



# CITY OF ST. PETERS BOARD OF ALDERMEN

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TENTATIVE AGENDA FOR REGULAR MEETING  
ST. PETERS JUSTICE CENTER, 1020 GRAND TETON DRIVE, ST. PETERS, MO 63376

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May 12, 2016 - 7:00 P.M.

- A. Call to Order, Mayor Len Pagano
- B. Roll Call
- C. Opening Ceremonies
  - 1. Invocation
  - 2. Pledge of Allegiance
  - 3. St. Peters Business Recognition Program
    - a. Harvester Barber Shop, 515 Jungermann Rd, established in 1991 – Ward 3
  - 4. Oath of Office: Ben Branch, Sergeant
  - 5. Oath of Office: Wayne D. Castello Jr., Lieutenant
  - 6. Oath of Office: Robert Treadway, Lieutenant
  - 7. Proclamation: “Kids to Parks Day”, May 21, 2016
  - 8. Proclamation: “Letter Carriers’ Food Drive Day”, May 14, 2016
- D. Approval of Minutes: The [Board of Aldermen Work Session meeting of April 28, 2016](#); and the [Regular Board of Aldermen meeting of April 28, 2016](#).
- E. Reports of Officers, Boards and Commissions
  - 1. Mayoral Report of Appointments to Boards and Commissions
    - a. [Appointment to the Veterans Memorial Commission](#)
    - b. [Appointment to the Board of Adjustment](#)
  - 2. City Administrator’s Report:
  - 3. Report of Director, Planning, Community and Economic Development: None

4. St. Peters Business Spotlight: None

F. Open Forum

1. Citizens Petitions and Comments
2. Communications from the Elected Officials
3. Announcements

G. Public Hearings: None

H. Unfinished (Old) Business Items: None

I. New Business Items:

1. **Bill No. 16-54: Bill** to enable the City of St. Peters, Missouri to join the Missouri Clean Energy District pursuant to Sections 67.2800 to 67.2835, inclusive, RSMO., the “Property Assessed Clean Energy Act,” and stating the terms under which the City will conduct activities within the City as a member of such district [Sponsor: Mayor Pagano]
2. **Bill No. 16-55: Bill** accepting for maintenance the dedication of certain storm sewer lines and certain water distribution lines in and connected with First Amendment to CVS at Mexico and Jungermann Plat
3. **Bill No. 16-56: Bill** authorizing the City Administrator of the City of St. Peters, Missouri, to enter into an agreement for a Temporary Construction Easement with the Fort Zumwalt School District for the P-24 Country Hill Stormwater Improvements Project
4. **Bill No. 16-57: Bill** authorizing the City Administrator of the City of St. Peters, Missouri, to enter into an agreement for a Temporary Construction Easement and a Permanent Drainage Easement with the Fort Zumwalt School District for the P-27 Calwood Channel Improvements Project
5. **Bill No. 16-58: Bill** authorizing the City Administrator of the City of St. Peters, Missouri, to enter into a Permanent Roadway Maintenance and Utility Easement Agreement with the U.S. Bank National Association
6. **Bill No. 16-59: Bill** directing the Mayor of the City of St. Peters, Missouri, to execute a certain consulting agreement by and between the City of St. Peters, Missouri, and Charnisky Investments, LLC
7. **Bill No. 16-60: Bill** authorizing the City Administrator of the City of St. Peters, Missouri to enter into an agreement for professional services for the Richmond, Regency Estates & Parkridge Estates Basin & Stream Channel Improvements Project P-25A
8. **Bill No. 16-61: Bill** authorizing the City Administrator of the City of St. Peters, Missouri to enter into an agreement for professional services for the Country Crossing Manor Basin & Stream Channel Improvement Project P-25B
9. **Bill No. 16-62: Bill** authorizing the City Administrator of the City of St. Peters, Missouri to enter into an agreement for professional services for the Red Mill, Hermitage & Brookshire Storm Water Drainage Improvements Project P-31

10. [Bill No. 16-63](#): [Bill](#) authorizing the City Administrator of the City of St. Peters, Missouri to enter into an agreement for professional services for the Telluride & Tanglewood Stream Channel Improvements Project P-26A
  11. [Bill No. 16-64](#): [Bill](#) authorizing the City Administrator of the City of St. Peters, Missouri to enter into an agreement for professional services for the Colby Drive & Timberidge Stream Channel Improvements Project P-26B
  12. [Bill No. 16-65](#): [Bill](#) authorizing the City Administrator of the City of St. Peters, Missouri, to enter into a contract with Knoebel Construction, Incorporated for construction of the Rec-Plex Drop Off and Parking Improvements Project
  13. [Bill No. 16-66](#): [Bill](#) directing the City Administrator of the City of St. Peters, Missouri to enter into a contract with International Truck and Engine of Fenton, Missouri For the purchase of a one-ton mini crane sign truck
  14. [Resolution](#) authorizing the establishment of depository accounts known as Treasurer of the City, Payroll Fund, Recreation Fund, Revenue Fund, Police Block Grant, Levee Special Allocation Fund, Lakeside Redevelopment Special Allocation Fund, St. Peter-St. Charles Waterpipeline Project Fund, St. Charles Urban County CDBG, and G.O. Reserve Savings
  15. [Resolution](#) authorizing the establishment a depository account known as "Municipal Court Bond Account"
- J. Executive Session re: Litigation, Real Estate and Personnel, pursuant to Section 610.021 (1)(2)(3)(9)(12)(13)(14) & 610.022 (1-6)
- K. Adjournment

AGENDA Posted at City Hall: May 9, 2016 at 9:00 a.m.

By: P. Smith, City Clerk

Next Regular Board of Aldermen Meeting: May 26, 2016



CITY OF ST. PETERS BOARD OF ALDERMEN  
WORK SESSION MINUTES  
April 28, 2016

## BOARD OF ALDERMEN ITEMS FOR DISCUSSION

The Work Session was called to order at approximately 4:30 p.m. on Thursday, April 28, 2016 at the St. Peters Justice Center located at 1020 Grand Teton Drive. Patty Smith, City Clerk, called the roll. The following were present: Mayor Pagano; Alderman Barclay; Alderman Bateman; Board President Hollingsworth; Alderman Reitmeyer; Alderman Shea; Alderman Violet; Bill Charnisky, City Administrator; Jeff Finkelstein, Chief of Police; Russ Batzel, Transportation and Development Services Manager; Bill Malach, Water Environment Services Manager; Dave Kuppler, Health and Environmental Services Manager; Rick Oloteo, Director of Recreation Services; Cathy Pratt, Director of Human Resources and Community Services; Patty Smith, City Clerk. Alderman Aytes was absent. Alderman Thomas and Special Counsel Williams were absent at roll call and arrived during the meeting in progress.

### LEGISLATIVE UPDATE WITH REPRESENTATIVE JOHN WEIMANN IN ALDERMANIC CONFERENCE ROOM FROM 4:30 - 5:00 PM

State Representative John Weimann from District 103 introduced himself and explained the location of his district. He stated his intention to meet annually with the Mayor and Board of Aldermen and listen to their concerns and bring updates on legislation in Jefferson City. The Mayor and Aldermen brought forward their areas of concern and interests for proposed legislation.

Mayor Pagano expressed his desire to change/shorten the election candidacy filing period to the first week in December so that it closes by January; and he stated that other cities have been informed of this idea.

Rep. Weiman stated he has filed a bill (HB 2446) which requires the Governor to issue a writ of election to fill vacancies in office within the General Assembly within 60 days of receiving a notice of a vacancy. He said there will be no replacement until November for a Senator.

Alderman Hollingsworth brought forward the Boards concerns regarding building code violations and the difficulties cities have in trying to issue summons for violations with vacant/abandoned homes, and identifying who the property owner is. They would like to see the state give more power to the City on this issue, because of their concerns with decreasing property values. Discussion on solutions to this issue was held which included the assistance from the Home Owners Associations with their indentures and bi-laws; can a bond be posted; and requirement of a registered agent with a physical address of these vacant homes. Rep. Weimann agreed to research and see if anything

has been filed along these lines and have legislative research check to see if this is even possible.

Alderman Thomas arrived at the meeting at 4:38 p.m.

Rep. Weimann also spoke about the St. Louis Zoo official's proposal to get government funding from St. Charles County, Jefferson County and Franklin County, asking for a 1/8 cent sales tax increase to help fund the popular attraction. Currently, the Zoo receives government funding only from St. Louis City and St. Louis County; and other funding from corporate sponsors and "Friends of the Zoo" is received. Alternate solutions besides increasing sales taxes were discussed.

Special Counsel Williams arrived to the meeting at 5:00 p.m.

Alderman Hollingsworth moved and Alderman Barclay seconded the motion to change the order of business and move to Discussion/PACE Program - Mayor. The motion was approved.

#### DISCUSSION/PACE PROGRAM – MAYOR

Tom Dempsey who represents the Renovate America and the Missouri Clean Energy district provided a PowerPoint presentation to the Board of Aldermen for consideration of adopting a new ordinance to enable the City of St. Peters to join the Missouri Clean Energy District; which allows our City residents to participate in the PACE (Property Assessed Clean Energy) Program. The program has been approved in the State of Missouri and is now expanding to assist homeowners in saving on their utility bills and creating a method of financing home energy projects. The Home Energy Renovation Opportunity (HERO) program, which is the program that Renovate American uses, is currently established in California with a high success rate. The payments are made to the approved contractors upon verification by the homeowner that completion of work was done. The launch date for the HERO program in our area is mid May to June 1<sup>st</sup> and this program is offered to commercial customers as well. More information is available online at [renovateamerica.com](http://renovateamerica.com). Questions from the Aldermen, staff and the Green Team were addressed. Alderman Barclay moved and Alderman Reitmeyer seconded the motion to place this item on the May 12, 2016 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the May 12, 2016 Board of Aldermen meeting agenda for consideration.**

The meeting resumed to the regular order.

#### COMMUNICATIONS FROM BOARD MEMBERS/ALDERMANIC REPRESENTATIVES

Committee reports were given during this time.

#### BOARD OF ALDERMEN ITEMS FOR DISCUSSION

#### NEW BUSINESS ITEMS

## SELECTION OF ALDERMANIC REPRESENTATIVES TO BOARDS AND COMMISSIONS AND BOARD PRESIDENT – HOLLINGSWORTH

After some discussion and conclusion on the selection of Aldermanic Representatives, Alderman Hollingsworth read the slate of proposed Aldermanic Representative assignments to the City Boards and Commissions as follows: Ward I Alderman Dave Thomas serving on the Community Health and Wellness Advisory Board; Ward I Alderman John “Rocky” Reitmeyer serving as the Board President; Ward II Alderman Judy Bateman serving on the Veterans Memorial Commission; Ward II Alderman Jerry Hollingsworth serving on the Outpatient Surgical Treatment Center Medical Review Board; Ward III Alderman Michael Shea serving on both the Senior Advisory Committee and the St. Peters Green Team; Ward III Alderman Terri Violet serving on the Parks, Recreation, and Arts Advisory Board; Ward IV Alderman Patrick Barclay serving on the Planning and Zoning Commission; and Ward IV Alderman Don Aytes will substitute in the absence of aldermanic representation at a meeting. No further discussion was held and Alderman Hollingsworth stated this slate of Aldermanic Representatives will be voted on at this evening’s Board of Aldermen meeting. **This is business item I-01 on this evening’s Board of Aldermen meeting agenda for consideration.**

## MAYOR/CITY ADMINISTRATOR ITEMS FOR DISCUSSION

### NEW BUSINESS ITEMS

Alderman Barclay moved and Alderman Thomas seconded the motion to remove Discussion/Firearms Use in Rural St. Peters Boundary Lines from the agenda for discussion. The motion was approved.

## DISCUSSION/FIREARMS USE IN RURAL ST. PETERS BOUNDARY LINES – MAYOR

Mayor Pagano recounted discussion held during public comment period at a previous Board of Aldermen meeting regarding dove hunting on property located at Iffrig and Salt River Roads by Highway C and a verbal agreement between the property owners and the City. Discussion regarding the use of firearms in rural areas of the City was held and the fact that firearm discharge is illegal in the City limits was addressed. The property owner was unable to provide any written agreement and there is no agreement on file with the City to allow hunting on the property. It was advised that even if there was an agreement, it would still be in violation of the City ordinance. Mayor Pagano questioned if there was an allowance for rural property owners. Mr. Charnisky advised that at one time there was a State Department of Conservation allowance for property that was located within a 100-year floodplain as long as it does not abut a highway or roadway; however, that area in question is now in a flood protected area since the levee was built and does abut a highway and roadway.

Further discussion was held regarding an allowance for property owners with vast amounts of acreage, and safety issues and concerns were addressed. Alderman Thomas asked if the Board would consider making an exception based on amount of acres. Discussion on what other municipalities do was held. Special Counsel Williams advised that they will research what other comparable cities have done to address this issue. Alderman Thomas moved and Alderman Violet seconded the motion for Special Counsel Williams to move

forward in researching this item and bring back to the Board for review. The motion was approved.

Alderman Barclay moved and Alderman Hollingsworth seconded the motion to remove Recommendation for Storm Water Consultants on the following projects from the agenda for discussion. The motion was approved.

#### RECOMMENDATION FOR STORM WATER CONSULTANTS ON THE FOLLOWING PROJECTS – BATZEL

Mr. Batzel explained the eleven (11) Storm Water projects that are grouped into five (5) project groupings: P-25-A, P-25-B, P-26-A, P-26-B, P-31. These projects will affect eleven (11) subdivisions, approximately two miles of stream channel, and six subdivision basins. Mr. Batzel advised that on March 30 and April 6, 2016 the City received written proposals from seven (7) engineering consulting firms for this project. After a thorough review, the evaluation committee recommended awarding Barr Engineering to the following three Projects: P-25A for the Basin and Stream Channel Improvements in Richmond Subdivision, Regency Estates, and Parkridge Estates in the estimate amount of \$330,200; P-26A Project for Stream Channel Improvements in Telluride and Tanglewood Subdivisions in the amount of \$300,900; and Project P-26B for Stream Channel Improvements on Colby Drive and Timberidge. The evaluation committee recommended awarding Reitz and Jens Engineering the P-25B Project for Country Crossing Manor Basin and Stream Channel Improvements in the amount of \$280,000; and BAX Engineering the P-31 Project for Storm Water Drainage Improvements in Red Mill, Hermitage, and Brookshire in the amount of \$65,291. Alderman Bateman moved and Alderman Thomas seconded the motion to place these items on the May 12, 2016 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the May 12, 2016 Board of Aldermen meeting agenda for consideration.**

Alderman Violet moved and Alderman Barclay seconded the motion to remove Purchase Recommendation of Replacement Mini-Crane Sign Truck from the agenda for discussion. The motion was approved.

