

**BOA Meeting Agenda
Peculiar City Board of Aldermen
Meeting and Public Hearing
City Hall – 250 S. Main St
Monday, October 17, 2016 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, October 17, 2016 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 Aldermen Statement
5. Consent Agenda
 - A. Approval of the Draft Minutes of September 19, 2016 BOA Meeting.
 - B. Approval of the Draft Minutes of October 3, 2016 Worksession Meeting.
6. Unfinished Business –
 - A. Bill No. 2016-16 - AN ORDINANCE AMENDING THE CITY CODE TO EXTEND THE PERIOD FOR DISCHARGING FIREWORKS.
2nd Reading
 - B. Bill No. 2016-17 - AN ORDINANCE AMENDING CHAPTER 500: BUILDING AND CONSTRUCTION CODE, ARTICLE II, SECTION 500.025 INTERNATIONAL PROPERTY MAINTENANCE CODE (2012) OF THE CODE OF ORDINANCES OF THE CITY OF PECULIAR, MISSOURI - TO ADOPT SECTION 110 DEMOLITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE (2012).
2nd Reading
7. Topic for Discussion –
 - A. RFQ for Municipal Fiber Broadband Provisioning Project presented by Gary Lee, Lee & Company
 - B. Emergency Snow Routes presented by City Engineer Carl Brooks
 - C. MOU City of Peculiar / West Peculiar Fire Protection District presented by Chief of Police Harry Gurin
8. City Administrator Report
9. Aldermen Directives
10. Executive Session-

The City Administrator has requested a 45-minute Executive Session, per RSMo. 610.021(3) & 610.021(2).
11. Adjournment

**Board of Aldermen Regular Meeting Minutes
Monday, September 19, 2016**

A regular work session meeting and public hearing of the Board of Aldermen of the City of Peculiar, Missouri, was held in the Council Chambers in City Hall at 6:30 p.m. on Monday, September 19, 2016. 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: Homer Dunsworth, Jeff Harlan, Patrick Roberts, Jerry Ford, Veronika Ray and Matt Hammack.

City Staff present for the meeting were City Administrator Brad Ratliff, City Attorney's Office Peter Rottgers, City Planner Cliff McDonald, Chief of Police Harry Gurin, City Engineer Carl Brooks, Business Office Manager Trudy Prickett, Phillip Costanzo IT Systems Administrator, Utility Manager Nick Jacobs, Parks Director Grant Purkey and City Clerk Janet Burlingame.

City Clerk Janet Burlingame recited the Board of Alderman Statement.

Consent Agenda

- A. Approval of the Draft Minutes of August 15, 2016 BOA Meeting.**
- B. Approval of the Draft Minutes of September 6, 2016 Worksession Meeting.**
- C. Resolution No. 2016-35 – A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE RE-APPOINTMENT OF PAUL CANNOVA TO THE POLICE ADVISORY BOARD.**
- D. Resolution No. 2016-36 – A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE RE-APPOINTMENT OF SCOTT GREENER TO THE POLICE ADVISORY BOARD.**
- E. Resolution No. 2016-37 – A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE RE-APPOINTMENT OF RICK SCHOPFER TO THE POLICE ADVISORY BOARD.**

Alderman Ford moved to accept the consent agenda as presented and seconded by Alderman Roberts, consent agenda was approved by a 6-0 voice vote.

Alderman Dunsworth	Aye	Alderman Ray	Aye
Alderman Ford	Aye	Alderman Hammack	Aye
Alderman Roberts	Aye	Alderman Harlan	Aye

Proclamations -

Purple Heart City

Vietnam War Veterans Day

October Breast Cancer Awareness Month

Mayor Holly Stark recognized "Purple Heart City" and "Vietnam War Veterans Day" Proclamations to be presented on September 27, 2016 at the Honorary Flag Raising and Peculiar Monument Sign Dedication and "National Breast Cancer Awareness" the month of October 2016.

Unfinished Business –

- A. Bill No. 2016-15 - AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI, AMENDING CHAPTER 225 OF THE CODE OF ORDINANCES OF THE CITY OF PECULIAR, MISSOURI, TO ALLOW FOR ADMINISTRATIVE USER FEES TO BE CHARGED FOR EXCLUSIVE USE OF PARKS SHELTER FACILITIES AND PARK AMENITIES.
2nd Reading**

Parks Director Grant Purkey discussed key issues regarding the revision allowing administrative user fees to be charged for exclusive use of parks shelter facilities and park amenities. City Staff recommended approval. Discussion ensued amongst Mayor and Board of Aldermen. No public comment.

Alderman Roberts made a motion to have the second reading of Bill No. 2016-15 by title only. The motion was seconded by Alderman Ford and was approved by a 6-0 voice vote. Alderman Roberts made a motion to accept the second reading of Bill No. 2016-15 and place on final passage as Ordinance No. 09192016 . The motion was seconded by Alderman Ford and was accepted by a 6-0 voice vote.

Alderman Ford	Aye	Alderman Ray	Aye
Alderman Dunsworth	Aye	Alderman Roberts	Aye
Alderman Hammack	Aye	Alderman Harlan	Aye

New Business –

A. Resolution No. 2016-38 – A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI ADOPTING THE FISCAL YEAR 2016-2017 OPERATING BUDGET FOR THE CITY OF PECULIAR AND AMENDING THE FISCAL YEAR 2015-2016 OPERATING BUDGET.

CPA Benjamin Hart discussed key issues regarding the 2016-2017 Fiscal Year Operating Budget. Discussion ensued amongst Mayor, Board of Aldermen and City Administrator Brad Ratliff. No public comment.

Alderman Ford made a motion to adopt Resolution 2016-38 adding the “Schedule of Park Fees” to the 2016-2017 Fiscal Year Operating Budget. The motion was seconded by Alderman Hammack and was approved by a 6-0 roll call vote.

Alderman Dunsworth	Aye	Alderman Ray	Aye
Alderman Ford	Aye	Alderman Hammack	Aye
Alderman Roberts	Aye	Alderman Harlan	Aye

City Administrator Report -

- Chamber Coffee
- I-49 & Peculiar Way Interchange Ribbon Cutting
- Honorary Flag Raising & Peculiar Monument Sign Dedication
- Mayor’s Christmas Tree Lighting
- Human Resources
- Certified Site Program
- Economic Development
- MARC STP Funding
- Codes Department
- Parks Recreational Programs
- IT Department
- Packet Layer
- MARC Planning Sustainable Places Funding
- MoDot Interstate Cost Share Project

Aldermen Directives –

Approve Draft Minutes of the August 5, 2016 BOA Meeting
Approve Draft Minutes of the September 16, 2016 Worksession Meeting
Approve Resolution 2016-35, Appointment of Paul Cannova to Police Advisory Bd.
Approve Resolution 2016-36, Appointment of Scott Greener to Police Advisory Bd.
Approve Resolution 2016-37, Appointment of Scott Rick Schopfer to Police Advisory Bd.
Distribute Proclamations-(Purple Heart City, Vietnam War Veterans Day & October Breast Cancer Awareness Month)
Approve Bill No. 2016-15, Adopting Administrative User Fees for Parks
Approve Resolution No. 2016-38, Adopting the FY 2016-2017 Operating Budget

Executive Session –

The City Attorney has requested a 30-minute Executive Session, per RSMo. 610.021(1)

Alderman Roberts made a motion to enter into executive session pursuant to RSMo 610.021(1) beginning at 7:05 p.m. for 30 minutes. Seconded by Alderman Ford and was approved by a 6-0 roll call vote.

