Maturity in the amount of the unpaid principal as provided herein. All Bonds that have been surrendered for redemption shall be cancelled and destroyed by the Paying Agent as provided herein and shall not be reissued.

The Paying Agent is also directed to comply with any mandatory or voluntary standards established by the Securities and Exchange Commission and then in effect for processing redemptions of municipal securities. Failure to comply with such standards shall not affect or invalidate the redemption of any Bond.

For so long as the Securities Depository is effecting book-entry transfers of the Bonds, the Paying Agent shall provide the notices specified in this Section to the Securities Depository. It is expected that the Securities Depository shall, in turn, notify its Participants and that the Participants, in turn, will notify or cause to be notified the beneficial owners. Any failure on the part of the Securities Depository or a Participant, or failure on the part of a nominee of a beneficial owner of a Bond (having been mailed notice from the Paying Agent, the Securities Depository, a Participant or otherwise) to notify the beneficial owner of the Bond so affected, shall not affect the validity of the redemption of such Bond.

ARTICLE IV

SECURITY FOR AND PAYMENT OF BONDS

Section 401. Security for the Bonds. The Bonds shall be general obligations of the City payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. The full faith, credit and resources of the City are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

Section 402. Levy and Collection of Annual Tax. For the purpose of providing for the payment of the principal of and interest on the Bonds as the same become due, there is hereby levied upon all of the taxable tangible property within the City a direct annual tax sufficient to produce the amounts necessary for the payment of such principal and interest as the same becomes due and payable in each year.

The taxes referred to above shall be extended upon the tax rolls in each of the several years, respectively, and shall be levied and collected at the same time and in the same manner as the other ad valorem taxes of the City are levied and collected. The proceeds derived from said taxes shall be deposited in the Debt Service Fund, shall be kept separate and apart from all other funds of the City and shall be used solely for the payment of the principal of and interest on the Bonds as and when the same become due, taking into account scheduled mandatory redemptions, and the fees and expenses of the Paying Agent.

If at any time said taxes are not collected in time to pay the principal of or interest on the Bonds when due, the Treasurer is hereby authorized and directed to pay said principal or interest out of the general funds of the City and to reimburse said general funds for money so expended when said taxes are collected.

ARTICLE V

ESTABLISHMENT OF FUNDS; DEPOSIT AND APPLICATION OF MONEYS

Section 501. Establishment of Funds. There have been or shall be established in the treasury of the City and shall be held and administered by the Treasurer of the City the following separate funds:

- (a) Series 2015 Street Project Fund (the "Project Fund").
- (b) Debt Service Fund.

Section 502. Deposit of Bond Proceeds. The net proceeds received from the sale of the Bonds shall be deposited simultaneously with the delivery of the Bonds as follows:

- (a) All accrued interest received from the sale of the Bonds, if any, shall be deposited in the Debt Service Fund and applied in accordance with **Section 503** hereof.
- (b) The remaining proceeds of the Bonds, in the amount specified in the Certificate of Final Terms attached hereto as **Exhibit B**, will be deposited in the Project Fund and applied in accordance with **Section 503** hereof.

Section 503. Application of Moneys in the Project Fund. Moneys in the Series 2015 Project Fund shall be used by the City solely and for the purpose of (a) paying costs of the Project for which the Bonds have been voted and authorized, as hereinbefore provided, in accordance with the plans and specifications therefor on file in the office of the City Clerk; and (b) paying the costs and expenses of issuing the Bonds.

Withdrawals from the Series 2015 Project Fund shall be made only upon duly authorized and executed order of the Board of Aldermen therefor accompanied by a certificate executed by the City's

engineers that such payment is being made for a purpose within the scope of this Ordinance and that the amount of such payment represents only the contract price of the property, equipment, labor, materials or service being paid for or, if such payment is not being made pursuant to an express contract, that such payment is not in excess of the reasonable value thereof. Nothing hereinbefore contained shall prevent the payment out of the Series 2015 Project Fund of all costs and expenses incident to the issuance of the Bonds without a certificate from the City's engineers.

Upon completion of the purpose for which the Bonds have been issued, any surplus remaining in the Series 2015 Project Fund shall be transferred to and deposited in the Debt Service Fund and applied to the next installment of principal and/or interest due on the Bonds.

Section 504. Application of Moneys in Debt Service Fund. All amounts paid and credited to the Debt Service Fund shall be used by the City for the sole purpose of paying the principal or Redemption Price of and interest on the Bonds as and when the same become due and the usual and customary fees and expenses of the Paying Agent. The Treasurer is authorized and directed to withdraw from the Debt Service Fund sums sufficient to pay both principal or Redemption Price of and interest on the Bonds and the fees and expenses of the Paying Agent as and when the same become due, and to forward such sums to the Paying Agent in a manner which ensures that the Paying Agent will receive immediately available funds in such amounts on or before the business day immediately preceding the dates when such principal, interest and fees of the Paying Agent will become due. If, through the lapse of time or otherwise, the Registered Owners of Bonds are no longer entitled to enforce payment of the Bonds or the interest thereon, the Paying Agent shall return said funds to the City. All moneys deposited with the Paying Agent shall be deemed to be deposited in accordance with and subject to all of the provisions contained in this Ordinance and shall be held in trust by the Paying Agent for the benefit of the Registered Owners of the Bonds entitled to payment from such moneys.

Any moneys or investments remaining in the Debt Service Fund after the retirement of the indebtedness for which the Bonds were issued and all other indebtedness of the City shall be transferred and paid into the general revenue fund of the City.

Section 505. Deposits and Investment of Moneys. Moneys in each of the funds created by and referred to in this Ordinance shall be deposited in a bank or banks or other legally permitted financial institutions located in the State of Missouri that are members of the Federal Deposit Insurance Corporation. All such deposits shall be continuously and adequately secured by the banks or financial institutions holding such deposits as provided by the laws of the State of Missouri. All moneys held in the funds created by this Ordinance shall be kept separate and apart from all other funds of the City so that there shall be no commingling of such funds with any other funds of the City.

Moneys held in any fund referred to in this Ordinance may be invested in accordance with this Ordinance and the Federal Tax Certificate in Permitted Investments; provided, however, that no such investment shall be made for a period extending longer than to the date when the moneys invested may be needed for the purpose for which such fund was created. All earnings on any investments held in any fund shall accrue to and become a part of such fund.

Section 506. Payments Due on Saturdays, Sundays and Holidays. In any case where a Bond Payment Date is not a Business Day, then payment of principal, Redemption Price or interest need not be made on such Bond Payment Date but may be made on the next succeeding Business Day with the same force and effect as if made on such Bond Payment Date, and no interest shall accrue for the period after such Bond Payment Date.

Section 507. Nonpresentment of Bonds. If any Bond is not presented for payment when the principal thereof becomes due at Maturity, if funds sufficient to pay such Bond have been made available to the Paying Agent all liability of the City to the Registered Owner thereof for the payment of such Bond shall forthwith cease, determine and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the Registered Owner of such Bond, who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Ordinance or on, or with respect to, said Bond. If any Bond is not presented for payment within one year following the date when such Bond becomes due at Maturity, the Paying Agent shall repay to the City the funds theretofore held by it for payment of such Bond, and such Bond shall, subject to the defense of any applicable statute of limitation, thereafter be an unsecured obligation of the City, and the Registered Owner thereof shall be entitled to look only to the City for payment, and then only to the extent of the amount so repaid to it by the Paying Agent, and the City shall not be liable for any interest thereon and shall not be regarded as a trustee of such money.

ARTICLE VI

REMEDIES

Section 601. Remedies. The provisions of this Ordinance, including the covenants and agreements herein contained, shall constitute a contract between the City and the Registered Owners of the Bonds, and the Registered Owner or Owners of not less than 10% in principal amount of the Bonds at the time Outstanding shall have the right for the equal benefit and protection of all Registered Owners of Bonds similarly situated:

- (a) by mandamus or other suit, action or proceedings at law or in equity to enforce the rights of such Registered Owner or Owners against the City and its officers, agents and employees, and to require and compel duties and obligations required by the provisions of this Ordinance excluding **Section 802** hereof or by the Constitution and laws of the State of Missouri;
- (b) by suit, action or other proceedings in equity or at law to require the City, its officers, agents and employees to account as if they were the trustees of an express trust; and
- (c) by suit, action or other proceedings in equity or at law to enjoin any acts or things which may be unlawful or in violation of the rights of the Registered Owners of the Bonds.

Section 602. Limitation on Rights of Bondowners. The covenants and agreements of the City contained herein and in the Bonds shall be for the equal benefit, protection and security of the legal owners of any or all of the Bonds. All of the Bonds shall be of equal rank and without preference or priority of one Bond over any other Bond in the application of the funds herein pledged to the payment of the principal of and the interest on the Bonds, or otherwise, except as to rate of interest, or date of Maturity or right of prior redemption as provided in this Ordinance. No one or more Bondowners secured hereby shall have any right in any manner whatever by his or their action to affect, disturb or prejudice the security granted and provided for herein, or to enforce any right hereunder, except in the manner herein provided, and all proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all Registered Owners of such Outstanding Bonds.

Section 603. Remedies Cumulative. No remedy conferred herein upon the Bondowners is intended to be exclusive of any other remedy, but each such remedy shall be cumulative and in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy

conferred herein. No waiver of any default or breach of duty or contract by the Registered Owner of any Bond shall extend to or affect any subsequent default or breach of duty or contract or shall impair any rights or remedies consequent thereon. No delay or omission of any Bondowner to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein. Every substantive right and every remedy conferred upon the Registered Owners of the Bonds by this Ordinance may be enforced and exercised from time to time and as often as may be deemed expedient. If any suit, action or proceedings taken by any Bondowner on account of any default or to enforce any right or exercise any remedy has been discontinued or abandoned for any reason, or has been determined adversely to such Bondowner, then, and in every such case, the City and the Registered Owners of the Bonds shall be restored to their former positions and rights hereunder, respectively, and all rights, remedies, powers and duties of the Bondowners shall continue as if no such suit, action or other proceedings had been brought or taken.

Section 604. Exception for Continuing Disclosure. This **Article VI** shall not apply to **Section 802** of this Ordinance regarding continuing disclosure requirements, and Bondholders or Beneficial Owners of Bonds shall have no remedies for enforcement of said **Section 802** other than the remedies provided in said **Section 802**.

ARTICLE VII

DEFEASANCE

Section 701. Defeasance. When any or all of the Bonds or scheduled interest payments thereon have been paid and discharged, then the requirements contained in this Ordinance and the pledge of the City's faith and credit hereunder and all other rights granted hereby shall terminate with respect to the Bonds or scheduled interest payments thereon so paid and discharged. Bonds or scheduled interest payments thereon shall be deemed to have been paid and discharged within the meaning of this Ordinance if there has been deposited with the Paying Agent, or other commercial bank or trust company located in the State of Missouri and having full trust powers, at or prior to the Stated Maturity or Redemption Date of said Bonds or the interest payments thereon, in trust for and irrevocably appropriated thereto, moneys and/or Defeasance Obligations which, together with the interest to be earned thereon, will be sufficient for the payment of the principal or Redemption Price of and Compound Accreted Value of said Bonds and/or interest to accrue on such Bonds to the Stated Maturity or Redemption Date, or if default in such payment has occurred on such date, then to the date of the tender of such payments; provided, however, that if any such Bonds are to be redeemed prior to their Stated Maturity, (1) the City shall have elected to redeem such Bonds, and (2) either notice of such redemption shall have been given, or the City shall have given irrevocable instructions, or shall have provided for an escrow agent to give irrevocable instructions, to the Paying Agent to redeem such Bonds in compliance with **Section 302(a)** of this Ordinance. Any moneys and Defeasance Obligations that at any time shall be deposited with the Paying Agent or other commercial bank or trust company by or on behalf of the City, for the purpose of paying and discharging any of the Bonds or the interest payments thereon, shall be and are hereby assigned, transferred and set over to the Paying Agent or other bank or trust company in trust for the respective Registered Owners of such Bonds, and such moneys shall be and are hereby irrevocably appropriated to the payment and discharge thereof. All moneys and Defeasance Obligations deposited with the Paying Agent or other bank or trust company shall be deemed to be deposited in accordance with and subject to all of the provisions of this Ordinance.

ARTICLE VIII

MISCELLANEOUS PROVISIONS

Section 801. Tax Covenants.

(a) The City covenants and agrees that (1) it will comply with all applicable provisions of the Code necessary to maintain the exclusion from federal gross income of the interest on the Bonds and (2) comply with all provisions and requirements of the Federal Tax Certificate. The Mayor is hereby authorized to execute the Federal Tax Certificate in a form approved by Bond Counsel, for and on behalf of and as the act and deed of the City. The City will also pass such other ordinances or resolutions and take such other actions as may be necessary to comply with the Code and with all other applicable future laws, regulations, published rulings and judicial decisions in order to ensure that the interest on the Bonds will remain excluded from federal gross income, to the extent any such actions can be taken by the City.

(b) The covenants contained in this Section and in the Federal Tax Certificate shall remain in full force and effect notwithstanding the defeasance of the Bonds pursuant to **Article VII** of this Ordinance or any other provision of this Ordinance until the final Maturity of all Bonds Outstanding.

Section 802. Continuing Disclosure. The Mayor is hereby authorized to enter into the Continuing Disclosure Agreement in substantially the form attached hereto as **Exhibit D**, under which the City agrees that it will provide its audited financial statements, certain operating data and notices of certain material events to each nationally recognized municipal securities information repository, in compliance with Rule 15c2-12 promulgated by the Securities and Exchange Commission. Notwithstanding any other provision of this Ordinance, failure of the City to comply with the Continuing Disclosure Agreement shall not be considered a default under this Ordinance. Remedies for a default under the Continuing Disclosure Agreement shall be limited to those set forth in the Continuing Disclosure Agreement.

Section 803. Principal Amount of the Bonds. In determining whether the Bondowners of the requisite principal amount of Bonds Outstanding have given any request, demand, authorization, direction, notice, consent or waiver under this Ordinance, the term “principal amount” shall mean the principal amount of Current Interest Bonds Outstanding as of the date of determination and the Compound Accreted Value of Capital Appreciation Bonds as of the most recent Interest Payment Date preceding such date.

Section 804. Amendments. The Continuing Disclosure Agreement is exempt from the provisions of this Section and are subject to amendment and modification only as provided therein. The rights and duties of the City and the Bondowners, and the terms and provisions of the Bonds or of this Ordinance, may be amended or modified at any time in any respect by ordinance of the City with the written consent of the Registered Owners of not less than a majority in principal amount and Compound Accreted Value of the Bonds then Outstanding, such consent to be evidenced by an instrument or instruments executed by such Registered Owners and duly acknowledged or proved in the manner of a deed to be recorded, and such instrument or instruments shall be filed with the City Clerk, but no such modification or alteration shall:

(a) extend the maturity of any payment of principal, Compound Accreted Value or interest due upon any Bond;

(b) effect a reduction in the amount which the City is required to pay as principal of, Redemption Price, Compound Accreted Value or interest on any Bond;

- (c) permit preference or priority of any Bond over any other Bond; or
- (d) reduce the percentage in principal amount of Bonds required for the written consent to any modification or alteration of the provisions of this Ordinance.

Any provision of the Bonds or of this Ordinance may, however, be amended or modified by ordinance duly adopted by the governing body of the City at any time in any legal respect with the written consent of the Registered Owners of all of the Bonds at the time Outstanding.

Without notice to or the consent of any Bondowners, the City may amend or supplement this Ordinance for the purpose of curing any formal defect, omission, inconsistency or ambiguity therein or in connection with any other change therein which is not materially adverse to the interests of the Bondowners.

Every amendment or modification of the provisions of the Bonds or of this Ordinance, to which the written consent of the Bondowners is given, as above provided, shall be expressed in an ordinance adopted by the governing body of the City amending or supplementing the provisions of this Ordinance and shall be deemed to be a part of this Ordinance. A certified copy of every such amendatory or supplemental ordinance, if any, and a certified copy of this Ordinance shall always be kept on file in the office of the City Clerk, and shall be made available for inspection by the Registered Owner of any Bond or a prospective purchaser or owner of any Bond authorized by this Ordinance, and upon payment of the reasonable cost of preparing the same, a certified copy of any such amendatory or supplemental ordinance or of this Ordinance will be sent by the City Clerk to any such Bondowner or prospective Bondowner.

Any and all modifications made in the manner hereinabove provided shall not become effective until there has been filed with the City Clerk a copy of the ordinance of the City hereinabove provided for, duly certified, as well as proof of any required consent to such modification by the Registered Owners of the Bonds then Outstanding. It shall not be necessary to note on any of the Outstanding Bonds any reference to such amendment or modification.

The City shall furnish to the Paying Agent a copy of any amendment to the Bonds or this Ordinance which affects the duties or obligations of the Paying Agent under this Ordinance.

Section 805. Amendment to the City's Budget. The City hereby amends its budget for the fiscal year ending September 30, 2015, to take into account the authorization of the issuance of the Bonds.

Section 806. Notices, Consents and Other Instruments by Bondowners. Any notice, consent, request, direction, approval or other instrument to be signed and executed by the Bondowners may be in any number of concurrent writings of similar tenor and may be signed or executed by such Bondowners in person or by agent appointed in writing. Proof of the execution of any such instrument or of the writing appointing any such agent and of the ownership of Bonds, if made in the following manner, shall be sufficient for any of the purposes of this Ordinance, and shall be conclusive in favor of the City and the Paying Agent with regard to any action taken, suffered or omitted under any such instrument, namely:

- (a) The fact and date of the execution by any person of any such instrument may be proved by a certificate of any officer in any jurisdiction who by law has power to take acknowledgments within such jurisdiction that the person signing such instrument acknowledged before such officer the execution thereof, or by affidavit of any witness to such execution.

(b) The fact of ownership of Bonds, the amount or amounts, numbers and other identification of Bonds, and the date of holding the same shall be proved by the Bond Register.

In determining whether the Registered Owners of the requisite principal amount of Bonds Outstanding have given any request, demand, authorization, direction, notice, consent or waiver under this Ordinance, Bonds owned by the City shall be disregarded and deemed not to be Outstanding under this Ordinance, except that, in determining whether the Bondowners shall be protected in relying upon any such request, demand, authorization, direction, notice, consent or waiver, only Bonds which the Bondowners know to be so owned shall be so disregarded. Notwithstanding the foregoing, Bonds so owned which have been pledged in good faith shall not be disregarded as aforesaid if the pledgee establishes to the satisfaction of the Bondowners the pledgee's right so to act with respect to such Bonds and that the pledgee is not the City.

Section 807. Further Authority. The officers of the City, including the Mayor and City Clerk, are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Ordinance and to make ministerial alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 808. Severability. If any section or other part of this Ordinance, whether large or small, is for any reason held invalid, the invalidity thereof shall not affect the validity of the other provisions of this Ordinance.

Section 809. Governing Law. This Ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

Section 810. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the Board of Aldermen.

Section 811. Electronic Transactions. The parties agree that the transaction described herein may be conducted and related documents may be stored by electronic means.

PASSED by the Board of Aldermen of the City of Peculiar, Missouri, and **APPROVED** by the Mayor this _____ day of March, 2015.

Alderman Ford _____
Alderman Fines _____
Alderman Ray _____

Alderman McCrea _____
Alderman Turner _____
Alderman Roberts _____

Approved:

Attest:

Holly Stark, Mayor

Janet Burlingame, City Clerk

This Bond is one of an authorized series of bonds of the City designated “General Obligation Street Bonds, Series 2015,” aggregating the principal amount of \$ _____ (the “Bonds”), issued by the City for the purpose of providing funds to extend and improve the streets and roads of the City by paying part of the cost of building an interchange and connecting roads to the interchange (the “Project”) under the authority of and in full compliance with the Constitution and laws of the State of Missouri, and pursuant to an election duly held in the City and an ordinance duly passed (the “Ordinance”) and proceedings duly and legally had by the governing body of the City. Capitalized terms used herein and not otherwise defined herein shall have the meanings assigned to such terms in the Ordinance.

At the option of the City, Current Interest Bonds or portions thereof maturing on March 1, 20__, and thereafter may be redeemed and paid prior to maturity on March 1, 20__, and thereafter in whole or in part at any time in such amounts for each maturity as shall be determined by the City (Bonds of less than a full maturity to be selected in multiples of \$5,000 principal amount in such equitable manner as the Paying Agent shall designate) at the Redemption Prices set forth below, expressed as percentages of principal amount, plus accrued interest thereon to the Redemption Date:

| <u>Redemption Dates</u> | <u>Redemption Prices</u> |
|------------------------------------|--------------------------|
| March 1, 20__ to February __, ____ | ____% |
| March 1, ____ and thereafter | ____% |

Current Interest Bonds maturing on March 1, 20__, are subject to mandatory redemption and payment prior to maturity pursuant to the mandatory redemption requirements of the Ordinance on March 1, 20__, and on each March 1 thereafter prior to maturity, at a redemption price equal to 100% of the Principal Amount thereof plus accrued interest to the Redemption Date.

Current Interest Bonds shall be redeemed only in the principal amount of \$5,000 or any integral multiple thereof. When less than all of the Outstanding Current Interest Bonds are to be redeemed, such Bonds shall be redeemed from such Stated Maturities as are selected by the City, and Bonds of less than a full Stated Maturity shall be selected by the Paying Agent in \$5,000 units of principal amount in such equitable manner as the Paying Agent may determine.