#### PURCHASE RECOMMENDATION OF REPLACEMENT MINI-CRANE SIGN TRUCK – KUPPLER

Mr. Kuppler requested to purchase a replacement Crane Sign Truck. For Fiscal Year 2016, \$140,000 was budgeted to purchase a new truck to replace a 2006 Mini Crane Sign Truck #353, which is a TDS maintenance vehicle. After reviewing both the Statewide and MoDOT contracts, there were seven (7) options from three (3) vendors. Staff recommended the purchase from International Truck and Engine who is the lowest bidder. The price of the truck is \$111,514 and is \$28,486 under budget. Alderman Reitmeyer moved and Alderman Barclay seconded the motion to place this item on the May 12, 2016 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the May 12, 2016 Board of Aldermen meeting agenda for consideration.**

Alderman Violet moved and Alderman Bateman seconded the motion to remove Draft Resolution Designating the City of St. Peters as a “Hybrid Entity” from the agenda for discussion. The motion was approved.

#### DRAFT RESOLUTION DESIGNATING THE CITY OF ST. PETERS AS A “HYBRID ENTITY” – FINKELSTEIN

Chief Finkelstein explained this is a request for a Resolution to designate the City of St. Peters as a “Hybrid Entity”. The City is currently a “Covered Entity” as defined by HIPAA regulations. This means the City is required to comply with the HIPAA Privacy Rule for Protected Health Information (PHI) and Security Rule for electronic PHI. This Resolution will designate certain functions from City departments as health care components to operate efficiently in compliance with HIPAA. **This is business item I-08 on this evening’s Board of Aldermen meeting agenda for consideration.**

#### MISCELLANEOUS UPDATES – CHARNISKY

Mr. Charnisky reminded the Board that on both the May 12, 2016 Work Session and Board of Aldermen meetings to consider the bids on the renovation for the entrance for the RecPlex. Bids will be opened on May 3<sup>rd</sup> for project completion this summer. The bids will be made available in the library for the Board to review. Mr. Batzel will be compiling the recommendations. Alderman Barclay moved and Alderman Thomas seconded the motion to place this item on both the May 12, 2016 Board of Aldermen and Work Session Meeting agendas. The motion was approved. **This item will be placed on the May 12, 2016 Board of Aldermen meeting agenda for consideration.**

#### BOARD MEETING AGENDA ITEM REVISIONS – CHARNISKY

None

#### EXECUTIVE SESSION RE: LITIGATION, REAL ESTATE AND PERSONNEL, PURSUANT TO SECTION 610.021 (1)(2)(3)(9)(12)(13)(14) & 610.022 (1-6)

Alderman Barclay moved and Alderman Bateman seconded the motion to enter Executive Session re: Litigation, Real Estate and Personnel, pursuant to Section 610.021(1)(2)(3)(9)(12)(13)(14) & 610.022 (1-6) and then adjourn the Work Session meeting from the Executive Session. With the motion approved, the Board of Aldermen entered Executive Session at approximately 6:16 p.m. Roll Call was taken as follows: President of the Board of Aldermen, Alderman Hollingsworth: yes; Alderman Reitmeyer: yes; Alderman Thomas: yes; Alderman Bateman: yes; Alderman Violet: yes; Alderman Shea: yes; Alderman Barclay: yes; Alderman Aytes: Absent.

#### ADJOURNMENT OF THE EXECUTIVE SESSION AND THE WORK SESSION

Alderman Barclay moved and Alderman Violet seconded the motion to adjourn the Executive Session and the Work Session meetings. The motion carried and the Executive Session and the Work Session was adjourned at approximately 6:45 p.m. with roll call shown as follows: President of the Board of Aldermen, Alderman Hollingsworth, yes;

Alderman Bateman, yes; Alderman Reitmeyer, yes; Alderman Thomas, yes; Alderman Barclay, yes; Alderman Violet, yes; Alderman Shea, yes; Alderman Aytes, yes.

Submitted by,

Patricia E. Smith  
City Clerk

DRAFT



CITY OF ST. PETERS CITY HALL  
BOARD OF ALDERMEN MINUTES  
APRIL 28, 2016

CALL TO ORDER

Mayor Pagano called the Board of Aldermen meeting to order at approximately 7:00 p.m. on April 28, 2016, at the St. Peters Justice Center located at 1020 Grand Teton Drive. Patty Smith, City Clerk, called the roll. Present were: Mayor Pagano; Alderman Aytes; Alderman Barclay; Alderman Bateman; Board President Hollingsworth; Alderman Reitmeyer; Alderman Shea; Alderman Thomas; Alderman Violet; Bill Charnisky, City Administrator; Scott Williams, Special Counsel; Jeff Finkelstein, Chief of Police; Patty Smith, City Clerk. The Invocation was delivered by Pastor Steve Koeneman. The Pledge of Allegiance was led by Mayor Pagano.

GENERAL MUNICIPAL ELECTION APRIL 5, 2016

Copies of the certified election results from the St. Charles County Election Authority were provided to the Board of Aldermen. City Clerk Smith read the Certified Election results for April 5, 2016. Alderman Hollingsworth moved and Alderman Reitmeyer seconded the motion to approve and accept the Certified Election results for April 5, 2016. The motion was approved unanimously.

OATH OF OFFICE AND SEATING OF ELECTED OFFICIALS BY: P. SMITH, CITY CLERK

Mayor Pagano requested City Clerk, Patty Smith to come forward to administer the Oath of Office to the newly elected officials.

Mayor Pagano invited each of the elected Candidates and their families to come forward. City Clerk Smith administered the Oath of Office individually to Leonard B. (Len) Pagano as Mayor, John "Rocky" Reitmeyer as Alderman Ward 1, Jerry Brent Hollingsworth as Alderman Ward 2, Michael A. Shea as Alderman Ward 3, and Patrick A. Barclay as Alderman Ward 4. City Clerk Smith congratulated the Mayor and each of the Aldermen and presented each of them with the executed Oath of Office. Mayor Pagano congratulated each of the Aldermen and asked each of them to introduce their families. After the Oath of Office, the Aldermen then took their official seats. The Mayor and the Board of Aldermen were welcomed and congratulated as they took their official seats.

PROCLAMATION: "NATIONAL SMALL BUSINESS WEEK", MAY 1-7, 2016

Alderman Barclay presented Scott Tate, President and CEO, with the Greater St. Charles County Chamber of Commerce, the Proclamation for National Small Business Week, which highlights the programs and services available to entrepreneurs through the U.S. Small Business Administration and other government agencies.

PROCLAMATION: "LOCAL GOVERNMENT WEEK", MAY 1-7, 2016

Alderman Shea read the Local Government Week Proclamation, which acknowledges that local governments make important decisions that affect the lives of all Missourians and play an essential role in the quality of life in Missouri communities.

#### APPROVAL OF MINUTES: WORK SESSION MEETING OF APRIL 14, 2016 AND THE REGULAR BOARD OF ALDERMEN MEETING OF APRIL 14, 2016

Alderman Violet moved and Alderman Hollingsworth seconded the motion to approve the Board of Aldermen Work Session meeting minutes of April 14, 2016, and the Regular Board of Aldermen meeting minutes of April 14, 2016. The motion carried and the minutes were approved.

#### REPORTS OF OFFICERS, BOARDS AND COMMISSIONS

#### MAYORAL REPORT OF APPOINTMENTS TO BOARDS AND COMMISSIONS

#### RE-APPOINTMENTS TO THE PERSONNEL REVIEW BOARD

Alderman Bateman moved and Alderman Aytes seconded the motion to approve the re-appointments of the following individuals to serve as members and alternate members to the Personnel Review Board for the term effective May 12, 2016 and expiring May 11, 2017: James Brock, 13 Gateswood Drive (Ward 1); Denise O'Mara, 31 Harvest Rust Court (Ward 4); Michael Utter, 9 Inverness Court (Ward 1); Tim Schulte, 916 Wolfrum Glen Court (Ward 4); John Shetterly, 525 Timberidge Drive (Ward 3); Willie Smith, 205 Westminster Drive (Ward 2); Judy Breneisen an alternate member, 425 Timberidge Drive (Ward 3). All in favor, the motion was approved.

#### CITY ADMINISTRATOR'S REPORT:

#### REPORT OF DIRECTOR OF PLANNING, COMMUNITY AND ECONOMIC DEVELOPMENT

#### UPDATE TO TITLE IV LAND USE (CHAPTER 405) OF THE ST. PETERS MUNICIPAL CODE – POWERS

Ms. Powers, Director of Planning, gave an update for the proposed changes to Title IV Land Use that relate to the St. Peters Lakeside 370 Special District area. Changes were due to the development and increase interest in development in the area and there was a need for the following modifications: modifying the general list of authorized uses in the beginning of this section by adding medical and agricultural product research and processing; modifying the loading spaces to be added as approved by site development plan; modifying the fence requirements to be the same as our commercial and industrial districts in the City and require the chain link be vinyl coated; to allow lighting to be 40 feet high unless otherwise approved by Planning and Zoning; to allow temporary membrane structures and green houses as part of an overall development for use as an accessory building to a larger building; to add medical product processing and distribution as a permitted use; to add outdoor entertainment facilities as a special use; to add outdoor sports facilities as a special use; and add temporary activities as a permitted use and Ms. Powers requested the Board of Aldermen to make an amendment to the draft ordinance for consideration this evening, changing the S (Special Use) to a P (Permitted Use) under Miscellaneous Purposes Temporary Activities. Ms. Powers advised that the Planning

and Zoning Commission recommended approval of all changes. No comments or questions from the Board of Aldermen.

#### ST. PETERS BUSINESS SPOTLIGHT

None

#### OPEN FORUM

#### CITIZENS PETITIONS AND COMMENTS

Mr. Jim Bromley, 23 Heather Drive in St. Peters, a rider certification instructor with Gold Wing Road Riders Association, spoke regarding next month's "Watch for Motorcycles" awareness initiative.

#### COMMUNICATIONS FROM THE ELECTED OFFICIALS

Elected Officials made comments during this time.

#### ANNOUNCEMENTS

#### PUBLIC HEARINGS

None

#### UNFINISHED (OLD) BUSINESS ITEMS:

None

#### NEW BUSINESS ITEMS:

#### SELECTION OF ALDERMANIC REPRESENTATIVES TO BOARDS AND COMMISSIONS AND BOARD PRESIDENT

Alderman Barclay reported the results of the selection of Aldermanic Representatives to Boards and Commissions and the Board President as the following: Alderman Reitmeyer for the Board of Aldermen President; Alderman Barclay for Aldermanic Representative to the Planning and Zoning Commission; Alderman Violet for Aldermanic Representative to the Parks, Recreation & Arts Advisory Board; Alderman Bateman for Aldermanic Representative to the Veterans Memorial Commission; Alderman Shea for Aldermanic Representative to the Senior Advisory Committee and the St. Peters Green Team; Alderman Thomas for Aldermanic Representative to the Community Health and Wellness Advisory Committee; and Alderman Hollingsworth for Aldermanic Representative to the Outpatient Surgical Treatment Center Medical Review Board. Appointments will run from April 2016 to April 2017. Alderman Barclay moved and Alderman Thomas seconded the motion to approve the slate of representatives as read. The motion was approved unanimously.

MOTION/APPROVED: BILL NO. 16-49: ORDINANCE NO. 6515: AN ORDINANCE CALLING A BOND ELECTION IN THE CITY OF ST. PETERS, MISSOURI, AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH; AMENDING RESOLUTION NO. 1523; AND

**AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH**

Alderman Reitmeyer moved and Alderman Bateman seconded the motion to introduce the Bill. The motion carried. Alderman Reitmeyer moved and Alderman Bateman seconded the motion to read Bill No. 16-49 for the first time. The motion carried and Alderman Reitmeyer read the Bill. Alderman Aytes moved and Alderman Hollingsworth seconded the motion to read the Bill for the second time. The motion carried and Alderman Hollingsworth read the Bill. Alderman Bateman moved and Alderman Hollingsworth seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-49 was passed becoming Ordinance No. 6515.

Reitmeyer: Yes Thomas: Yes Bateman: Yes Hollingsworth: Yes  
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes  
AYES: 8 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0 MAYOR:

**MOTION/APPROVED: BILL NO. 16-50: ORDINANCE NO. 6516: AN ORDINANCE AMENDING OR REPEALING CERTAIN SECTIONS AND ENACTING NEW SECTIONS OF THE MUNICIPAL CODE OF THE CITY OF ST. PETERS, TITLE IV: LAND USE DEALING WITH THE ESTABLISHMENT OF ZONING AND REGULATING LAND USE IN THE CITY LIMITS OF THE CITY OF ST. PETERS, MISSOURI AND PROVIDING FOR THE ESTABLISHMENT OF REGULATIONS FOR LAND SUBDIVISION IN THE LIMITS OF THE CITY OF ST. PETERS, MISSOURI**

Alderman Bateman moved and Alderman Barclay seconded the motion to introduce the Bill. The motion carried. Alderman Bateman moved and Alderman Barclay seconded the motion to read Bill No. 16-50 for the first time. The motion carried and Alderman Shea read the Bill. Alderman Reitmeyer moved and Alderman Aytes seconded the motion to read the Bill for the second time. The motion carried and Alderman Barclay read the Bill. Alderman Barclay moved and Alderman Violet seconded the motion to put the Bill to a final vote. Mr. Charnisky reminded the Board of Aldermen that Ms. Powers presented an amendment needed on page four (4) of the bill regarding Temporary Activities. Alderman Hollingsworth moved and Alderman Thomas seconded the motion to amend the bill, as read by Ms. Powers, changing the S (Special Use) to a P (Permitted Use) under Miscellaneous Purposes, Temporary Activities, and to read the bill as amended. The motion was approved. Alderman Barclay read the Bill as amended. Alderman Reitmeyer moved and Alderman Aytes seconded the motion to put the Bill, as amended, to a final vote. The motion was approved and Bill No. 16-50 was passed becoming Ordinance No. 6516.

Reitmeyer: Yes Thomas: Yes Bateman: Yes Hollingsworth: Yes  
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes  
AYES: 8 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0 MAYOR:

**MOTION/APPROVED: BILL NO. 16-51: ORDINANCE NO. 6517: AN ORDINANCE ACCEPTING FOR MAINTENANCE THE DEDICATION OF CERTAIN SANITARY SEWER LINES IN AND CONNECTED WITH JUNGERMANN SUBDIVISION PLAT 12 AND JUNGERMANN SUBDIVISION ROAD DEDICATION AND EASEMENT PLAT**

Alderman Bateman moved and Alderman Aytes seconded the motion to introduce the Bill. The motion carried. Alderman Bateman moved and Alderman Aytes seconded the motion to read Bill

No. 16-51 for the first time. The motion carried and Alderman Thomas read the Bill. Alderman Hollingsworth moved and Alderman Reitmeyer seconded the motion to read the Bill for the second time. The motion carried and Alderman Bateman read the Bill. Alderman Bateman moved and Alderman Aytes seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-51 was passed becoming Ordinance No. 6517.