Alderman Ford	Aye	Alderman Ray	Aye
Alderman Dunsworth	Aye	Alderman Roberts	Aye
Alderman Hammack	Aye	Alderman Harlan	Aye

Alderman Roberts made a motion to exit executive session at 7:24 p.m. and reconvene regular session. Seconded by Alderman Ford and was approved by a 6-0 roll call vote.

Alderman Ford	Aye	Alderman Ray	Aye
Alderman Dunsworth	Aye	Alderman Roberts	Aye
Alderman Hammack	Aye	Alderman Harlan	Aye

New Business –

B. Bill No. 2016-16 - AN ORDINANCE DECLARING A LIMITED NINETY (90) DAY MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS FOR THE CONSTRUCTION OR EXPANSION OF ANY BUILDING OR STRUCTURE LOCATED IN THE CITY OF PECULIAR.

1ST Reading & 2nd Reading

No Board Discussion. No Public Comment.

Alderman Roberts made a motion to have the first reading of Bill No. 2016-16 by title only. The motion was seconded by Alderman Ford and was approved by a 6-0 voice vote. Alderman Roberts made a motion to accept the first reading of Bill No. 2016-16. The motion was seconded by Alderman Hammack and was accepted by a 6-0 voice vote.

Alderman Ford	Aye	Alderman Ray	Aye
Alderman Dunsworth	Aye	Alderman Roberts	Aye
Alderman Hammack	Aye	Alderman Harlan	Aye

Alderman Roberts made a motion to have the second reading of Bill No. 2016-16 by title only. The motion was seconded by Alderman Ford and was approved by a 6-0 voice vote. Alderman Roberts made a motion to accept the second reading of Bill No. 2016-16 and place on final passage as ordinance number 09192016A. The motion was seconded by Alderman Hammack and was accepted by a 6-0 roll call vote.

Alderman Ford	Aye	Alderman Ray	Aye
Alderman Dunsworth	Aye	Alderman Roberts	Aye
Alderman Hammack	Aye	Alderman Harlan	Aye

Adjournment –

On a motion from Alderman Ford, second from Alderman Hammack, the meeting was adjourned at 7:28 pm with a 6-0 voice vote.

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

Janet Burlingame, City Clerk

DRAFT

**Board of Aldermen Regular Meeting Minutes
Monday, October 3, 2016**

A regular work session meeting and public hearing of the Board of Aldermen of the City of Peculiar, Missouri, was held in the Council Chambers in City Hall at 6:30 p.m. on Monday, October 3, 2016. 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: Homer Dunsworth, Jeff Harlan, Patrick Roberts, Matt Hammack with Veronika Ray and Jerry Ford noted as an excused absence.

City Staff present for the meeting were City Administrator Brad Ratliff, City Attorney Joseph G. Lauber, City Planner Cliff McDonald, Chief of Police Harry Gurin, City Engineer Carl Brooks, Business Office Manager Trudy Prickett, Phillip Costanzo IT Systems Administrator, and City Clerk Janet Burlingame.

City Clerk Janet Burlingame recited the Board of Alderman Statement.

New Business –

A. Bill No. 2016-16 - AN ORDINANCE AMENDING THE CITY CODE TO EXTEND THE PERIOD FOR DISCHARGING FIREWORKS.

1st Reading

City Planner Cliff McDonald discussed key issues regarding an amendment to the Fireworks Ordinance to allow the discharge of fireworks other than on the 4th of July. City Staff recommended approval. Discussion ensued amongst the Mayor and Board of Aldermen. City Resident Donald Turner discussed concerns and recommended numerous ideas when enforcing the law.

Alderman Roberts made a motion to have the first reading of Bill No. 2016-16 by title only. The motion was seconded by Alderman Dunsworth and was approved by a 4-0 voice vote. Alderman Roberts made a motion to accept the first reading of Bill No. 2016-16. The motion was seconded by Alderman Dunsworth and was accepted by a 4-0 voice vote.

Alderman Ford	Absent	Alderman Ray	Absent
Alderman Dunsworth	Aye	Alderman Roberts	Aye
Alderman Hammack	Aye	Alderman Harlan	Aye

B. Bill No. 2016-17 - AN ORDINANCE AMENDING CHAPTER 500: BUILDING AND CONSTRUCTION CODE, ARTICLE II, SECTION 500.025 INTERNATIONAL PROPERTY MAINTENANCE CODE (2012) OF THE CODE OF ORDINANCES OF THE CITY OF PECULIAR, MISSOURI - TO ADOPT SECTION 110 DEMOLITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE (2012).

1st Reading

City Planner Cliff McDonald discussed key issues regarding Section 110 Demolition of the International Property Maintenance Code (2012) to provide needed Code support for the abatement of blighted property and structures within City Limits. City Staff recommended approval. Discussion ensued amongst the Mayor, Board of Aldermen, City Administrator and City Attorney. No public comment.

Alderman Roberts made a motion to have the first reading of Bill No. 2016-17 by title only. The motion was seconded by Alderman Dunsworth and was approved by a 4-0 voice vote. Alderman Roberts made a motion to accept the first reading of Bill No. 2016-17. The motion was seconded by Alderman Harlan and was accepted by a 4-0 voice vote.

Alderman Ford	Absent	Alderman Ray	Absent
Alderman Dunsworth	Aye	Alderman Roberts	Aye
Alderman Hammack	Aye	Alderman Harlan	Aye

C. Resolution No. 2016-39 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI, APPROVING AND ACCEPTING THE 2014 PRELIMINARY ENGINEERING REPORT SUPPLEMENT NO. 1 KANSAS CITY TRANSMISSION MAIN ALIGNMENT ANALYSIS FOR THE CITY OF PECULIAR BY LARKIN LAMP RYNEARSON.

City Engineer Carl Brooks discussed key issues regarding the 2014 Engineering Report Supplement No. 1 on the Kansas City Transmission Main Alignment Analysis. City Staff recommended approval. No public comment.

Alderman Roberts made a motion to adopt Resolution 2016-39. The motion was seconded by Alderman Hammack and was approved by a 4-0 roll call vote.

Alderman Dunsworth	Aye	Alderman Ray	Absent
Alderman Ford	Absent	Alderman Hammack	Aye
Alderman Roberts	Aye	Alderman Harlan	Aye

Topic for Discussion –

A. Design-build/construction management projects presented by Carl Brooks

City Engineer Carl Brooks discussed the benefits when allowing the use of a design-build/construction management for projects. City Staff desires to revise the City's Purchasing Policy to provide for a solicitation method for design-build projects and a method of procurement for construction management services. Discussion ensued amongst the Mayor, Board of Aldermen, City Administrator and City Attorney.

Aldermen Directives –

Bring back Bill No. 2016-16 for 2nd Reading (Amending Discharging of Fireworks)
Bring back Bill No. 2016-17 for 2nd Reading (Adopting Section 110 Demolition of the IPMC 2012)
Approve Resolution 2016-38, (Engineering Report of KC Transmission Main Alignment Analysis
Move forward on Design-Build/Construction Management Projects

Adjournment –

On a motion from Alderman Ford, second from Alderman Roberts, the meeting was adjourned at 7:18 pm with a 4-0 voice vote.

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

Janet Burlingame, City Clerk

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks

Business Office
Trudy Prickett



Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney
Joseph G. Lauber

Parks Director
Grant Purkey

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

To: Board of Aldermen
From: Clifford L. McDonald
Date: October 17th, 2016
Re: Fireworks Ordinance Amendment.

