

**BOA Meeting Agenda
Peculiar City Board of Aldermen
Work Session Meeting and Public Hearing
City Hall – 250 S. Main St
Monday, July 17, 2017 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, July 17, 2017 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. Appointment and Swearing In of Ward 1 Alderman Kelsie McCrea
6. New Business-
 - A. **Bill No. 2017-12 AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI, AMENDING CHAPTERS 300 AND 340 OF THE CODE OF ORDINANCES OF THE CITY OF PECULIAR, MISSOURI, TO INCLUDE REGULATIONS OF THE UTILITY VEHICLES AND RECREATIONAL OFF-HIGHWAY VEHICLES ON THE CITY'S ROADS.**
1st reading
 - B. **RESOLUTION 2017-33 - A RESOLUTION OF THE BOARD OF ALDERMAN OF THE CITY OF PECULIAR, MISSOURI, AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE WEST PECULIAR FIRE DISTRICT FOR THE MAINTENANCE, REPAIR AND OPERATION OF THE STORM WARNING SIREN SYSTEM IN AND AROUND THE CITY OF PECULIAR, MISSOURI.**
 - C. **Bill No. 2017-13 AN ORDINANCE CALLING AN ELECTION IN THE CITY OF PECULIAR, MISSOURI, TO IMPOSE A CITY WIDE PUBLIC SAFETY SALES TAX OF ONE-HALF OF ONE PERCENT TO BE PLACED ON ALL RETAIL SALES MADE IN THE CITY OF PECULIAR; AND AUTHORIZING THE CITY CLERK TO GIVE NOTICE OF THE ELECTION; AND PURSANT TO § 94.900 RSMo. PLACE ON THE NOVEMBER 7, 2017 BALLOT THE PROPOSITION OF; "SHALL THE CITY OF PECULIAR IMPOSE A CITYWIDE SALES TAX OF ONE-HALF OF ONE PERCENT FOR THE PURPOSE OF IMPROVING THE PUBLIC SAFETY OF THE CITY TO INCLUDE BUT NOT BE LIMITED TO EXPENDITURES ON EQUIPMENT, CITY EMPLOYEE SALARIES AND BENEFITS, AND FACILITIES FOR POLICE."**
*1st Reading
 - D. **Bill No. 2017-14 AN ORDINANCE CALLING AN ELECTION IN THE CITY OF PECULIAR, MISSOURI, TO IMPOSE A CITY WIDE PUBLIC SAFETY SALES TAX OF ONE-HALF OF ONE PERCENT TO BE PLACED ON ALL RETAIL SALES MADE IN THE CITY OF PECULIAR; AND AUTHORIZING THE CITY CLERK TO GIVE NOTICE OF THE ELECTION; AND PURSANT TO § 94.900 RSMo. PLACE ON THE NOVEMBER 7, 2017 BALLOT THE PROPOSITION OF; "SHALL THE CITY OF PECULIAR IMPOSE A CITYWIDE SALES TAX OF ONE-HALF OF ONE PERCENT FOR THE PURPOSE OF IMPROVING THE PUBLIC SAFETY OF THE CITY THROUGH POLICE SERVICES, PERSONNEL, EQUIPMENT, AND EMERGENCY MANAGEMENT."**
*1st Reading
7. Commercial Water Rate- Nick Jacobs
8. City Administrators Report
9. Strategic Planning Meeting – AGH, Daniel W. White
10. Aldermen Directives
11. Executive Session-

The City Attorney has requested an Executive Session, per RSMo. 610.021(1).
12. Adjournment

To: Peculiar Board of Alderman
From: Mayor Holly Stark
CC: Brad Ratliff, Cyndora Gauthreaux, Joe Lauber
Date: July 11, 2017
Re: Appointment of Kelsie McCrea to the Alderman Dunsworth's open seat

I have spoken with former Alderman Kelsie McCrea and she has agreed to fill the rest of Alderman Dunsworth's term.

She is willing to fill in until the election next April. I feel Ms. McCrea is the best and most logical selection for this seat. She is the most recent person to have held the position in that ward. I feel she has knowledge of how the city conducts business and understands the budgeting process.

It makes most sense to me to put someone who can come up to speed quickly, as we enter into the extremely important time of the year of setting priorities and budgeting. Ms. McCrea did an exceptional job as Alderman and Park Board member. She has always represented the city well and in an extremely professional manner.