Reitmeyer: Yes Thomas: Yes Bateman: Yes Hollingsworth: Yes  
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes  
AYES: 8 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0 MAYOR:

MOTION/APPROVED: BILL NO. 16-52: ORDINANCE NO. 6518: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A CONTRACT WITH L KEELEY CONSTRUCTION FOR THE 2016 SIDEWALK REPLACEMENT AND INFILL PROGRAM

Alderman Bateman moved and Alderman Aytes seconded the motion to introduce the Bill. The motion carried. Alderman Bateman moved and Alderman Aytes seconded the motion to read Bill No. 16-52 for the first time. The motion carried and Alderman Violet read the Bill. Alderman Hollingsworth moved and Alderman Reitmeyer seconded the motion to amend the Bill in section one (1) and remove the words "change order". The motion was approved. Alderman Barclay moved and Alderman Aytes seconded the motion to read the Bill for the second time, as amended. The motion carried and Alderman Aytes read the Bill as amended. Alderman Hollingsworth moved and Alderman Aytes seconded the motion to put the Bill as amended to a final vote. The motion was approved and Bill No. 16-52 was passed becoming Ordinance No. 6518.

Reitmeyer: Yes Thomas: Yes Bateman: Yes Hollingsworth: Yes  
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes  
AYES: 8 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0 MAYOR:

MOTION/APPROVED: BILL NO. 16-53: ORDINANCE NO. 6519: AN ORDINANCE OF THE CITY OF ST. PETERS, MISSOURI, AUTHORIZING AND DIRECTING THE DEPARTMENT OF REVENUE TO CONTINUE APPLICATION AND COLLECTION OF THE LOCAL SALES TAX ON THE TITLING OF MOTOR VEHICLES, TRAILERS, BOATS, AND OUTBOARD MOTORS THAT WERE PURCHASED FROM A SOURCE OTHER THAN A LICENSED MISSOURI DEALER

Alderman Aytes moved and Alderman Hollingsworth seconded the motion to introduce the Bill. The motion carried. Alderman Aytes moved and Alderman Hollingsworth seconded the motion to read Bill No. 16-53 for the first time. The motion carried and Alderman Reitmeyer read the Bill. Alderman Reitmeyer moved and Alderman Aytes seconded the motion to read the Bill for the second time. The motion carried and Alderman Hollingsworth read the Bill. Alderman Hollingsworth moved and Alderman Aytes seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-53 was passed becoming Ordinance No. 6519.

Reitmeyer: Yes Thomas: Yes Bateman: Yes Hollingsworth: Yes  
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes  
AYES: 8 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0 MAYOR:

MOTION/ADOPTED: RESOLUTION NO. 1526: A RESOLUTION CONCERNING VOLUNTARY

ANNEXATION KRISTIN HAMILTON, 60 CIRCLE WAY

Alderman Violet moved and Alderman Hollingsworth seconded the motion to introduce the Resolution. The motion carried. Alderman Violet moved and Alderman Hollingsworth seconded the motion to read the Resolution for the first time. The motion carried and Alderman Shea read the Resolution. Alderman Reitmeyer moved and Alderman Aytes seconded the motion to put the Resolution to a final vote. The motion was approved and Resolution No. 1526 was adopted.

Reitmeyer: Yes Thomas: Yes Bateman: Yes Hollingsworth: Yes  
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes  
AYES: 8 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0 MAYOR:

MOTION/ADOPTED: RESOLUTION NO. 1527: A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF ST. PETERS DECLARING THE CITY AS A HYBRID ENTITY; DESIGNATING THE CITY'S HEALTH CARE COMPONENTS; DESIGNATING A HIPAA PRIVACY AND SECURITY OFFICER(S); DIRECTING AND AUTHORIZING CERTAIN OFFICIALS AND EMPLOYEES TO CARRY OUT THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE

Alderman Barclay moved and Alderman Hollingsworth seconded the motion to introduce the Resolution. The motion carried. Alderman Barclay moved and Alderman Hollingsworth seconded the motion to read the Resolution for the first time. The motion carried and Alderman Barclay read the Resolution. Alderman Hollingsworth moved and Alderman Reitmeyer seconded the motion to put the Resolution to a final vote. The motion was approved and Resolution No. 1527 was adopted.

Reitmeyer: Yes Thomas: Yes Bateman: Yes Hollingsworth: Yes  
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes  
AYES: 8 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0 MAYOR:

EXECUTIVE SESSION RE: LITIGATION, REAL ESTATE AND PERSONNEL, PURSUANT TO SECTION 610.021 (1)(2)(3)(9)(12)(13)(14) & 610.022 (1-6)

No Executive Session was called at this time.

ADJOURNMENT

Alderman Thomas moved and Alderman Reitmeyer seconded the motion to adjourn the Regular Board of Aldermen meeting. The motion was approved and the Regular Board of Aldermen meeting was adjourned at approximately 8:21 p.m.

Respectfully submitted,

Patricia E. Smith  
City Clerk



CITY OF ST. PETERS, MO

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**INTEROFFICE MEMORANDUM**

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**TO:** BOARD OF ALDERMEN *Jim Pagano*

**FROM:** MAYOR PAGANO

**SUBJECT:** APPOINTMENT TO THE VETERANS MEMORIAL COMMISSION

**DATE:** APRIL 29, 2016

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I am nominating the following individual for appointment as an alternate member to the Veterans Memorial Commission as follows:

Donald B. Philips, 6 Country Hill Road, St. Peters, MO 63376 (Ward 1) for the term effective immediately and expiring December 31, 2019.

If you have any questions or comments regarding these appointments, please contact me.

## APPLICATIONS

(Applications on file with the City Clerk's Office)



CITY OF ST. PETERS, MO

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**INTEROFFICE MEMORANDUM**

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**TO:** BOARD OF ALDERMEN  
**FROM:** MAYOR PAGANO  
**SUBJECT:** APPOINTMENT TO THE BOARD OF ADJUSTMENT  
**DATE:** APRIL 28, 2016

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I am nominating the following individual for appointment as a Member to the Board of Adjustment as follows:

William Jaggi, 23 Green Pines Circle, St. Peters, MO 63376 (Ward 1), for the term effective immediately and expiring 5-31-21.

If you have any questions or comments regarding this appointment, please contact me.

## APPLICATIONS

(Applications on file with the City Clerk's Office)

## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO ENABLE THE CITY OF St. Peters, MISSOURI TO JOIN THE MISSOURI CLEAN ENERGY DISTRICT PURSUANT TO SECTIONS §67.2800 TO §67.2835, INCLUSIVE, RSMO., THE “PROPERTY ASSESSED CLEAN ENERGY ACT,” AND STATING THE TERMS UNDER WHICH THE CITY WILL CONDUCT ACTIVITIES WITHIN THE CITY AS A MEMBER OF SUCH DISTRICT.

WHEREAS, the 95<sup>th</sup> General Assembly of Missouri enacted Sections §67.2800 to §67.2835, inclusive, RSMo., the “Property Assessment Clean Energy Act” (the “Act”); and

WHEREAS, the development, production, and efficient use of clean energy and renewable energy, as well as the installation of energy efficiency improvements to publicly and privately owned real property, will create jobs for residents of the City of St. Peters Missouri, advance the economic well-being and public and environmental health of the City of St. Peters, Missouri, and contribute to the energy independence of our nation; and

WHEREAS, the primary intent of funding energy efficiency and renewable energy improvements pursuant to the Act is to promote the public purposes described above; and

WHEREAS, Section §67.2810.1 authorizes one or more Municipalities (as defined in Section §67.2800.7) to establish a Clean Energy Development Board to initiate and administer a Property Assessed Clean Energy (“PACE”) Program so that owners of qualifying property can access funding for energy efficiency improvements or renewable energy improvements to their properties located in such Municipalities; and

WHEREAS, on January 3, 2011, a clean energy development board now named the Missouri Clean Energy District was created with the intention that all Municipalities within the State of Missouri would be eligible to join and participate by approving an appropriate ordinance or resolution; and

WHEREAS, it is in the best interests of the City of St. Peters Missouri and for the benefit of its residents to join and participate in the District.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF St. Peters MISSOURI, AS FOLLOWS:

SECTION ONE: The City hereby approves and authorizes joining and participation in the Missouri Clean Energy District.

SECTION TWO: The City declares its intent that the provisions of this Ordinance shall be in conformity with federal and state laws. The City enacts this Ordinance pursuant to Sections 67.2800 to 67.2835 of the Missouri Revised Statutes (2000), as amended.

Subsection One. Title and Definitions.

A. Title. This Ordinance shall be known and may be cited as “The City of St. Peters, Missouri Property Assessed Clean Energy (PACE) Ordinance.”

B. Definitions. Except as specifically defined below, word and phrases used in this Ordinance shall have their customary meanings. Words and phrases defined in Section 67.2800.2 of the Missouri Revised Statutes (2000), as amended, shall have their defined meanings when used in this Ordinance. As used in this Ordinance, the following words and phrases shall have the meanings indicated.

“Missouri Clean Energy District” or “District” means the Missouri Clean Energy District.

“PACE Assessment” means a special assessment made against qualifying property in consideration of PACE Funding.

“PACE Funding” means funds provided to the owner(s) of qualified property by the District for an energy efficiency improvement.

“Qualifying Property” means real property located in The City of St. Peters, Missouri.

Subsection Two. Program Administration.

The Missouri Clean Energy District shall administer the functions of the PACE Program within the City by

- A. providing property owners with an application in order to apply for PACE Funds;
- B. developing standards for the approval of Projects submitted by property owners;
- C. reviewing applications and select qualified Projects;
- D. entering into Assessment Contracts with property owners;
- E. providing a copy of each executed Notice of Assessment to the County Assessor and causing a copy of each such Notice of Assessment to be recorded in the real estate records of the Recorder of Deeds for the County;
- F. authorizing and disbursing the PACE Funds to the property owners;
- G. receiving the PACE Assessment from the County Collector;

- H. recording any lien, if needed, due to nonpayment of a PACE Assessment; and
- I. exercising all powers granted by Section 67.2810.2 of the Missouri Revised Statutes (2000), as amended, including, but not limited to, the power to levy and collect special assessments under an assessment contract with a property owner.

Subsection Three. Liability of City Officials; Liability of City.

Notwithstanding any other provision of law to the contrary, officers and other officials of the City, the District and the County in which the City is located shall not be personally liable to any person for claims, of whatever kind or nature, under or related to the City's participation in the District's PACE Program, including, without limitation, claims for or related to uncollected PACE Assessments. The City has no liability to a property owner for or related to energy savings improvements funded under a PACE Program. The District shall for all purposes be considered an independent entity and shall not be considered a political subdivision of the City of St. Peters, Missouri.

SECTION THREE: The Mayor of the City is hereby authorized to deliver a duly executed copy of this Ordinance to the Board of Directors of the District or its designee, together with the jurisdictional and geographic boundaries of the City for inclusion in the jurisdictional and geographic boundaries of the District.

SECTION FOUR: The City authorizes and directs the Mayor (chief elected official) to appoint a member of the Advisory Council of Missouri Clean Energy District and to notify the District of the person so appointed..

ADOPTED and APPROVED this 12th day of May, 2015.

Attest:

\_\_\_\_\_  
Name: Patricia E. Smith  
City Clerk

\_\_\_\_\_  
As Presiding Officer and as Mayor  
Len Pagano, Mayor

\_\_\_\_\_

\_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ACCEPTING FOR MAINTENANCE THE DEDICATION OF CERTAIN STORM SEWER LINES AND CERTAIN WATER DISTRIBUTION LINES IN AND CONNECTED WITH FIRST AMENDMENT TO CVS AT MEXICO AND JUNGERMANN PLAT

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. PETERS, MISSOURI AS FOLLOWS:

SECTION 1. The City of St. Peters, Missouri does hereby accept for maintenance, as part of the storm sewer system of the City of St. Peters, Missouri, certain storm sewer lines in and connected with the First Amendment to CVS at Mexico and Jungermann Plat so constructed within either the street rights-of-way or utility easements located within said tract of land in St. Charles County, Missouri, as identified in the Instrument of Dedication of Improvements in substantially the form attached hereto, marked as Exhibit "A", and made a part hereof, to wit:

Storm sewer system lines described as follows:

167 Lineal Feet of Fifteen inch (15") RCP, beginning at storm sewer manhole #7370SWM898 towards, and including storm sewer manhole #7370SWM899; and

15 Lineal Feet of Fifteen inch (15") RCP beginning at storm sewer manhole #7370SWM899 towards existing curb inlet #7370CI1145

SECTION 2. The City of St. Peters, Missouri does hereby accept for maintenance, as part of the water distribution system of the City of St. Peters, Missouri, certain water distribution lines in and connected with the First Amendment to CVS at Mexico And Jungermann Plat so constructed within either the street rights-of-way or utility easements located within said tract of land in St. Charles County, Missouri, as identified in the Instrument of Dedication of Improvements in substantially the form attached hereto, marked as Exhibit "A", and made a part hereof, to wit:

Approximately 756 Lineal Feet of 8" water main and associated valves; said line running parallel to the east and north property lines of Jungermann Road, connecting to an existing system located with the Jungermann Road right-of-way.

No.

SECTION 3. The said storm sewer lines identified in Section 1 of this Ordinance shall, from and after the recording of said Instrument of Dedication of Improvements, become part of the storm sewer system of said city in perpetuity. TMC Missouri 2 LLC, shall thereafter be relieved from further obligation with respect to the maintenance of said storm sewers, except as may be contained within the executed Escrow Agreement Guaranteeing Improvements on file with the City.

SECTION 4. The said water distribution lines identified in Section 2 of this Ordinance shall, from and after the recording of said Instrument of Dedication of Improvements, become part of the water distribution system of said city in perpetuity. TMC Missouri 2 LLC, shall thereafter be relieved from further obligation with respect to the maintenance of said water lines, except as may be contained within the executed Escrow Agreement Guaranteeing Improvement on file with the City.

SECTION 5. The Mayor of the City of St. Peters, Missouri, be and is hereby authorized to execute said Instrument of Dedication of Improvements which is by and between TMC Missouri 2 LLC and the City of St. Peters, Missouri, and the Clerk of the City of St. Peters, Missouri is hereby authorized to affix the seal of the City to said Instrument of Dedication of Improvements and directed to cause said document to be recorded in the office of the Recorder of Deeds of St. Charles County, Missouri.

SECTION 6. Savings Clause.

Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

SECTION 7. Severability Clause.

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

SECTION 8. This ordinance shall be in full force and take effect from and after the date of its final passage and approval.

Read two times, passed, and approved this 12<sup>th</sup> day of May, 2016.

\_\_\_\_\_  
As Presiding Officer and as Mayor  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

No.

## INSTRUMENT OF DEDICATION OF IMPROVEMENTS

THIS INSTRUMENT is made this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between TMC Missouri 2 LLC, an Indiana limited liability company authorized to do business in the state of Missouri, whose mailing address is 501 Pennsylvania Parkway, Suite 160, Indianapolis, Indiana 46280, GRANTOR, and the City of St. Peters, a Missouri municipal corporation, hereinafter GRANTEE, whose address is #1 St. Peters Centre Boulevard, St. Peters, Missouri 63376.