Notice of redemption, unless waived, is to be given by the Paying Agent by mailing an official redemption notice by first class mail at least 30 days prior to the Redemption Date to the State Auditor of Missouri, the original purchaser of the Bonds and to each Registered Owner of each of the Bonds to be redeemed at the address shown on the Bond Register maintained by the Paying Agent. Notice of redemption having been given as aforesaid, the Bonds or portions of Bonds to be redeemed shall, on the Redemption Date, become due and payable at the Redemption Price therein specified, and from and after such date (unless the City defaults in the payment of the Redemption Price) such Bonds or portions of Bonds shall cease to bear interest.

The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Ordinance. One Bond certificate with respect to each date on which the Bonds are stated to mature, registered in the nominee name of the Securities Depository, is being issued and required to be deposited with the Securities Depository and immobilized in its custody. The book-entry system will evidence positions held in the Bonds by the Securities Depository’s participants, beneficial ownership of the Bonds in authorized denominations being evidenced in the records of such participants. Transfers of ownership shall be effected on the records of the Securities Depository and its participants pursuant to rules and procedures established by the Securities Depository and its participants. The City and the Paying Agent will recognize the Securities

Depository nominee, while the registered owner of this Bond, as the owner of this Bond for all purposes, including (i) payments of principal of, and redemption premium, if any, and interest on, this Bond, (ii) notices and (iii) voting. Transfers of principal, interest and any redemption premium payments to participants of the Securities Depository, and transfers of principal, interest and any redemption premium payments to beneficial owners of the Bonds by participants of the Securities Depository will be the responsibility of such participants and other nominees of such beneficial owners. The City and the Paying Agent will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by the Securities Depository, the Securities Depository nominee, its participants or persons acting through such participants. While the Securities Depository nominee is the owner of this Bond, notwithstanding the provision hereinabove contained, payments of principal of and interest on this Bond shall be made in accordance with existing arrangements among the City, the Paying Agent and the Securities Depository.

EXCEPT AS OTHERWISE PROVIDED IN THE ORDINANCE, THIS GLOBAL BOND MAY BE TRANSFERRED, IN WHOLE BUT NOT IN PART, ONLY TO ANOTHER NOMINEE OF THE SECURITIES DEPOSITORY OR TO A SUCCESSOR SECURITIES DEPOSITORY OR TO A NOMINEE OF A SUCCESSOR SECURITIES DEPOSITORY.

The Bonds are issued in fully registered form in the denomination of \$5,000 or any integral multiple thereof. This Bond may be exchanged at the office of the Paying Agent for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations upon the terms provided in the Ordinance.

This Bond is transferable by the Registered Owner hereof in person or by the Registered Owner's agent duly authorized in writing, at the office of the Paying Agent, but only in the manner, subject to the limitations and upon payment of the charges provided in the Ordinance and upon surrender and cancellation of this Bond. The City shall pay all costs incurred in connection with the issuance, payment and initial registration of the Bonds and the cost of a reasonable supply of bond blanks.

The Bonds constitute general obligations of the City payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. The full faith, credit and resources of the City are irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

This Bond may be transferred or exchanged, as provided in the Ordinance, only on the Bond Register kept for that purpose at the principal corporate trust office of the Paying Agent, upon surrender of this Bond together with a written instrument of transfer or authorization for exchange satisfactory to the Paying Agent duly executed by the Registered Owner or the Registered Owner's duly authorized agent, and thereupon a new Bond or Bonds in any authorized denomination having the same Maturity Date and in the same aggregate principal amount shall be issued to the transferee in exchange therefor as provided in the Ordinance and upon payment of the charges therein prescribed. The City and the Paying Agent may deem and treat the person in whose name this Bond is registered on the Bond Register as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or Redemption Price hereof and interest due hereon and for all other purposes.

The proceedings relating to the issuance of the Bonds have been presented to and filed with the State Auditor of Missouri, who has examined the same and has issued a certificate that such proceedings comply with the laws of the State of Missouri and that the conditions of the contract under which the Bonds were ordered to be issued have been complied with.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Ordinance until the Certificate of Authentication hereon has been executed by the Paying Agent.

IT IS HEREBY CERTIFIED AND DECLARED that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the Bonds have existed, happened and been performed in due time, form and manner as required by law; that a direct annual tax upon all taxable tangible property situated in the City has been levied for the purpose of paying the principal of and interest on the Bonds when due; and that the total indebtedness of the City, including this Bond and the series of which it is one, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, PECULIAR, MISSOURI, has caused this Bond to be executed by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its City Clerk and its official seal to be affixed or imprinted hereon.

CERTIFICATE OF AUTHENTICATION PECULIAR, MISSOURI

This Bond is one of the Bonds of the issue described in the within-mentioned Ordinance.

By: _____
Mayor

Registration Date: _____

FIRST BANK OF MISSOURI,
Paying Agent

(SEAL)

ATTEST:

By: _____
Authorized Signatory

City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

Print or Type Name, Address and Social Security Number
or other Taxpayer Identification Number of Transferee

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ agent to transfer the within Bond on the Bond Register kept by the Paying Agent for the registration thereof, with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular.

Signature Guaranteed By:

(Name of Eligible Guarantor Institution as defined by SEC Rule 17 Ad-15 (17 CFR 240.17 Ad-15))

By: _____
Title: _____

EXHIBIT A-2

FORM OF CAPITAL APPRECIATION BOND

EXCEPT AS OTHERWISE PROVIDED IN THE ORDINANCE (DESCRIBED HEREIN), THIS GLOBAL BOND MAY BE TRANSFERRED, IN WHOLE BUT NOT IN PART, ONLY TO ANOTHER NOMINEE OF THE SECURITIES DEPOSITORY (DESCRIBED HEREIN) OR TO A SUCCESSOR SECURITIES DEPOSITORY OR TO A NOMINEE OF A SUCCESSOR SECURITIES DEPOSITORY.

**UNITED STATES OF AMERICA
STATE OF MISSOURI**

**Registered
No. CR-_____**

**Registered Maturity Amount
\$_____**

PECULIAR, MISSOURI

**GENERAL OBLIGATION STREET BOND
SERIES 2015**

Interest Rate

Maturity Date

Dated Date

CUSIP Number

REGISTERED OWNER: CEDE & CO.

ORIGINAL PRINCIPAL AMOUNT: DOLLARS

MATURITY AMOUNT: DOLLARS

PECULIAR, MISSOURI, a city of the fourth class and political subdivision of the State of Missouri (the "City"), for value received, hereby acknowledges itself to be indebted and promises to pay to the registered owner shown above, or registered assigns, the Maturity Amount shown above on the Maturity Date shown above, representing the Original Principal Amount shown above plus interest accrued and compounded thereon at the Interest Rate per annum shown above (computed on the basis of a 360-day year of twelve 30-day months) from the Dated Date shown above to the Maturity Date shown above, with interest compounded semiannually on March 1 and September 1 in each year, beginning on September 1, 2015, to the Compound Accreted Values provided in the Ordinance (defined herein), until said Maturity Amount has been paid.

The principal of and interest accrued and compounded on this Bond shall be paid at Maturity by check or draft to the person in whose name this Bond is registered at the Maturity Date, upon presentation and surrender of this Bond at the principal corporate trust operations office of **FIRST BANK OF MISSOURI**, in the City of Gladstone, Missouri (the "Paying Agent"). The principal of and interest accrued and compounded on this Bond shall be payable by check or draft in any coin or currency that, on the respective dates of payment thereof, is legal tender for the payment of public and private debts.

This Bond is one of an authorized series of bonds of the City designated “General Obligation Street Bonds, Series 2015,” aggregating the principal amount of \$_____ (the “Bonds”) issued by the City for the purpose of providing funds to extend and improve the streets and roads of the City by paying part of the cost of building an interchange and connecting roads to the interchange (the “Project”) under the authority of and in full compliance with the Constitution and laws of the State of Missouri, and pursuant to an election duly held in the City and an ordinance duly passed (the “Ordinance”) and proceedings duly and legally had by the governing body of the City. Capitalized terms used herein and not otherwise defined herein shall have the meanings assigned to such terms in the Ordinance.

The Capital Appreciation Bonds are not subject to redemption and payment prior to their Stated Maturity.

The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Ordinance. One Bond certificate with respect to each date on which the Bonds are stated to mature, registered in the nominee name of the Securities Depository, is being issued and required to be deposited with the Securities Depository and immobilized in its custody. The book-entry system will evidence positions held in the Bonds by the Securities Depository’s participants, beneficial ownership of the Bonds in authorized denominations being evidenced in the records of such participants. Transfers of ownership shall be effected on the records of the Securities Depository and its participants pursuant to rules and procedures established by the Securities Depository and its participants. The City and the Paying Agent will recognize the Securities Depository nominee, while the registered owner of this Bond, as the owner of this Bond for all purposes, including (i) payments of principal of, and redemption premium, if any, and interest on, this Bond, (ii) notices and (iii) voting. Transfers of principal, interest and any redemption premium payments to participants of the Securities Depository, and transfers of principal, interest and any redemption premium payments to beneficial owners of the Bonds by participants of the Securities Depository will be the responsibility of such participants and other nominees of such beneficial owners. The City and the Paying Agent will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by the Securities Depository, the Securities Depository nominee, its participants or persons acting through such participants. While the Securities Depository nominee is the owner of this Bond, notwithstanding the provision hereinabove contained, payments of principal of and interest on this Bond shall be made in accordance with existing arrangements among the City, the Paying Agent and the Securities Depository.

EXCEPT AS OTHERWISE PROVIDED IN THE ORDINANCE, THIS GLOBAL BOND MAY BE TRANSFERRED, IN WHOLE BUT NOT IN PART, ONLY TO ANOTHER NOMINEE OF THE SECURITIES DEPOSITORY OR TO A SUCCESSOR SECURITIES DEPOSITORY OR TO A NOMINEE OF A SUCCESSOR SECURITIES DEPOSITORY.

The Bonds are issued in fully registered form in the denomination of \$5,000 or any integral multiple thereof. This Bond may be exchanged at the office of the Paying Agent for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations upon the terms provided in the Ordinance.

This Bond is transferable by the Registered Owner hereof in person or by the Registered Owner’s agent duly authorized in writing, at the office of the Paying Agent, but only in the manner, subject to the limitations and upon payment of the charges provided in the Ordinance and upon surrender and cancellation of this Bond. The City shall pay all costs incurred in connection with the issuance, payment and initial registration of the Bonds and the cost of a reasonable supply of bond blanks.

The Bonds constitute general obligations of the City payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. The full faith, credit and resources of the City are irrevocably pledged for the prompt payment of the Bonds as the same become due.

This Bond may be transferred or exchanged, as provided in the Ordinance, only on the Bond Register kept for that purpose at the principal corporate trust office of the Paying Agent, upon surrender of this Bond together with a written instrument of transfer or authorization for exchange satisfactory to the Paying Agent duly executed by the Registered Owner or the Registered Owner's duly authorized agent, and thereupon a new Bond or Bonds in any authorized denomination of the same maturity and in the same aggregate Maturity Amount shall be issued to the transferee in exchange therefor as provided in the Ordinance and upon payment of the charges therein prescribed. The City and the Paying Agent may deem and treat the person in whose name this Bond is registered on the Bond Register as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal hereof and interest accrued and compounded hereon and for all other purposes.

The proceedings relating to the issuance of the Bonds have been presented to and filed with the State Auditor of Missouri, who has examined the same and has issued a certificate that such proceedings comply with the laws of the State of Missouri and that the conditions of the contract under which the Bonds were ordered to be issued have been complied with.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Ordinance until the Certificate of Authentication hereon has been executed by the Paying Agent.

IT IS HEREBY DECLARED AND CERTIFIED that all acts, conditions and things required to be done and to exist precedent to and in the issuance of the Bonds have been done and performed and do exist in due and regular form and manner as required by the constitution and laws of the State of Missouri; that a direct annual tax upon all taxable tangible property situated in the City has been levied for the purpose of paying the Bonds when due; and that the total indebtedness of the City, including this Bond and the series of which it is one, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, PECULIAR, MISSOURI, has caused this Bond to be executed by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its City Clerk and its official seal to be affixed or imprinted hereon.

CERTIFICATE OF AUTHENTICATION PECULIAR, MISSOURI

This Bond is one of the Bonds of the issue described in the within-mentioned Ordinance.

By: _____
Mayor

Registration Date: _____

FIRST BANK OF MISSOURI,
Paying Agent

(SEAL)

ATTEST:

By: _____
Authorized Signatory

City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

Print or Type Name, Address and Social Security Number
or other Taxpayer Identification Number of Transferee

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ agent to transfer the within Bond on the Bond Register kept by the Paying Agent for the registration thereof, with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular.

Signature Guaranteed By:

(Name of Eligible Guarantor Institution as defined by SEC Rule 17 Ad-15 (17 CFR 240.17 Ad-15))

By: _____
Title: _____

**EXHIBIT B
TO ORDINANCE**

**CERTIFICATE OF FINAL TERMS FOR
GENERAL OBLIGATION STREET BONDS, SERIES 2015**

PECULIAR, MISSOURI

1. Original Principal Amount – **Section 101, Section 201**
and **Section 202(a)** (not to exceed \$6,960,000):..... \$ _____
2. Sale price to the Purchaser (including premium but excluding underwriting discount) as a
percentage of Original Principal Amount (not to exceed 110% of Original Principal Amount) –
Section 202(b): %
3. Purchase Price - **Section 101, Section 202(h) and Section 210** (not less than \$7,000,000):
\$ _____, being the Original Principal Amount plus an original issue premium of
\$ _____ less an underwriting discount of \$ _____, together with accrued interest to
the date of delivery and payment.
4. Purchaser – **Section 101 and Section 210**: _____.
5. Dated Date, Maturity Schedule and Interest Rates for Series 2015 Bonds – **Section 101 and
Section 202**:

CURRENT INTEREST BONDS

Dated Date: _____, 20__

Serial Bonds

| <u>Maturity</u> <u>March 1</u> | <u>Principal</u> <u>Amount</u> | <u>Annual Rate</u> <u>of Interest</u> | <u>Maturity</u> <u>March 1</u> | <u>Principal</u> <u>Amount</u> | <u>Annual Rate</u> <u>of Interest</u> |
|-----------------------------------|-----------------------------------|--|-----------------------------------|-----------------------------------|--|
|-----------------------------------|-----------------------------------|--|-----------------------------------|-----------------------------------|--|

Term Bonds

| <u>Maturity</u> <u>March 1</u> | <u>Principal</u> <u>Amount</u> | <u>Annual Rate</u> <u>of Interest</u> |
|-----------------------------------|-----------------------------------|--|
|-----------------------------------|-----------------------------------|--|

CAPITAL APPRECIATION BONDS

Dated Date: _____, 2015

- | | <u>Stated Maturity</u>
<u>March 1</u> | <u>Principal</u>
<u>Amount</u> | <u>Annual Rate</u>
<u>of Interest</u> |
|----|--|---|--|
| 6. | <u>True interest cost on the Bonds calculated pursuant to Section 108.170(6), RSMo (not to exceed ____%) - Section 202(c):</u> % | | |
| 7. | <u>Annual Debt Service Payments</u> – each fiscal year (not to exceed amounts in Section 202(d)): | | |

| <u>Fiscal Year ending September 30</u> | <u>Annual Debt Service</u> |
|---|-----------------------------------|
| 2016 | |
| 2017 | |
| 2018 | |
| 2019 | |
| 2020 | |
| 2021 | |
| 2022 | |
| 2023 | |
| 2024 | |
| 2025 | |
| 2026 | |
| 2027 | |
| 2028 | |
| 2029 | |
| 2030 | |
| 2031 | |
| 2032 | |
| 2033 | |
| 2034 | |
| 2035 | |

8. Final Stated Maturity of the Bonds (to be not later than March 1, 2035) – **Section 202(e)**: March 1, 20__
9. Underwriting discount (not to exceed 1.10% of Original Principal Amount) – **Section 202(f)** and **Section 210**: \$ _____, which is ____% of Original Principal Amount
10. Optional Redemption - Section 202(g) and Section 301(a): At the option of the City, the Current Interest Bonds or portions thereof maturing on March 1, 20__, and thereafter may be called for redemption and payment prior to the Stated Maturity thereof on March 1, 20__, and thereafter in whole or in part at any time in such amounts for each Stated Maturity as shall be determined by the City at the Redemption Prices set forth below, expressed as percentages of principal amount, plus accrued interest thereon to the Redemption Date:

Redemption Dates

Redemption Prices

March 1, 20__ to February __, ____
March 1, ____ and thereafter

___%
___%

11. **Mandatory Redemption - Section 301(b):**

The Current Interest Term Bonds maturing on March 1, 20__, shall be redeemed and paid as follows:

| <u>Year</u> | <u>Principal</u> |
|-----------------------|-------------------------|
| <u>March 1</u> | <u>Amount</u> |

*Final Maturity

12. **Bond Proceeds - Section 502(b):**..... \$ _____

APPROVED this _____ day of _____, 2015.

(SEAL)

Mayor

ATTEST:

City Clerk

**EXHIBIT C
TO ORDINANCE**

**TABLE OF COMPOUND ACCRETED VALUES
OF CAPITAL APPRECIATION BONDS
(PER \$5,000 MATURITY AMOUNT)**

**EXHIBIT D
TO ORDINANCE**

FORM OF CONTINUING DISCLOSURE AGREEMENT

**EXHIBIT E
TO ORDINANCE**

FORM OF BOND PURCHASE AGREEMENT

The ordinance before you is for the issuance of the remainder of our general obligations bonds for the 211th Street Interchange. The bond proceeds will be used for the interchanges construction along with the \$8,000,000 in grant funds received from MODOT. The Missouri Department of Transportation requires our funds to be in place by April 9th.

The bonds will mature from 2017 until 2035 (20 years) and also have an options to redeem them early if we are fortunate to get TIGER Grant funds we are pursuing.

Joey McLiney will be here to discuss and review the ordinance with the board. He will also discuss where he anticipates the tax-levy as well as three different scenarios for maturing the debt.

McLiney And Company
Kansas City, Missouri
(816) 221-4042
(415) 508-7922

RESOLUTION 2015-18

A RESOLUTION AUTHORIZING A TAX AND DISCLOSURE COMPLIANCE PROCEDURE FOR FINANCIAL OBLIGATIONS OF PECULIAR, MISSOURI

WHEREAS, Peculiar, Missouri, from time to time issues obligations to finance improvements for the City; and

WHEREAS, the Internal Revenue Service (“IRS”) has increased its requirements for compliance with federal tax laws and regulations for tax-advantaged governmental obligations, has expanded its enforcement of such federal tax laws and regulations and has shifted the burden of proof for compliance with such laws and regulation to the issuers of governmental obligations; and

WHEREAS, the Securities and Exchange Commission (“SEC”) has increased requirements for compliance with federal securities tax laws and regulations related to providing information to the municipal bond marketplace on an ongoing basis pursuant to SEC Rule 15c2-12; and

WHEREAS, the Board of Aldermen of the City deems it to be necessary and in the best interests of said City to adopt policies and procedures for its financial obligations to evidence compliance with IRS and SEC laws and regulations; and

WHEREAS, the Board of Aldermen has determined it to be in the best interests of the City to repeal the Tax-Exempt Financing Compliance Procedure dated June 4, 2012, in order to update the terms thereof:

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

Section 1. It is hereby found, determined and declared to be necessary and in the best interests of Peculiar, Missouri, to (a) repeal the Tax-Exempt Financing Compliance Procedure of the City dated June 4, 2012, and in place thereof to authorize and approve the “Tax and Disclosure Compliance Procedure” to be dated as of the date of this Resolution, attached hereto as **Exhibit A**, for financial obligations issued by the City.

Section 2. Said Tax and Securities Compliance Procedure shall be amended and revised from time to time as may be necessary to comply with IRS and SEC laws and regulations relating to financial obligations of the City.

Section 3. This Resolution shall be in full force and effect from and after its passage.

PASSED by the Board of Aldermen this 16th day of March, 2016.

THIS RESOLUTION WAS ADOPTED BY THE FOLLOWING ROLL CALL VOTE THIS ___ DAY OF MARCH, 2015

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

Approved: _____
Holly Stark, Mayor

Attest: _____
Janet Burlingame, City Clerk

CITY OF PECULIAR, MISSOURI
TAX AND DISCLOSURE COMPLIANCE PROCEDURE
Dated as of June 16, 2015

TAX AND DISCLOSURE COMPLIANCE PROCEDURE

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TAX AND DISCLOSURE COMPLIANCE PROCEDURE

ARTICLE I

DEFINITIONS

Section 1.1. Definitions. Capitalized words and terms used in this Compliance Procedure have the following meanings:

“**Annual Compliance Checklist**” means a questionnaire and/or checklist described in **Section 6.1** hereof that is completed each year for the Tax-Advantaged Bonds.

“**Annual Continuing Disclosure Compliance Checklist**” means the checklist attached as **Exhibit B**.

“**Annual Report**” means the information, consisting of annual financial information and operating data, required by the Continuing Disclosure Undertaking to be filed annually on EMMA.

“**Bond Compliance Officer**” means the Issuer’s City Administrator or, if the position of City Administrator is vacant, the person filling the responsibilities of the City Administrator for the Issuer.

“**Bonds**” means Disclosure Bonds and Tax-Advantaged Bonds.

“**Bond Counsel**” means a law firm selected by the Issuer to provide a legal opinion regarding the tax status of interest on the Tax-Advantaged Bonds as of the issue date or the law firm selected to advise the Issuer on matters referenced in this Compliance Procedure.