I look forward to your support in getting her appointed on July 17, so that we can get right to work on the important issues facing our community.

Please feel free to contact me with any questions or concerns.

Respectfully,

Holly Stark, Mayor

City Administrator
Brad Ratliff

Deputy City Clerk
Cyndora Gauthreaux

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: Chief Harry Gurin
Date: July 7, 2017
Re: Utility Vehicles and Off Road Vehicles

GENERAL INFORMATION

Applicant: Police Department
Status of Applicant:
Requested Actions:
Date of Application:
Purpose: Update to city ordinance
Property Location (if applicable): N/A

PROPOSAL

The State of Missouri has modified State Statute 304.032 (RSMO) to set requirements on utility vehicles and off road vehicles regarding use of public highways.

PREVIOUS ACTIONS

None

KEY ISSUES

This ordinance update would mirror the state statute for roadway regulations of these vehicles.

STAFF COMMENTS AND SUGGESTIONS

The office of the city attorney has drafted a replacement ordinance to mirror the state statute and feels this ordinance would correct the conflicts between the older city ordinance and the new state statute.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance.

ATTACHMENTS - none

STAFF CONTACT: Harry Gurin, 816-779-5102, hgurin@peculiarpd.com

City Administrator
Brad Ratliff

Deputy City Clerk
Cyndora Gauthreaux

City Engineer
Carl Brooks

Business Office
Tudy Prickett



Chief of Police
Harry Gurin

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To: Board of Aldermen
From: Chief Harry Gurin
Date: July 7, 2017
Re: Utility Vehicles and Off Road Vehicles

GENERAL INFORMATION

Clarification of this ordinance request:

It has been brought to my attention that a number of residence in Peculiar have been told on social media that the police department is attempting to prohibit off road vehicles from using city streets and public highways for on road use.

The proposed change to the ordinance was addressed by our city attorney in order to update the Peculiar ordinance to mirror the Missouri State Statute. The only major change allows for handicap individuals, who have a valid drivers licence, may occasionally use a subject vehicle, for short distances, on the states secondary roadways between daylight and sunset.

A minor change in our ordinance allows for the city, by separate ordinance or resolution, to allow operators special use by a permit, not to exceed \$15.00 as defined by RSMO 304.313. There is also a definition separation between all-terrain (ATV) vehicles and utility vehicles (UTV).

There has been no change in agricultural use of a off road vehicle.

In addition, off road vehicles have been prohibited in the past for use upon the public highways of this state, and are still prohibited in the new statute unless they meet the requirements of a motorized vehicle requiring liability insurance and certain safety equipment installed on the vehicle.

Utility vehicles, operation on highway and in streams or rivers prohibited--exceptions--passengers prohibited--violations,penalty. Missouri Revised Statues Chapter 304. August 28,2016

[304.032](#). 1. No person shall operate a utility vehicle, as defined in section [301.010](#), upon the highways of this state, except as follows:

- (1) Utility vehicles owned and operated by a governmental entity for official use;
- (2) Utility vehicles operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the day of operation, unless equipped with proper lighting;
- (3) Utility vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads when operated between the hours of sunrise and sunset;
- (4) Governing bodies of cities may issue special permits for utility vehicles to be used on highways within the city limits by licensed drivers. Fees of fifteen dollars may be collected and retained by cities for such permits;
- (5) Governing bodies of counties may issue special permits for utility vehicles to be used on county roads within the county by licensed drivers. Fees of fifteen dollars may be collected and retained by the counties for such permits;
- (6) Municipalities may by resolution or ordinance allow utility vehicle operation on streets or highways under the governing body's jurisdiction. Any person operating a utility vehicle pursuant to a municipal resolution or ordinance shall maintain proof of financial responsibility in accordance with section [303.160](#) or maintain any other insurance policy providing equivalent liability coverage for a utility vehicle.

2. No person shall operate a utility vehicle within any stream or river in this state, except that utility vehicles may be operated within waterways which flow within the boundaries of land which a utility vehicle operator owns, or for agricultural purposes within the boundaries of land which a utility vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or peace officers of this state and its political subdivisions or department of conservation agents or department of natural resources park rangers shall enforce the provisions of this subsection within the geographic area of their jurisdiction.