WHEREAS, Jungermann Station, L.L.C., The Jungermann Partnership, Arlie G. Jungermann, as Trustee under the Arlie G. Jungermann Trust dated September 15, 1992 and Jacqueline Jungermann, as Trustee under the Jacqueline Jungermann Trust dated September 15, 1992 and Janet A. Stille, as Trustee of the Janet A. Stille Trust dated October 19, 1993 as restated October 2, 2001, did on the 23<sup>rd</sup> day of December 2015, file a record in the office of the Recorder of Deeds for St. Charles County, Missouri, a certain plat, the same being the plat of First Amendment to CVS at Mexico and Jungermann Plat, which plat was recorded in Plat Book 48, Pages 278-279; and

WHEREAS, TMC Missouri 2 LLC has constructed a storm sewer system and water distribution system in and connected with First Amendment to CVS at Mexico and Jungermann Plat, and said systems have been constructed according to the City of St. Peters standards for same, and said systems have been located in either the street rights-of-way or permanent roadway maintenance and utility easements contained in said plat; and

WHEREAS, GRANTOR intends that the storm sewer system and water distribution system, so constructed within said street rights-of-way or permanent roadway maintenance and utility easement in and connected with First Amendment to CVS at Mexico and Jungermann Plat, become a part of the storm sewer system and water distribution system of the City of St. Peters, Missouri.

GRANTOR, the owner of the storm sewer line located within and connected with the First Amendment to CVS at Mexico and Jungermann Plat, does hereby dedicate the following storm sewer line, to wit:

167 Lineal Feet of Fifteen inch (15") RCP, beginning at storm sewer manhole #7370SWM898 towards, and including storm sewer manhole #7370SWM899; and

15 Lineal Feet of Fifteen inch (15") RCP, beginning at storm sewer manhole #7370SWM899 towards existing curb inlet #7370CI1145

to the City of St. Peters, Missouri, and the same shall become a part of the storm sewer system of said City in perpetuity.

GRANTOR, the owner of the water line located within and connected with the First Amendment to CVS at Mexico and Jungermann Plat, does hereby dedicate the following water line, to wit:

Approximately 756 Lineal Feet of 8" water main and associated valves; said line running parallel to the east and north property lines of Jungermann Road, connecting to an existing system located within the Jungermann Road right-of-way;

to the City of St. Peters, Missouri, and the same shall become a part of the water distribution system of said City in perpetuity.

The City of St. Peters, Missouri does hereby accept the aforesaid certain storm sewers and water line as a part of the storm sewer and water distribution systems of said City in perpetuity.

***IN WITNESS WHEREOF***, the said GRANTOR and GRANTEE hereto have executed these presents as of the day and year first above written.



**GRANTEE:**

**City of St. Peters, Missouri**  
a Missouri municipal corporation

By: \_\_\_\_\_  
Len Pagano, Mayor

State of Missouri            )  
                                          ) SS  
County of St. Charles        )

On this \_\_\_\_ day of \_\_\_\_\_, 2016, before me personally appeared Len Pagano, to me personally known, who, being by me duly sworn, did say that he is the Mayor of the City of St. Peters, a municipal corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the Corporate Seal of said municipal corporation by authority of its Board of Aldermen and said Len Pagano acknowledged said instrument to be the free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary \_\_\_\_\_

SEAL

My Commission Expires:

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO ENTER INTO AN AGREEMENT FOR A TEMPORARY CONSTRUCTION EASEMENT WITH THE FORT ZUMWALT SCHOOL DISTRICT FOR THE P-24 COUNTRY HILL STORMWATER IMPROVEMENTS PROJECT

WHEREAS, it is in the best interest of the inhabitants of the City of St. Peters, Missouri, that improvements be made to the Country Hill stream channel; and

WHEREAS, the improvements to said watershed necessitates obtaining a Temporary Construction Easement from the Fort Zumwalt School District.

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

SECTION 1. The City does hereby accept and agrees to said Temporary Construction Easement, and the City Administrator of the City of St. Peters, Missouri, be and is hereby authorized to execute on behalf of the City of St. Peters, Missouri, a Temporary Construction Easement Agreement in substantially the forms attached hereto and made a part hereof, with the Fort Zumwalt School District for the P-24 Country Hill Stormwater Improvements Project.

SECTION 2. Savings Clause

Nothing contained herein shall in any manner be deemed or construed to alter, modify,

No.

supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

SECTION 3. Severability Clause

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision, which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

SECTION 4. This ordinance shall be in full force and take effect from and after the date of its final passage and approval.

Read two times, passed, and approved this 12<sup>th</sup> day of May, 2016.

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As Presiding Officer and as Mayor  
Len Pagano, Mayor of St Peters

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

Approved this 12th day of May, 2016.

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Len Pagano, Mayor of St Peters

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

No.

Draft

No.

## Temporary Construction Easement Agreement

*This Instrument*, Made and entered into this 18<sup>th</sup> day of April, 2016, by and between Fort Zumwalt School District of St. Charles County, Missouri, a Political Subdivision of the State of Missouri, whose mailing address is 555 E. Terra Ln., O'Fallon, Missouri 63366, hereinafter "GRANTOR," and the CITY OF ST. PETERS, MISSOURI, a fourth class city of the State of Missouri, whose mailing address is P.O. Box 9, St. Peters, Missouri 63376-0090, hereinafter "GRANTEE."

*Witnesseth*, that the said GRANTOR, for and in consideration of the sum of \$1.00 and other good and valuable consideration paid by the said GRANTEE, the receipt and sufficiency of which is hereby acknowledged, do by these presents **Grant** unto the said GRANTEE,

*A Temporary Construction Easement*, as more particularly described on Exhibit "A", attached hereto and incorporated by reference herein, for the purpose of surveying, staking, cutting, filling, sloping embankments, altering the existing grade of, reshaping and otherwise using the easement in order to construct **P-24 Country Hill Stormwater Improvements Project** adjacent thereto and all other necessary improvements in connection therewith. GRANTEE covenants and agrees that after any such work done on and to the temporary construction easement herein granted, that it will restore the surface of the easement as nearly as practicable to its prior condition. This Temporary Construction Easement shall cease and terminate upon the completion of construction of the **P-24 Country Hill Stormwater Improvements Project** and all other improvements to be installed in connection therewith.

All provisions of this instrument, including the benefits and burdens, are deemed to be covenants running with the land and are binding upon and inure to the benefit of the parties hereto, their respective heirs, successors and assigns.

All of which is Subject to all easements, restrictions, conditions and rights of way, now of record, if any.

***To Have and to Hold*** the said ***Easement***, together with all rights and appurtenances to the same belonging, unto the said GRANTEE, and to its successors and assigns.

Draft



**GRANTEE:**

**CITY OF ST. PETERS, MISSOURI**

By: \_\_\_\_\_  
William P. Charnisky, City Administrator

STATE OF MISSOURI            )  
                                          ) SS  
COUNTY OF ST. CHARLES    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me appeared, William P. Charnisky, who being by me duly sworn, did say that he is the City Administrator of the City of St. Peters, Missouri, a municipal corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the seal of said City, and that said instrument was signed and sealed in behalf of said City, by authority of its Board of Aldermen; and that said City Administrator acknowledged said instrument to be the free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

\_\_\_\_\_  
Notary Public

My Commission Expires:

PROPERTY N/F  
 DP MID RIVERS REALTY LLC  
 4037/807  
 LOT SPLIT OF LOT A  
 OF MID RIVERS MALL PLAT SIX  
 P.B. 45 PG. 91

LOT B  
 MID RIVERS MALL  
 PLAT TEN  
 P.B. 22 PG. 123

PARCEL 8 - LOT B  
 MID RIVERS MALL  
 PLAT SIXTEEN  
 P.B. 22 PG. 123

**S62°39'39"E 784.99'**

**MCMENAMY RD.**

ST. PETERS VILLAGE  
 PLAT SIX  
 P.B. 21 PG. 125

ST. PETERS VILLAGE  
 PLAT SIX  
 P.B. 21 PG. 125

ST. PETERS VILLAGE  
 PLAT NINE  
 P.B. 21 PG. 154

ST. PETERS VILLAGE  
 PLAT TWELVE

ST. PETERS VILLAGE  
 PLAT THIRTEEN  
 P.B. 22G. 22

S78°23'05"E  
 43.53'

PARCEL A  
 ST. PETERS VILLAGE PLAT 26  
 P.B.29 PG.1

PARCEL B  
 ST. PETERS VILLAGE PLAT 26  
 P.B.29 PG.1

ST. PETERS VILLAGE  
 PLAT FIFTEEN  
 P.B.22 PG.23B

**NEW SCHOOL RD.**  
**SCALE: 1"=200'**

**N27°24'02"E 998.84'**

PROPERTY N/F  
 REORGANIZED SCHOOL  
 DIST 2  
 0356/0279  
 460 MCMENAMY RD

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N89°05'11"E	50.91'
L2	N27°20'28"E	125.56'
L3	S27°42'32"W	24.00'

S64°50'47"E  
 76.84'

S15°37'29"E  
 53.81'

S72°47'04"E  
 165.91'

NEW TEMPORARY  
 CONSTRUCTION EASEMENT  
 (66,139 S.F.)

S27°02'21"W  
 114.24'

S39°21'16"E  
 94.73'

451.00'

6.67'

**N62°17'28"W 785.38'**

LOT 58 | LOT 57 | LOT 56 | LOT 55 | LOT 54 | LOT 53 | LOT 52 | LOT 51 | LOT 50 | LOT 49

COUNTRY HILL ESTATES PLAT 4  
 P.B.14 PG.46

LOT 33

LOT 34

LOT 35

LOT 36

LOT 37

LOT 38

LOT 39

LOT 40

LOT 42

LOT 43

LOT 44

LOT 45

LOT 46

LOT 47

COUNTRY HILL ESTATES  
 PLAT 1  
 P.B.13 PG.37

COUNTRY HILL ESTATES  
 PLAT 2  
 P.B.14 PG.15

COUNTRY HILL ESTATES  
 PLAT 3  
 P.B.14 PG.33



- GENERAL NOTES:**
1. BASIS OF BEARINGS ADOPTED FROM THE MISSOURI STATE PLANE COORDINATE SYSTEM OF 1983, EAST ZONE, GRID NORTH.
  2. THIS EXHIBIT DOES NOT CONSTITUTE AN ACTUAL BOUNDARY SURVEY.

**EXHIBIT A**

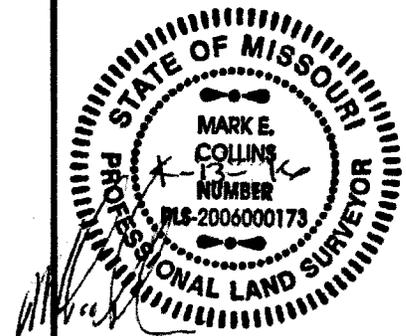
**INITIALS:**

DATE	04/08/16
DRAWN	EB

**TEMPORARY CONSTRUCTION EASEMENT**

PROJECT	15-16533A
FILE	PAR5-TCE

A TRACT OF LAND BEING PART OF U.S.  
 SURVEY No. 1808, TOWNSHIP 47 NORTH,  
 RANGE 3 EAST, OF THE  
 FIFTH PRICIPAL MERIDIAN,  
 ST. CHARLES COUNTY, MISSOURI



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO ENTER INTO AN AGREEMENT FOR A TEMPORARY CONSTRUCTION EASEMENT AND A PERMANENT DRAINAGE EASEMENT WITH THE FORT ZUMWALT SCHOOL DISTRICT FOR THE P-27 CALWOOD CHANNEL IMPROVEMENTS PROJECT

WHEREAS, it is in the best interest of the inhabitants of the City of St. Peters, Missouri, that improvements be made to the Calwood Channel; and

WHEREAS, the improvements to said watershed necessitates obtaining a Temporary Construction Easement and a Permanent Drainage Easement from the Fort Zumwalt School District.

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

SECTION 1. The City does hereby accept and agrees to said Temporary Construction Easement and Permanent Drainage Easement, and the City Administrator of the City of St. Peters, Missouri, be and is hereby authorized to execute on behalf of the City of St. Peters, Missouri, a Temporary Construction Easement Agreement and a Permanent Drainage Easement Agreement in substantially the forms attached hereto and made a part hereof, with the Fort Zumwalt School District for the P-27 Calwood Channel Improvements Project.

SECTION 2. The City Clerk is hereby directed to cause said Permanent Drainage Easement Agreement to be recorded in the office of the Recorder of Deeds of St. Charles

No.

County, Missouri.

SECTION 3. Savings Clause

Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

SECTION 4. Severability Clause

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision, which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

SECTION 5. This ordinance shall be in full force and take effect from and after the date of its final passage and approval.

Read two times, passed, and approved this 12<sup>th</sup> day of May, 2016.

---

As Presiding Officer and as Mayor  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

No.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

Draft

No.

## Permanent Drainage Easement Agreement

*This Agreement*, made and entered into as of the 18th day of April, 2016, by and between Fort Zumwalt School District of St. Charles County, Missouri, a Political Subdivision of the State of Missouri, whose mailing address is 555 E. Terra Ln., O'Fallon Missouri 63366, (hereinafter referred to as "**GRANTOR**"), and the City of St. Peters, Missouri, a fourth class city and a political subdivision of the State of Missouri, whose mailing address is #1 St. Peters Centre Boulevard, St. Peters, Missouri 63376 (hereinafter "**GRANTEE**").

*Witnesseth*, that the **GRANTOR**, for and in consideration of the sum of \$10.00 and other good and valuable consideration paid by the said **GRANTEE**, the receipt and sufficiency of which are hereby acknowledged, do by these presents *Grant* unto the said **GRANTEE**,

*A Perpetual Right and Easement*, for the purposes of constructing, re-constructing, using, stabilizing, planting vegetation, operating and maintaining detention basins, stream channels and stream channel improvements, and patrolling detention basin and stream channel improvements, and other appurtenances thereto, in, on, upon, along, over, under, through and across the real estate more particularly described on Exhibits "A" and "B", attached hereto and incorporated by reference herein (the "Easement Area"). The **GRANTEE** shall have the right to survey, stake, slope, alter existing grade of, reshape, construct, reconstruct, install, place, keep, operate, maintain, inspect, control, add to and relocate at will, at any time, and from time to time, storm water control and water quality improvements, lines, pipes and other appurtenances associated therewith, including, without limitation, the right of ingress and egress to and over the above described Easement Area and premises of **GRANTOR** adjoining the same, for all purposes herein stated; together with the right at any time and from time to time, to trim and cut down any and all brush, saplings, trees and overhanging branches, and remove same and any vegetation and/or any rocks or other obstructions upon, over, and under said Easement Area or any portion thereof for the purposes hereinabove set out, and with the further right at any time and from time to time, to remove any or all of the said improvements and appurtenances thereto located upon, over across and under said Easement Area by virtue hereof. **GRANTEE** covenants and agrees that after any construction or work done on and to the Easement Area herein granted, that it will restore any adjacent property of the **GRANTOR** outside of the Easement Area to substantially its prior condition, to the extent practicable.