GENERAL INFORMATION

Applicant: N/A

Status of Applicant: N/A

Requested Actions: Board of Aldermen to consider the Second Reading of the attached Ordinance amending Chapter 240: Fireworks of the Peculiar Municipal Code to permit the discharge of fireworks on days preceding the 4th of July.

Date of Application: July 18, 2016

Purpose: Per the BOA’s direction, consider amending to the Fireworks Ordinance to allow the discharge of Fireworks on other than July 4th.

Property Location (if applicable): City-wide

PROPOSAL

See “Requested Actions” above.

PREVIOUS ACTIONS

The Board of Aldermen approved the First Reading of this Ordinance on October 3rd, 2016.

KEY ISSUES

Peculiar’s Ordinance allows for the Discharge of Fireworks on July 4th only, there is no provision for a citizen to secure permission to discharge fireworks on another date. The BOA asked Staff to present an amendment to permit the discharge of fireworks on days preceding the 4th of July to provide options for our residents.

STAFF COMMENTS AND SUGGESTIONS

The Ordinance presented for your consideration has been reviewed and approved by City Staff and the City Attorney.

STAFF RECOMMENDATION

Staff recommends the Board of Aldermen consider the Second Reading of the Ordinance to Amend Chapter 240: Fireworks, Section 240.060 to permit the discharge fireworks on other than July 4th with consideration for approval.

ATTACHMENTS

1. Ordinance to Amend Chapter 240: Fireworks, Section 240.060.
-

STAFF CONTACT:

Clifford McDonald

Phone: 779-2226

E-mail: cmcdonald@cityofpeculiar.com

BILL NO. 2016-16
ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY CODE TO EXTEND THE PERIOD FOR DISCHARGING FIREWORKS.

WHEREAS, Chapter 240 of the Code of Ordinances of the City of Peculiar, Missouri (“City Code”) currently allows for the discharge of fireworks on the Fourth of July, and no other dates; and

WHEREAS, the City Planner has recommended amending the City Code to permit the discharge of Fireworks within the jurisdictional limits of the City of Peculiar on the days immediately preceding the Fourth of July, and

WHEREAS, the Board of Aldermen have directed City Staff to amend the City Code to permit the discharge of Fireworks within City Limits for the days immediately preceding the Fourth of July, and

WHEREAS, City Attorney has reviewed and approved the amendment to Chapter 240: Fireworks of the City Code to permit the discharge of fireworks for the days immediately preceding the Fourth of July within City Limits.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI THAT CHAPTER 240: FIREWORKS, SECTION 240.060 OF THE CODE OF ORDINANCES OF THE CITY OF PECULIAR, MISSOURI BE AMENDED AS FOLLOWS:

SECTION I: That Chapter 240: Fireworks, Section 240.060 Discharge Prohibited in Certain Areas – At Certain Times, Paragraph A be amended such that it is removed in its entirety and replaced with the following language:

240.060 DISCHARGE PROHIBITED IN CERTAIN AREAS – AT CERTAIN TIMES

A. It shall be unlawful for any person to discharge or shoot any type of fireworks or firecrackers except for the following dates and times:

- | | |
|---|----------------------------|
| a. July 1st – July 3rd | 10:00 AM – 10:00 PM |
| b. July 4th | 10:00 AM – Midnight |

B. It shall be unlawful for any person to discharge or shoot any type of fireworks or firecrackers at any other time than listed in subsection A above, or at anytime on any public street, public sidewalk, public park, public grounds, or within the business district of the City

C. The Board of Aldermen, by resolution, may permit the discharge or shooting of special fireworks on public or private property on July fourth (4th) or such other date as the Board may authorize, if the same is a public display for which no admission charge is collected and if the same is sponsored and conducted by the City or one (1) or more local organizations.

SECTION II: The effective date of this ordinance shall be _____, 2016.

First Reading: October 3, 2016

Second Reading: _____

BE IT REMEMBERED THE PRECEDING ORDINANCE WAS ADOPTED ON ITS SECOND READING THIS ____ DAY OF _____, 2016, BY THE FOLLOWING VOTE:

Alderman Hammack _____
Alderman Ford _____
Alderman Dunsworth _____

Alderman Ray _____
Alderman Roberts _____
Alderman Harlan _____

APPROVED:

ATTEST:

Holly Stark, Mayor

Janet Burlingame, City Clerk

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks

Business Office
Trudy Prickett



Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney
Joseph G. Lauber

Parks Director
Grant Purkey

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

To: Board of Aldermen
From: Clifford L. McDonald
Date: October 17th, 2016
Re: Ordinance to Adopt Section 110 Demolition of the International Property Maintenance Code (2012).

GENERAL INFORMATION

Applicant: N/A

Status of Applicant: N/A

Requested Actions: Board of Aldermen to consider the Second Reading of the attached Ordinance adopting International Property Maintenance Code (2012), Section 110 Demolition

Date of Application: October 3rd, 2016

Purpose: To consider adopting Section 110 Demolition of the International Property Maintenance Code (2012) (IPMC) to provide needed Code support for the abatement of blighted property and structures within City Limits.

Property Location (if applicable): City-wide

PROPOSAL

See “Requested Actions” above.

PREVIOUS ACTIONS

- On October 19th, 2015 the Board of Aldermen approved the Second Reading of the Ordinance to Amend Chapter 500 and adopt the 2012 ICC (International Code Council) Building Codes. The adoption of the ICC Codes supported amendments previously approved by Peculiar’s Board of Aldermen; this resulted in the omission of Section 110, Demolition of the IPMC.
- On October 3rd, 2016 the Board of Aldermen unanimously approved the First Reading of the Ordinance to adopt Section 110 Demolition of the International Property Maintenance Code (2012)

KEY ISSUES

When a structure deteriorates to the point that it becomes a “Blight” to a neighborhood, or the City itself, it should be either rebuilt or demolished entirely. Ordering the demolition of private property, or having the City “Abate” the problem needs all the Ordinance support we can muster should the action be challenged in court. The adoption of Seciton 110, Demolition, of the IPMC will provide this much needed support and justification.

STAFF COMMENTS AND SUGGESTIONS

Section 110, Demolition, of the IPMC has been reviewed by City Staff, and the City Attorney; both believe it is in the best interest of the City to adopt this to provide needed support.

STAFF RECOMMENDATION

Staff recommends the Board of Aldermen consider the Second Reading of the Ordinance to adopt Section 110, Demolition, of the International Property Maintenance Code (2012) with consideration for approval.

ATTACHMENTS

1. Section 110, Demotion, of the IPMC
2. Ordinance to adopt Section 110 Demolition of the International Property Maintenance Code (2012)

STAFF CONTACT:

Clifford McDonald

Phone: 779-2226

E-mail: cmcdonald@cityofpeculiar.com

SECTION 110 DEMOLITION

[A] 110.1 General. The *code official* shall order the *owner* of any *premises* upon which is located any structure, which in the *code official* judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the *owner's* option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the *code official* shall order the *owner* to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless *approved* by the building official.

[A] 110.2 Notices and orders. All notices and orders shall comply with Section 107.

[A] 110.3 Failure to comply. If the *owner* of a *premises* fails to comply with a demolition order within the time prescribed, the *code official* shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

[A] 110.4 Salvage materials. When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

BILL NO. 2016-17
ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 500: BUILDING AND CONSTRUCTION CODE, ARTICLE II, SECTION 500.025 INTERNATIONAL PROPERTY MAINTENANCE CODE (2012) OF THE CODE OF ORDINANCES OF THE CITY OF PECULIAR, MISSOURI - TO ADOPT SECTION 110 DEMOLITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE (2012).