3. A person operating a utility vehicle on a highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle under subdivision (3) of subsection 1 of this section, but shall not be required to have passed an examination for the operation of a motorcycle, and the vehicle shall be operated at speeds of less than forty-five miles per hour.

4. No persons shall operate a utility vehicle:

- (1) In any careless way so as to endanger the person or property of another; or
- (2) While under the influence of alcohol or any controlled substance.

5. No operator of a utility vehicle shall carry a passenger, except for agricultural purposes. The provisions of this subsection shall not apply to any utility vehicle in which the seat of such vehicle is designed to carry more than one person.

6. A violation of this section shall be a class C misdemeanor. In addition to other legal remedies, the attorney general or county prosecuting attorney may institute a civil action in a court of competent jurisdiction for injunctive relief to prevent such violation or future violations and for the assessment of a civil penalty not to exceed one thousand dollars per day of violation.

(L. 2008 S.B. 930 & 947, A.L. 2013 H.B. 103)

BILL NO. 2017-12
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PECULIAR, MISSOURI, AMENDING CHAPTERS 300 AND 340 OF THE CODE OF ORDINANCES OF THE CITY OF PECULIAR, MISSOURI, TO INCLUDE REGULATION OF UTILITY VEHICLES AND RECREATIONAL OFF-HIGHWAY VEHICLES ON THE CITY'S ROADS.

WHEREAS, the City of Peculiar, Missouri (“the City”) currently regulates the operation of all-terrain vehicles on the streets and roads within the corporate limits of the City, pursuant to § 304.013(4) RSMo, as codified in Chapter 340 Section 120 of The Code of Ordinances of the City of Peculiar, Missouri (“City Code”); and

WHEREAS the City desires to regulate the operation of similar vehicles in a consistent manner such that it better ensures the health, safety, and general welfare of the public; and

WHEREAS the City is empowered to make enact and enforce such similar regulations for the operation of recreational off-highway vehicles and utility vehicles, pursuant to §304.033 & §304.032 RSMo, respectively.

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

SECTION 1. Chapter 300, Section 020, of the Code of Ordinances of the City of Peculiar, Missouri, (“City Code”) is hereby amended by the addition of the following:

Recreational off-highway vehicle

Any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or more nonhighway tires and which may have access to ATV trails.

Utility vehicle

Any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes

SECTION 2. Chapter 340, Section 120, of the City Code is hereby amended to read as follows:

Section 340.120 All-Terrain Vehicles, Prohibited - Exceptions, Operation of Under An Exception - Prohibited Uses - Penalty.

A. No person shall operate an all-terrain vehicle, a recreational off-highway vehicle, or utility vehicle, (collectively “subject vehicles” per this Section 340.120) as defined in Section 300.020, upon the streets and highways of this City, except as follows:

1. Subject vehicles owned and operated by a Governmental entity for official use;
2. Subject vehicles operated for agricultural purposes or industrial on-premise purposes between the official sunrise and sunset on the day of operation;

BILL NO. 2017-12
ORDINANCE NO. _____

3. Subject vehicles whose operators carry a special permit issued by this City pursuant to Section 304.013, RSMo;
4. Subject vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads when operated between the hours of sunrise and sunset.

B. No person shall operate an off-road vehicle, as defined in Section 304.001, RSMo., within any stream or river in this City, except that off-road vehicles may be operated within waterways which flow within the boundaries of land which an off-road vehicle operator owns, or for agricultural purposes within the boundaries of land which an off-road vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this State at such road crossing as are customary or part of the highway system. All Law Enforcement Officials or Peace Officers of this State and its political subdivisions shall enforce the provisions of this Subsection within the geographic area of their jurisdiction.

C. A person operating subject vehicle on a street or highway pursuant to an exception covered in this Section shall have a valid operator's or chauffeur's license, but shall not be required to have passed an examination for the operation of a motorcycle, and the vehicle shall be operated at speeds of less than 30 mph. When operated on a street or highway, and all-terrain vehicle shall have a bicycle safety flag, which extends not less than seven (7) feet above the ground, attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty (30) square inches and shall be dayglow in color.

D. No person shall operate subject vehicle:

1. In any careless way so as to endanger the person or property of another;
2. While under the influence of alcohol or any controlled substance; or
3. Without a securely fastened safety helmet on the head of an individual who operates an all-terrain vehicle or who is being towed or otherwise propelled by an all-terrain vehicles, unless the individual is at least eighteen years of age.

E. No operator of subject vehicle shall carry a passenger, except for agricultural purposes.

F. A violation of this Section shall be a misdemeanor.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and approval.

SECTION 4. That the provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this resolution.

SECTION 5. That all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Read the first time by title only and approved by the Board of Aldermen of the City of Peculiar, Missouri, this Missouri this _____th day of _____, 2017.

Read the second time by title only and passed by the Board of Aldermen and approved by the Mayor of the City of Peculiar, Missouri this _____th day of _____, 2017.

BILL NO. 2017-12
ORDINANCE NO. _____

Alderman Godfrey
Alderman Harlan
Alderman Hammack

Alderman McCrea
Alderman Ford
Alderman Ray

Holly Stark, Mayor

ATTEST:

Cyndora Gauthreaux, City Clerk

City Administrator
Brad Ratliff

Deputy City Clerk
Cyndora Gauthreaux

City Engineer
Carl Brooks

Business Office
Trudy Prickett



Chief of Police
Harry Gurin

City Planner
Cliff McDonald

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Parks Director
Grant Purkey

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

To: Board of Alderman
From: Brad Ratliff
Date: July 17, 2017
Re: INTERGOVERNMENTAL COOPERATIVE AGREEMENT

GENERAL INFORMATION

Applicant: Brad Ratliff
Status of Applicant: City Administrator
Requested Actions: Approval of the Agreement
Date of Application: July 17, 2017
Purpose: FOR THE MAINTENANCE, REPAIR, AND OPERATION OF THE STORM WARNING SIREN SYSTEM IN AND AROUND

Property Location (if applicable): West Peculiar Fire District Sirens

PROPOSAL

On June 28, 2017, the President of the Fire Board, the Mayor and City Administrator sat down to discuss the operations of the Early Warning Sirens in the community and outside the community. All three agreed on the importance of having them on a regular maintenance schedule, as well as the persons authorized to sounding the sirens in an extreme weather event. It was a very productive meeting.

PREVIOUS ACTIONS

The West Peculiar Fire District and the City of Peculiar shared the cost and responsibility of Emergency Management since 1998. In 2016, the Fire District voted to no longer provide Emergency Management which forced the City to begin to work with the State in making sure the City stays in compliance as the lone agency. The Board of Alderman in addition, had to find additional funds to budget for Emergency Management needs that were previously split with the Fire District. The Warning Sirens are not owned by the City, but are owned by the Fire District. There was concern by the City about maintenance of those sirens and the authority to sound them in moments of severe weather emergencies.

KEY ISSUES

- West Peculiar Fire District has contracted with a private maintenance firm to maintenance the sirens on a continual bases.
- The City will pay the contracted amount for the private firm to maintenance the sirens to not exceed \$1,000 per year.
- If a siren needs a major repair, parts or replacement; the City and Fire District will sit down to discuss the siren's major repair needs on a case by case bases. This discussion will be limited to the 6 sirens within the City limits and not on the 2 sirens outside the City limits.

**INTERGOVERNMENTAL COOPERATIVE AGREEMENT
FOR THE MAINTENANCE, REPAIR, AND OPERATION OF THE STORM WARNING
SIREN SYSTEM IN AND AROUND
THE CITY OF PECULIAR, MISSOURI**

This Intergovernmental Cooperation Agreement (the "**Agreement**") is entered into this _____ day of _____, 2017, 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 under laws 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, in its capacity as the emergency services provider for the City possesses and maintains emergency warning sirens which are integral and necessary to the emergency management services of the City; and

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, in order to facilitate the future repair, maintenance, and operation of the emergency warning siren system, the City and Fire District desire to enter into this Agreement to establish the parties' respective duties and obligations going forward.

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. **DEFINITIONS:**

- a. **Major Repair:** Larger scale and more complex maintenance that is not regularly scheduled and usually carried out upon equipment failure or the imminent anticipation of equipment failure, and may require the services of experts.
- b. **Routine Maintenance:** Smaller scale maintenance and/or inspection that is carried out regularly with the intent to keep equipment in good working order and to prevent critical failure of the equipment.

2. **ROUTINE MAINTENANCE BY THE CITY:** The City shall contract with a mutually agreed upon third party to provide routine maintenance to and inspection of the eight sirens and accessory equipment that constitute the emergency warning siren system, but the City shall not be obligated to spend in excess of one thousand dollars (\$1,000.00) in any fiscal year on such routine maintenance.

3. **MAJOR REPAIRS TO BE DIVIDED-HOW:** The responsibility for and costs of major repairs shall be apportioned as follows:

- a. The Fire District shall be responsible for any and all major repairs to any portion of the emergency warning siren system that lies outside of the corporate limits of the City.
- b. The parties shall be mutually responsible for any and all major repairs to any portion of the emergency warning siren system that lies within the corporate limits of the City. The obligations of the parties for major repairs under this subsection shall be determined on a “case by case” basis. The parties agree to communicate and make good faith endeavors to arrive at fair, equitable, and prudent solutions to effectuate major repairs under this subsection.

4. **AUTHORITY AND ACCESS TO ACTIVATE:** The Fire District Chief and the City of Peculiar Emergency Management Director, as well as any designee of either, shall have equal authority and responsibility to sound the sirens in the event of emergency.

5. **WARRANTIES:** The Fire District warrants to the City that the outdoor warning siren system, including the sirens, towers, and any and all equipment related thereto, is in good working order and has no known defects as of the effective date of this agreement.

6. **CAPACITY AND AUTHORITY:** The Fire District and the City warrant that they have the capacity and authority to execute this agreement.

7. **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.

8. **COMPLIANCE WITH APPLICABLE LAW:** Both parties agree to comply with all applicable laws and regulations governing the services which are provided under this Agreement.
9. **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.
10. **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 _____
President of the Board

ATTEST:

RESOLUTION 2017-33

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI AUTHORIZING THE MAYOR TO ENTER INTO A INTERGOVERNMENTAL AGREEMENT WITH THE WEST PECULIAR FIRE DISTRICT FOR THE MAINTENANCE, REPIAR AND OPERATION OF THE STORM WARNING SIREN SYSTEM IN AND AROUND THE CITY OF PECULIAR, MISSOURI.

WHEREAS, the Cities of Peculiar and West Peculiar Fire District agree that there is a mutual benefit to the City of Peculiar to have this intergovernmental 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 West Peculiar Fire District and the City of Peculiar for maintenance, repair and operation of the storm warning system in and around the City of Peculiar, MO 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 ___ day of _____ 2017.

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

**Alderman Godfrey
Alderman Ford
Alderman Hammack**

**Alderman Harlan
Alderman Ray
Alderman McCrea**

Approved:

Attest:

Holly J. Stark, Mayor

Cyndora Gauthreaux, Deputy City Clerk

City Administrator
Brad Ratliff

Deputy City Clerk
Cyndora Gauthreaux

City Engineer
Carl Brooks

Business Office
Trudy Prickett



Chief of Police
Harry Gurin

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

To: Board of Aldermen
From: Cyndora Gauthreaux
Date: July 17, 2017
Re: Call for an election to impose a City wide Public Safety Tax

GENERAL INFORMATION

Applicant: City Clerk
Status of Applicant:
Requested Actions:
Date of Application:
Purpose: Authorize City Clerk to Give Notice of Election
Property Location (if applicable): N/A

PROPOSAL

Pursant to 94.900 RSMo place on the November 7, 2017 ballot a City Wide Public Safety Sales Tax proposal.

PREVIOUS ACTIONS

None

KEY ISSUES

This sales tax would assist in the funding of our Police Department and Emergency Management Systems

STAFF COMMENTS AND SUGGESTIONS

As you will notice, there are two different ordinances for the Public Safety Tax on the agenda and in the packet. We consulted with our legal team and were informed that, though it would probably be difficult, the verbiage you selected during the June 27th BOA meeting could possibly be challenged in the future. Therefore, a second option is being presented to you that consists strictly of the language used in Senate Bill No. 112. To avoid having two ordinances with the same title (and therefore being required to read each bill in its entirety) the titles include the ballot language selections.

This Ordinance contains the verbidage suggested by legal

STAFF RECOMMENDATION

ATTACHMENTS - Bill No. 2017-13- This Ordinance contains verbidage suggested by legal.

STAFF CONTACT: Cydnora Gauthreaux, 816-779-2221, cguthreaux@cityofpeculiar.com

AN ORDINANCE CALLING AN ELECTION IN THE CITY OF PECULIAR, MISSOURI, TO IMPOSE A CITY WIDE PUBLIC SAFETY SALES TAX OF ONE-HALF OF ONE PERCENT TO BE PLACED ON ALL RETAIL SALES MADE IN THE CITY OF PECULIAR; AND AUTHORIZING THE CITY CLERK TO GIVE NOTICE OF THE ELECTION; AND PURSANT TO § 94.900 RSMo. PLACE ON THE NOVEMBER 7, 2017 BALLOT THE PROPOSITION OF; “SHALL THE CITY OF PECULIAR IMPOSE A CITYWIDE SALES TAX OF ONE-HALF OF ONE PERCENT FOR THE PURPOSE OF IMPROVING THE PUBLIC SAFETY OF THE CITY TO INCLUDE BUT NOT BE LIMITED TO EXPENDITURES ON EQUIPMENT, CITY EMPLOYEE SALARIES AND BENEFITS, AND FACILITIES FOR POLICE.”

WHEREAS, on July 17, 2017, the Board of Alderman, after review and discussion on the matter, determined that a public safety sales tax authorized pursuant to Section 94.900, RSMo. would be beneficial for the City of Peculiar and would service the public safety of its citizens.

WHEREAS, the Board of Aldermen desires to seek voter approval to impose a tax of one half of one percent on all retail sales made in the City pursuant to §94.900, RSMo, the revenues of which, if imposed, shall be used for the operation of the City of Peculiar Police Department and Emergency Management; and

WHEREAS, the Board of Aldermen of the City desires to submit to the qualified voters of the City the proposition hereinafter set forth.

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

Section 1. Call of Election. An election is hereby ordered to be held in the City of Peculiar, Missouri, on Tuesday, November 7, 2017, for the purpose of submitting to the qualified voters of the City the following proposition:

QUESTION

Shall the City of Peculiar impose a citywide sales tax of one-half of one percent for the purpose of improving the public safety of the City to include but not be limited to expenditures on equipment, city employee salaries and benefits, and facilities for police?

- Yes
- No

If you are in favor of the question, place an “X” in the box opposite “Yes”. If you are opposed place an “X” in the box opposite “No”.

Section 2. Notification to County Election Authority. The City Clerk is hereby authorized and directed to notify the Cass County Clerk, as the election authority of Cass County, Missouri, of the adoption of this ordinance no later than 5:00 P.M. on August 29, 2017, and include in that notification all of the terms and provisions required by Chapter 115, RSMo, as amended, including a certified copy of the legal notice of election. This election shall be held and conducted and the result thereof shall be canvassed in all respects in conformity with the Constitution and laws of the State of Missouri, and in accordance with appropriate ordinances adopted by the Board of Aldermen of the City of Peculiar, Missouri.

Section 3. Form of Notice of Election. The Notice of Election and ballot to be used at this election shall be in substantially the same form as is attached hereto as Exhibit A.

Section 4. Effective Date of Ordinance. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the Board of Aldermen and **APPROVED** by the Mayor this ____th Day of July, 2017.

Alderman Godfrey
Alderman Harlan
Alderman Hammack

Alderman McCrea
Alderman Ford
Alderman Ray

Holly J. Stark, Mayor

ATTEST:

Cyndora Gauthreaux, Deputy City Clerk

EXHIBIT A

NOTICE OF ELECTION IN THE CITY OF PECULIAR, MISSOURI

Notice is hereby given to the qualified voters of the City of Peculiar, Missouri, that the Board of Aldermen of said City has called an election to be held in the City on Tuesday, November 7, 2017, commencing at six o'clock A.M. and closing at seven o'clock P.M., local time, on the question contained in the following sample ballot:

OFFICIAL BALLOT
ELECTION
CITY OF PECULIAR, MISSOURI

Tuesday, NOVEMBER 7, 2017

QUESTION

Shall the City of Peculiar impose a citywide sales tax of one-half of one percent for the purpose of improving the public safety of the City to include but not be limited to expenditures on equipment, city employee salaries and benefits, and facilities for police?

YES

NO

INSTRUCTIONS TO VOTERS:

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax authorized in this section shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the City of Peculiar's Board of Aldermen shall not impose the tax authorized in this section unless and until the Board of Aldermen resubmits a proposal to authorize the Board of Aldermen to impose the tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

The polling places for all qualified voters of the City of Peculiar, Missouri will be:

**[Peculiar Lions Club
500 Schug Ave
Peculiar, Missouri 64078]**

Done by order of the Board of Aldermen this ____ day of _____, 2017.

Cyndora Gauthreaux, City Clerk, City of Peculiar
Missouri

City Administrator
Brad Ratliff

Deputy City Clerk
Cyndora Gauthreaux

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: Cyndora Gauthreaux
Date: July 17, 2017
Re: Call for an election to impose a City wide Public Safety Tax

GENERAL INFORMATION

Applicant: City Clerk
Status of Applicant:
Requested Actions:
Date of Application:
Purpose: Authorize City Clerk to Give Notice of Election
Property Location (if applicable): N/A

PROPOSAL

Pursuant to 94.900 RSMo place on the November 7, 2017 ballot a City Wide Public Safety Sales Tax proposal.

PREVIOUS ACTIONS

None

KEY ISSUES

This sales tax would assist in the funding of our Police Department and Emergency Management Systems

STAFF COMMENTS AND SUGGESTIONS

As you will notice, there are two different ordinances for the Public Safety Tax on the agenda and in the packet. We consulted with our legal team and were informed that, though it would probably be difficult, the verbiage you selected during the June 27th BOA meeting could possibly be challenged in the future. Therefore, a second option is being presented to you that consists strictly of the language used in Senate Bill No. 112. To avoid having two ordinances with the same title (and therefore being required to read each bill in its entirety) the titles include the ballot language selections. This ordinance contains the verbiage that was selected during the June 27th BOA meeting.

STAFF RECOMMENDATION

ATTACHMENTS - Bill No. 2017-14 – that included verbiage selected during the June 27th BOA Meeting

STAFF CONTACT: Cydnora Gauthreaux, 816-779-2221, cguthreaux@cityofpeculiar.com

AN ORDINANCE CALLING AN ELECTION IN THE CITY OF PECULIAR, MISSOURI, TO IMPOSE A CITY WIDE PUBLIC SAFETY SALES TAX OF ONE-HALF OF ONE PERCENT TO BE PLACED ON ALL RETAIL SALES MADE IN THE CITY OF PECULIAR; AND AUTHORIZING THE CITY CLERK TO GIVE NOTICE OF THE ELECTION; AND PURSANT TO § 94.900 RSMo. PLACE ON THE NOVEMBER 7, 2017 BALLOT THE PROPOSITION OF; “SHALL THE CITY OF PECULIAR IMPOSE A CITYWIDE SALES TAX OF ONE-HALF OF ONE PERCENT FOR THE PURPOSE OF IMPROVING THE PUBLIC SAFETY OF THE CITY THROUGH POLICE SERVICES, PERSONNEL, EQUIPMENT, AND EMERGENCY MANAGEMENT.”

WHEREAS, on July 17, 2017, the Board of Alderman, after review and discussion on the matter, determined that a public safety sales tax authorized pursuant to Section 94.900, RSMo. would be beneficial for the City of Peculiar and would service the public safety of its citizens.

WHEREAS, the Board of Aldermen desires to seek voter approval to impose a tax of one half of one percent on all retail sales made in the City pursuant to §94.900, RSMo, the revenues of which, if imposed, shall be used for the operation of the City of Peculiar Police Department and Emergency Management; and

WHEREAS, the Board of Aldermen of the City desires to submit to the qualified voters of the City the proposition hereinafter set forth.

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

Section 1. Call of Election. An election is hereby ordered to be held in the City of Peculiar, Missouri, on Tuesday, November 7, 2017, for the purpose of submitting to the qualified voters of the City the following proposition:

QUESTION

Shall the City of Peculiar impose a citywide sales tax of one-half of one percent for the purpose of improving the public safety of the City through police services, personnel, equipment, and emergency management?

- Yes
- No

If you are in favor of the question, place an “X” in the box opposite “Yes”. If you are opposed place an “X” in the box opposite “No”.

Section 2. Notification to County Election Authority. The City Clerk is hereby authorized and directed to notify the Cass County Clerk, as the election authority of Cass County, Missouri, of the adoption of this ordinance no later than 5:00 P.M. on August 29, 2017, and include in that notification all of the terms and provisions required by Chapter 115, RSMo, as amended, including a certified copy of the legal notice of election. This election shall be held and conducted and the result thereof shall be canvassed in all respects in conformity with the Constitution and laws of the State of Missouri, and in accordance with appropriate ordinances adopted by the Board of Aldermen of the City of Peculiar, Missouri.

Section 3. Form of Notice of Election. The Notice of Election and ballot to be used at this election shall be in substantially the same form as is attached hereto as Exhibit A.

Section 4. Effective Date of Ordinance. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the Board of Aldermen and **APPROVED** by the Mayor this ____th Day of July, 2017.

Alderman Godfrey
Alderman Harlan
Alderman Hammack

Alderman McCrea
Alderman Ford
Alderman Ray

Holly J. Stark, Mayor

ATTEST:

Cyndora Gauthreaux, Deputy City Clerk

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Tuesday, NOVEMBER 7, 2017

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YES

NO

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

To: Board of Aldermen
From: Nick Jacobs
Date: July 13, 2017
Re: Commercial Water Rate

GENERAL INFORMATION

Applicant: City Staff

Status of Applicant:

Requested Actions: Bring to the Board options of establishing a Commercial Water Rate.

Date of Application: 7/13/17

Purpose: Help decrease the shortfall of minimum water users throughout the system.

Property Location (if applicable): N/A

PROPOSAL

In June staff brought to the Board the fact that the current minimum does not cover the amount of the bonds. Staff put together some figures and found that 200-300 customers each month were not using enough water to fully cover the bond amounts. The total amount each year that was not being collected from this totaled almost \$12,000 per fiscal year. The Board requested staff look at a new Commercial Water Rate to not impact the low end water users. The purpose of this established rate is not to generate new usable revenue for daily use but to make up specifically for the low end users.

Commercial Customers make up around 15% of the total water used in the City. Most commercial accounts have a 1" or larger meter in place and typically require more of a demand on the system than a residential property. Last year the City sold 92,638,700 gallons of water to all customers. Of that, 14,567,500 gallons were to commercial customers. Staff looked to the neighboring communities regarding a Commercial Water Rate and did not find one who had it. The closest staff could find was Jackson County Water District #1 whose Commercial Water Rate is figured based upon meter size and increases the minimum amount from 1,000 gallons to 10,000 gallons and up. The City currently has a Commercial Sewer Rate which is \$5.00 more for the 1st 1,000 gallons and \$1.50 per each 1,000 gallons after, higher than the residential rate.

Based on the last fiscal years' numbers and by following this same method on the water side, it would potentially increase revenues on the water side by approximately \$25,169.25. Staff feels this would be too severe of an increase. Staff suggests establishing a Commercial Water Rate which is **\$1.00** higher on the 1st 1,000 gallons and **\$1.25** on every other 1,000 gallons. This would result in a potential revenue increase of **\$17,972.37**. This would sufficiently cover the low end users and leave a small buffer in case more users use below the minimum.

The new established Commercial Water Rate Schedule would be as follows:

Within City Limits:	(per 1,000 Gallons)
\$23.46	First 1,000
\$19.27	Every other 1,000 and fraction thereof
Outside City Limits:	(per 1,000 Gallons)
\$26.20	First 1,000
\$20.27	Every other 1,000 and fraction thereof

PREVIOUS ACTIONS

In June staff brought a proposal to increase the minimum amount billed to compensate for low users.

KEY ISSUES

The ability to adequately cover outstanding bond debt by establishing a new Commercial Water Rate.

STAFF COMMENTS AND SUGGESTIONS

Staff feels this is an adequate means of compensating for low end users without causing much stress onto the commercial accounts.

STAFF RECOMMENDATION

Staff recommends review of the outlined proposal above and give direction as to what the next step will be.

ATTACHMENTS - none



**Strategic Planning Meeting
Board of Aldermen and Staff
City of Peculiar, Missouri
July 17, 2017**

AGENDA

- 6:30 PM** **City Business**
- 7:00 PM** **Welcome and Opening Comments**
- Key Strategic Planning Concepts**
- Review City's Competitive Advantages and Challenges**
- Review and Reaffirm City's Strategic Priorities**
- Review Progress Made Since 2014**
- Discuss Critical Priorities for Next Five Years**
- Key Topics Include:**
- **Old Interchange**
 - **Parks and Recreation**
 - **CIP for Infrastructure**
- Prioritize Critical Issues**
- Identify Next Steps**
- 9:00 PM** **Adjourn**