“**Bond Restricted Funds**” means the funds, accounts, and investments that are subject to arbitrage rebate and/or yield restriction rules that have been identified in the Tax Compliance Agreement for the Tax-Advantaged Bonds.

“**Bond Transcript**” means the “transcript of proceedings” or other similarly titled set of transaction documents assembled by Bond Counsel following the issuance of the Tax-Advantaged Bonds.

“**Code**” means the Internal Revenue Code of 1986, as amended.

“**Compliance Procedure**” means this Tax and Disclosure Compliance Procedure.

“**Continuing Disclosure Compliance File**” means documents and records which may consist of paper and electronic medium, maintained for the Disclosure Bonds, consisting of the following:

- (a) List of Disclosure Bonds;
- (b) Description of the deadline applicable to each Annual Report;
- (c) Description of the financial information and operating data required to be included in each Annual Report;
- (d) List of events requiring an Event Notice under the Continuing Disclosure Undertaking for each series of Disclosure Bonds; and
- (e) Information about the Issuer’s compliance during the prior five years with the Continuing Disclosure Undertaking then in effect.

“Continuing Disclosure Undertaking” means the Continuing Disclosure Agreement(s), Continuing Disclosure Undertaking(s), Continuing Disclosure Instructions or other written certification(s) or agreement(s) entered into by the Issuer in connection with the issuance of the Disclosure Bonds for the purpose of assisting the underwriters of such Disclosure Bonds in complying with the Rule.

“Cost” or **“Costs”** means all costs and expenses paid for the acquisition, design, construction, equipping or improvement of a Project Facility or costs of issuing Tax-Advantaged Bonds for a Project Facility.

“Disclosure Bonds” means any outstanding bond, note, installment sale agreement, lease or certificate in connection with the issuance of which the Issuer entered into or enters into a Continuing Disclosure Undertaking. A list of all Disclosure Bonds outstanding and subject to this Compliance Procedure as of March 16, 2015, is included on **Exhibit A**.

“EMMA” means the Electronic Municipal Market Access system for municipal securities disclosures established and maintained by the MSRB, which can be accessed at www.emma.msrb.org, or any successor system designated as the means through which municipal securities disclosures are submitted to the MSRB.

“Event Notice” means notice of the occurrence of an event for which notice is required by the Continuing Disclosure Undertaking to be filed on EMMA.

“Final Written Allocation” means the Final Written Allocation of Tax-Advantaged Bond proceeds prepared pursuant to **Section 5.4** of this Compliance Procedure.

“Financed Assets” means that part of a Project Facility treated as financed with Tax-Advantaged Bond proceeds as reflected in a Final Written Allocation or, if no Final Written Allocation was prepared, the accounting records of the Issuer and the Tax Compliance Agreement for the Tax-Advantaged Bonds.

“Governing Body” means the Board of Aldermen of the Issuer.

“Intent Resolution” means a resolution of the Issuer stating (1) the intent of the Issuer to finance all or a portion of the Project Facility, (2) the expected maximum size of the financing and (3) the intent of the Issuer to reimburse Costs of the Project Facility paid by the Issuer from proceeds of the Tax-Advantaged Bonds.

“IRS” means the Internal Revenue Service.

“Issuer” means Peculiar, Missouri.

“MSRB” means the Municipal Securities Rulemaking Board, or any successor repository designated as such by the Securities and Exchange Commission in accordance with the Rule.

“Placed In Service” means that date (as determined by the Bond Compliance Officer) when the Project Facility is substantially complete and in operation at substantially its design level.

“Primary Disclosure Document” means any official statement or offering document relating to an offering or remarketing of Disclosure Bonds by or on behalf of the Issuer after the date of this Procedure.

“Project Facility” means all tangible or intangible property financed in whole or in part with Tax-Advantaged Bonds that are (1) functionally related or integrated in use, (2) located on the same physical site or proximate sites, and (3) expected to be Placed In Service within a one-year period of each other.

“Rebate Analyst” means the rebate analyst for the Tax-Advantaged Bonds selected pursuant to the Tax Compliance Agreement.

“Regulations” means all regulations issued by the U.S. Treasury Department to implement the provisions of Code §§ 103 and 141 through 150 and applicable to tax-exempt or tax-advantaged obligations.

“Rule” means Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended.

“Tax Compliance Agreement” means the Federal Tax Certificate, Tax Compliance Agreement, Arbitrage Agreement, or other written certification or agreement of the Issuer setting out representations and covenants for satisfying the post-issuance tax compliance requirements for the Tax-Advantaged Bonds.

“Tax-Advantaged Bonds” means any bond, note, installment sale agreement, lease or certificate intended to be a debt obligation of the Issuer or another political subdivision or government instrumentality, the proceeds of which are to be loaned or otherwise made available to the Issuer, and the interest on which is excludable from gross income for federal income tax purposes or is subject to other advantages, requirements or limitations of the Code and Regulations or any other United States laws and regulations relating to taxation thereof. A list of all Tax-Advantaged Bonds authorized or outstanding and subject to this Compliance Procedure as of the date of this Compliance Procedure is attached as **Exhibit A**.

“Tax-Advantaged Bond File” means documents and records which may consist of paper and electronic medium, maintained for the Tax-Advantaged Bonds. Each Tax-Advantaged Bond File will include the following information if applicable:

- (a) Intent Resolution.
- (b) Bond Transcript.
- (c) Final Written Allocation and/or all available accounting records related to the Project Facility showing expenditures allocated to the proceeds of the Tax-Advantaged Bonds and expenditures (if any) allocated to other sources of funds.
- (d) All rebate and yield reduction payment calculations performed by the Rebate Analyst and all investment records provided to the Rebate Analyst for purposes of preparing the calculations.
- (e) Forms 8038-T together with proof of filing and payment of rebate.
- (f) Investment agreement bid documents (unless included in the Bond Transcript) including:
 - (1) bid solicitation, bid responses, certificate of broker;
 - (2) written summary of reasons for deviations from the terms of the solicitation that are incorporated into the investment agreement; and
 - (3) copies of the investment agreement and any amendments.
- (g) Any item required to be maintained by the terms of the Tax Compliance Agreement involving the use of the Project Facility or expenditures related to tax compliance for the Tax-Advantaged Bonds.

- (h) Any opinion of Bond Counsel regarding the Tax-Advantaged Bonds not included in the Bond Transcript.
- (i) Amendments, modifications or substitute agreements to any agreement contained in the Bond Transcript.
- (j) Any correspondence with the IRS relating to the Tax-Advantaged Bonds including all correspondence relating to an audit by the IRS of the Tax-Advantaged Bonds or any proceedings under the Tax-Advantaged Bonds Voluntary Closing Agreement Program (VCAP).
- (k) Any available questionnaires or correspondence substantiating the use of the Project Facility in accordance with the terms of the Tax Compliance Agreement for the Tax-Advantaged Bonds.
- (l) For refunding bond issues, the Tax-Advantaged Bond File for the refunded Tax-Advantaged Bonds.

ARTICLE II

PURPOSE AND SCOPE

Section 2.1. Purpose of Compliance Procedure.

(a) Issuer's Use of Tax-Advantaged Bonds. The Issuer uses Tax-Advantaged Bonds to fund Costs of a Project Facility. The Issuer understands that in exchange for the right to issue Tax-Advantaged Bonds at favorable interest rates and terms, the Code and Regulations impose ongoing requirements related to the proceeds of the Tax-Advantaged Bonds and the Project Facility financed by the Tax-Advantaged Bonds. These requirements focus on the investment, use and expenditure of proceeds of the Tax-Advantaged Bonds and related funds as well as restrictions on the use of the Project Facility.

(b) IRS Recommends Separate Written Procedures. The Issuer recognizes that the IRS has stated that all issuers of Tax-Advantaged Bonds should have separate written procedures regarding ongoing compliance with the federal tax requirements for Tax-Advantaged Bonds.

(c) Disclosure Responsibilities. The Issuer recognizes the issuance of Disclosure Bonds involves accessing the public capital markets and involves certain obligations arising out of the federal securities laws, including entering into the Continuing Disclosure Undertaking and properly communicating with investors.

(d) Issuer Commitment. The Issuer is committed to full compliance with the federal tax and securities law requirements applicable to its outstanding and future tax-exempt and taxable financings. This Compliance Procedure is adopted by the Governing Body to improve and promote tax and securities law compliance and documentation.

Section 2.2. Scope of Compliance Procedure; Conflicts. This Compliance Procedure applies to all Bonds currently outstanding and all Bonds issued in the future. If the provisions of this Compliance Procedure conflict with a Tax Compliance Agreement, Continuing Disclosure Undertaking or any other specific written instructions of Bond Counsel, the terms of the Tax Compliance Agreement, Continuing Disclosure Undertaking or specific written instructions of Bond Counsel will supersede and govern in lieu of this Compliance Procedure. Any exception to this Compliance Procedure required by Bond Counsel as part of a future issue of Tax-Advantaged Bonds will be incorporated in the Tax Compliance Agreement for the future issue. Any requirements imposed on the Issuer in the Tax

Compliance Agreement, will be noted by the Bond Compliance Officer and incorporated into the Annual Compliance Checklist.

Section 2.3. Amendments and Publication of Compliance Procedure. This Compliance Procedure may be amended from time-to-time by the Governing Body. Copies of this Compliance Procedure and any amendments will be included in the permanent records of the Issuer.

ARTICLE III

BOND COMPLIANCE OFFICER; TRAINING

Section 3.1. Bond Compliance Officer Duties. The Bond Compliance Officer is responsible for implementing this Compliance Procedure. The Bond Compliance Officer will work with other employees that use the Project Facility to assist in implementing this Compliance Procedure. The Bond Compliance Officer will consult with Bond Counsel, legal counsel to the Issuer, accountants, tax return preparers and other outside consultants to the extent necessary to carry out the purposes of this Compliance Procedure.

Section 3.2. Training.

(a) Training Programs. When appropriate, the Bond Compliance Officer and/or other employees of the Issuer under the direction of the Bond Compliance Officer will attend training programs offered by the IRS or other industry professionals regarding Tax-Advantaged Bonds that are relevant to the Issuer. When appropriate, the Bond Compliance Officer and/or other employees of the Issuer under the direction of the Bond Compliance Officer will attend training programs offered by the SEC, the MSRB, Bond Counsel, or other industry professionals regarding securities law and disclosure requirements applicable to the Issuer.

(b) Change in Bond Compliance Officer. Any time an individual acting as the Bond Compliance Officer passes the responsibilities for carrying out the provisions of this Compliance Procedure to another individual, the Issuer will ensure the incoming individual acting as Bond Compliance Officer is trained on how to implement the policies and procedures included in this Compliance Procedure to ensure the Issuer's continued compliance with the provisions of this Compliance Procedure and all Tax Compliance Agreements for any outstanding Tax-Advantaged Bonds.

ARTICLE IV

TAX-ADVANTAGED BONDS CURRENTLY AUTHORIZED AND OUTSTANDING

Section 4.1. Tax-Advantaged Bonds Covered by Article IV Procedures. This Article IV applies to all Tax-Advantaged Bonds authorized or issued on prior to the date of this Compliance Procedure that are currently authorized or outstanding. These Tax-Advantaged Bonds are listed on **Exhibit A.**

Section 4.2. Tax-Advantaged Bond File. As soon as practical, the Bond Compliance Officer will attempt to assemble as much of the Tax-Advantaged Bond File as is available for the Tax-Advantaged Bonds listed on **Exhibit A.**

Section 4.3. Annual Compliance Checklists. As soon as practical following the adoption of this Compliance Procedure, the Bond Compliance Officer will work with Bond Counsel and/or legal counsel to the Issuer and cause Annual Compliance Checklists to be completed for all outstanding Tax-Advantaged Bonds and will follow the procedures specified in Article VI to complete the Annual Compliance Checklists and thereafter include each completed Annual Compliance Checklist in the Tax-Advantaged Bond File.

Section 4.4. Correcting Prior Deficiencies in Compliance. In the event the Bond Compliance Officer determines any deficiency in compliance with a Tax Compliance Agreement for an outstanding Tax-Advantaged Bond listed on **Exhibit A**, the Bond Compliance Officer will consult with Bond Counsel and, as necessary, follow the procedures described in the Regulations or the Tax-Advantaged Bonds Voluntary Closing Agreement Program (VCAP) to remediate the noncompliance. If remediation of the noncompliance requires the Issuer to submit a request under VCAP, the Bond Compliance Officer will undertake this step only after reporting the violation to the Governing Body and obtaining its approval.

ARTICLE V

COMPLIANCE PROCEDURE FOR NEW TAX-ADVANTAGED BOND ISSUES

Section 5.1. Application. This Article V applies to Tax-Advantaged Bonds issued on or after the date of this Compliance Procedure.

Section 5.2. Prior to Issuance of Tax-Advantaged Bonds.

(a) Intent Resolution. The Governing Body will authorize and approve the issuance of Tax-Advantaged Bonds. Prior to or as a part of the authorizing resolution or ordinance, the Governing Body may adopt an Intent Resolution.

(b) Directions to Bond Counsel. The Bond Compliance Officer will provide a copy of this Compliance Procedure to Bond Counsel with directions for Bond Counsel to structure the documentation and procedural steps taken prior to issuing the Tax-Advantaged Bonds so that they conform to the requirements of this Compliance Procedure, except to the extent Bond Counsel determines that different procedures are required. The Bond Compliance Officer will consult with Bond Counsel so that appropriate provisions are made to fund or reimburse the Issuer's costs and expenses incurred to implement this Compliance Procedure.

(c) Tax Compliance Agreement. For each issuance of Tax-Advantaged Bonds, a Tax Compliance Agreement will be signed by the Bond Compliance Officer. The Tax Compliance Agreement will (1) describe the Project Facility and the anticipated Financed Assets, (2) identify all Bond Restricted Funds and provide for arbitrage and rebate compliance, (3) for new money financings, require a Final Written Allocation, and (4) contain a form of the Annual Compliance Checklist for the Tax-Advantaged Bonds. The Bond Compliance Officer will confer with Bond Counsel and the Issuer's counsel regarding the meaning and scope of each representation and covenant contained in the Tax Compliance Agreement.

(d) Preliminary Cost Allocations. For each issuance of Tax-Advantaged Bonds, the Bond Compliance Officer in consultation with Bond Counsel, will prepare a preliminary cost allocation plan for the Project Facility. The preliminary cost allocation plan will identify the assets and expected costs for the Project Facility, and when necessary, will break-out the portions of Costs that are expected to be

financed with proceeds of the Tax-Advantaged Bonds (the “Financed Assets”) and the portions, if any, expected to be financed from other sources.

(e) Tax Review with Bond Counsel. Prior to the sale of Tax-Advantaged Bonds, the Bond Compliance Officer and Bond Counsel will review this Compliance Procedure together with the draft Tax Compliance Agreement to ensure that any tax compliance issues in the new financing are adequately addressed by this Compliance Procedure and/or the Tax Compliance Agreement. If Bond Counsel determines that this Compliance Procedure conflicts with the Tax Compliance Agreement, or must be supplemented to account for special issues or requirements for the Tax-Advantaged Bonds, the Bond Compliance Officer will ask Bond Counsel to include the written modifications or additions in the final Tax Compliance Agreement. The Bond Compliance Officer will request Bond Counsel to prepare a form of Annual Compliance Checklist for use in monitoring the ongoing compliance requirements for the Tax-Advantaged Bonds.

Section 5.3. Accounting and Recordkeeping.

(a) Accounting for New Money Projects. The Bond Compliance Officer will be responsible for accounting for the investment and allocation of proceeds of the Tax-Advantaged Bonds. The Bond Compliance Officer will establish separate accounts or subaccounts to record expenditures for Costs of the Project Facility. Where appropriate, the Bond Compliance Officer may use accounts established as part of the Issuer’s financial records for this purpose. In recording Costs for the Project Facility, the Bond Compliance Officer will ensure that the accounting system will include the following information: (1) identity of person or business paid, along with any other available narrative description of the purpose for the payment, (2) date of payment, (3) amount paid, and (4) invoice number or other identifying reference.

(b) Accounting for Refunded Bonds and Related Refunded Bond Accounts. For Tax-Advantaged Bonds that are issued to refund prior Tax-Advantaged Bonds, the Tax Compliance Agreement will set out special accounting and allocation procedures for the proceeds of the financing, and if necessary proceeds of the refinanced Tax-Advantaged Bonds.

(c) Tax-Advantaged Bond File. The Bond Compliance Officer will be responsible for assembling and maintaining the Tax-Advantaged Bond File.

Section 5.4. Final Allocation of Tax-Advantaged Bond Proceeds.

(a) Preparation of Final Written Allocation; Timing. The Bond Compliance Officer is responsible for making a written allocation of proceeds of Tax-Advantaged Bonds to expenditures and identifying the Financed Assets. This process will be memorialized in the Final Written Allocation. For a new money financing, the Bond Compliance Officer will commence this process as of the earliest of (1) the requisition of all Tax-Advantaged Bond proceeds from any segregated Tax-Advantaged Bond funded account, (2) the date the Project Facility has been substantially completed or (3) four and one-half years following the issue date of the Tax-Advantaged Bonds. For Tax-Advantaged Bonds issued only to refund a prior issue of Tax-Advantaged Bonds, the Bond Compliance Officer will work with Bond Counsel to prepare and/or document the Final Written Allocation for the Project Facility financed by the refunded Tax-Advantaged Bonds and include it in the Tax Compliance Agreement.

(b) Contents and Procedure. The Bond Compliance Officer will consult the Tax Compliance Agreement and, if necessary, contact Bond Counsel to seek advice regarding any special allocation of Tax-Advantaged Bond proceeds and other money of the Issuer to the Costs of the Project Facility. If no special allocation is required or recommended, the Bond Compliance Officer will allocate Costs of the Project Facility to the proceeds of the Tax-Advantaged Bonds in accordance with the Issuer’s accounting

records. Each Final Written Allocation will contain the following: (1) a reconciliation of the actual sources and uses to Costs of the Project Facility, (2) the percentage of the cost of the Project Facility financed with proceeds of the Tax-Advantaged Bonds (sale proceeds plus any investment earnings on those sale proceeds), (3) the Project Facility's Placed in Service date, (4) the estimated economic useful life of the Project Facility, and (5) any special procedures to be followed in completing the Annual Compliance Checklist (e.g., limiting the Annual Compliance Checklist to specific areas of the Project Facility that the Final Written Allocation or the Tax Compliance Agreement treats as having been financed by Tax-Advantaged Bonds).

(c) Finalize Annual Compliance Checklist. As part of the preparation of the Final Written Allocation, the Bond Compliance Officer will update the draft Annual Compliance Checklist contained in the relevant Tax Compliance Agreement. The Bond Compliance Officer will include reminders for all subsequent arbitrage rebate computations required for the Tax-Advantaged Bonds in the Annual Compliance Checklist.

(d) Review of Final Written Allocation and Annual Compliance Checklist. Each Final Written Allocation and Annual Compliance Checklist will be reviewed by legal counsel to the Issuer or Bond Counsel for sufficiency and compliance with the Tax Compliance Agreement and this Compliance Procedure. Following the completion of the review, the Bond Compliance Officer will execute the Final Written Allocation.

ARTICLE VI

ONGOING MONITORING PROCEDURES

Section 6.1. Annual Compliance Checklist. An Annual Compliance Checklist will be completed by the Bond Compliance Officer each year following completion of the Final Written Allocation. Each Annual Compliance Checklist will be designed and completed for the purpose of identifying potential noncompliance with the terms of the Tax Compliance Agreement or this Compliance Procedure and obtaining documents (such as investment records, arbitrage calculations, or other documentation for the Project Facility) that are required to be incorporated in the Tax-Advantaged Bond File. The Bond Compliance Officer will refer any responses indicating a violation of the terms of the Tax Compliance Agreement to legal counsel to the Issuer or Bond Counsel and, if recommended by counsel, will follow the procedure set out in **Section 4.4** hereof to remediate the non-compliance.

Section 6.2. Arbitrage and Rebate Compliance. The Bond Compliance Officer will monitor the investment of Bond Restricted Funds and provide investment records to the Rebate Analyst on a timely basis. The Bond Compliance Officer will follow the directions of the Rebate Analyst with respect to the preparation of and the timing of rebate or yield reduction computations.

ARTICLE VII

DISCLOSURE

Section 7.1. Continuing Disclosure Compliance File .

(a) Compilation and Maintenance of Continuing Disclosure Compliance File. The Bond Compliance Officer shall compile and maintain the Continuing Disclosure Compliance File.

(b) Annual Review of Continuing Disclosure Compliance File. Within 180 days after the end of each fiscal year of the Issuer, the Bond Compliance Officer will complete the Annual Continuing Disclosure Compliance Checklist and update the Continuing Disclosure Compliance File as indicated by the Annual Continuing Disclosure Compliance Checklist.

(c) Remedying Noncompliance. If the Bond Compliance Officer identifies any non-compliance with the Continuing Disclosure Undertaking as a result of the annual review or otherwise, the Bond Compliance Officer shall promptly take steps to remedy the noncompliance, including by making any necessary remedial filings. In the event the Bond Compliance Officer identifies any such noncompliance, the Bond Compliance Officer shall update the Continuing Disclosure Compliance File to reflect the noncompliance in the Issuer's five-year history of compliance.

Section 7.2. Issuance of New Disclosure Bonds.

(a) Review Primary Offering Documents.