WHEREAS, the City Planner has recommended amending Chapter 500: Building and Construction Code to incorporate the 2012 International Property Maintenance Code, Section 110 Demolition, and

WHEREAS, the City Attorney has reviewed and approved the amendment to Chapter 500: Building and Construction Code to incorporate the 2012 International Property Maintenance Code, Section 110 Demolition into the City of Peculiar Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI THAT CHAPTER 500: BUILDING AND CONSTRUCTION CODE OF THE PECULIAR MUNICIPAL CODE BE AMENDED AS FOLLOWS:

SECTION I: That Chapter 500: Building and Construction Code, Article II Building and Construction Code, Section 500.025 International Property Maintenance Code (2012), Paragraph F be amended such that it is removed in its entirety and replaced with the following language:

F. Reserved

SECTION II: The effective date of this ordinance shall be _____, 2016.

First Reading: October 3, 2016 Second Reading: _____

BE IT REMEMBERED THE PRECEDING ORDINANCE WAS ADOPTED ON ITS SECOND READING THIS ____ DAY OF _____, 2016, BY THE FOLLOWING VOTE:

Alderman Hammack _____
Alderman Ford _____
Alderman Dunsworth _____

Alderman Ray _____
Alderman Roberts _____
Alderman Harlan _____

APPROVED:

ATTEST:

Holly Stark, Mayor

Janet Burlingame, City Clerk

Memorandum for the Record

To: City of Peculiar

From: Gary Lee PE

Date: 10-12-2016

Subject: Request for Proposal – High Speed Internet System

The attached document seeks to identify qualified firms interested in assisting the City in the deployment of a high speed internet system to serve the citizens of Peculiar. The Request for Qualifications (RFQ) has the following significant features:

1. It allows vendors to submit based on both open and closed systems
2. It specifically states the role of the City in implementation of the project
3. The bases for evaluation is clearly stipulated
4. The role of the City in facilitating financing is described (input from Joey McIney)

The document does not commit the City to finalizing a selection. If the City is not satisfied with any of the submittals it may cancel the process without recourse from those submitting responses. It is however anticipated that at least two and maybe three responses will be obtained based upon previous conversations with potential vendors. The RFQ will be publicly advertised in accordance with City procurement guidelines.

**City of Peculiar
Request For Qualifications
For
Municipal Fiber Broadband Provisioning Project**

1.0 Introduction

1.1 Network Background

The City of Peculiar (City) is requesting qualifications from Vendors to build, manage and operate a next generation communications network (“Network”) that will provide next generation Internet access service to businesses, homes, and community institutions within the Service Area. A baseline of 1 Gbps symmetric service, may serve as the definition of “next generation” service for this RFQ. The City will provide a variety of forms of support, including (but not necessarily limited to): (i) assistance in demand aggregation; (ii) long-term contracts and support for development of high bandwidth applications to drive adoption; (iii) marketing assistance (including working directly with Vendors, local business leaders and community leaders to increase the revenue opportunities and lower the costs associated with constructing and operating the Network); (iv) provide access to municipal funding through a private public partnership and (v) collaboration with local Research, health care and education networks.

The City will accept responses addressing both closed and open access systems. By “open access”, the City means that the Network facilitates competition through reasonable and non-discriminatory access arrangements that (i) ensure equivalence of price and non-price terms and conditions for all retail services providers and (ii) permit such providers to differentiate their product offerings. In addition, the Vendor must not limit the ability of retail service providers or their customers to run applications, use services and connect devices of their choice to the Network. The selected Vendor will operate the Network on a wholesale basis, and it may, but need not, provide vertically integrated retail services. However, if it chooses to do so, it will have to implement the open access requirement to ensure that retail services competitors will be given treatment equal to that it provides to itself.

The Vendor will bear all of the costs for the Network, including but not limited to design, engineering, construction, equipment and insurance for the Network, up to the end user drop point or network interface device. In addition, the Vendor will bear all the operating and maintenance costs of the Network. In addition, Vendor should demonstrate a clear upgrade path for the Network to meet future consumer demand and service developments to at least 2023 and preferably beyond. The City will

consider alternatives for the issuance of Chapter 100 bonds or a municipal lease structure where the Vendor is solely responsible for making the amortized payments.

1.2 Nature of Entity Issuing RFQ

This RFQ is issued by the City of Peculiar, Missouri.

1.3 Overview

This RFQ seeks to identify a qualified Vendor to partner with the City in a public private partnership for the deployment and operation by Vendor of a high-speed fiber network for use of the citizens and businesses in the Service Area. The objectives are to establish a Network that:

1. Initially is able to offer a 100 Mbps retail broadband services that is upgradable to 1 Gbps; is also able to support high quality voice and video services at a possible future date;
2. Uses fiber-to-the-premises network architecture; or a hybrid design combining fiber to the premises and wireless applications;
3. Covers 100% of homes and small businesses in the Service Area;
4. Is rolled out and made operational progressively, on a demand driven basis, over no more than two years from the date of execution of a contract between the City and the Vendor;
5. Promotes the long term economic and community interests of the City and end users;
6. Facilitates competition through open access arrangements;
7. Enables low wholesale access prices that reflect underlying costs while allowing Vendor and City to earn a rate of return on their investment commensurate with the risks involved; and
8. Facilitates opportunities for small, medium and large enterprises and local enterprises to provide services to the Network and to the community.

1.4 Assets, Facilities, Services to be contributed by City

City will provide Vendor with access to the assets, services and infrastructure of City identified herein, to the extent they are available and are needed for deployment of the Network. Infrastructure may include, but not necessarily limited to, rights of way,

towers, buildings, facilities, available land, and other assets and services identified below.

City will use its best efforts to make such assets, services and facilities available to Vendor upon request, on commercially reasonable terms. The existing charges for access to or use of any City facilities to be provided for this Network, and any permit and inspection fees be imposed by City, are as set forth in Schedule 1.4.

1.4.1 Rights of Way

Construction and the installation of equipment in City rights of way will be subject to permits issued by City. Subject to existing rights- of way and easements, City will allow Vendor to have access to necessary rights-of-way on property owned by City and property on which it has an easement. Such access will be provided during regular business hours for non-emergency work and 24x7 for emergency work. This access includes permission to perform construction work on City property, including construction in the streets as needed for the Network.

City will also cooperate with Vendor in efforts to allow Vendor to gain access to rights- of-way owned or controlled by third parties within the Service Area.

1.4.2 Pole Attachment Rights

City will cooperate with and assist Vendor in its efforts to gain access to poles owned or controlled by third parties within the Service Area. This is particularly true for wireless applications that might want to access existing light poles. Most such poles are currently owned by Kansas City Power and Light Company.

1.4.3 Space and Power

City will make space available to Vendor in City owned facilities for the installation of central office ("CO") equipment and for additional network facilities, in locations to be determined as part of the network design. In addition, City will provide electrical power necessary for Vendor's equipment at City locations. City will charge Vendor market rates for such space, power or related services.

1.4.4 City Contracts for Services and Assistance in Identifying and Generating Institutional and Enterprise Demand

The City is willing to negotiate long-term individual commitments to purchase network services needed for City operations (e.g., transmission

capacity, Internet access, voice, video, security monitoring, remote water meter reading, cloud computing and storage) through the Network.

City will provide Vendor with assistance in identifying and contacting other entities in the Service Area that are candidates to enter into long term contracts (two (2) years or more) for fiber or network services. Such potential anchor tenants include other educational institutions, large employers and other enterprises.