**GRANTOR** covenants and agrees that it will not, nor will it allow others to construct, plant, erect or cause to be placed within the limits of said Easement Area herein granted any object, including but not limited to, lawn furniture, swing sets, woodpiles, or compost piles. **GRANTOR** further covenants and agrees it will not interfere with the proper construction or use of said water quality improvements. **GRANTOR** further agrees that it will not conduct nor allow others to conduct any of the following acts in, on, upon, along, over, through or across the herein described Easement Area without prior written consent of **GRANTEE**: (a) drilling, excavating or removing from the Easement Area of any topsoil, sand, rock or other mineral resource or natural deposit or other materials; (b) mowing, cutting, removing or otherwise destroying trees, grasses, or other vegetation; (c) introducing or planting of additional trees, grasses or other vegetation; (d) manipulating or altering the natural watercourses; (e) dumping of any waste or unsightly or offensive material; (f) changing the topography of the Easement Area in any manner; (g) tilling the Easement Area; or (h) conducting any activity which is detrimental to the water quality of the adjacent stream.

**GRANTOR** does hereby release and agree to indemnify, defend and hold harmless the **GRANTEE**, its officials, employees and contractors from and of any and all liability, including, but not limited to, damages, or claims for damages, including attorney's fees, arising from or as a result of, the actions or omissions, whether negligent or not, of **GRANTOR** or its agents, contractors, volunteers, or residents related in any manner to **GRANTEE'S** construction of the storm water control and water quality improvements, and **GRANTEE'S** maintenance of the Basin and/or stream channel improvements.

**GRANTOR**, for itself, its successors and assigns, does hereby warrant and covenant unto **GRANTEE** (1) that **GRANTOR** is the owner of the above described Easement Area and has full right and authority validly to grant this easement, (2) that **GRANTEE** may quietly enjoy the Easement Area for the purposes herein stated, and (3) that **GRANTOR** will not interfere with the exercise and enjoyment of the easement rights hereinabove conveyed.

All provisions of this instrument, including the benefits and burdens, are deemed to be covenants running with the land and are binding upon and inure to the benefit of the parties hereto, their respective successors and assigns.

All of which is Subject to all easements, restrictions, conditions and rights of way, now of record, if any.

**To Have and to Hold** the said *Easement*, together with all rights and appurtenances to the same belonging unto the said **GRANTEE**, and to its successors and assigns forever.



**GRANTEE:**

**CITY OF ST. PETERS MISSOURI**  
a Missouri municipal corporation

By: \_\_\_\_\_  
William P. Charnisky, City Administrator

SEAL

STATE OF MISSOURI            }  
                                          }SS.  
COUNTY OF ST, CHARLES    }

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me appeared, William P. Charnisky, who being by me duly sworn, did say that he is the City Administrator of the City of St. Peters, Missouri, a Municipal Corporation of the State of Missouri, that the seal affixed to the foregoing instrument is the seal of said City, that said instrument was signed and sealed in behalf of said City by authority of its Board of Aldermen; and, that said City Administrator acknowledged said instrument to be the free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed by official seal in the County and State aforesaid, the day and year first above written.

\_\_\_\_\_  
Notary Public

My Commission Expires:

# EASEMENT EXHIBIT

## A TRACT OF LAND IN SECTION 34 TOWNSHIP 47 NORTH, RANGE 3 EAST

### 974/1295 AND 977/794

ST. CHARLES COUNTY, MISSOURI

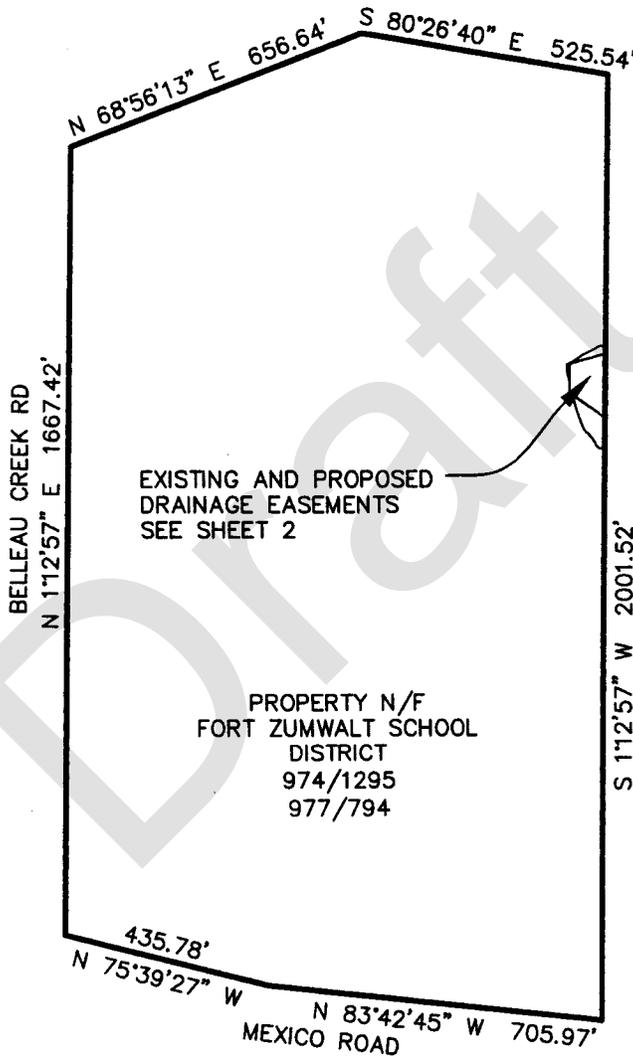
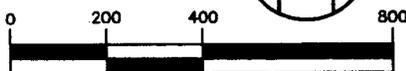


EXHIBIT 'A'

INITIALS:

SCALE:

1"=400'



REVISED: -

SHEET 1 OF 2



**ST. CHARLES ENGINEERING & SURV., INC.**  
 801 S. FIFTH STREET, SUITE 202  
 ST. CHARLES, MO 63801

TEL: (636) 947-0607 FAX: (636) 947-2448

ORDER  
NO.  
15-0305

DATE  
04/08/16

# EASEMENT EXHIBIT

## A TRACT OF LAND IN SECTION 34 TOWNSHIP 47 NORTH, RANGE 3 EAST

### 974/1295 AND 977/794

ST. CHARLES COUNTY, MISSOURI

PROPERTY N/F  
FORT ZUMWALT  
SCHOOL DISTRICT  
974/1295  
977/794

Line Table		
Line #	Direction	Length
L1	S1° 12' 57"W	573.84'
L2	S1° 12' 57"W	14.63'
L3	S74° 10' 21"W	78.44'
L4	S1° 12' 57"W	36.85'
L5	N14° 37' 26"W	18.75'
L6	N1° 24' 22"W	17.49'
L7	N63° 15' 22"E	13.18'
L8	N57° 05' 34"E	23.72'
L9	N62° 22' 11"E	44.02'
L10	S79° 44' 16"E	11.22'
L11	S1° 12' 57"W	133.98'
L12	S1° 12' 57"W	722.45'
L13	S1° 12' 57"W	66.78'
L14	N73° 24' 08"W	15.71'
L15	N31° 06' 26"W	23.24'
L16	N42° 03' 30"W	25.34'
L17	N19° 19' 39"W	39.36'
L18	N15° 58' 34"W	36.05'
L19	S54° 48' 36"E	83.71'

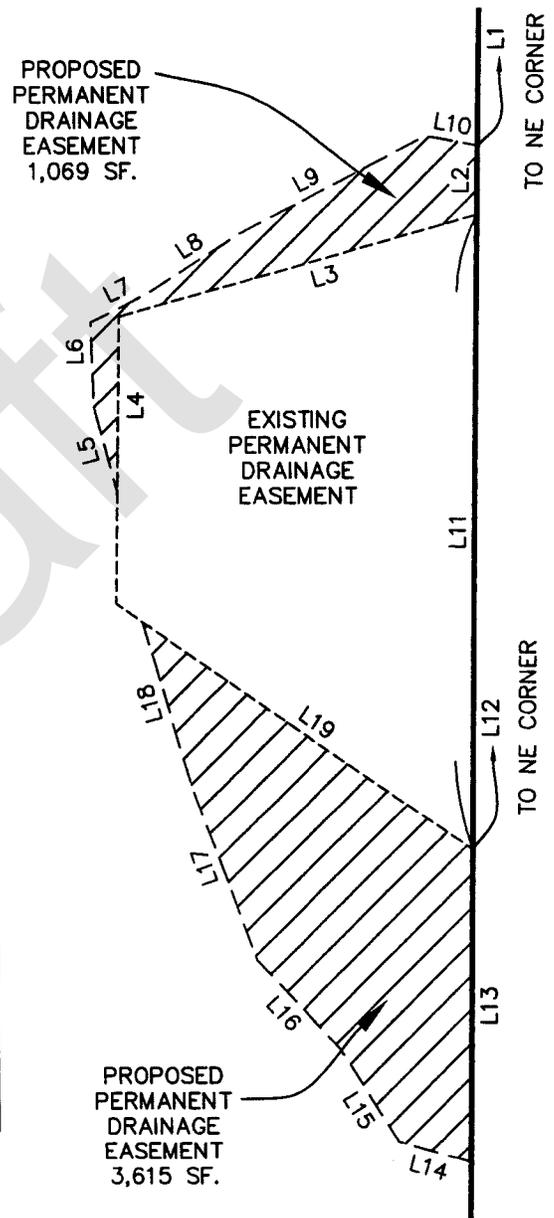
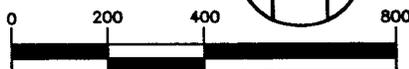


EXHIBIT 'A'

INITIALS:

SCALE:

1"=400'



REVISED: -

SHEET 2 OF 2



**ST. CHARLES ENGINEERING & SURV., INC.**  
801 S. FIFTH STREET, SUITE 202  
ST. CHARLES, MO 63301  
TEL: (636) 947-0607 FAX: (636) 947-2448

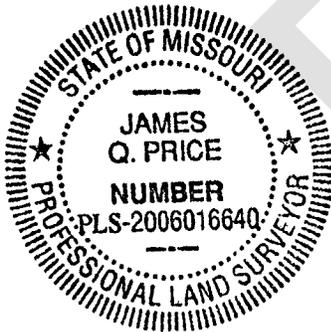
ORDER NO.  
15-0305

DATE  
04/06/16

PERMANENT DRAINAGE EASEMENT #5

A TRACT OF LAND BEING PART OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 34, TOWNSHIP 47 NORTH, RANGE 3 EAST, ST. CHARLES COUNTY, MISSOURI, AND BEING PART OF THE PROPERTY CONVEYED TO FORT ZUMWALT SCHOOL DISTRICT BY THE INSTRUMENT RECORDED IN BOOK 974, PAGE 1295 OF THE ST. CHARLES COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERN CORNER OF SAID FORT ZUMWALT SCHOOL DISTRICT PROPERTY; THENCE ALONG THE EASTERN LINE OF SAID PROPERTY, SOUTH 1 DEGREE 12 MINUTES 57 SECONDS WEST, 722.45 FEET; TO THE TRUE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE CONTINUING SOUTH 1 DEGREE 12 MINUTES 57 SECONDS WEST, 66.78 FEET; THENCE LEAVING AFORESAID EASTERN LINE, NORTH 73 DEGREES 24 MINUTES 08 SECONDS WEST, 15.71 FEET; THENCE NORTH 31 DEGREES 06 MINUTES 26 SECONDS WEST, 23.24 FEET; THENCE NORTH 42 DEGREES 03 MINUTES 30 SECONDS WEST, 25.34 FEET; THENCE NORTH 19 DEGREES 19 MINUTES 39 DEGREES WEST, 39.36 FEET; THENCE NORTH 15 DEGREES 58 MINUTES 34 SECONDS WEST, 36.05 FEET; THENCE SOUTH 54 DEGREES 48 MINUTES 36 SECONDS EAST, 83.71 FEET TO THE POINT OF BEGINNING, CONTAINING 3,615 SQUARE FEET, MORE OR LESS.



PERMANENT DRAINAGE EASEMENT #4

A TRACT OF LAND BEING PART OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 34, TOWNSHIP 47 NORTH, RANGE 3 EAST, ST. CHARLES COUNTY, MISSOURI, AND BEING PART OF THE PROPERTY CONVEYED TO FORT ZUMWALT SCHOOL DISTRICT BY THE INSTRUMENT RECORDED IN BOOK 974, PAGE 1295 OF THE ST. CHARLES COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST,ERN CORNER OF SAID FORT ZUMWALT SCHOOL DISTRICT PROPERTY; THENCE ALONG THE EASTERN LINE OF SAID PROPERTY, SOUTH 1 DEGREE 12 MINUTES 57 SECONDS WEST, 573.84 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE CONTINUING SOUTH 1 DEGREE 12 MINUTES 57 SECONDS WEST, 14.63 FEET; THENCE LEAVING AFORESAID EASTERN LINE, SOUTH 74 DEGREES 10 MINUTES 21 SECONDS WEST, 78.44 FEET; THENCE SOUTH 1 DEGREE 12 MINUTES 57 SECONDS WEST, 36.85 FEET; THENCE NORTH 14 DEGREES 37 MINUTES 26 SECONDS WEST, 18.75 FEET; THENCE NORTH 1 DEGREE 24 MINUTES 22 SECONDS WEST, 17.49 FEET; THENCE NORTH 63 DEGREES, 15 MINUTES, 22 SECONDS EAST, 13.18 FEET; THENCE NORTH 57 DEGREES 5 MINUTES 34 SECONDS EAST, 23.72 FEET; THENCE NORTH 62 DEGREES 22 MINUTES 11 SECONDS EAST, 44.02 FEET; THENCE SOUTH 79 DEGREES 44 MINUTES 16 SECONDS EAST, 11.22 FEET TO THE POINT OF BEGINNING, CONTAINING 1,069 SQUARE FEET, MORE OR LESS.



## Temporary Construction Easement Agreement

*This Instrument*, Made and entered into this 18th day of April, 2016, by and between Fort Zumwalt School District of St. Charles County, Missouri, a Political Subdivision of the State of Missouri, whose mailing address is 555 E. Terra Ln., O'Fallon, MO 63366, hereinafter "GRANTOR," and the CITY OF ST. PETERS, MISSOURI, a fourth class city of the State of Missouri, whose mailing address is P.O. Box 9, St. Peters, Missouri 63376-0090, hereinafter "GRANTEE."

*Witnesseth*, that the said GRANTOR, for and in consideration of the sum of \$1.00 and other good and valuable consideration paid by the said GRANTEE, the receipt and sufficiency of which is hereby acknowledged, do by these presents *Grant* unto the said GRANTEE,

*A Temporary Construction Easement*, as more particularly described on Exhibits "A" and "B", attached hereto and incorporated by reference herein, for the purpose of surveying, staking, cutting, filling, sloping embankments, altering the existing grade of, reshaping and otherwise using the easement in order to construct **P-27 Calwood Channel Improvements Project** adjacent thereto and all other necessary improvements in connection therewith. GRANTEE covenants and agrees that after any such work done on and to the temporary construction easement herein granted, that it will restore the surface of the easement as nearly as practicable to its prior condition. This Temporary Construction Easement shall cease and terminate upon the completion of construction of the **P-27 Calwood Channel Improvements Project** and all other improvements to be installed in connection therewith.

All provisions of this instrument, including the benefits and burdens, are deemed to be covenants running with the land and are binding upon and inure to the benefit of the parties hereto, their respective heirs, successors and assigns.

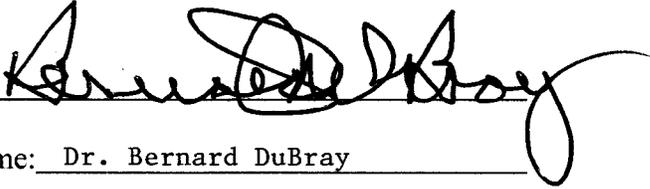
All of which is Subject to all easements, restrictions, conditions and rights of way, now of record, if any.

*To Have and to Hold* the said *Easement*, together with all rights and appurtenances to the same belonging, unto the said GRANTEE, and to its successors and assigns.

*In Witness Whereof*, the said GRANTOR and GRANTEE have executed these presents the day and year first above written.

**GRANTOR:**

**FORT ZUMWALT SCHOOL DISTRICT**

By: 

Name: Dr. Bernard DuBray

Title: Superintendent

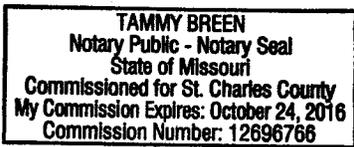
STATE OF MISSOURI                    )  
                                                          )SS.  
COUNTY OF ST. CHARLES         )

On this 18th day of April, 2016, before me personally appeared Bernard DuBray, being by me duly sworn, did state that he is the Superintendent of Fort Zumwalt School District, a Missouri political subdivision, and that said instrument was signed on behalf of said corporation, by authority of its School Board and said Bernard DuBray acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary 

My Commission Expires:



**GRANTEE:**

**CITY OF ST. PETERS, MISSOURI**

By: \_\_\_\_\_  
William P. Charnisky, City Administrator

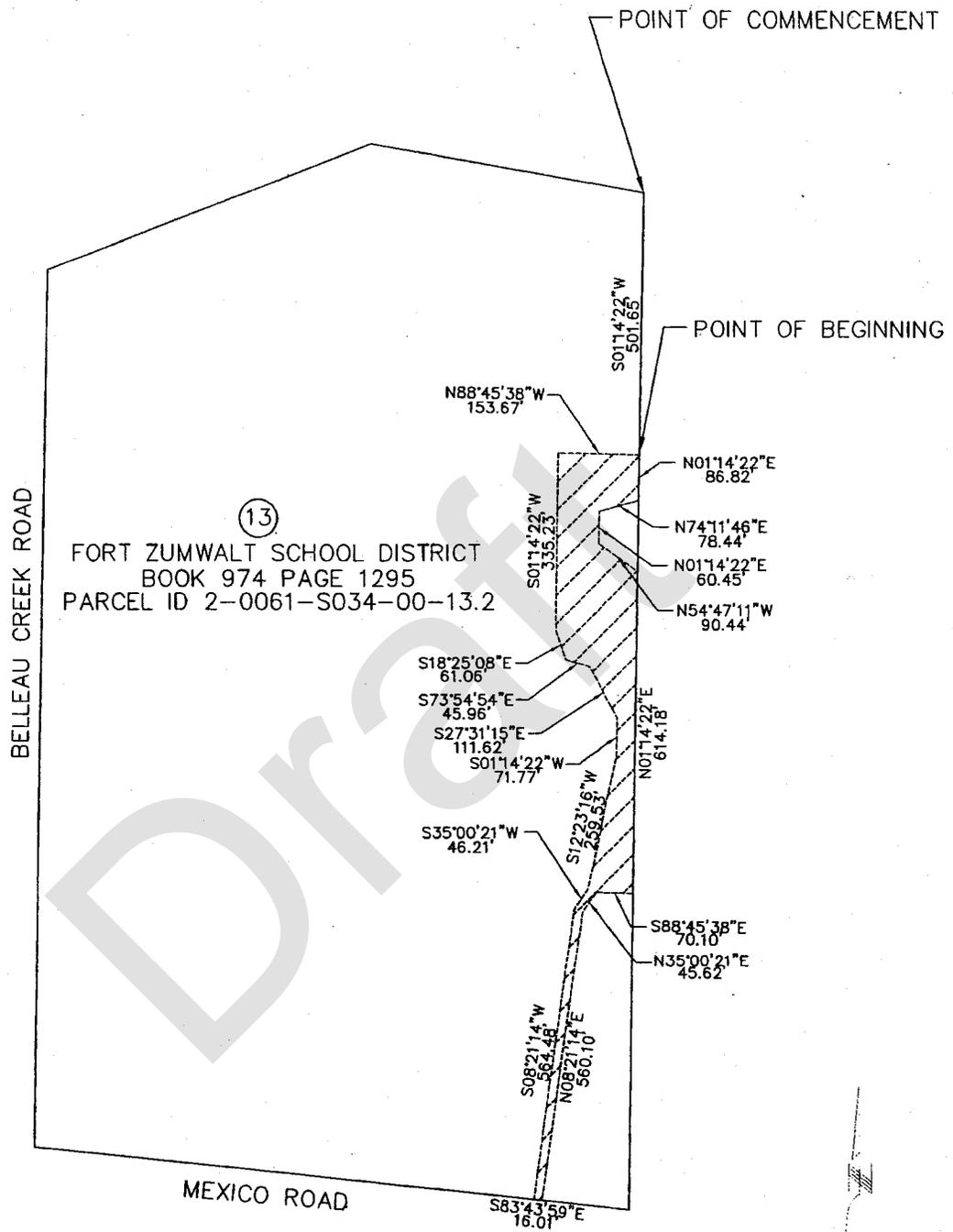
STATE OF MISSOURI                    )  
                                                  ) SS  
COUNTY OF ST. CHARLES            )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me appeared, William P. Charnisky, who being by me duly sworn, did say that he is the City Administrator of the City of St. Peters, Missouri, a municipal corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the seal of said City, and that said instrument was signed and sealed in behalf of said City, by authority of its Board of Aldermen; and that said City Administrator acknowledged said instrument to be the free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

\_\_\_\_\_  
Notary Public

My Commission Expires:



TCE AREA = 87,853.24 SF

EXHIBIT "A"

N.T.S.  
INITIAL:

TEMPORARY CONSTRUCTION EASEMENT PLAT  
 PART OF NW 1/4 OF SEC. 35 & NE 1/4 OF SEC. 34, T47N, R3E  
 BOOK 974 PAGE 1295  
 ST. PETERS, ST. CHARLES COUNTY, MISSOURI

EXHIBIT "B"

LEGAL DESCRIPTION  
P-27 CALWOOD CHANNEL IMPROVEMENTS PROJECT  
FORT ZUMWALT SCHOOL DISTRICT  
TEMPORARY CONSTRUCTION EASEMENT

A PARCEL OF LAND BEING PART OF A LARGER PARCEL WHICH IS PART OF THE NW ¼ OF SECTION 35 AND OF THE NE ¼ OF SECTION 34, TOWNSHIP 47 NORTH, RANGE 3 EAST AS RECORDED IN ST. CHARLES COUNTY, MISSOURI RECORDS IN BOOK 974 PAGE 1295 AS CONVEYED TO FORT ZUMWALT SCHOOL DISTRICT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH 01 DEGREES 14 MINUTES 22 SECONDS WEST, 501.65 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 45 MINUTES 38 SECONDS WEST, 153.67 FEET; THENCE SOUTH 01 DEGREES 14 MINUTES 22 SECONDS WEST, 335.23 FEET; THENCE SOUTH 18 DEGREES 25 MINUTES 08 SECONDS EAST, 61.06 FEET; THENCE SOUTH 73 DEGREES 54 MINUTES 54 SECONDS EAST, 45.96 FEET; THENCE SOUTH 27 DEGREES 31 MINUTES 15 SECONDS EAST, 111.62 FEET; THENCE SOUTH 01 DEGREES 14 MINUTES 22 SECONDS WEST, 71.77 FEET; THENCE SOUTH 12 DEGREES 23 MINUTES 16 SECONDS WEST, 259.53 FEET; THENCE SOUTH 35 DEGREES 00 MINUTES 21 SECONDS WEST, 46.21 FEET; THENCE SOUTH 08 DEGREES 21 MINUTES 14 SECONDS WEST, 564.48 FEET; THENCE SOUTH 83 DEGREES 43 MINUTES 59 SECONDS EAST, 16.01 FEET; THENCE NORTH 08 DEGREES 21 MINUTES 14 SECONDS EAST, 560.10 FEET; THENCE NORTH 35 DEGREES 00 MINUTES 21 SECONDS EAST, 45.62 FEET; THENCE SOUTH 88 DEGREES 45 MINUTES 38 SECONDS EAST, 70.10 FEET; THENCE NORTH 01 DEGREES 14 MINUTES 22 SECONDS EAST, 614.18 FEET; THENCE NORTH 54 DEGREES 47 MINUTES 11 SECONDS WEST, 90.44 FEET; THENCE NORTH 01 DEGREES 14 MINUTES 22 SECONDS EAST, 60.45 FEET; THENCE NORTH 74 DEGREES 11 MINUTES 46 SECONDS EAST, 78.44 FEET; THENCE NORTH 01 DEGREES 14 MINUTES 22 SECONDS EAST, 86.82 FEET TO THE POINT OF BEGINNING AND CONTAINING 87,853.24 SQUARE FEET OR 2.017 ACRES, MORE OR LESS.

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO ENTER INTO A PERMANENT ROADWAY MAINTENANCE AND UTILITY EASEMENT AGREEMENT WITH THE U.S. BANK NATIONAL ASSOCIATION

WHEREAS, it is in the best interest of the inhabitants of the City of St. Peters, Missouri, that an easement be acquired for roadway improvements at the intersection of Jungermann Road and Mexico Road; and

WHEREAS, the construction of these improvements necessitates obtaining a Permanent Roadway Maintenance and Utility Easement from the U.S. Bank National Association.

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

SECTION 1. The City does hereby accept and agrees to said Permanent Roadway Maintenance and Utility Easement, and the City Administrator of the City of St. Peters, Missouri, be and is hereby authorized to execute on behalf of the City of St. Peters, Missouri, the Permanent Roadway Maintenance and Utility Easement Agreement with the U.S. Bank National Association, in substantially the form attached hereto and made a part hereof.

SECTION 2. The City Clerk is hereby directed to cause said Permanent Roadway Maintenance and Utility Easement Agreement to be recorded in the office of the Recorder of Deeds of St. Charles County, Missouri.

SECTION 3. Savings Clause

Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

No.

SECTION 4. Severability Clause

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision, which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

SECTION 5. This Ordinance shall take effect and be in force from and after its passage by the Board of Aldermen and its approval by the Mayor of the City of St. Peters, Missouri.

Read two times, passed, and approved this 12<sup>th</sup> day of May, 2016.

\_\_\_\_\_  
As Presiding Officer and as Mayor  
Len Pagano, Mayor of St Peters

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

Approved this 12<sup>th</sup> day of May, 2016.

\_\_\_\_\_  
Len Pagano, Mayor of St Peters

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

No.

## **Permanent Roadway Maintenance & Utility Easement Agreement**

*This instrument*, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between U.S. BANK NATIONAL ASSOCIATION, whose mailing address is 800 Nicollet Mall, City of Minneapolis, Minnesota 55402, hereinafter referred to as GRANTOR, and the CITY OF ST. PETERS, MISSOURI, a Missouri municipal corporation, its grantors and assigns, whose address is #1 St. Peters Centre Boulevard, St. Peters, Missouri 63376, hereinafter referred to as GRANTEE.

*Witnesseth*, that the said GRANTOR, for and in consideration of the sum of \$10.00 and other good and valuable consideration paid by the said GRANTEE, the receipt and sufficiency of which is hereby acknowledged, do by these presents *Grant* unto the said GRANTEE,

*A Perpetual Right and Easement*, for the purpose of constructing, re-constructing, using, operating, maintaining, adding to the number of, and patrolling roadway, sidewalks, water lines, storm and sanitary sewers, street lights, traffic signals, electric, gas, telecommunications, cable and other utility systems, including, but not limited to cables, conduits, transformers, and other appurtenances thereto, in, on, upon, along, over, under, through and across the real estate more particularly described on Exhibit "A", attached hereto and incorporated by reference herein (the "Easement Area"). The GRANTEE shall have the right to survey, stake, slope, alter the existing grade of, reshape, construct, reconstruct, place, keep, operate, maintain, inspect, control, add to and relocate at will, at any time, said roadway, sidewalks, street lights, traffic signals, utility systems, lines or cables and other appurtenances associated therewith, including, without limitation, the right of ingress and egress to and over the above described Easement Area and premises of GRANTOR adjoining the same, for all purposes herein stated; together with the right at any time and time to time, to trim and cut down any and all brush, saplings, trees and overhanging branches, and remove same and/or any rocks or other obstructions upon, over, and under said Easement Area or any portion thereof or of said systems by any other person, association or corporation for the purposes hereinabove set out, and with the further right at any time and from time to time, to remove any or all of the said systems and appurtenances thereto located upon, over, across and under said Easement Area by virtue hereof. GRANTEE covenants and agrees that after any construction or repair work done on and to the Easement Area herein granted, that it will restore the ground surface to substantially its prior condition, to the extent practicable.

To the extent allowed by law, GRANTEE, its employees, agents and contractors hereby indemnify and hold GRANTOR harmless from and against any injury, expense, damage, liability or claim incurred by GRANTOR arising directly or indirectly from the entry rights granted by GRANTOR to GRANTEE under this Agreement or any act or omission by GRANTEE, its agents, employees, servants, contractors, or any other person entering upon the property under express or implied invitation or consent of GRANTEE. GRANTEE further agrees to reimburse GRANTOR for any costs or expenses, including, but not limited to, court costs and reasonable attorney's fees, incurred by GRANTOR with respect to any such injury, expense, damage, liability or claim.

GRANTEE shall not interfere with GRANTOR's use and enjoyment of the Property. In light of the fact that GRANTOR operates a retail facility on the Property, GRANTEE shall not (i) completely block or in any way restrict access to or from the Property; or (ii) otherwise cause GRANTOR's operations on the Property to be interfered with or interrupted. GRANTEE shall keep the Property free and clear of debris at all times and shall not use the Property for the storage of material.

GRANTOR, for itself, its successors and assigns, does hereby warrant and covenant unto GRANTEE (1) that GRANTOR is the owner of the above described Easement Area and has full right and authority validly to grant this easement, (2) that GRANTEE may quietly enjoy the Easement Area for the purposes herein stated, and (3) that GRANTOR will not interfere with the exercise and enjoyment of the easement rights hereinabove conveyed.

All provisions of this instrument, including the benefits and burdens, are deemed to be covenants running with the land and are binding upon and inure to the benefit of the parties hereto, their respective successors and assigns.

All of which is Subject to all easements, restrictions, conditions and rights of way, now of record, if any.







**EXHIBIT A**

October 6, 2015

Re: Interstate Bank of St. Peters  
Parcel 9 – Permanent Roadway  
Maintenance and Utility  
Easement

Tract of land being part of Cave Springs Shopping Center Plat 6 in Fractional Section 33, Township 47 North, Range 4 East, St. Charles County, Missouri, a subdivision according to the plat thereof recorded in Plat Book 21, Page 38 of the St. Charles County records and being more particularly described as follows:

Commencing at the Southwest corner of said “Cave Springs Shopping Center Plat 6”, said Southwest corner being on the East right of way line of Jungermann Road, 80 feet wide; thence Northwardly along the common West line of said “Cave Springs Shopping Center Plat 6” and the East right-of-way line of Jungermann Road (80’ Wide), North 10 degrees 26 minutes 11 seconds East 69.32 feet to the POINT OF BEGINNING; thence continuing along said common line North 10 degrees 26 minutes 11 seconds East 193.74 feet to a point on the North West corner of said “Cave Springs Shopping Center Plat 6”; said point being on the point of intersection of said east right-of-way line of Jungermann Road (80’ Wide) and south right-of-way line of Mexico Road (80’ Wide); thence leaving said common Jungermann Road right-of-way line and said east boundary line and continuing along the common line of said south right-of-way line of Mexico Road (80’ Wide) and north boundary line of said “Cave Springs Shopping Center Plat 6” a distance of 19.55 feet to point; thence leaving said common boundary line South 10 degrees 26 minutes 11 seconds West a distance of 43.96 feet to a point, thence North 79 degrees 01’ 57” West a distance of 10.40 feet to a point; thence South 10 degrees 26 minutes 11 seconds West a distance of 89.87 feet to a point; thence North 79 degrees 01’ 57” West a distance of 9.01 feet to the POINT OF BEGINNING and containing 2,189 square feet (0.05 acres), more or less.

### Permanent Roadway Maintenance & Utility Easement Agreement

*This instrument*, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between U.S. BANK NATIONAL ASSOCIATION, whose mailing address is 800 Nicollet Mall, City of Minneapolis, Minnesota 55402, hereinafter referred to as GRANTOR, and the CITY OF ST. PETERS, MISSOURI, a Missouri municipal corporation, its grantors and assigns, whose address is #1 St. Peters Centre Boulevard, St. Peters, Missouri 63376, hereinafter referred to as GRANTEE.

*Witnesseth*, that the said GRANTOR, for and in consideration of the sum of \$10.00 and other good and valuable consideration paid by the said GRANTEE, the receipt and sufficiency of which is hereby acknowledged, do by these presents *Grant* unto the said GRANTEE,

*A Perpetual Right and Easement*, for the purpose of constructing, re-constructing, using, operating, maintaining, adding to the number of, and patrolling roadway, sidewalks, water lines, storm and sanitary sewers, street lights, traffic signals, electric, gas, telecommunications, cable and other utility systems, including, but not limited to cables, conduits, transformers, and other appurtenances thereto, in, on, upon, along, over, under, through and across the real estate more particularly described on Exhibit "A", attached hereto and incorporated by reference herein (the "Easement Area"). The GRANTEE shall have the right to survey, stake, slope, alter the existing grade of, reshape, construct, reconstruct, place, keep, operate, maintain, inspect, control, add to and relocate at will, at any time, said roadway, sidewalks, street lights, traffic signals, utility systems, lines or cables and other appurtenances associated therewith, including, without limitation, the right of ingress and egress to and over the above described Easement Area and premises of GRANTOR adjoining the same, for all purposes herein stated; together with the right at any time and time to time, to trim and cut down any and all brush, saplings, trees and overhanging branches, and remove same and/or any rocks or other obstructions upon, over, and under said Easement Area or any portion thereof or of said systems by any other person, association or corporation for the purposes hereinabove set out, and with the further right at any time and from time to time, to remove any or all of the said systems and appurtenances thereto located upon, over, across and under said Easement Area by virtue hereof. GRANTEE covenants and agrees that after any construction or repair work done on and to the Easement Area herein granted, that it will restore the ground surface to substantially its prior condition, to the extent practicable.

To the extent allowed by law, GRANTEE, its employees, agents and contractors hereby indemnify and hold GRANTOR harmless from and against any injury, expense, damage, liability or claim incurred by GRANTOR arising directly or indirectly from the entry rights granted by GRANTOR to GRANTEE under this Agreement or any act or omission by GRANTEE, its agents, employees, servants, contractors, or any other person entering upon the property under express or implied invitation or consent of GRANTEE. GRANTEE further agrees to reimburse GRANTOR for any costs or expenses, including, but not limited to, court costs and reasonable attorney's fees, incurred by GRANTOR with respect to any such injury, expense, damage, liability or claim.

GRANTEE shall not interfere with GRANTOR's use and enjoyment of the Property. In light of the fact that GRANTOR operates a retail facility on the Property, GRANTEE shall not (i) completely block or in any way restrict access to or from the Property; or (ii) otherwise cause GRANTOR's operations on the Property to be interfered with or interrupted. GRANTEE shall keep the Property free and clear of debris at all times and shall not use the Property for the storage of material.

GRANTOR, for itself, its successors and assigns, does hereby warrant and covenant unto GRANTEE (1) that GRANTOR is the owner of the above described Easement Area and has full right and authority validly to grant this easement, (2) that GRANTEE may quietly enjoy the Easement Area for the purposes herein stated, and (3) that GRANTOR will not interfere with the exercise and enjoyment of the easement rights hereinabove conveyed.

All provisions of this instrument, including the benefits and burdens, are deemed to be covenants running with the land and are binding upon and inure to the benefit of the parties hereto, their respective successors and assigns.

All of which is Subject to all easements, restrictions, conditions and rights of way, now of record, if any.

To Have and to Hold the said *Easement*, together with all rights and appurtenances to the same belonging, unto the said GRANTEE, and to its successors and assigns forever.

In Witness Whereof, the said GRANTOR and GRANTEE have executed these presents as of the day and year first above written.

GRANTOR:

U.S. Bank National Association,  
*a national banking association*

Formatted: Not Highlight

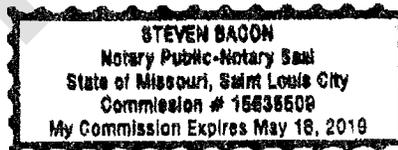
Signature: *Frank Bastida*  
Print Name: FRANK BASTIDA  
Title: AVP

Acknowledgement

State of Missouri )  
County of CITY OF ST. LOUIS ) ss.

This instrument was acknowledged before me on 5<sup>th</sup> May 2016, by Frank Bastida as AVP of US Bank

*Steve Bacon*  
Notary Public in and for the State of Missouri  
City of St. Louis



GRANTOR:

U.S. Bank National Association,

~~U.S. Bank National Association~~

Signature: Thomas J. Duffy

Print Name: Thomas J. Duffy

Title: V.P.

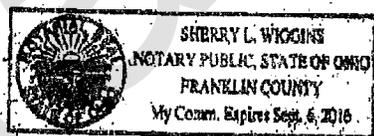
Acknowledgement

State of Ohio

County of Franklin ss.

This instrument was acknowledged before me on May 2, 2016, by Thomas J. Duffy V.P. of U.S. Bank

Sherry L. Wiggins  
Notary Public in and for the State of Ohio



DRAFT

GRANTEE:

City of St. Peters  
a Missouri municipal corporation

\_\_\_\_\_  
William P. Charnisky, City Administrator

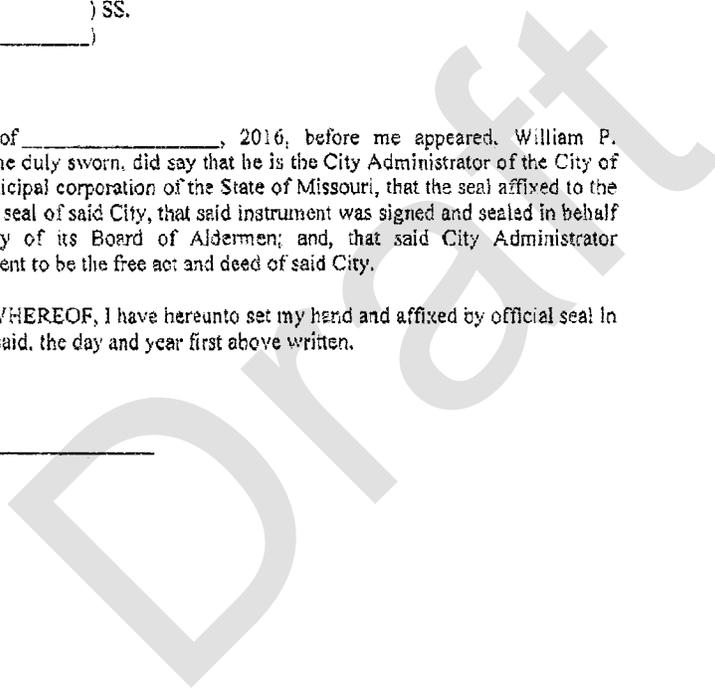
STAT OF MISSOURI            )  
                                          ) SS.  
COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me appeared, William P. Charnisky, who being by me duly sworn, did say that he is the City Administrator of the City of St. Peters, Missouri, a municipal corporation of the State of Missouri, that the seal affixed to the foregoing instrument is the seal of said City, that said instrument was signed and sealed in behalf of said City, by authority of its Board of Aldermen; and, that said City Administrator acknowledged said instrument to be the free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed by official seal in the County and State aforesaid, the day and year first above written.

\_\_\_\_\_  
Notary Public

My Commission Expires:



## EXHIBIT A

October 6, 2015

Re: Interstate Bank of St. Peters  
Parcel 9 – Permanent Roadway  
Maintenance and Utility  
Easement

Tract of land being part of Cave Springs Shopping Center Plat 6 in Fractional Section 33, Township 47 North, Range 4 East, St. Charles County, Missouri, a subdivision according to the plat thereof recorded in Plat Book 21, Page 38 of the St. Charles County records and being more particularly described as follows:

Commencing at the Southwest corner of said "Cave Springs Shopping Center Plat 6", said Southwest corner being on the East right of way line of Jungermann Road, 80 feet wide; thence Northwardly along the common West line of said "Cave Springs Shopping Center Plat 6" and the East right-of-way line of Jungermann Road (80' Wide), North 10 degrees 26 minutes 11 seconds East 69.32 feet to the POINT OF BEGINNING; thence continuing along said common line North 10 degrees 26 minutes 11 seconds East 193.74 feet to a point on the North West corner of said "Cave Springs Shopping Center Plat 6"; said point being on the point of intersection of said east right-of-way line of Jungermann Road (80' Wide) and south right-of-way line of Mexico Road (80' Wide); thence leaving said common Jungermann Road right-of-way line and said east boundary line and continuing along the common line of said south right-of-way line of Mexico Road (80' Wide) and north boundary line of said "Cave Springs Shopping Center Plat 6" a distance of 19.55 feet to point; thence leaving said common boundary line South 10 degrees 26 minutes 11 seconds West a distance of 43.96 feet to a point, thence North 79 degrees 01' 57" West a distance of 10.40 feet to a point; thence South 10 degrees 26 minutes 11 seconds West a distance of 89.87 feet to a point; thence North 79 degrees 01' 57" West a distance of 9.01 feet to the POINT OF BEGINNING and containing 2,189 square feet (0.05 acres), more or less.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE DIRECTING THE MAYOR OF THE CITY OF ST. PETERS, MISSOURI, TO EXECUTE A CERTAIN CONSULTING AGREEMENT BY AND BETWEEN THE CITY OF ST. PETERS, MISSOURI, AND CHARNISKY INVESTMENTS, LLC

WHEREAS, the City is a fourth class city and political subdivision of the State of Missouri; and

WHEREAS, the City desires to retain the services of Charnisky Investments, LLC (“Charnisky”), to advise it on matters concerning personnel and organizational issues, and to assist it in performing certain duties, including those relating to economic development by serving as an economic development representative of the City, which duties will include participating in economic development meetings, as required, and in providing assistance in the marketing of available property in the City for economic development; and

WHEREAS, Charnisky is willing to provide such services to the City upon the terms and conditions set forth in the Consulting Agreement attached hereto.

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

SECTION NO. 1. The form, terms, and provisions of the Consulting Agreement, attached hereto, marked as Exhibit No. 1, and incorporated by reference herein, be and they hereby are in all respects approved, and that the Mayor is hereby authorized, empowered and directed to further negotiate, execute, acknowledge, deliver and administer for and on behalf of the City said Consulting Agreement in substantially the form attached hereto. The City Clerk is hereby authorized to attest the Consulting Agreement, and such other documents and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

SECTION NO. 2. Effective Date. This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

SECTION NO. 3. Savings. Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof.

SECTION NO. 4. Severability. If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in

all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer valid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Read two times, passed, and approved this 12<sup>th</sup> day of May, 2016.

\_\_\_\_\_  
As Presiding Officer and as Mayor  
Len Pagano, Mayor

Attest:

\_\_\_\_\_  
Patricia E. Smith, City Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Len Pagano, Mayor

Attest:

\_\_\_\_\_  
Patricia E. Smith, City Clerk

**EXHIBIT No. 1**

**[Consulting Agreement on file in the Office of the City Clerk]**

Draft

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES FOR THE RICHMOND, REGENCY ESTATES & PARKRIDGE ESTATES BASIN & STREAM CHANNEL IMPROVEMENTS PROJECT P-25A.

WHEREAS, the City of St. Peters encompasses a land area of approximately 22 square miles and contains more than 47 miles of waterways, 250 storm water basins, and 166 miles of storm sewer pipe as part of the storm water collection and conveyance system; and

WHEREAS, the Missouri Department of Natural Resources has issued a Municipal Separate Storm Sewer System (MS4) discharge permit for the City that requires management of storm water discharges and implementation of best management practices for the watershed area indentified in the MS4 permit for the purpose of achieving improved water quality; and

WHEREAS, it is in the best interests of the citizens of the City of St. Peters to complete projects identified in the City's Storm Water Watershed Management Plan in order to comply with the requirements of the MS4 permit and to improve water quality; and

WHEREAS, the City has solicited and received proposals from three (3) engineering firms for the required work and evaluated the merits of each proposal; and

WHEREAS, it is recommended that the firm of Barr Engineering perform the required services for the design of the Richmond, Regency Estates & Parkridge Estates Basin & Stream Improvement Project P-25A.

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

SECTION 1. That the City Administrator of the City of St. Peters, Missouri, be and he is hereby authorized to enter into a contract with Barr Engineering in an amount of approximately \$330,200.00 for professional services for the Richmond, Regency Estates & Parkridge Estates Basin & Stream Improvement Project P-25A.

SECTION 2. The City Administrator be and he is hereby authorized to negotiate, execute and administer said agreement on behalf of the City of St. Peters.

SECTION 3. This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

SECTION NO. 4 Savings.

Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof.

SECTION NO. 5 Severability.

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer valid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Read two (2) times, passed and approved this 12th day of May, 2016.

\_\_\_\_\_  
As Presiding Officer and as Mayor  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

Approved this 12th day of May, 2016.

\_\_\_\_\_  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

No.

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES FOR THE COUNTRY CROSSING MANOR BASIN & STREAM CHANNEL IMPROVEMENT PROJECT P-25B.

WHEREAS, the City of St. Peters encompasses a land area of approximately 22 square miles and contains more than 47 miles of waterways, 250 storm water basins, and 166 miles of storm sewer pipe as part of the storm water collection and conveyance system; and

WHEREAS, the Missouri Department of Natural Resources has issued a Municipal Separate Storm Sewer System (MS4) discharge permit for the City that requires management of storm water discharges and implementation of best management practices for the watershed area indentified in the MS4 permit for the purpose of achieving improved water quality; and

WHEREAS, it is in the best interests of the citizens of the City of St. Peters to complete projects identified in the City's Storm Water Watershed Management Plan in order to comply with the requirements of the MS4 permit and to improve water quality; and

WHEREAS, the City has solicited and received proposals from three (3) engineering firms for the required work and evaluated the merits of each proposal; and

WHEREAS, it is recommended that the firm of Reitz & Jens Engineering perform the required services for the design of the Country Crossing Manor Basin & Stream Improvement Project P-25B.

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

SECTION 1. That the City Administrator of the City of St. Peters, Missouri, be and he is hereby authorized to enter into a contract with Reitz & Jens Engineering in an amount of approximately \$280,000.00 for professional services for the Country Crossing Manor Basin & Stream Improvement Project P-25B.

SECTION 2. The City Administrator be and he is hereby authorized to negotiate, execute and administer said agreement on behalf of the City of St. Peters.

SECTION 3. This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

SECTION NO. 4 Savings.

Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof.

SECTION NO. 5 Severability.

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer valid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Read two (2) times, passed and approved this 12th day of May, 2016.

\_\_\_\_\_  
As Presiding Officer and as Mayor  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

Approved this 12th day of May, 2016.

\_\_\_\_\_  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

No.

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES FOR THE RED MILL, HERMITAGE & BROOKSHIRE STORM WATER DRAINAGE IMPROVEMENTS PROJECT P-31.

WHEREAS, the City of St. Peters encompasses a land area of approximately 22 square miles and contains more than 47 miles of waterways, 250 storm water basins, and 166 miles of storm sewer pipe as part of the storm water collection and conveyance system; and

WHEREAS, the Missouri Department of Natural Resources has issued a Municipal Separate Storm Sewer System (MS4) discharge permit for the City that requires management of storm water discharges and implementation of best management practices for the watershed area indentified in the MS4 permit for the purpose of achieving improved water quality; and

WHEREAS, it is in the best interests of the citizens of the City of St. Peters to complete projects identified in the City's Storm Water Watershed Management Plan in order to comply with the requirements of the MS4 permit and to improve water quality; and

WHEREAS, the City has solicited and received proposals from six (6) engineering firms for the required work and evaluated the merits of each proposal; and

WHEREAS, it is recommended that the firm of BAX Engineering perform the required services for the design of the Red Mill, Hermitage, & Brookshire Storm Water Drainage Improvements Project P-31.

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

SECTION 1. That the City Administrator of the City of St. Peters, Missouri, be and he is hereby authorized to enter into a contract with BAX Engineering in an amount of approximately \$65,291.00 for professional services for the Red Mill, Hermitage, & Brookshire Storm Water Drainage Improvements Project P-31.

SECTION 2. The City Administrator be and he is hereby authorized to negotiate, execute and administer said agreement on behalf of the City of St. Peters.

SECTION 3. This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

SECTION NO. 4 Savings.

Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof.

SECTION NO. 5 Severability.

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer valid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Read two (2) times, passed and approved this 12th day of May, 2016.

\_\_\_\_\_  
As Presiding Officer and as Mayor  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

Approved this 12th day of May, 2016.

\_\_\_\_\_  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

No.

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES FOR THE TELLURIDE & TANGLEWOOD STREAM CHANNEL IMPROVEMENTS PROJECT P-26A.

WHEREAS, the City of St. Peters encompasses a land area of approximately 22 square miles and contains more than 47 miles of waterways, 250 storm water basins, and 166 miles of storm sewer pipe as part of the storm water collection and conveyance system; and

WHEREAS, the Missouri Department of Natural Resources has issued a Municipal Separate Storm Sewer System (MS4) discharge permit for the City that requires management of storm water discharges and implementation of best management practices for the watershed area indentified in the MS4 permit for the purpose of achieving improved water quality; and

WHEREAS, it is in the best interests of the citizens of the City of St. Peters to complete projects identified in the City's Storm Water Watershed Management Plan in order to comply with the requirements of the MS4 permit and to improve water quality; and

WHEREAS, the City has solicited and received proposals from five (5) engineering firms for the required work and evaluated the merits of each proposal; and

WHEREAS, it is recommended that the firm of Barr Engineering perform the required services for the design of the Telluride & Tanglewood Stream Improvements Project P-26A.

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

SECTION 1. That the City Administrator of the City of St. Peters, Missouri, be and he is hereby authorized to enter into a contract with Barr Engineering in an amount of approximately \$300,900.00 for professional services for the Telluride & Tanglewood Stream Improvements Project P-26A.

SECTION 2. The City Administrator be and he is hereby authorized to negotiate, execute and administer said agreement on behalf of the City of St. Peters.

SECTION 3. This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

SECTION NO. 4 Savings.

Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof.

SECTION NO. 5 Severability.

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer valid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Read two (2) times, passed and approved this 12th day of May, 2016.

\_\_\_\_\_  
As Presiding Officer and as Mayor  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

Approved this 12th day of May, 2016.

\_\_\_\_\_  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES FOR THE COLBY DRIVE & TIMBERIDGE STREAM CHANNEL IMPROVEMENTS PROJECT P-26B.

WHEREAS, the City of St. Peters encompasses a land area of approximately 22 square miles and contains more than 47 miles of waterways, 250 storm water basins, and 166 miles of storm sewer pipe as part of the storm water collection and conveyance system; and

WHEREAS, the Missouri Department of Natural Resources has issued a Municipal Separate Storm Sewer System (MS4) discharge permit for the City that requires management of storm water discharges and implementation of best management practices for the watershed area indentified in the MS4 permit for the purpose of achieving improved water quality; and

WHEREAS, it is in the best interests of the citizens of the City of St. Peters to complete projects identified in the City's Storm Water Watershed Management Plan in order to comply with the requirements of the MS4 permit and to improve water quality; and

WHEREAS, the City has solicited and received proposals from five (5) engineering firms for the required work and evaluated the merits of each proposal; and

WHEREAS, it is recommended that the firm of Barr Engineering perform the required services for the design of the Colby Drive & Timberidge Stream Improvements Project P-26B.

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

SECTION 1. That the City Administrator of the City of St. Peters, Missouri, be and he is hereby authorized to enter into a contract with Barr Engineering in an amount of approximately \$337,900.00 for professional services for the Colby Drive & Timberidge Stream Improvements Project P-26B.

SECTION 2. The City Administrator be and he is hereby authorized to negotiate, execute and administer said agreement on behalf of the City of St. Peters.

SECTION 3. This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

SECTION NO. 4 Savings.

Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof.

SECTION NO. 5 Severability.

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer valid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Read two (2) times, passed and approved this 12th day of May, 2016.

\_\_\_\_\_  
As Presiding Officer and as Mayor  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

Approved this 12th day of May, 2016.

\_\_\_\_\_  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

No.

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO ENTER INTO A CONTRACT WITH KNOEBEL CONSTRUCTION, INCORPORATED FOR CONSTRUCTION OF THE REC-PLEX DROP OFF AND PARKING IMPROVEMENTS PROJECT

WHEREAS, the City of St. Peters Rec Plex has served as the cornerstone of recreation programs in our community since 1994; and

WHEREAS, the City of St. Peters desires to improve access to recreational opportunities at the Rec-Plex facility for all residents; and

WHEREAS, The City of St. Peters solicited bids for the Rec-Plex Drop Off and Parking Lot Improvement Project; and

WHEREAS, bid proposals were received from four (4) bidders on May 3, 2016; and

WHEREAS, it is recommended that the bid be awarded to Knoebel Construction, Incorporated of Fenton, Missouri.

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

SECTION 1. That the City Administrator of the City of St. Peters, Missouri be and he is hereby authorized to enter into a contract with Knoebel Construction, Incorporated in the initial amount of \$739,739.00 for the construction of the Rec-Plex Drop Off and Parking Lot Improvement Project, and including all Unit-Price Items 1 – 24 submitted as part of the bid proposal. Upon approval of the City Administrator the initial contract amount shall be adjusted as necessary based on the final measured quantities at the unit prices bid in the contract.

SECTION 2. The City Administrator be and he is hereby authorized to negotiate, execute and administer said contract on behalf of the City of St. Peters.

SECTION 3. The Project approved by this Ordinance is subject to the requirements of Section 292.675, RSMo, which requires all contractors or subcontractors doing work on the Project to provide, and require its on-site employees to complete, a ten (10) hour course in construction safety and health approved by the Occupational Safety and Health Administration (“OSHA”) or a similar program approved by the Missouri Department of Labor and Industrial Relations which is at least as stringent as an approved OSHA program. The training must be completed within sixty (60) days of the date work on the Project commences. On-site employees found on the worksite without documentation of the required training shall have twenty (20) days

No.

to produce such documentation. Non-compliance with this ordinance will be investigated and adjudicated by the Department of Labor and Industrial Relations pursuant to RSMo 292.675.

SECTION 4. Savings Clause. Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

SECTION 5. Severability Clause. If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision, which had been held invalid, is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

SECTION 6. This ordinance shall be in full force and take effect from and after the date of its final passage and approval.

Read two times, passed and approved this 12th day of May, 2016.

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As Presiding Officer and as Mayor  
Len Pagano, Mayor of St. Peters

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

Approved this 12<sup>th</sup> day of May, 2016.

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Len Pagano, Mayor of St. Peters

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

ORDINANCE NO.

AN ORDINANCE DIRECTING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO ENTER INTO A CONTRACT WITH INTERNATIONAL TRUCK AND ENGINE OF FENTON, MISSOURI FOR THE PURCHASE OF A ONE-TON MINI CRANE SIGN TRUCK

WHEREAS, the City of St. Peters desires to procure adequate equipment for the operation of its Transportation Development Services Group in order to provide continued, quality service to its residents; and

WHEREAS, funds have been appropriated by the Board of Aldermen for the procurement of this vehicles and equipment; and

WHEREAS, it is recommended that the contract be awarded to International Truck and Engine of Fenton, Missouri as a dealer holding the current Missouri Department of Transportation Procurement Contract and offering a one-ton mini sign crane truck.

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

SECTION NO. 1. The City Administrator of the City of St. Peters, Missouri, be and he is hereby authorized to execute a contract with International Truck and Engine of Fenton, Missouri, in the amount of \$111,514.00 for the purchase of a one-ton mini sign crane truck and related equipment.

SECTION NO. 2. That the City Administrator be and he is hereby authorized to negotiate, execute and administer said contract on behalf of the City of St. Peters.

SECTION NO. 3. This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

SECTION NO. 4. Savings.

Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof.

No.

SECTION NO. 5. Severability.

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision, which had been held invalid is no longer valid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Read two times, passed, and approved this 12<sup>th</sup> day of May 2016.

\_\_\_\_\_  
As Presiding Officer and as Mayor  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

No.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF DEPOSITORY ACCOUNTS KNOWN AS TREASURER OF THE CITY, PAYROLL FUND, RECREATION FUND, REVENUE FUND, POLICE BLOCK GRANT, LEVEE SPECIAL ALLOCATION FUND, LAKESIDE REDEVELOPMENT SPECIAL ALLOCATION FUND, ST. PETER-ST CHARLES WATERPIPELINE PROJECT FUND, ST. CHARLES URBAN COUNTY CDBG, AND G.O. RESERVE SAVINGS

BE IT RESOLVED by the City of St. Peters Board of Aldermen that the following deposit accounts be established at Enterprise Bank & Trust.(the City’s depository as provided for by Ordinance No. 6511):

Treasurer of the City	0490012003
Payroll Fund	0490012011
Recreation Fund	0490012038
Revenue Fund	0490012046
Police Block Grant	0490012062
Levee-Special Allocation Fund	0490012070
Lakeside Redevelopment Special Allocation Fund	0490012089
St. Peters-St. Charles Water Pipeline Fund	0490012118
St. Charles Urban County CDBG Fund	0490012126
G. O. Reserve Savings	3049782

BE IT FURTHER RESOLVED that all checks, drafts, or orders against said accounts be signed by:

Dale C. Brown  
Name

Treasurer  
Title

No.

on Warrant executed by both of the following:

Len Pagano  
Name

Mayor  
Title

Patricia E. Smith  
Name

City Clerk  
Title

whose signature shall be duly certified to said Bank, and that no checks, drafts, warrants or orders drawn against said bank shall be valid unless so signed.

BE IT FURTHER RESOLVED that said Bank is hereby authorized and directed to honor and pay any checks, drafts, warrants or orders so drawn, whether such checks, drafts, warrants or orders be payable to the order of any such person signing and/or countersigning said checks, drafts, warrants or orders, or of any such persons in their individual capacities or not, and whether such checks, drafts, warrants or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, warrants or orders or to the individual credit of any of the other officers or not.

THIS RESOLUTION shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in certificate of the City Clerk accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent certificate until written notice to the contrary is duly served on said Bank.

Read and adopted this 12<sup>th</sup> day of May, 2016.

\_\_\_\_\_  
As Presiding Officer and as Mayor  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

No.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE ESTABLISHMENT A DEPOSITORY ACCOUNT  
KNOWN AS "MUNICIPAL COURT BOND ACCOUNT"

BE IT RESOLVED by the City of St. Peters Board of Aldermen that the Municipal Court Bond Account (Account Number 0490012054) be established at Enterprise Bank & Trust. (the City's Depository as provided for by Ordinance No. 6511).

BE IT FURTHER RESOLVED that all checks, drafts, or orders drawn against said account be signed by two of the following employees:

<u>Diane Witte</u> Name	<u>Deputy City Collector</u> Title
<u>Amy McCune</u> Name	<u>Deputy City Collector</u> Title
<u>Leslie Grayek</u> Name	<u>Deputy City Collector</u> Title
<u>Carla Ottersbach</u> Name	<u>Deputy City Collector</u> Title
<u>Amanda Andres</u> Name	<u>Deputy City Collector</u> Title
<u>Donald L. Kohl</u> Name	<u>Municipal Judge</u> Title

BE IT FURTHER RESOLVED that said Bank is hereby authorized and directed to honor and pay any checks, drafts, or orders so drawn, whether such checks, drafts, or orders be payable to the order of any such person signing and/or countersigning said checks, drafts or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, or

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orders are deposited to the individual credit of the person so signing and/pr countersigning said checks, drafts or orders or to the individual credit of any of the other officers or not.

THIS RESOLUTION shall continue in force and said Bank may consider the facts concerning the holders of said officers, respectively, or their signatures to be and continue as set forth in certificate of the City Clerk accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent certificate until written notice to the contrary is duly served on said Bank.

Read and adopted this 12<sup>th</sup> day of May, 2016.

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As Presiding Officer and as Mayor  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

No.