(1) The Bond Compliance Officer will review a draft of the Primary Offering Document for each new issue of Bonds. The Issuer is primarily responsible for the accuracy and completeness of the information in the Primary Offering Document relating to the Issuer. The Bond Compliance Officer will coordinate the Issuer's efforts to ensure that the information in each Primary Disclosure Document relating to the Issuer does not contain any untrue statements of a material fact or omit to state any material fact necessary to make the statements contained therein, in light of the circumstances under which they were made, not misleading. In the review and preparation of Primary Offering Documents, the Bond Compliance Officer shall consult with internal or external counsel and other appropriate officials, employees and agents of the Issuer. The Bond Compliance Officer may designate internal or external counsel or other officials, employees or agents of the Issuer, as appropriate, to assist in the preparation of each Primary Disclosure Document or portions thereof and should discuss with internal or external counsel questions relating to the material accuracy and completeness of any information included in any Primary Disclosure Document.

(2) The Bond Compliance Officer will review any statement in a Primary Offering Document related to the Issuer's past compliance with the Continuing Disclosure Undertaking to determine whether such Primary Offering Document accurately describes such past compliance.

(b) Review Continuing Disclosure Undertakings. The Bond Compliance Officer will review each Continuing Disclosure Undertaking related to a new issuance of Disclosure Bonds. If necessary, the Bond Compliance Officer will confer with Bond Counsel or other counsel regarding the meaning and scope of each obligation contained in the Continuing Disclosure Undertaking.

(c) Update Continuing Disclosure Compliance File. As soon as practicable after the issuance of any new Disclosure Bonds, the Bond Compliance Officer will be responsible for updating the Continuing Disclosure Compliance File to reflect the issuance of such new Disclosure Bonds.

Section 7.3. Annual Report and Event Notice Filing Procedures.

(a) Annual Report Preparation and Submission. The Bond Compliance Officer will prepare or cause the preparation of the Annual Report and cause the Annual Report to be filed with the MSRB on EMMA each year before the deadline required by the Continuing Disclosure Undertaking. If the Issuer has engaged a third-party to submit the Annual Report on the Issuer's behalf, the Bond Compliance Officer will request and review confirmation that such filing has been timely made as required.

(b) Event Notice Submissions. As necessary, the Bond Compliance Officer shall coordinate with those other employees and agents of the Issuer most likely to become aware of the occurrence of a Material Event to ensure such employee or agent promptly notifies the Bond Compliance Officer upon the occurrence of a Material Event. After obtaining actual knowledge of the occurrence of any event that the Bond Compliance Officer believes may constitute an event requiring an Event Notice, the Bond Compliance Officer will consult with counsel to assist with the determination of whether to determine if an Event Notice is required under the Continuing Disclosure Undertaking. If it is determined that an Event Notice is required, the Bond Compliance Officer will cause an Event Notice to be filed on EMMA.

**Adopted by the Board of Aldermen of Peculiar, Missouri
March 16, 2015**

EXHIBIT A

LIST OF TAX-ADVANTAGED BONDS AND DISCLOSURE BONDS COVERED BY THIS COMPLIANCE PROCEDURE

Tax-Advantaged Bonds

- \$3,500,000 Combined Waterworks and Sewerage System Refunding and Improvement Revenue Bonds (State Revolving Fund Program), Series 1994A
- \$1,500,000 General Obligation Bonds (State Revolving Fund Program), Series 1999
- \$1,365,000 Combined Waterworks and Sewerage System Revenue Bonds (State Revolving Fund Program), Series 1999
- \$103,000 Neighborhood Improvement District Bonds (Sallee Estates Sewer Installation Project), Series 2002
- \$605,000 Combined Waterworks & Sewerage System Refunding and Improvement Revenue Bonds, Series 2007
- \$1,039,998.80 General Obligation Street Bonds, Series 2012
- \$705,000 Certificates of Participation, Series 2012
- \$1,245,000 Combined Waterworks and Sewerage System Revenue Bonds, Series 2013
- \$2,640,000 Refunding Certificates of Participation, Series 2013
- \$3,685,000 Combined Waterworks and Sewerage System Refunding and Improvement Revenue Bonds, Series 2014
- \$6,960,000 General Obligation Street Bonds, Series 2015

Disclosure Bonds

- \$1,039,998.80 General Obligation Street Bonds, Series 2012
- \$1,245,000 Combined Waterworks and Sewerage System Revenue Bonds, Series 2013
- \$2,640,000 Refunding Certificates of Participation, Series 2013
- \$3,685,000 Combined Waterworks and Sewerage System Refunding and Improvement Revenue Bonds, Series 2014
- \$6,960,000 General Obligation Street Bonds, Series 2015

EXHIBIT B

ANNUAL DISCLOSURE COMPLIANCE CHECKLIST

| | | |
|---|---|---|
| Name of Disclosure Compliance Officer: _____ | | |
| Period covered by checklist ("Annual Period"): _____ | | |
| Date: _____ | | |
| Item | Question | Response |
| 1 New/Defeased Bonds | Were any Disclosure Bonds issued, refunded or defeased during the Annual Period? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | If answer above was "Yes," update the Continuing Disclosure Compliance File to reflect the Disclosure Bonds currently outstanding and changes, if any, to the deadline for filing or the content of information required under the Continuing Disclosure Undertaking. | |
| 2 Annual Report Filings | During the Annual Period, was the required Annual Report filed on EMMA by the due date? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | If answer above was "No," file the required Annual Report on EMMA, if not yet filed, and any required Notice of Failure to File. In either case, update the Disclosure Compliance File to reflect the date the Annual Report was filed. | |
| 3 Material Event Filings | <p>During the Annual Period, did any of the following Material Events occur?</p> <ul style="list-style-type: none"> • principal and interest payment delinquencies; • non-payment related defaults, if material; • unscheduled draws on debt service reserves reflecting financial difficulties; • unscheduled draws on credit enhancements reflecting financial difficulties; • substitution of credit or liquidity providers, or their failure to perform; • adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds; • modifications to rights of bondholders, if material; • bond calls, if material, and tender offers; • defeasances; • release, substitution or sale of property securing repayment of the Bonds, if material; • rating changes; • bankruptcy, insolvency, receivership or similar event of the obligated person; <p align="right"><i>[Continued on next page]</i></p> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| | | |
|---|--|---|
| | <ul style="list-style-type: none"> the consummation of a merger, consolidation, or acquisition involving the obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and appointment of a successor or additional trustee or the change of name of the trustee, if material | |
| | <p>If answer above was “Yes,” was an Event Notice filed on EMMA within 10 business days?</p> <p>If No, file an Event Notice on EMMA.</p> <p>If a Material Event occurred, update the Continuing Disclosure Compliance File to reflect the occurrence of the Material Event and the date the required notice was filed.</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 4 Upcoming Annual Report | Has the Annual Report for the most recent fiscal year been prepared? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | If answer above was “No,” prepare and file or cause the preparation and filing of the Annual Report for the most recent fiscal year as soon as practicable prior to the deadline. | |

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks

Business Office
Trudy Prickett



Reid Holbrook

Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney

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

Parks Director
Nathan Musteen

To: Board of Aldermen
From: Clifford L. McDonald
Date: March 16, 2015
Re: Re-zoning Application, Submitted by Paula Still, for 325 and 355 West 4th Street, from A-C Arts and Culture Overlay District, with an Underlying C-1 General Business District Zoning to A-C Arts and Culture Overlay District with an Underlying R-2 Two-Family Dwelling District Zoning.

GENERAL INFORMATION

Applicant: Paula Still

Status of Applicant: N/A

Requested Actions: Board of Aldermen to consider the Re-zoning Application for 325 and 355 West 4th Street, from A-C Arts and Culture Overlay District with an Underlying C-1 General Business District Zoning to A-C Arts and Culture Overlay District with an Underlying R-2 Two-Family Dwelling District Zoning.

Date of Application: December 17, 2014

Purpose: Review the Re-zoning Application for 325 and 355 West 4th Street in accordance with established procedure, and render a decision either for or against the Re-zoning.

Property Location (if applicable): 325 and 355 West 4th Street; see attached Beacon Map (Attch 1).

PROPOSAL

The Board of Aldermen to consider this Rezoning Application for final approval at tonight's meeting. See "Requested Actions" above.

PREVIOUS ACTIONS

The Planning Commission held a Public Hearing on this Rezoning Application at their February 12th, 2015 meeting. Following the Public Hearing, the Planning Commission approved the Rezoning Application by a vote of 5:1.

The Board of Aldermen held a Public Hearing on this Rezoning Application at their March 2nd, 2015 meeting; no formal protests on this Rezoning Application have been received. Following the Public Hearing the Board of Aldermen approved the First Reading of the Ordinance to Rezone these two properties.

KEY ISSUES

In order 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 five (5) issues IAW Municipal Code, SECTION 400.2450:

- 1. Consistency with the Comprehensive Plan, neighborhood development plan (if applicable) and any other official planning and development policies of the City;**
 - a. 325 and 355 West 4th Street are currently Zoned A-C, Arts and Culture Overlay District with an underlying zoning of C-1, General Business District (see Attch 2). The current C-1, General Business District zoning is not consistent with the Future Land Use Plan of the City of Peculiar's Comprehensive Plan.
 - b. The City of Peculiar's Future Land Use Plan (FLP) identifies these properties, 325 and 355 West 4th Street, as Low Density Residential (LDR) - (see Attch 3). 355 W. 4th Street is 0.693 Acres and 325 W. 4th Street is 1.190 Acres in size.
 - c. The *City of Peculiar 2008 Comprehensive Plan*, page 129, defines the Characteristics and Compatible Uses of LDR as Single and Two-family residential dwellings (see Attch 4).
 - d. The proposed Re-zoning of 325 and 355 West 4th Street to R-2, Two-Family Dwelling District as the underlying zoning district beneath District A-C Arts and Culture Overlay District is consistent with, and supported by, the City's Comprehensive Plan.
- 2. The impact of projected vehicular traffic volumes and site access is not detrimental with regard to the surrounding traffic flow, pedestrian safety and accessibility of emergency vehicles and equipment;**
 - a. 325 and 355 West 4th Street being re-zoned to R-2, Two-Family Dwelling District has no significant impact on projected traffic volumes and is not detrimental to surrounding traffic flow, pedestrian safety or accessibility of emergency vehicles and equipment to the area.
- 3. Adequacy of existing public utilities and facilities or of provisions to accommodate resulting additional demands which may be imposed upon roads and streets, water supply and storage, storm sewerage, sanitary sewerage and wastewater treatment;**
 - a. Currently both 325 and 355 West 4th Street have city provided utility services and street access. The proposed zoning change has no impact on public utilities or facilities and will not create a significant impact/demand upon roads and streets resulting from additional traffic.
- 4. Compatibility of the proposed district classification with nearby properties;**
 - a. The properties to the North of 355 West 4th Street consist of the old Rail Road bed and S. Peculiar Drive, both of which are zoned C-1, General Business District (see Attch 2).
 - b. 325 and 355 West 4th Street are bordered to the West by properties zoned R-1, Single Family Dwelling District (see Attch 2).
 - c. The property immediately South of 325 West 4th Street is a Duplex, 265 W. 4th Street Apt A & B (see Attch 5). The other properties which border the South of 325 West 4th Street are Single Family Dwellings, zoned A-C Arts & Culture Overlat District with an underlying zoning of C-1, General Business District.

- d. The requested R-2, Two-Family Dwelling District zoning would buffer the West R-1 Single Family Dwelling District from S. Peculiar Drive and future commercial development to the East. The proposed district classification is compatible with adjacent properties.

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

- a. Both properties, 325 and 355 West 4th Street, are developed and occupied; neither are vacant.

STAFF COMMENTS AND SUGGESTIONS

The City's Future Land Use Plan identifies these parcels for development into Low Density Residential, which supports either Single Family Dwellings or Two-family Dwellings near/adjacent to a road designated as a collector (such as S. Peculiar Drive). Retaining the C-1 General Business District zoning is not practical - MoDOT will not permit direct access from S. Peculiar Drive and W. 4th Street lacks access & traffic flow to support a C-1 District. The best use of these properties, given their proximity to S. Peculiar Drive and the pending trail to the East is an R-2, Two-Family Dwelling which will buffer the adjoining Single Family Dwellings.

STAFF RECOMMENDATION

Staff recommends the Board of Aldermen consider approving the Re-zoning of 325 and 355 West 4th Street as presented.

ATTACHMENTS

- (1) Beacon Location Map, 325 & 355 W. 4th Street
- (2) Zoning Map, 325 & 355 W. 4th Street
- (3) Future Land Use Map, 325 & 355 W. 4th Street
- (4) LDR Definition, 2008 Comp Plan
- (5) Duplex, 265 W. 4th Street

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

Date Created: 1/7/2015

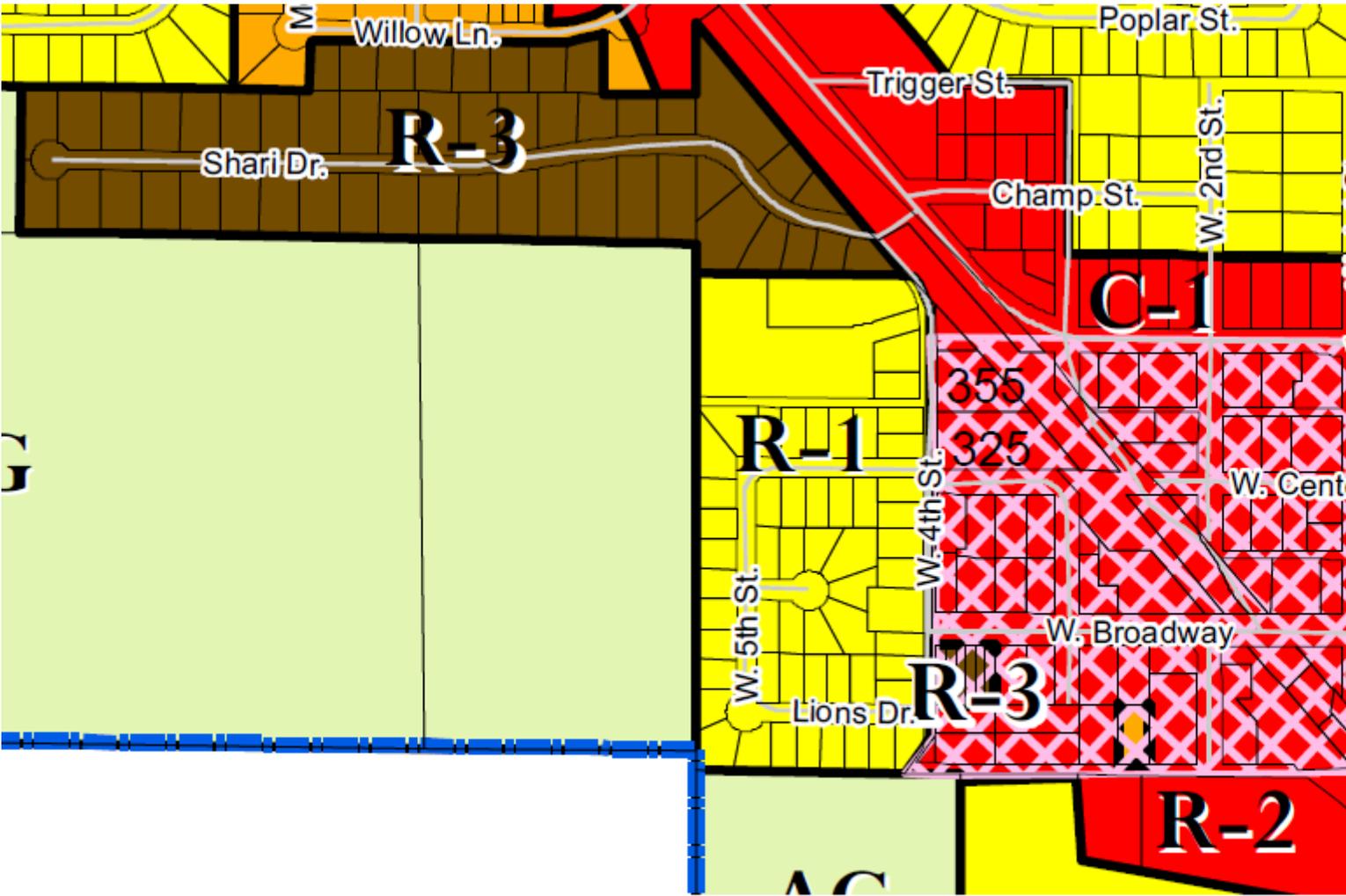


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ATTCH 1

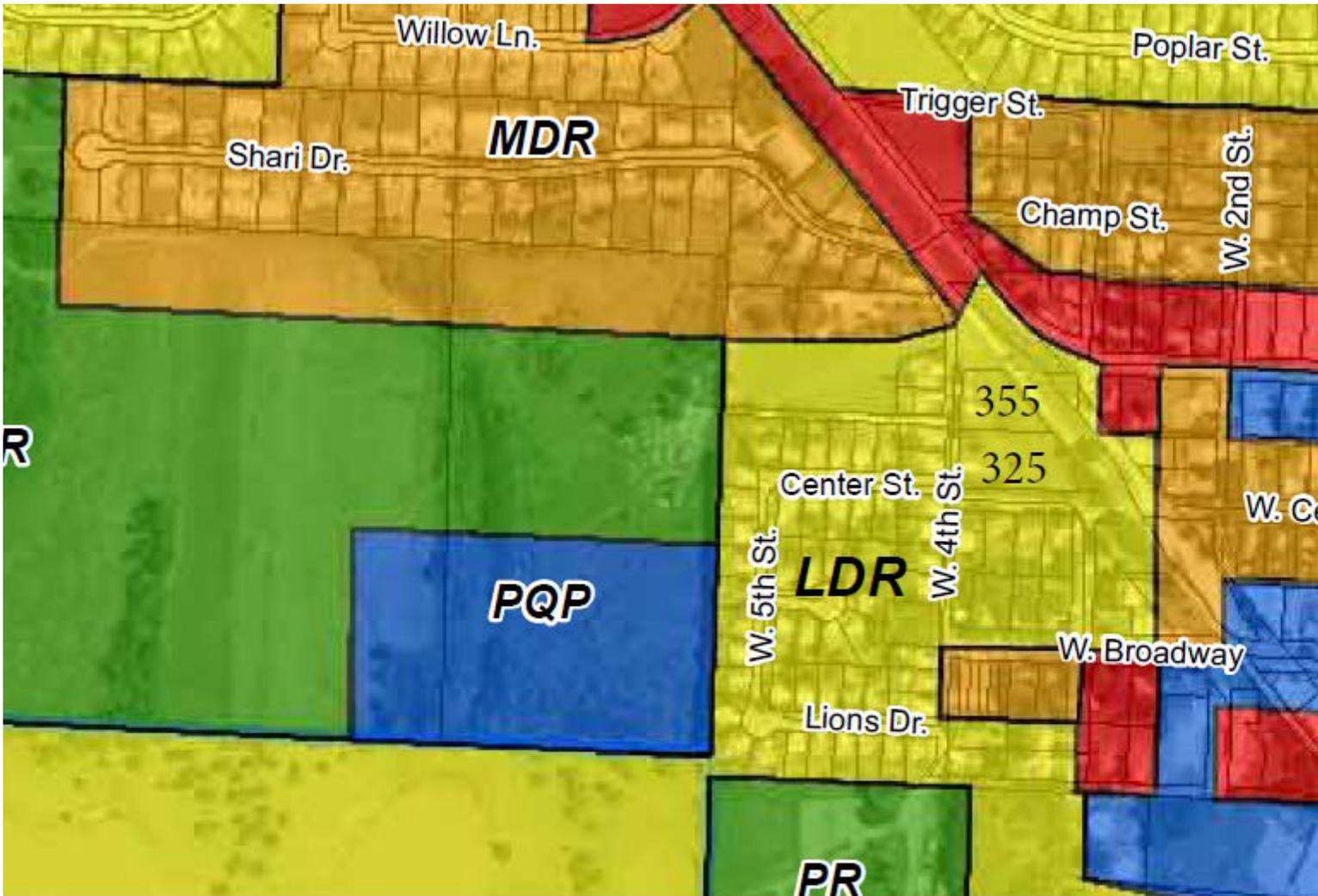
CITY OF PECULIAR - ZONING MAP



ATTCH 2

Atch 2

CITY OF PECULIAR – FUTURE LAND USE PLAN



ATTCH 3

Attch 3

LDR: Low Density Residential

INTENT

The Low Density Residential land use area is intended for typical suburban scale residential development densities.

LOCATION

This category represents the most common residential land use type, and is located throughout town.

CHARACTERISTICS

Characteristics of the LDR category include:

- Locations throughout town to provide convenient access to transportation routes, commercial areas, jobs, schools, parks and recreation areas, and public services.
- Two-family residential dwellings should be located along streets classified as collectors or higher.
- Accessory structures should be limited in size to reinforce the pedestrian scale of neighborhoods.
- Pedestrian connectivity will be important; the public sidewalk system should provide adequate opportunities for residents to walk to destinations or for enjoyment.
- The area will include densities ranging from one to four dwelling units per acre.