1.4.5 Retail Marketing Assistance

The City will assist Vendor's pre-construction efforts to market to and obtain commitments for Network services (primarily Internet access) from households and businesses in the Service Area.

1.4.6 Other Assets, Facilities, Services

The City will provide Vendor with access to other assets and services that are owned or controlled by the City, and that will assist Vendor in lowering the overall risk by reducing the cost structure and shortening the design and construction schedule. These include:

- Access to GIS data, street maps, maps of terrain, GPS coordinates and locating services.
- Access to other communications networks through existing peering and traffic exchange agreements

1.5 Regulatory and Other Forms of Assistance to be provided by RE

City will provide Vendor with access to:

- Assistance from City employees and consultant for planning, network mgmt., etc.
- A single point of contact ("SPOC") for Vendor, which SPOC will be Responsible for addressing all issues related to the Network, providing coordination across City departments, ensuring the full cooperation of all City departments with Respect to relevant issues on the Network and serving as a communications and troubleshooting Resource for Vendor.

1.5.1 Expedited Permitting

City will provide Vendor with quick, diligent review of all applications for permits, including permits necessary for construction work on the Network

within City rights-of- way and in connection with City assets or infrastructure. This includes a commitment to review and Respond to any subsequent modifications or similar documents that may require approval by City within seven (7) working days of submission by Vendor.

1.5.2 Expedited Inspection

City will provide Vendor with a dedicated inspection team for inspection of all work performed on the Network.

1.5.3 Other

City will provide Vendor with information about existing funds, grants and contracts that can be redirected to this program. City will also apply for or provide assistance in applying for available grants or loans to defray Network expenses, such as those for local economic development.

1.6 Relationship between Vendor and City

The Vendor will be an independent contractor that provides all design, construction and operation services for the Network.

1.6.1 Ownership of Network

The ownership of the Network will depend on the financing vehicle proposed by the Vendor. In most cases where tax exempt financing is utilized the eventual ownership of the network will be the City.

2.0 Services Sought

2.1 Description of Services Sought

The City seeks a Vendor to design, build, install, own, operate and manage a complete turnkey high-speed communications Network within the Service Area. The system shall be a fully operational high speed communications network using Internet protocol technology and allowing users access to and from the Internet and access to other services as required. The RFP does not require a specific technology.

This system must include all active and passive infrastructure, including fiber cabling, active repeater equipment, uninterruptible power supplies, network cross-connections, software, ancillary equipment, and ongoing main tenancy.

Services rendered must include complete system design, engineering, operation, monitoring, maintenance, and enhancement, as well as negotiation and execution of access agreements with retail services providers. The Network rollout will be based upon demonstrated demand by community Residents and businesses, and the availability of necessary infrastructure. The Network design and operation must provide an open access framework that maximizes wholesale and retail service delivery and competition.

2.2 Scope of work

Vendor shall design, build, install, operate and manage the Network. The Network shall have the following features and functionality.

Network Requirements

Vendor's response shall identify the specific network characteristics it plans for

- Minimum capacity (in terms of number of fibers and/or bandwidth capacity) for
 - a) the backbone or metropolitan area ring
 - b) residential users
 - c) enterprises/institutional users
 - d) government institutions/public safety users
 - e) program to convert to automated reading water meters

The City currently has the following Badger water meters in use:

<u>Size</u>	<u>Count</u>
• 3/4"	1675
• 1-3"	27
• 4"	1

The City desires to convert all of their meters to Badger Series E meters

<https://www.badgermeter.com/industries/water-distribution/e-series-ultrasonic-meters/?technologies=a18ac00128de4d98a89abbc6901594b&technologies=f8e88ae5090d409fa22255c186fbbcd9&technologies=6535f405e23848e5abe59817e7211671&sizeunitid=d86d4cfa2b9b4d83af417427f1443512&sizeminvalue=&sizemaxvalue=&temperatureunitid=c344f37a39594cc7b4ef058c270dab9f&temperatureminvalue=&temperaturemaxvalue=&pressureunitid=6f9100fd3479400fac45d4ddc080545e&pressureminvalue=&pressuremaxvalue>

and incorporate them into an automated meter reading system integrated with the proposed high speed network. Proposers should include a discussion of implementing either a cellular or fixed based automatic meter reading system using the Badger Beacon technology into their response.

<https://www.badgermeter.com/industries/water-distribution/e-series-ultrasonic-meters/?technologies=a18ac00128de4d98a89abbc6901594b&technologies=f8e88ae5090d409fa22255c186fbbcd9&technologies=6535f405e23848e5abe59817e7211671&sizeunitid=d86d4cfa2b9b4d83af417427f1443512&sizeminvalue=&sizemaxvalue=&temperatureunitid=c344f37a39594cc7b4ef058c270dab9f&temperatureminvalue=&temperaturemaxvalue=&pressureunitid=6f9100fd3479400fac45d4ddc080545e&pressureminvalue=&pressuremaxvalue>

Services on Wholesale Open Network (if proposed)

- Development and implementation of open access structure for wholesale and retail service delivery and competition

- Bandwidth and technology gateway with caching for access to cloud based triple play and over-the-top (OTT) services (online delivery of video and audio content)
- Wholesale billing and settlement services
- Wholesale Internet access service
- Physical and logical layer network service access
- Dedicated wave/VLAN services
- Secure IP intranet services

Public Safety Services

- Dedicated public safety service network
- Secure public safety access
- Public infrastructure monitoring (e.g., traffic lights, speed cameras, **remote water meter reading**, cameras on other public structures)

2.3 Responses to Scope of Work

Each potential vendor shall submit a business and technical plan describing its approach to the project described in this RFQ. The business plan shall describe the Vendor's approach to design, construction, operation and management of the Network and the services to be provided over the Network in sufficient detail to allow the City to effectively consider the qualifications of the Vendor. The Vendor shall also include a description of the day- to-day operations and the management of all responsibilities related to the project and explain how the Vendor will fulfill the scope of work in Section 2.2.

This should include, at a minimum, the following:

- **Technology:** A description of the network technologies underlying the proposed network solution(s) included in the response. Each description should include the following information:
 - Technologies proposed and the limitations of each technology, and if a variety of technologies are contemplated, a discussion of the factors likely to influence the choice of technologies;
 - Conceptual description regarding the network design including, but not limited to: network design criteria, network elements, architecture,

protocols, system reliability, availability, and operations and maintenance; and

- Network performance characteristics, including the range of offerings, the capacity and other factors relevant for each proposed solution.
- **Service offerings:** A description of proposed wholesale or retail service offerings that the Vendor anticipates offering to institutional, business and residential customers.
 - Broadband service offerings (type of broadband service, speed tiers, differences between business and residential offerings)
 - Ancillary service offerings (including those identified in Section 2.2) that may be provided by the Vendor
 - Pricing strategy
 - Explanation of Vendor's willingness to work with the City to develop unique pricing or packages for key community stakeholders and populations
- **Rollout strategy:** A discussion of the anticipated deployment strategy, scope and timing of the proposed rollout. The discussion should identify the levels of committed demand necessary to trigger rollout obligations and any factors likely to influence the scope or timing of the rollout, and explain how those factors impact the strategy.
- **Roles and responsibilities:** A description of the roles and responsibilities envisioned for Vendor, Vendor team members (if any), City, and third parties (if applicable) for each of the following:
 - Network design
 - Network construction
 - Network operations and management
 - Community outreach and customer acquisition
 - Automatic Water Meter System
- **Financing**

Any prospective developer must provide evidence of the ability to secure private financing for the initial project costs.

Available options would include, but not be limited to:

1. A traditional loan with a commercial bank
2. Lease purchase or lease to own
3. Certificates of participation
4. Cash purchase
5. Tax advantage bonds (i.e. Industrial revenue bonds, Chapter 100 bonds or Chapter 353 bonds)

The City may consider the use of certain conduit financing tools, like industrial revenue bonds (per Chapter 100 RSMo) for purposes consistent with RSMo 100.010, which include but are not limited to: improvement of warehouses, industrial plants, buildings, machinery, etc. In this case, the City acts as a “conduit” issuer, as defined under federal law and state statute, on behalf of a private or non-profit party. Chapter 100 bonds are not included in the City’s debt burden because they are secured solely by revenues of the private or non-profit party. Principal and interest on Chapter 100 bonds is paid solely from the net revenues of the project. Issuance of these bonds does not constitute a general obligation of the City.

All project financing must be reviewed, at the borrower’s expense, by the City’s financial advisor, attorneys, and administration. Please provide the proposed lending institution’s name, contact individuals and terms of the loan.

2.4 Vendor Qualifications

- Experience in high speed network design and operation – Vendor should provide a statement of experience highlighting similar network systems that it has designed, constructed and operated, including project name, location, size, technology used, and name and phone number for reference contacts. Also indicate whether each system is owned by the Vendor or another entity.
 - Financial Stability – Vendor shall submit its two (2) most recent annual financial statements in order to permit analysis of its financial resources. If financial statements are unavailable due to confidentiality reasons, submit recent D&B reports. If Vendor is part of a team, the two most recent annual financial statements for each team member should be submitted. If the Vendor’s response includes vendor financing or committed bank or other financing, the two most recent annual financial statements of such equipment vendors and financial institutions should be submitted. In addition, each Vendor or team shall provide a bond in the amount of \$1,000,000 or as otherwise agreed to guarantee satisfactory completion of the project.

Appropriate insurance shall also be provided by vendor and any subcontractors with 1st dollar limits of not less than \$2,000,000 and naming the City as an additional insured.

- Staff Technical and Managerial Experience – include a statement of experience and resumes of the project team, including the project manager and other key personnel who will be assigned to this project. Also include a list of any known or anticipated subcontractors along with their roles and responsibilities.
- Evidence of Legal Capacity – include copies of Vendor’s most recent federal and Missouri annual reports and current licenses to provide telecom/communications services, together with a certification that all Missouri business and regulatory registrations/filings/taxes are current, and all internal corporate documents are kept and up to date (e.g. meeting minutes, bylaws, etc.)

3.0 Administrative Issues

3.1 Questions about the RFP

The primary RFQ contact for the City project team is: Gary M. Lee PE, Lee & Company.

All general correspondence and any questions about this RFQ must be submitted in writing to glee@uam-llc.com. All questions will be considered to be public and released with an answer at <https://www.cityofpeculiar.com> as expeditiously as possible. The identity of the person posing the question will not be disclosed.

Vendors should not contact any City directly. Any attempts to contact City staff regarding this RFQ other than via this email process may be grounds for the City to reject your submission.

3.2 Additional Material

Vendors are encouraged to review any additional materials and updates that may be provided prior to submitting their Responses at the project website noted above.

3.3 Informational Session

There will be an informational session for potential Vendors on November 10th, 2016 from 10:00am to 11:00am at the Peculiar City Hall.

3.4 Qualification Statement Response Format and Certification

Qualification Statements should be organized in the same sequence as Part 2 of this RFQ with responses referencing the appropriate corresponding RFQ item(s). Vendors should respond to each item at the level of detail at which each is presented or list a variance with a particular item and propose alternate terms and, as applicable, and supply any supportive detail. Qualification Statements not conforming to the proper format or failure to respond to any required items may result in a Vendor's disqualification and/or rejection of the proposal. Where the Vendor is requested to supply information, include that information in the body of their response or reference the attachment where it is included.

A duly authorized officer or agent of the Vendor must sign their response. Responses that are not signed will not be considered. In the case where multiple vendors team to present a proposal, a signature by a duly authorized officer or agent of each entity is required on the proposal, though one entity should be designated the lead entity in the proposal. The lead entity will be the contracting Vendor and will be responsible for subcontracting with its partners.

3.5 Project Calendar

Anticipated Event Dates

- RFQ Advertised and issued: October 20th, 2016
- Responses Due: January 20th, 2017
- Proposal Evaluation Completed by: February, 20th, 2017
- Interviews with finalist firms no later than: March 1st, 2017
- Award and Letter of Intent for Contract no later than: April 3 rd, 2017
- Selected firm begins work no later than: June 1 at, 2017

3.6 Statement of Qualifications Responses Due Date and Submission

Responses are due by 5 p.m. local time on January 20th, 2017. Responses received after the deadline will not be considered. Responses must be submitted electronically or via priority or certified mail. Two (2) hard copies and one (1) complete electronic version are required for any proposal submitted in hard copy format. Faxed Responses will not be accepted. Vendors assume the risk of the methods of dispatch or delivery chosen. Office hours for receipt of mailed or expressed Responses are: Monday through Friday, 8:00 am - 5:00 pm (EDT).

3.7 Process and Criteria for Evaluation of Responses

Responses will be opened and reviewed internally at the convenience of the City. All Responses will be evaluated and, at City's sole discretion, an award, if any, made to the Vendor who demonstrates the best ability to meet the overall goals of the project, with particular emphasis on the ability to fulfill the scope of work in the most timely and efficient manner.

Some of the Qualifications Evaluation Criteria Include but are not limited to:

- Quality of response
- Upfront investment by vendor/including their proposed financing plan
- Experience of project team
- References
- Vendor experience
- Financial strength of Vendor

3.8 Clarification of Responses

Notwithstanding any other provision of this RFQ, City reserves the right to:

1. Initiate discussions with any or all potential vendors for the purpose of clarification of Responses;
2. Waive, or decline to waive, any defect in any proposal
3. Accept, reject, or negotiate any or all Responses or the terms of any proposal, or any parts thereof, for the purpose of obtaining the best and final offer;
4. Cancel or amend this RFQ or issue other requests for Responses;
5. Select a Vendor or Vendors based solely upon its analysis and evaluation of Responses submitted and request presentations on Responses if it believes further information is appropriate to the decision-making process;
6. Select no Responses at all; or
7. Use any and all concepts presented in any proposal to obtain the most beneficial and effective path to achieving its desired goals for the project.

3.9 Negotiation and Execution of Contracts

The selected Vendor agrees to execute a contract consistent with the terms of this RFQ as modified for the proposal specifics within 30 days of the award. If the parties are not able to reach agreement and execute a contract within thirty (30) days of the award, the City may declare the award void and may select another Vendor or issue a new RFQ or proceed otherwise as it sees fit.

The negotiated contract will include a requirement for the Vendor to provide a bond (or other form of financial assurance) in order to ensure that the City does not have to assume unanticipated costs of finishing the project. The purpose is to prevent the Vendor from “walking off the job.”

3.10 Commencement of Work

The submission of a proposal in response to the RFQ, and the subsequent evaluation of that response by the City, does not constitute a contract or any type of agreement between the City and any Vendor for the commencement of work or the performance of any obligation. Only a written contract with the City will authorize the commencement of work or obligate the City on this project.