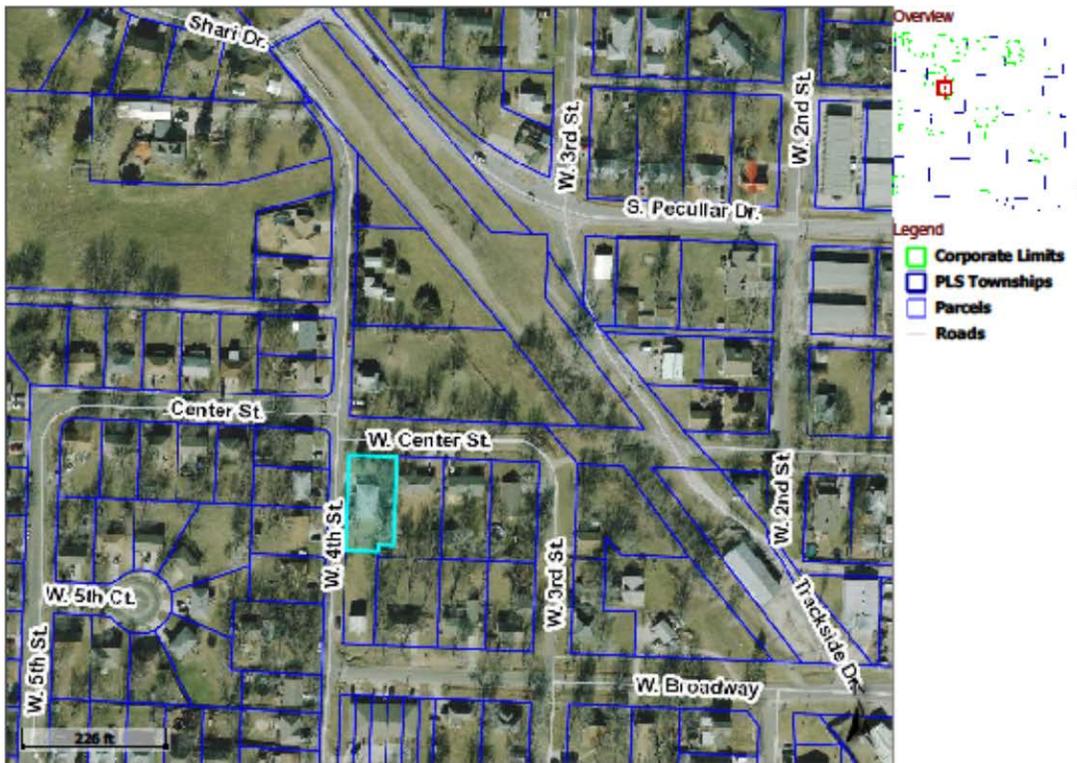
COMPATIBLE USES

- Single- and two-family residential dwellings
- Public and quasi-public uses
- Group homes
- Home occupations.

Achieve Peculiar



Date Created: 1/6/2015



| | | | | | |
|------------------------------|---|---------------------|-------------|----------------------|------------------------|
| Parcel ID | 070516104000034000 | Alternate ID | n/a | Owner Address | HAMPTON, WILLIAM SCOTT |
| Sec/Twp/Rng | 16-45-32 | Class | Residential | | 12400 E 233RD ST |
| Property Address | 265 W 4TH APT A & B ST PECULIAR | Acres | 0.250 | | PECULIAR MO 640780000 |
| District | 6717001 | | | | |
| Brief Tax Description | ORIG PECULIAR LOTS 10,11 & 12 BLK 24 DUPLEX <i>(Note: Not to be used on legal documents)</i> | | | | |

Last Data Upload: 1/6/2015 2:10:27 AM

BILL NO. 2015-08
ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE REZONING OF MRS. PAULA STILL'S PROPERTIES COMMONLY KNOWN AS 325 W. 4TH STREET AND 355 W. 4TH STREET, PECULIAR, MISSOURI.

WHEREAS, Mrs. Paula Still has requested the rezoning of 325 W. 4th Street and 355 W. 4th Street from A-C Arts and Culture Overlay District, with an Underlying C-1, General Business District Zoning to A-C Arts and Culture Overlay District, with an Underlying R-2, Two-Family Dwelling District Zoning; and

WHEREAS, the Owner has met the requirements for rezoning these parcels from A-C Arts and Culture Overlay District, with an Underlying C-1, General Business District Zoning to A-C Arts and Culture Overlay District, with an Underlying R-2, Two-Family Dwelling District; and

WHEREAS, the Planning Commission held a Public Hearing on February 12, 2015, for this rezoning request and subsequent to that hearing has recommended approval of this rezoning request to the Board of Aldermen; and

WHEREAS, the Board of Aldermen held a Public Hearing on March 2, 2015 to receive public comment relative to the rezoning request and no formal protest was 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 Mrs. Paula Still's properties described as:

Lots 13 thru 22, inclusive, Block 9, original town of Peculiar, Cass County, Missouri, except that part taken in Right of way of St. Louis-San Francisco Railroad. Contains 1.190 acres, more or less, commonly known as 325 W. 4th Street, Peculiar, Missouri; and

All that part of 8 through 12, in Block 9, in the town of Peculiar, lying west of the Railroad Right of way, Cass County, Missouri, and all that part of lots 1 and 2, Block 9, in the town of Peculiar, Cass County, Missouri, except that part in Railroad Right of way. Contains 0.693 acres, more or less, commonly known as 355 W. 4th Street, Peculiar, Missouri

from A-C Arts and Culture Overlay District with an Underlying C-1, General Business District to A-C Arts and Culture Overlay District with an Underlying R-2, Two-Family Dwelling District in the City of Peculiar is hereby approved.

Section 2. No amendment of the City of Peculiar's Future Land Use Plan (of the City's Comprehensive Plan) to reflect this change is required.

Effective Date. The effective date of this Ordinance shall be the ____ day of _____, 2015.

First Reading: March 2, 2015

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 McCrea _____

Alderman Ray _____
Alderman Roberts _____
Alderman Turner _____

APPROVED:

ATTEST:

Holly Stark, Mayor

Janet Burlingame, City Clerk

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks



Reid Holbrook

Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney

Business Office
Trudy Prickett

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

Parks Director
Nathan Musteen

To: Board of Alderman
From: Clifford L. McDonald
Date: March 16, 2015
Re: Board of Aldermen to consider Amendments to Chapter 400, Zoning Regulations of the City of Peculiar Municipal Code.

GENERAL INFORMATION

Applicant: City Staff

Status of Applicant: N/A

Requested Actions: Board of Aldermen to consider the proposed Amendments to Section 400.130: General Regulations; Section 405.500: Land Disturbance and Erosion Control; Section 405.090: Sediment in Public Right-of-way, Notice To Remove, Penalty; and approval of a new Chapter 425: Erosion and Sediment Control of the City's Municipal Code.

Date of Application: March 2, 2015

Purpose: The purpose is to establish a new Chapter 425: Erosion and Sediment Control of the City's Municipal Code and amend the other Sections of Chapter 400 and Chapter 405 necessary to implement this change.

Property Location (if applicable): City Wide

PROPOSAL

See "Requested Actions" above.

PREVIOUS ACTIONS

The Planning Commission has worked diligently revising the City's Land-Disturbance Permit requirements since August, 2014. A number of issues needed to be addressed with this revision and they are listed in Atch 1 for your information. After in-depth study and review, the Commission believes the best solution is to implement a new Erosion and Sediment Control Chapter, amend corresponding references in the Municipal Code, and rewrite the Land-Disturbance Permit Ordinance to specify permit requirements only. The Planning Commission held a Public Hearing to discuss and review these changes to Chapter 400 on February 12th, 2015; no one objected to the proposed changes. Following the Public Hearing the Commission unanimously approved the proposed changes to Chapter 400, Chapter 405 and the new Chapter 425 presented tonight for the Board's consideration.

The Board of Aldermen conducted a Public Hearing on these proposed amendments on March 2, 2015; no objections to the proposed changes were presented. Following the Public Hearing the Board of Aldermen unanimously approved the First Reading of the Ordinance to implement these Amendments as presented.

KEY ISSUES

The Ordinance presented for its Second Reading will establish a new Chapter 425: Erosion and Sediment Control in the City's Municipal Code; this Ordinance is primarily based upon the City of Olathe's requirements and has been reviewed by our City Attorney. The proposed amendments to Sections 400.130, 405.500 and 405.950 are necessary to update cross-references in the Municipal Code to this new Chapter.

STAFF COMMENTS AND SUGGESTIONS

The proposed changes to Sections 400.130, 405.500 and 405.950 are provided in Attachment 2 for your information.

STAFF RECOMMENDATION

Staff Recommends Approval of the Ordinance as presented.

ATTACHMENTS

1. Land Disturbance Permit Revision Status
2. Proposed Changes to Municipal Code Sections
3. Ordinance to Amend Chapter 400, Chapter 405 and Establish Chapter 425

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

City of Peculiar
Land Disturbance Permit Revision Status
February 12th, 2015

Peculiar's Land Disturbance Permit (LDP) Ordinance has a number of issues which should be amended; the Status of the revisions is as follows:

1. **Minimum area requirement changed from 500 to 2,000 Square Feet. Additionally One (1) Acre or larger aligns Peculiar's Permit to MDNR's Land Disturbance Permit requirements.**
STATUS: Complete - see SECTION 500.140 EXCEPTIONS
2. **Reference the City's MS-4 Permit criteria in the Ordinance (Best Management Practices (BMP's), Storm Water Pollution Prevention Plan (SWPPP), Maximum Extent Practicable), etc..**
STATUS: Complete - see SECTIONS 425.010 PURPOSE/INTENT, 425.020 ADMINISTRATION, 425.030 DEFINITIONS, 425.050 EROSION AND SEDIMENT CONTROL PLANS, 500.130 LAND DISTURBANCE PERMIT APPLICATION
3. **Ensure the Ordinance requires an LDP for the "cumulative" disturbance of One (1) Acre or more when multiple projects/phases occur.**
STATUS: Complete - see SECTION 500.130 LDP APPLICATION
4. **Require a "Performance Bond" or "Security" be provided to the City to ensure large areas of land disturbance can:**
 - a. **Maintain Erosion Control Measures as approved in the LDP**
 - b. **Be restored/reseeded should the development fail/go-under.***STATUS: Complete* - see SECTION 500.180 BMPs SECURITY
5. **Adopt APWA criteria: KC APWA Specifications & Design Guidance Documents: Section 2150-Erosion and Sediment Control, and Section 5100-Site Work and Erosion and Sediment Control.**
STATUS: Incomplete - Ordinance is drafted to Amend SECTION 500.065 by adopting these APWA Documents by the City - Second Reading of the Ordinance scheduled for March 16, 2015.
6. **Provide guidance for Closure of a Permit and refund of fee/release of Security.**
STATUS: Complete - See SECTION 425.060, paragraph E, which lists the City Engineer and/or Codes Enforcement Officer and conditions for closure.
7. **Add Reference/Definition for "Stream Buffer" to the Ordinance**
STATUS: Complete - see SECTION 425.030 DEFINITIONS

Atch 1

8. Amend “Definitions” in the Ordinance to list all Acronyms above their Definition

STATUS: Complete – see SECTION 425.030 DEFINITIONS

9. Consider a minimum fee for LDPs of less than One (1) Acre – ensure the City has a means of enforcing requirements and restoring the site if necessary.

STATUS: Complete – The Board of Aldermen approved the City’s Comprehensive Fee Schedule on March 2nd, 2015 which listed a minimum fee of \$300.00 if no other Building/Utility Permit is issued for the site.

10. Amend Municipal Code references of Erosion and Sediment to Chapter 425.

STATUS: Complete – The Amendments to Chapter 400 align cross-references and establish a new Chapter 425 for Erosion and Sediment Control.

Atch 1

**PROPOSED CHANGES TO MUNICIPAL CODE SECTIONS WITH
EROSION AND SEDIMENT CONTROL IN CHAPTER 425
& LAND DISTURBANCE PERMIT IN CHAPTER 500**

1. **400.130** No person shall engage in construction activity without meeting all applicable requirements for stormwater management in accordance with Chapter [415](#), erosion and sedimentation control in accordance with Chapter ~~500~~ [425](#) and the preservation of minimum flood corridors in accordance with Chapter [410](#) of the Peculiar Municipal Code. [Ord. No. 11042013 §VI, 11-4-2013]
2. **400.200 - OK**
3. **405.240 - OK**
4. **405.260 - OK**
5. **405.290 – OK**
6. **400.640 para B.8.s(9) - OK**
7. **405.500** [Ord. No. 111808 §1(405-413), 11-18-2008]

A.

All subdivision of land shall comply with the ~~land disturbance~~ **Erosion and Sediment Control** provisions of Chapter ~~500~~ [425](#) of the Peculiar Municipal Code ~~and the following provisions:~~

B.

~~In order to control erosion and sedimentation during and after land preparation, the subdivider, his successors and assigns shall provide for disturbing only the areas needed for construction; removing only those trees, shrubs and grasses that must be removed by construction; installing required sediment basins and diversion dikes before disturbing the land that drains into them; and temporarily stabilizing each segment of graded or otherwise disturbed land by seeding and mulching or by other approved methods.~~

C.

~~As land preparation is completed, the subdivider, his successors and assigns shall permanently stabilize each segment with perennial vegetation and structural measures. Diversion dikes and sediment basins shall be leveled after areas that drain into them are stabilized and permanent vegetation shall be established on those areas. Sediment basins that are to be retained for stormwater detention shall be seeded to permanent vegetation no later than nine (9) months after completion of the sediment basins and shall be permanently maintained by the subdivider or his successors and assigns.~~

D.

~~The land shall be graded and shaped as per the approved grading plan.~~

8. **405.950** [Ord. No. 111808 §1(405-603), 11-18-2008] **(DELETE ENTIRELY)**

A.

~~All land disturbance and earth moving activities shall comply with the land disturbance provisions of Chapter [500](#) and the nuisance provisions of Chapter [215](#) of the Peculiar Municipal Code and the following provisions.~~

B.

~~In addition to any other penalties provided herein, any person responsible for sediment deposited upon any street, alley, sidewalk, public way, storm drainage system or public ground within the corporate limits of the City as a result of tracking, runoff or other erosion and sedimentation from a building or development site shall remove the same within a reasonable period of time as required by the City Engineer. Whenever the person responsible for sediment deposited upon any street, alley, sidewalk, public way, storm drainage system or public ground within the City refuses or neglects to remove the same, the City may elect to remove the sediment and the expense of such removal shall be recoverable in an action at law.~~

9. **500.170 (DELETE ENTIRELY)**

10. **500.200 (DELETE ENTIRELY)**

11. **500.140 (DELETE ENTIRELY)**

12. **500.130 (DELETE ENTIRELY)**

13. **500.180 (DELETE ENTIRELY)**

BILL NO. 2015-09
ORDINANCE NO. _____

AN ORDINANCE AMENDING ONE (1) SECTION OF CHAPTER 400, TWO (2) SECTIONS OF CHAPTER 405 AND ESTABLISHING CHAPTER 425, EROSION AND SEDIMENT CONTROL OF THE PECULIAR MUNICIPAL CODE.

WHEREAS, the City Planner has recommended amendments to CHAPTER 400, SECTION 400.130; CHAPTER 405, SECTIONS 405.500 and 405.950 and establishing a new CHAPTER 425, EROSION AND SEDIMENT CONTROL of the City of Peculiar Municipal Code, and

WHEREAS, the Planning Commission (“Commission”) recommended approval of the changes to the above listed Sections of Chapter 400, Chapter 405 and Chapter 425 of the City Municipal Code following a Public Hearing held February 12, 2015.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI THAT CHAPTER 400, SECTION 400.130; CHAPTER 405, SECTIONS 405.500 AND 405.950 AND CHAPTER 425, EROSION AND SEDIMENT CONTROL OF THE CITY MUNICIPAL CODE BE AMENDED AND ESTABLISHED AS FOLLOWS:

SECTION I: That Section 400.130, Paragraph D. be removed in its entirety and replaced with the following:

D. No person shall engage in construction activity without meeting all applicable requirements for: the preservation of minimum flood corridors in accordance with Chapter **410**, stormwater management in accordance with Chapter **415** and erosion and sediment control in accordance with Chapter **425** and of the Peculiar Municipal Code.

SECTION II: That Section 405.500 be removed in its entirety and replaced with the following:

SECTION 405.500: LAND DISTURBANCE AND EROSION CONTROL

All subdivision of land shall comply with the land disturbance and erosion and sediment control provisions of Chapter **425** of the Peculiar Municipal Code.

SECTION III: That Section 405.950 be removed in its entirety and replaced with the following:

SECTION 405.950: RESERVED

SECTION IV: That a new Chapter 425 of the Peculiar Municipal Code be established to read as follows:

CHAPTER 425: EROSION AND SEDIMENT CONTROL

SECTION 425.010 PURPOSE/INTENT

The purpose of this Chapter is to protect the health, safety, and property of the citizens of the City of Peculiar and protect waters of the City and State from pollution resulting from the effects of erosion and sediment deposition from land disturbances. This Chapter establishes uniform requirements for land disturbance activities in order to control the occurrence of erosion and the transportation of sediment to the City Municipal Separate Storm Sewer System (MS4).

SECTION 425.020 ADMINISTRATION

A. Authority. The City Engineer shall be responsible for the administration and enforcement of this Chapter. The City Engineer may waive the requirements for maps, plans, reports or drawings, if the City Engineer finds that the information otherwise submitted or to be submitted will be sufficient to show that the proposed work will conform to the requirements of this Chapter.

B. Right of Entry. Whenever the City Engineer or Codes Enforcement Officer has cause to believe that there exists, or potentially exists, in or upon any premises, any condition which constitutes a violation of this Chapter, the City Engineer and/or Codes Enforcement Officer are authorized to enter the premises at reasonable times to inspect or to perform the duties imposed by this Chapter. If entry is refused, the City Engineer and/or Codes Enforcement Officer shall have recourse to the remedies provided by law to secure entry.

C. Erosion and Sediment Control Standards. The City Engineer shall adopt and maintain Erosion and Sediment Control Standards to assist in the administration of this Chapter. The Erosion and Sediment Control Standards shall be based on, but not limited to, the following principles:

1. Fit the Development to existing site conditions.
2. Minimize the extent of exposure.
3. Minimize duration of exposure.

4. Break work activities into phases when possible.
5. When possible, protect disturbed areas from any unnecessary run-on of Stormwater from adjacent sites, at least during the construction period.
6. Stabilize disturbed areas.
7. Keep runoff velocities low.
8. Retain Sediment on the site.
9. Inspect and maintain control measures.
10. Use performance measures and outcomes.
11. Timely employment and maintenance of all measures.
12. BMPs as identified by the City Engineer.

D. Time Requirement. Where Land Disturbance activities have temporarily or permanently ceased on a portion of a project site for over twenty-one (21) consecutive days, the disturbed areas shall be protected from Erosion by stabilizing the areas with mulch or other similarly effective soil stabilizing BMPs, unless the timeframe for compliance is extended by the City Engineer. Where implementation of stabilization measures is precluded by snow cover, stabilization measures shall be initiated as soon as practicable.

E. Other Pollutants. In addition to Sediment, the Erosion and Sediment Control Plan shall provide for the control of other Pollutants related to the Land Disturbance activity that might cause an adverse impact to water quality, including, but not limited to, discarded building materials, concrete truck washout, fuel, hydraulic fluids, chemicals, litter, and sanitary wastes.-

SECTION 425.030: DEFINITIONS

As used in this Chapter, the following terms shall have the definitions hereinafter set forth:

ACCEPTED OR ACCEPTANCE: A determination by the City Engineer that the document under review meets the minimum applicable standards.

BMP: Best Management Practices.

BEST MANAGEMENT PRACTICE (BMP): Stormwater management practice used to prevent or control the discharge of pollutants and minimize runoff to waters of the City of Peculiar. BMPs may include structural or non-structural solutions, a schedule of activities, prohibition of practices, maintenance procedures, or other management practices.

CITY: City of Peculiar, Missouri.

CLEARING: Any activity which removes the vegetative surface cover from the land.

DEPARTMENT: City of Peculiar Engineering Department.

DISCHARGE: Any substance disposed, deposited, spilled, poured, injected, seeped, leached, pumped, dumped, leaked, or placed by any means such that it can reasonably be expected to enter, intentionally or unintentionally, into waters of the City or waters of the State, or on any area draining directly or indirectly into the MS4.

EROSION: The wearing away of land due to the action of gravity, wind, water or mechanical forces.

EROSION AND SEDIMENT CONTROL PLAN: A set of plans prepared by or under the direction of a licensed professional engineer indicating the specific measures and sequence to be used to control erosion and sediment on a development site before, during and after construction.

FEMA: Federal Emergency Management Agency

GRADING: The act of altering the ground surface to a desired grade or contour by cutting, filling, leveling and/or smoothing.

GRUBBING: To dig up and remove the roots, uproot.

LAND DISTURBANCE: Any activity that exposes soil including clearing, grubbing, grading, excavating, filling and other related activities.

LAND DISTURBANCE PERMIT: The document issued by MODNR and the City approving the SWPPP and authorizing land disturbance activity in accordance with the SWPPP.

MEP: Maximum Extent Practicable

MAXIMUM EXTENT PRACTICABLE (MEP): MEP refers to management practices, control techniques, system design and engineering methods for the control of stormwater and reduction of pollutants. MEP is achieved, in part, through a process of selecting and implementing different design options with various structural and non-structural stormwater best management practices (BMPs), where ineffective BMP options may be rejected and replaced with more effective BMP options.

MODNR: Missouri Department of Natural Resources.