3.11 Use of Subcontractors

Vendors may use City approved subcontractors to fulfill any obligations in connection with the project. Use of subcontractors shall be subject to all applicable state and federal laws. A Vendor shall remain liable for fulfilling all its obligations on the project, and for any claims or damages arising from the subcontractor’s work.

3.12 Miscellaneous Provisions

3.12.1 Proposal Costs

Responding vendors are responsible for all expenses they incur in preparing and submitting a response or in contract negotiations with the City. Even if it elects to reject all Responses, the City will not be liable for any costs or damages incurred by any vendor in preparing and submitting a proposal.

3.12.2 Applicable Statutes

The City is a public entity. As a Result, this RFQ is subject to a variety of public procurement requirements, including but not limited to federal and state records disclosure statutes. Vendor is responsible for knowing all applicable federal, state and local laws and regulations and complying therewith.

3.12.3 Errors and Omission in a Proposal

The responding vendor is responsible for all errors and omissions in its proposal. If it discovers an error and wishes to withdraw its proposal, the responding vendor should notify the City immediately. Depending on the

stage of the process, the vendor may be liable for costs incurred by the City in analyzing the proposal or negotiating a contract.

3.12.4 Errors and Omission in the RFQ

If the City becomes aware of an error or omission in the RFQ, it will post a notice on the website. If it discovers an error or omission after the Responses are submitted, it may in its discretion proceed or reissue the RFQ. Even if it elects to re-advertise the RFQ, the City will not be liable for any costs or damages incurred by any vendor in preparing and submitting the original proposal.

3.12.5 Objections to RFQ Terms

Any objections to RFQ terms must be conveyed in writing to glee@uam-llc.com.

3.12.6 Acceptance of RFQ/Statement of Qualifications Response Content

By submitting a proposal, a Vendor certifies that it has read, understood, and agreed to all requirements, terms, and conditions in this RFQ, including any and all attachments, exhibits, and appendices. A Vendor may withdraw its proposal prior to the RFQ response deadline.

3.12.7 No Waiver of RFQ Provisions

The City may, but is under no obligation to, waive any provision in this RFQ at the request of a potential Vendor. Any such waiver shall apply to all potential bidders, and no waiver shall constitute a waiver of any provision not specifically referenced therein.

3.12.8 Ownership and Confidentiality of Responses

The City will not pay for any information requested herein, and all Responses submitted become the property of the City. Responses will not be returned and may be subject to disclosure pursuant to law including the federal or state Freedom of Information Act.

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks

Business Office
Trudy Prickett



Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney
Joe Lauber

Parks Director
Grant Purkey

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: October 12, 2016
Re: Emergency Snow Routes

GENERAL INFORMATION

Applicant: City Staff
Requested Actions: Review for discussion emergency snow routes and street side parking during major storm weather events.
Property Location: City wide
Purpose: To allow the designation of emergency snow routes and street side parking during major snow events.

PROPOSAL

Currently, the City of Peculiar has no emergency snow routes and street side designated parking during major storm weather events.

This ordinance would establish emergency snow routes and designated street side parking during major storm weather events.

The proposed emergency snow routes are as indicated on Exhibit A and as listed below:

Attachment A

- #1: School Rd from J Hwy to 203rd St
- #2: 203rd St from School Rd go ¼ Mile to address 11906 203rd St
- #3: White Oak St from School Rd to Twin Oaks Pkwy
- #4: Twin Oak Pkwy from C Hwy to White Oak St
- #5: 211th St from J Hwy to School Rd, and Peculiar Way from School Road to E. Outer Road
- #6: Broadway from C Hwy to E 3rd St
- #7: Legend LN from C Hwy to South St
- #8: South St from E 3rd St to Hurley St
- #9: Hurley St from South St to Peculiar Dr
- #10: Centennial St from Peculiar Dr to C Hwy
- #11: W Broadway from Peculiar Dr to W 4th St
- #12: W 4th St from W Broadway to Shari Dr
- #13: W North St from C Hwy to Peculiar Dr
- #14: Schug Ave from C Hwy to Summerskill Rd
- #15: Summerskill Rd from Schug Ave to Peculiar Dr
- #16: N Harper Rd from Peculiar Dr to YY Hwy
- #17: S Harper Rd from YY Hwy to 227th St
- #18: E227th St from S Harper Rd to C Hwy
- #19: Cindy Ln from J Hwy to Kendall Rd
- #20: S Kendall Rd from 211th St to Cindy Ln

Staff asks that you review this document, and discuss.

PREVIOUS ACTIONS

None.

KEY ISSUES

To remove snow during major storm weather events, and to establish emergency snow routes and street side parking during major storm weather events.

STAFF COMMENTS AND SUGGESTIONS

As proposed

STAFF RECOMMENDATION

Approval of a potential future ordinance allowing for emergency snow routes and street side parking during major storm weather events.

ATTACHMENTS

Proposed Ordinance, Attachment A
Figure 1

BILL NO. _____
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI IMPLEMENTING EMERGENCY SNOW ROUTES AND ESTABLISHING PENALTIES FOR INTERFERING WITH THE EMERGENCY SNOW ROUTES

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

WHEREAS, this proposed ordinance will maintain the good government of the City of Peculiar and protect the welfare of the Peculiar citizenry.

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

SECTION I. Pursuant to the authority granted by and subject to the provisions of Rev. Stat. Mo. §§ 79.130 and 79.450, that a section 350.080 of the Peculiar Municipal Code be added to read as follows:

- A. When circumstances exist or are reasonably contemplated to exist in the immediate foreseeable future, including, but not limited to actual or anticipated snow removal operations, the City Administrator or his designee may declare a parking emergency.
- B. When such parking emergency is deemed to exist, the City Administrator or his designee shall give notice thereof by public announcement through the news media and/or the Chief of Police. Such notice shall include the date and time in which the parking emergency shall begin. The verbal notice shall thereafter be confirmed by written order from the City Administrator to the Municipal Court Judge, Chief of Police, and City Clerk; and posted on the City of Peculiar's website. Notice of the date and time of the termination of the parking emergency shall be issued in the same manner as the commencement thereof.
- C. Until such parking emergency is terminated, no vehicle shall be parked on any emergency route, which is attached hereto as Attachment A. Within two hours after the declaration by the City Administrator or his designee, all vehicles shall be removed from emergency route.
- D. In addition, all other such streets in Peculiar that run in an "East" and "West" direction, parking will be allowed only on the "South" side of the street; no "North" side street parking will be allowed, and
- E. All other such streets in Peculiar that run in an "North" and "South" direction, parking will be allowed only on the "East" side of the street; no "West" side street parking will be allowed.
- F. At the discretion of the City Administrator or his designee, a parking emergency shall be terminated at such time a parking emergency ceases to exist upon the streets and boulevards contained with the emergency route.
- G. Owners or operators of vehicles in violation of this section shall be subject to a fine of \$100.00 for the first offense and a fine not to exceed \$500.00 for a second or subsequent offense. Vehicles in violation of this section may be towed to the city tow lot or any other place so designated. In addition to the fine set forth in this subsection, the owner shall be required to pay the actual towing and storage fees prior to release of his or her vehicle.

SECTION II. That a Schedule X of Title III of the Peculiar Municipal Code be promulgated to include the emergency snow routes listed in Attachment A. Schedule X shall be titled "Emergency Snow Routes" and shall read as follows:

- A. In accordance with Section 350.080, no vehicle shall park on the streets and boulevards designated in subsection (B) in a parking emergency.
- B. [Insert streets listed on Attachment A.]

SECTION III: The effective date of this ordinance shall be _____, 2016.