MS4: Municipal Separate Storm Sewer System.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4): Those artificial and natural facilities within the City, whether publicly or privately owned, by which storm water may be conveyed to a watercourse or waters of the State, including, but not limited to, any roads with drainage systems, streets, catch basins, natural and artificial channels, aqueducts, stream beds,

gullies, curbs, gutters, berms, ditches, swales, open fields, parking lots, impervious surfaces used for parking, or storm drains, however, sanitary sewers are not included in the definition of the City's separate storm sewer system.

NOV: Notice of violation.

NOTICE OF VIOLATION (NOV): Written notice from the City Engineer or Codes Enforcement Officer to the Permit Holder that the construction site is in violation of approved erosion control measures or SWPPP.

POLLUTION: Any alteration of the quality of waters of the City or waters of the State to a degree that they are rendered harmful, detrimental or injurious to humans, natural life, vegetation or property, to the public health, safety and welfare, or otherwise impairs the usefulness or public enjoyment of waters for any lawful and reasonable purpose, including interference with the proper functioning of the MS4.

RESPONSIBLE PARTY: The property owner or person authorized to act on the property owner's behalf; or any person allowing, causing or contributing to a violation of this Chapter.

RIPARIAN CORRIDOR: Strips of herbaceous and woody vegetation located parallel to perennial and intermittent streams and adjacent to open bodies of water. Riparian Buffers capture sediment and other pollutants in surface runoff water before these enter the adjoining surface waterbody.

SEDIMENT: Mineral or organic matter generated as a result of erosion.

SEDIMENT CONTROL: Measures that prevent eroded sediment from leaving a site.

SITE: A parcel of land or a contiguous combination thereof, where grading work is performed as a single unified operation.

START OF CONSTRUCTION: The first (1st) land-disturbing activity associated with a development, including preparation such as clearing, grading and filling; installation of streets and walkways; excavation for basements, footings, piers or foundations; erection of temporary forms; and installation of accessory buildings such as garages.

STOP WORK ORDER: That upon notice from the City Engineer or the Code Enforcement Officer, that work on any property that is contrary to the provisions of this Chapter or in an unsafe and dangerous manner, or in conflict with the approved construction documents, such work shall be stopped.

STORM WATER: Any surface or shallow subsurface flow, runoff, or drainage consisting entirely of water from rainstorm or frozen precipitation events.

SWPPP: Storm Water Pollution Prevention Plan.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP): A plan developed by a qualified professional engineer or person certified in erosion and sediment control to establish controls to limit erosion and transport of sediment and other pollutants from the site. The SWPPP includes a description of all construction activity, temporary and permanent erosion and sediment control BMPs, permanent stormwater management and other pollution prevention techniques to be implemented throughout the life of the construction project.

STREAM BUFFER: An area defined by the City of Peculiar for the protection of riparian corridors and floodplains (See Municipal Code SECTIONS 400.1640 and 400.1650).

WATER QUALITY STANDARDS: The standards, required under the Clean Water Act, which Missouri has adopted to control and remedy water pollution (10 CSR 20-7.031). Water quality standards have three (3) parts: water use classifications, water quality criteria, and an antidegradation policy.

WATERCOURSE: Any body of water, including, but not limited to, lakes, ponds, rivers and streams.

WATERS OF THE CITY: Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, sinkholes, springs, wetlands, wells and channels, and other bodies of surface or subsurface waters, natural or artificial, lying within the boundaries of the City.

WATERS OF THE STATE: Any water, surface or underground, lying within the boundaries of the City over which the Missouri Department of Natural Resources has authority with respect to Clean Water Law.

WATERWAY: A channel that directs surface runoff to a watercourse or to the public storm water system.

SECTION 425.040: GENERAL PROVISIONS

A. Any Person undertaking Land Disturbance activities, including the clearing, grading, excavating, filling, storing, and disposing of soil and earth materials, shall comply with the requirements and standards set forth in this Chapter. Permit requirements for Land Disturbance activities are described in Chapter 500, Article IV Land-Disturbance Permits.

B. Applicability. Regardless of whether or not a Land Disturbance activity requires a Permit, any Person engaged in any Land Disturbance activity shall comply with the spirit and intent of this Chapter. At a minimum, such Persons shall employ BMPs for Erosion and Sediment Control in proportion to the scale of the activity to reduce the amount of Sediment or other Pollutants in Stormwater Discharges

associated with those activities.

C. Responsible Person(s). The responsible Person(s) are the Landowner of the property upon which a Land Disturbance takes place and any Person(s) performing a Land Disturbance activity. When a Permit is issued, a Landowner is responsible for Land Disturbance activities from Permit issuance to closure, unless the City approves a transfer of responsibility to a new Landowner when land is sold.

SECTION 425.050: EROSION AND SEDIMENT CONTROL PLANS

A. All proposed Land Disturbance activity that requires a Permit in accordance with Chapter 500, Article IV Land-Disturbance Permits shall be depicted on a site-specific Erosion and Sediment Control Plan. Land Disturbance activities that do not require a Permit in accordance with this Chapter are required to employ applicable BMPs included in standard details provided by the City Engineer. The Erosion and Sediment Control Plan shall be submitted to the City Engineer for review and approval in accordance with the procedure described in Subsection B below. The Plan shall include, at a minimum, the following information:

1. Proposed site map.
2. Limits of areas to be disturbed.
3. Proposed Erosion and Sediment Control BMPs to be employed.
4. Phasing of Erosion and control measures.
5. Final stabilization plan for each phase.
6. Details and specifications for any sections of the final storm sewer system that must be constructed after the removal of BMPs such as temporary Sediment basins.
7. Work schedule.
8. Maintenance and inspection requirements.

The City Engineer may require any additional information or data deemed appropriate to ensure compliance with the intent, purpose and provisions of this Chapter.

B. Review and Approval of Erosion and Sediment Control Plans. The Erosion and Sediment Control Plan shall be of sufficient clarity to indicate the location, manner, nature and extent of the work proposed. The Plan shall clearly show that the proposed work will conform to the provisions of this Title, the Erosion and Sediment Control

Standards, and other relevant laws, ordinances, policies, rules and regulations as determined by the City Engineer. The City Engineer shall review the submitted documents to determine compliance with the Erosion and Sediment Control Standards. If the City Engineer finds that the Plan is in compliance with this Chapter, the Applicant shall be eligible to request a Permit. If the City Engineer finds that the Plan is not in compliance before the Plan can be resubmitted to determine compliance with this Chapter, the City Engineer shall advise the Applicant which elements of the Plan are not in compliance.

C. Preparation of Plans. Erosion and Sediment Control Plans submitted to the City for review must be prepared under the supervision of and sealed by a licensed professional engineer or landscape architect or by a Certified Professional in Erosion and Sediment Control (CPESC). The engineer or landscape architect must be licensed to practice in the State. The City Engineer may waive this Plan preparation requirement if the Applicant's Plan consists entirely of utilizing Standard Specification and Design Criteria adopted by the City in Chapter 500, Section 500.065.

D. Amended Plans. Work shall be installed and maintained in accordance with the approved Plan. If Erosion control measures installed per the approved Plan do not function as intended, the Developer and/or contractor may make field adjustments to the Erosion control facilities with the approval of the City's Engineer or Codes Enforcement Officer. Significant design modifications that do not conform to the general intent of the approved Plan must be authorized by the City Engineer prior to installation.

SECTION 425.060: INSPECTION

A. Initial Inspection. The Permit holder shall notify the City Engineer when initial Erosion and Sediment Control measures are installed in accordance with the Erosion and Sediment Control Plan. No Land Disturbance activities shall begin prior to approval from the City Engineer that all pre-construction Erosion and Sediment Control measures are correctly installed per the approved Plan. The Contractor shall maintain on the job-site at all times the City-approved Erosion and Sediment Control Plan and the Stormwater Pollution Prevention Plan as approved by MODNR under the State Operating Permit. Failure to maintain these records on site will be grounds for a Stop Work Order.

B. Maintenance of Control Measures. All prescribed Erosion and Sediment Control measures shall be maintained in good order and in compliance with the Erosion and Sediment Control Plan at all times.

C. Routine Inspection. It shall be the duty of the Permit holder to routinely inspect the construction site and maintain effective Erosion and Sediment Control measures. Routine inspections shall be performed once per month or more frequently if required on the Plan and within twenty-four hours following each rainfall event of 1/2" or more within any twenty-four hour period. A log shall be kept of these inspections. Any deficiencies shall be noted in a report of the inspection and include the action taken to correct the deficiency. Inspection reports shall be kept on site as part of the Stormwater Pollution Prevention Plan and submitted to the City Engineer upon request. The inspection report shall include the following minimum information:

1. Inspector's name.
2. Date of inspection.
3. Observations relative to the effectiveness of the Erosion and Sediment Control measures.
4. Actions necessary to correct deficiencies.
5. Signature of Person performing the inspection.

D. The City Engineer or Codes Enforcement Officer may also perform inspections of the Land Disturbance site to verify compliance with the Erosion and Sediment Control Plan. Should it be found that Erosion and Sediment Control methods are ineffective or are not being maintained properly, the City Engineer or Codes Enforcement Officer may take enforcement actions described within this Chapter.

E. Closure of Land Disturbance Activities. Once the Land Disturbance site is stabilized a final inspection shall be requested by the Applicant. The Land Disturbance site shall be considered stabilized when Perennial Vegetation, pavement, buildings or structures using permanent materials, cover all areas that have been disturbed. Perennial Vegetation shall be considered established and completed for stabilization when it has established a healthy and growing stand with a density of at least 70 percent of undisturbed areas at the site.

F. Removal of Temporary Erosion and Sediment Control Measures. Subsequent to a satisfactory final inspection of the Land Disturbance, all temporary Erosion and

Sediment Control measures must be removed and the final segments of the Storm Sewer System shall be constructed in the manner described within the approved plans. Such removal shall be complete prior to closure of the Permit which authorized the Land Disturbance.

SECTION 425.070: ENFORCEMENT

A. In General. The City Engineer and Codes Enforcement Officer shall enforce the provisions of this Chapter through routine activities that include receiving inspection reports from the Permit holder when requested, inspections, and communication with Developers and/or contractors. However, if these methods fail, the City Engineer or Codes Enforcement Officer may proceed with any or all of the following enforcement measures:

1. Refusal of Inspection. Request for an inspection of any permitted construction activity may be denied if it is found that Erosion and Sediment control measures have not been implemented, are found to be ineffective, or are not maintained. If an inspection is refused, a notice of violation or a Stop Work Order may be issued. No further inspections will be performed until the Erosion and Sediment Control measures have been implemented or violations of this Chapter are abated.

2. Notice of Violation. The City Engineer and Codes Enforcement Officer are authorized to serve a notice of violation on any Person found to be doing work in violation of the provisions of this Chapter. Such notice shall direct the discontinuance of the illegal action or condition and order the abatement of the violation by the responsible Person.

3. Stop Work Order. The City Engineer and Codes Enforcement Officer are authorized to issue a Stop Work Order for any or all construction activity within the established boundary of the Permit. The Stop Work Order shall be in writing and shall be given to the Property Owner involved, or the Property Owner's agent or to the Person doing the work. In addition, notice of the Stop Work Order shall be posted on the site. Upon issuance of a Stop Work Order, the cited work shall immediately cease. The Stop Work Order shall state the reason for the Order and the conditions under which the cited work will be permitted to resume. Any Person who shall continue to work after having been served with a Stop Work Order, except such work as that Person is directed by the City to perform to remove a violation or unsafe condition, is guilty of a public offense and may be subject to penalties as prescribed in Section 425.090.

4. Abatement. Should any Person fail to comply with the provisions of this

Chapter, the City Engineer or Codes Enforcement Officer are authorized to correct or abate such violation.

(a) City expenditures to correct or abate a violation shall be assessed as a fee against the Permit holder. The City will keep a record of the abatement costs. The fee shall be paid prior to recommencement of work on the Site and prior to any further inspections. If the fee is not paid within thirty (30) days of the date the invoice is sent to the Permit holder, the City Engineer is authorized, as the City Engineer deems appropriate, to expend additional abatement funds to provide permanent soil stabilization on the site. Such additional expenditures shall also be assessed as a fee against the Permit holder.

(b) Should the Permit become suspended, revoked, or expired with the fee not paid, all City expenditures to correct or abate the violation may be assessed against the BMPs Security. Abatement lien and special assessment and collection procedure shall apply if work is done without the issuance of a Permit. The City Clerk, at the time of certifying other City taxes, shall certify the unpaid portion of the costs and the County Clerk shall extend the same on the tax rolls of the county against the lot or parcel of land.

B. Violations and penalties.

1. Any Person who violates a provision of this Chapter, fails to comply with any of the requirements thereof or fails to comply with a directive issued by the City Engineer or Codes Enforcement Officer is guilty of a public offense and shall be subject to penalties as provided in the Section 425.090.

2. The City Engineer or Codes Enforcement Officer shall be permitted to cite the Property Owner, or any/all Persons identified on a Permit as being legally responsible to the City for any violations of the Chapter pertaining to that Permit.-

SECTION 425.080: VARIANCES

A. The City Engineer may grant a variance to the Erosion and Sediment Control Standards, provided all of the following conditions are met:

1. The variance complies with the general spirit and intent of the Erosion and Sediment Control Standards.
2. The granting of the variance will not adversely affect the rights of adjacent Landowners.
3. The granting of the variance will not result in substantial public expense, create nuisances, cause fraud on or cause harm to the public or conflict with existing local, federal or State laws, rules or regulations.

4. The variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

B. Appeals of decisions made by the City Engineer related to Erosion and Sediment Control Standards shall be made to the City of Peculiar Board of Adjustments.

SECTION 425.090: PENALTIES FOR VIOLATIONS-ACTIONS

The violation of any provision of this Article is a misdemeanor, and any Person, firm, association, partnership or corporation convicted thereof shall be punished by a fine not to exceed Five Hundred Dollars (\$500.00); and the City shall further have the authority to maintain suits or actions in any court of competent jurisdiction for the purpose of enforcing any provisions of this Article and to abate nuisances maintained in violation thereof; and in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, or to correct or abate such violation, or to prevent the occupancy of the building, structure, or land. Each day any violation of this Article shall continue shall constitute a separate offense.

SECTION 425.100: MISCELLANEOUS

Other Laws. Neither this Article nor any administrative decision made under this Article exempts the Permit holder or any other Person from other requirements of this Title, State and federal laws, or from procuring other required Permits, including any State or federal Stormwater Permits authorized under the NPDES, or limits the right of any Person to maintain, at any time, any appropriate action at law or in equity, for relief or damages against the Permit holder or any Person arising from the activity regulated by this Chapter.

SECTION II: The effective date of this ordinance shall be _____, 2015.

First Reading: March 2, 2015

Second Reading: _____

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

Alderman Ford _____
Alderman Fines _____
Alderman McCrea _____

Alderman Ray _____
Alderman Roberts _____
Alderman Turner _____

APPROVED:

ATTEST:

Holly Stark, Mayor

Janet Burlingame, City Clerk

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks



Reid Holbrook

Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney

Business Office
Trudy Prickett

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

Parks Director
Nathan Musteen

To: Board of Alderman
From: Clifford L. McDonald
Date: March 16, 2015
Re: Board of Aldermen to consider Amendments to Chapter 500: General Provisions, Article IV: Land-Disturbance Permits of the City of Peculiar Municipal Code.

GENERAL INFORMATION

Applicant: City Staff

Status of Applicant: N/A

Requested Actions: Board of Aldermen to review the proposed Amendments to Chapter 500: General Provisions, Article IV: Land-Disturbance Permits of the City of Peculiar Municipal Code and consider the Second Reading of the Ordinance for approval.

Date of Application: March 2, 2015

Purpose: The purpose is to revise the requirements of Chapter 500 regarding Land-Disturbance Permits to align with the new Chapter 425: Erosion and Sediment Control of the City's Municipal Code.

Property Location (if applicable): City Wide

PROPOSAL

See "Requested Actions" above.

PREVIOUS ACTIONS

The Planning Commission has worked diligently revising the City's Land-Disturbance Permit requirements since August, 2014. A number of issues needed to be addressed with this revision and they are listed in Atch 1 for your information. After in-depth study and review, the Commission believes the best solution is to implement a new Erosion and Sediment Control Chapter, amend corresponding references in the Municipal Code, and rewrite the Land-Disturbance Permit Ordinance to specify permit requirements only. The Planning Commission reviewed and approved of these proposed changes to Chapter 500 on February 12th, 2015.

The Board of Aldermen reviewed the Amendments to Chapter 500 at their March 2nd, 2015 meeting; they subsequently unanimously approved the First Reading of the Ordinance at that meeting.

KEY ISSUES

The Ordinance presented for approval will delete the existing Article IV: Land Disturbance Permits in its entirety and replace it with requirements which correspond to securing a Land-Disturbance Permit and which support the new Chapter 425: Erosion and Sediment Control in the City's Municipal Code. This Ordinance is primarily based upon the Land-Disturbance Permit requirements for the Cities of Lee's Summit and Raymore.

STAFF COMMENTS AND SUGGESTIONS

The proposed changes to Chapter 500, Article IV, Land-Disturbance Permit have been reviewed by the City Attorney, City Engineer and the Planning Commission; Staff Recommends Approval as presented.

STAFF RECOMMENDATION

Staff Recommends Approval of the Second Reading of the Ordinance as presented.

ATTACHMENTS

1. Land Disturbance Permit Revision Status
2. Ordinance to Amend Chapter 500, Article IV: Land-Disturbance Permits

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

City of Peculiar
Land Disturbance Permit Revision Status
February 12th, 2015

Peculiar's Land Disturbance Permit (LDP) Ordinance has a number of issues which should be amended; the Status of the revisions is as follows:

1. **Minimum area requirement changed from 500 to 2,000 Square Feet. Additionally One (1) Acre or larger aligns Peculiar's Permit to MDNR's Land Disturbance Permit requirements.**
STATUS: Complete – see SECTION 500.140 EXCEPTIONS

2. **Reference the City's MS-4 Permit criteria in the Ordinance (Best Management Practices (BMP's), Storm Water Pollution Prevention Plan (SWPPP), Maximum Extent Practicable), etc..**
STATUS: Complete – see SECTIONS 425.010 PURPOSE/INTENT, 425.020 ADMINISTRATION, 425.030 DEFINITIONS, 425.050 EROSION AND SEDIMENT CONTROL PLANS, 500.130 LAND DISTURBANCE PERMIT APPLICATION

3. **Ensure the Ordinance requires an LDP for the “cumulative” disturbance of One (1) Acre or more when multiple projects/phases occur.**
STATUS: Complete – see SECTION 500.130 LDP APPLICATION

4. **Require a “Performance Bond” or “Security” be provided to the City to ensure large areas of land disturbance can:**
 - a. **Maintain Erosion Control Measures as approved in the LDP**
 - b. **Be restored/reseeded should the development fail/go-under.***STATUS: Complete* – see SECTION 500.180 BMPs SECURITY

5. **Adopt APWA criteria: KC APWA Specifications & Design Guidance Documents: Section 2150-Erosion and Sediment Control, and Section 5100-Site Work and Erosion and Sediment Control.**
STATUS: Incomplete – Ordinance is drafted to Amend SECTION 500.065 by adopting these APWA Documents by the City – the First Reading of the Ordinance was approved by the Board of Aldermen March 2, 2015.

6. **Provide guidance for Closure of a Permit and refund of fee/release of Security.**
STATUS: Complete – See SECTION 425.060, paragraph E, which lists the City Engineer and/or Codes Enforcement Officer and conditions for closure.

7. **Add Reference/Definition for “Stream Buffer” to the Ordinance**
STATUS: Complete – see SECTION 425.030 DEFINITIONS

Atch 1

8. Amend “Definitions” in the Ordinance to list all Acronyms above their Definition

STATUS: Complete – see SECTION 425.030 DEFINITIONS

9. Consider a minimum fee for LDPs of less than One (1) Acre – ensure the City has a means of enforcing requirements and restoring the site if necessary.

STATUS: Complete – The Board of Aldermen approved the City’s Comprehensive Fee Schedule on March 2nd, 2015 which listed a minimum fee of \$300.00 if no other Building/Utility Permit is issued for the site.

10. Amend Municipal Code references of Erosion and Sediment to Chapter 425.

STATUS: Complete – The proposed Amendments to Chapter 400 align cross-references and establish a new Chapter 425 for Erosion and Sediment Control

Atch 1

BILL NO. 2015-10
ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 500: GENERAL PROVISIONS, ARTICLE IV: LAND-DISTURBANCE PERMITS OF THE PECULIAR MUNICIPAL CODE.

WHEREAS, the City Planner has recommended amending Chapter 500: General Provisions, Article IV: Land-Disturbance Permits of the City of Peculiar Municipal Code, to incorporate new criteria for Erosion and Sediment Control, and

WHEREAS, both the Planning Commission and City Engineer have reviewed and approved the amendments to Chapter 500: General Provisions, Article IV: Land-Disturbance Permits of the City of Peculiar Municipal Code, to incorporate new criteria for Erosion and Sediment Control.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI THAT CHAPTER 500: GENERAL PROVISIONS, ARTICLE IV: LAND-DISTURBANCE PERMITS OF THE PECULIAR MUNICIPAL CODE BE AMENDED AS FOLLOWS:

SECTION I: That Chapter 500: General Provisions, Article IV: Land-Disturbance Permits, of the Peculiar Municipal Code be removed in its entirety and replaced with the following language:

ARTICLE IV: Land-Disturbance Permits

Section 500.120 Permit Required

- A. All land disturbances, including residential and commercial development projects, shall provide adequate erosion control to protect public streets, public storm sewer systems, adjacent property, streams and surface waters from being polluted with sediment and silt and shall comply with the provisions set forth in Chapter 425: Erosion and Sediment Control.
- B. Unless exempted by Section 500.140, a Land Disturbance Permit is required for any public or private entity that intends to cause or causes a condition that allows for erosion, including but not limited to striping vegetation, clearing and grubbing land, or creating any type of land disturbance. The Contractor/Developer or Owner that intends to cause or causes a condition that allows for erosion shall apply for a land disturbance permit.

Section 500.130 Land-Disturbance Permit Application

- A. Applications for a Land Disturbance Permit shall be submitted to the City Engineer. Applications shall be accompanied by
 - 1. An Erosion and Sediment Control Plan
 - 2. A Grading Plan

3. A permit application fee
4. BMPs Securities
5. An MODNR Land-Disturbance Permit
6. An MODNR State Operating Permit
7. SWPPP (Storm Water Pollution Prevention Plan)

Note: Items 5, 6 & 7 are required for a cumulative land disturbance of one (1) acre or more. Where practical, drawings may be combined to contain all required plans.

Section 500.140 Exceptions

- A. The following activities are exceptions and do not require a land disturbance permit;
1. Single-family residences which have a cumulative land disturbance of less than one (1) acre.
 2. Any land disturbance activity of less than 2000 square feet.
 3. Landscaping, home gardening or reestablishment of lawn areas.
 4. Agricultural activities in connection with the production, harvesting, storage, drying, or raising of agricultural products and livestock.
 5. Any emergency activity that is immediately necessary for the protection of life, property or natural resources.

Section 500.150 Erosion and Sediment Control Plan

A site-specific Erosion and Sediment Control Plan conforming to the requirements of Chapter 425: EROSION AND SEDIMENT CONTROL, SECTION 425.050 Erosion and Sediment Control Plan shall be submitted to the City Engineer.

Section 500.160 Grading Plan

- A. The grading plan must contain all of the information set forth below.
1. Existing and proposed contours of the entire site taken at two foot intervals to define existing and proposed topography of the entire site. The maximum allowable slope is one foot of vertical rise for three feet of horizontal run (3:1).
 2. Contour lines that extend a minimum of 100 feet off site or sufficient to show on- and off-site drainage.
 3. Property lines shown in true location with respect to the plan's topographic information.
 4. Location and graphic representation of all existing and proposed natural and manmade drainage facilities including both piped and overland facilities. Overland swales must have a minimum grade of two percent.
 5. Name(s), address(es) and telephone number(s) of the person(s) responsible for the preparation of the site plan and grading plan.

6. Location of final surface runoff, erosion and sediment control measures.
7. Location and elevation of any building or structure located within 50 feet of the property boundaries.
8. Other information required by the City Engineer or their designee.

Section 500.170 Land-Disturbance Permit Fee

A permit fee approved by the Board of Aldermen and listed in the Comprehensive Fee Schedule, maintained in the City Clerk's office, must be submitted with the land disturbance permit application.

Section 500.180 BMPs Security

The City Engineer shall require the applicant to provide security equal to the estimated cost to install and maintain the approved erosion and sediment control measures for the duration of the land-disturbance permit as defined in Chapter 425, Section 425.060, paragraph E, if the land disturbance is within the watershed of a public or private lake or pond, if the erosion and sediment control plan is for an area of one acre or greater or if the estimated cost to install and maintain the approved erosion and sediment control measures is \$2,000.00 or greater. The applicant has two options to secure the performance of work:

- a. *Option 1: Performance bond.* The applicant may furnish a performance bond, approved by the City Engineer; or
- b. *Option 2: Letter of credit agreement.* The applicant may enter into a letter of credit agreement with the city, whereby the applicant will submit a letter of credit from a bank approved by the City Engineer.

Section 500.190 Compatibility with Other Regulations and Requirements

Nothing in this Section shall be deemed to supersede permitting requirements imposed by any law, rule or regulation of other Federal, State or local agencies, or of the City. In the event of conflict between these requirements and any other such law, rule or regulation, the more restrictive laws, rules or regulations shall apply.

SECTION II: The effective date of this ordinance shall be _____, 2015.

First Reading: March 2, 2015

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 McCrea _____

Alderman Ray _____
Alderman Roberts _____
Alderman Turner _____

Approved:

Attest:

Holly Stark, Mayor

Janet Burlingame, City Clerk

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks



Reid Holbrook

Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney

Business Office
Trudy Prickett

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

Parks Director
Nathan Musteen

To: Board of Alderman

From: Clifford L. McDonald

Date: March 16, 2015

Re: Board of Aldermen to consider Amendments to Section 500.065, Adoption of Standard Specification and Design Criteria of the City of Peculiar Municipal Code.

GENERAL INFORMATION

Applicant: City Staff

Status of Applicant: N/A

Requested Actions: Board of Aldermen to review the proposed Amendments to Section 500.065, Adoption of Standard Specification and Design Criteria of the City of Peculiar Municipal Code and consider the Second Reading of the Ordinance for approval.

Date of Application: March 2, 2015

Purpose: The purpose is for the City of Peculiar to adopt the most current Standard Specification and Design Criteria published by the Kansas City Metropolitan Chapter of the American Public Works Association to support the new Chapter 425: Erosion and Sediment Control and the revised Chapter 500, Article IV Land-Disturbance of the City's Municipal Code.

Property Location (if applicable): City Wide

PROPOSAL

See "Requested Actions" above.

PREVIOUS ACTIONS

The Planning Commission has worked diligently revising the City's Land-Disturbance Permit requirements since August, 2014. A number of issues needed to be addressed with this revision and they are listed in Atch 1 for your information. After in-depth study and review, the Commission believes the best solution is to implement a new Erosion and Sediment Control Chapter, amend corresponding references in the Municipal Code, rewrite the Land-Disturbance Permit Ordinance and have the City adopt the most current Standard Specification and Design Criteria from the KC Metro Chapter of the APWA. The Planning Commission reviewed and approved of these proposed changes to Section 500.065 on February 12th, 2015.

The Board of Aldermen reviewed and discussed this proposed amendment to Section 500.065 at their March 2nd, 2015 meeting. The Board subsequently unanimously approved the First Reading of the Ordinance.

KEY ISSUES

The Ordinance presented for approval will delete existing Paragraph A in its entirety and replace it with the listed Standard Specifications, Design Criteria and Standard Details identified by Title and Date. The City adopted 2004 APWA documents in 2008, however several new criteria are available (such as Erosion and Sediment Control, 9/2010 and Storm Drainage BMP Manual, 12/2012) which were not published at that time. The Board of Aldermen cannot “delegate” their authority to another entity (such as APWA, or NEC (National Electric Code)) to approve or adopt codes/criteria for the City of Peculiar. Thus, whenever new Building Codes or criteria are published the Board must formally adopt them to be legally binding.

STAFF COMMENTS AND SUGGESTIONS

The proposed changes to Section 500.065 have been reviewed by the City Attorney, City Engineer and the Planning Commission; Staff Recommends Approval as presented.

STAFF RECOMMENDATION

Staff Recommends Approval of the Ordinance as presented.

ATTACHMENTS

1. Ordinance to Amend Section 500.065, Paragraph A, Adoption of Standard Specification and Design Criteria
-

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

BILL NO. 2015-11
ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 500.065 ADOPTION OF STANDARD SPECIFICATION AND DESIGN CRITERIA OF THE PECULIAR MUNICIPAL CODE TO ADOPT KANSAS CITY APWA STANDARD SPECIFICATION AND DESIGN CRITERIA.

WHEREAS, the City Planner has recommended amending Section 500.065 of the City of Peculiar Municipal Code, to adopt new Kansas City APWA Standard Specification and Design Criteria, and

WHEREAS, the City Engineer has recommended approval of the amendments to Section 500.065 of the City of Peculiar Municipal Code, to adopt new Kansas City APWA Standard Specification and Design Criteria.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI THAT SECTION 500.065 ADOPTION OF STANDARD SPECIFICATION AND DESIGN CRITERIA OF THE CITY MUNICIPAL CODE BE AMENDED AS FOLLOWS:

SECTION I: That Section 500.065, Paragraph A, of the Peculiar Municipal Code be removed in its entirety and replaced with the following language:

A. The following Standard Specification and Design Criteria published by the Kansas City Metropolitan Chapter of the American Public Works Association (APWA) is hereby adopted to regulate the construction of Public infrastructure improvements within the City of Peculiar. Copies are to be kept on file with the City Clerk and City Engineer.

1. Standard Specifications:
 - a. Section 2100- Grading and Site Preparation (5/2008);
 - b. Section 2150 - Erosion and Sediment Control (5/2008);
 - c. Section 2200 - Paving (5/2001)
 - d. Section 2300 - Incidental Construction (7/2009)
 - e. Section 2400 - Seeding and Sodding (10/1981)
 - f. Section 2500 – Sanitary Sewers (12/1992)
 - g. Section 2600 – Storm Sewers (4/1996)
 - h. Section 2700 - Structures (11/1998)

- i. Section 2800 – Street Lights (12/1982)
 - j. Section 2900 – Waterlines (12/1984)
2. Design Criteria:
- a. Section 5100 - Erosion and Sediment Control (9/2010)
 - b. Section 5200 - Streets (4/1996)
 - c. Section 5300 - Incidental Construction and Local Bicycle Facility Design Guidance (12/2002)
 - d. Section 5500 – Sanitary Sewers and Appurtenances (4/1996)
 - e. Section 5600 - Storm Drainage Systems and Facilities (2/16/2011)
 - f. Section 5700 – Structures (12/1986)
 - g. Section 5800 - Street Lighting (12/1982)
 - h. Section 5900 – Utility Coordination for Capital Improvements Projects (3/2010)
 - i. Storm Drainage BMP Manual – Reference Best Management Practices (12/2012)
3. Standard Details:
- a. Standard Details
 - b. Standard Details II

SECTION II: The effective date of this ordinance shall be _____, 2015.

First Reading: March 2, 2015

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 McCrea _____

Alderman Ray _____
Alderman Roberts _____
Alderman Turner _____

Approved:

Attest:

Holly Stark, Mayor

Janet Burlingame, City Clerk

City Administrator
Brad Ratliff

City Clerk
Nick Jacobs

City Engineer
Carl Brooks

Business Office
Trudy Prickett



Reid Holbrook

Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney

Parks Director
Nathan Musteen

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

To: Mayor & Board of Aldermen
From: Carl Brooks, City Engineer (cbrooks@cityofpeculiar.com)
Date: March 10, 2015
Re: Inter Governmental Agreement between Belton, Raymore Peculiar, Pleasant Hill and Grandview

GENERAL INFORMATION

Applicant: City staff
Requested Actions: Approval of resolution
Purpose: Inter-Governmental Agreement by and between the Cities of Belton, Raymore, Peculiar, Pleasant Hill and Grandview for participation in Street Maintenance Contracts.
Property Location: City Wide

PROPOSAL

The cities of Belton, Raymore, Peculiar, Pleasant Hill and Grandview are proposing an inter government agreement for participation in Street Maintenance Contracts.

PREVIOUS ACTIONS

The cities of Belton, Raymore, Peculiar, Pleasant Hill and Grandview agree that there is a mutual benefit to those communities to have this inter-governmental agreement, and City staff has collaborated to acquire the inter government agreement.

KEY ISSUES

This Cities of Raymore and Belton have already passed the inter-governmental agreement.

STAFF COMMENTS AND SUGGESTIONS

City staff suggests that the Board of Aldermen approve the resolution by and between the City of Peculiar and the Cities of Belton, Raymore, Pleasant Hill and Grandview.

STAFF RECOMMENDATION

City staff recommends approval of the resolution.

ATTACHMENTS

Inter-Governmental Agreement
Resolution 2015-18

RESOLUTION 2015-19

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AUTHORIZING THE MAYOR TO ENTER INTO A INTER GOVERNMENTAL AGREEMENT WITH THE CITIES OF BELTON, RAYMORE, PECULIAR, PLEASANT HILL AND GRANDVIEW FOR PARTICIPATION IN THE STREET MAINTENANCE CONTRACTS WHICH PROVIDES THE OPPORTUNITY FOR CAPITAL STREET IMPROVEMENTS FOR THE CITY OF PECULIAR, MO

WHEREAS, the Cities of Peculiar, Belton, Raymore, Pleasant Hill and Grandview agree that there is a mutual benefit to those communities to have this inter-governmental agreement, and

WHEREAS, City staff has collaborated to acquire the inter government agreement;

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

Section 1. That an intergovernmental agreement between the cities of Belton, Raymore, Peculiar, Pleasant Hill and Grandview for participation in Street Maintenance Contracts is hereby approved and the Mayor is authorized and directed to execute the Agreement on behalf of the City.

Section 2. *Effective Date.* The effective date of this Resolution shall be the 16th day of March 2015.

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

| | | | |
|------------------------|-------|-------------------------|-------|
| Alderman Fines | _____ | Alderman Ray | _____ |
| Alderman Ford | _____ | Alderman Roberts | _____ |
| Alderman McCrea | _____ | Alderman Turner | _____ |
| Approved: | | Attest: | |

Holly J. Stark, Mayor

Janet Burlingame, City Clerk

**INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITIES OF
BELTON, RAYMORE, PECULIAR, PLEASANT HILL, AND GRANDVIEW**

THIS AGREEMENT is entered into between the **CITIES OF BELTON, RAYMORE, PECULIAR, PLEASANT HILL, AND GRANDVIEW**, all political subdivisions in the State of Missouri organized and existing under the Constitution and laws of the State of Missouri.

WHEREAS, Article R-VI, Section 16 of the Constitution of Missouri provides that any municipality or political subdivision of the State may cooperate under contract to provide a common service as provided by law; and,

WHEREAS, §70.210-70.320 RSMo provides that political subdivisions, including cities, towns, and villages may jointly exercise their authority to provide common services so long as the subject and purposes of such contract are within the scope of the powers of each participating political subdivision; and,

WHEREAS, the City Council and/or Board of Aldermen of each respective City who is a party to this Agreement deems it to be in the best interests of said City and its citizens to enter into an Intergovernmental Agreement for the maintaining of bids and potential expenditure of public funds through a joint bidding agreement.

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

1. **SCOPE OF AGREEMENT**. The parties agree that the City of Belton shall provide request for proposal and bidding requirements for street maintenance projects to be undertaken by each participating City for the following subjects:

- a) mill and overlay; and
- b) micro surfacing, CRF; and Reclamite

- c) chip and seal; and,
- d) curb and gutter; and
- e) sidewalks
- f) striping

Pursuant to specifications to be provided and approved by the participating Cities.

2. **COST ALLOCATION.** Based upon unit prices provided by the contractor and approved by the individual Cities, the participating Cities agree to a master contract containing unit prices with quantities for the material and labor specified above to be supplied by the individual Cities.

3. **PAYMENT/WARRANTY.** Each participating City will individually administer the contract and directly pay the selected contractor for work completed. Each City will individually require of the selected contractor bonds and warranties for work completed.

4. **CHANGE ORDERS/SUPPLEMENTAL AGREEMENTS.** Any change orders or Supplemental Agreements that affect the project cost approved by the participating Cities and administered by each agency must be approved by the individual City affected by the change order or Supplemental Agreement prior to execution of work.

5. **GOVERNING LAWS AND REGULATIONS.** Belton or the participating Cities shall abide by all relevant statutes and procedures of RSMo with respect to the best bid available and shall abide by Kansas City Metropolitan Chapter of the American Public Works Association and the City of Belton Design and Construction Manual for standards, specifications, rules, and contract administration procedures where relevant and applicable.

6. **WAIVER.** Any and all contractors engaged in the work to be performed on behalf of Belton or the participating Cities shall not be considered employees of Belton or any other participating City for any purpose, including Worker's Compensation, or any and all claims that may or might arise out of said contract on behalf of said employees while so

engaged. Any and all claims made by any third party as a consequence of any act or omission on the part of the contractor shall not be the obligation or responsibility of Belton or any of the participating cities. The participating Cities shall not be responsible under the Worker's Compensation Act for any employees of any contractor.

7. **INTEGRATION.** The entire and integrated agreement of the parties contained in this Agreement shall supersede all prior negotiations, representations, or agreements between the participating Cities, whether written or oral, and each party hereby agrees to present the proposed Agreement to its City Council and/or Board of Aldermen and duly authorized officials for approval and agreement.

8. **WAGES.** All wages paid for work under this Agreement shall comply with the requirements of the Prevailing Wage Law of the State of Missouri, §290.210 through 290.340 RSMo 1969, as amended.

9. **BIDDING PROCEDURE/CONTRACT AWARD.** The respective Cities reserve the right to reject any and all proposals and to waive any formalities or deficiencies therein. Belton and the respective Cities reserve the right to negotiate with any and all bidders for more favorable terms and prices and to award a contract other than the bidder submitting the lowest cost-bid proposal with or without negotiations and to determine which is the lowest, best, and most responsive bid to accept at its option and any alternatives, and to approve said bid and any needed bond.

IN WITNESS THEREOF, the parties have caused this agreement to be executed by their duly authorized officials.

CITY OF BELTON, MISSOURI

By: _____

Mayor

City Manager

CITY OF RAYMORE, MISSOURI

By: _____
Mayor

City Manager

CITY OF PECULIAR, MISSOURI

By: _____
Mayor

City Administrator

CITY OF PLEASANT HILL, MISSOURI

By: _____
Mayor

City Manager

CITY OF GRANDVIEW, MISSOURI

By: _____
Mayor

City Manager

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks

Business Office
Trudy Prickett



Reid Holbrook

Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney

Parks Director
Nathan Musteen

To: Mayor and Board of Alderman
From: Nathan Musteen, Parks Director
Date: March 16, 2015
Re: 2015 Park Maintenance Contract – Excalibur Contracting

GENERAL INFORMATION

Applicant: City Staff
Requested Actions: Approval of Resolution No 2015-19
Purpose: Enter into an agreement with Excalibur Contracting for Park Maintenance
Property Location: Seven (7) City Parks

PROPOSAL

City staff proposes that the Board of Aldermen approve a resolution authorizing the Mayor to execute an agreement with Excalibur Contracting for *General Maintenance for City Parks* for the period of April 1, 2015 through September 30, 2015. This contract only includes general maintenance of the City Parks and does not include mowing or edge trimming.

PREVIOUS ACTIONS

The tasks under the proposed agreement (see *ARTICLE 2* attached) have been privatized since April, 2011. In January of 2014, the City Staff submitted RFP Project 2014-04 accepting bids for Park Maintenance work. On March 17, 2014, former Mayor Jungmeyer executed a one year contract with the option for renewal for two additional one year extensions.

In 2014, Excalibur submitted bids for the general maintenance in the amount of \$19.75 per man hour and game day field set-up fees of \$14.75 per man hour. The general maintenance man hours remained the same as in previous contract years, however, a amount per hour was submitted specifically for game day field set-up fees which includes field striping, bleachers, flags and goal set-up in preparations for games was requested this year.

During the budget preparation for FY15, Staff recommended to discontinue the privatization of Park Maintenance by not renewing the contract and hire a full time park maintenance employee.

KEY ISSUES

With the delay of the Raisbeck athletic complex completion and the current seeding project with Brummel Landscaping and Excalibur Contracting, staff recommends the renewal of the Maintenance Contract for six months ending on September 30th of 2015. This six month extension would align the current maintenance contract with the fiscal budget year and allow for the completion of seeding project at Raisbeck.

City Staff will be able address the contract vs. full time staff during the FY16 budget preparation period and make preparations to renew for one more additional contract year ending on September 30th, 2016 or hire a full park

maintenance employee.

STAFF COMMENTS AND SUGGESTIONS

Staff has been pleased with the work and communication between the City and Excalibur. An extension would provide stability and additional time needed for the completion of the Raisbeck seeding project while continuation of quality park maintenance service.

STAFF RECOMMENDATION

Staff recommends approval of Resolution 2015-19 for the Mayor to enter an agreement with Excalibur Contracting for the Park Maintenance of the Peculiar Park System.

ATTACHMENTS

Resolution 2015-19
Park Maintenance Contract

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

RESOLUTION 2015-20

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MIKE JOHNSON OF EXCALIBUR CONTRACTING FOR THE PURPOSE OF PERFORMING GENERAL MAINTENANCE FOR CITY PARKS IN PECULIAR, MISSOURI

WHEREAS, the City Staff developed a comprehensive list of tasks that have been performed at city parks in recent years and included said list in the proposed agreement under *ARTICLE 2 - SERVICES TO BE PERFORMED BY CONTRACTOR*; and

WHEREAS, the City advertised a Park Maintenance RFP in 2014 and received bids for the work to be performed; and

WHEREAS, the contractor, Excalibur Contracting of Harrisonville, Missouri; submitted the lowest and only bid for the maintenance of Peculiar’s Park System

WHEREAS, said agreement shall be separate from any agreement that may be executed for 2015 mowing and edge trimming for city parks and city snow removal and;

WHEREAS the CITY may renew the contract with the CONTRACTOR for a six month period to align the park maintenance contract with the annual fiscal budget for the time period of April 1, 2015 through September 30, 2015

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

The Mayor is authorized to execute a contractual agreement with Excalibur Contracting to perform Park Maintenance within the Peculiar Park System.

THIS RESOLUTION WAS ADOPTED BY THE FOLLOWING ROLL CALL VOTE THIS 16th DAY OF MARCH, 2015

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

Approved: _____
Holly Stark, Mayor

Attest: _____
Janet Burlingame, City Clerk

**CITY OF PECULIAR
CONTRACTUAL AGREEMENT**

Any award made as a result of this Request for Proposal will be subject to the following and shall comply substantially with the Contractual Agreement. By submitting a proposal, the Contractor agrees to accept and be bound by the following terms and requirements in any resulting contract:

THIS AGREEMENT, made by and between the City of Peculiar, Missouri (hereinafter called CITY) and Excalibur Contracting (hereinafter called CONTRACTOR).

WITNESSETH:

WHEREAS, CITY requires services for Park Maintenance of the City Park System and,

WHEREAS, CONTRACTOR is prepared to provide said professional services and shall give consultation and advice to CITY during the performance of said services;

NOW THEREFORE, CITY and CONTRACTOR in consideration of the mutual covenants contained in this Agreement, agree as follows:

ARTICLE 1 – EFFECTIVE DATE

The effective date of this AGREEMENT shall be March 17, 2015

ARTICLE 2 – SERVICES TO BE PERFORMED BY CONTRACTOR

All work to be performed will be either scheduled under “routine duties” or “general maintenance tasks”.

A. Required Resources:

- 1) The contractor shall supply all material, equipment and personnel necessary for the performance of this contract.
- 2) All equipment must be in compliance with bid specifications and all applicable federal, state and local rules and regulations.
- 3) All bidders must have in their possession or available to them all necessary equipment, devices, tools, materials and supplies necessary to perform the work specified herein.

B. Compensation and Price Quotes

- 1) For specialized or major projects, the contractor shall inspect the need for service and provide a “not to exceed or cap” price for the job based on the wage/hour as specified in the contract.
 - i. These specialized or major projects will be at the discretion of City Staff and will be placed for official bid if estimates exceed cost limits as stated in the city purchasing policy.
- 2) The contractor shall be paid for all the work upon completion, submittal of work invoice and inspection of assigned City Staff.

C. Park Maintenance Tasks

- 1) Routine Duties:
 - i. Tasks that the contractor shall without written notification by the Park Director or a City representative perform on a weekly basis or as needed basis to maintain clean, safe, useable and aesthetically pleasing parks and facilities.
- 2) General Maintenance Tasks:
 - i. Tasks that are to be performed at the direction of the Park Director and issued via work

- order form or via email authorization as written documentation.
- ii. As a representative of the City, the CONTRACTOR may inform City Staff of needed maintenance items or suggested repairs, etc...to be addressed.
 - iii. Duties herein assigned to the CONTRACTOR may be subject to change based on services/personnel added to the CITY Parks & Recreation Department growth and needs.

Routine Duties:

- Weekly emptying of park trash cans
- Weekly cleaning of McKernan restrooms
- Weekly cleaning of park grounds & structures including
 - Twig & limb pick-up
 - Trash pick-up in all park areas including parking lots, playgrounds, trails, athletic areas and shoreline areas along creeks, rivers, the lake and drainage areas.
- Weekly cleaning and general maintenance of the McKernan Park picnic shelter & City Lake Park picnic shelter and pier
- Weekly playground safety checks
- Graffiti removal and other vandalism repairs
- Weed removal in all landscape beds, monument/entry sign areas, mulched areas and playgrounds

General Maintenance Tasks

Landscaping, Beautification and Tree Work:

- Maintain/install entrance monuments and other signs
- Maintain/install enclosed landscaped areas through-out the Park System
 - Mulch placement
 - New plantings
 - Place/replace landscape timbers & blocks
- Tree Maintenance:
 - General tree trimming/pruning
 - utilizing ground pruning equipment
 - Pruning Specifications outlined in the Chapter 126: Tree Maintenance Code or consult the City Arborist for specialized instructions
 - Storm-damaged tree clean-up
 - General tree/limb debris clean-up
 - Chainsaw, chipper and stump removal work as needed
 - Large tree work shall be covered under the City's Tree Maintenance Contract and authorized upon inspection of the Parks Director or assigned City Staff.
- Tree Planting
 - See Chapter 126: Tree Maintenance Code for planting specifications or consult the City Arborist for specialized instructions

Playgrounds:

- Replenish playground mulch maintaining National Playground Safety Standards.
- Repair and replace playground surface maintaining a level and safe ground surface for playground mulch application
- Install/repair/replace playground borders
- Install/repair/replace playground equipment

Trails, Sidewalks, Parking Lots and Entry Drives:

- Maintain/install gravel areas
- Maintain/install mulched trail areas
- Miscellaneous finish grading
- Maintain/install storm sewer piping
- Maintain/install paved areas
- Maintain/install park gates
- Maintain/install borders, fencing and safety barriers
- General tree/brush trimming or removal for patron safety and beautification
- Maintain/install all pedestrian walking bridges

General Electrical / Plumbing:

- Activate electrical power as needed
- Miscellaneous electrical repairs throughout park system
- Plumbing repairs throughout park system,

General Tasks:

- Maintain/install bleacher beds
- Maintain pole lights at McKernan, City Lake and Mayor's
- Maintain/install picnic tables and areas, benches and trash cans
- Maintain basketball goals (Shari Drive and McKernan)
- Maintain/install vinyl, chain link and wire fences
- Flagpole & flag maintenance (McKernan & Raisbeck)
- Produce & post special notices at parks and/or shelters
- Assist Park & Recreation Department and/or Park Board with annual special event(s)
- Coordinate portable restroom placements (City Lake, Peculiar Park and Raisbeck)
- Land application of chemicals for weed control and fertilization needs
 - Insecticide
 - Fertilizer
 - Weed killer

Winterizing:

- The parks will be winterized November 1 – April 1 or as weather dictates.
- Water fountains at Raisbeck, Mayor's and McKernan
- Concessions building at Raisbeck
- Restrooms at McKernan
- Water lines and spigots at City Lake

Structural Repairs:

- Raisbeck Concessions Building
- Raisbeck Storage Barn
- Storage Buildings at City Lake dam
- Restroom Facility at McKernan
- McKernan Park Shelter
- City Lake Shelter
- City Lake Pier
- Trash enclosure at Raisbeck

Snow removal:

- Snow Removal will be on an as needed basis and at the direction of the Parks Director when not covered by the City Snow Removal Contract.

Raisbeck Sports Complex:

- Turf Divot/hole repairs
- Grass/Turf Maintenance
 - Coordinate with the City Mowing Contractor
 - Application of chemicals for weed control and fertilization needs
 - Insecticide
 - Fertilizer
 - Weed killer
- Athletic field boundary painting
- Flood light repairs
- Assembly & repair of bleachers
- Goal/Net Assembly & Repair
- General Field Set-up for Tournaments/Game Days
- Weekly Cleaning of Restrooms (if applicable)
- Leaf / tree debris removal
- Clean & repair all flood damage

City Lake:

- Maintain dock, boat ramp, dam and spillway
- Shoreline plant removal at City Lake
- Maintain City Lake water surface
 - Algae treatments
 - Retrieval of City property from water

Peculiar Park (66 Acre):

- Maintain Trail
 - Tree / Limb / Brush removal
 - Mulch and surface repair/replacement
- Tree Nursery planting area maintenance
 - Mulch application
 - Weed Control
- Snow Fence / Parking Borders
 - Install maintain parking borders for athletic field areas
 - Drive and parking area grading/maintenance

ARTICLE 3 – PRECEDENCE OF DOCUMENTS

The CITY'S Request for Proposal and the CONTRACTOR'S response are attached hereto and incorporated by reference into this AGREEMENT. In the event of inconsistency or conflict between or among the provisions of this AGREEMENT and the provisions of the exhibits or attachments to this AGREEMENT, the provisions of this AGREEMENT shall take precedence over the exhibits and attachments, the exhibits shall take precedence over the attachments and the CITY'S Request for Proposal shall take precedence over the CONTRACTOR'S Proposal.

ARTICLE 4 – PERIOD OF SERVICE

The period of service shall be March 17, 2015 through September 30, 2015. At the close of this Period of Service, the CITY may, at its option, enter into negotiations with the CONTRACTOR for a renewal of this Contractual Agreement for the time period October 1, 2015 through September 30, 2016.

The CITY is exempt from State of Missouri sales and use taxes on purchases made directly for the CITY. CONTRACTOR shall not include any sales or use taxes on transactions between the CONTRACTOR and CITY. Monthly invoices shall be submitted by the CONTRACTOR to the CITY for payment covering services performed during the preceding month. The CITY'S payment terms are net thirty (30) days. Inadequate documentation to support the charges shall be remedied by contractor within ten (10) days of City's request. City in its sole discretion shall determine adequacy of documentation and its obligation to pay any invoice.

ARTICLE 5 – COMPENSATION

| ROUTINE DUTIES AND OTHER ASSIGNED TASKS | |
|---|--|
| Hourly Wage per Man-Hour: Prevailing Wage Not Applicable | |
| Hourly rate for regular service | \$ 19.75 |
| Hours of Service and Contact | 7:00 a.m. to 10:00 p.m., 6 days per week |
| Emergency service available | 24 hours a day / 7 days per week |
| Contact Name for Service Calls | Mike Johnson |
| Contact Phone Number for service calls | Number: 816-738-4031 |

| GAME DAY FIELD PREPARATION | |
|---|--|
| Hourly Wage per Man-Hour: Prevailing Wage Not Applicable | |
| Hourly rate for regular service | \$ 14.75 |
| Hours of Service and Contact | 7:00 a.m. to 10:00 p.m., 6 days per week |
| Emergency service available | 24 hours a day / 7 days per week |
| Contact Name for Service Calls | Mike Johnson |
| Contact Phone Number for service calls | Number: 816-738-4031 |

For services performed under the *Routine Duties and Other Assigned Tasks*, the CITY shall pay the CONTRACTOR an amount not to exceed \$19.75 per man-hour. For services performed regarding Game Day Field Preparation for upcoming league or tournament games, the CITY shall pay the CONTRACTOR an amount not to exceed \$14.75 per man-hour. Monthly invoices shall be submitted by the CONTRACTOR to the CITY for payment covering services performed during the preceding month. The CONTRACTOR's monthly invoices shall include a breakdown of specific tasks performed during the billing period and the man-hours dedicated to each. The monthly billing shall not exceed one hundred (100) man-hours unless prior authorization has been given to the CONTRACTOR by the City's contact person listed herein under *ARTICLE 20 – COMMUNICATIONS*.

The CITY is exempt from State of Missouri sales and use taxes on purchases made directly for the CITY. CONTRACTOR shall not include any sales or use taxes on transactions between the CONTRACTOR and CITY. The CITY'S payment terms are net thirty (30) days. Inadequate documentation to support the charges shall be remedied by CONTRACTOR within ten (10) days. CITY in its sole discretion shall determine adequacy of documentation for payment of any invoice.

ARTICLE 6 – BOND

The CONTRACTOR shall furnish a surety bond in the amount of \$10,000 as security for the faithful performance of this AGREEMENT and for the payment of all persons performing labor and furnishing materials in connection with the AGREEMENT. The bond shall be from a surety company authorized to do business in the State of Missouri and in a form acceptable to the CITY.

ARTICLE 7 – PERMITS AND LICENSES

The CONTRACTOR shall procure a City of Peculiar Occupation License. CONTRACTOR will abide by all applicable laws, regulations, and ordinances of all federal, state, and local governments in which work under this contract is performed, and will require the same of all subcontractors. The CONTRACTOR must furnish and maintain certification of authority to conduct business in the State of Missouri.

ARTICLE 8 – OWNERSHIP OF DOCUMENTS AND INTELLECTUAL PROPERTY

Except as otherwise provided herein, documents, drawings, and specifications prepared by CONTRACTOR as part of the services shall become the property of CITY.

ARTICLE 9 – CHANGES, DELETIONS, OR ADDITIONS TO AGREEMENT

Either party may request changes within the general scope of this AGREEMENT. If a requested change causes an increase or decrease in the compensation or period of service stated in this AGREEMENT, CITY and CONTRACTOR will agree to an equitable adjustment of the AGREEMENT compensation, period of service, or both, and will reflect such adjustment in a change order. All change orders shall be in writing and approved by the City's representative.

ARTICLE 10 – LIABILITY AND INDEMNIFICATION

Having considered the potential liabilities that may exist during the performance of this AGREEMENT and the CONTRACTOR'S fee, and in consideration of the mutual covenants contained in the AGREEMENT, CITY and CONTRACTOR agree to allocate and limit such liabilities in accordance with this Article.

The CONTRACTOR agrees to indemnify and hold harmless the CITY, its agents, officials and employees and to assume all risk, responsibility for death of or injury to, any persons and for loss, damage or injury to any property (together with all expenses, including attorney fees, in defense or prosecution of any action involving any such death, injury or damage), arising from, growing out of, or in any manner or degree directly or indirectly related to the performance of this work. The CONTRACTOR shall indemnify CITY against legal liability for damages arising out of claims by CONTRACTOR'S employees.

ARTICLE 11 – INSURANCE

During the performance of the Services under this AGREEMENT, CONTRACTOR shall maintain the following insurance:

- (1) Workers' Compensation Insurance in accordance with statutory requirements and Employer's Liability Insurance, with a limit of \$500,000 for each occurrence.
- (2) General Liability Insurance, with bodily injury limits of \$1,000,000 for each occurrence and \$2,000,000 aggregate, and with property damage limits of \$1,000,000 for each occurrence and

\$2,000,000 aggregate. Include the City of Peculiar, Missouri as Additional Insured and a waiver of subrogation endorsement is to be applicable.

- (3) Automobile Liability Insurance, with bodily injury limits of \$500,000 for each person and \$1,000,000 for each accident, and with property damage limits of \$500,000 for each accident.

CONTRACTOR shall furnish CITY certificates of insurance, which shall include a provision that such insurance shall not be canceled without at least thirty days' written notice to CITY. All subcontractors shall be required to include CITY and CONTRACTOR as additional insured's on their General Liability insurance policies, and shall be required to indemnify CITY and CONTRACTOR to the same extent.

ARTICLE 12 – DELAY IN PERFORMANCE

Neither CITY nor CONTRACTOR shall be considered in default of this AGREEMENT for delays in performance caused by circumstances beyond the reasonable control of the non-performing party. For purposes of this AGREEMENT, such circumstances include, but are not limited to, floods; earthquakes; fire; epidemics; war, riots, and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; sabotage; judicial restrains; and inability to procure permits, licenses, or authorizations from any local, state, or federal agency for any of the supplies, materials, accesses, or services required to be provided by either CITY or CONTRACTOR under this AGREEMENT. Should such circumstances occur, the non-performing party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this AGREEMENT.

ARTICLE 13 – TERMINATION

CITY may terminate or suspend performance of this Agreement for CITY'S convenience upon sixty (60) days' written notice to CONTRACTOR. CONTRACTOR shall terminate or suspend performance of the services on a schedule acceptable to CITY. If termination or suspension is for CITY'S convenience, CITY shall pay CONTRACTOR for all the services performed till the date of the termination by the CITY or suspension expenses. Upon restart, and equitable adjustment shall be made to CONTRACTOR'S compensation.

This AGREEMENT may be terminated by either party upon written notice in the event of substantial failure by the other party to perform in accordance with the terms of this Agreement. The non-performing party shall have fifteen calendar days from the date of the termination notice to cure or to submit a plan for cure acceptable to the other party. In the event that funding for the contract is discontinued, City shall have the right to terminate this contract immediately upon written notice to Contractor.

ARTICLE 14 – SEVERABILITY

The invalidity, illegality, or unenforceability of any provision of this AGREEMENT or the occurrence of any event rendering any provision of this AGREEMENT void shall in no way affect the validity or enforceability of any other provision of this AGREEMENT. Any void provision shall be deemed severed from this AGREEMENT, and the balance of this AGREEMENT shall be construed and enforced as if this AGREEMENT did not contain the particular provision held to be void. The parties further agree to amend this AGREEMENT to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this Article shall not prevent this entire AGREEMENT from being void should a provision which is of the essence of this AGREEMENT be determined void.

ARTICLE 15 – SUCCESSORS AND ASSIGNS

CITY and CONTRACTOR each binds itself and its directors, officers, partners, successors, executors, administrators, assigns, and legal representatives to the other party to the AGREEMENT and to the directors, officers, partners, successors, executors, administrators, assigns, and legal representatives of such other party in respect to all provisions of this AGREEMENT.

ARTICLE 16 – ASSIGNMENT

Neither CITY nor CONTRACTOR shall assign any rights or duties under this AGREEMENT without the prior written consent of the other party. Unless otherwise stated in the written consent to an assignment, no assignment will release or discharge the assignor from any obligation under this AGREEMENT.

ARTICLE 17 – THIRD PARTY RIGHTS

Nothing in this AGREEMENT shall be construed to give any rights or benefits to anyone other than CITY and CONTRACTOR.

ARTICLE 18 – INDEPENDENT CONTRACTORS

Each party shall perform its activities and duties hereunder only as an independent contractor. The parties and their personnel shall not be considered to be employees or agents of the other party. Nothing in this AGREEMENT shall be interpreted as granting either party the right or authority to make commitments of any kind for the other. This AGREEMENT shall not constitute, create, or in any way be interpreted as a joint venture, partnership or formal business organization of any kind.

ARTICLE 19 – MODIFICATIONS/AMENDMENTS

The City may at any time, by written modification or amendment, without notice to any surety, make changes or additions, within the general scope of this contract. If any such change causes an increase or decrease in the compensation or period of service of this contract, the Contractor shall notify the City Administrator in writing immediately and an appropriate equitable adjustment will be made in the compensation or period of service or both, by written modification of the contract. Any claim by the Contractor for such adjustment must be asserted within thirty (30) days or such other period as may be agreed upon in writing by the parties after the CONTRACTOR'S receipt of notice of the modification. Nothing herein contained shall excuse the Contractor from proceeding with the contract as changed.

ARTICLE 20 – EQUAL EMPLOYMENT OPPORTUNITY

During the performance of this agreement, the organization agrees as follows:

The organization will not discriminate against any employee or applicant for employment because of race, age, color, religion, sex, national origin or any other legally protected category. The organization will take affirmative action to ensure that applicants are employed, and that employees are treated fairly during employment, without regard to their race, age, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training including apprenticeship. The organization agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

The organization will, in all solicitations or advertisements for employees placed by or on behalf of the organization, state that all qualified applicants will receive consideration for employment without regard to race, age, color, religion, sex, or national origin.

The organization will send to each labor union or representative of workers with which he or she has a collective bargaining agreement or other contract or understanding a notice to be provided by the Contract Compliance Officer advising the said labor union or workers' representatives of the organization's commitment under this section and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The organization will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor. The organization will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his or her books, records, and accounts by the Department and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

In the event of the organization's noncompliance with the non-discrimination clauses of this agreement/contract or purchase order with any of the said rules, regulations, or orders, this agreement/contract or purchase order may be canceled, terminated, or suspended in whole or in part, and the organization may be declared ineligible for any further government agreement/contracts or purchase order or federally assisted agreements/contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, or by rules, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

The organization will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The organization will take such action with respect to any subcontract or purchase order as the Department may direct as a means of enforcing such provisions, including sanctions of noncompliance; provided, however, that in the event an organization becomes involved in, or is threatened with litigation with a subcontractor or vendor as a result of such direction by the Department, the organization may request the United States to enter into such litigation to protect the interest of the United States."

ARTICLE 21 – COMPLIANCE WITH LAWS

This Agreement shall be governed by the laws of the state of Missouri, notwithstanding the operation of any conflict or choice of law statutes or decisional law to the contrary. The CONTRACTOR shall also comply with all federal and local laws, ordinances, and regulations applicable to the work and shall procure all licenses and permits necessary for the fulfillment of obligations under this contract. For any dispute that may arise out of this contract, the parties agree that the proper jurisdiction and venue shall be the Circuit Court of Cass County, Missouri.

ARTICLE 22 – COMMUNICATIONS

Any communication required by this AGREEMENT shall be made in writing to the address specified below:

| | | |
|--------------------|---|------------------------------|
| Contractor: | Excalibur Contracting | (Business/Organization Name) |
| | Mike Johnson | (Owner Name) |
| | 1907 Christopher St. | (Address) |
| | Harrisonville, MO 64701 | (City, State, Zip) |
| | 816-738-4031 | (Telephone) |
| | Excaliburcontracting5@yahoo.com | (Email) |

City: **City of Peculiar, MO**
Parks & Recreation Director

250 South Main
Peculiar, MO 64078
816-779-2225

Nothing contained in this Article shall be construed to restrict the transmission of routine communications between representatives of CONTRACTOR and CITY.

ARTICLE 23 – SEPARATE AGREEMENTS

CITY and CONTRACTOR each reserve the right to, from time to time; enter into other agreements for specific projects. If such agreements are separately approved in writing by the parties, the terms and conditions of those agreements or contracts shall prevail for the specific projects set forth therein.

ARTICLE 24 – ENTIRE AGREEMENT

This Agreement represents the entire agreement between the CITY and CONTRACTOR. All previous or contemporaneous agreements, representations, promises and conditions relating the CONTRACTOR’S services described herein are superseded.

ARTICLE 25 – SURVIVAL OF TERMS

The following Articles shall survive the expiration or termination of this AGREEMENT for any reason: Compensation (if any payment obligations exist); Permits and Licenses; Liability and Indemnification; Waiver; Severability; Assignment; Independent Contractors; Governing Law; Entire Agreement; Survival of Terms.

IN WITNESS WHEREOF, CITY and CONTRACTOR, by and through their authorized officers, have made and executed this Agreement

CITY:

CONTRACTOR:

City of Peculiar, Missouri

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____