First Reading: _____

Second Reading: _____

BE IT REMEMBERED THE PRECEDING ORDINANCE WAS ADOPTED ON ITS SECOND READING THIS ___ DAY OF _____, 2016, BY THE FOLLOWING VOTE:

Alderman Dunsworth _____
Alderman Ford _____
Alderman Harlan _____
Alderman Hammack _____
Alderman Ray _____
Alderman Roberts _____

Approved:

Attest:

Holly J. Stark, Mayor

Janet Burlingame, City Clerk

Attachment A

- #1: School Rd from J Hwy to 203rd St
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Municipal Offices – 250 S. Main Street, Peculiar, MO 64078
Phone: (816)779-5212 Facsimile: (816)779-1004

To: Board of Alderman
From: Harry Gurin, Chief of Police
Date: October 12, 2016
Re: Proposed siren MOU City of Peculiar/West Peculiar Fire Protection District

GENERAL INFORMATION

Applicant: City Staff

Status of Applicant: N/A

Requested Actions: Review of the changes by the fire board for the offered MOU for siren usage

Date of Application: N/A

Purpose: The purpose of this staff report is to review the changes by the fire district for the proposed MOU for siren usage.

Property Location (if applicable): N/A

PROPOSAL

Board of Alderman recommendations for changes made by the West Peculiar Fire Protection District to the memorandum of understanding presented to the fire district for usage of the weather warning sirens.

PREVIOUS ACTIONS

No previous actions noted

KEY ISSUES

A memorandum of understanding (MOU) was prepared by our city attorney and presented to the fire district for their approval regarding usage of weather warning sirens. Director Johnson, WPPFD, made changes by removing all the highlighted verbage. The fire board then approved the MOU with the changes.

STAFF COMMENTS AND SUGGESTIONS

The changes made by the fire district effect the following subjects:

1. Removed the “owns, posses and maintains” sirens
2. Removed the section on fire district responsibility for maintain the sirens
3. Section #3, entire removal regarding fees and charges
4. Section 5, removed “whether written or not”

STAFF COMMENTS AND SUGGESTIONS

The main purpose for this MOU is to coordinate appropriate usage and gives the city permission to activate the warning sirens maintained by the fire district in the event of certain severe weather events. The fire district declines to acknowledge that they own, possess, or maintain the weather warning sirens. The fire district indicates that they will not acknowledge to keep the sirens in good working order which could present a public safety issue to citizens in both the city and outside the city within the fire district if the sirens are not maintained. The fire district totally removed section #3 of the MOU acknowledging that they would not charge the city for siren usage. In section #5 the fire district does not acknowledge that this document supersedes all previous agreements. It should be noted that the fire district also deleted their responsibility to conduct monthly siren testing.

Staff requests direction from the Board of Alderman concerning their input to this issue.

STAFF RECOMMENDATION

Staff has no recommendations at this time

**INTERGOVERNMENTAL COOPERATIVE AGREEMENT
FOR THE SOUNDING OF STORM WARNING SIREN SYSTEM BETWEEN
THE CITY OF PECULIAR, MISSOURI AND
THE WEST PECULIAR FIRE PROTECTION DISTRICT**

This Intergovernmental Cooperation Agreement (the "**Agreement**") is entered into this ____ day of _____, 2016, by and between the City of Peculiar, Missouri (the "**City**"), a Missouri city of the fourth classification and the West Peculiar Fire Protection District (the "**Fire District**"), a fire protection district and political subdivision of the State of Missouri, (collectively referred to herein as "**Parties**").

WHEREAS, the City is a validly formed city of the fourth classification subdivision of the State of Missouri providing municipal services, including the provision of emergency management services; and

WHEREAS, the Fire District is a political subdivision of the State of Missouri validly formed pursuant to Chapter 321 RSMo, with the primary purpose of providing fire and rescue service within the Fire District's jurisdictional boundaries; and

WHEREAS, the City and the Fire District acknowledge the benefit to the public health, safety, and welfare of their respective jurisdictions that is derived from the provision of emergency management services; and

WHEREAS, the City has established the Emergency Management Office pursuant to Chapter 245 of the City's Municipal Code and Chapter 44, RSMo. The Emergency Management Official (the "**EMO**") is appointed by the Mayor with supervisory oversight by the City Administrator. The EMO is responsible to provide emergency management services to the City; and

WHEREAS, the Fire District **owns, possesses and maintains** emergency warning sirens which are integral and necessary to the emergency management services of the City; and

WHEREAS, effective October 1, 2016, the Fire District will no longer provide for emergency management services for the City;

WHEREAS, municipalities are authorized by Section 70.220, RSMo, to contract and cooperate with other political subdivisions for the provision of a common service; and

WHEREAS, Section 70.230, RSMo, as amended, provides that the City may enter into such agreements by ordinance duly enacted; and

WHEREAS, Section 321.220, RSMo. Provides that fire protection districts may contract with municipalities; and

WHEREAS, the City and Fire District desire to enter into this Agreement to establish the duties and obligations of each with regard to the operation of the emergency warning siren system.

NOW, THEREFORE, in consideration of the mutual terms, covenants, and conditions contained herein, the receipt and sufficiency of which is hereby acknowledged, the City and the Fire District agree as follows.

1. **OWNERSHIP OF SIRENS:** The Fire District shall own, possess, and maintain the outdoor warning siren system within the territorial limits of the City, and any and all equipment related thereto, including the responsibility of monthly tests of the siren system. The Fire District shall be responsible for maintaining the sirens and ensure they are in good working order at all times.
2. **AUTHORITY AND ACCESS:** Designated representatives of the Fire District and the City EMO shall have equal authority and responsibility to sound the sirens in the event of emergency. It shall be the duty of the Fire District to make their storm siren and related equipment necessary to sound the sirens accessible to the City in order to carry out the services set forth herein.
3. **FEES AND CHARGES:** The Fire District shall not charge the City for the City's sounding of the sirens in consideration of the Fire District no longer providing emergency management services to the City.
4. **PROTOCOLS:** The City EMO shall develop internal protocols for the sounding of the emergency sirens by the City EMO.
5. **ENTIRE AGREEMENT:** This agreement is the entire agreement between the parties concerning its subject matter, and supersedes all prior agreements and understandings, whether written or not.
6. **COMPLIANCE WITH APPLICABLE LAW:** Both parties agree to comply with all applicable laws and regulations governing the services which are provided under this Agreement.
7. **TERMINATION FOR CAUSE:** Either party may terminate this Agreement for the other party's breach of any of its obligations under this Agreement. In the event of an alleged breach, the party in breach shall be given written notice of the nature of the breach and shall have thirty (30) days from receipt of same in which to cure the breach. In the event that the breach is not cured within the thirty (30) day cure period, the Agreement may be terminated upon ten (10) days written notice to the party in breach.
8. **ADDRESSES FOR NOTICES:** All notices required by this Agreement shall be in writing and may delivered personally or by depositing the same with the U.S. Postal Service, Certified Mail Return Receipt Requested, postage prepaid, to the party's respective address as follows
 - a. **CITY:** Police Chief Harry Gurin, 250 S. Main Street, Peculiar, Missouri, 64078.
 - b. **FIRE DISTRICT:** Fire Chief Lewis Young, 200 S. Main Street, Peculiar, Missouri, 64078.

9. **EFFECTIVE DATE**: This Agreement shall not be operative until approval and acceptance by the contracting parties.

CITY OF PECULIAR

By _____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

WEST PECULIAR FIRE DISTRICT

By _____

ATTEST:
