CITY OF ST. PETERS
BOARD OF ALDERMEN

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

June 23, 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. Mid Rivers Motors, 316 Main St., since 1991 – Ward 1

   b. State Beauty Supply, 4049 Cloverleaf Drive, since 1991 – Ward 3

D. Approval of Minutes: The Board of Aldermen Work Session meeting of May 26, 2016; and the Regular Board of Aldermen meeting of May 26, 2016.

E. Reports of Officers, Boards and Commissions

1. Mayoral Report of Appointments to Boards and Commissions

   a. Appointment to the Board of Adjustment

   b. Appointment to Planning and Zoning Commission

   c. Appointments to the Park, Recreation, and Arts Advisory Board

   d. Youth Representative Appointment to Veterans Memorial Commission

   e. Re-appointment to the Senior Advisory Committee

2. City Administrator's Report:

3. Report of Director, Planning, Community and Economic Development:

   a. Petition 16-07, Special Use Permit - 370 Speedway, LLC - Powers (continued from May 26, 2016)

   b. Petition 16-08 – Mid Rivers Investment Partners, LLC – Rezoning – Powers

c. Petition 16-09 – Mid Rivers Investment Partners, LLC – Special Use Permit, Firearm Sales and Service – Powers

d. Petition 16-10 – Mid Rivers Investment Partners, LLC – Special Use Permit, Convenience Stores & Gas Stations – Powers

e. Petition 16-11 – Mid Rivers Investment Partners, LLC – Special Use Permit, Kennels - Powers

4. St. Peters Business Spotlight:

a. Newcomer Funeral Home, 837 Mid Rivers Mall Drive

b. Schneider Asset Management, 5700 Mexico Road

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:

1. Bill No. 16-67: Bill approving a Special Use Permit in the SL Special St. Peters Lakeside 370 District to permit an outdoor entertainment facility including, but not limited to, a multi-purpose racetrack, karting facility and associated uses, in response to Petition 16-07 (370 Speedway, LLC) and adopting the Findings of Fact and Conclusions of Law with respect thereto [Continued from 5/26/16]

I. New Business Items:

1. Bill No. 16-79: Bill authorizing and directing the issuance, sale and delivery of General Obligation Bonds, Series 2016, of the City of St. Peters, Missouri; prescribing the form and details of said bonds; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; and authorizing certain other documents and actions in connection therewith

2. Bill No. 16-80: Bill amending certain sections of the Municipal Code of the City of St. Peters, Title IV: Land Use pertaining to zoning property within said City in response to Rezoning Petition Number 16-08 Mid Rivers Investment Partners, LLC, by making certain changes in the designated districts in certain sections of said City

3. Bill No. 16-81: Bill approving a Special Use Permit in the C-3 General Commercial District to permit firearm sales and service in response to Petition 16-09 (Mid Rivers Investment Partners, LLC) and adopting the Findings of Fact and Conclusions of Law with respect thereto

4. Bill No. 16-82: Bill approving a Special Use Permit in the C-3 General Commercial District to permit convenience stores and gas stations in response to Petition 16-10 (Mid Rivers Investment Partners, LLC) and adopting the Findings of Fact and Conclusions of Law with respect thereto

5. Bill No. 16-83: Bill approving a Special Use Permit in the C-3 General Commercial District to permit kennels in response to Petition 16-11 (Mid Rivers Investment Partners, LLC) and adopting the Findings of Fact and Conclusions of Law with respect thereto

6. Bill No. 16-84: Bill approving the form of a Redevelopment Agreement with Mid Rivers Investment Partners, LLC and authorizing and directing the execution thereof

7. Bill No. 16-85: Bill annexing certain adjacent territory (Hamilton, 60 Circle Way) into the City of St. Peters, Missouri

8. Bill No. 16-86: Bill amending certain sections of the corporate limits and zoning district map of the City of St. Peters, Missouri, in response to a voluntary annexation of property (Hamilton, 60 Circle Way)

9. Bill No. 16-87: Bill authorizing the City Administrator of the City of St. Peters, Missouri to enter into a contract for Medical/Rx and Dental Benefit Services

10. Bill No. 16-88: Bill authorizing the City Administrator of the City of St. Peters, Missouri to enter into a contract with Ideal Landscape Construction, Inc. for the Spencer Creek Channel & St. Peters Condo Basin Improvements Project (P-12)

11. Bill No. 16-89: Bill authorizing the City Administrator of the City of St. Peters, Missouri to enter into a contract with Two Alpha Contracting for the Mid Rivers Estates Stream Channel Improvements Project (P-5)

12. Bill No. 16-90: Bill accepting for maintenance the dedication of certain storm sewer lines in and connected with the Resubdivision Plat of Parcel 3B of “A Resubdivision of Parcel 3 Horizon Business Center Plat Two”

13. Bill No. 16-91: Bill authorizing the City Administrator of the City of St. Peters, Missouri to negotiate and execute a Professional Engineering Services Agreement for the Jungermann Road – Boone Hills Drive Intersection Improvement Project

14. Bill No. 16-92: Bill authorizing the City Administrator of the City of St. Peters, Missouri, to amend an agreement with Barr Engineering to provide additional professional services for the Sun River / McClay Meadows Stormwater Improvement Project P-21

15. Bill No. 16-93: Bill authorizing the City Administrator of the City of St. Peters, Missouri to enter into a contract with Pipeworks Utilities, LLC for the Country Hill Estates Basin Improvements Project (P-24)

16. Bill No. 16-94: Bill directing the City Administrator of the City of St. Peters, Missouri, to enter into a contract with Altec Industries of St. Joseph, Missouri for the purchase of a One-Ton Aerial Lift Truck

17. Bill No. 16-95: Bill of the City of St. Peters, Missouri, amending Article II of Chapter 115 of the St. Peters City Code by deleting therefrom Sections 115.080 and 115.090 in their entirety; enacting, in lieu thereof, new Sections 115.080 and 115.090; and providing for the employment and duties of the Assistant City Administrator

18. Bill No. 16-96: Bill authorizing the City Administrator of the City of St. Peters, Missouri to enter into a Stormwater Detention Basin Easement Agreement and a Stormwater Detention Basin Management Agreement with St. Peters Condominium Association for the P-27 St. Peters Condo Detention Basin Improvement Project

19. Bill No. 16-97: Bill providing for the vacation of a utility easement on consolidated lot 1 of the lot consolidation plat of lots a and b of Barnes-Jewish St. Peters Hospital Subdivision, as recorded in Plat Book 5407 Pages 1823-1824 at the St. Charles County Recorder of Deeds

20. Bill No. 16-98: Bill providing for and authorizing the City Administrator of the City of St. Peters, Missouri, to enter into a contract agreement with Gerstner Electric, Incorporated for design and construction of the Mexico Road – Cave Springs Boulevard Traffic Signal Replacement Project

21. Bill No. 16-99: Bill authorizing the City Administrator of the City of St. Peters, Missouri to enter into a contract with Lejas Corporation for the reconstruction of the Public Works Building Shed 1 and 2 (Design/Build) Project

22. Bill No. 16-100: Bill authorizing the City Administrator of the City of St. Peters, Missouri to issue a purchase order for the procurement of concrete ready mix materials

23. Bill No. 16-101: Bill authorizing the City Administrator of the City of St. Peters, Missouri to enter into a contract for specific and aggregate Stop Loss Coverage for Medical Benefit Services

24. Bill No. 16-102: Bill authorizing the City Administrator of the City of St. Peters, Missouri to execute an agreement for construction of the West Wood Estates/St. Mary's/Steeplechase/St. Peters Estates Special Service Area Sanitary Sewer Improvement Project

25. Bill No. 16-103: Bill authorizing the City Administrator of the City of St. Peters, Missouri to enter into a contract for repairs of the tuck pointing at City Hall and Rec-Plex

26. Bill No. 16-104: Bill authorizing the City Administrator of the City of St. Peters, Missouri to enter into a contract with Landscape Structures, Incorporated for the purchase and installation of a sprayground/wet play area at 370 Lakeside Park

27. Bill No. 16-105: Bill amending a certain section of the St. Peters City Code: Title II: Public Health, Safety and Welfare dealing with the restrictions on use of memorial sites in the City limits of the City of St. Peters, Missouri [Sponsor: Shea]

28. Resolution designating March 30th of each year beginning 2017 through 2025 as "Welcome Home Vietnam Veterans Day in St. Peters" [Sponsor: Shea]

29. Resolution designating the physical location and premises of the two existing City of St. Peters Veterans Memorial Sites [Sponsor: Shea]

30. Resolution of intent to support an application by Gardner Capital to the Missouri Housing Development Commission for the construction of senior apartment homes planned for the area adjacent to Phase One of Aspen Trails Senior Housing

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: June 20, 2016 at 9:00 a.m.
By: P. Smith, City Clerk

Next Regular Board of Aldermen Meeting: July 28, 2016

CITY OF ST. PETERS BOARD OF ALDERMEN
WORK SESSION MINUTES
May 26, 2016

BOARD OF ALDERMEN ITEMS FOR DISCUSSION

The Work Session was called to order at approximately 5:00 p.m. on Thursday, May 26, 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 Aytes, Alderman Barclay; Alderman Bateman; Board President Reitmeyer; Alderman Shea; Alderman Thomas, Alderman Violet; Bill Charnisky, City Administrator; Jeff Finkelstein, Chief of Police; Special Counsel Weber; Russ Batzel, Transportation and Development Services Manager; Cathy Pratt, Director of Human Resources and Community Services; Bill Malach, Water Environment Services Manager; Dave Kuppler, Health and Environmental Services Manager; Rick Oloteo, Director of Recreation Services; Patty Smith, City Clerk. Alderman Hollingsworth was absent.

COMMUNICATIONS FROM BOARD MEMBERS/ALDERMANIC REPRESENTATIVES

Committee reports were given during this time.

BOARD OF ALDERMEN ITEMS FOR DISCUSSION

NEW BUSINESS ITEMS

Alderman Bateman moved and Alderman Shea seconded the motion to remove Discussion/ “Welcome Home Vietnam Veterans Day in St. Peters" from the agenda for discussion. The motion was approved.

DISCUSSION/ “WELCOME HOME VIETNAM VETERANS DAY IN ST. PETERS" - SHEA

Alderman Shea requested a resolution to designate March 30th yearly, from 2017 until 2025, as “Welcome Home Vietnam Veterans Day” in St. Peters. He advised that March 30, 2011 was officially designated as “Welcome Home Vietnam Veterans Day” by the U.S. Senate. This date marks the 38th anniversary of the withdrawal of U.S. combat and combat support units from Vietnam. Alderman Bateman advised that Alderman Shea presented this idea to the Veterans’ Commission in May and stated it was well received by the Commission and is something that the Veterans Commission can build on. Questions were addressed and discussion held regarding the likelihood of any other programs or events being held that would coincide with the designation of this day, and would require staff time and have a budget impact. Alderman Shea stated not at this time, and clarified that any future ceremonies or events held on that day will be organized through the Veterans Commission; and this resolution does not require any ceremonies to take place. Questions about the time frame of the Resolution were addressed and Alderman Shea explained that the original crafting of the State bill was designed to recognize the length of the Vietnam War from beginning to end, which is the reason why those

DRAFT

dates are set. Alderman Barclay noted that after reviewing the state bill that is signed by Governor Nixon, it also declared that March 26th of each year to be recognized as "Veterans of Operation Iraqi/Enduring Freedom Day"; which he suggested may be something that the Veterans Commission may want to review in the future as well. Alderman Thomas moved and Alderman Violet seconded the motion to place this item on the June 23, 2016 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the June 23, 2016 Board of Aldermen meeting agenda for consideration**.

Alderman Bateman moved and Alderman Violet seconded the motion to remove Discussion/Consider Combat Wounded Veteran Parking Spaces from the agenda for discussion. The motion was approved.

DISCUSSION/CONSIDER COMBAT WOUNDED VETERAN PARKING SPACES - VIOLET/BATEMAN/BARCLAY/THOMAS

Alderman Violet discussed how the City supports their veterans and since the City is designated as a Purple Heart City, she would like to extend this appreciation by designating Purple Heart parking spaces for wounded veterans at the following three locations on City property; the Cultural Art Center, War Memorial at City Hall, Rec-Plex; and also two temporary signs at 370 Lakeside Park used during the Celebrate St. Peters event. She suggested that more spaces could be added once staff is comfortable with the application of the paint. She provided photographs of the sign and the purple parking spot. Signs could be donated through Wounded Warriors Family Support Organization; with the exception of shipping, and time and materials to install and paint the parking spot, unless a donation was provided. She would like to have a small dedication of the first parking spot to commemorate this program and provide public awareness.

Concerns were addressed regarding running out of regular parking spaces; the funding of this program with the cost of materials and staff time; regulating the use of these spaces; and promotion of the Wounded Warrior organization on public property. Alderman Bateman stated that since these are not designated as handicapped spots, she feels people will not abuse the privilege; Mr. Batzel explained that the costs are incidental as Alderman Violet explained, and not a budgetary item; Chief Finkelstein advised that these spaces will not be regulated, as they are similar to other courtesy signs like expectant mother signs; Mr. Batzel commented that this organization is a non-profit, which causes concern that on public property we are promoting this organization by displaying their sign and which may draw other non-profits who may want signs up as well. He suggested providing signs without the reference to Wounded Warrior organization. Alderman Bateman moved and Alderman Aytes seconded the motion to place this item on the June 23, 2016 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the June 23, 2016 Board of Aldermen meeting agenda for consideration.**

MAYOR/CITY ADMINISTRATOR ITEMS FOR DISCUSSION

NEW BUSINESS ITEMS

DRAFT

Alderman Reitmeyer moved and Alderman Barclay seconded the motion to remove Purchase Recommendation of Replacement Aerial Lift Truck from the agenda for discussion. The motion was approved.

PURCHASE RECOMMENDATION OF REPLACEMENT AERIAL LIFT TRUCK – KUPPLER

Mr. Kuppler stated for FY16, $110,000 was budgeted to purchase a new truck to replace the 2008 Aerial Lift Truck which is operated by the TDS maintenance group. The truck is used for access to traffic control equipment and street lights. Staff has reviewed both the statewide and MoDOT contracts and there are four options from three vendors for the purchase of this truck on the MoDOT contract and nothing on the statewide contract. Altec has agreed to provide a Ford F-550 for the chassis for the same price as the Dodge 5500. Staff is recommending the City purchase the truck from Altec Industries, who is the lowest bidder. The price of the truck from Altec Industries is $103,218.00 and is $6,782.00 under budget. Alderman Thomas moved and Alderman Barclay seconded the motion to place this item on the June 23, 2016 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the June 23, 2016 Board of Aldermen meeting agenda for consideration.**

Alderman Bateman moved and Alderman Barclay seconded the motion to remove Storm Water Project P-5 Channel Improvements from the agenda for discussion. The motion was approved.

STORM WATER PROJECT P-5 CHANNEL IMPROVEMENTS – BATZEL

Mr. Batzel advised this item is for the construction of the Mid Rivers Estates Stream Channel Improvement Project that goes from Grand Teton to South Church Street and parallels Mid Rivers Mall Drive. On May 23, 2016, the city received four (4) bids for this project. Bids ranged from $275,016 to $405.448. The recommended low bidder is Alpha II Contracting, as they were 9% lower than the second lowest bid and have successfully completed other projects for the City in the past. Staff is recommending Alpha II for this project in the amount of $275,016. Alderman Violet moved and Alderman Reitmeyer seconded the motion to place this item on the June 23, 2016 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the June 23, 2016 Board of Aldermen meeting agenda for consideration.**

Alderman Barclay moved and Alderman Reitmeyer seconded the motion to remove Cave Springs Traffic Signal Replacement Bid from the agenda for discussion. The motion was approved.

CAVE SPRINGS TRAFFIC SIGNAL REPLACEMENT BID – BATZEL

Mr. Batzel displayed an aerial photo of intersection at Cave Springs Boulevard and Mexico Road which is the site of the traffic signal replacement project. Mr. Batzel stated that on May 16, 2016, two (2) bids were received for this project. The bids ranged from $232,167 to $257,043. Staff is recommending award to the low bidder of Gerstner Electric who was 11% lower than the second low bid. They have previously completed several projects in

DRAFT

the City including the traffic signal in front of City Hall. Brief discussion about enhancements was held. Mr. Batzel explained the traffic signal would be enhanced by being painted black, but there isn't enough room for decorative stamping. Alderman Violet moved and Alderman Reitmeyer seconded the motion to place this item on the June 23, 2016 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the June 23, 2016 Board of Aldermen meeting agenda for consideration.**

Alderman Bateman moved and Alderman Barclay seconded the motion to remove Amendment to Engineering Agreement for the Sun River / McClay Meadows Stormwater Improvement Project P-21 from the agenda for discussion. The motion was approved.

AMENDMENT TO ENGINEERING AGREEMENT FOR THE SUN RIVER / MCCLAY MEADOWS STORMWATER IMPROVEMENT PROJECT P-21 – BATZEL

Mr. Batzel displayed an aerial photo of the project area south of McClay Road behind Sun River Apartments. On August 13, 2015 the City approved and retained Barr Engineering to perform Phase I engineering services to develop conceptual designs for the Sun River/McClay Meadows Stormwater Improvement Project P-21 for improvements to detention basin and channel improvements that will improve water quality and flooding issues and better convey the stormwater runoff from the area. They are now ready to move forward with Phase II. Barr Engineering prepared a proposal to complete this design work and prepare construction bid documents with final design services estimated at $256,100. Staff recommended proceeding with Phase II engineering services with Barr Engineering for this project. Alderman Bateman moved and Alderman Reitmeyer seconded the motion to place this item on the June 23, 2016 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the June 23, 2016 Board of Aldermen meeting agenda for consideration.**

Alderman Barclay moved and Alderman Reitmeyer seconded the motion to remove 2016 Concrete Ready Mix Supply Purchase Order from the agenda for discussion. The motion was approved.

2016 CONCRETE READY MIX SUPPLY PURCHASE ORDER – BATZEL

Mr. Batzel explained that this request is to renew the contract for the supply and delivery of various types of concrete ready mix with Schreiter Ready Mix. On June 3, 2015 the City received five (5) bids for concrete ready mix used in various City projects by streets, parks, and utility departments. Schreiter Ready Mix was the low bidder and the bid from last year allowed for an option for up to three, twelve month renewals with specified unit cost increases. Schreiter Ready Mix has agreed to renew the purchase order with a three percent (3%) increase for the 2016-17 season of up to $200,000 beginning on July 2, 2016. Alderman Thomas moved and Alderman Reitmeyer seconded the motion to place this item on the June 23, 2016 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the June 23, 2016 Board of Aldermen meeting agenda for consideration.**

DRAFT

Alderman Barclay moved and Alderman Reitmeyer seconded the motion to remove Resolution/G.O. Bonds for Stormwater Projects from the agenda for discussion. The motion was approved.

RESOLUTION/G.O. BONDS FOR STORMWATER PROJECTS – PRATT

Ms. Pratt advised that this Resolution on tonight's agenda is for the sale of General Obligation Bonds for the principal amount of $8,000,000 for Stormwater projects. On August 3, 2010, voters authorized the City to issue up to $40 million in bonds for the purpose of stormwater improvement projects. The City has issued $17,465,000 in bonds to date with this issue bringing the total to $25,465,000. Although revenues from the Parks and Stormwater Sales Tax are not pledged to the payment of the Bonds, the City intends to budget such revenues to make debt service payments on the bonds. **This is business item I-13 on this evening's Board of Aldermen meeting agenda for consideration.** Alderman Barclay moved and Alderman Bateman seconded the motion to place this item on the June 23, 2016 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the June 23, 2016 Board of Aldermen meeting agenda for consideration.**

Alderman Barclay moved and Alderman Reitmeyer seconded the motion to remove Secretary of State/Records Retention Schedule from the agenda for discussion. The motion was approved.

SECRETARY OF STATE/RECORDS RETENTION SCHEDULE – SMITH

City Clerk Smith stated that the Destruction of Records forms provided in this evening's meeting packet necessitate being entered and made a part of the minutes of the Board of Aldermen for May 26, 2016. Alderman Reitmeyer moved and Alderman Violet seconded the motion to accept the City Clerk's report regarding the Destruction of Record forms that are provided in the Work Session packet and to be entered into the May 26, 2016 minutes of the Board of Aldermen. The motion was approved. **No further Board of Aldermen action is required on this item.**

MISCELLANEOUS UPDATES – CHARNISKY

Mr. Rick Oloteo, Director of Recreation, displayed an aerial drawing and gave an update on the Rec-Plex front entrance construction. Mr. Oloteo stated the project will begin on Monday, June 6th and will be completed in two phases. Phase 1 will begin on June 13th for the new exit/entrance to Mexico Road, the four-way stop, and new parking lot. Phase 1 is expected to be completed around August 19th. Phase 2 will allow the parking lot to be opened up and will begin August 22, which will open up the new parking lot, and project expected to be completed on October 24.

Mr. Bill Malach, Water Environment Services Manager, displayed an aerial photo and gave an update and history of the Westwood/St. Mary's/Steeplechase/St. Peters Estates Special Service Area Sewer Project. This project is located in unincorporated St. Charles County south of Interstate 70 north of Mexico Road, west of South Church Street and east of Dardenne Creek. This area is served by the City's sanitary sewers. In 2014, the City went

DRAFT

out for engineering proposals to study this service area that has historically experienced sewer overflows and basement backups. In 2014, George Butler and Associates performed a sanitary sewer evaluation study and made suggestions in making improvements. In September, 2015, the City entered into a design contract with George Butler and Associates to design the recommended improvements. On Thursday, June 2, these improvements will go out for bid, with a bid opening date of June 17th, the Friday before the next Board of Alderman meeting. Mr. Malach requested to place this item on both the Work Session and Board of Aldermen meeting agenda for June 23, 2016. This project is estimated at $1.3ML; which will be paid back to the City over the next twenty years from the 810 households in the special service area. Mr. Malach explained the scope of the project and advised he will provide the bid recommendation to the Mayor and Board of Aldermen early in the week of June 20th. Questions from the Aldermen were addressed. The Board of Aldermen was in agreement with his request.

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 Reitmeyer 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 5:54 p.m. Roll Call was taken as follows: President of the Board of Aldermen, Alderman Reitmeyer: yes; Alderman Hollingsworth: absent; Alderman Thomas: yes; Alderman Bateman: yes; Alderman Violet: yes; Alderman Shea: yes; Alderman Barclay: yes; Alderman Aytes: yes.

ADJOURNMENT OF THE EXECUTIVE SESSION AND THE WORK SESSION

Alderman Reitmeyer moved and Alderman Thomas 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 6:09 p.m. with roll call shown as follows: President of the Board of Aldermen, Alderman Reitmeyer, yes; Alderman Hollingsworth, absent; Alderman Bateman, 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 – Records Management **RECORDS DESTRUCTION FORM**	Page 1 of 3

Department Name: Human Resources		Total # of Boxes: 23 boxes + 3 file drawers
Department Records Coordinator: Amy E. Heckart		
Date: 12/14/15	Office Address: 1 St. Peters Centre Blvd., St. Peters, MO 63376	Telephone: 636-477-6600 x-1204

Caution: A record may not be destroyed if any litigation, claim, negotiation, audit, open records request, administrative review, or other action involving the record is initiated before the expiration of the retention period. The record must be retained until completion of the action and the resolution of all issues that arise from it, or until the expiration of the retention period, whichever is later. The schedule establishes only a minimum period of retention. Before retaining a record longer than the minimum time required, however, the office should be certain that it has good reason to do so.

Department Records Coordinator: Amy Heckart	Date: 1-15-16	Date of Records Destruction: See attached dates
Group Manager: Tim Atkinson	Date: 1/19/16	Destruction Method:
Date of BOA Minutes: 5-26-16		Shredding ☑ Discard ☐ Outside Vendor ☐

Request for Department Destruction

☑ I certify that these OFFICIAL RECORD COPIES are past the retention period specified by the Missouri Secretary of State Records Retention Schedule and that all audit and administrative requirements have been satisfied.

☑ I certify that no HOLD has been placed on these OFFICIAL RECORDS due to any litigation, claim, negotiation, audit, or open records requests and that all administrative requirements have been satisfied.

Required Approval Signature	
City Clerk: Patricia E Smith	Date: 1/20/16

Note: Please read the instructions on page 3 concerning Departmental Records Destruction.

User Box #	Retention Schedule Records Item #	Description of Records	Inclusive Year(s)	Retention Period	Medium
T-1320	GS 062	Posting Folders 12-1137 through 12-1185	2012	3 Years	P
T-1500-30 thru T-1500-34	GS 062	Applications 12-1138, 12-1140, 12-1141, 12-1142, 12-1144, 12-1146, 12-1147, 12-1148, 12-1154, 12-1155, 12-1137, 12-1143, 12-1149, 12-1152, 12-1156, 12-1157, 12-1162, 12-1163, 12-1164, 12-1165, 12-1172, 2012 GSR's A-Z, 2012 Misc, 2012 Resident Youth	2012	3 Years	P

City of St. Peters – Records Management

RECORDS DESTRUCTION FORM

Department Name: Human Resources		Total # of Boxes:
Department Records Coordinator: Amy E. Heckart		
Date: 12/14/15	Office Address: 1 St. Peters Centre Blvd., St. Peters MO 63376	Telephone: 636-477-6600 x-1204

User Box #	Retention Schedule Records Item #	Description of Records	Inclusive Year(s)	Retention Period	Medium
T-1500-35 thru T-1500-38	GS 062	Applications 12-1165, 12-1167, 12-1168, 12-1171, 12-1175, 12-1177, 12-1173, 12-1174, 12-1181, 12-1185, 12-1180, 12-1182, 12-1183	2012	3 Years	P
T-0024-7	GS 033	W-2	2010	5 Years	P
T-2010-A thru T-2010-D	GS68 & GS28	FY10 Payroll Verification T-2010-D Includes Safety Award Information Year (7/30/10-9/24/10) and Safety Awards (7/1/07-6/30/10)	10/09/09 to 09/24/10	5 Years	P
T-2010-F	GS68	Net transmittal, Mo Tax, Qtr/Monthly MO Tax, Federal, FICA, Medicare, Tuition Deduction, Rec-Plex withholding, United Way withholdings	Oct 2009 - Sept 2010	5 Years	P
T-2010-G	GS68	400 Hour Report, PT 2080 Report, Resident Youth, Vacation Edit, GSR Life Hours, PT/FT 12 Month Advancement, PT/FT Payroll Change Memos	Oct 2009 - Sept 2010	5 Years	P
T-2010-H	GS68 & GS28	Payroll Verification / Ice Timesheets	10/9/09-4/23/10	5 Years	P
T-2010-E	GS68 & GS28	Benefit Bank, Bi-Weekly Overtime, Direct Deposit, Check Register	Oct 2009 - Sept 2010	5 Years	P
T-2010-I	GS68 & GS28	Payroll Verification / Ice Timesheets	05/07/10-09/24/10	5 Years	P
File Drawer	GS 043	Random Drug & Alcohol Results (Negative)	Jan - Dec 2013	1 Year	P
File Drawer	GS 031	I-9 Immigration and Naturalization Service Forms (Former Employee forms eligible for shredding by Federal formula & State Retention guidelines)	Through 2014	3Yrs after DOH or 1Yr after term whichevr is >	P

City of St. Peters – Records Management

RECORDS DESTRUCTION FORM

Department Name: Human Resources		Total # of Boxes:
Department Records Coordinator: Amy E. Heckart		
Date: 12/14/15	Office Address: 1 St. Peters Centre Blvd., St. Peters MO 63376	Telephone: 636-477-6600 x-1204

User Box #	Retention Schedule Records Item #	Description of Records	Inclusive Year(s)	Retention Period	Medium
T-1400 & File Drawer	GS062	Contract Workers (background information)(Rating Records)	Contracts ended 2012	3 Years after contract ends	P
T-1109-I	GS 030	Affirmative Action Sheets	2012	3 Years	P
T-0023-A	GS50-03E-03	Consolidated Omnibus Budget Reconciliation Act (COBRA) Extension Notice and Election Forms	2009	6 Years	P
T-0028-5	GS068	LAGERS Monthly Employee/Employer Contribution record/check request (Required retention 5 Years - LAGERS uses a 10 year period for wage verification of retired employees)	2005	10 Years	P
					P
					P
					P
					P
					P
					P

City of St. Peters – Records Management
RECORDS DESTRUCTION FORM

Department Name: SSS/ Human Resources		Total # of Boxes: 5
Department Records Coordinator: Amy Heckart		
Date: 01/25/16	Office Address: One St. Peters Centre Blvd., St. Peters, MO 63376	Telephone: 636-477-6600

Caution: A record may not be destroyed if any litigation, claim, negotiation, audit, open records request, administrative review, or other action involving the record is initiated before the expiration of the retention period. The record must be retained until completion of the action and the resolution of all issues that arise from it, or until the expiration of the retention period, whichever is later. The schedule establishes only a minimum period of retention. Before retaining a record longer than the minimum time required, however, the office should be certain that it has good reason to do so.

Department Records Coordinator: Amy Heckart	Date: 1-27-16	Date of Records Destruction: 3-16-16 & 3-18-16
Group Manager: Tom Wilkinson	Date: 1/27/16	Destruction Method: Shredding ☑ Discard ☐ Outside Vendor ☐
Date of BOA Minutes: 5-26-16		

Request for Department Destruction

☑ I certify that these OFFICIAL RECORD COPIES are past the retention period specified by the Missouri Secretary of State Records Retention Schedule and that all audit and administrative requirements have been satisfied.

☑ I certify that no HOLD has been placed on these OFFICIAL RECORDS due to any litigation, claim, negotiation, audit, or open records requests and that all administrative requirements have been satisfied.

Required Approval Signature	
City Clerk: Patricia E Smith	Date: 2/1/16

Note: Please read the instructions on page 3 concerning Departmental Records Destruction.

User Box #	Retention Schedule Records Item #	Description of Records	Inclusive Year(s)	Retention Period	Medium
CDBG	GS 040	CDBG Home Help Loans 2007	2007	3 years past 5yr length of loan	P
CDBG	GS 040	CDBG Home Help Loans 2007	2007	3 years past 5yr length of loan	P

City of St. Peters – Records Management

RECORDS DESTRUCTION FORM

Department Name: SSS/ Human Resources		Total # of Boxes: 5
Department Records Coordinator: Amy Heckart		
Date: 01/25/16	Office Address: One St. Peters Centre Blvd., St. Peters, MO 63376	Telephone: 636-477-6600

User Box #	Retention Schedule Records Item #	Description of Records	Inclusive Year(s)	Retention Period	Medium
CDBG	GS 040	CDBG Transportation Program - Removed Applicants 2011	2011	3 years retention	P
CDBG	GS 040	CDBG Transportation Program - Removed Applicants 2011	2011	3 years retention	P
CDBG	GS 040	CDBG Home Help Loans 2006	2006	3 years past 5yr length of loan	

CITY OF ST. PETERS CITY HALL
BOARD OF ALDERMEN MINUTES
MAY 26, 2016

CALL TO ORDER

Mayor Pagano called the Board of Aldermen meeting to order at approximately 7:00 p.m. on May 26, 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 Reitmeyer; Alderman Shea; Alderman Violet; Bill Charnisky, City Administrator; Randy Weber, Special Counsel; Jeff Finkelstein, Chief of Police; Patty Smith, City Clerk. Aldermen Hollingsworth and Thomas were absent. The Invocation was delivered by Pastor Steve Koeneman. The Pledge of Allegiance was led by Mayor Pagano.

CITIZEN POLICE ACADEMY GRADUATION

Officer Melissa Doss and Chief Finkelstein introduced the spring 2016 Citizens Police Academy class and spoke about the class, presenting them with certificates of graduation.

BUDGET AWARD: DISTINGUISHED BUDGET PRESENTATION AWARD FROM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION PRESENTED TO ERIN GARDNER

BUDGET AWARD: CERTIFICATE OF RECOGNITION FOR BUDGET PRESENTATION FROM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION PRESENTED TO ERIN GARDNER

Mayor Pagano and Alderman Barclay presented the Certificate of Recognition for Budget Presentation and the Distinguished Budget Presentation Award given by the Government Finance Officers Association to Erin Gardner, Budget Analyst with the City of St. Peters.

APPROVAL OF MINUTES: WORK SESSION MEETING OF MAY 12, 2016; THE REGULAR BOARD OF ALDERMEN MEETING OF MAY 12, 2016; AND FY-17 BUDGET WORK SESSION MINUTES OF MAY 3, 2016

Alderman Shea moved and Alderman Reitmeyer seconded the motion to approve the Board of Aldermen Work Session meeting minutes of May 12, 2016; the Regular Board of Aldermen meeting minutes of May 12, 2016; and FY-17 Budget Work Session meeting minutes of May 3, 2016. The motion carried and the minutes were approved.

REPORTS OF OFFICERS, BOARDS AND COMMISSIONS

MAYORAL REPORT OF APPOINTMENTS TO BOARDS AND COMMISSIONS

APPOINTMENT TO THE VETERANS MEMORIAL COMMISSION

Alderman Bateman moved and Alderman Reitmeyer seconded the motion to place on hold the appointment for Veterans Memorial Commission. All in favor, the motion was approved.

DRAFT

CITY ADMINISTRATOR'S REPORT:

None

REPORT OF DIRECTOR OF PLANNING, COMMUNITY AND ECONOMIC DEVELOPMENT

PETITION 16-07, SPECIAL USE PERMIT - 370 SPEEDWAY, LLC – POWERS

Ms. Powers stated this is a Special Use Permit request by 370 Speedway LLC in the SL St. Peters Lakeside 370 Special District; which is the old Par 3 golf course. This permit is for an outdoor entertainment facility including, but not limited to, a multi-purpose racetrack, karting facility, and associated uses on a 36 +/- acre parcel. The property is located on the south side of Premier Parkway east of Spencer Road. Both staff and the Planning and Zoning recommended approval of this Special Use Permit to the Board of Aldermen. Ms. Powers introduced applicant Paul Irwin who was sworn in by City Clerk Smith. Mr. Paul Irwin gave a PowerPoint presentation and explained that this projected multi-use facility at 10000 Premiere Parkway South will provide track time for karting, automobiles, small motorcycles, drones, and car shows. He explained that Phase 1 will be the track service, welcome center, and pit area. The welcome center will offer merchandise sales, concession, and tire mounting services. Phase 2 will be a rear pit area including luxury garages; which will only be available to patrons who hold a membership to the track club and will not be used for RV or boat storage. He further explained the daily operation, schedule, and events at the facility. Mr. Irwin gave an overview of the noise study that was conducted by McClure Engineering. Mr. Ken Braunfeld clarified a few items in the Special Use Permit Request regarding the residential areas behind the proposed location; which he stated are located no less than 3/4 of a mile away, and that the noise and drone issues were addressed at the Planning and Zoning meeting.

Mayor Pagano called individuals to come forward to speak who completed public comment cards which referenced Petition 16-07. City Clerk Smith swore in each individual prior to their testimony. Ms. Pam Havens, 48 Soenker Circle, spoke about the negative impact of the wide-ranging noise to the property values in Turnberry and Ellington Subdivisions. Ms. Cindy Wynn of 5 Soenker Circle and secretary of the Board of Directors to Turnberry Bluffs spoke about their concerns with the potentially high noise level of all vehicles, motorcycles, and drones allowed to be used on the property and not only the karts, which she stated was the only vehicle listed in the sound report; and expressed concerns that the report stated that the business would be open until 11:00 p.m. Mr. Richard Hendrell, 40 Soenker Circle, also voiced his concern about the noise level quoted in the City's code Section 210.390. He also commented that the noise study presented was paid for by the business. Ms. Arden Weich, 36 Soenker Circle, expressed her concern about the potential noise from the racetrack. Mr. Herb Forim, 19 Soenker Circle, spoke about the outdoor entertainment facility and the wording in the Special Use Permit describing the uses and is concerned this may allow bands in the future. He commented on the impact study which he said states that the track was for go-kart vehicles but is only now learning it may also include other motorized vehicles, high performance vehicles, motorcycles, and drone racing. He inquired on the validity of the noise study and where is the noise data on these additional vehicles. Mr. William Bauer, 24 Soenker Circle, had questions about the noise study that was presented and how the regulations will be enforced by the City and at what cost.

Applicant Paul Irwin advised that he is willing to postpone the project in order that the residents have time to be better informed about the project and offered to have McCluer Engineering

DRAFT

contact them and answer their questions about their noise concerns. Counsel Weber advised the Applicant and Board of Aldermen to not close the matter but if they so choose, to table the matter to the next meeting so they may receive further evidence about this business. Alderman Reitmeyer moved and Alderman Shea seconded the motion to continue this hearing on the June 23, 2016 Board of Aldermen meeting agenda. The motion was approved.

ST. PETERS BUSINESS SPOTLIGHT

None

OPEN FORUM

CITIZENS PETITIONS AND COMMENTS

The citizens who completed public comment cards and spoke during the Special Use Permit Hearing on Petition 16-07 regarding 370 Speedway, LLC did not speak during Citizens Petitions and Comments and are listed under the Reports of Director of Planning, Community and Economic Development. The following Citizens filled out Public comment cards concerning the Petition 16-07 but did not speak: Ronald Bell of 4 Soenker Circle; Peter Fairchild of 6 Newport; Betty Campbell of 2 Soenker Circle; Clarice Pallett of 26 Soenker Circle.

Alderman Shea stepped out of meeting in progress at approximately 7:51 p.m. and returned at approximately 7:53 p.m.

COMMUNICATIONS FROM THE ELECTED OFFICIALS

Elected Officials made comments during this time.

ANNOUNCEMENTS

PUBLIC HEARINGS

VOLUNTARY ANNEXATION – HAMILTON PROPERTY, 60 CIRCLE WAY – POWERS

Julie Powers presented the Voluntary Annexation of the Hamilton property and displayed an aerial view on the overhead of the property located at 60 Circle Way. This item will be discussed at the June 1, 2016 Planning and Zoning Commission meeting and then placed on the following Board of Aldermen meeting to finalize the annexation. Mayor Pagano opened the Public Hearing at approximately, 8:02 p.m. and asked anyone wishing to speak on this annexation to please come forward. Seeing no one present to comment, Mayor Pagano closed the Public Hearing at approximately 8:02 p.m.

UNFINISHED (OLD) BUSINESS ITEMS:

None

NEW BUSINESS ITEMS:

DRAFT

MOTION/TABLED: BILL NO. 16-67: AN ORDINANCE APPROVING A SPECIAL USE PERMIT IN THE SL SPECIAL ST. PETERS LAKESIDE 370 DISTRICT TO PERMIT AN OUTDOOR ENTERTAINMENT FACILITY INCLUDING, BUT NOT LIMITED TO, A MULTI-PURPOSE RACETRACK, KARTING FACILITY AND ASSOCIATED USES, IN RESPONSE TO PETITION 16-07 (370 SPEEDWAY, LLC) AND ADOPTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW WITH RESPECT THERETO

Alderman Reitmeyer moved and Alderman Aytes seconded the motion to introduce the Bill. The motion was amended and Alderman Reitmeyer moved and Alderman Shea seconded the motion to table business item I-1, Bill 16-67, to the June 23, 2016 Regular Board of Aldermen meeting. The motion was approved.

MOTION/APPROVED: BILL NO. 16-68: ORDINANCE NO. 6533: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO ENTER INTO AN AMENDMENT TO A PERMANENT DRAINAGE EASEMENT AGREEMENT FOR THE P-5 STORMWATER IMPROVEMENT PROJECT (WENTZWAY CORPORATION)

Alderman Violet moved and Alderman Reitmeyer seconded the motion to introduce the Bill. The motion carried. Alderman Violet moved and Alderman Reitmeyer seconded the motion to read Bill No. 16-68 for the first time. The motion carried and Alderman Reitmeyer read the Bill. Alderman Shea moved and Alderman Bateman seconded the motion to read the Bill for the second time. The motion carried and Alderman Shea read the Bill. Alderman Violet moved and Alderman Aytes seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-68 was passed becoming Ordinance No. 6533.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: ABSENT: 2 MAYOR:

MOTION/APPROVED: BILL NO. 16-69: ORDINANCE NO. 6534: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO AMEND AN AGREEMENT WITH GEOSYNTEC CONSULTING TO PROVIDE ADDITIONAL PROFESSIONAL SERVICES FOR THE WEST DRIVE BASIN / JUNGERMANN ROAD FLOODING IMPROVEMENT PROJECT P-22 / 23

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. 16-69 for the first time. The motion carried and Alderman Barclay read the Bill. Alderman Bateman 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 Aytes moved and Alderman Barclay seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-69 was passed becoming Ordinance No. 6534.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

DRAFT

MOTION/APPROVED: BILL NO. 16-70: ORDINANCE NO. 6535: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TRANSPORTATION ALTERNATIVES FUNDS PROGRAM AGREEMENT FOR THE MID RIVERS MALL DRIVE MULTI-USE PATH PROJECT (FEDERAL PROJECT NO. TAP 7305(616))

Alderman Shea moved and Alderman Reitmeyer seconded the motion to introduce the Bill. The motion carried. Alderman Shea moved and Alderman Reitmeyer seconded the motion to read Bill No. 16-70 for the first time. The motion carried and Alderman Violet read the Bill. Alderman Aytes moved and Alderman Reitmeyer seconded the motion to read the Bill for the second time. The motion carried and Alderman Aytes read the Bill. Alderman Shea moved and Alderman Aytes seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-70 was passed becoming Ordinance No. 6535.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

MOTION/APPROVED: BILL NO. 16-71: ORDINANCE NO. 6536: AN ORDINANCE AMENDING SCHEDULE III AND TABLE III-A., ESTABLISHING PARKING RESTRICTIONS ON A PORTION OF BLUE WATER DRIVE, OF TITLE III, CHAPTER 365, SECTION 365.030 OF THE MUNICIPAL CODE OF THE CITY OF ST. PETERS, MISSOURI [SPONSOR: THOMAS]

Alderman Shea moved and Alderman Reitmeyer seconded the motion to introduce the Bill. The motion carried. Alderman Shea moved and Alderman Reitmeyer seconded the motion to read Bill No. 16-71 for the first time. The motion carried and Alderman Reitmeyer read the Bill. Alderman Shea moved and Alderman Reitmeyer seconded the motion to read the Bill for the second time. The motion carried and Alderman Reitmeyer read the Bill. Alderman Reitmeyer moved and Alderman Bateman seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-71 was passed becoming Ordinance No. 6536.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

MOTION/APPROVED: BILL NO. 16-72: ORDINANCE NO. 6537: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO EXECUTE A TERMINATION OF TEMPORARY CONSTRUCTION EASEMENT FOR A TEMPORARY CONSTRUCTION EASEMENT GRANTED TO THE CITY OF ST. PETERS BY THE CHURCH OF GOD AT SPENCER CREEK FOR THE WILLOTT ROAD BRIDGE REPLACEMENT PROJECT – FEDERAL PROJECT NO. BRM 7305(610)

Alderman Shea moved and Alderman Bateman seconded the motion to introduce the Bill. The motion carried. Alderman Shea moved and Alderman Bateman seconded the motion to read Bill No. 16-72 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 Shea moved and Alderman Reitmeyer seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-72 was passed becoming Ordinance No. 6537.

DRAFT

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

MOTION/APPROVED: BILL NO. 16-73: ORDINANCE NO. 6538: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO EXECUTE A TERMINATION OF TEMPORARY CONSTRUCTION EASEMENT FOR A TEMPORARY CONSTRUCTION EASEMENT GRANTED TO THE CITY OF ST. PETERS BY SCOTT A. SANDERS AND REBECCA S. SANDERS FOR THE WILLOTT ROAD BRIDGE REPLACEMENT PROJECT – FEDERAL PROJECT NO. BRM 7305(610)

Alderman Shea moved and Alderman Bateman seconded the motion to introduce the Bill. The motion carried. Alderman Shea moved and Alderman Bateman seconded the motion to read Bill No. 16-73 for the first time. The motion carried and Alderman Bateman read the Bill. Alderman Barclay moved and Alderman Bateman seconded the motion to read the Bill for the second time. The motion carried and Alderman Violet read the Bill. Alderman Reitmeyer moved and Alderman Aytes seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-73 was passed becoming Ordinance No. 6538.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

MOTION/APPROVED: BILL NO. 16-74: ORDINANCE NO. 6539: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO EXECUTE A TERMINATION OF TEMPORARY CONSTRUCTION EASEMENTS FOR TWO (2) TEMPORARY CONSTRUCTION EASEMENTS GRANTED TO THE CITY OF ST. PETERS BY ST. PETERS CONDOMINIUM ASSOCIATION FOR THE WILLOTT ROAD BRIDGE REPLACEMENT PROJECT – FEDERAL PROJECT NO. BRM 7305(610)

Alderman Reitmeyer moved and Alderman Barclay seconded the motion to introduce the Bill. The motion carried. Alderman Reitmeyer moved and Alderman Barclay seconded the motion to read Bill No. 16-74 for the first time. The motion carried and Alderman Aytes read the Bill. Alderman Reitmeyer moved and Alderman Violet seconded the motion to read the Bill for the second time. The motion carried and Alderman Reitmeyer read the Bill. Alderman Reitmeyer moved and Alderman Barclay seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-74 was passed becoming Ordinance No. 6539.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

MOTION/APPROVED: BILL NO. 16-75: ORDINANCE NO. 6540: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ST. PETERS, MISSOURI, TO EXECUTE THE COOPERATION AGREEMENT BETWEEN THE COUNTY OF ST. CHARLES AND THE CITY OF ST. PETERS FOR PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FISCAL YEARS 2017 THROUGH 2019

DRAFT

Alderman Shea moved and Alderman Reitmeyer seconded the motion to introduce the Bill. The motion carried. Alderman Shea moved and Alderman Reitmeyer seconded the motion to read Bill No. 16-75 for the first time. The motion carried and Alderman Shea read the Bill. Alderman Reitmeyer moved and Alderman Barclay 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 Shea seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-75 was passed becoming Ordinance No. 6540.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

MOTION/APPROVED: BILL NO. 16-76: ORDINANCE NO. 6541: AN ORDINANCE APPROVING A CAPITAL IMPROVEMENT PLAN FOR THE CITY OF ST. PETERS

Alderman Shea moved and Alderman Aytes seconded the motion to introduce the Bill. The motion carried. Alderman Shea moved and Alderman Aytes seconded the motion to read Bill No. 16-76 for the first time. The motion carried and Alderman Bateman read the Bill. Alderman Aytes moved and Alderman Barclay seconded the motion to read the Bill for the second time. The motion carried and Alderman Violet read the Bill. Alderman Reitmeyer moved and Alderman Shea seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-76 was passed becoming Ordinance No. 6541.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

MOTION/APPROVED: BILL NO. 16-77: ORDINANCE NO. 6542: AN ORDINANCE AMENDING ORDINANCE NO. 6398 AND ORDINANCE NO. 6440 PROVIDING FOR THE ADOPTION OF THE GENERAL FUND, DEBT SERVICE FUND, COMMUNITY DEVELOPMENT BLOCK GRANT FUND, COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT FUND, LOCAL PARKS AND STORM WATER FUND, SEWER LATERAL REPAIR PROGRAM FUND, SPECIAL ALLOCATION FUNDS, TRANSPORTATION TRUST FUND, WATER SERVICE LINE REPAIR PROGRAM FUND, CENTRAL MATERIALS PROCESSING FACILITY FUND, RECREATION FUND, SOLID WASTE FUND, AND WATER/SEWER FUND BUDGETS FOR THE CITY OF SAINT PETERS FOR FISCAL YEAR COMMENCING ON OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016

Alderman Aytes moved and Alderman Barclay seconded the motion to introduce the Bill. The motion carried. Alderman Aytes moved and Alderman Barclay seconded the motion to read Bill No. 16-77 for the first time. The motion carried and Alderman Aytes read the Bill. Alderman Reitmeyer moved and Alderman Barclay seconded the motion to read the Bill for the second time. The motion carried and Alderman Reitmeyer read the Bill. Alderman Violet moved and Alderman Reitmeyer seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-77 was passed becoming Ordinance No. 6542.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

DRAFT

MOTION/APPROVED: BILL NO. 16-78: ORDINANCE NO. 6543: AN ORDINANCE DIRECTING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO EXECUTE A CERTAIN PCS SITE LEASE AGREEMENT (ARROWHEAD WATER TANK/ST03XC080) BY AND BETWEEN THE CITY OF ST. PETERS AND SPRINT SPECTRUM L.P.

Alderman Shea moved and Alderman Bateman seconded the motion to introduce the Bill. The motion carried. Alderman Shea moved and Alderman Bateman seconded the motion to read Bill No. 16-78 for the first time. The motion carried and Alderman Shea read the Bill. Alderman Shea 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 Reitmeyer moved and Alderman Violet seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-78 was passed becoming Ordinance No. 6543.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

MOTION/ADOPTED: RESOLUTION NO. 1530: A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS OF THE CITY OF ST. PETERS, MISSOURI

Alderman Reitmeyer moved and Alderman Barclay seconded the motion to introduce the Resolution. The motion carried. Alderman Reitmeyer moved and Alderman Barclay seconded the motion to read the Resolution for the first time. The motion carried and Alderman Bateman read the Resolution. Alderman Reitmeyer moved and Alderman Barclay seconded the motion to put the Resolution to a final vote. The motion was approved and Resolution No. 1530 was adopted.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 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 Reitmeyer moved and Alderman Violet 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 8:28 p.m.

Respectfully submitted,

Patricia E. Smith
City Clerk

DRAFT

CITY OF ST. PETERS, MO

INTEROFFICE MEMORANDUM

TO: BOARD OF ALDERMEN

FROM: MAYOR PAGANO

SUBJECT: APPOINTMENT TO THE BOARD OF ADJUSTMENT

DATE: JUNE 2, 2016

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

> Brian Stiens, 8 Spencer's Crossing, (Ward 3), for the term effective immediately and expiring May 31, 2020. Mr. Stiens will be filling the vacancy of Daniel Meyer who passed away.

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

> F. Rod Harris, 531 Sgt Pepper Drive, St. Peters, MO 63376, (Ward 3), for the term effective immediately and expiring 5/31/17. Mr. Harris will be filling the vacancy of Brian Stiens, who was appointed to member.

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

APPLICATIONS

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

CITY OF ST. PETERS, MO

INTEROFFICE MEMORANDUM

TO: BOARD OF ALDERMEN

FROM: MAYOR PAGANO

SUBJECT: APPOINTMENT TO PLANNING AND ZONING COMMISSION

DATE: MAY 24, 2016

I am nominating the following individual for appointment as an alternate member on the Planning and Zoning Commission:

Joseph Markus, 204 Mattina Court, St. Peters, MO 63376 (Ward 4), for the term effective immediately and expiring September 30, 2016. Mr. Markus will be filling the vacancy of Cindy Carpenter, who resigned.

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

INTEROFFICE MEMORANDUM

TO: BOARD OF ALDERMEN

FROM: MAYOR PAGANO

SUBJECT: APPOINTMENTS TO THE PARKS, RECREATION AND ARTS ADVISORY BOARD

DATE: MAY 24, 2016

I am nominating the following individual for **appointment** as Member to the Parks, Recreation and Arts Advisory Board as follows:

Amanda Darnell, 1436 Schoal Creek Drive, (Ward 1), for the term effective immediately and expiring January 31, 2019. Ms. Darnell will be filling the vacancy of Martha Smiley, who resigned.

I am nominating the following individual for **appointment** as Member at Large to the Parks, Recreation and Arts Advisory Board as follows:

Linda Hankins, 2209 Maple Tree, (Ward 3), for the term effective immediately and expiring January 31, 2017. Ms. Hankins will be filling the vacancy of Amanda Darnell, who was appointed as a member.

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

APPLICATIONS

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

CITY OF ST. PETERS, MO

INTEROFFICE MEMORANDUM

TO: BOARD OF ALDERMEN

FROM: MAYOR PAGANO

SUBJECT: APPOINTMENT TO THE VETERANS MEMORIAL COMMISSION

DATE: JUNE 8, 2016

I am nominating the following individual for appointment as a Youth Representative to the Veterans Memorial Commission as follows:

Clayton Stiens, 8 Spencer's Crossing, St. Peters, MO 63376 (Ward 3) for the term effective immediately and expiring December 31, 2017.

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

INTEROFFICE MEMORANDUM

TO: BOARD OF ALDERMEN

FROM: MAYOR LEN PAGANO

SUBJECT: RE-APPOINTMENTS TO THE SENIOR ADVISORY COMMITTEE

DATE: JUNE 9, 2016

I am nominating the following individuals for re-appointment as members to the Senior Advisory Committee for the respective term as follows:

Alexander Altobell, 200 Davidson Drive, St. Peters, MO 63376, (Ward 2), for the term effective July 1, 2016, and expiring June 30, 2019

Joyce Altobell, 200 Davidson Drive, St. Peters, MO 63376, (Ward 2), for the term effective July 1, 2016, and expiring June 30, 2019

Mary Evans, 747 Estes Park Drive, St. Peters, MO 63376, (Ward 2), for the term effective July 1, 2016, and expiring June 30, 2019

Melvin Maire, 26 Briarwick Trail, St. Peters, MO 63376, (Ward 4), for the term effective July 1, 2016, and expiring June 30, 2019

Lorene "Net" Thomas, 748 Estes Park Drive, St. Peters, MO 63376, (Ward 2), for the term effective July 1, 2016, and expiring June 30, 2019

Christine Brush, 1153 Spencer Road, St. Peters, MO 63376, (Ward 3), for the term effective July 1, 2016, and expiring June 30, 2019

Carol Davis, 807 Red Tree, St. Peters, MO 63376, (Ward 4), for the term effective July 1, 2016, and expiring June 30, 2019

Sandy Hennen, 32 Glenwood Lane, St. Peters, MO 63376, (Ward 2), from alternate member to member for the term effective immediately and expiring June 30, 2018. Ms. Hennen will be filling the vacancy created by Patricia Schettler, who resigned.

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

APPLICATIONS

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

NOTICE OF PUBLIC HEARING

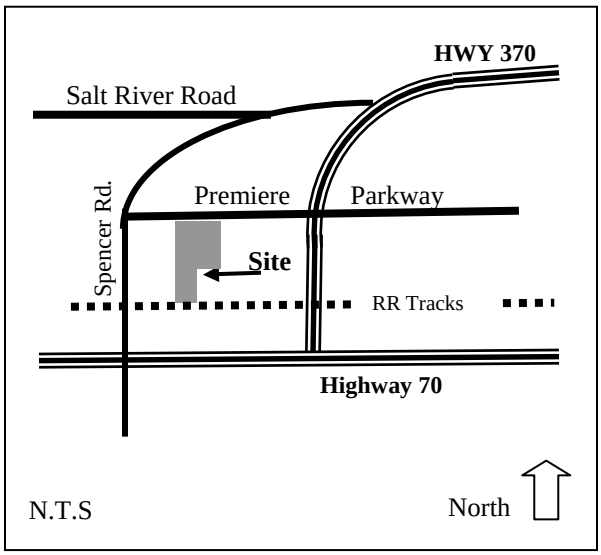
The Planning and Zoning Commission of the City of St. Peters will hold a public hearing at 6:30 p.m. on Wednesday, May 4, 2016 at the St. Peters Justice Center. The St. Peters Justice Center is located at the intersection of Suemandy Drive and Grand Teton Drive (1020 Grand Teton Drive). The Planning and Zoning Commission may recommend and the Board of Aldermen may enact by ordinance the special use described below.

All interested citizens will have the opportunity to give written and oral comment. Persons with disabilities needing assistance should contact the City before the meeting by calling or writing to the City Administrator at P.O. Box 9, St. Peters, MO, 63376, 477-6600 or 278-2244.

Petition 16-07

370 Speedway LLC requests a special use permit in the SL Special St. Peters Lakeside 370 Special District to permit an outdoor entertainment facility including, but not limited to, a multi-purpose racetrack, karting facility, and associated uses on a 36 +/- acre parcel. The property is located on the south side of Premier Parkway, east of Spencer Road.

Location Map



Legal Description

A legal description of the subject property is on file at the
City of St. Peters Planning Department

NOTICE OF PUBLIC HEARING

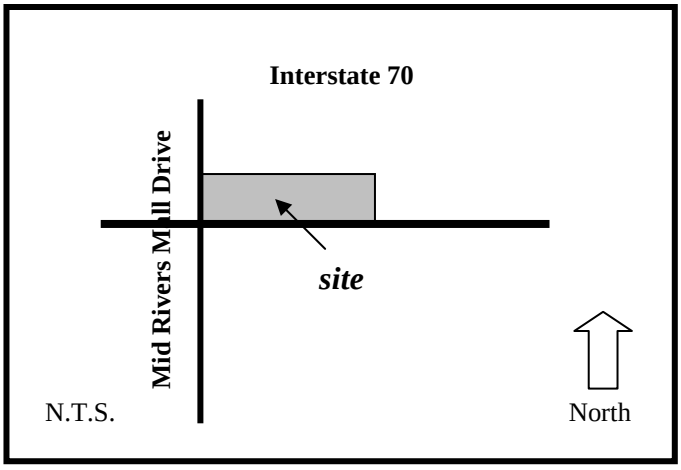
The Planning and Zoning Commission of the City of St. Peters will hold a public hearing at 6:30 p.m. on Wednesday, June 1, 2016 at the St. Peters Justice Center. The St. Peters Justice Center is located at the intersection of Suemandy Drive and Grand Teton Drive (1020 Grand Teton Drive). The Planning and Zoning Commission may recommend and the Board of Aldermen may enact by ordinance the special use described below.

All interested citizens will have the opportunity to give written and oral comment. Persons with disabilities needing assistance should contact the City before the meeting by calling or writing to the City Administrator at P.O. Box 9, St. Peters, MO, 63376, 477-6600 or 278-2244.

Petition 16-08

Mid Rivers Investment Partners, LLC. is requesting a change of zoning from the I-1 Light Industrial District to the C-3 General Commercial District for a 25 +/- acre parcel. The property is located on the north side of Interstate 70, east side of Mid Rivers Mall Drive.

LOCATION MAP



LEGAL DESCRIPTION

A legal description of the subject property is on file at the
City of St. Peters Planning Department.

NOTICE OF PUBLIC HEARING

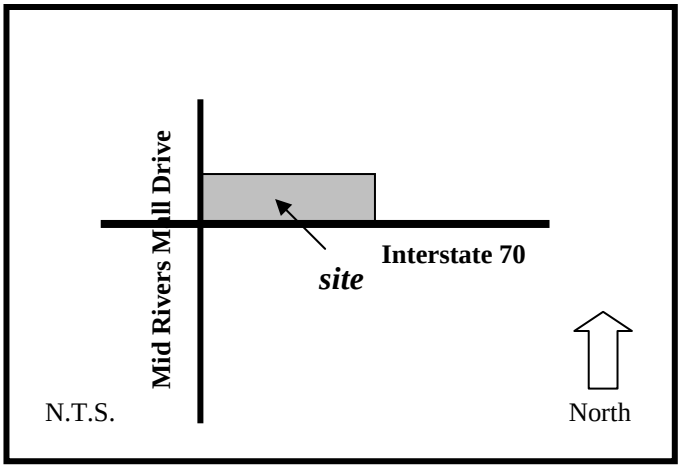
The Planning and Zoning Commission of the City of St. Peters will hold a public hearing at 6:30 p.m. on Wednesday, June 1, 2016 at the St. Peters Justice Center. The St. Peters Justice Center is located at the intersection of Suemandy Drive and Grand Teton Drive (1020 Grand Teton Drive). The Planning and Zoning Commission may recommend and the Board of Aldermen may enact by ordinance the special use described below.

All interested citizens will have the opportunity to give written and oral comment. Persons with disabilities needing assistance should contact the City before the meeting by calling or writing to the City Administrator at P.O. Box 9, St. Peters, MO, 63376, 477-6600 or 278-2244.

Petition 16-09

Mid Rivers Investment Partners, LLC. is requesting a special use permit in the C-3 General Commercial District to permit firearm sales and service on a 28 +/- acre parcel. The property is located on the north side of Interstate 70, east side of Mid Rivers Mall Drive.

LOCATION MAP



LEGAL DESCRIPTION

A legal description of the subject property is on file at the
City of St. Peters Planning Department.

NOTICE OF PUBLIC HEARING

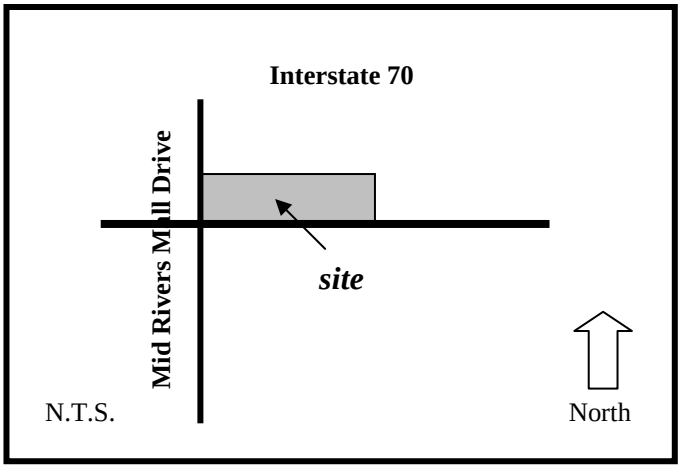
The Planning and Zoning Commission of the City of St. Peters will hold a public hearing at 6:30 p.m. on Wednesday, June 1, 2016 at the St. Peters Justice Center. The St. Peters Justice Center is located at the intersection of Suemandy Drive and Grand Teton Drive (1020 Grand Teton Drive). The Planning and Zoning Commission may recommend and the Board of Aldermen may enact by ordinance the special use described below.

All interested citizens will have the opportunity to give written and oral comment. Persons with disabilities needing assistance should contact the City before the meeting by calling or writing to the City Administrator at P.O. Box 9, St. Peters, MO, 63376, 477-6600 or 278-2244.

Petition 16-10

Mid Rivers Investment Partners, LLC. is requesting a special use permit in the C-3 General Commercial District to permit convenience stores and gas stations on a 28 +/- acre parcel. The property is located on the north side of Interstate 70, east side of Mid Rivers Mall Drive.

LOCATION MAP



LEGAL DESCRIPTION

A legal description of the subject property is on file at the
City of St. Peters Planning Department.

NOTICE OF PUBLIC HEARING

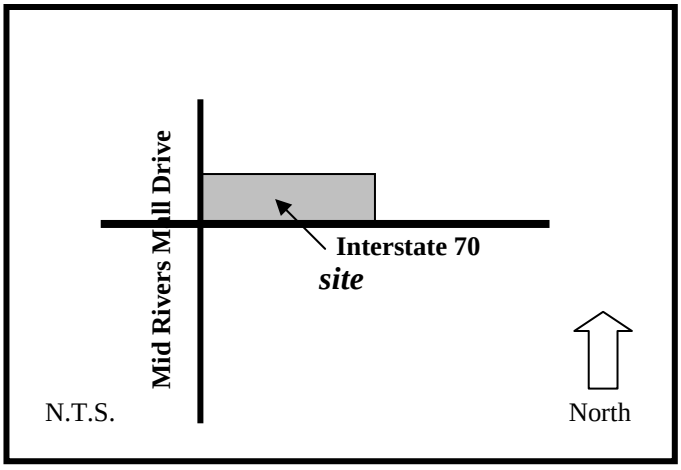
The Planning and Zoning Commission of the City of St. Peters will hold a public hearing at 6:30 p.m. on Wednesday, June 1, 2016 at the St. Peters Justice Center. The St. Peters Justice Center is located at the intersection of Suemandy Drive and Grand Teton Drive (1020 Grand Teton Drive). The Planning and Zoning Commission may recommend and the Board of Aldermen may enact by ordinance the special use described below.

All interested citizens will have the opportunity to give written and oral comment. Persons with disabilities needing assistance should contact the City before the meeting by calling or writing to the City Administrator at P.O. Box 9, St. Peters, MO, 63376, 477-6600 or 278-2244.

Petition 16-11

Mid Rivers Investment Partners, LLC. is requesting a special use permit in the C-3 General Commercial District to permit kennels on a 28 +/- acre parcel. The property is located on the north side of Interstate 70, east side of Mid Rivers Mall Drive.

LOCATION MAP



LEGAL DESCRIPTION

A legal description of the subject property is on file at the
City of St. Peters Planning Department.

BILL NO. 16-67 H-01

ORDINANCE NO.

AN ORDINANCE APPROVING A SPECIAL USE PERMIT IN THE SL SPECIAL ST. PETERS LAKESIDE 370 DISTRICT TO PERMIT AN OUTDOOR ENTERTAINMENT FACILITY INCLUDING, BUT NOT LIMITED TO, A MULTI-PURPOSE RACETRACK, KARTING FACILITY AND ASSOCIATED USES, IN RESPONSE TO PETITION 16-07 (370 SPEEDWAY, LLC) AND ADOPTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW WITH RESPECT THERETO

WHEREAS, by Petition to the Board of Aldermen, a special use permit was requested in the SL Special St. Peters Lakeside 370 Special District to permit an outdoor entertainment facility including, but not limited to, a multi-purpose racetrack, karting facility and associated uses; and

WHEREAS, the Board of Aldermen of the City of St. Peters, Missouri, did refer this Petition to the City's Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission did hold a Public Hearing on this proposed special use; and

WHEREAS, the said Planning and Zoning Commission of the City did consider this Petition and did recommend approval of this petition to the Board of Aldermen; and

WHEREAS, at the Public Hearing persons in interest and citizens were given an opportunity to be heard on this proposed special use.

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

SECTION 1. The Board of Aldermen of the City of St. Peters, Missouri, does hereby approve the Special Use Permit, attached herewith and marked as Exhibit "A", for 370 Speedway, LLC to permit an outdoor entertainment facility including, but not limited to, a multi-purpose racetrack, karting facility and associated uses.

LEGAL DESCRIPTION

Draft

Tract 2 of the Grand Slam Golf and Learning Center Plat as recorded in Book 35 Pages 360-261 at the St. Charles County Recorder's Office

and states it will not adversely affect the character or the traffic conditions of the surrounding area, nor adversely affect the public utility facilities, that this Special Use complies with the Comprehensive Plan of the City and with other matters pertaining to the general welfare of its residents.

SECTION 2. The Board of Aldermen of the City of St. Peters, Missouri, does hereby authorize the requested special use by 370 Speedway, LLC, in the SL Special St. Peters Lakeside 370 Special District to permit an outdoor entertainment facility including, but not limited to, a multi-purpose racetrack, karting facility and associated uses at the subject site.

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 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.

Draft

Read two times, passed, and approved this 23th day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Draft

Exhibit A

BEFORE THE BOARD OF ALDERMEN
OF THE CITY OF ST. PETERS, MISSOURI

In re: Application for Special Use Permit --	)	
370 Speedway LLC Applicant	)	Application No. 16-07

Draft

FINDINGS OF FACT AND CONCLUSIONS OF LAW

INTRODUCTION

On March 3, 2016, pursuant to the requirements of Section 405.780 of the Code of the City of St. Peters, Missouri (the "City Code"), 370 Speedway LLC, the "Applicant" submitted to the City of St. Peters, Missouri (the "City"), Application No. 16-07 for a Special Use Permit requesting a permit to use certain property within the St. Peters Lakeside 370 Special District for "outdoor entertainment facilities including amusement parks, racetrack and accessory buildings, and similar facilities" (the "Application"), which property is more particularly described in the legal description attached hereto as **Exhibit A** ("the Property"). Specifically, the Applicant requested the following use:

"Multi-Purpose Karting Facility"

Pursuant to the Application and the requirements of the Section 405.780.C.4 of the City Code, a hearing was conducted before the Board of Alderman on May 26, 2016 a copy of the video recording of which is available in the office of the City Clerk and is incorporated by reference herein (the "Hearing"). At such Hearing all persons-in-interest and other citizens were given an opportunity to be heard regarding the proposed Special Use Permit.

The Board of Aldermen makes its findings based upon the following:

A. The Application submitted by the Applicant on March 3, 2016, a copy of which is attached hereto as **Exhibit G** and incorporated by reference herein;

B. The sworn testimony of _____ provided at the Hearing;

C. The Concept Plan, a copy of which is attached hereto as **Exhibit B** and incorporated by reference herein;

D. The Project Design Guidelines and Objectives, a copy of which is attached hereto as **Exhibit C** and incorporated by reference herein (the "Project Design");

E. The **Noise Study**, a copy of which is attached hereto as **Exhibit D** and incorporated by reference herein (the "Acoustical Report");

E. The City Code, a copy of which is on file in the office of the City Clerk, and incorporated as though fully set forth herein;

F. The City's Comprehensive Plan, a copy of which is available in the office of the City Clerk and incorporated by reference herein;

G. The Zoning Map of the City, a copy of which is available in the office of the City Clerk and incorporated by reference herein;

H. The Report of the Director of Planning, Community and Economic Development, a copy of which is attached hereto as **Exhibit E** and incorporated by reference herein; and

I. The Recommendation of Planning and Zoning Commission, a copy of which is attached hereto as **Exhibit F** and incorporated by reference herein.

FINDINGS OF FACT

A. The Property is owned by Stonewolf, Inc. (the "Owner").

B. The Applicant is the owner under contract of the Property.

C. The Property is located in the St. Peters Lakeside 370 Special District.

D. Section 405.265(L) of the City Code provides that a Special Use within the St. Peters Lakeside 370 Special District includes "Outdoor entertainment facilities including amusement parks, racetrack and accessory buildings, and similar facilities".

Draft

CONCLUSIONS OF LAW

At a public meeting held on May 26, 2016, the Board of Aldermen of the City of St. Peters, Missouri, reviewed and discussed the Application, the sworn testimony and the additional information presented by all interested parties. Following discussion of the foregoing, and after each Board Member had been provided the opportunity to express their respective thoughts concerning the Application, a motion was made to approve the Application, with details of the motion, seconding of the motion, and vote of the Board members set forth in the approved minutes of the Board of Aldermen from the meeting. The vote of the Board was _____ (__) in the affirmative, _____ (__) in the negative, and _____ (__) member(s) absent. The motion passed and the Application was approved.

Pursuant to the foregoing vote, the Board of Aldermen makes the following conclusions of law:

A. The proposed Special Use complies with all applicable provisions of the City Code, including intensity of use regulations, setback regulations and use limitations.

B. The proposed Special Use of the Property will contribute to and promote the general, welfare, health, safety and convenience of the public.

C. The location and size of the Special Use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the Property with respect to streets giving access to it are such that the Special Use will not adversely affect the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.

D. Off-street parking and loading areas will be provided in accordance with the standards set forth in the City Code.

E. Adequate utility, drainage and other such necessary facilities have been or will be provided on the Property.

F. Adequate access roads, entrances and exit drives are being provided and are so designed to prevent traffic hazards and to minimize traffic congestion on public streets and alleys.

Based on all of the circumstances, including the Application and the evidence presented to the Board of Aldermen, the Special Use Permit requested pursuant to the Application shall be, and hereby is GRANTED subject to the following terms and conditions:

Draft

A. Uses:

1. This Special Use Permit shall authorize the Applicant, the Owner and any future tenant or owner of the Property, to use the Property for an outdoor entertainment facility including, but not limited to, a multi-purpose racetrack, karting facility, and associated uses in addition to all permitted uses in the St. Peters Lakeside 370 Special District as follows:

    a. Karting facility.
        i. Kart racing.
        ii. Motorcycle racing.
        iii. Individual car/truck or motorcycle racing, practice, and testing.

    b. Drone/model airplane racing, practice, and testing.

    c. Garages/race vehicle storage and associated race trailers/equipment storage.

    d. Civilian driver training classes and clinics.

    e. Emergency services training.

    f. Vehicle service area.
        i. Vehicle service is limited to racers and track members.
        ii. General automotive services to the public shall not be permitted, except for non-for profit charity events.

B. General Requirements:

1. the Applicant, the Owners and any future tenant or owner of the Property may use the Property for outdoor entertainment facility including, but not limited to, a multi-purpose racetrack, karting facility, and associated uses in addition to all permitted uses in the St. Peters Lakeside 370 Special District

    Any modifications to the Property shall be subject to prior approval by the Planning and Zoning Commission, with minor modifications to be approved by the City's Planning Department.

2. The development of the Property shall be as substantially shown on **Exhibit B**. The applicant shall submit a site plan in compliance with City Code Section 405.460 for approval prior to issuance of a building permit.

3. The project design guidelines shall be as substantially shown in **Exhibit C**. The final design, phasing, and architecture shall be approved by the Planning and Zoning Commission as part of the site plan review process per City Code Section 405.460.

Draft

4. Noise from the facility shall be in compliance with all City Codes, as amended, including but not limited to:
   a. City Code Section 210.390 Regulation of Noise Levels.
   b. City Code Section 210.400 Motor Vehicle Racetracks – Noise – Hours of Operation.
   c. The site plan for the project shall provide detailed sound levels at all property lines and show the location/type of any required attenuation to meet the City Code noise requirements.

5. Drone/model airplane racing, practice, and testing shall be limited to the Property. No drones operated from the site shall be flown off site at any time. The operation of all drones/model airplanes shall be in compliance with all City, State, and Federal requirements.

6. Special Event Parking:
   a. Prior to any special event, the applicant shall obtain a variance from City Code Section 405.550 (B)(2) which requires that no more than 25% of the total amount of required parking be off site and that it shall not be farther than 300 feet to the building being served.

   b. The applicant shall submit a special event parking plan to the Planning Department for approval, prior to any event requiring off-site parking and/or the use of shuttle busses. The special event parking plan shall include:
      i. Expected attendance.
      ii. The location of the parking.
      iii. Written approval of the off-site parking lot owner.
      iv. Verification that the off-site parking will not impair the parking requirements of the Property.
      v. Number of shuttles buses to be used and hours of operation.
      vi. Other information as deemed necessary by the Administrative Officer.

7. The outside storage of race vehicles/trailers and associated equipment shall be screened from public view unless waived by the Administrative Officer.

C. If any provision of this Permit shall to any extent be invalid or unenforceable, the remainder of the Permit shall not be affected thereby, and each such provision of the Permit shall be valid and enforceable to the fullest extent permitted by law.

D. The Special Use Permit shall only be valid for a period of one (1) year from the date of its approval by the Board of Alderman, unless within such period:

   1. a building permit is obtained and the erection or alteration of the Property and related structures, if any, is commenced; or

   2. the use permitted herein is lawfully commenced.

Draft

E. The Board of Aldermen, upon written request of the Applicant, may grant an extension not exceeding one year, without notice of hearing.

F. The terms and conditions herein set forth shall be deemed to be covenants running with the Property.

G. The Owners and Applicant, and their successors in interest, shall comply with all other requirements of the City's Zoning and Subdivision Regulations, including but not limited to parking and signage requirements, and any other city, state, or federal regulations that are applicable unless otherwise stated herein.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the _____ day of _____, 2016.

Draft

CITY OF ST. PETERS, MISSOURI

SEAL

By_____
Len Pagano, Mayor

Attest:

_____
Patricia E. Smith, City Clerk

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

On this _____ day of _____, 2016, before me appeared LEN PAGANO, to me personally known, who, being by me duly sworn, did say the he is the Mayor of the CITY OF ST. PETERS, MISSOURI, a municipal corporation, 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, said LEN PAGANO acknowledged said instrument to be 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:

Draft

APPLICANT:
370 Speedway LLC

By: _____
Paul Irwin, Member

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

On this 18th day of May, 2016, before me personally appeared **Paul Irwin**, to me personally known, who, being by me duly sworn, did say that he is a Member of 370 Speedway LLC, a Missouri limited liability company, and that said instrument was signed on behalf of said limited liability company; and said **Paul Irwin** acknowledged said instrument to be the free act and deed of said limited liability company.

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.

Nicole D. Berndt
Notary Public

My Commission Expires
March 29, 2019

NICOLE D BERNDT
Notary Public, Notary Seal
State of Missouri
St. Louis County
Commission # 15988555
My Commission Expires March 29, 2019

Draft

OWNER:
Stonewolf, Inc.

Christine Shy, Secretary

Christine Shy, Secretary

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

On this 18th day of May, 2016, before me appeared Christine Shy, who, being by me duly sworn did say that she is secretary of Stonewolf, Inc., a Missouri corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation, and said Christine Shy by authority of its Board of Directors, 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 the day and year first above written.

Paula J. Zumbehl

Notary Public

My Commission Expires

PAULA J. ZUMBEHL
Notary Public - Notary Seal
State of Missouri, St Charles County
Commission # 14437993
My Commission Expires Apr 3, 2018

Draft

EXHIBIT A

Property Description:

Tract 2 of the Grand Slam Golf and Learning Center Plat as recorded in Book 35 Pages 360-361 at the St. Charles Recorder's Office.

Draft

EXHIBIT B

Concept Plan

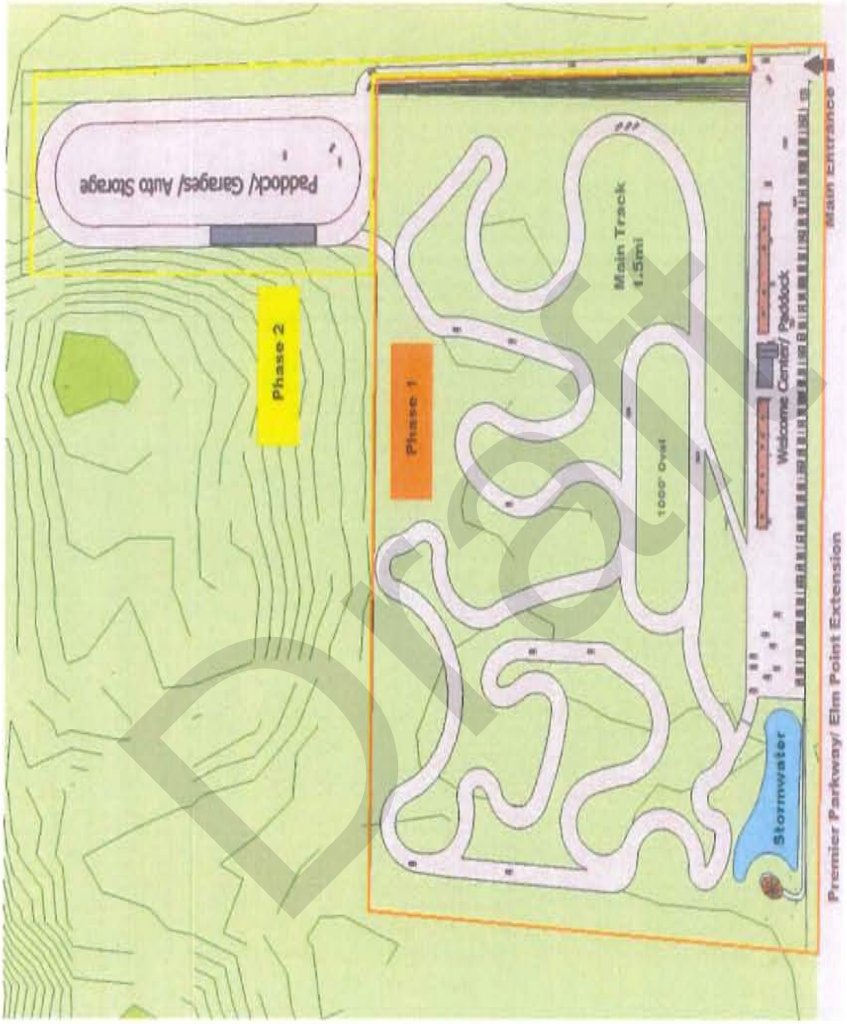


Figure 13 **Anticipated** Development Phasing

Draft

EXHIBIT C

Project Design Guidelines and Objectives

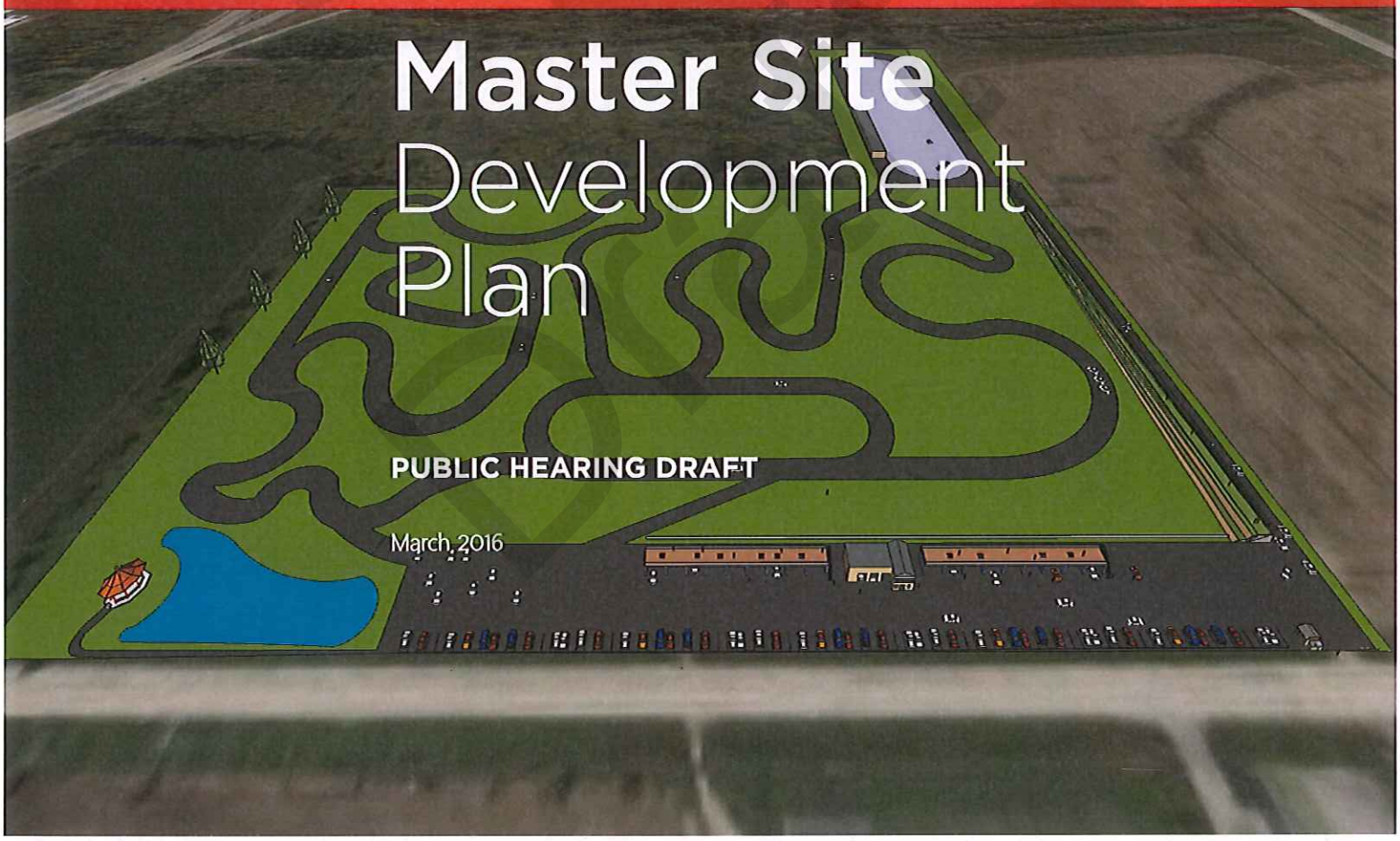
370 Speedway Master Site Development Plan
Dated March 2016

(on file with the Planning Department)

Draft

370 Speedway

Master Site Development Plan



PUBLIC HEARING DRAFT

March, 2016

Table of Contents

Introduction	1
Project Vision	2
Project Rationale	4
Area Context	6
Existing Site Conditions	10
Development Concept	12
Transportation	16
Utility Servicing	20
Stormwater Management	24
Noise Considerations	28
Architectural Design Considerations	30
Open Space Considerations	34
Municipal Policy Framework	35
Implementation	36
Community Consultation Summary	41
Supporting Technical Studies	42
Building Construction Plans	43

Figure List

FIGURE 1: Regional Context	7
FIGURE 2: Inter-municipal Context	8
FIGURE 3: Land Use Context	9
FIGURE 4: Site Conditions	11
FIGURE 5: Development Concept	13
FIGURE 6: Transportation	17
FIGURE 7: Water Servicing	21
FIGURE 8: Sanitary Servicing	23
FIGURE 9: Stormwater Management	25
FIGURE 10: Noise Impacts	29
FIGURE 11: Boundary Design Consideration	33
FIGURE 12: Proposed Land Use	39
FIGURE 13: Anticipated Development Phasing	40

Draft

1.0 Introduction

This Master Site Development Plan (MSDP) contemplates a unique business development with a regional significance. The project includes a mulit-purpose karting facility and related automotive/ karting services. The project is supported by various partnerships and synergies involving various private automobile (car) clubs, karting clubs, RC clubs, and motorcycle clubs.

The MSDP establishes specific development expectations regarding how the proposed project will be implemented within a portion of the titled area that includes ± 36 ac legally described as 10000 Premier Parkway South/ Elm Point Rd. St. Peters, MO 63376.

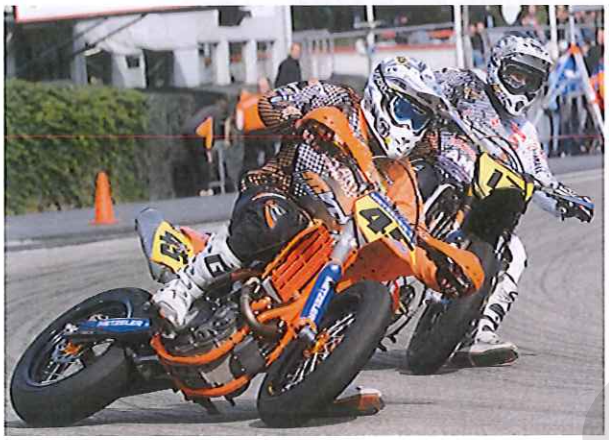
This MSDP addresses proposed placement of buildings and related improvements, landscaping, lighting, signage, parking/loading areas and establishes expectations for the architectural design and treatment of the proposed motorsports facility. It also describes a strategy to implement required transportation and utility servicing infrastructure necessary to support the project and provides expectation for how the project will be implemented in phases in accordance with the County's development permit process.

For purposes of this MSDP, the term "developer" is intended to refer to the 370 Speedway LLC. References to either term herein contained are meant to be interchangeable.

Draft

Creating 370 Speedway provides a unique opportunity to establish a much needed facility not only for local motorsports enthusiasts specifically, but also for the City of St. Peters residents at large and people from the surrounding St. Louis Region. There is strong market demand for the project's core components, particularly the karting facility. However, 370 Speedway LLC believes the project will be more than just a "race track". Instead, it will be a unique facility that brings together the shared vision and values of multiple stakeholders promoting the common themes of safety, environmental enhancement, social interaction, and respect for agriculture.

Draft



DRL

©NMRRC Photos

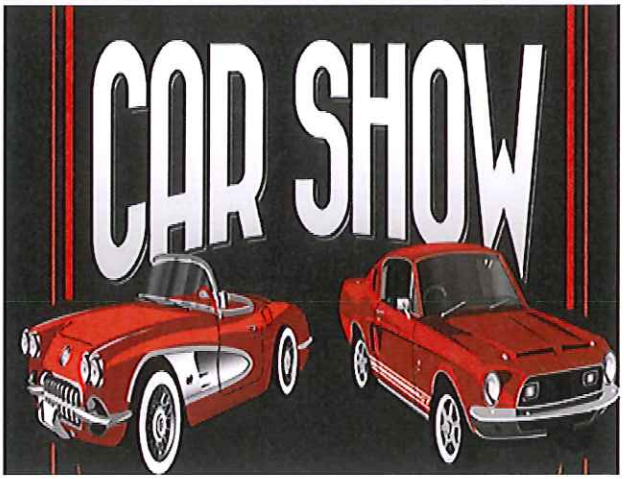
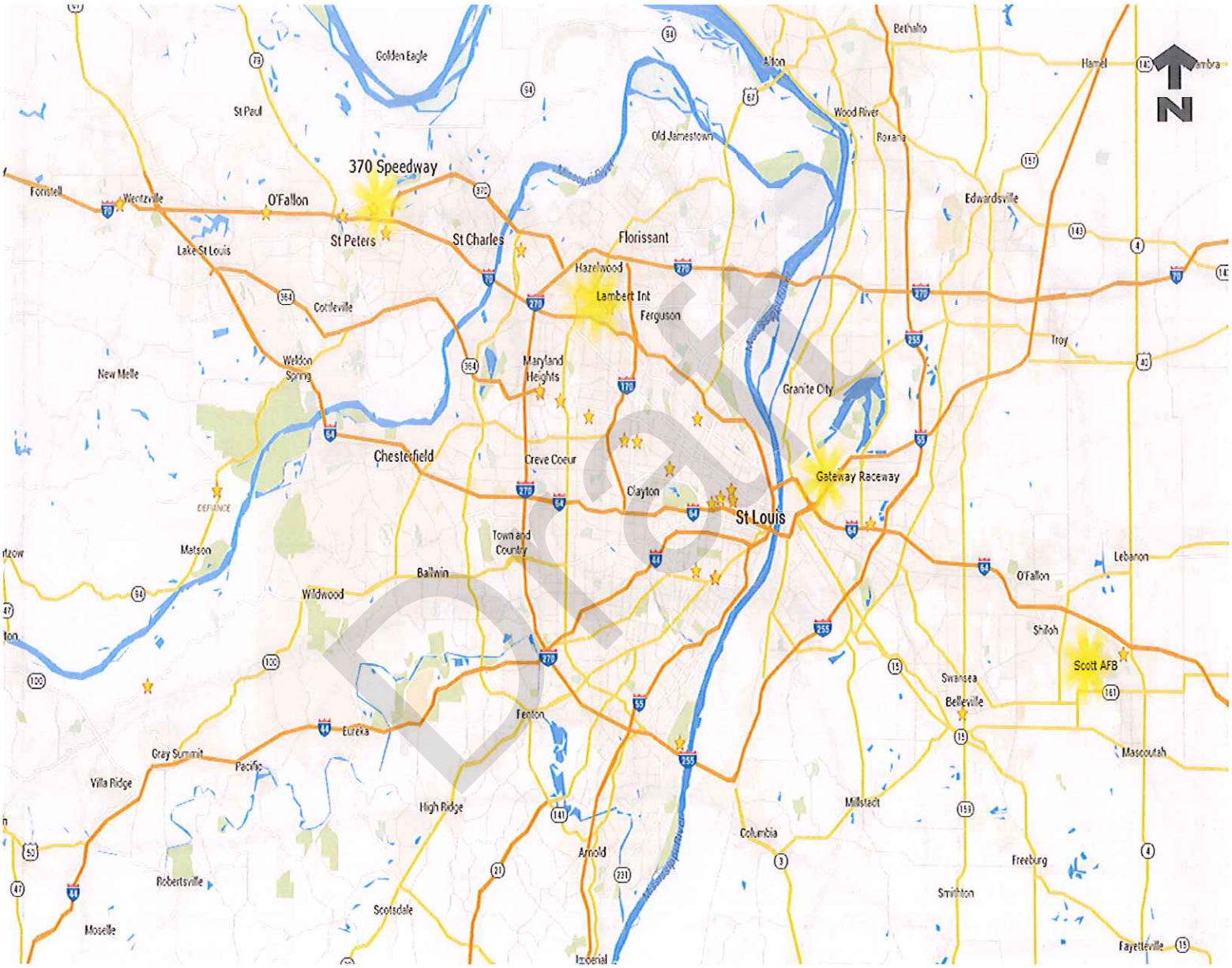

CAR SHOW

Figure 1 **Regional** Context



Draft

Figure 3 **Land Use** Context

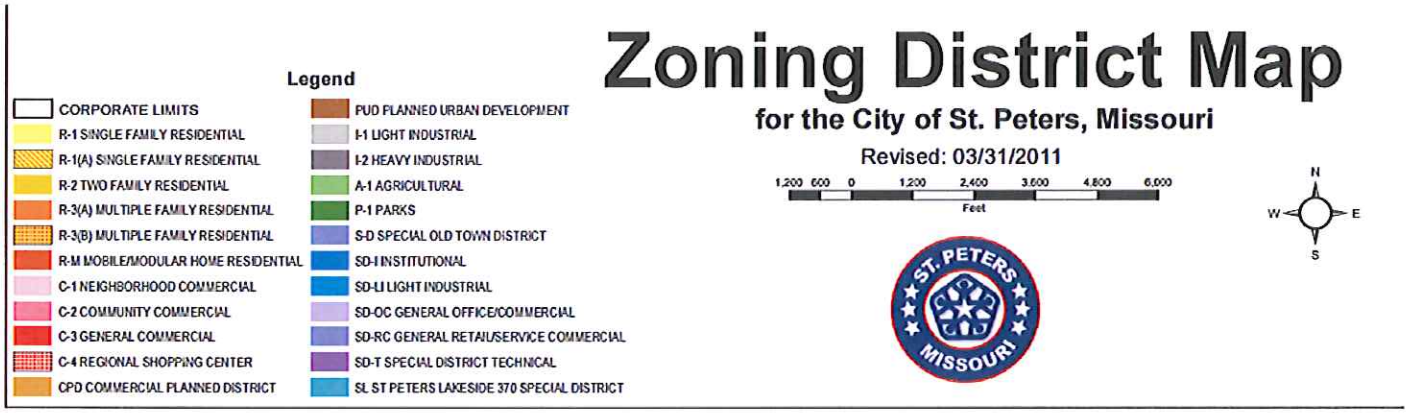


Figure 4 **Site** Conditions

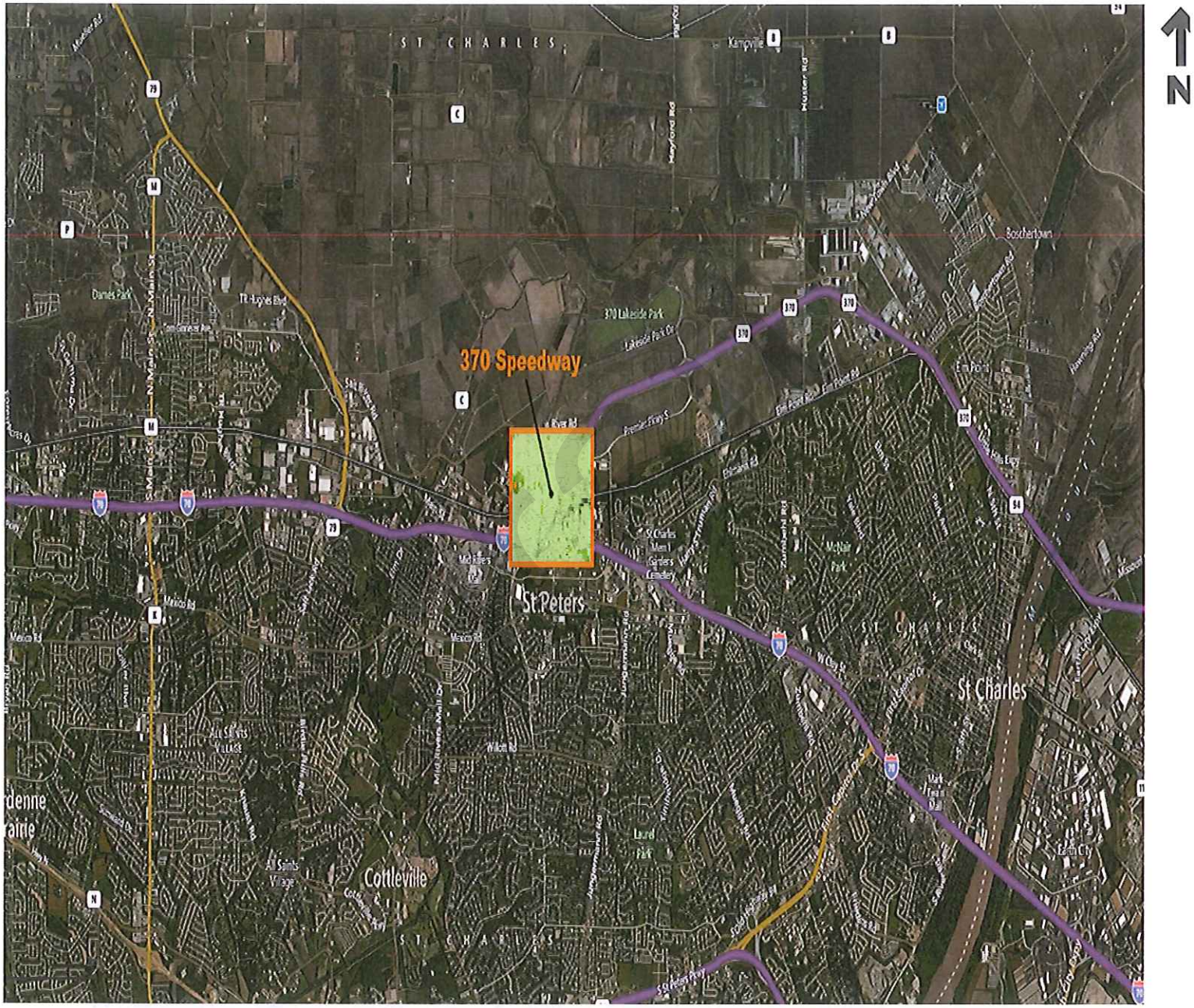
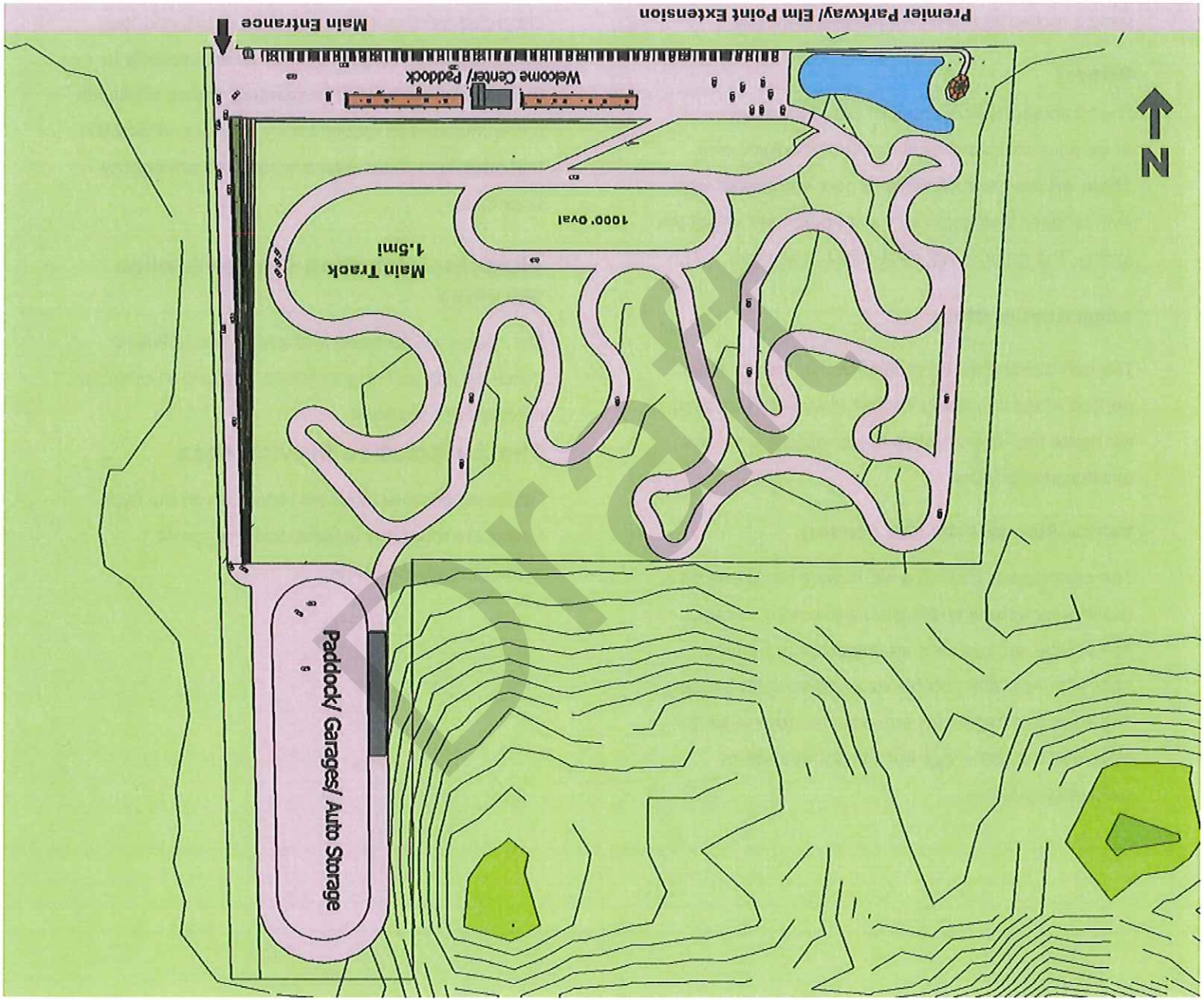


Figure 5 **Development** Concept



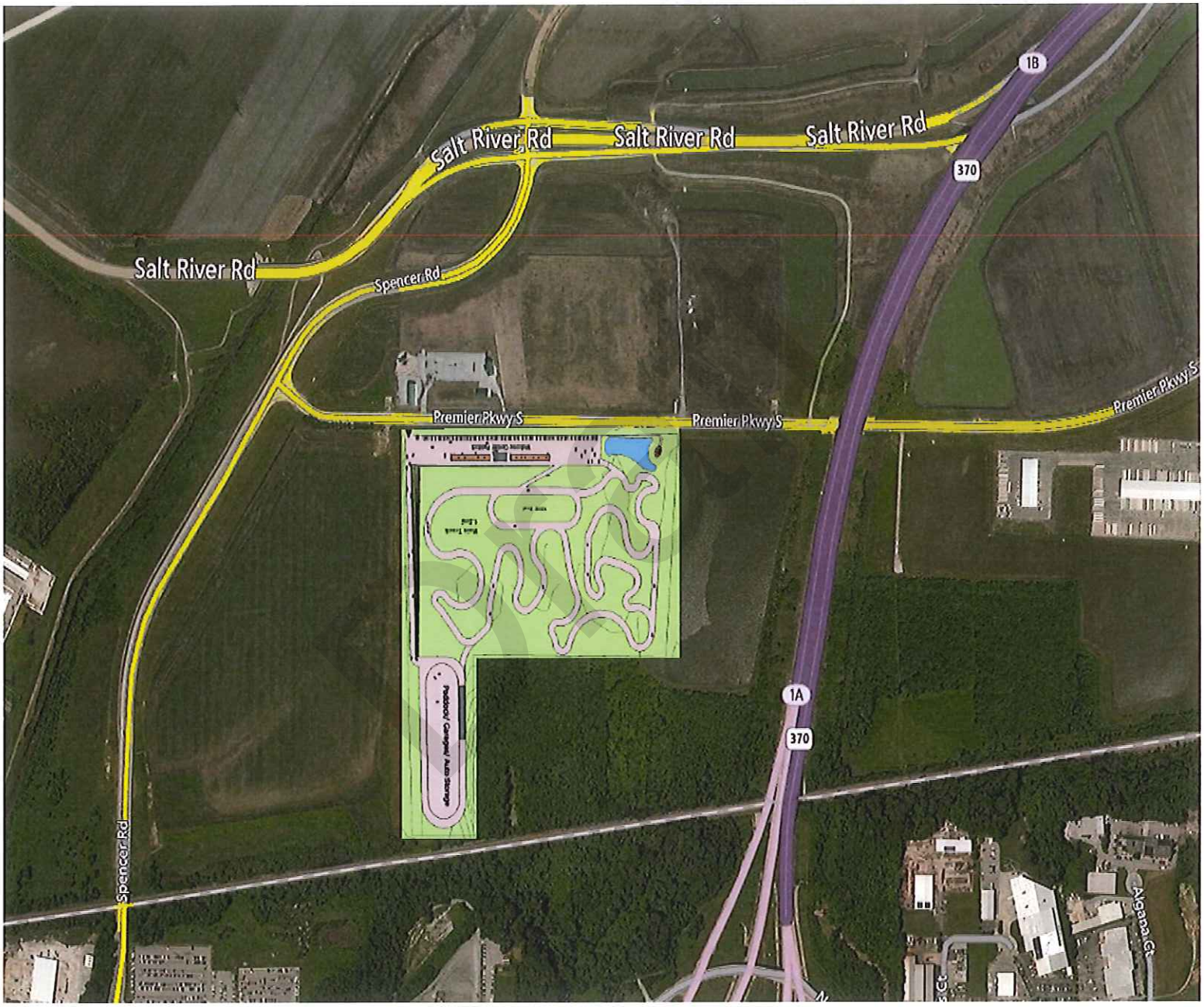
Draft

Utility Servicing

370 Speedway LLC will construct, operate and maintain a comprehensive utility system to provide potable water, fire suppression, wastewater collection and disposal and storm water management in accordance with municipal and provincial regulatory requirements.

Draft

Figure 6 **Transportation**



SHUTTLE BUS SCENARIO:

Approximately ± 690 parking stalls would be required to accommodate ± 1500 spectators for a major event. On-site parking of this magnitude is not recommended as it would be preferred that a temporary and remote off-site location be secured for shuttle services. With an average bus size of 30 seats, approximately 50 trips (1500/30 = 50) would occur from off-site parking area to the event during the weekend peak hour. This is far less than the vehicle volumes identified in the scenario involving on-site parking.

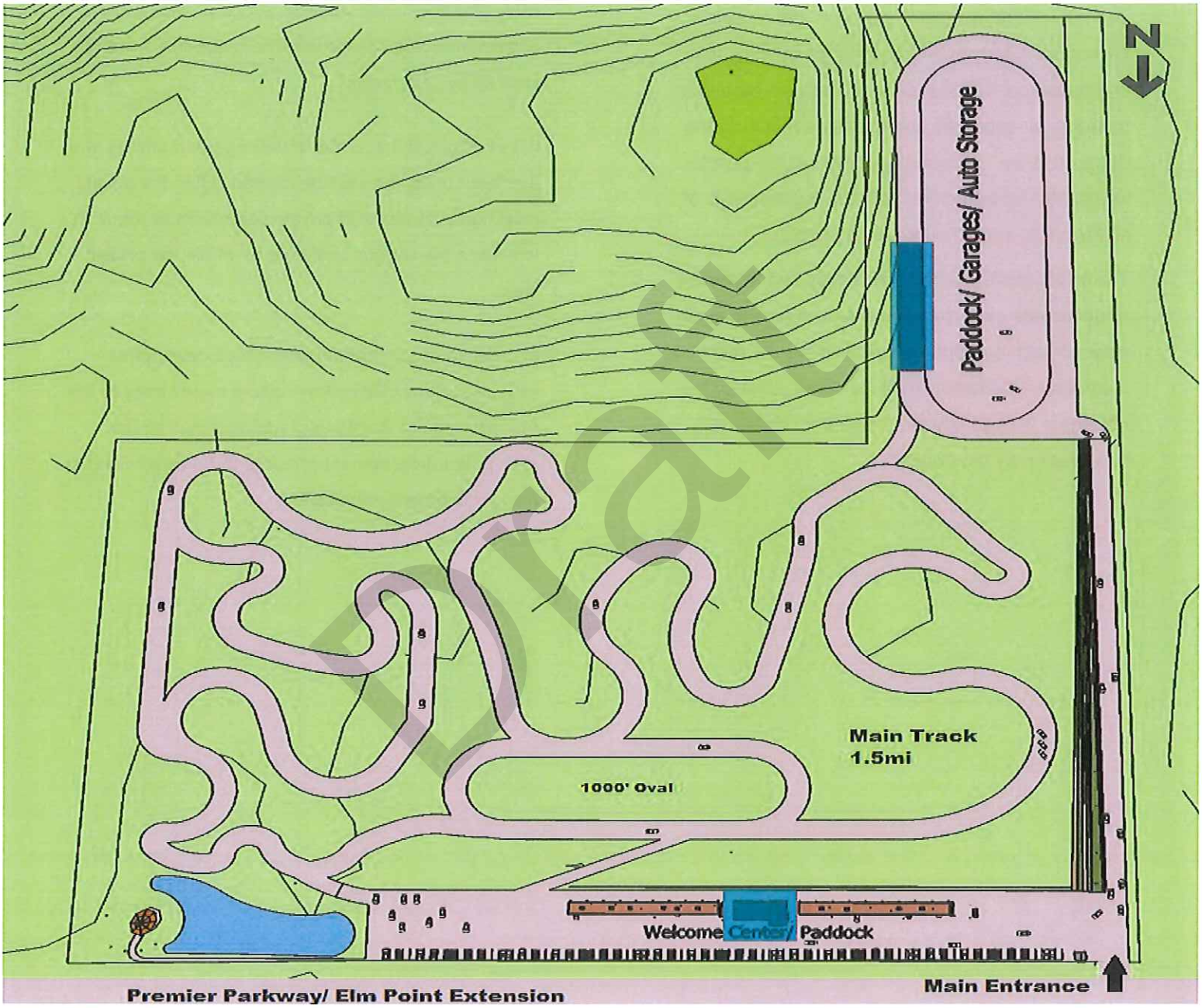
It is acknowledged that, for whatever reason, the preferred option to bus spectators to the facility was not implemented and on-site parking was developed, it would result in higher traffic volumes on the study area network which would need to be addressed through the implementation of a Special Event Traffic Management Plan to be addressed as part of the development permit for the karting facility. Given the infrequency of special event occurrences, no alterations to the road network in the way of road capacity would be appropriate or necessary beyond the level already outlined in the recommendations for the non-event condition and the relative infrequency of events and the need for a Traffic Management Strategy would serve to limit impacts, control traffic flows, speed limits, etc.

Local Roadway/On-site Access Improvements

In all cases, pronounced linkages along the private roadways between the karting facility development areas shall be encouraged to facilitate emergency access. However, it is expected that some (or all) of these planned road connections will be gated for security purposes. Emergency responders will be provided keys for all locked gates in accordance with protocols governing same.

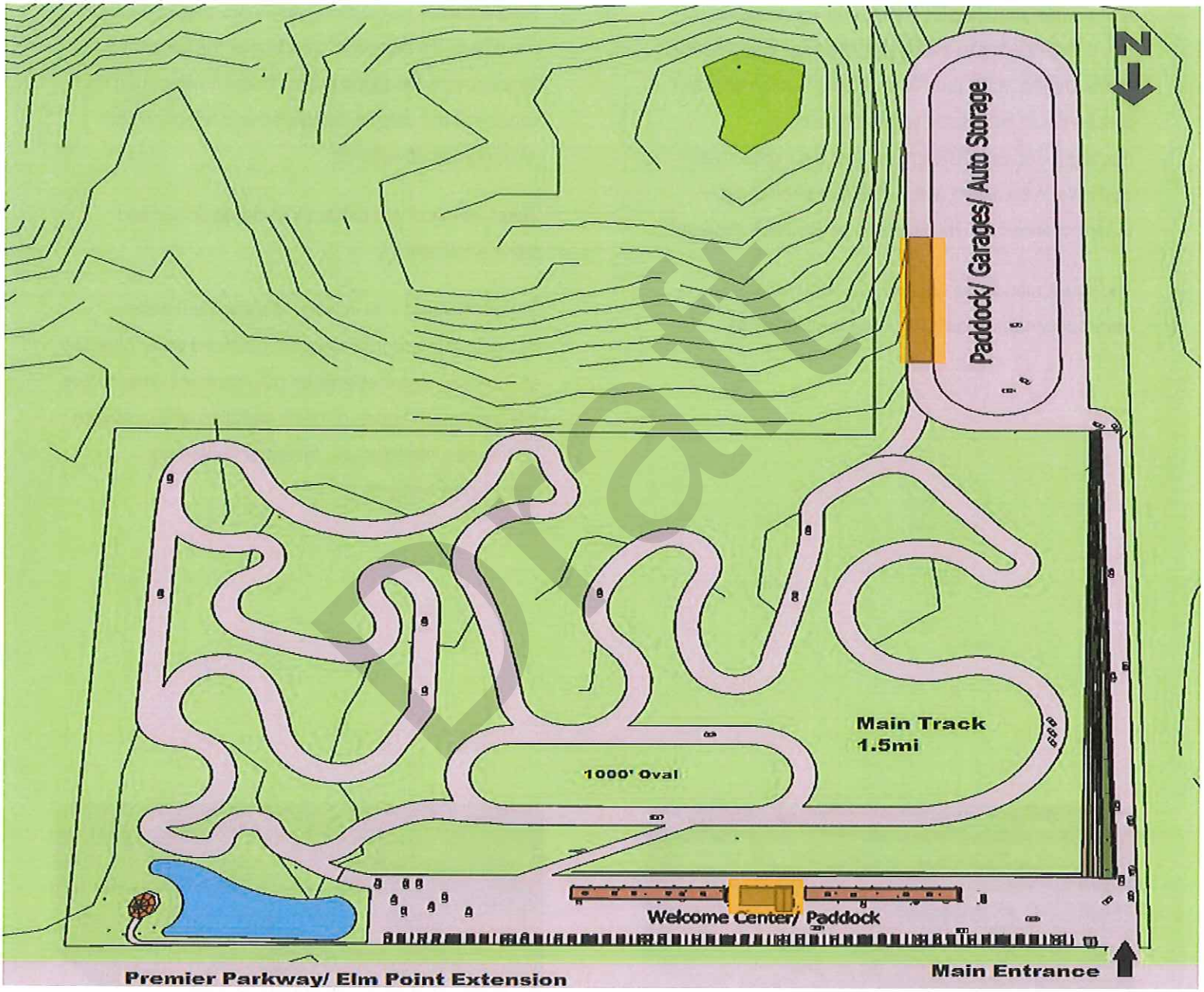
Draft

Figure 7 **Water** Servicing



Potable Water Supply

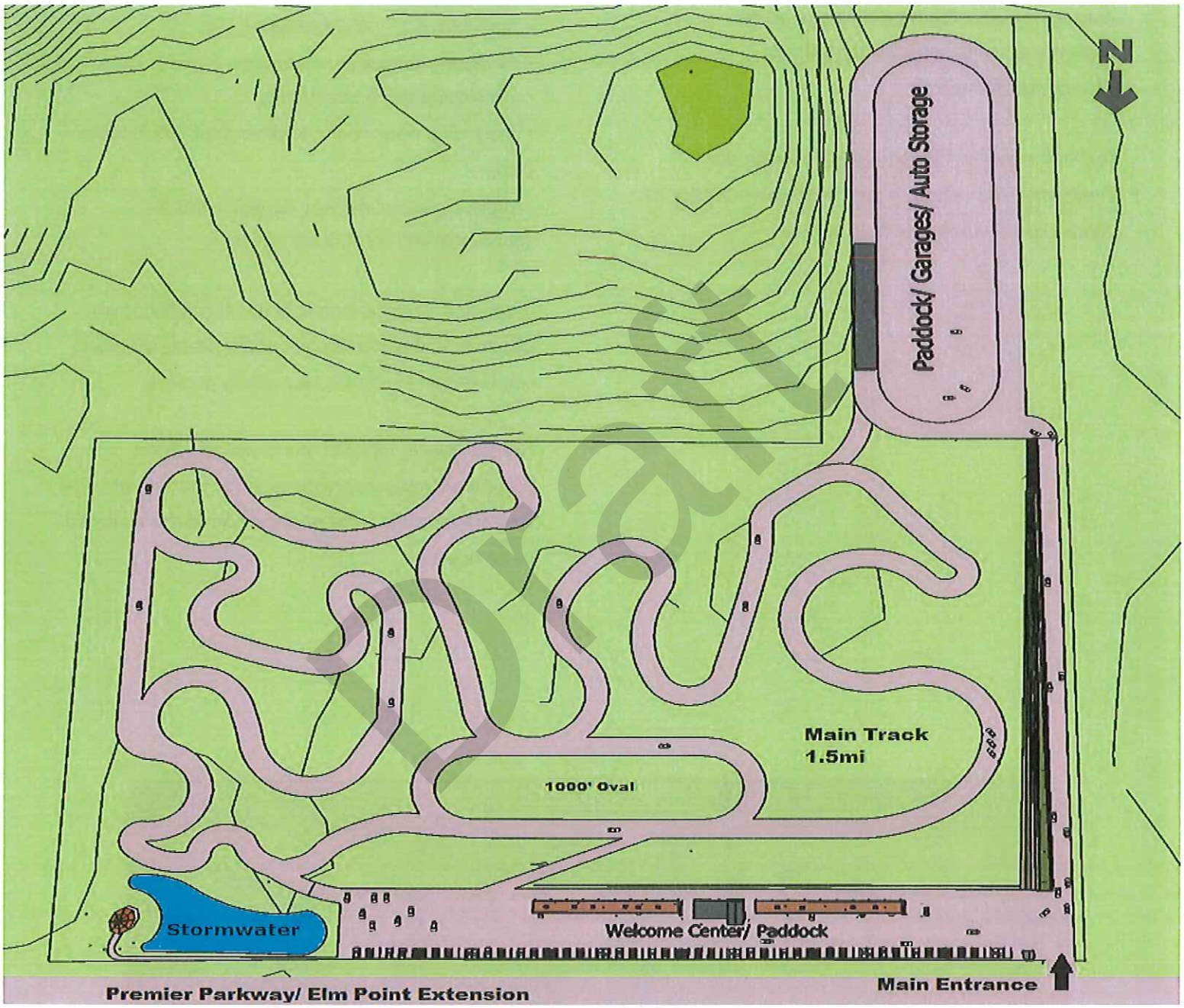
Figure 8 **Sanitary** Servicing



Onsite Sanitary Servicing Area

Draft

Figure 9 **Stormwater** Management



Stormwater Pond Location

with appropriate qualifications. All required stormwater infrastructure will be constructed by the developer without any requirement for financial contribution by the County. It is acknowledged that all wetlands disturbances within the MSDP area shall require authorizations from the city.

Potential Applied Research Facility

The integrated water management concept proposes to utilize and enhance the existing wetlands within the site to naturally treat the stormwater generated within the project. Together with Missouri's Wetland Development Program 370 Speedway will enhance existing wetlands adjacent to the site.

Draft

Figure 10 **Noise** Impact

Typical track day using 4-stroke karts. Refer to provided Sound Impact Assessment.
McClure Engineering 2015

Fencing

Security fencing should be limited to side and rear yards and visually screened with landscaping. Where possible and practical, security fencing should be located behind a landscape buffer so that only the landscaping is visible from the street or adjacent parcels. Fencing in front yards should be limited to decorative use only and should not visually obstruct the building. The developer shall be required to prepare detailed fencing plan at the development permit stage.

Lighting

370 Speedway LLC will establish and maintain an outdoor lighting system that respects an overall expectation to maintain "dark skies" in accordance with the County's policies.
The overall design imperative is to reduce the effects of lighting within the development area as affecting the immediately adjacent properties and the surrounding community.

In general terms, the majority of site is not expected to be illuminated. However, buildings within the area are expected to incorporate exterior lighting elements that provide sufficient illumination for safety and security purposes. The intent shall be to highlight and detail specific features of the buildings without the need for flood-lighting with incidental spillage and glare. All building lighting shall be designed to minimize impact on adjacent lands. Service areas associated with commercial buildings may be lit with surface mounted wall fixtures having concealed lighting sources.
The developer shall be required to prepare detailed lighting plan at the development permit stage.

Signage

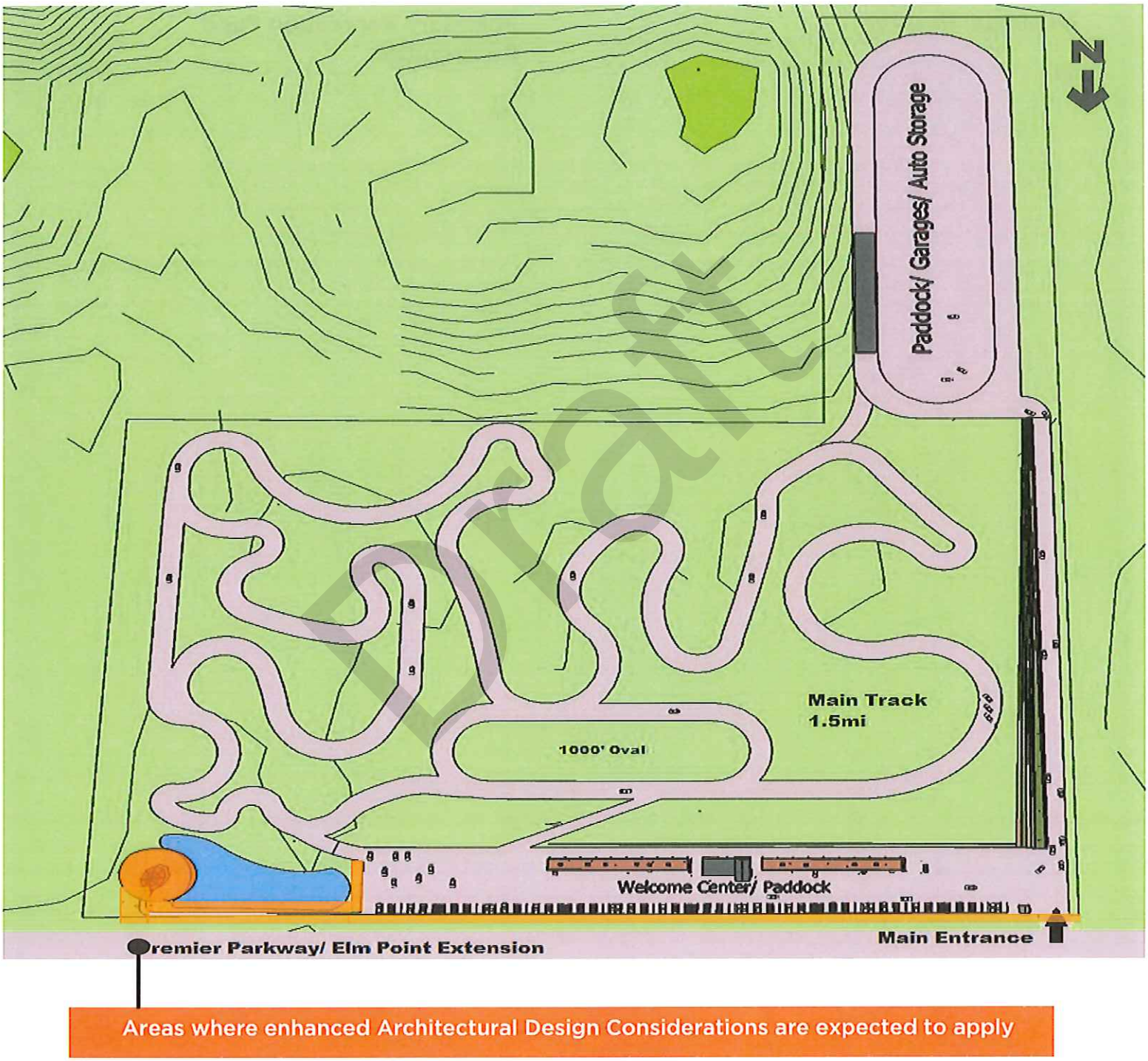
All signage within the MSDP area should utilize simple, clear, consistent and informative way-finding for all modes of transportation. The developer shall coordinate signage throughout the entire MSDP area, particularly at the main site entrance, along private roadways, on buildings and on way-finding elements. It is expected that no signage within the MSDP area will be backlit or include flashing neon illumination. Signage will be lit by downward-facing flood lights with fixtures and elements that are dark-sky compliant. The developer shall be required to prepare detailed signage plan at the development permit stage.

Parking/Loading

All parking areas that are visible from adjoining public roadways shall be integrated with soft and/or hard landscaping.

Draft

Figure 11 **Boundary Design** Guideline



Draft

13.0 Municipal Policy Framework

Location Rationale

370 Speedway was mindful of this consideration when choosing their preferred site. They did not want to locate this new facility in an area that is expected to be required for future urban uses and be forced to relocate the facility in 10 – 15 years.

Correspondingly, developments proposed within the County's regional business areas are expected to contribute assessments and levies to offset the significant infrastructure investment that the County and/or front-ending developers have provided. The type, scale and intensity of development contemplated by this MSDP does not require an enhanced "near-urban" level of utility servicing.

It is noted that 370 Speedway LLC will be limited in size, scale, intensity and scope as herein identified by this MSDP. The technical reporting prepared in support of the plan demonstrates that the facility will provide direct and safe access to a paved County road and the nature of the development and the specific design consideration included in the MSDP will minimize the potential to create adverse impacts on existing residential, business, or agricultural uses. As such, 370 Speedway LLC believes that this application for MSDP is consistent with the business policy provisions of the County Plan. Likewise, the development concept contemplated by the MSDP is in-keeping with the triple-bottom line objective of balancing fiscal, social and environmental considerations.

Draft

Municipal Reserve (MR)

TBA

Emergency Response Plan & Site Security Considerations

The type of development activities expected within the MSDP area requires careful consideration for an emergency response should an incident occur within the facility that requires same. As such, the developer shall be required to prepare an emergency response plan at the development permit stage to articulate how the development activities within the 370 Speedway will address the following consideration:

Fire Response

370 Speedway LLC expects to purchase a fire apparatus that will be operated by trained personnel during track events. This on-site apparatus would be the primary response to such incidents (e.g. vehicle fire) and will be located within the facility.
The secondary Fire response is expected from St. Peters City via the Central County Fire and Rescue Station No. 4 and perhaps from the Central County Fire and Rescue Station No. 1.

Emergency Management Services

370 Speedway LLC expects to have track officials trained in first aid techniques on-site at all time during hours of operation. However, the developer also expects to contract a full-time on-site EMS vehicle and personnel as part of normal operations. As such, primary EMS response will be located within the facility. Secondary EMS response is expected from the ambulance station situated in the City of St. Peters at the Central County Fire and Rescue Station No. 4

Policing

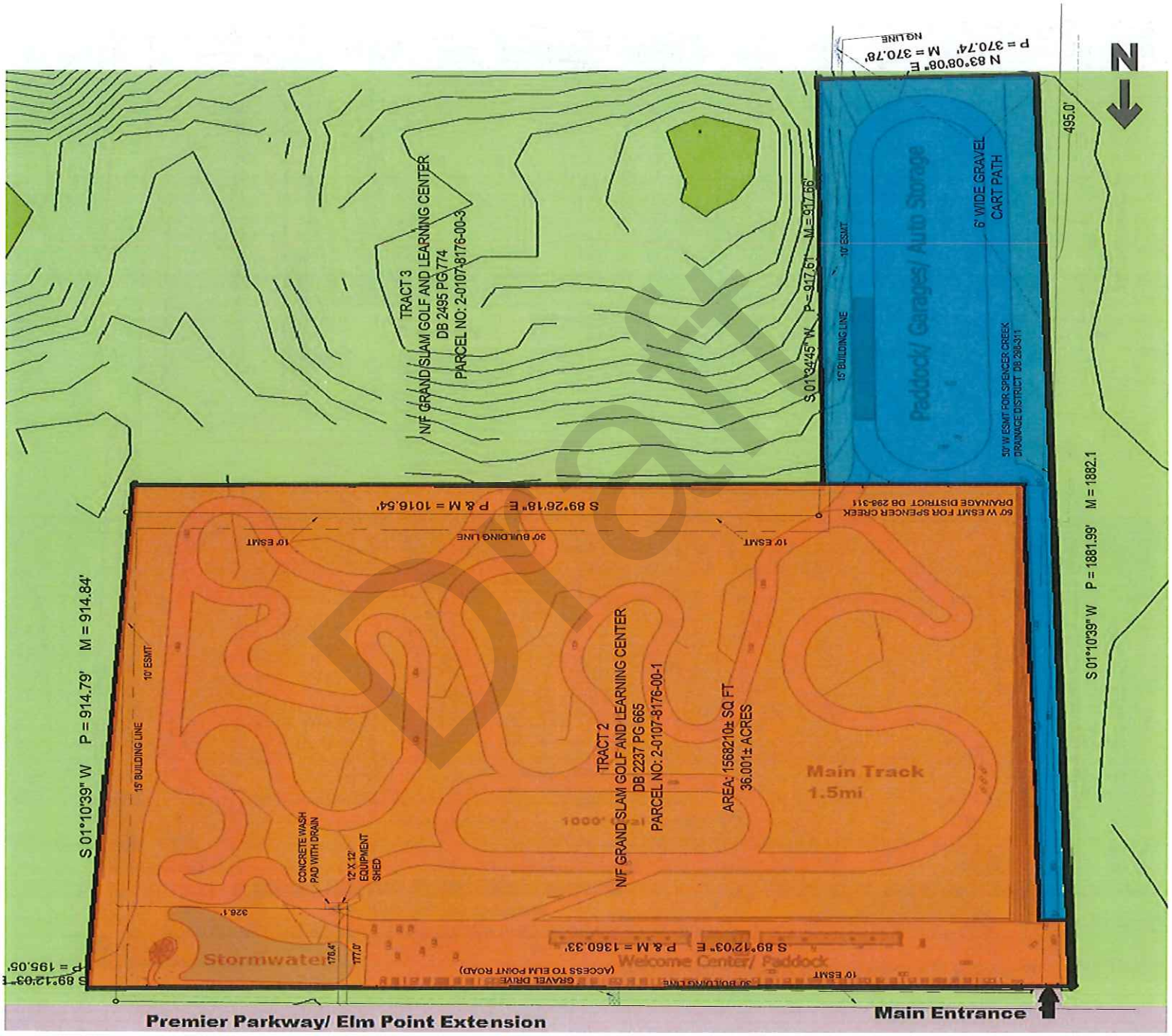
370 Speedway LLC expects that primary police response will come from the St. Peters City police with support from the St. Charles County Peace Officers. The developer also expects to contract a full-time on-site security service to monitor activities within the facility on a 24 x 7 basis.

Building Security

370 Speedway LLC expects that all buildings within the MSDP area where vehicles and equipment will be stored will be provided a monitored alarm system and placed under video surveillance.

Draft

Figure 12 **Proposed** Land Use



CELL 1 KARTING FACILITY

CELL 2 GARAGE/ AUTO STORAGE

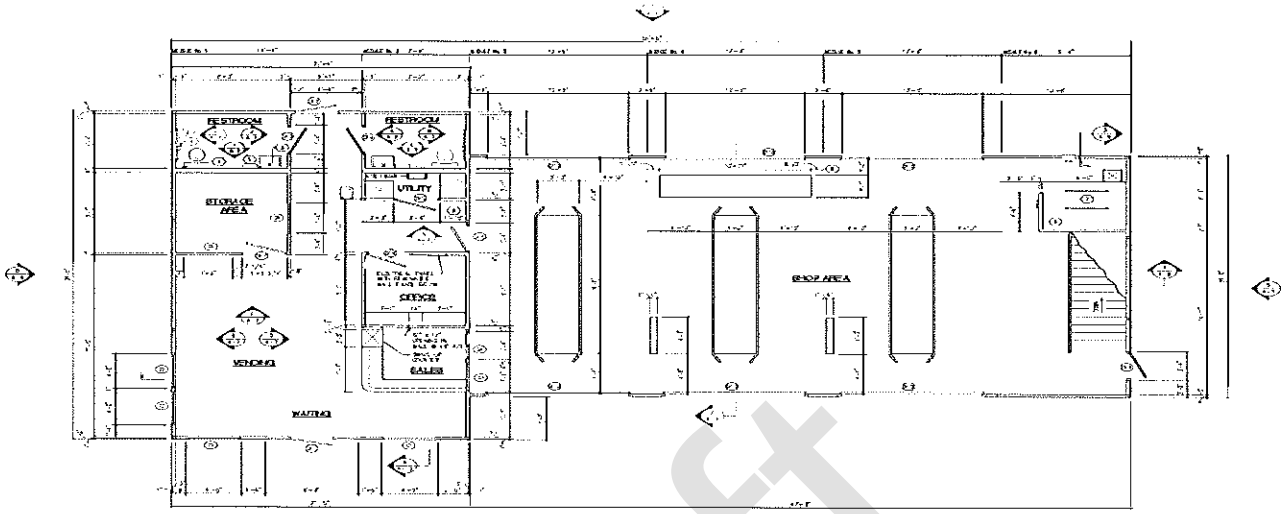
15.0 Community Consultation Summary

370 Speedway has dedicated a significant effort to engaging the community since it filed its application for approval of its Master Site Development Plan. 370's consultation process has extended well beyond the area that is required by the City of St. Peters. Community communication/ engagement efforts have included the maintenance of a comprehensive website, and door to door direct communication. 370 Speedway LLC believes that this demonstration of support affirms that the 370 Speedway will meet a strong market demand, provide local enthusiasts with an entirely new world class driving experience and serve as a critical economic driver for City of St. Peters.

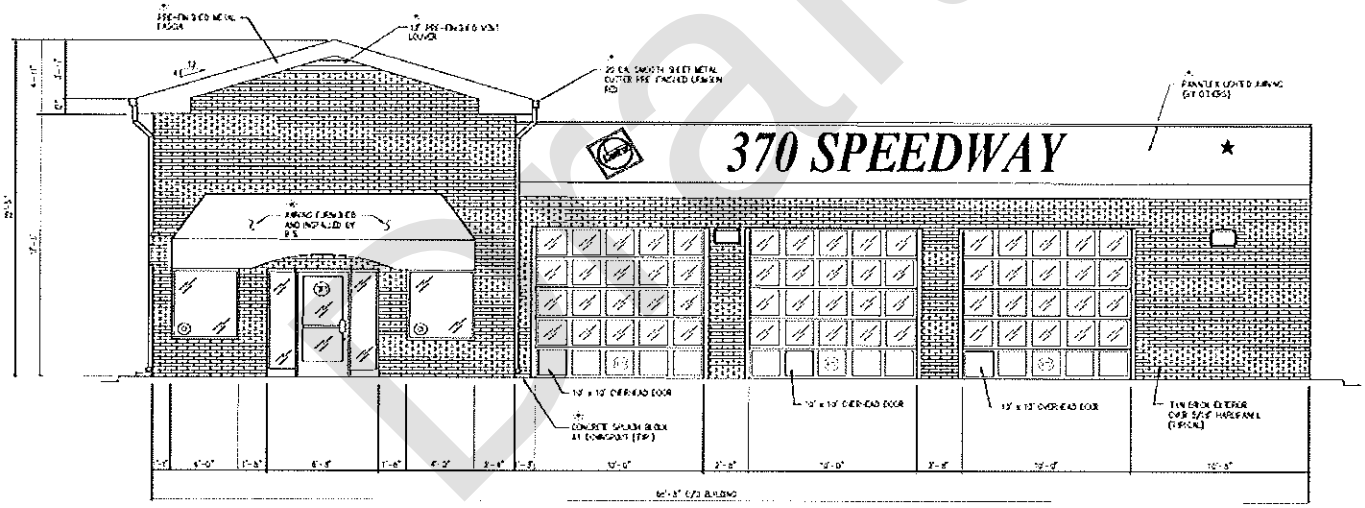
370 Speedway LLC acknowledges the concerns that have been expressed from local and area landowners through their engagement and through formal communication with the County. 370 Speedway takes these concerns very seriously and is working to address these concerns. 370 Speedway believes a great number of the concerns expressed are based on misunderstanding about the project and efforts have been made to address what it believes to be the most significant concern which is the added noise. 370 Speedway will continue to communicate with neighbors as it moves through the development application processes.

Draft

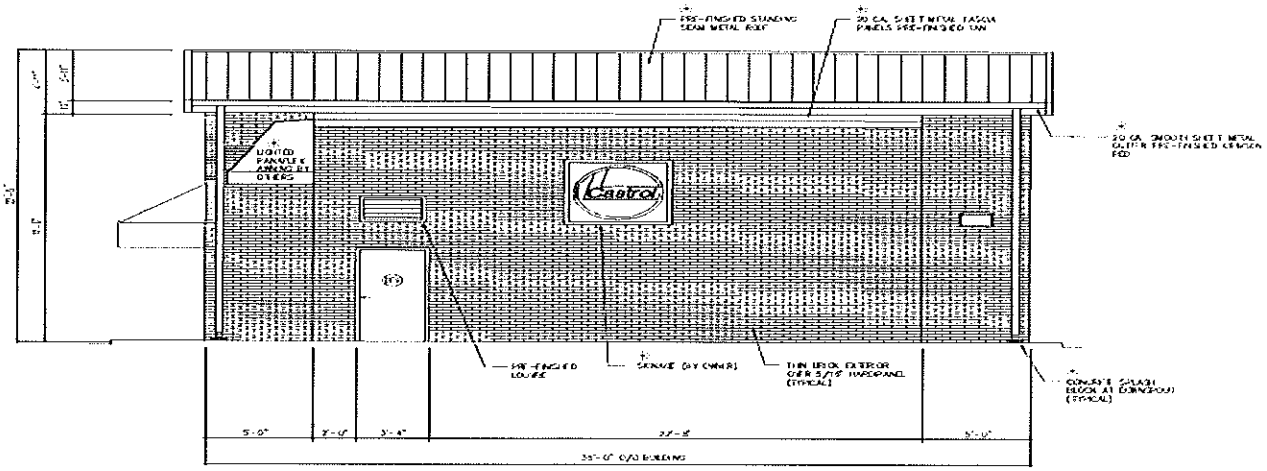
Building Construction Plans



FLOOR PLAN



ELEVATION



ELEVATION

Draft

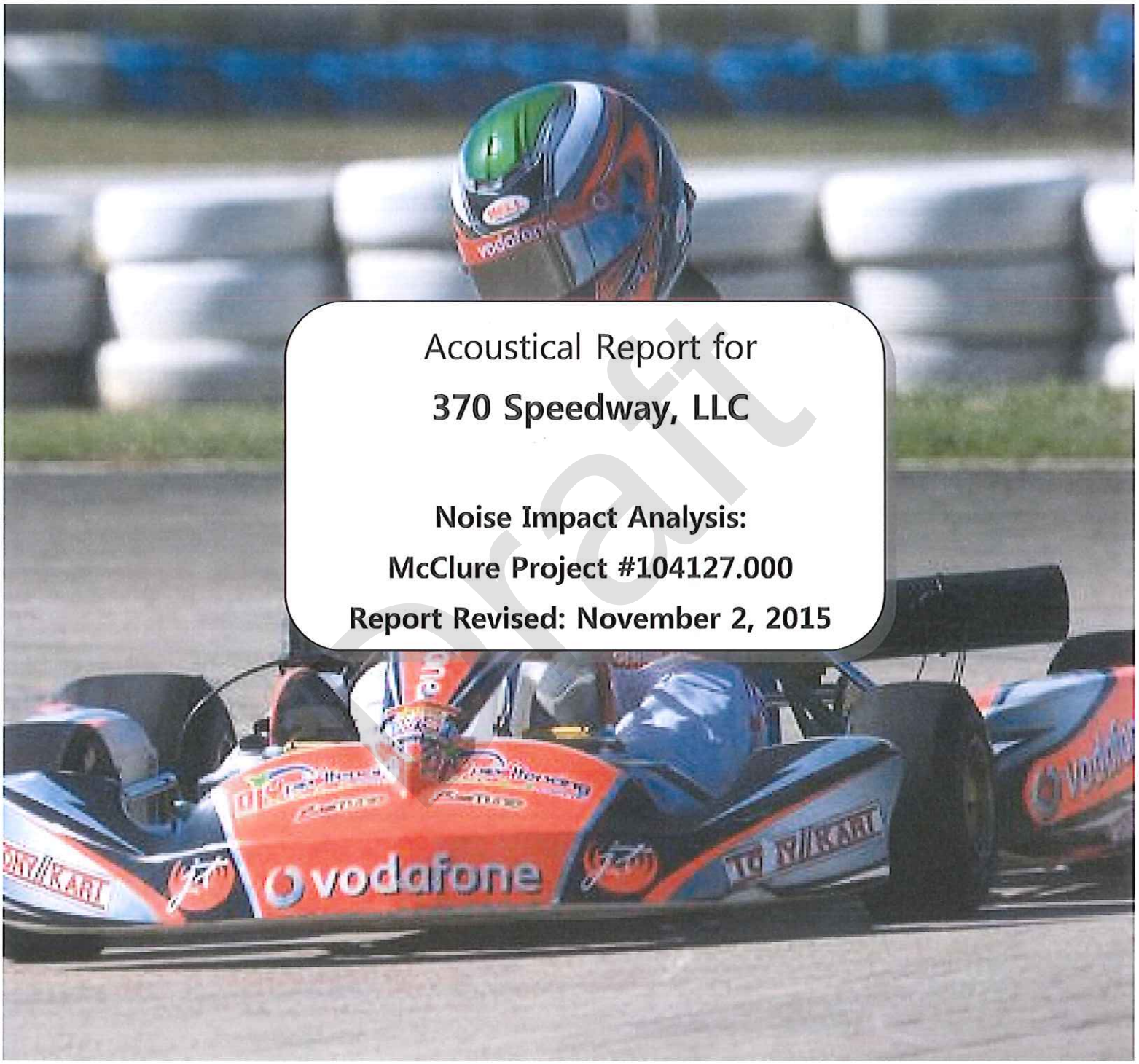
EXHIBIT D

Noise Study

The Acoustical Report 370 Speedway, LLC Noise Impact Analysis:
McClure Project #104127.000
Dated November 2, 2015

(on file with the Planning Department)

Draft



Acoustical Report for

370 Speedway, LLC

Noise Impact Analysis:

McClure Project #104127.000

Report Revised: November 2, 2015

Draft

MCCLURE ENGINEERING

4545 Oleatha Avenue Saint Louis Missouri 63116 T 314-645-6232 F 314-645-4128

**Per the City of St. Peters' request, McClure Engineering extended the calculation area of the 370 Speedway SoundPLAN model to include 370 Lakeside RV Campground to the northeast, a residential area (Soenker Circle) to the east and the area south of Interstate 70. The results are presented in this revised report.*

TABLE OF CONTENTS

Introduction **2**

Project Description **2**

Figure 1 – Site map *2*

Noise Source Summary **3**

Figure 2 – Current background and sound levels *3*

Noise Code Study **4**

Typical Site Measurements **6**

Table 1: Noise Monitoring Results of Typical Site *7*

Noise Impact Calculations **8**

Figure 4 – Noise levels for 2-stroke karts *8*

Figure 5 – Noise levels for 4-stroke karts *9*

Table 2: Estimated Sound Levels of Expanded Area *9*

Additional Comments on Noise Sources **10**

Figure 6 – Comparable sound levels from various sources *10*

Table 3: Human Perception of Sound *11*

Conclusion **11**

Appendices **12**

Appendix A – Acoustical Nomenclature and Terminology *13*

Appendix B – 24-Hour Background Noise Measurements *16*

Draft

INTRODUCTION

McClure Engineering was commissioned by 370 Speedway, LLC to provide acoustical consulting for a proposed motorized vehicle racetrack development. The acoustical modeling and calculations assume the worst-case conditions for a fully functioning racetrack. The acoustical analysis accounted for all major noise sources which will primarily be similar to "go-kart" style vehicles, but may also include other motorized vehicles. This report summarizes our analyses and findings.

PROJECT DESCRIPTION

The proposed site is located at 10000 Elm Point Road at the intersections of Highway 370 (Hwy 370) and Interstate 70 (I-70) in the City of St. Peters, Missouri (See Figure 1). The land is somewhat flat throughout the proposed track site; however, there is an approximately 100 ft. increase in elevation between the proposed track area and the neighborhood to the southeast as well as the vacant car dealership's parking lot to the south. Also to the south of the proposed track site, there are train tracks that run along a bluff that increases in elevation as it approaches I-70. The surrounding area is zoned as part of the St. Peters Lakeside Special District. The closest "neighbor" is a car dealership to the south-southwest.

Figure 1 – Site map
**X indicates monitor location*

NOISE SOURCE SUMMARY

SoundPLAN acoustical modeling software was used to provide a composite analysis of all the sources, including elevation, building geometry, wall surfaces, and acoustical absorption. Figure 2 shows the noise contour map for the existing site which is presently being used for agricultural farming. Currently, the primary noise sources impacting the site are road noise, farm equipment, and aircraft noise from St. Louis International Airport. The racetrack will primarily be used to race smaller "go-kart" style vehicles ranging in size from 2-stroke and 4-stroke karts; however, it will also encompass a variety of other motorized vehicles with similar noise profiles including motorcycles between 20 cc and 40 cc. Generally, only 20 or fewer motorized vehicles will be racing at one time; but, on occasion there may be up to, but no more than 30.

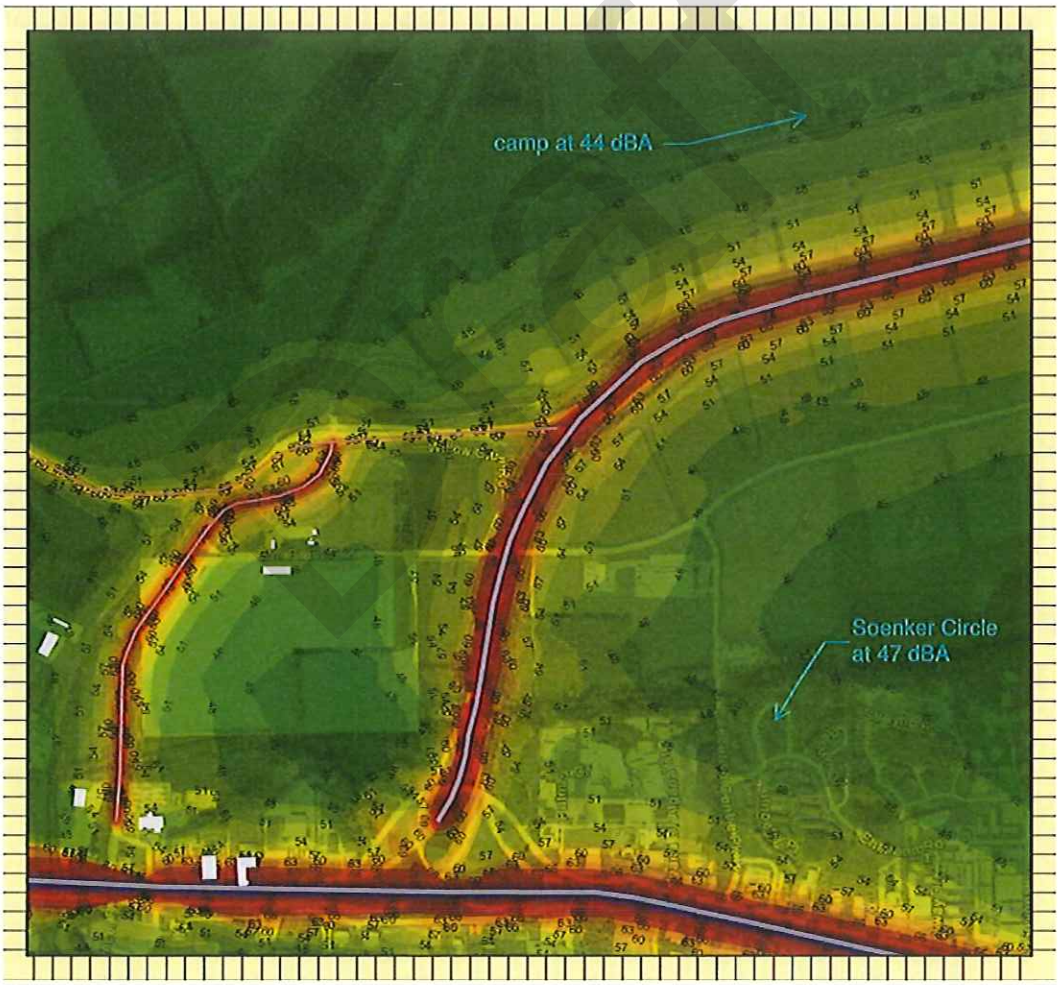


Figure 2 – Current background and sound levels

The A-weighted Sound Pressure Level (SPL)[1], in decibels (dBA), is typically what is measured and used to quantify sound levels. The distance the sound pressure level measured from the source is also critical for calculations. The Sound Power Level is a calculated sum of the energy emitted by every individual source summed, and does not have an associated measurement distance. The tonal nature of each source is represented in the octave band sound levels which provide sound levels across several frequencies in the audible sound spectrum. The acoustical model uses octave band sound power data whenever possible, such as for motorized vehicles.

NOISE CODE STUDY

The City of St. Peters, Missouri ordinances[2] indicate the following:

210.390 – Regulation of Noise Levels

C. *Noises Expressly Prohibited.* The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this Section, but such enumeration shall not be deemed to be exclusive:

15. The use or operation of any motor vehicle, any mechanically operated device or internal combustion engine operated by fuel or electric power in any race or event, unless the noise created thereby is effectively muffled and reduced by the use of a three (3) chamber muffler or other device such that the noise does not exceed a noise level of 93 dbA (A-weighted sound pressure level) when the noise emitted is measured upon property which is located in a different land use category than the property upon which the noise source is located; provided this applies to the total noise from a vehicle or combination of vehicles and shall not be construed as limiting or precluding the enforcement of any other provisions of this Section relating to motor vehicle mufflers for noise control.

D. *Objective Noise Standards.* In addition to the subjective standards established above, it shall be presumed that the allowable noise level limits have been violated whenever any noise or sound is projected from one property in the City onto another if such sound, measured at the front building line on the property receiving the sound, exceeds the following decibel standards at a location appropriate to determine the level of disturbance. When the noise emitted is measured upon property which is located in a different land use category than the property upon which the stationary noise source is located, the levels applicable to the property where the noise emitted is measured shall be used to determine if a violation exists.

Draft

[1] See Appendix A for acoustic nomenclature and terminology.

[2] Visit http://ecode360.com/28260816 for the entire City of St. Peters, Missouri noise ordinance.

Objective Noise Standards – Allowable Noise			
	15 Min	8 Min	2 Min
In residentially zoned districts: 7:00 A.M. to 10:30 P.M. 10:30 P.M. to 7:00 A.M.	59 — 61 dB 54 — 56 dB	62 — 64 dB 57 — 59 dB	68 — 70 dB 63 — 65 dB
In commercially zoned districts: 7:00 A.M. to Midnight Midnight to 7:00 A.M.	69 — 71 dB 64 — 66 dB	72 — 74 dB 67 — 69 dB	78 — 80 dB 73 — 75 dB
In industrially zoned districts: 7:00 A.M. to Midnight Midnight to 7:00 A.M.	74 — 76 dB 74 — 76 dB	77 — 79 dB 77 — 79 dB	83 — 85 dB 83 — 85 dB
Multi-family structures shall have the same noise limits between units as for single-family or detached dwellings, as measured at any point in the interior of the sound receptor residential unit with windows closed.			

210.400 – Motor Vehicle Racetracks – Noise – Hours of Operation

A. *Definitions*. For the purpose of this Section, the following definitions shall pertain:

HOURS

Shall be local time in the City of St. Peters, Missouri.

MOTOR VEHICLE

Any vehicle operated by an internal combustion engine, without regard to number of axles and without regard to whether such vehicle is designed for or capable of operation on a roadway.

RACETRACK OR SPEEDWAY

A place where motor vehicles are operated, demonstrated or demolished at an event or showing, without regard to whether such motor vehicles are engaged in competition or preparation for competition. A public street, highway or roadway within the corporate limits of the City shall not be deemed to be a racetrack or speedway for purposes of this Section.

B. *Regulation Of Hours Of Operation Of Race Track Or Speedway.* No racetrack or speedway shall operate or conduct motor vehicle races or demonstrations within the corporate limits of the City of St. Peters between the hours of 11:00 P.M. and 12:00 Noon on Sundays through Thursdays and between the hours of 11:30 P.M. and 12:00 Noon on Fridays and Saturdays.

C. *Violation An Ordinance Violation*. Any person, partnership, corporation, joint venture or other entity found guilty of violating this Section shall be deemed guilty of an ordinance violation.

Draft

TYPICAL SITE MEASUREMENTS

Environmental Noise

Environmental noise is a characteristic in which sound levels vary with time and other influences. McClure's investigation defines characteristic sound levels that are representative of reasonably maximum conditions.

A Larson Davis Model 720 Dosimeter was used for the measurements. The dosimeter recorded and stored the following A-weighted quantities for each one-hour increment of the measurement period: (1) energy equivalent sound level [Leq], (2) the maximum sound level [Lmax], (3) the sound level exceeded ten percent (10%) of the time [L10], and (4) the sound level exceeded ninety percent (90%) of the time [L90]. All measurements were A-weighted per ANSI S1.4 and are designated as dBA.

Background noise at the site was determined by monitoring A-weighted sound levels at the site for a period of one week[3]. The average one-hour daytime Leq data was used to establish the current background sound levels for this site.[4] The nominal Leq daytime background sound level in the area ranged from 52 to 56 dBA. Sound data was obtained at the proposed site at the location shown in Figure 1. From Figure 3, it can be seen that during Friday, Saturday, and Sunday the background sound in the area fluctuated from 50 to 55 dBA during the day. The higher levels of sound beginning on Monday was from tractors plowing the fields.

Draft

[3] See Appendices B for 24-hour measurements by one-hour increments.

[4] Only daytime (7:00 am - 12:00 pm) data are considered for background levels.

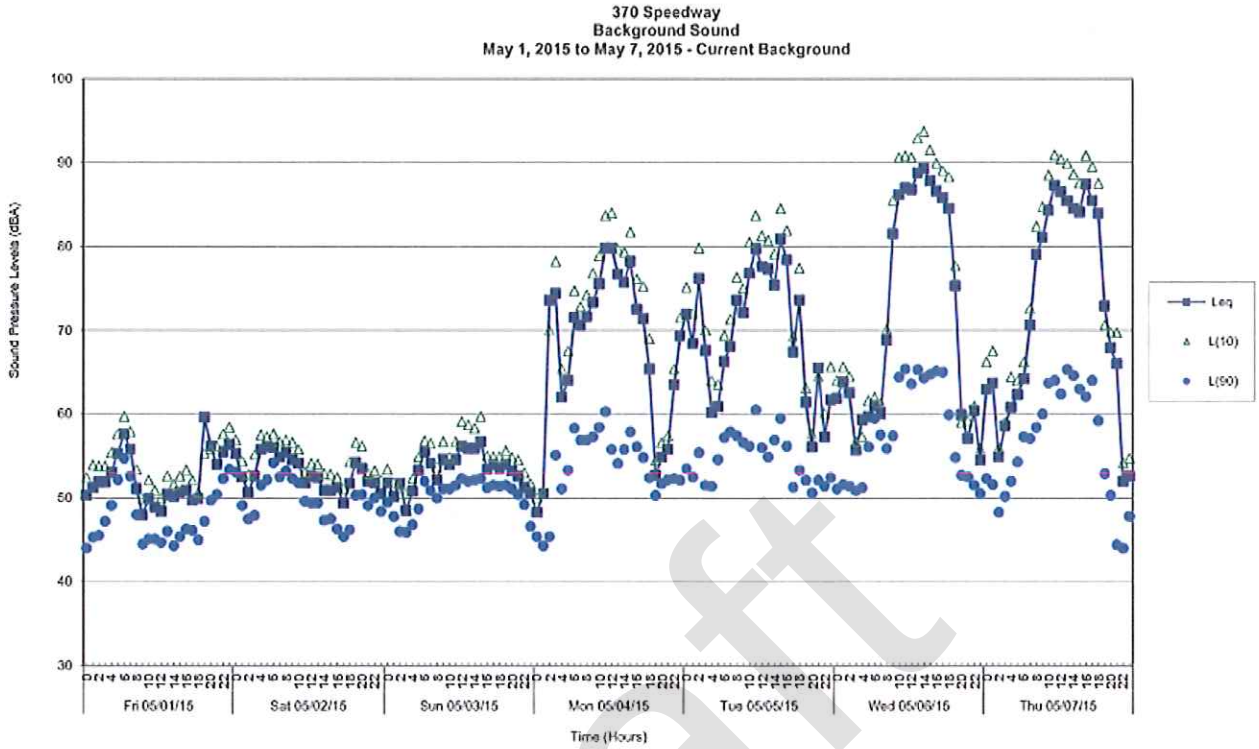


Figure 3 – Current background sound levels at the proposed site

Typical Site Noise

We monitored noise at one location for a period of one week starting on May 1st, 2015. Unfortunately, the farm fields were being tilled and excavated from May 3rd to May 7th. This provided only three good days of valid A-weighted data. Fortunately, this was enough data to establish the background sound level for the site. Table 1 is a summary of the daytime data obtained during the noise monitoring period.

Table 1: Noise Monitoring Results of Typical Site

Date	Daytime Leq
Friday May 1, 2015	53.1
Saturday May 2, 2015	53.0
Sunday May 3, 2015	54.5
Monday May 4, 2015	74.9*
Tuesday May 5, 2015	75.7*
Wednesday May 6, 2015	85.2*
Thursday May 7, 2015	83.7*

** Farm land being tilled and plowed*

Appendix B contains the data from the noise monitors. The monitor was used to obtain the A-weighting data with a slow response time. The weather on Friday and Saturday was partly cloudy with

Draft

temperatures in the mid-70s. On Sunday, it was overcast with winds gusting at or above 20 mph during the day. The average sound level over this weekend was 53 dBA.

NOISE IMPACT CALCULATIONS

As the site exists, the property is being farmed and has an average daytime sound level of 53 dBA. The acoustical analysis accounted for major noise sources such as road noise near the southern area of the site which lies adjacent to the HWY 370 and I-70 interchange. Secondary noise from Spencer Road, farming equipment, and insect and bird sounds were also easily heard throughout the proposed site and will contribute to the overall ambient sounds.

Analytical Results – Go-karts

The following contour maps reflects the sound levels at various distances from the source, which in this case was based on 30 karts. The emission for a single kart was taken as 90 dB at 50 ft. for 2-stroke karts (Figure 4) and 80 dB at 50 ft. for 4-stroke karts (Figure 5). Motorcycle noise was determined from a number of sources including our sound data archives, available literature, peer firms, Internet search, and, most importantly, our measurements at a similar facility. It was determined that the sound level of 82 dBA measured at 50 ft. from a go-kart track was used for the nominal upper sound level in this acoustical analysis. This compares with 85 to 87 dBA at 50 ft. for larger motorcycles. Noise impact was evaluated by assuming 30 karts were distributed throughout the track.

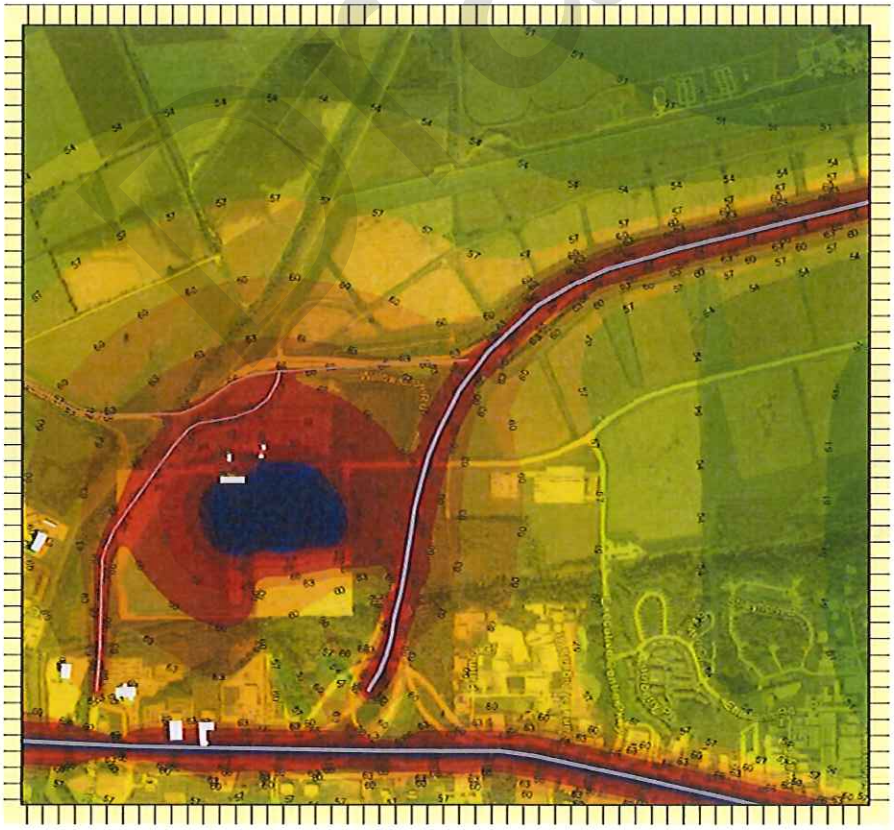


Figure 4 – Noise levels for 2-stroke karts

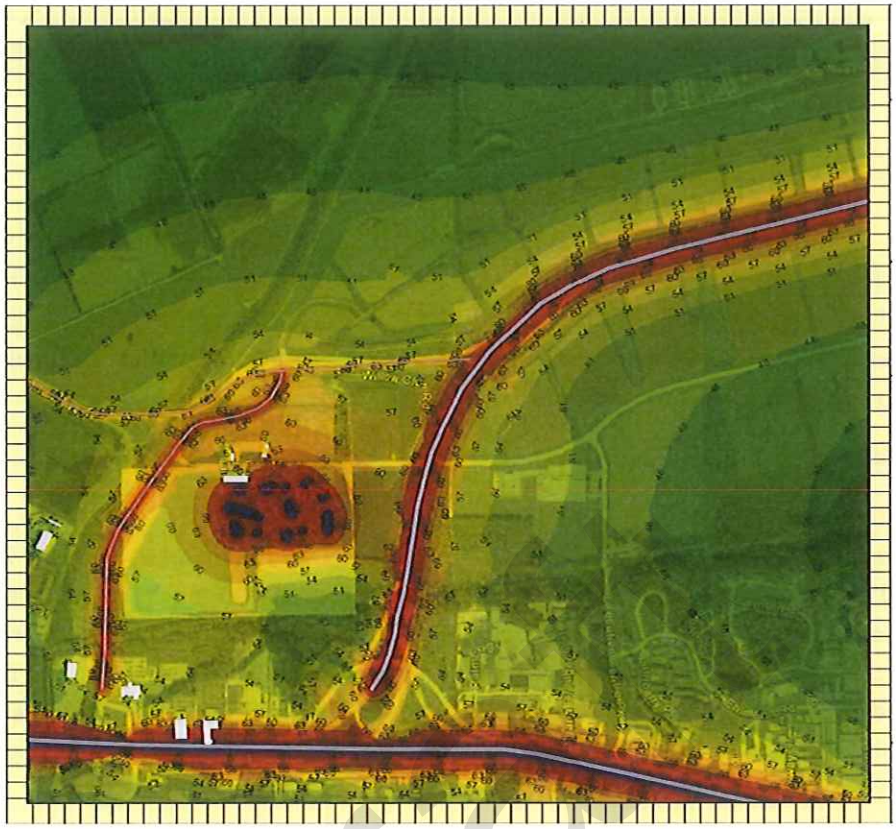


Figure 5 – Noise levels for 4-stroke karts

Figure 5 shows the sound levels at different distances from the noise source (30 karts). It shows point source decay of 6 dB per doubling of the distance (dB/dd), excess attenuation of air[5] and grass and shrubs[6] are included.

Table 2 below indicates the estimated sound levels of the expanded area with 30 4-stroke karts at the maximum allowed limit.

Table 2: Estimated Sound Levels of Expanded Area

Location	Existing Sound Level (dBA)	Est. Sound Level W/ 30 4-stroke karts at maximum allowed limit (dBA)
370 Lakeside RV Campground	44 dBA	46 dBA
Soenker Circle	47 dBA	49 dBA
South of 70	See Figure 2	~1-2 dBA increase

[5] Excess attenuation of air is the sound energy absorbed by air as sound passes through it. Air properties are assumed to be Standard Atmospheric conditions.

[6] Excess attenuation from grass and shrubs is the absorption of sound by the vegetation as it passes over the ground.

ADDITIONAL COMMENTS ON NOISE SOURCES

Various forms of farming equipment are more familiar to most individuals living in this area. A single tractor nominally measures about 70 to 75 dBA at 50 ft. compared with 82 to 87 dBA for a medium to large size motor vehicle at the same distance. Figure 6 shows comparable sound levels from various sources.

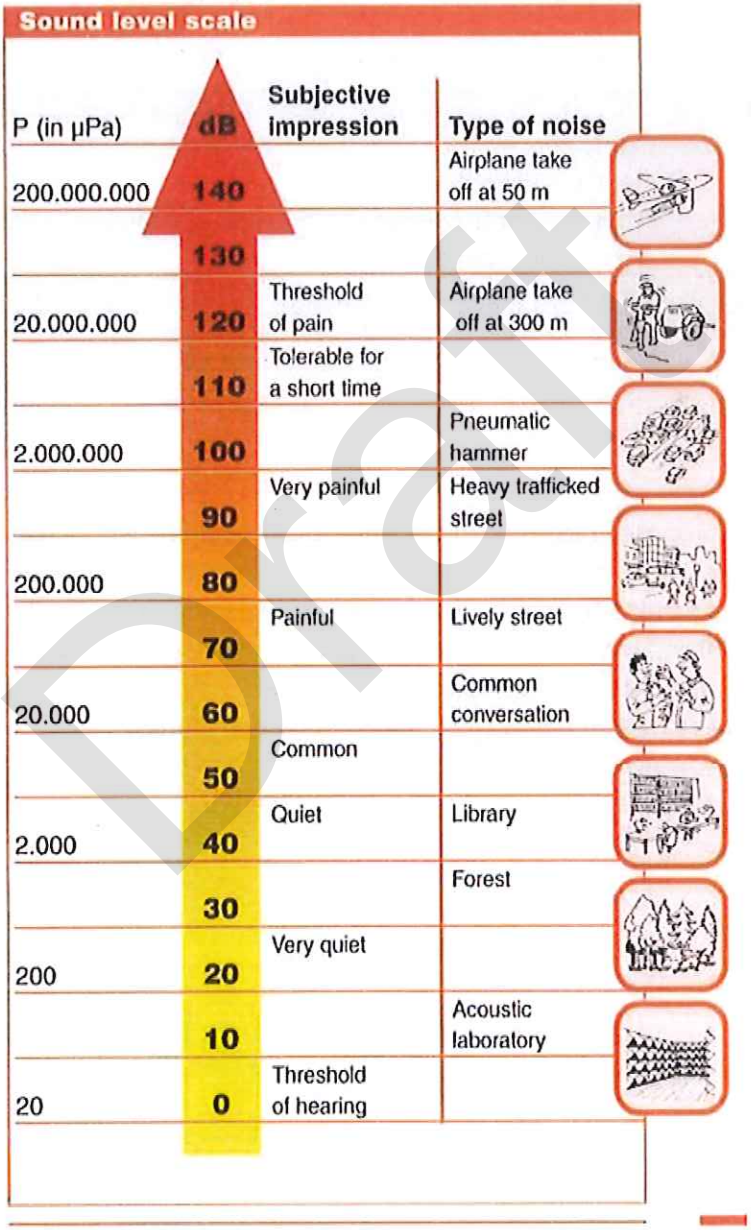


Figure 6 – Comparable sound levels from various sources

Draft

Excess attenuation of air is well defined. Excess attenuation of grass and shrubs is subject to greater variation. In addition to air and grass/shrubs, the propagation of air is subject to less well defined effects of wind shear and thermal gradients. On the other hand, buildings and berms on the Speedway complex will provide additional attenuation not included in the analysis. With the added effects mentioned, variations of as much as 5 dBA may be encountered on rare occasions over the distances involved with this proposed site of the racetrack.

Furthermore, each location in the expanded area will see less than a 3 dB difference; this will be barely perceptible to the average human ear.

Table 3: Human Perception of Sound

Change (dBA)	Human Perception of Sound
2-3	Barely perceptible
5	Readily perceptible
10	A doubling or halving of the loudness of sound
20	A dramatic change
40	Difference between a faintly audible sound and a very loud sound

**Source: Bolt Beranek and Neuman, Inc., Fundamentals and Abatement of Highway Traffic noise, Report No. PB-222-703. Prepared for Federal Highway Administration, June 1973.*

CONCLUSION

McClure found that the proposed racetrack, in the worst-case condition, will increase the overall environmental noise levels by as much as 10 dBA above the current background sound (53 dBA) to the west side of Spencer Road and to the north. No changes are expected to the south and east of the site across each highway (I-70 and HWY 370). The anticipated sound levels from the proposed racetrack will not exceed the 74 to 76 dBA for the industrial zone sound level limit provided by the City of St Peters, Missouri noise ordinances to any of the surrounding property boundaries.

Draft

APPENDICES

Draft

Appendix A – Acoustical Nomenclature and Terminology

Draft

ACOUSTIC NOMENCLATURE AND TERMINOLOGY

ANSI: American National Standards Institute

A-Weighing: Prescribed frequency response defined by ANSI Standard S-1971. Used to obtain a single number representing the sound pressure level of a noise in a manner approximating the response of the ear, by de-emphasizing the effects of the low and high frequencies.

Background Sound: Sound that remains when sound of interest is removed is background sound relative to the sound of interest.

Daytime: The hours 0700 (7:00 am) to 2200 (10:00 pm).

Day-night average sound level (Ldn): A measure of the noise environment over a 24-hour A-weighted sound level with a 10 dB weighing applied to the nighttime levels When equivalent level (Leq) information is available, the LDS is

$$L_{dn} = 10\,\mathrm{Log}\,\frac{1}{24}\left[15 * 10^{\frac{L_{eq}(d)}{10}} + 9 * 10^{\frac{L_{eq}(n)}{10}}\right]$$

calculated as follows:

Where Leq(D) = Leq for the hours 0700-2200.

Leq(N) = Leq for the hours 2200-0700.

Annualized Ldn is effective Ldn determined over a full year accounting for daily and seasonal variations.

dBA: Overall A-weighted sound pressure level expressed in decibels referenced to 20 micro-pascals

$$\mathrm{Decibel} = 10\,\mathrm{Log}\left(\frac{x}{x_{ref}}\right)$$

Decibel (dB): Ten times the logarithm of the ratio of a quantity (X) to a reference quantity (X_r)

Draft

Equivalent Sound Level (Leq): The level of a constant sound which, in a given situation and time period, has the same

$$L_{eq} = 10\,\mathrm{Log}\left[\frac{1}{T}\int_{t=0}^{T} 10^{\frac{L}{10}}dt\right]$$
$$= 10\,\mathrm{Log}\sum_{i=1}^{n} f_i\, 10^{\frac{L_i}{10}}$$

sound energy as a time varying sound level.

f_i = percent of time period in which a particular L_i occurs.

L_i = sound level in dB.

Exceedance Level - Ln: The sound pressure level exceeded n percent of the time. Example: L10 is the sound pressure level exceeded 10% of the time during a measurement period.

Frequency: Number of complete oscillation cycles per unit of time The frequency is the reciprocal of the period The unit of frequency often used is the Hertz.

Hertz (Hz): Unit of frequency equal to one cycle per second.

Ldn: See day-night average sound level.

Leq(n): Equivalent sound level for a period n in length

Ln: See Exceedance Level.

Night: The hours 2200 (10:00 pm) to 0700 (7:00 am).

Sound Pressure Level (SPL): In decibels, 20 times the logarithm to the base 10 of the ratio of a sound pressure to the

$$SPL = 10\,\mathrm{Log}\left(\frac{p^2}{p_{ref}^2}\right)$$
$$= 20\,\mathrm{Log}\left(\frac{p}{p_{ref}}\right)$$
$$p_{ref} = 20\ \mu Pa$$

reference sound pressure of 20 micro-pascals.

Where p = sound pressure to be quantified

p_r = 20 micro-pascals.

Draft

Draft

Appendix B – 24-Hour Background Noise Measurements

370 Speedway
Background Sound
May 1, 2015 to May 7, 2015

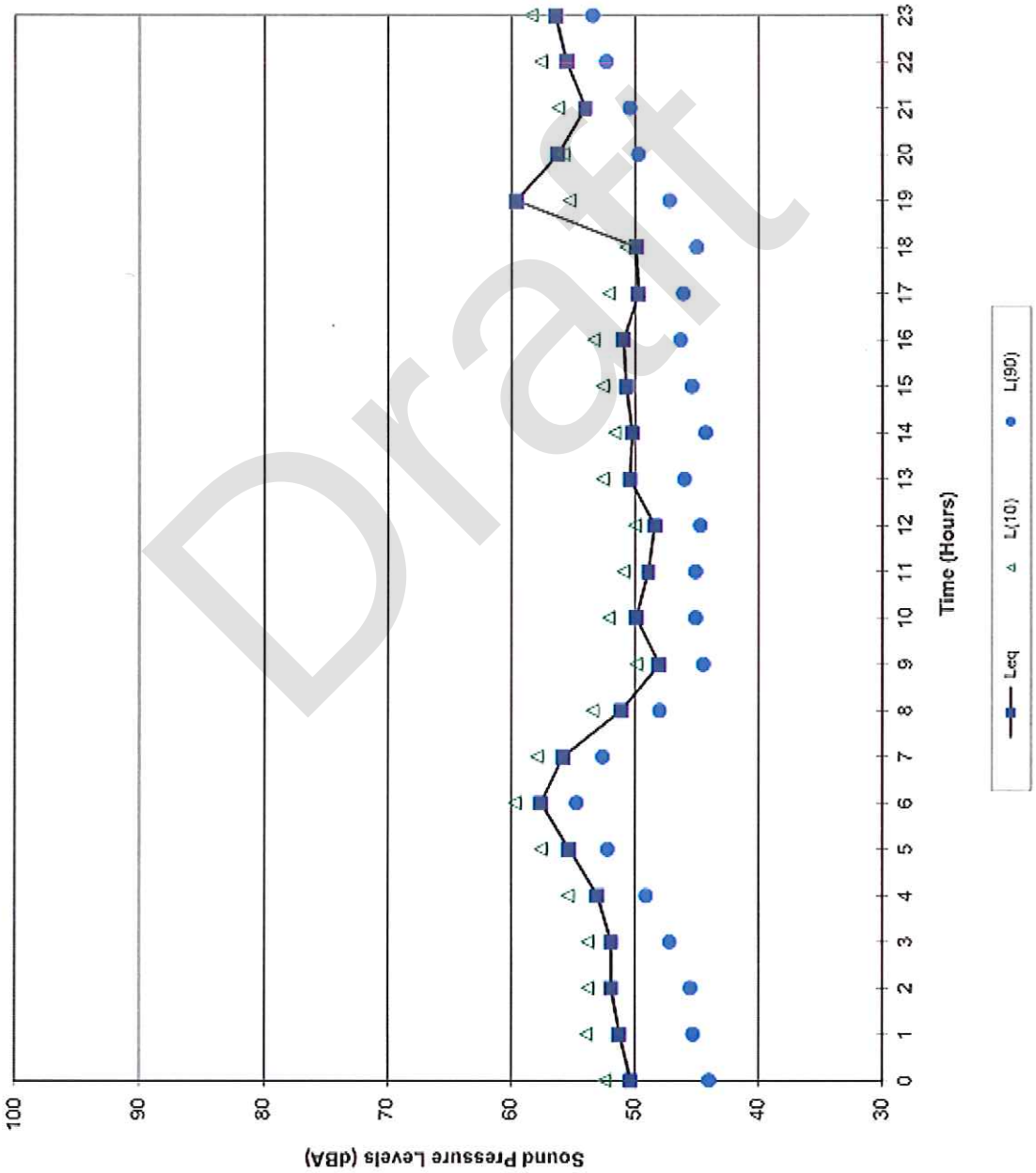
Current Background

Loc 1 - Center of Property

Friday May 01,2015

Leq(n)	54.4 dBA
Leq(d)	53.1 dBA
Ldn(24)	60.6 dBA

McClure/EDI Acoustics
St. Louis, Missouri



Draft

370 Speedway
Background Sound
May 1, 2015 to May 7, 2015

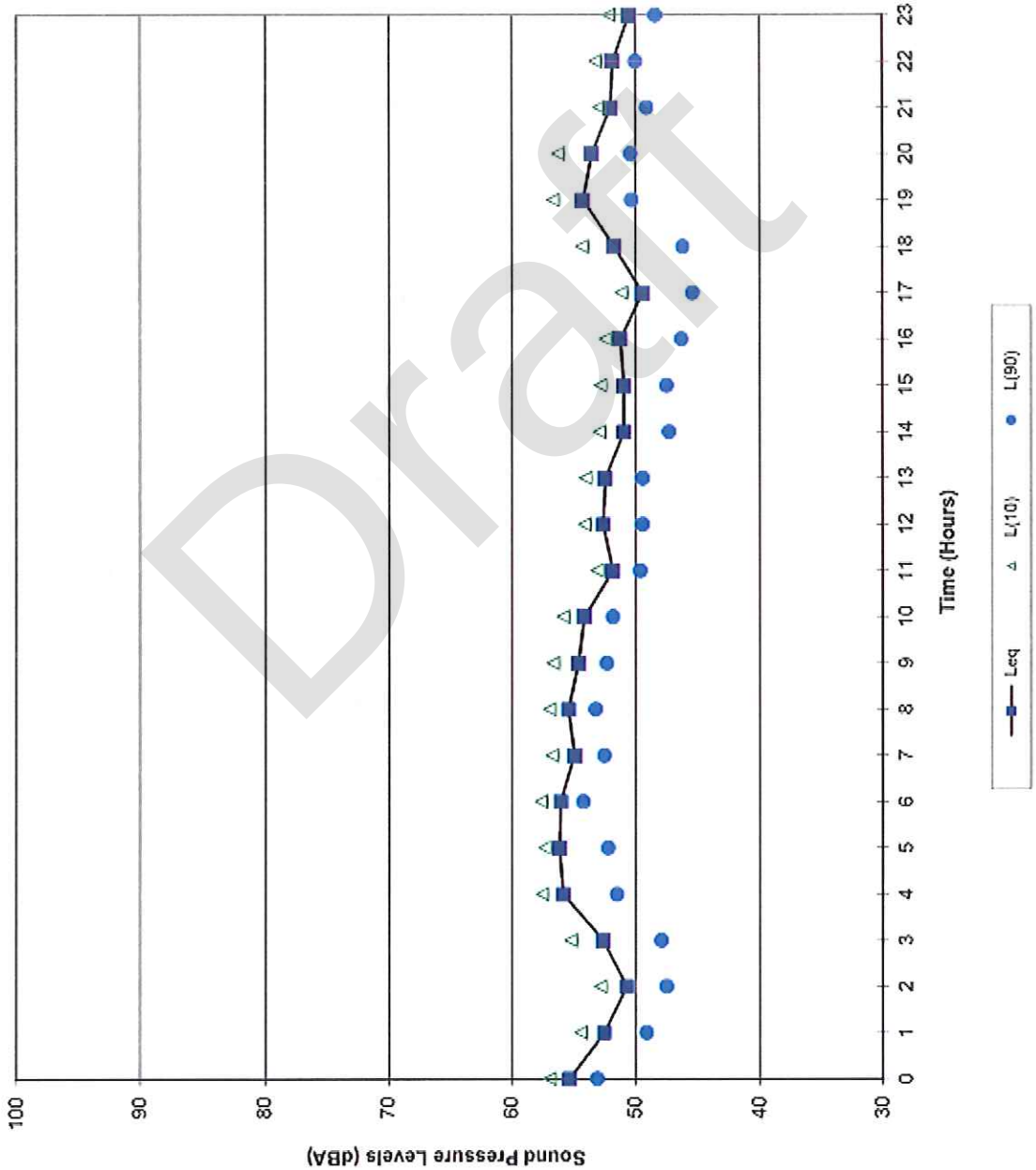
Current Background

Loc 1 - Center of Property

Saturday May 02,2015

Leq(n)	54.0 dBA
Leq(d)	53.0 dBA
Ldn(24)	60.3 dBA

McClure/EDI Acoustics
St. Louis, Missouri



Draft

370 Speedway
Background Sound
May 1, 2015 to May 7, 2015

Current Background

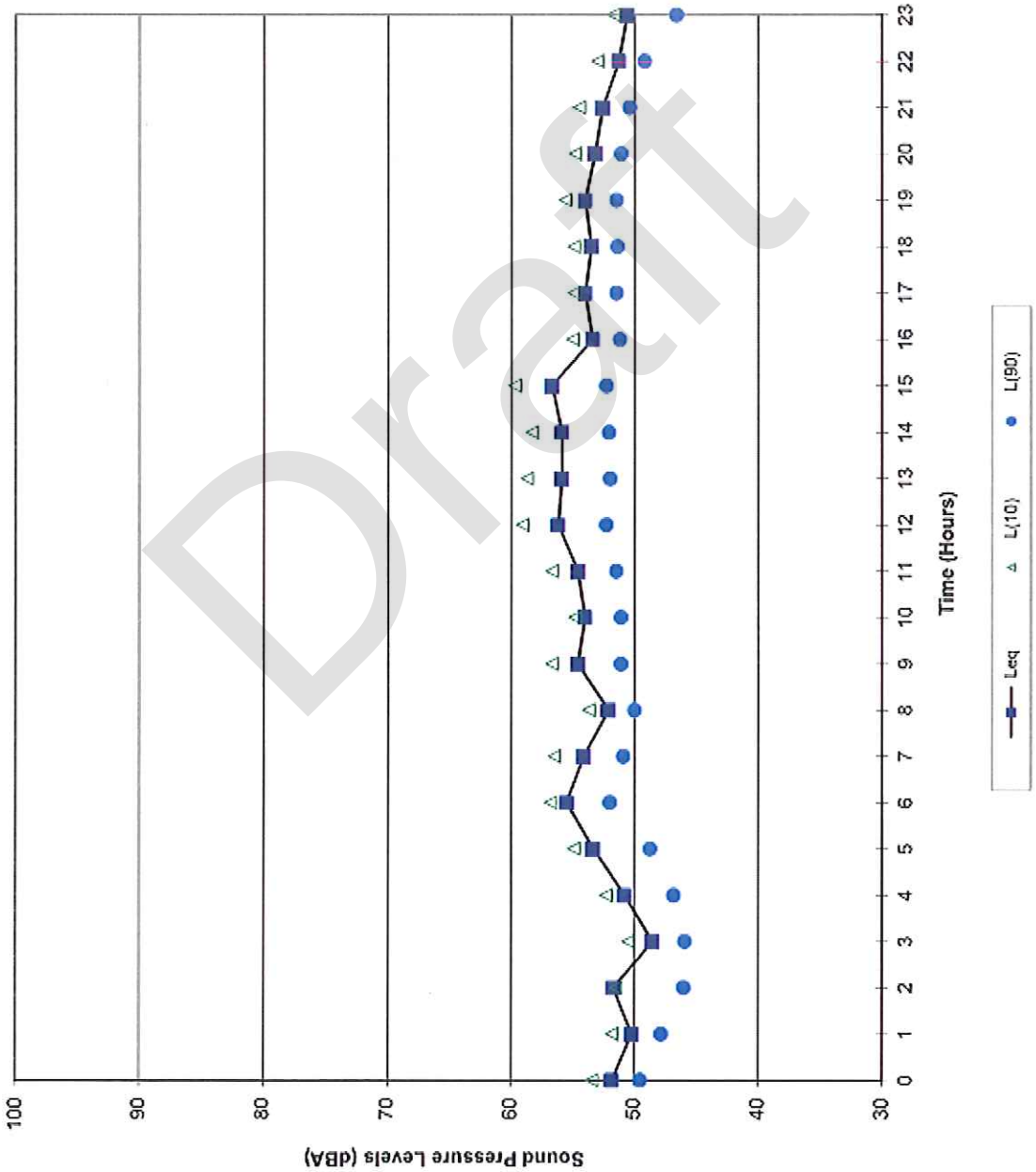
Loc 1 - Center of Property

Sunday May 03,2015

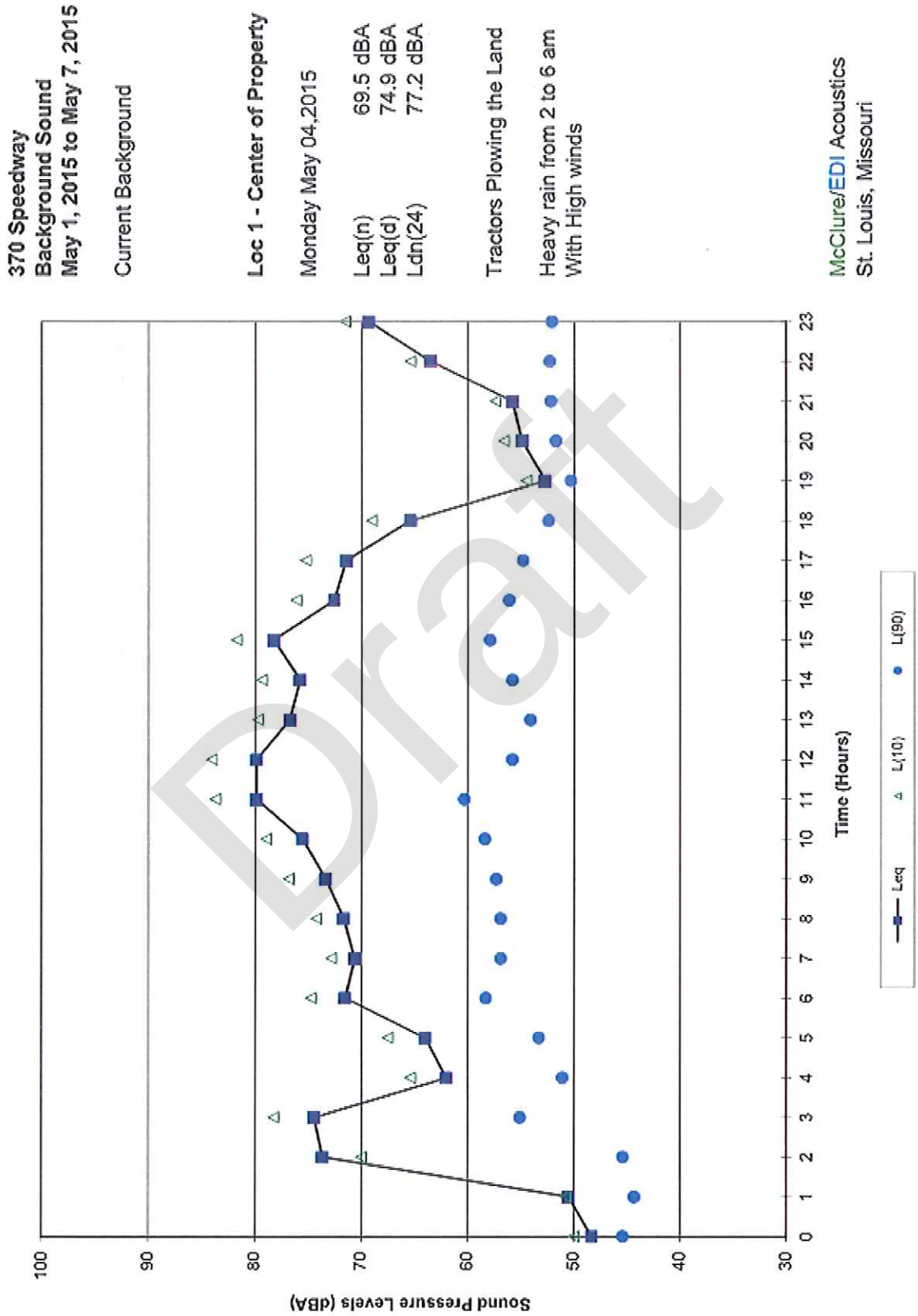
Leq(n)	52.0 dBA
Leq(d)	54.5 dBA
Ldn(24)	58.8 dBA

Heavy winds from 2 to 6 pm
Light Rain 8 pm

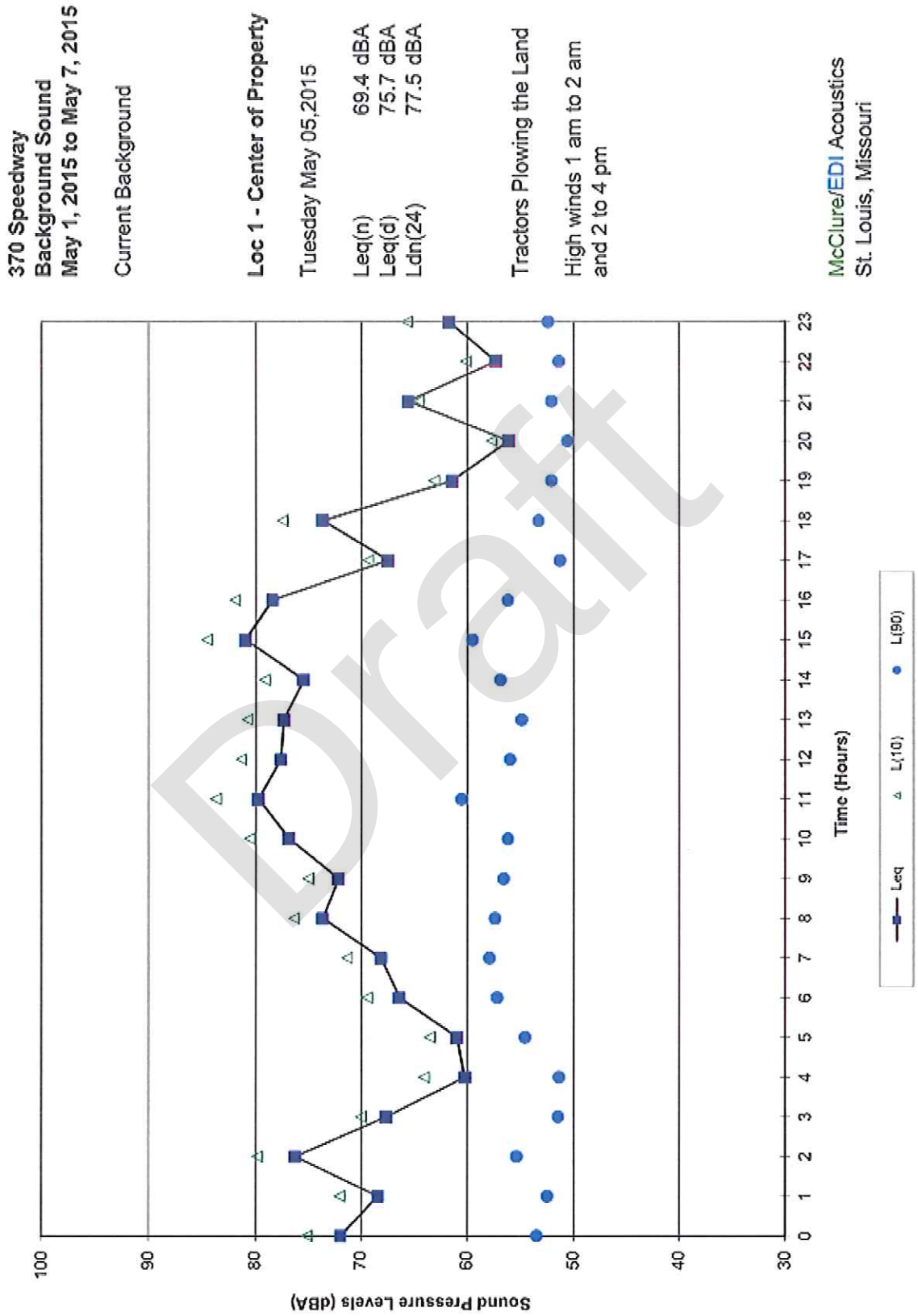
McClure/EDI Acoustics
St. Louis, Missouri



Draft


370 Speedway
Background Sound
May 1, 2015 to May 7, 2015
Current Background
Loc 1 - Center of Property
Monday May 04,2015
Leq(n) 69.5 dBA
Leq(d) 74.9 dBA
Ldn(24) 77.2 dBA
Tractors Plowing the Land
Heavy rain from 2 to 6 am
With High winds
McClure/EDI Acoustics
St. Louis, Missouri
Sound Pressure Levels (dBA)
100
90
80
70
60
50
40
30
0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23
Time (Hours)
Leq
L(10)
L(90)

Draft


370 Speedway
Background Sound
May 1, 2015 to May 7, 2015
Current Background
Loc 1 - Center of Property
Tuesday May 05,2015
Leq(n) 69.4 dBA
Leq(d) 75.7 dBA
Ldn(24) 77.5 dBA
Tractors Plowing the Land
High winds 1 am to 2 am
and 2 to 4 pm
McClure/EDI Acoustics
St. Louis, Missouri
Sound Pressure Levels (dBA)
100
90
80
70
60
50
40
30
0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23
Time (Hours)
Leq
L(10)
L(90)

Draft

370 Speedway
Background Sound
May 1, 2015 to May 7, 2015

Current Background

Loc 1 - Center of Property

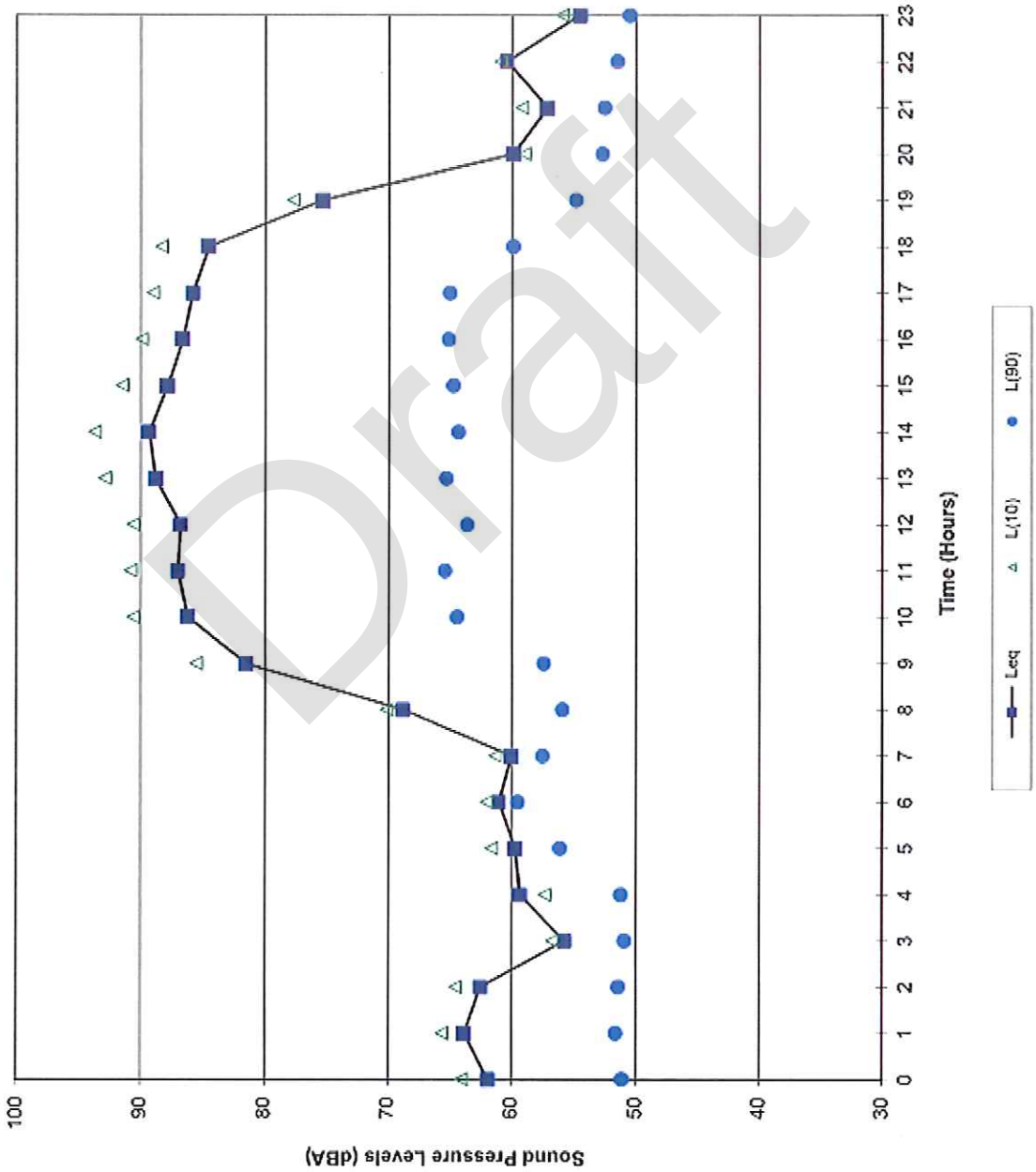
Wednesday May 06,2015

Leq(n)	60.7 dBA
Leq(d)	85.2 dBA
Ldn(24)	83.2 dBA

Tractors Plowing the Land

Highwinds 8 am to 6 pm

McClure/EDI Acoustics
St. Louis, Missouri



Draft

370 Speedway
Background Sound
May 1, 2015 to May 7, 2015

Current Background

Loc 1 - Center of Property

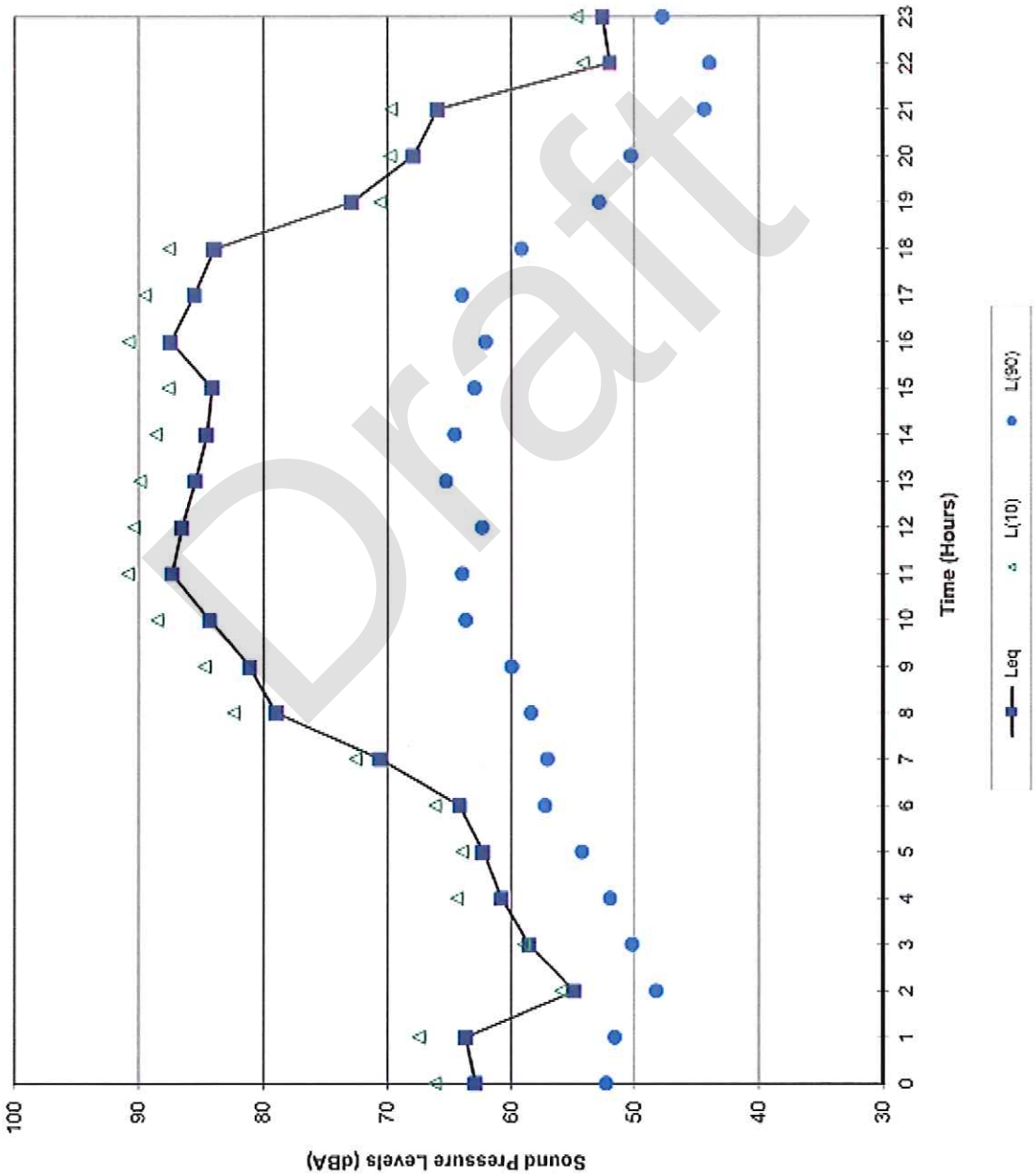
Thursday May 07,2015

Leq(n)	60.9 dBA
Leq(d)	83.7 dBA
Ldn(24)	81.8 dBA

Tractors Plowing the Land

High winds 7 am to 6 pm

McClure/EDI Acoustics
St. Louis, Missouri



Draft

EXHIBIT E

Report of the Director of Planning, Community and Economic Development

a. Petition 16-07 – 370 Speedway, LLC: A request for a special use permit in the SL Special St. Peters Lakeside 370 Special District to permit an outdoor entertainment facility including, but not limited to, a multi-purpose racetrack, karting facility and associated uses on a 36 +/- acre parcel. The property is located on the south side of Premier Parkway, east of Spencer Road. (Ward 3)

Staff Evaluation:

The proposed special use permit will allow the applicant to operate an outdoor entertainment facility including, but not limited to, a multi-purpose racetrack, karting facility, and associated uses.

The site is located within the Premier 370 Industrial Park on the south side of Premier Parkway, east of Spencer Road. The site was formerly used as a par three golf course, but has been vacant for many years. The surrounding area is undeveloped. The subject property and surrounding zoning is SL- St. Peters Lakeside 370 Special District.

The operation of the race track will allow for multi-vehicle racing events or an individual's use of the track with their own equipment or rented equipment. One of the primary uses of the tract will be for karting. Karting can take many forms, from low speed amusement park go-karts to high performance league sanctioned races. The applicant has proposed higher end performance karting and league competition events. Individuals will be able to use their own karts for racing, testing, or practice. In addition, the general public will be able to rent karts for entertainment.

The track will also be used for motorcycle racing, testing, or practice in the same manner as kart users. In addition, individuals will also be able bring or rent cars, light trucks, or motorcycles for classes, performance driving, practice, or testing on the racetrack.

Another use for the track will be the training by emergency services personnel. The track will provide a safe environment for various high performance first responder vehicle training opportunities. The applicant has also note that civilian driver training classes and clinics may be offered as well.

The facility will include a main entrance building for track operations. Connected to or adjacent to this main building will be a series of race/event garages known as paddocks. This will be the primary staging area for events. The roof area above the garages will be used as a viewing area for the racetrack. Stadium seating may be added on top of these garages or to other areas around the track.

The track will also include more traditional garages, outside vehicle storage, and repair services. There will be garages used during events by race teams, garages rented for long term use and storage of race related vehicles, and garages for service. While most race vehicles will be stored

Draft

inside a garage, support vehicles such as trailers may be parked outside. Repair garages for the servicing of race vehicles may also be constructed on the site and operated on the site through leases to outside vendors. The special use permits allows race related vehicle repair services but not repair services to the general public. It is noted that the applicant has proposed periodically teaming up with local non-profit organizations to provide free or discount vehicle repair. This exception has been added to the special use.

The applicant will also host drone/model airplane training classes, practice, and races. This would include obstacle courses with balloons, poles/flags, or other such barriers to maneuver through. Competitions are typically held at heights below fifty feet. Drones/airplanes would be limited to only the subject property and would be prohibited from being flown off site at any time. The special use also requires drone/airplane use to be in compliance with all City, State, and Federal requirements.

The applicant has indicated most daily activities and standard race events will be accommodated by the proposed one hundred vehicle parking lot. It is noted that the City Code allows for parking for stadium style seating at a ratio of one space per four persons, which would provide parking for four hundred people. Larger events will be required to provide additional parking. The applicant has noted that the construction of large parking areas for occasional use is not practical or environmentally friendly. Rather the applicant proposes larger race events would have off-site parking and bus people to the venue. It is noted the City Code only permits twenty-five percent of required parking to be off-site and it must be within three hundred feet of the building served. Therefore, as noted in the special use a variance will be required.

At the suggestion of City staff, the applicant commissioned a sound study. This study examined the proposed racetrack noise as well as the background noise of the area including the adjacent highways. The acoustical report shows that with the proper race equipment, which includes engine design and mufflers, the sound from the track can be contained below the maximum noise regulations of the City. The special use also requires the site to meet all City noise requirements. In addition, the site plan will incorporate a further refinement of the noise study and implementation of any required noise reduction elements.

The proposed racetrack would be operated at various intensities, from individual users to race events, to maximize the use of the facility. Instead of just periodic events, the proposed project will provide a variety of uses and intensities which will provide year round use and economic benefit to the community.

Since the proposed use is located on a major roadway within the City and is surrounded by the industrially zoned property, staff is of the opinion this use would be appropriate at the proposed location. The proposed racetrack can provide a unique entertainment and recreation amenity with a regional draw for race fans as well as individual enthusiasts.

Per the City of St. Peters Zoning Code, the review of any proposed special use must include consideration of certain standards; these are addressed below:

Draft

a. *Character of the surrounding area:* The surrounding area includes vacant properties that are zoned for industrial uses. The proposed use will be consistent with the scale of future industrial development in the area.

b. *Traffic conditions in the surrounding area:* This site is located on and served by Premier Parkway with access to Spencer Road and Lakeside Park Drive with connections to Highway 370 and Interstate 70– these roads have been adequately designed to handle the heavy traffic levels in this area.

c. *Public Utility facilities:* The site is currently served with all utilities. Utility services are readily available in this area.

d. *The Comprehensive Plan:* The City's Comprehensive Plan, as amended in 2009, indicates the site area is planned for industrial uses and some commercial and recreational uses. The proposed use of an outdoor entertainment facility including, a multi-purpose racetrack, karting facility, and associated uses would be consistent with the plan. Also, the plan indicates the general goal of supporting development within the City.

e. *Other matters pertaining to general welfare:* The proposed development will be designed to current design standards and will provide a unique entertainment and recreation amenity with a regional draw. The proposed use should have no negative impact on the general welfare of the community because of its location along major thoroughfares surrounded by industrial zoned properties.

Staff Recommendation:

Based on this analysis, staff recommends approval of Petition 16-07 subject to the draft Special Use Permit.

Draft

EXHIBIT F

Planning and Zoning Commission Recommendation

a. Petition 16-07 – 370 Speedway, LLC: A request for a special use permit in the SL Special St. Peters Lakeside 370 District to permit an outdoor entertainment facility including, but not limited to, a multi-purpose racetrack, karting facility and associated uses on a 36 +/- acre parcel. The property is located on the south side of Premier Parkway, east of Spencer Road.

Mr. Paul Irwin, 370 Speedway, LLC, presented this to the Commission for approval. Mr. Irwin explained that the proposed special use will allow him to operate an outdoor entertainment facility, including but not limited to a multi-purpose racetrack, karting facility and associated uses. The operation of the track will allow for multi-vehicle racing events or an individual's use of the track with their own equipment or rented equipment. One of the primary uses of the tract will be for karting. Karting can take many forms, from low speed amusement park go-karts to high performance league sanctioned races. Mr. Irwin noted he is proposing higher end performance karting and league competition events. Individuals will be able to use their own karts for racing, testing or practice. In addition, the general public will be able to rent karts for entertainment. The track will also be used for motorcycle racing, testing, or practice in the same manner as kart users. In addition, individuals will also be able to bring or rent cars, light trucks, or motorcycles for classes, performance driving, practice or testing on the racetrack. Another use of the track will be for training uses by emergency services personnel. The facility will include a main entrance building for track operations. Connected to or adjacent to this main building will be a series of race/event garages known as paddocks. This will be the primary staging area for events. The roof area above the garages will be used as a viewing area for the racetrack. Stadium seating may be added on top of these garages or to other areas around the track. The track will also include more traditional garage, outside vehicle storage and repair services. There will be garages used during events by race teams, garages rented for long term use and storage of race related vehicles, and garages for service. Mr. Irwin noted they would also like to host drone/model airplane training classes, practices and races. This would include obstacle courses with balloons, poles/flags, or other such barriers to maneuver through. Drones/airplanes would be limited to only the subject property and would be prohibited from being flown off site at any time. Most daily activities and standard race events will be accommodated by the proposed one-hundred vehicle parking lot. Mr. Irwin noted that he had a sound study done and this study examined the proposed racetrack noise as well as the background noise of the area including the adjacent highways. The acoustical report show that with the proper race equipment, which includes engine design and mufflers, the sound from the track can be contained below the maximum noise regulations of the City. Chairman McNames opened the public hearing at 7:05 p.m. and asked anyone wishing to speak on this petition to please come forward. Seeing no one present to comment, Chairman McNames closed the public hearing at 7:05 p.m. Mr. Winslow made a motion and Mr. Yoffie seconded to adopt staff's Findings of Fact as the Commission's Findings of Fact. The motion carried unanimously. Mr. Winslow made a motion and Mr. Westhoff seconded to recommend approval of this Special Use Permit to the Board of Aldermen. The motion carried unanimously.

Draft

EXHIBIT G

APPLICATION FOR A SPECIAL USE PERMIT
STATE OF MISSOURI
COUNTY OF ST. CHARLES
CITY OF ST. PETERS

INSTRUCTIONS TO APPLICANT: APPLICATION NUMBER: _____

Submit the following to an Administrative Officer:

- ☐ The petition forms completely filled out typed or printed.
- ☐ The petition fee.
  - THE BASE FEE IS $250.00 WHICH SHOULD BE SUBMITTED WITH THIS PETITION.
  - THE APPLICANT WILL BE BILLED $2.00 PER EACH SET OF 3 LETTERS FOR THE ADDITIONAL COST OF THE MAILINGS.
- ☐ A typed and electronic version of the legal description of the property being petitioned.
- ☐ Provide items required by Section 405.780 (D)(2)

NAME OF APPLICANT: 370 SPEEDWAY LLC

IF APPLICANT IS A LIMITED LIABILITY CORPORATION OR INCORPORATION, A COPY OF THE CURRENT OPERATION AGREEMENT OR ARTICLES OF INCORPORATION, WHICHEVER IS APPLICABLE, SHALL BE PROVIDED.

ADDRESS: 1345 AU BUREN HILLS DR.

ST. CHARLES, MO. ZIP CODE: 63304

TELEPHONE NUMBER: 619-573-8531 FAX: _____ E-MAIL: PAUL-IRWIN77@YAHOO.COM

NAME OF LEGAL OWNER: STONEWOLF, INC

IF OWNER IS A LIMITED LIABILITY CORPORATION OR INCORPORATION, A COPY OF THE CURRENT OPERATION AGREEMENT OR ARTICLES OF INCORPORATION, WHICHEVER IS APPLICABLE, SHALL BE PROVIDED.

ADDRESS: 1771 ZUMBEHL RD.

ST. CHARLES, MO 63303 ZIP CODE: 63303

TELEPHONE NUMBER: 636-940-8240 FAX: 636-940-0457 E-MAIL: KrisW@newfb.com.

CHECK ONE: ☐ OWNER ☒ OWNER BY OPTION ☐ AGENT ☐ OTHER (SPECIFY): _____

IF OWNER BY OPTION, INDICATE: DATE OF CONTRACT: _____
EXPIRATION DATE: _____

LOCATION OF PROPERTY 10,000 ELM POINT RD, ST. PETERS, MO. 63376

ACREAGE TO THE NEAREST 1/10 OF AN ACRE OF THE PROPERTY BEING PETITIONED: 36 ACRES

1

Draft

PRESENT ZONING CLASSIFICATION: ST. PETERS LAKESIDE 370 SPECIAL DISTRICT

PRESENT USE: AGRICULTURAL

PROPOSED USE: MULTI-PURPOSE KARTING FACILITY

DESCRIBE IN DETAIL THE SPECIAL USE PROPOSED AND JUSTIFICATION FOR THE REQUEST (MAY BE ATTACHED):
PROPOSED USE IS EXPLAINED IN ATTACHED DEVELOPMENT PLAN.
CURRENT ZONNING DOES NOT COVER/INCLUDE THIS BUSINESS TYPE.

SIGNATURE OF APPLICANT (MUST BE NOTARIZED): [signature]

DATE: 3/2/2016

SANDRA TOWNSEND
Notary Public, Notary Seal
State of Missouri
St. Louis County
Commission # 14622862
My Commission Expires April 28, 2018

STATE OF MISSOURI
COUNTY OF ~~ST. CHARLES~~ St. Louis } SS

On this 2ND (number date) day of MARCH (month), 2016 (year), before me personally appeared

James Paul IRWIN To me known, who, being by me duly sworn, did say that they have signed the foregoing instrument of their own free will and deed. 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.

[signature]
Notary Public

My Commission Expires: 04/28/2018

SIGNATURE OF LEGAL OWNER (MUST BE NOTARIZED): [signature]

DATE: 3/2/2016

STATE OF MISSOURI
COUNTY OF ST. CHARLES } SS

On this 2ND (number date) day of MARCH (month), 2016 (year), before me personally appeared

KRIS WEIDENBENNER To me known, who, being by me duly sworn, did say that they have signed the foregoing instrument of their own free will and deed. 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.

PAULA J. ZUMBEHL
Notary Public - Notary Seal
State of Missouri, St Charles County
Commission # 14437993
My Commission Expires Apr 3, 2018

[signature]
Notary Public

My Commission Expires: 4/3/2018

TO BE COMPLETED BY ADMINISTRATIVE OFFICE

DATE FILED: 3 (month) 3 (day), 16 (year).

FEE PAID: $_____($250.00)

$_____(Mailing)

Draft

BILL NO. 16-79 **I-01**

ORDINANCE NO. _____

OF THE

CITY OF ST. PETERS, MISSOURI

PASSED

JUNE 23, 2016

_____

$8,000,000
GENERAL OBLIGATION BONDS
SERIES 2016

_____

Draft

ORDINANCE

TABLE OF CONTENTS

Page

Title 1
Recitals 1

ARTICLE I

DEFINITIONS

Section 101. Definitions of Words and Terms 2

ARTICLE II

AUTHORIZATION OF BONDS

Section 201. Authorization of Bonds 5
Section 202. Description of Bonds 5
Section 203. Designation of Paying Agent 6
Section 204. Method and Place of Payment of Bonds 7
Section 205. Registration, Transfer and Exchange of Bonds 8
Section 206. Execution, Registration, Authentication and Delivery of Bonds 9
Section 207. Mutilated, Destroyed, Lost and Stolen Bonds 9
Section 208. Cancellation and Destruction of Bonds Upon Payment 10
Section 209. Preliminary and Final Official Statement 10
Section 210. Sale of Bonds 10
Section 211. Securities Depository 11

ARTICLE III

REDEMPTION OF BONDS

Section 301. Redemption of Bonds 12
Section 302. Selection of Bonds to be Redeemed 13
Section 303. Notice and Effect of Call for Redemption 14

ARTICLE IV

SECURITY FOR AND PAYMENT OF BONDS

Section 401. Security for the Bonds 15
Section 402. Levy and Collection of Annual Tax 16

Draft

ARTICLE V

ESTABLISHMENT OF FUNDS; DEPOSIT AND APPLICATION OF MONEY

Section 501. Establishment of Funds 16
Section 502. Deposit of Bond Proceeds 16
Section 503. Application of Moneys in the Construction Fund 16
Section 504. Application of Money in Debt Service Fund 17
Section 505. Application of Money in the Rebate Fund 17
Section 506. Deposits and Investment of Money 18
Section 507. Nonpresentment of Bonds 18
Section 508. Payments Due on Saturdays, Sundays and Holidays 18

ARTICLE VI

REMEDIES

Section 601. Remedies 18
Section 602. Limitation on Rights of Registered Owners 19
Section 603. Remedies Cumulative 19

ARTICLE VII

DEFEASANCE

Section 701. Defeasance 20

ARTICLE VIII

MISCELLANEOUS PROVISIONS

Section 801. Tax Covenants 20
Section 802. Annual Audit 21
Section 803. Amendments 21
Section 804. Notices, Consents and Other Instruments by Registered Owners 22
Section 805. Continuing Disclosure 23
Section 806. Further Authority 23
Section 807. Parties Interested Herein 23
Section 808. Severability 23
Section 809. Governing Law 23
Section 810. Effective Date 23
Passage 24
Signatures and Seals 24

Exhibit A - Form of Bonds
Exhibit B - Preliminary Official Statement
Exhibit C - Continuing Disclosure Undertaking

Draft

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES 2016, OF THE CITY OF ST. PETERS, MISSOURI; PRESCRIBING THE FORM AND DETAILS OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH

WHEREAS, the City of St. Peters, Missouri (the "City"), is a city of the fourth class and a political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of the Constitution and laws of the State of Missouri; and

WHEREAS, the City is authorized under the provisions of Article VI, Section 26 of the Constitution of Missouri, as amended, and Section 95.115 *et seq.*, of the Revised Statutes of Missouri, as amended (the "General Obligation Bond Law"), to incur indebtedness and issue and sell general obligation bonds of the City to evidence such indebtedness for lawful purposes, upon obtaining the approval of at least four-sevenths of the qualified electors of the City voting on the question to incur indebtedness at a general municipal election; and

WHEREAS, pursuant to the General Obligation Bond Law, an election was duly held in the City at the general municipal election on August 3, 2010 (the "Election"), on the following proposition:

> Shall the City of St. Peters, Missouri issue its general obligation bonds in the amount of $40,000,000 for the purpose of (a) preparing a stormwater watershed master plan; (b) designing, constructing and acquiring real property and easements necessary for the implementation of stormwater projects within the City, including but not limited to creek bank stabilization, erosion control, detention basin construction and reconstruction, stormwater pollution prevention, construction and reconstruction of the City's stormwater collection system, and related improvements thereto; and (c) refinancing certain lease obligations relating to erosion control, watershed and basin improvements and other storm water management related projects within the City?

WHEREAS, the votes cast at the Election were duly canvassed as provided by law, and it was found and declared that more than four-sevenths of the qualified voters of the City voting at said election on the proposition voted in favor of the issuance of said bonds, the vote having been 5,645 votes for the issuance of said bonds and 1,991 votes against the issuance of said bonds; and

WHEREAS, the City has heretofore issued $17,465,000 aggregate principal amount of the bonds authorized at the Election (pursuant to Ordinance No. 5497 adopted on October 28, 2010, Ordinance No.

Draft

5828 adopted on November 15, 2012 and Ordinance No. 6223 adopted on September 11, 2014) and desires to issue an additional $8,000,000 of the bonds so authorized at the Election; and

WHEREAS, it is hereby found and determined that it is necessary and advisable and in the best interest of the City and of its inhabitants at this time to authorize the issuance and delivery of said bonds pursuant to the General Obligation Bond Law for the purposes aforesaid and as herein provided.

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

ARTICLE I

DEFINITIONS

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

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

"Bond Payment Date" means any date on which principal of or interest on any Bond is payable.

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

"Bonds" means the General Obligation Bonds, Series 2016, authorized and issued by the City pursuant to this Ordinance.

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

"City" means the City of St. Peters, Missouri, and any successors or assigns.

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

"Construction Fund" means the fund by that name created by **Section 501** hereof.

"Continuing Disclosure Undertaking" means the City's Continuing Disclosure Undertaking dated July 5, 2016, in substantially the form attached hereto as **Exhibit C**.

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

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

"Defeasance Obligations" means any of the following obligations:

Draft

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

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

(i) the obligations are (A) not subject to redemption prior to maturity or (B) the trustee for such obligations has been given irrevocable instructions concerning their calling and redemption and the issuer of such obligations has covenanted not to redeem such obligations other than as set forth in such instructions;

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

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

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

(v) such cash and United States Government Obligations serving as security for the obligations are not available to satisfy any other claims, including those against the trustee or escrow agent; and

(vi) the obligations are rated in the highest rating category by Moody's Investors Service, Inc. (presently "Aaa") or Standard & Poor's (presently "AAA").

"Federal Tax Certificate" means the City's Federal Tax Certificate, dated July 5, 2016, as the same may be amended or supplemented in accordance with the provisions thereof.

"FAST Agent" means the Paying Agent when acting as agent for the Securities Depository in accordance with the rules established by the Securities Depository for Fast Automated Securities Transfers.

"Interest Payment Date" means the Stated Maturity of an installment of interest on any Bond.

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

"Ordinance" means this Ordinance adopted by the Board of Aldermen of the City, authorizing the issuance of the Bonds, as amended from time to time.

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

Draft

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

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

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

"Paying Agent" means UMB Bank, N.A., whose principal corporate trust office is located in Kansas City, Missouri, and any successors or assigns.

"Permitted Investments" means any of the following securities, if and to the extent the same are at the time legal for investment of the City's funds:

(a) United States Government Obligations;

(b) bonds, notes or other obligations of the State of Missouri, or any political subdivision of the State of Missouri, that at the time of their purchase are rated in either of the two highest rating categories by a nationally recognized rating service;

(c) repurchase agreements with any bank, bank holding company, savings and loan association, trust company, or other financial institution organized under the laws of the United States or any state, that are continuously and fully secured by any one or more of the securities described in clause (a) or (b) above and that have a market value, exclusive of accrued interest, at all times at least equal to the principal amount of such repurchase agreement and are held in a custodial or trust account for the City's benefit;

(d) obligations of the Federal National Mortgage Association, the Government National Mortgage Association, the Federal Financing Bank, the Federal Intermediate Credit Corporation, Federal Banks for Cooperatives, Federal Land Banks, Federal Home Loan Banks, Farmers Home Administration and Federal Home Loan Mortgage Corporation;

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

(f) money market funds rated in the highest rating category by Moody's Investors Service, Inc. (presently "Aaa") or Standard & Poor's (presently "AAA").

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

"Project" means (a) the preparation of a stormwater watershed master plan and (b) the design, construction and acquisition of real property and easements necessary for the implementation of stormwater projects within the City, including but not limited to creek bank stabilization, erosion control,

Draft

detention basin construction and reconstruction, stormwater pollution prevention, construction and reconstruction of the City's stormwater collection system, and related improvements thereto, all as described in the proposition approved at the Election.

"Purchaser" means [Underwriter], _____, _____, the original purchaser of the Bonds.

"Rebate Fund" means the fund by that name referred to in **Section 501** hereof.

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

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

"Redemption Price" when used with respect to any Bond to be redeemed means the price at which such Bond is to be redeemed pursuant to the terms of this Ordinance, which price is to be stated as a percentage of the principal amount of those Bonds to be redeemed.

"Registered Owner" when used with respect to any Bond means the Person in whose name such Bond is registered on the Bond Register.

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

"Stated Maturity" when used with respect to any Bond or any installment of interest thereon means the date specified in such Bond and this Ordinance as the fixed date on which the principal of such Bond or such installment of interest is due and payable.

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

ARTICLE II

AUTHORIZATION OF BONDS

Section 201. Authorization of Bonds. There is hereby authorized and directed to be issued the General Obligation Bonds, Series 2016, of the City in the principal amount of $8,000,000 (the "Bonds"), which are being issued for the purpose of providing funds to (1) pay the cost of the Project and (2) pay the costs of issuance of the Bonds.

Section 202. Description of Bonds. The Bonds shall consist of fully-registered bonds, without coupons, numbered from 1 upward in order of issuance, in denominations of $5,000 or any

Draft

integral multiple thereof. The Bonds, as originally issued or issued upon transfer, exchange or substitution, shall be substantially in the form set forth in **Exhibit A** attached hereto, and shall be subject to registration, transfer and exchange as provided in **Section 205** hereof. All of the Bonds shall be dated the date of their original issuance and delivery, shall become due in the amounts on the Stated Maturities, subject to redemption and payment prior to their Stated Maturities as provided in **Article III** hereof, and shall bear interest at rates per annum as follows:

SERIAL BONDS

Stated Maturity (March 1)	Principal Amount	Annual Rate of Interest
2017		
2018		
2019		
2020		
2021		
2022		
2023		
2024		
2025		
2026		
2027		
2028		
2029		
2030		
2031		
2032		
2033		
2034		
2035		
2036		

TERM BONDS

Stated Maturity (March 1)	Principal Amount	Annual Rate of Interest
20__		

The Bonds shall bear interest at the above-specified rates (computed on the basis of a 360-day year of twelve 30-day months) from the date thereof or from the most recent Interest Payment Date to which interest has been paid or duly provided for, payable semiannually on March 1 and September 1 in each year, beginning on March 1, 2017.

Section 203. Designation of Paying Agent.

(a) UMB Bank, N.A., a national banking association, is hereby designated as the City's paying agent for the payment of principal of and interest on the Bonds and bond registrar with respect to the registration, transfer and exchange of Bonds (herein called the "Paying Agent").

Draft

(b) The City will at all times maintain a Paying Agent meeting the qualifications herein described for the performance of the duties hereunder. The City reserves the right to appoint a successor Paying Agent by (i) filing with the Paying Agent then performing such function a certified copy of the proceedings giving notice of the termination of such Paying Agent and appointing a successor, and (ii) causing notice of the appointment of the successor Paying Agent to be given by certified mail to each Registered Owner. The Paying Agent may resign upon giving written notice by certified mail to the City and the Registered Owners not less than 60 days prior to the date such resignation is to take effect. No resignation or removal of the Paying Agent shall become effective until a successor has been appointed and has accepted the duties of Paying Agent.

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

(d) The Paying Agent shall be paid its fees and expenses for its services in connection with the Bonds.

Section 204. Method and Place of Payment of Bonds.

(a) The principal of or Redemption Price and interest on the Bonds shall be payable in any coin or currency of the United States of America that, on the respective dates of payment thereof, is legal tender for the payment of public and private debts.

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

(c) The interest payable on each Bond on any Interest Payment Date shall be paid to the Registered Owner of such Bond as shown on the Bond Register at the close of business on the Record Date for such interest (i) by check or draft mailed by the Paying Agent to the address of such Registered Owner shown on the Bond Register or such other address furnished to the Paying Agent in writing by such Registered Owner, or (ii) in the case of an interest payment to (A) the Registered Owner of all Bonds or (B) any Registered Owner of $500,000 or more in aggregate principal amount of Bonds, by electronic transfer to such Registered Owner upon written notice given to the Paying Agent not less than 15 days prior to the Record Date for such interest and signed by such Registered Owner, containing the electronic transfer instructions including the bank (which shall be in the continental United States), ABA routing number and account number to which such Registered Owner wishes to have such transfer directed.

(d) Any payment of principal of, Redemption Price, or interest on the Bonds that becomes due on a day which is not a Business Day shall be made on the next succeeding Business Day without additional interest accruing after the stated due date.

(e) Notwithstanding the foregoing provisions of this Section, any Defaulted Interest with respect to any Bond shall cease to be payable to the Registered Owner of such Bond on the relevant Record Date and shall be payable to the Registered Owner in whose name such Bond is registered at the close of business on the Special Record Date for the payment of such Defaulted Interest, which Special Record Date shall be fixed as hereinafter specified in this paragraph. The City shall notify the Paying Agent in writing of the amount of Defaulted Interest proposed to be paid on each Bond and the date of the proposed payment (which date shall be at least 30 days after receipt of such notice by the Paying Agent

Draft

unless the City and the Paying Agent agree to a shorter time period) and shall deposit with the Paying Agent at the time of such notice an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Paying Agent for such deposit prior to the date of the proposed payment. Following receipt of such funds the Paying Agent shall fix a Special Record Date for the payment of such Defaulted Interest which shall be not more than 15 nor less than 10 days prior to the date of the proposed payment, unless the City and the Paying Agent agree to a shorter time period. The Paying Agent shall promptly notify the City of such Special Record Date and, in the name and at the expense of the City, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, by first class mail, postage prepaid, to each Registered Owner of a Bond entitled to such notice at the address of such Registered Owner as it appears on the Bond Register not less than 10 days prior to such Special Record Date.

(f) The Paying Agent shall keep a record of payment of principal and Redemption Price of and interest on all Bonds, and shall, at the written request of the City, forward a copy or summary of such records to the City.

Section 205. Registration, Transfer and Exchange of Bonds.

(a) The City covenants that, as long as any of the Bonds remain Outstanding, it will cause the Bond Register to be kept at the principal corporate trust office of the Paying Agent, or such other office as the Paying Agent shall designate, as herein provided. Each Bond when issued shall be registered in the name of the owner thereof on the Bond Register.

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

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

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

Draft

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

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

Section 206. Execution, Registration, Authentication and Delivery of Bonds.

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

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

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

Section 207. Mutilated, Destroyed, Lost and Stolen Bonds.

(a) If (i) any mutilated Bond is surrendered to the Paying Agent or the Paying Agent receives evidence to its satisfaction of the destruction, loss or theft of any Bond, and (ii) there is delivered to the Paying Agent such security or indemnity as may be required by the Paying Agent to save each of the City and the Paying Agent harmless, then, in the absence of notice to the Paying Agent that such Bond has been acquired by a bona fide purchaser, the City shall execute and, the Paying Agent shall authenticate and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost or stolen Bond, a new Bond of the same Stated Maturity and of like tenor and principal amount.

Draft

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

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

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

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

Section 209. Preliminary and Final Official Statement.

(a) The Preliminary Official Statement, in the form attached hereto as **Exhibit B**, is hereby ratified and approved, and the final Official Statement is hereby authorized and approved by supplementing, amending and completing the Preliminary Official Statement, with such changes and additions thereto as are necessary to conform to and describe the transaction. The Mayor is hereby authorized to execute the final Official Statement as so supplemented, amended and completed, and the use and public distribution of the final Official Statement by the Purchaser in connection with the reoffering of the Bonds is hereby authorized. The proper officials of the City are hereby authorized to execute and deliver a certificate pertaining to such Official Statement as prescribed therein, dated as of the date of payment for and delivery of the Bonds.

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

(c) The City agrees to provide to the Purchaser within seven business days of the date of the sale of Bonds or within sufficient time to accompany any confirmation that requests payment from any customer of the Purchaser, whichever is earlier, sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of Rule 15c2-12(b)(4) of the Securities and Exchange Commission and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 210. Sale of Bonds. The sale of the Bonds to the Purchaser at a purchase price of $_____, plus accrued interest to the date of delivery, if any, is hereby ratified and confirmed. Delivery of the Bonds shall be made to the Purchaser as soon as practicable after the adoption of this Ordinance, upon payment therefor in accordance with the terms of sale.

Draft

Section 211. Securities Depository.

(a) For purposes of this Section, the following terms shall have the following meanings:

"Beneficial Owner" means, whenever used with respect to a Bond, the Person in whose name such Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant, or such Person's subrogee.

"Cede & Co." means Cede & Co., the nominee of the Securities Depository, and any successor nominee of the Securities Depository with respect to the Bonds.

"Participant" means any broker-dealer, bank or other financial institution for which the Securities Depository holds Bonds as securities depository.

"Representation Letter" means, collectively, the Representation Letter from the City to the Securities Depository and the Representation Letter from the Paying Agent to the Securities Depository with respect to the Bonds.

"Securities Depository" means The Depository Trust Company, New York, New York.

(b) The Bonds shall be initially issued as one single authenticated fully registered bond for each Stated Maturity. Upon initial issuance, the ownership of such Bonds shall be registered in the Bond Register kept by the Paying Agent in the name of Cede & Co., as nominee of the Securities Depository. The Paying Agent and the City may treat the Securities Depository (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal or Redemption Price of and interest on the Bonds, giving any notice permitted or required to be given to Registered Owners of Bonds under this Ordinance, registering the transfer of Bonds, and for all other purposes whatsoever; and neither the Paying Agent nor the City shall be affected by any notice to the contrary. Neither the Paying Agent nor the City shall have any responsibility or obligation to any Participant, any Person claiming a beneficial ownership interest in the Bonds under or through the Securities Depository or any Participant, or any other Person which is not shown on the Bond Register kept by the Paying Agent as being a Registered Owner of any Bonds, with respect to the accuracy of any records maintained by the Securities Depository or any Participant, with respect to the payment by the Securities Depository or any Participant of any amount with respect to the principal or Redemption Price of and interest on the Bonds, with respect to any notice which is permitted or required to be given to the Registered Owners of Bonds under this Ordinance, or with respect to any consent given or other action taken by the Securities Depository as Registered Owner of the Bonds. The Paying Agent shall pay the principal or Redemption Price of and interest on the Bonds only to Cede & Co. in accordance with the Representation Letter, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to the principal or Redemption Price of and interest on the Bonds to the extent of the sum or sums so paid. No Person other than the Securities Depository (or the Paying Agent as the Security Depository's FAST Agent) shall receive an authenticated Bond for each separate Stated Maturity evidencing the City's obligation to make payments of principal and interest. Upon delivery by the Securities Depository to the Paying Agent of written notice to the effect that the Securities Depository has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to such new nominee in accordance with paragraph (e) hereof.

(c) If Participants holding a majority position in the Bonds determine that it is in the best interest of the Beneficial Owners that they be able to obtain certificated Bonds, such Participants may notify the Securities Depository and the Paying Agent, whereupon the Securities Depository shall notify

Draft

the Participants of the availability through the Securities Depository of Bond certificates. In such event, the Bonds will be transferable in accordance with paragraph (e) hereof. The Securities Depository may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and the Paying Agent and discharging its responsibilities with respect thereto under applicable law. In such event the Bonds will be transferable in accordance with paragraph (e) hereof.

(d) Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of the Securities Depository, all payments with respect to the principal or Redemption Price of and interest on of such Bond and all notices with respect to such Bond shall be made and given, respectively, to the Securities Depository as provided in the Representation Letter.

(e) If any transfer or exchange of Bonds is permitted under paragraph (b) or (c) hereof, such transfer or exchange shall be accomplished upon receipt by the Paying Agent from the Registered Owners thereof of the Bonds to be transferred or exchanged and appropriate instruments of transfer to the permitted transferee in accordance with the provisions of this Ordinance. If Bonds are issued to holders other than Cede & Co., its successor as nominee for the Securities Depository as holder of all the Bonds, or other securities depository as holder of all the Bonds, the provisions of this Ordinance shall also apply to all matters relating thereto, including, without limitation, the printing of such Bonds and the method of payment of the principal or Redemption Price of and interest on such Bonds. In the event that Bonds are issued to holders other than the Securities Depository, the Paying Agent may rely on information provided by the Securities Depository or any Participant as to the names, addresses of and principal amounts held by the Beneficial Owners of the Bonds.

ARTICLE III

REDEMPTION OF BONDS

Section 301. Redemption of Bonds.

(a) *Optional Redemption of the Bonds*. At the option of the City, the Bonds or portions thereof maturing on March 1, 2026 and thereafter, may be called for redemption and payment prior to their Stated Maturity on March 1, 2025 and thereafter as a whole or in part at any time at the Redemption Price of 100% of the principal amount thereof plus accrued interest thereon to the Redemption Date.

(b) *Mandatory Sinking Fund Redemption of the Bonds*. The Bonds maturing in the year 20__ (the "Term Bonds") shall be subject to mandatory redemption and payment prior to their Stated Maturity pursuant to the mandatory redemption requirements of this section at a Redemption Price equal to 100% of the principal amount thereof plus accrued interest to the Redemption Date. The amounts deposited into the Debt Service Fund shall be sufficient to redeem, and the City shall redeem on March 1 in each year, the following principal amounts of such Term Bonds:

Draft

Term Bonds Maturing March 1, 20__

Year	**Principal Amount**
20__	
20__	
20__[†]	

[†] Final Maturity

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

Section 302. Selection of Bonds to be Redeemed.

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

(b) Bonds shall be redeemed only in the principal amount of $5,000 or any integral multiple thereof. When less than all of the Outstanding Bonds are to be redeemed, such Bonds shall be redeemed in such order of their Stated Maturities, as shall be determined by the City, and Bonds of less than a full

Draft

Stated Maturity shall be selected by the Paying Agent in $5,000 units of principal amount in such equitable manner as the Paying Agent may determine.

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

Section 303. Notice and Effect of Call for Redemption.

(a) Unless waived by any Registered Owner of Bonds to be redeemed, official notice of any redemption shall be given by the Paying Agent on the City's behalf by mailing a copy of an official redemption notice (which may be conditional upon the sale of refunding obligations by the City) by first class mail at least 30 days but not more than 60 days prior to the Redemption Date to the State Auditor of Missouri and each Registered Owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register.

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

(i) the Redemption Date;

(ii) the Redemption Price;

(iii) if less than all Outstanding Bonds are to be redeemed, the identification number, Stated Maturity and, in the case of partial redemption of any Bonds, the respective principal amounts) of the Bonds to be redeemed;

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

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

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

(d) Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds to be redeemed shall become due and payable on the Redemption Date, at the Redemption Price

Draft

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

(e) The failure of any Registered Owner to receive the foregoing notice or any defect therein shall not invalidate the effectiveness of the call for redemption.

(f) In addition to the foregoing notice, further notice shall be given by the Paying Agent on the City's behalf as set out below, but no defect in said further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if official notice thereof is given as above prescribed.

(i) Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (A) the CUSIP numbers, if any, of all Bonds being redeemed; (B) the date of issue of the Bonds as originally issued; (C) the rate of interest borne by each Bond being redeemed; (D) the Stated Maturity of each Bond being redeemed; and (E) any other descriptive information needed to identify accurately the Bonds being redeemed.

(ii) Each further notice of redemption shall be sent at least one day before the mailing of notice to Registered Owners by first class, registered or certified mail or overnight delivery, as determined by the Paying Agent, to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Bonds and to one or more national information services that disseminate notices of redemption of obligations such as the Bonds.

(g) Each check or other transfer of funds issued for the payment of the Redemption Price of Bonds being redeemed shall bear or have enclosed therewith the CUSIP number, if any, of the Bonds being redeemed with the proceeds of such check or other transfer.

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

ARTICLE IV

SECURITY FOR AND PAYMENT OF BONDS

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

Draft

Section 402. Levy and Collection of Annual Tax.

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

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

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

ARTICLE V

ESTABLISHMENT OF FUNDS; DEPOSIT AND APPLICATION OF MONEY

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

(a) Construction Fund.

(b) Debt Service Fund.

(c) Rebate Fund.

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

(a) All accrued interest, if any, received from the sale of the Bonds shall be deposited in the Debt Service Fund and applied in accordance with **Section 504** hereof.

(b) The sum of $_____ from the proceeds of the Bonds shall be deposited into the Construction Fund.

Section 503. Application of Moneys in the Construction Fund.

(a) Moneys in the Construction Fund shall be used by the City solely for the purpose of (i) paying the costs of the Project as hereinbefore provided, in accordance with the plans and specifications therefor prepared by the City's architects or engineers heretofore approved by the Board of Aldermen and on file in the office of the City Clerk, including any alterations in or amendments to said

Draft

plans and specifications deemed advisable by the City's architects or engineers and approved by the Board of Aldermen, and (ii) paying the costs and expenses of issuing the Bonds.

(b) The City's Director of Finance shall make withdrawals from the Construction Fund only upon receipt of a certificate executed by the City's engineers that such payment is being made for a purpose within the scope of this Ordinance and that the amount of such payment represents only the contract price of the property, equipment, labor, materials or service being paid for or, if such payment is not being made pursuant to an express contract, that such payment is not in excess of the reasonable value thereof. Nothing hereinbefore contained shall prevent the payment out of the Construction Fund of all costs and expenses incidental to the issuance of the Bonds without a certificate from the City's engineers.

(c) Upon completion of the purpose for which the Bonds have been issued, any surplus remaining in the Construction Fund shall be transferred to and deposited in the Debt Service Fund.

Section 504. Application of Money in Debt Service Fund.

(a) All amounts paid and credited to the Debt Service Fund shall be expended and used by the City for the sole purpose of paying the principal or Redemption Price of and interest on the Bonds as and when the same become due and the usual and customary fees and expenses of the Paying Agent. The City's Director of Finance is authorized and directed to withdraw from the Debt Service Fund sums sufficient to pay both principal or Redemption Price of and interest on the Bonds and the fees and expenses of the Paying Agent as and when the same become due, and to forward such sums to the Paying Agent in a manner which ensures that the Paying Agent will receive immediately available funds in such amounts on or before the Business Day immediately preceding the dates when such principal, Redemption Price, interest and fees and expenses of the Paying Agent will become due. All money deposited with the Paying Agent shall be deemed to be deposited in accordance with and subject to all of the provisions contained in this Ordinance and shall be held in trust by the Paying Agent for the benefit of the Registered Owners of the Bonds entitled to payment from such money.

(b) Any money or investments remaining in the Debt Service Fund after the retirement of the indebtedness for which the Bonds were issued and all other indebtedness of the City shall be transferred and paid into the City's general fund.

Section 505. Application of Money in the Rebate Fund.

(a) There shall be deposited in the Rebate Fund such amounts as are required to be deposited therein pursuant to the Federal Tax Certificate. All money at any time deposited in the Rebate Fund shall be held in trust, to the extent required to satisfy the Rebate Amount (as defined in the Federal Tax Certificate), for payment to the United States of America, and neither the City nor the Registered Owner of any Bonds shall have any rights in or claim to such money. All amounts deposited into or on deposit in the Rebate Fund shall be governed by this Section and the Federal Tax Certificate.

(b) The City shall periodically determine the amount of arbitrage rebate under Section 148(f) of the Code in accordance with the Federal Tax Certificate, and the City shall make payments to the United States of America at the times and in the amounts determined under the Federal Tax Certificate. Any money remaining in the Rebate Fund after redemption and payment of all of the Bonds and payment and satisfaction of any Rebate Amount, or provision made therefor, shall be released to the City.

(c) Notwithstanding any other provision of this Ordinance, including in particular **Article VII** hereof, the obligation to pay arbitrage rebate to the United States and to comply with all other

Draft

requirements of this Section and the Federal Tax Certificate shall survive the defeasance or payment in full of the Bonds.

Section 506. Deposits and Investment of Money.

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

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

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

Section 508. Payments Due on Saturdays, Sundays and Holidays. In any case where a Bond Payment Date is not a Business Day, then payment of the principal, Redemption Price or interest need not be made on such Bond Payment Date but may be made on the next succeeding Business Day with the same force and effect as if made on such Bond Payment Date, and no interest shall accrue for the period after such Bond Payment Date.

ARTICLE VI

REMEDIES

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

Draft

(a) by mandamus or other suit, action or proceedings at law or in equity to enforce the rights of such Registered Owner or Owners against the City and its officers, agents and employees, and to require and compel duties and obligations required by the provisions of this Ordinance or by the constitution and laws of the State of Missouri;

(b) by suit, action or other proceedings in equity or at law to require the City, its officers, agents and employees to account as if they were the trustees of an express trust; and

(c) by suit, action or other proceedings in equity or at law to enjoin any acts or things which may be unlawful or in violation of the rights of the Registered Owners of the Bonds.

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

Section 603. Remedies Cumulative. No remedy conferred herein upon the Registered Owners is intended to be exclusive of any other remedy, but each such remedy shall be cumulative and in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy conferred herein. No waiver of any default or breach of duty or contract by the Registered Owner of any Bond shall extend to or affect any subsequent default or breach of duty or contract or shall impair any rights or remedies consequent thereon. No delay or omission of any Registered Owner to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein. Every substantive right and every remedy conferred upon the Registered Owners of the Bonds by this Ordinance may be enforced and exercised from time to time and as often as may be deemed expedient. If any suit, action or proceedings taken by any Registered Owner on account of any default or to enforce any right or exercise any remedy has been discontinued or abandoned for any reason, or has been determined adversely to such Registered Owner, then, and in every such case, the City and the Registered Owners of the Bonds shall be restored to their former positions and rights hereunder, respectively, and all rights, remedies, powers and duties of the Registered Owners shall continue as if no such suit, action or other proceedings had been brought or taken.

Section 604. Exception for Continuing Disclosure. This **Article VI** shall not apply to **Section 805** hereof regarding the City's continuing disclosure obligations, and Beneficial Owners (as defined in the Continuing Disclosure Undertaking) shall have no remedies for enforcement of said obligations other than the remedies provided for in **Section 805** hereof and in the City's Continuing Disclosure Undertaking.

Draft

ARTICLE VII

DEFEASANCE

Section 701. Defeasance. When any or all of the Bonds or scheduled interest payments thereon have been paid and discharged, then the requirements contained in this Ordinance and the pledge of the City's faith and credit hereunder and all other rights granted hereby shall terminate with respect to the Bonds or scheduled interest payments thereon so paid and discharged. Bonds or scheduled interest payments thereon shall be deemed to have been paid and discharged within the meaning of this Ordinance if there has been deposited with a commercial bank or trust company located in the State of Missouri and having full trust powers (the "Escrow Agent"), at or prior to the Stated Maturity or Redemption Date of said Bonds or the interest payments thereon, in trust for and irrevocably appropriated thereto, money and/or Defeasance Obligations which, together with the interest to be earned on any such Defeasance Obligations, will be sufficient for the payment of the principal of said Bonds and/or interest accrued to the Stated Maturity or Redemption Date, or if default in such payment has occurred on such date, then to the date of the tender of such payments; provided, however, that if any such Bonds are to be redeemed prior to their Stated Maturity, (1) the City has elected to redeem such Bonds, and (2) either notice of such redemption has been given, or the City has given irrevocable instructions, or shall have provided for the Escrow Agent to give irrevocable instructions, to the Paying Agent to give such notice of redemption in compliance with **Section 302(a)** hereof. Any money and Defeasance Obligations that at any time shall be deposited with the Escrow Agent by or on behalf of the City, for the purpose of paying and discharging any of the Bonds, shall be and are hereby assigned, transferred and set over to the Escrow Agent in trust for the respective Registered Owners of the Bonds, and such money shall be and is hereby irrevocably appropriated to the payment and discharge thereof. All money and Defeasance Obligations deposited with the Escrow Agent shall be deemed to be deposited in accordance with and subject to all of the provisions of this Ordinance. To accomplish the defeasance of the Bonds, the City shall cause to be delivered to the Paying Agent (i) if payment is to be made more than ninety days after the deposit thereof with the escrow agent, a report of an independent firm of nationally recognized certified public accounts verifying the sufficiency of the escrow established to pay the Bonds in full at Maturity, (ii) an escrow deposit agreement and (iii) an opinion of Bond Counsel to the effect that the Bonds are no longer Outstanding under this Ordinance. The City shall provide the Paying Agent 15 Business Days prior notice of any advance refunding of the Bonds. Bonds shall be deemed Outstanding under this Ordinance unless and until they are in fact paid and retired or the criteria of this Section are met.

Draft

ARTICLE VIII

MISCELLANEOUS PROVISIONS

Section 801. Tax Covenants.

(a) The City covenants and agrees that (i) it will comply with all applicable provisions of the Code, including Sections 103 and 141 through 150, necessary to maintain the exclusion from gross income for purposes of federal income taxation of the interest on the Bonds, and (ii) it will not use or permit the use of any proceeds of Bonds or any other funds of the City, nor take or permit any other action, or fail to take any action, which would adversely affect the exclusion from gross income for purposes of federal income taxation of the interest on the Bonds. The City will also adopt such other ordinances or resolutions and take such other actions as may be necessary to comply with the Code and with other applicable future law, in order to ensure that the interest on the Bonds will remain excluded from gross income for purposes of federal income taxation, to the extent any such actions can be taken by the City.

(b) The City covenants and agrees that (i) it will use the proceeds of the Bonds as soon as practicable and with all reasonable dispatch for the purposes for which the Bonds are issued, and (ii) it will not invest or directly or indirectly use or permit the use of any proceeds of the Bonds or any other funds of the City in any manner, or take or omit to take any action, that would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148(a) of the Code.

(c) The City covenants and agrees that it will pay or provide for the payment from time to time of all rebatable arbitrage to the United States pursuant to Section 148(f) of the Code and the Federal Tax Certificate. This covenant shall survive payment in full or defeasance of the Bonds. The Federal Tax Certificate may be amended or replaced if, in the opinion of Bond Counsel, such amendment or replacement will not adversely affect the exclusion from gross income for purposes of federal income taxation of the interest on the Bonds.

(d) The City covenants and agrees that it will not use any portion of the proceeds of the Bonds, including any investment income earned on such proceeds, directly or indirectly, (i) in a manner that would cause any Bond to be a "private activity bond" within the meaning of Section 141(a) of the Code, or (ii) to make or finance a loan to any Person.

(e) The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the Bonds pursuant to **Article VII** hereof or any other provision of this Ordinance, until the final maturity date of all Bonds Outstanding.

Section 802. Annual Audit.

(a) Annually, promptly after the end of the fiscal year, the City will cause an audit to be made of its funds and accounts for the preceding fiscal year by an independent public accountant or firm of independent public accountants.

(b) Within 30 days after the completion of each such audit, a copy thereof shall be filed in the office of the City Clerk. Such audits shall at all times during the usual business hours be open to the examination and inspection by any taxpayer, any Registered Owner of any of the Bonds, or by anyone acting for or on behalf of such taxpayer or Registered Owner.

(c) As soon as possible after the completion of the annual audit, the Board of Aldermen of the City shall review such audit, and if the audit discloses that proper provision has not been made for all of the requirements of this Ordinance, the City shall promptly cure such deficiency.

Section 803. Amendments.

(a) The rights and duties of the City and the Registered Owners, and the terms and provisions of the Bonds or of this Ordinance, may be amended or modified at any time in any respect by Ordinance of the City with the written consent of the Registered Owners of not less than a majority in principal amount of the Bonds then Outstanding, such consent to be evidenced by an instrument or instruments executed by such Registered Owners and duly acknowledged or proved in the manner of a deed to be recorded, and such instrument or instruments shall be filed with the City Clerk. No such modification or alteration may:

(i) extend the maturity of any payment of principal or interest due upon any Bond;

Draft

(ii) effect a reduction in the amount which the City is required to pay as principal of or interest on any Bond;

(iii) permit preference or priority of any Bond over any other Bond; or

(iv) reduce the percentage in principal amount of Bonds required for the written consent to any modification or alteration of the provisions of this Ordinance.

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

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

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

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

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

Section 804. Notices, Consents and Other Instruments by Registered Owners.

(a) Any notice, consent, request, direction, approval or other instrument to be signed and executed by the Registered Owners may be in any number of concurrent writings of similar tenor and may be signed or executed by such Registered Owners in person or by agent appointed in writing. Proof of the execution of any such instrument or of the writing appointing any such agent and of the ownership of Bonds (other than the assignment of the ownership of a Bond as provided for in the form of Bond set forth in **Exhibit A**) if made in the following manner, shall be sufficient for any of the purposes of this Ordinance, and shall be conclusive in favor of the City and the Paying Agent with regard to any action taken, suffered or omitted under any such instrument, namely:

(i) The fact and date of the execution by any person of any such instrument may be proved by a certificate of any officer in any jurisdiction who by law has power to take

Draft

acknowledgments within such jurisdiction that the person signing such instrument acknowledged before such officer the execution thereof, or by affidavit of any witness to such execution.

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

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

Section 805. Continuing Disclosure. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of a Continuing Disclosure Undertaking to be executed by the City and dated the date of issuance and delivery of the Bonds, in substantially the same form attached as **Exhibit C** hereto, as originally executed and as it may be amended from time to time in accordance with the terms thereof. Upon the City's failure to comply with the Continuing Disclosure Undertaking, any Registered Owner may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Section.

Section 806. Further Authority. The officers of the City, including the Mayor, the City Administrator, the Director of Finance, the City Clerk and the Deputy City Clerk, are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Ordinance and to make ministerial alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 807. Parties Interested Herein. Nothing in this Ordinance, expressed or implied, is intended or shall be construed to confer upon, or to give to, any person or entity, other than the City, the Paying Agent and the Registered Owners of the Bonds, any right, remedy or claim under or by reason of this Ordinance or any covenant, condition or stipulation thereof, and all covenants, stipulations, promises and agreements in this Ordinance contained by and on behalf of the City shall be for the sole and exclusive benefit of the City, the Paying Agent and the Registered Owners of the Bonds.

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

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

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

[Remainder of Page Intentionally Left Blank.]

Draft

READ TWO TIMES, PASSED AND APPROVED this 23rd day of June, 2016.

(SEAL)

Len Pagano, Mayor

ATTEST:

Patricia E. Smith, City Clerk

Draft

EXHIBIT A
TO ORDINANCE

(FORM OF BONDS)

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

UNITED STATES OF AMERICA
STATE OF MISSOURI

Registered **Registered**
No. _____ **$_____**

CITY OF ST. PETERS, MISSOURI
GENERAL OBLIGATION BOND
SERIES 2016

Interest Rate	Maturity Date	Dated Date	CUSIP No.
_____%	March 1, ____	July 5, 2016	_____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: _____DOLLARS

THE CITY OF ST. PETERS, MISSOURI, a city of the fourth class and political subdivision of the State of Missouri (the "City"), for value received, hereby acknowledges itself to be indebted and promises to pay to the registered owner shown above, or registered assigns, the principal amount shown above on the maturity date shown above unless called for redemption prior to said maturity date, and to pay interest thereon at the interest rate per annum shown above (computed on the basis of a 360-day year of twelve 30-day months) from the Dated Date shown above or from the most recent interest payment date to which interest has been paid or duly provided for, payable semiannually on March 1 and September 1 in each year, beginning on March 1, 2017, until said principal amount has been paid.

The principal or redemption price of this Bond shall be paid at maturity or upon earlier redemption by check or draft to the person in whose name this Bond is registered at the maturity or redemption date thereof upon presentation and surrender of this Bond at the principal corporate trust office of UMB Bank, N.A. (the "Paying Agent") in Kansas City, Missouri or such other office as the Paying Agent shall designate. The interest payable on this Bond on any interest payment date shall be

Draft

paid to the person in whose name this Bond is registered on the registration books maintained by the Paying Agent (the "Bond Register") at the close of business on the Record Date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding the interest payment date. Such interest shall be payable (a) by check or draft mailed by the Paying Agent to the address of such Registered Owner shown on the Bond Register or (b) in the case of an interest payment to (i) the Registered Owner of all Bonds or (ii) any Registered Owner of $500,000 or more in aggregate principal amount of Bonds, by electronic transfer to such Registered Owner upon written notice given to the Paying Agent not less than 15 days prior to the Record Date for such interest and signed by such Owner, containing the electronic transfer instructions including the name and address of the bank (which shall be in the continental United States), ABA routing number and account number to which such Registered Owner wishes to have such transfer directed. The principal or redemption price of and interest on the Bonds shall be payable by check or draft in any coin or currency that, on the respective dates of payment thereof, is legal tender for the payment of public and private debts.

This Bond is one of an authorized series of bonds of the City designated "General Obligation Bonds, Series 2016," aggregating the principal amount of $8,000,000 (the "Bonds"), issued by the City for the purpose of paying the costs of (a) the preparation of a stormwater watershed master plan and (b) the design, construction and acquisition of real property and easements necessary for the implementation of stormwater projects within the City, including but not limited to creek bank stabilization, erosion control, detention basin construction and reconstruction, stormwater pollution prevention, construction and reconstruction of the City's stormwater collection system, and related improvements thereto, under the authority of and in full compliance with the constitution and laws of the State of Missouri, and pursuant to an ordinance duly passed (the "Ordinance") and proceedings duly and legally had by the Board of Aldermen of the City.

At the option of the City, the Bonds or portions thereof maturing on March 1, 2026 and thereafter, may be called for redemption and payment prior to their Stated Maturity on March 1, 2025 and thereafter as a whole or in part at any time at the Redemption Price of 100% of the principal amount thereof plus accrued interest thereon to the Redemption Date.

The Term Bonds will be subject to mandatory redemption at a Redemption Price equal to 100% of the Redemption Price equal to 100% of the principal amount thereof being redeem plus accrued interest to the Redemption Date, at the times and in the amounts set forth in the Ordinance.

Notice of redemption, unless waived, is to be given by the Paying Agent by mailing an official redemption notice (which may be conditional upon the sale of refunding obligations by the City) by first class mail at least 30 days but not more than 60 days prior to the redemption date to the State Auditor of Missouri and each registered owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register maintained by the Paying Agent. Notice of redemption having been given as aforesaid, the Bonds or portions of Bonds to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the City defaults in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest.

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

Draft

The Bonds are issuable in the form of fully-registered Bonds without coupons in the denominations of $5,000 or any integral multiple thereof.

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

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

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

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

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

[Remainder of Page Intentionally Left Blank.]

Draft

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

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

CERTIFICATE OF AUTHENTICATION

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

Registration Date: _____

UMB BANK, N.A.,
as Paying Agent

By:_____
Authorized Signatory

CITY OF ST. PETERS, MISSOURI

By:_____
Len Pagano, Mayor

(Seal)

ATTEST:

_____
Patricia E. Smith, City Clerk

Draft

ASSIGNMENT

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

_____

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

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

Dated: _____

_____

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

Signature Guaranteed By:

_____

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

By: _____

Title: _____

Draft

LEGAL OPINION

The following is a true and correct copy of the approving legal opinion of Gilmore & Bell, P.C., Bond Counsel, which was dated and issued as of the date of original issuance and delivery of the Bonds:

GILMORE & BELL
A Professional Corporation
One Metropolitan Square, Suite 2350
211 North Broadway
St. Louis, Missouri 63102

(LEGAL OPINION OF BOND COUNSEL)

Draft

EXHIBIT B

PRELIMINARY OFFICIAL STATEMENT

[On file in the office of the City Clerk]

Draft

EXHIBIT C

CONTINUING DISCLOSURE UNDERTAKING

[On file in the office of the City Clerk]

Draft

CERTIFICATE

I, the undersigned, hereby certify that the above and foregoing is a true and correct copy of the Ordinance of the City of St. Peters, Missouri, adopted by the Board of Aldermen on June 23, 2016, authorizing the issuance of General Obligation Bonds, Series 2016, as the same appears of record in my office, and that said Ordinance has not been modified, amended or repealed and is in full force and effect as of this date.

DATED: July 5, 2016

(Seal) _____

Patricia E. Smith, City Clerk

Draft

Exhibit B

PRELIMINARY OFFICIAL STATEMENT DATED MAY 26, 2016

New Issue **Moody's Rating: Aa2**

In the opinion of Gilmore & Bell, P.C., Bond Counsel, under existing law and assuming continued compliance with certain requirements of the Internal Revenue Code of 1986, as amended (the "Code"), (1) the interest on the Bonds (including any original issue discount properly allocable to an owner thereof) is excludable from gross income for federal income tax purposes, and is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, (2) the interest on the Bonds is exempt from income taxation by the State of Missouri and (3) the Bonds have ***not*** *been designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code. See "****TAX MATTERS****" in this Official Statement.*

$8,000,000
CITY OF ST. PETERS, MISSOURI
GENERAL OBLIGATION BONDS, SERIES 2016

Dated: Date of Original Issuance **Due: March 1, in years shown below**

The Bonds will be issued as fully-registered bonds, without coupons, as herein described, and, when issued, will be registered in the name of Cede & Co., as Bondowner and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the Bonds. Purchases of the Bonds will be made in book-entry only form. The Bonds will be issued in the denomination of $5,000 or any integral multiple thereof. Purchasers will not receive certificates representing their interest in the Bonds purchased. See "APPENDIX B - BOOK-ENTRY ONLY SYSTEM" herein.

Interest on the Bonds will be payable semiannually on March 1 and September 1, commencing March 1, 2017. So long as DTC or its nominee, Cede & Co., is the Bondowner, such payments will be made by UMB Bank, N.A., Kansas City, Missouri, as paying agent and bond registrar (the "Paying Agent") directly to such Bondowner in whose name each Bond is registered on the fifteenth day of the month next preceding each interest payment date (the "Record Date"). Disbursement of such payments to the DTC Participants is the responsibility of DTC. Distribution of such payments to the Beneficial Owners is the responsibility of the DTC Participants and Indirect Participants, as more fully described herein.

The Bonds are issued pursuant to and in full compliance with the Constitution and statutes of the State of Missouri and an ordinance expected to be adopted by the City on June 23, 2016. The Bonds will constitute valid and legally binding general obligations of the City payable both as to principal and interest from ad valorem taxes to be levied upon all the taxable, tangible property within the territorial limits of the City without limitation as to rate or amount.

MATURITY SCHEDULE*

Year	Amount	Rate	Price	Year	Amount	Rate	Price
2017	$280,000	%	%	2027	$400,000	%	%
2018	320,000			2028	410,000		
2019	330,000			2029	420,000		
2020	335,000			2030	435,000		
2021	340,000			2031	445,000		
2022	350,000			2032	460,000		
2023	360,000			2033	475,000		
2024	365,000			2034	490,000		
2025	375,000			2035	505,000		
2026	385,000			2036	520,000		

The Bonds are offered when, as, and if issued and received by the Underwriter, subject to receipt of an approving opinion of Gilmore & Bell, P.C., St. Louis, Missouri, Bond Counsel. It is expected that the Bonds in definitive form will be available for delivery at The Depository Trust Company in New York, New York on or about July 5, 2016.

This Official Statement is dated _____.

* **Subject to change as provided in the Notice of Bond Sale. See the caption "Adjustment of Principal."**

This Preliminary Official Statement and the information contained herein is subject to completion and amendment. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or the soliciation of any offer to buy, nor shall there be any sale of these securities in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of any such jurisdiction.

Draft

Draft

No dealer, broker, salesman, or other person has been authorized by the City, the Municipal Advisor, or the Underwriter to give any information or to make any representations, other than those contained in this Official Statement, and, if given or made, such other information or representations must not be relied upon as having been authorized by the City, the Municipal Advisor, or the Underwriter. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the Bonds by any person in any jurisdiction in which it is unlawful for such person to make such offer, solicitation, or sale.

The information set forth herein has been furnished by the City and from other sources which are believed to be reliable, but it is not guaranteed as to accuracy or completeness by, and is not to be construed as a representation by the Municipal Advisor or the Underwriter. This Official Statement is not to be construed as a contract or agreement between the City or the Underwriter and the purchasers or owner of any of the Bonds. The information and expressions of opinion contained herein are subject to change without notice, and neither the delivery of the Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the City since the date hereof.

This Official Statement is in a form deemed final by the City for purposes of Rule 15c2-12 issued under the Securities Exchange Act of 1934, as amended, except for certain information to be omitted pursuant to Rule 15c2-12(B)(1).

Draft

TABLE OF CONTENTS

SUMMARY STATEMENT i
INTRODUCTION 1
THE BONDS 1
THE CITY 3
THE CITY'S FINANCES 8
SOURCES OF REVENUE 13
TAXATION 15
DEBT OF THE CITY 18
THE PROJECT 22
LEGAL MATTERS 23
TAX MATTERS 23
RATING 25
MUNICIPAL ADVISOR 25
UNDERWRITING 25
NO LITIGATION CERTIFICATE 25
CONTINUING DISCLOSURE UNDERTAKING 26
CERTIFICATION OF OFFICIAL STATEMENT 27
MISCELLANEOUS 28
APPENDIX A – FINANCIAL STATEMENTS A-1
APPENDIX B – BOOK-ENTRY ONLY SYSTEM B-1

CITY OF ST. PETERS, MISSOURI

MAYOR

Len Pagano

ALDERMEN

Dave Thomas, Ward 1
Jerry Hollingsworth, Ward 2
Michael Shea, Ward 3
Don Aytes, Ward 4

John Reitmeyer, Ward 1
Judy Bateman, Ward 2
Terri Violet, Ward 3
Patrick Barclay, Ward 4

CITY ADMINISTRATOR*

William P. Charnisky

DIRECTOR OF FINANCE

Beth French

COUNSEL TO THE CITY

Hamilton Weber LLC
St. Charles, Missouri

BOND COUNSEL

Gilmore & Bell, P.C.
St. Louis, Missouri

MUNICIPAL ADVISOR

WM Financial Strategies
St. Louis, Missouri

Draft

* A new City Adminstrator will be replacing the current retiring City Administrator on July 29, 2016.

SUMMARY STATEMENT

This Summary Statement is provided for the convenience of potential investors and is expressly qualified by the entire Official Statement, which should be reviewed in its entirety by potential investors.

Issuer:	City of St. Peters, Missouri.
Issue:	The Bonds consist of $8,000,000 of General Obligation Bonds, Series 2016.
Dated Date and Delivery:	The Bonds are dated as of the date of original issuance and delivery which is expected to be on or about July 5, 2016.
Interest Due:	Interest on the Bonds will be payable on March 1 and September 1, commencing March 1, 2017.
Principal Due:	Principal will be due annually on March 1 in the years and in the amounts shown on the cover page of the Official Statement.
Redemption:	The Bonds maturing on and after March 1, 2026 are subject to redemption and payment prior to maturity at the option of the City on March 1, 2025 and thereafter, in whole or in part on any date, at the redemption price of 100% of the principal amount thereof, plus accrued interest thereon to the redemption date.
Authorization:	The Bonds are authorized pursuant to the Constitution and statutes of the State of Missouri and an ordinance expected to be adopted by the City on June 23, 2016.
Security:	The Bonds are general obligations of the City, and the full faith, credit and resources of the City have been irrevocably pledged to the payment of the principal of and interest of the Bonds. On August 7, 2012, the City approved an additional .4% Parks and Stormwater Sales Tax to an existing .1% Parks and Stormwater Sales Tax. Although the revenues of the Parks and Stormwater Sales Tax are not pledged to the payment of the Bonds, the City currently intends to budget and appropriate such revenues to make debt service payments on the Bonds.
Rating:	The Bonds are rated “Aa2” by Moody’s Investors Service.
Purpose:	Proceeds from the Bonds will be used to finance stormwater projects as further described under the caption “THE PROJECT.”
Paying Agent:	UMB Bank, N.A., Kansas City, Missouri.

Draft

This Page Left Blank Intentionally

Draft

OFFICIAL STATEMENT
Relating to
$8,000,000
CITY OF ST. PETERS, MISSOURI
GENERAL OBLIGATION BONDS, SERIES 2016

INTRODUCTION

This Official Statement, including the cover page and the Appendices hereto, is provided by the City of St. Peters, Missouri (the "City") to furnish information in connection with its issuance of $8,000,000 principal amount of General Obligation Bonds, Series 2016 (the "Bonds").

The Bonds represents the fourth series of $40,000,000 of bonds authorized at an election held on August 3, 2010, by a vote of 5,645 in favor of to 1,991 against the issuance of bonds.

The Bonds are general obligations of the City, and the full faith, credit and resources of the City have been irrevocably pledged to the payment of the principal of and interest on the Bonds. The principal of and interest on the Bonds are payable from ad valorem taxes which may be levied on all taxable, tangible property within the City, without limitation as to rate or amount. Although the Bonds are general obligations of the City, the City expects to make debt service payments from its .5% Parks and Storm Water Sales Tax. Additional information regarding the City's Parks and Storm Water Sales Tax and other revenues can be found hereinafter under the caption "SOURCES OF REVENUES".

Brief descriptions of the Bonds, the Project, and the City are included in this Official Statement. Such descriptions and summaries do not purport to be comprehensive or definitive. All references herein to the Bond Ordinance (as defined below) and any other documents are qualified in their entirety by reference to such documents, and references herein to the Bonds are qualified in their entirety by reference to the form thereof included in the Bond Ordinance.

THE BONDS

Authority

The Bonds are being issued pursuant to and in full compliance with the Constitution and statutes of the State of Missouri, including particularly Article VI, Section 26 of the Missouri Constitution and Chapter 108 of the Missouri Revised Statutes (the "Missouri Revised Statutes") and an ordinance expected to be adopted by the City on June 23, 2016 (the "Bond Ordinance").

Redemption

The Bonds maturing on and after March 1, 2026 are subject to redemption and payment prior to maturity at the option of the City on March 1, 2025 and thereafter, in whole or in part on any date, at the redemption price of 100% of the principal amount thereof, plus accrued interest thereon to the redemption date. When less than all outstanding Bonds are to be redeemed, such Bonds shall be redeemed in such order of maturity as shall be determined by the City, and Bonds of less than a full maturity shall be selected by the Paying Agent in $5,000 units of principal amount by lot or such other equitable manner as the Paying Agent may determine.

In the event the City elects to exercise its option to redeem Bonds pursuant to the Bond Ordinance, written notice shall be given by first class mail to the State Auditor and the registered owners of the Bonds to be redeemed at least 30 days but not more than 60 days prior to the redemption date.

Draft

Security for the Bonds

The Bonds are general obligations of the City, and the full faith, credit and resources of the City have been irrevocably pledged to the payment of the principal of and interest of the Bonds. The principal of and interest on the Bonds are payable from ad valorem taxes which may be levied on all taxable tangible property, real and personal, within the City, without limitation as to rate or amount. Said levy shall be in addition to and exclusive of all other taxes authorized to be levied by the City.

Description

The Bonds will be issued as non-certificated fully-registered bonds, and, when issued, will be registered in the name of Cede & Co., as Bondowner and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the Bonds. Purchases of the Bonds will be made in book-entry only form. The Bonds will be issued in the denomination of $5,000 or any integral multiple thereof. Purchasers will not receive certificates representing their interest in Bonds purchased. See "APPENDIX B - BOOK-ENTRY ONLY SYSTEM" herein.

The Bonds are dated as of the date of original issuance and delivery and will mature on March 1 in each of the years and in the amounts shown on the cover page of this Official Statement. Interest on the Bonds will be payable semiannually on March 1 and September 1, commencing on March 1, 2017.

The principal or redemption price of the Bonds shall be paid at maturity or upon earlier redemption by check or draft to the person in whose name the Bond is registered at the maturity or redemption date thereof upon presentation and surrender of the Bond at the principal corporate trust office of Paying Agent or such other office as the Paying Agent shall designate. The interest payable on the Bonds on any interest payment date shall be paid to the person in whose name the Bond is registered on the registration books maintained by the Paying Agent (the "Bond Register") at the close of business on the Record Date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding the interest payment date. Such interest shall be payable (a) by check or draft mailed by the Paying Agent to the address of such Registered Owner shown on the Bond Register or (b) in the case of an interest payment to (i) the Registered Owner of all Bonds or (ii) any Registered Owner of $500,000 or more in aggregate principal amount of Bonds, by electronic transfer to such Registered Owner upon written notice given to the Paying Agent not less than 15 days prior to the Record Date for such interest and signed by such Owner, containing the electronic transfer instructions including the name and address of the bank (which shall be in the continental United States), ABA routing number and account number to which such Registered Owner wishes to have such transfer directed. The principal or redemption price of and interest on the Bonds shall be payable by check or draft in any coin or currency that, on the respective dates of payment thereof, is legal tender for the payment of public and private debts.

So long as DTC or its nominee, Cede & Co., is the Bondowner, such payments will be made by the Paying Agent, directly to such Bondowner. Disbursement of such payments to the DTC Participants is the responsibility of DTC. Distribution of such payments to the Beneficial Owners is the responsibility of the DTC Participants and Indirect Participants, as more fully described in the Official Statement under the caption "APPENDIX B - BOOK-ENTRY ONLY SYSTEM."

Draft

THE CITY

Government

The City is a fourth-class city. The governing body of the City is the Board of Aldermen, which is comprised of eight aldermen and a mayor. Two aldermen are elected from each of the City's four wards to serve four-year terms.

The Mayor, elected at large to serve a four-year term, is the presiding officer of the Board of Aldermen. The Mayor may vote in the event of a tie vote by the Board of Aldermen. Additionally, the Mayor has veto power.

A city administrator is appointed by the Mayor with the advice and consent of the Board of Aldermen. The city administrator is the chief assistant to the Mayor and is responsible for the day-to-day management of the City's business and staff. The city administrator is also responsible for the employment and discharge of City employees under policies established by the Board of Aldermen.

City functions are divided among 6 groups: Staff Support Services, Health and Environmental Services, Municipal Police Services, Transportation and Development Services, Parks and Recreation Services, and Water Environment Services. These groups are further divided into departments. The Communications Department publishes a newspaper on City business and events, providing voter registration information, and assisting civic and volunteer organizations. In addition, this department operates a cable television channel which airs public service announcements, weather, City and governmental activities, Board of Aldermen meetings and documentaries.

The City has several advisory boards and committees composed of citizens appointed by the Mayor with the advice and consent of the Board of Aldermen. The advisory boards and committees include, among others, Tax Increment Financing Commission, Personnel Review Board, St. Peters Green Team, Senior Advisory Committee, Veterans Memorial Commission, Outpatient Surgical Treatment Center Medical Review Board, Health and Wellness Advisory Committee, and the Parks, Recreation, and Arts Advisory Board. In addition, the Mayor with the advice and consent of the Board of Aldermen appoints citizens to other boards and commissions which have responsibility for governmental functions relating to zoning and building codes. These boards and commissions are the Planning and Zoning Commission, the Board of Adjustment, and the Board of Appeals.

Employees

The City has approximately 405 full-time and 353 part-time and seasonal employees. None of the City employees are represented by a union.

Community Services

Communications and Media

Telecommunication services are provided by AT&T, Verizon and Charter Communications. City residents receive all St. Louis television channels and are within listening distance of approximately 60 radio stations. There are two major newspapers circulated in the County: the *St. Peters Journal* and the *St. Louis Post-Dispatch*. Television service is provided by Charter Communications, Inc., AT&T, Dish Network and Direct TV.

Draft

The St. Charles City-County Library District (the "Library") operates its main library in the City. This special service district is governed by a board of trustees and operated with a separate tax levy. In 2012, the main library was replaced with a new two-story 54,700 square foot facility that includes 13 meeting rooms, computer access and a reading room. The Library has over 800,000 books, 60,000 audios, 53,000 videos and DVDs, and 200 on-line electronic resources.

Fire Protection

Fire protection is provided by fire protection districts that are independent of the City, with each district having its own elected or appointed officials, budgets, and powers of taxation. The majority of the City and surrounding unincorporated areas are served by Central County Fire & Rescue District that was formed through a 1998 consolidation of the St. Peters Fire Protection District and the St. Charles Fire Protection District. A small portion of St. Peters is served by the Cottleville Fire Protection District.

Police Protection

Municipal Police Services, a department of the City, has 86 full-time officers and 5 full-time rangers and provides police protection throughout the corporate limits of the City. The Municipal Police Services sponsors several community service programs including the D.A.R.E. drug program, Neighborhood Watch, Mall Watch, Business Watch, Bicycle Safety Rodeos, Special Olympics, and other programs designed to reduce crime.

Recreation Activities

The City owns and operates 21 parks covering approximately 1,284 acres and an 18-hole municipal golf course. Facilities available at City parks include numerous ball fields, tennis courts, 1 outdoor swimming pool, hiking trails, playground equipment and picnicking facilities.

The City owns a 124,000 square foot recreation complex known as the Rec-Plex. The Rec-Plex includes:

- An Olympic-sized natatorium, which is a competition-style swimming and diving pool built to Olympic standards with a separate leisure pool,
- A National Hockey League regulation size indoor ice rink,
- A gymnasium with an elevated running track,
- Rooms for weight training, dance/aerobics, and other leisure activities, and
- A food court with an observatory.

Adjacent to Rec-Plex is Rec-Plex South. Rec-Plex South was constructed in 2006 and houses two ice sheets, a double gymnasium, a multi-purpose room/gymnasium, a concession facility and locker rooms.

In connection with the construction of a levee for the St. Peters Route 370 Redevelopment Area, the City constructed a 140-acre lake within a 300-acre park. The park includes a beach, hiking and biking trails, and facilities for camping, boating and fishing, a dog park and an archery range.

The City also operates a cultural arts center within City Hall that attracts visitors from throughout the St. Louis metropolitan area. In addition to monthly exhibits, the center conducts a variety of visual and performing art classes available to residents throughout the County. The center contains numerous dual purpose classrooms and gallery spaces designed for monthly exhibitions, special performances, workshops and meetings. The center contains an auditorium that hosts plays and

Draft

musical performances. The center hosts thematic competition art shows for local artists and ongoing classes in painting, clay, and drawing.

The City has a Senior Center that offers planned activities and seminars.

Solid Waste Collection

The State of Missouri Solid Waste Management Law requires cities with a population over 500 to develop, adopt and implement a solid waste management plan to ensure that all solid wastes in a community are stored, collected, transported and disposed of properly. The City began solid waste collection in November 1990 and presently serves approximately 19,020 single family residential customers, including approximately 1,327 customers outside the City limits including collections for the City of Cottleville. During the 1999 Fiscal Year, the City began multi-family collection and competes with private haulers for commercial customers.

The City owns a materials recycling facility. City residents are encouraged to participate in recycling by separating regular wastes from items that are recyclable. Recyclables are collected at curbside and are then separated into salable commodities at the recycling facility. The City also collects specific recyclable commodities (such as cardboard) that can be sold directly to various recycling companies.

Medical

Within the City is the Barnes-Jewish St. Peters Hospital (the "Hospital"). Facilities at the Hospital include, among others, a medical/surgical unit, an emergency department, an intensive care unit, a cardiopulmonary department, a physical medicine department, a radiology department, a full service laboratory, a stress and chemical dependency unit and a cancer center. The Hospital recently completed a phased expansion that increased the number of beds (now 127) and added an 18,000 square foot medical office building to the campus. In addition to the Hospital, numerous dentists, chiropractors and doctors provide medical services from offices and clinics located in the City. The health care needs of the elderly are provided by several long-term care facilities located in the City.

Emergency medical transport services are provided by the St. Charles County Ambulance District, based in St. Peters. The District is a tax-supported governmental body.

Education

Primary and secondary education within the City are provided by three public school districts: Fort Zumwalt, Francis Howell and St. Charles. The districts own and operate 33 elementary schools, 11 middle schools and 9 senior high schools. There are also several private schools serving grades K-12 in easy commuting distance of the City.

Higher education is provided by the St. Charles Community College, located in Cottleville adjacent to the City, and by Lindenwood University, located in the County approximately 7 miles from the City. In addition, numerous institutions of higher education located in the St. Louis metropolitan area are easily accessible to City residents including Saint Louis University, Washington University and the University of Missouri-St. Louis.

Draft

Economic and Demographic Data

Transportation

The City is traversed by Interstate 70 which provides direct access to St. Louis, approximately 20 miles east of the City, and to Kansas City, approximately 220 miles west of the City. Routes 370 and 364 provide direct access to St. Louis County and Interstate 270 from the North and South sides of the City, respectively.

Regularly scheduled air passenger and freight service is available at Lambert-St. Louis International Airport located approximately 12 miles east of the City on Interstate 70. Commercial air service is available at Smartt Field Airport, a public airport operated by the County. Barge service is available on the Mississippi River located approximately 5 miles from St. Peters. The City is served by two railroads: the Norfolk & Southern and the Burlington-Northern, and three common-carrier truck lines.

Population

Since 1980, the City's population has more than tripled. The following table sets forth population statistics for the City:

Year	Population
1970	486
1980	15,700
1990	42,747
2000	51,381
2010	52,575
2014	56,076

Source: Official Census Counts of the United States Department of Commerce, Bureau of Census except for 2014, which is an unofficial estimate of the Bureau of Census.

Economy

The City's diversified economy and commercial growth is attributable to its transportation network, central location in the United States, and expanding resources of labor and materials. Residential growth has been considerable as an outgrowth of expanded employment opportunities in the area. At the same time, the City continues to grow as a suburban community.

The City currently has approximately 2,245 business establishments. There are several major shopping corridors in St. Peters and the City serves as a shopping hub to surrounding communities located throughout the County. The City's retail service area encompasses an estimated 30 mile radius with a population of approximately 360,000 in the 10 mile radius immediately surrounding the City.

The largest shopping center in the City, Mid Rivers Mall (the "Mall"), is also the largest shopping center in the County. The Mall opened in 1987. The Mall contains approximately 1,000,000 square feet with approximately 120 stores including the following anchors: J.C. Penney, Sears, Macy's and Dillards.

Draft

Major Employers

The following table sets forth information regarding the largest employers located within the City, based on the number of full-time or full-time equivalent employees:

Name	Product or Service	Number of Employees
Barnes-Jewish St. Peters Hospital	Health Care	970
Fort Zumwalt School District R-II	Education	709
City of St. Peters	Government	569
Francis Howell School District R-III	Education	308
Dierbergs (2 locations)	Grocery Stores	265
Wal-Mart	Retail Sales	263
Schnucks (2 locations)	Grocery Stores	256
Boone Center Inc.	Packaging Business for Disabled	210
RB Manufacturing (formerly Reckett & Benckiser)	Air Fresheners & Chemicals	200
Alpha Inc.	Plastic Packaging	185
St. Charles County Ambulance District	Ambulance Services	180

Source: City's 2015 Comprehensive Annual Financial Report and other sources believed to be reliable.

Employment

According to the United States Bureau of Census, 2010-2014 American Community Survey 5-Year Estimates, the City's civilian labor force was 31,666. The total number of people that were unemployed was 2,014 which was an unemployment rate of 6.4%.

Building and Construction Data

The following table sets forth the number of units and value of building permits issued by the City for the fiscal years ended September 30, 2011 through 2015:

	Residential		Commercial		
Fiscal Year	Number of Units	Value	Number of Units	Value	Total Value[1]
2011	347	$33,762,198	7	$ 7,200,340	$ 40,962,538
2012	238	33,809,533	19	23,038,108	56,847,641
2013	526	70,304,798	11	15,211,039	85,515,837
2014	274	90,142,303	13	17,543,967	107,686,270
2015	176	47,800,120	15	37,933,869	85,733,989

(1) Excludes tenant finishes and permits for miscellaneous purposes.

Source: City's 2015 Comprehensive Annual Financial Report .

Draft

Housing

The following table sets forth statistics relating to housing for the City and, for comparative purposes, the County, St. Louis MSA, and the State of Missouri:

	Median Value of Owner Occupied Housing	% Built in 2000 or Later	Units Built Before 1940
The City	$168,100	17.3%	1.0%
Other Entities:			
St. Charles County	188,100	28.3	2.7
St. Louis MSA	156,900	13.0	16.7
State of Missouri	136,700	15.2	14.3

Source: U.S. Bureau of Census, 2010-2014 American Community Survey, 5 year estimates.

Income

The following table sets forth certain income statistics for the City and, for comparative purposes, the County, St. Louis MSA, and the State of Missouri:

	Per Capita Income In 2014 Dollars	Median Family Income In 2014 Dollars	% People Below Poverty Level
The City	$32,380	$85,677	3.7%
Other Entities:			
St. Charles County	32,473	85,401	6.1
St. Louis MSA	30,024	70,470	13.2
State of Missouri	26,006	60,414	15.6

Source: U.S. Bureau of Census, 2010-2014 American Community Survey, 5 year estimates.

Draft

THE CITY'S FINANCES

Accounting and Reporting Practices

Since 1992 (Fiscal Year ending September 30, 1991), the City has been awarded the Government Finance Officers Association's ("GFOA") Certificate of Achievement for Excellence in Financial Reporting for its Comprehensive Annual Financial Report. In order to be awarded a Certificate of Achievement, a government unit must publish an easily readable and efficiently organized comprehensive annual financial report, the content of which must conform to GFOA's program standards. The report must also satisfy both generally accepted accounting principles and applicable legal requirements.

The accounts of the City are organized on the basis of funds and account groups, in conformance with generally accepted accounting principles applicable to governments. Government-wide financial statements reflect the accrual basis of accounting, governmental funds use the modified accrual basis of accounting and proprietary funds use the accrual basis of accounting.

The City operates on a fiscal year commencing October 1 of each year and ending on September 30 of the following calendar year (the "Fiscal Year").

The Board of Aldermen annually engages an independent certified public accountant for the purpose of performing an audit of the books of account, financial records, and transactions of the City.

Investments

The City has a comprehensive investment policy. The City's investment policy is to minimize credit and market risks while maintaining a competitive yield on its portfolio. The City's practice has been to invest in demand deposits, savings accounts, certificates of deposit, obligations of the United States Treasury and repurchase agreements. Most of the City's investments are in instruments that have a maturity of less than one year to insure that surplus funds are available in the event the Board of Aldermen elects to appropriate such monies. All City deposits and investments are insured by federal depository insurance, collateralized or are secured by an irrevocable standby letter of credit issued by a Federal Home Loan Bank. The City's primary investment risk is "Reinvestment Risk." This is the risk that the City's short-term investments may be reinvested at lower yields upon maturity.

Budget Process

The City Administrator prepares an annual budget for the ensuing fiscal year. The budget is based upon information provided by the various City departments and employees. After a proposed budget is prepared, it is submitted to the Board of Aldermen for review. The Board of Aldermen may revise, alter, increase or decrease the items contained in the proposed budget, provided that total authorized expenditures from any fund do not exceed the estimated revenues to be received plus any unencumbered balance or less any deficit estimated for the beginning of the budget year. The budget is legally enacted by ordinance following public hearings on the proposed budget.

Pursuant to the Missouri Revised Statutes, the annual budget must present a complete financial plan for the ensuing fiscal year, and must include at least the following information:

(1) A budget message describing the important features of the budget and major changes from the preceding year;

(2) Estimated revenues to be received from all sources for the budget year, with a comparative statement of actual or estimated revenues for the two years next preceding, itemized by year, fund, and source;

(3) Proposed expenditures for each department, office, commission, and other classifications for the budget year, together with a comparative statement of actual or estimated expenditures for the two years next preceding, itemized by year, fund, activity and object;

(4) The amount required for the payment of interest, amortization, and redemption charges on debt; and

(5) A general budget summary.

The City Administrator is authorized to transfer part, or all, of any unexpended balance among any departments within a given fund. If it is determined that the original budgeted revenues and expenditures need to be increased or decreased, the Board of Aldermen may, by ordinance, make such changes in budgeted revenues and expenditures so long as the total budgeted expenditures do not exceed the amount of budgeted revenues plus beginning unencumbered fund balance. If it appears probable that revenues available will be insufficient to meet the amount appropriated, the Board of Aldermen may, by ordinance, reduce one or more appropriations.

The following table indicates the City's General Fund revenues, expenditures and changes in fund balance for the fiscal years ended September 30, 2013 through 2015:

Draft

SUMMARY OF GENERAL FUND OPERATIONS
($ in thousands)[1]

	Fiscal Year Ended September 30		
	2013	2014	2015
REVENUES			
Sales Taxes	$12,601	$13,087	$13,712
Property Taxes	6,974	7,074	7,403
Utility Franchise Tax	4,197	4,390	4,548
Cigarette Taxes	189	182	189
Licenses and Permits	1,242	1,535	1,443
Interest	1	1	5
Intergovernmental	3,434	3,530	3,824
Fines and Forfeitures	2,367	1,802	1,799
Charges for Services	684	691	693
Miscellaneous	467	567	506
Total Revenues	32,156	32,859	34,122
CURRENT EXPENDITURES			
General Government	1,568	2,005	1,846
Administration	3,724	4,124	4,156
Police	111,658	11,964	12,379
Municipal Court	414	443	431
Public Works	1,864	1,918	2,109
Engineering	2,082	2,093	2,182
Maintenance	284	347	387
Health	556	618	654
Parks and Recreation	5,265	4,667	4,893
Communications	855	823	921
Community and Arts	185	185	213
Total	28,455	29,187	30,171
REVENUES OVER CURRENT EXPENDITURES	3,701	3,672	3,951
OTHER FINANCING SOURCES (USES)			
Capital Outlay	(893)	(778)	(695)
Debt Service	(383)	(377)	(376)
Net Transfers[2]	200	(768)	(1,070)
Proceeds from Sale of Capital Assets	159	86	65
Proceeds on Issuance of Debt	1,700	—	—
Payment to Escrow Agent	(1,700)	—	—
Total Other Financing Sources (Uses)	(917)	(1,837)	(2,076)
REVENUES OVER EXPENDITURES AND OTHER FINANCING USES	2,784	1,835	1,875
FUND BALANCE Beginning of Year	4,723	7,507	9,342
FUND BALANCE End of Year	$ 7,507	$ 9,342	$11,217

Draft

Footnotes to Prior Page

(1) Any variance from the City's audited financial statements is due to rounding.

(2) For the 2013 Fiscal Year, transfers in consisted primarily of $1,161,761 that was from the Solid Waste Fund for expenses relating to litigation (now settled) relating to a landfill previously owned by the City and transfers out consisted primarily of $468,000 for the payment of debt service on general obligation bonds, a recurring transfer of the tourism tax to the Recreation Fund which equaled $153,711 and a one-time transfer of $458,581 relating to a refunding of certificates of participation for the 2013 Fiscal Year. Fiscal Year 2014 transfers out included $729,000 for the payment of debt service on general obligation bonds, a recurring transfer of the tourism tax to the Recreation Fund which equaled $123,374 offset by a transfer in from the Capital Project fund of $84,713. Fiscal Year 2015 transfers out included transfers out of $945,000 to the debt service fund for the payment on general obligation bonds and a $125,329 recurring transfer of the tourism tax to the Recreation Fund.

Source: Derived from the City's Comprehensive Financial Reports, September 30, 2013, 2014 and 2015.

Projected 2016 Results

The City's 2016 Fiscal Year ends on September 30, 2016. Based on the City's budget and year-to-date financial results the City expects the General Fund unassigned ending balance to equal approximately $4,000,000 for the 2016 Fiscal Year compared to $6,664,641 for the 2015 Fiscal Year (see APPENDIX A, page A-56). In addition, the City established a "Contingency Reserve" within the General Fund pursuant to the City's reserve fund policy adopted in the 2014 Fiscal Year. The Contingency Reserve was funded in the initial amount of $2,500,000 during the 2014 Fiscal Year. The City deposited an additional $500,000 to the Contingency Reserve during the 2015 Fiscal Year and has budgeted $500,000 for the 2016 Fiscal Year. As a result, the City expects its reserves, that are legally available for any governmental purpose, to equal approximately $7,500,000 at the end of the 2016 Fiscal Year.

The Hancock Amendment

On November 4, 1980, Missouri voters approved an amendment to the Missouri Constitution to limit taxation and governmental spending. The amendment (popularly known as the Hancock Amendment) also limits the rate of increase and the total amount of taxes on property which may be imposed in any year without voter approval. If the assessed valuation of property, excluding the value of new construction and improvements, increases by a larger percentage than the increase in the general price level from the previous year, the maximum authorized current levy applied thereto in each political subdivision must be reduced to yield the same gross revenue from existing property, adjusted for changes in the general price level, as could have been collected at the existing authorized levy on the prior assessed value. The tax levy on the assessed valuation of new construction is exempt from this limitation.

The Hancock Amendment does not apply to taxes imposed for the payment of principal and interest on general obligation bonds.

Tax Increment Financing

General

The City has several Tax Increment Financing (TIF) Areas that were established to provide a funding mechanism to promote and enhance redevelopment of specific areas of the City. Incremental revenues, as described hereinafter, generated within the tax increment financing areas are retained by the City and used for a variety of activities, including demolition and clearance of property and construction of infrastructure improvements as permitted by Missouri statutes.

Draft

Pursuant to the Real Property Tax Increment Allocation Act (the "Act"), cities and counties may implement TIF in order to induce the development of an area which has been lacking growth and development and to eliminate conditions which have caused an area to become a conservation or blighted area as such terms are defined in the Act. TIF provides a source of funds by which a city may pay for redevelopment project costs (as defined by the Act) over a period not longer than twenty three years from the date in which TIF was adopted.

Pursuant to the Act, a city designates TIF by adopting an ordinance approving a Redevelopment Plan and designating a redevelopment area. The certified total assessed valuation of all real property within the redevelopment area, as determined by the Assessor immediately following passage of the ordinance designating the redevelopment area, is considered the initial equalized assessed valuation. By statute, taxes collected by applying the tax rate of all taxing bodies having the power to tax real property in the redevelopment area upon any increase in the equalized assessed valuation over the initial equalized assessed valuation is deposited in a special allocation fund for the redevelopment area. Such incremental taxes are referred to as "Payments in Lieu of Taxes."

In addition, fifty percent (50%) of the total additional revenue from taxes which are imposed by a city or other taxing district and which are generated by economic activities in the redevelopment area over the base amount (the amount in the calendar year prior to adoption of the TIF) of such taxes generated by economic activities within the redevelopment area ("EATS") are deposited in the special allocation fund. Monies in the special allocation fund may be used for payment of redevelopment project costs or for payment of principal and interest on obligations issued to finance such costs. (Payments in Lieu of Taxes together with EATS are referred to collectively herein as "Incremental Revenues.")

The following is a summary of each TIF area within the City:

Description of Redevelopment Areas in St. Peters

St. Peters Route 370 Redevelopment Area. In 1999, the City adopted a Tax Increment Financing Plan (the "Redevelopment Plan"), and pursuant to the Act, designated, by ordinance, a 1,600 acre redevelopment area (the "St. Peters Route 370 Redevelopment Area"). The area was declared a blighted area under the Act having met various criteria. A significant cause for the Area being declared blighted is that the area is in a flood plain. The Redevelopment Plan authorized the City to issue up to $70,000,000 of securities for which incremental TIF revenues could be used for payment of debt service. In furtherance of the objectives of the Redevelopment Plan, the City obtained voter approval to issue $35,000,000 of general obligation bonds for the purpose of acquiring land to be protected by, and for the construction of, a levee. During the 2000 Fiscal Year, the City sold $10,000,000 of general obligation bonds principally to acquire property in the Area and during the 2002 Fiscal Year the City sold bonds principally for engineering costs in connection with designing the levee. In 2004, the City issued general obligation bonds to refund the bonds issued during the 2000 Fiscal Year. During the 2005 Fiscal Year, the City sold $22,500,000 of general obligation bonds to finance the cost of constructing the levee that were subsequently defeased. During the 2006 Fiscal Year, the City sold the land pursuant to a certain Joint Development Agreement, as amended, (the "Development Agreement") with Kaplan Development and Investment Co. its successors and assigns, Lakeside 370, LLC (a company affiliated with Duke Realty Corporation and Gundaker Commercial Group) (the "Developer"), for $49,600,000 in three installments. In addition, under the Development Agreement, as amended, the City agreed to issue up to $17,500,000 of notes to be acquired by the Developer and used for infrastructure improvements including roads and utilities. The notes are to be repaid solely from annually appropriated City funds described in the Development Agreement and generally consisting of 50% of the City's incremental property tax and 50% of its incremental sales taxes derived from the St. Peters Route 370 Redevelopment Area. Pursuant to the Development Agreement the area may include facilities for 5,000,000 square feet for industrial buildings. In addition, the Development Agreement provides for the construction of 3,700,000 square feet for offices and dining/entertainment, retail, hotel/conference, and cultural and recreational facilities.

Draft

The Developer's original projections estimated construction of approximately 5,000,000 square feet of industrial buildings and construction of approximately 4,000,000 square feet of office buildings, flex service buildings, and dining/entertainment, retail, and hotel/conference facilities. Actual development has been slow to materialize as the result of nation-wide economic downturn. In addition, 376 acres of land controlled by Gundaker Commercial was sold at public auction to the St. Peters 370 Levee District, a political subdivision. The St. Peters 370 Levee District recently restructured its debt under Chapter 9 Bankruptcy. In March 2016, in the area controlled by Duke Realty Corporation, construction began on a 715,000 square-foot building to be leased to Reckitt Benckiser LLC for warehousing, custom manufacturing and repackaging operations. The new building is scheduled to be completed in late 2016 or early in 2017.

The initial assessed valuation of the St. Peters Route 370 Redevelopment Area is $148,190 and the 2015 incremental value was $1,530,094.

Old Town Levee Redevelopment Area. In 1996, the City adopted a Tax Increment Financing Plan, and pursuant to the Act, designated, by ordinance, a 725 acre redevelopment area (the "Old Town Levee Redevelopment Area"). The initial assessed valuation of the area was $4,205,440 and the 2015 incremental assessed valuation was $10,524,334. The City may issue up to $8,330,000 of bonds to finance various public improvements including the construction of a 500 year levee. It is the intent of the City that any bonds issued for this project would be supported solely by Incremental Revenues and the issuance of bonds is contingent upon the City's ability to attract private development in the Redevelopment Area.

SOURCES OF REVENUE

General Fund Revenue Sources

The City derives its revenues from a variety of sources. The following list sets forth the primary sources of general fund revenues for the 2015 Fiscal Year:

Revenue Source	Revenues	Percentage of Total Revenues
Sales Tax	$13,711,848	40.19%
Property Tax	7,402,649	21.69
Utility Franchise Tax	4,548,100	13.33
Cigarette Tax	188,601	0.55
Licenses and Permits	1,443,080	4.23
Interest	5,205	0.02
Intergovernmental	3,824,234	11.21
Fines and Forfeitures	1,799,379	5.27
Charges for Services	693,164	2.03
Other Revenues	506,226	1.48
	$34,122,486	100.00%

Source: Audited financial statements of the City.

The following is a summary of some of the more significant revenue sources of the City:

Property Taxes

Property taxes are levied against the following classifications of property: real property; personal property; railroads; and utilities. For the 2015 Fiscal Year, property taxes represented approximately 21.7% of total general fund revenue. For a more detailed description of property taxes, see the caption "TAXATION" in the Official Statement.

Draft

Sales Taxes

A 1% City sales tax for general revenue was authorized by the State Legislature and was imposed following a favorable vote at an election held in 1974. For the 2015 Fiscal Year the sales tax for general revenue represented approximately 40.2% of general fund revenues.

The following table sets forth the general sales tax receipts of the City, other than amounts allocated to Tax Increment Financing (see the caption "FINANCIAL MATTERS – Tax Increment Financing" in the Official Statement) for the fiscal years ended September 30, 2011 through 2015:

Year	Revenue
2011	$11,777,602
2012	12,266,784
2013	12,600,822
2014	13,087,001
2015	13,711,848

Source: Figures derived from audited financial statement of the City.

Utility Franchise

For the 2015 Fiscal Year, the utility franchise tax accounted for approximately 13.3% of general fund revenue. The utility franchise tax is a charge on gross receipts of electric, gas, and cable companies at the rate of 5%.

Intergovernmental Revenue

Intergovernmental revenue includes grants, aid, revenue sharing, and other entitlements from Federal and State government. Annually recurring intergovernmental revenue consists primarily of road and bridge taxes from St. Charles County, Missouri, motor vehicle fuel tax and Missouri motor vehicle sales tax. For the 2015 Fiscal Year, intergovernmental revenue accounted for approximately 11.2% of general fund revenue.

Other Sales Taxes

Transportation Sales Tax

A .5% sales tax for transportation was authorized in 1982. The transportation sales tax is accounted for in the City's Transportation Trust Fund (a Special Revenue Fund) and is restricted in use to construction, reconstruction, repair, and maintenance of streets, roads and bridges. The following table sets forth the transportation sales tax receipts of the City, other than amounts allocated to Tax Increment Financing (see the caption "FINANCIAL MATTERS – Tax Increment Financing" in the Official Statement) for the fiscal years ended September 30, 2011 through 2015:

Year	Revenue
2011	$5,888,805
2012	6,133,395
2013	6,300,412
2014	6,543,499
2015	6,855,926

Source: Figures derived from audited financial statements of the City.

Draft

Park and Stormwater Sales Tax

The Park and Stormwater Sales Tax is a .5% sales tax for parks and stormwater projects. City voters approved a .1% Park and Stormwater Sales Tax in November 2000 and approved an additional .4% Park and Stormwater Sales Tax on August 7, 2012 with collections beginning in January 2013. The tax may be used solely in connection with parks and stormwater projects. The City's intent is to first allocate the Park and Stormwater Sales Tax to payment of debt service on the City's Refunding Certificates of Participation, Series 2010C, the General Obligation Bonds, Series 2014, the General Obligation Bonds, Series 2012, the General Obligation Bonds, Series 2010B Bonds and the Bonds from this tax.

The following table sets forth the Park and Stormwater Sales Tax receipts of the City for the past four fiscal years:

Year	Revenue[(1)]
2012	$1,213,515
2013	4,420,066
2014	6,487,198
2015	6,784,761

(1) The increase from the 2012 Fiscal Year is primarily attributable to the passage of the additional .4% rate.

Source: Figures derived from audited financial statements of the City.

Recreational Facilities Revenue

The City obtains significant revenues from the operation of recreation facilities that are accounted for in the Recreation Fund. Revenues include annual membership fees, daily admissions, swimming pool rental and programming revenue, ice rink rental and programming revenue, gymnasium and fitness programs, and concessions. As a result of the construction of Rec-Plex South, the City's goal was to reach between 3,500 to 4,000 Rec-Plex memberships. Memberships totaled 2,100 when the Rec-Plex South was opened in the fall of 2007 and have increased to approximately 4,000 as of September 30, 2015.

TAXATION

Tax Procedures

Not later than September 30 of each year, the Board of Aldermen sets the rate of tax for the City and files the tax rate with the County Registrar's Office by October 1. The County Registrar forwards the tax information to the State Auditor who is responsible for reviewing the rate of tax to insure that it does not exceed constitutional rate limits.

Taxes are levied on all taxable real and personal property owned as of January 1 in each year. Certain properties, such as those used for charitable, education, and religious purposes, are excluded from ad valorem taxes for both real and personal property.

Real property within the City is assessed by the County Assessor. The County Assessor is responsible for preparing the tax rolls each year and for submitting tax rolls to the County Board of Equalization. The Board of Equalization has the authority to question and determine the proper value of property and then adjust and equalize individual properties appearing on the tax rolls. By statute, tax bills are to be mailed in October; however, the volume of assessment complaints required to be reviewed by the County Board of Equalization can affect the date on which bills are actually mailed.

Draft

Payment of tax on real and personal property is due by December 31 after which date they become delinquent and accrue a penalty of one percent per month. The County collects fees equal to 1.5% of the taxes collected for this service. After such collections and deductions of commission, taxes are distributed according to the taxing body's pro-rata share.

Assessed Valuation

Assessment of real property pursuant to the Constitution of Missouri requires such property to be classified in subclasses consisting of agricultural, residential or commercial and permitting different assessment ratios for each subclass and requires uniformity in taxation of real property within each subclass. Pursuant to the Constitution, agricultural property is assessed at 12% of its productivity value, residential property is assessed at 19% of true value, and commercial property is assessed at 32% of true value. Personal property is assessed according to book value. In 1986, the State Legislature passed a bill requiring reassessment of all real properties every two years, beginning in 1987.

The following table indicates the assessed valuation, for the past five tax years, following review by the Board of Equalization and is the assessed valuation used by the City for calculating its tax levy:

Year	Real Property	Personal Property	Total
2011	$873,498,654	$141,090,290	$1,014,588,944
2012	879,240,513	158,825,112	1,038,065,625
2013	843,462,435	164,687,681	1,008,150,116
2014	859,325,166	164,926,725	1,024,251,891
2015	908,932,656	171,476,471	1,080,409,127

Source: Office of the County Registrar.

The following table sets forth the estimated market value of taxable property or the 2015 tax year based on the assessment ratios described hereinbefore:

Subclass	Assessed Valuation	Assessment Ratio	Estimated Market Value
Personal Property	$ 171,476,471	33.3%	$ 514,429,413
Residential Property	631,588,834	19.0	3,324,151,758
Commercial Property	276,863,553	32.0	865,198,603
Agricultural Property	480,269	12.0	4,002,242
Total Taxable AV	1,080,409,127		4,707,782,016
Incremental Value of TIFs(1)	53,443,706	32.0	167,011,581
Total	$1,133,852,833		$4,874,793,597

(1) All TIF properties are treated as commercial for purposes of computing market value.

Source: Assessed Valuations were provided by the office of the County Registrar.

Draft

Tax Rates

The following table sets forth the City's tax rates per $100 of equalized assessed valuation for the tax years ended December 31, 2011 through 2015:

	2011	2012	2013	2014	2015
General Government	$ .5759	$ .6010	$ .6282	$ .6282	$ .6095
Debt Service Fund	.1941	.1690	.1418	.1418	.1605
Total	$ .7700	$ .7700	$ .7700	$ .7700	$ .7700

Source: 2015 Comprehensive Annual Financial Report and Missouri State Auditor's Report of Property Tax Rates.

Tax Levies and Collection

St. Peters Tax Levies and Collections
(amounts expressed in thousands)

Fiscal	Total Taxes	Current Taxes[1]		Current & Back Taxes	
Year	Levied	Collected	% Collected	Collected	% Collected
2011	$8,099	$7,937	98.00%	$8,092	99.90%
2012	7,955	7,690	96.67	7,945	98.87
2013	7,982	7,822	98.00	7,969	99.84
2014	7,851	7,645	97.38	7,834	98.78
2015	8,003	7,914	98.89	7,914	98.89

(1) Represents amounts collected during a Fiscal Year.
Source: City's 2015 Comprehensive Annual Financial Report.

Major Taxpayers

The following table sets forth information regarding the top ten taxpayers in the City:

Taxpayer	Business	Assessed Valuation	% of Total Assessed Valuation[1]
Mid Rivers Mall LLC	Westfield Mall	$18,017,494	1.67%
Airwick Industries Inc.	Reckitt Benckiser	14,422,006	1.33
Turnberry Apartments LLC	Apartments	5,801,920	0.54
SSM Properties Inc.	Medical	4,030,251	0.37
Walmart Real Estate Business Trust	Retail Stores	3,591,869	0.33
Grewe Limited Partnership	Strip Retail Stores	3,564,395	0.33
Jungs Station Association	Sun River Village Condos	3,512,176	0.33
79 Crossing LLC	Dierbergs Markets	3,164,290	0.29
HCP Senior Housing Properties Trust	Dierbergs Markets	2,997,393	0.28
94 Crossing LLC	Strip Stores/Dierbergs	2,966,210	0.27
Totals		$62,068,004	5.74%

(1) Based on the 2015 tax year real and personal property tax assessment following review by the Board of Equalization and excluding properties located in tax increment financing districts.
Source: Office of the County Assessor.

Draft

DEBT OF THE CITY

General

Pursuant to the Missouri Constitution, the vote required to pass a proposition to issue general obligation bonds payable from unlimited ad valorem taxes is four-sevenths (4/7) of the qualified voters voting thereon for elections held at the general municipal election day, primary or general elections. A vote of two-thirds (2/3) of the qualified voters voting on the specific general obligation bond proposition is required at all other elections.

The Missouri Constitution provides that the amount of bonds payable out of tax receipts shall not exceed 10% of the total assessed valuation of the taxable property of a city. The Missouri Constitution permits cities to become indebted for an additional 10% of the value of taxable, tangible property for the purpose of acquiring rights-of-way, constructing, extending, and improving streets and avenues; and constructing, extending and improving a sanitary or storm sewer system.

Outstanding Debt

The following is a list of the City's outstanding general obligation bonds including the Bonds:

Issue	Issue Date	Amount Outstanding
General Obligation Refunding Bonds, Series 2010	May 1, 2010	$ 1,595,000
General Obligation Bonds, Series 2010B	November 10, 2010	3,790,000
General Obligation Bonds, Series 2012	November 28, 2012	3,495,000
General Obligation Bonds, Series 2014	September 23, 2014	9,290,000
General Obligation Refunding Bonds, Series 2015	April 21, 2015	7,000,000
General Obligation Refunding Bonds, Series 2016	February 4, 2016	16,170,000
General Obligation Bonds, Series 2016	July 5, 2016*	8,000,000
		$49,340,000

Legal Debt Limit and Debt Margin

The following table sets forth the City's legal debt limit and debt margin based on the 2015 assessed valuation certified on December 31, 2015 and deemed final for State and local government purposes:

	City Purposes Basic Limit	Special Purpose Additional Limit
2015 Assessed Value[1]	$1,129,784,180	$1,129,784,180
Debt Limit - 10% of Assessed Value	$112,978,418	$112,978,418
Less: General Obligation Bonds[2]	49,340,000	—
Legal Debt Margin	$ 63,638,418	$112,978,418

(1) Excludes the value of property in TIF areas. Accordingly, the table above reflects a debt margin which is lower than the City's actual legal debt limit.

* Subject to Change

Draft

Lease Obligations

The following is a list of the City's outstanding lease obligations as of the date of this Official Statement:

Issue	Issue Date	Outstanding
Certificates of Participation (City of St. Peters, Missouri, Lessee), Series 2010A	May 3, 2010	$ 190,000
Taxable Certificates of Participation (City of St. Peters, Missouri, Lessee), Series 2010B (Build America Bonds – Direct Pay)	May 3, 2010	7,050,000
Refunding Certificates of Participation (City of St. Peters, Missouri, Lessee), Series 2010C	November 10, 2010	1,255,000
Refunding Certificates of Participation (City of St. Peters, Missouri, Lessee), Series 2013	August 15, 2013	16,400,000
		$24,895,000

The City's lease obligations are secured by annually appropriated funds and do not constitute an indebtedness for purposes of any Missouri statutory or constitutional debt limit. Such obligations are payable solely from available funds of a governmental body and neither taxes nor a specific source of revenues may be pledged to make payments on such obligations. Any increase in taxes required to generate additional funds with which to make payments on such obligations would be subject to voter approval.

Direct and Overlapping Debt

The following table sets forth information relating to the City's direct and overlapping general obligation debt including the Bonds as of the date of this Official Statement:

	Outstanding Bonds (1)	Percent Applicable to the City(2)	City's Direct and Overlapping Debt
City of St. Peters	$ 49,340,000	100.00%	$ 49,340,000
St. Charles County	3,484,000	14.40	501,696
St. Charles County Ambulance District	4,050,000	14.40	583,200
St. Charles Community College	30,745,000	14.49	4,454,951
Central County Fire and Rescue	13,375,000	69.23	9,259,513
School District of the City of St. Charles	20,060,000	6.80	1,364,080
Fort Zumwalt R-II School District	147,064,907	25.15	36,986,824
Francis Howell School District	143,268,000	20.02	28,682,254
	$411,386,907		$131,172,518

(1) Lease and loan obligations which are subject to annual appropriation for payment and for which a tax levy cannot be imposed without voter approval are excluded from the above table. The table includes the County's Neighborhood Improvement District Bonds that are a general obligation of the County but are expected to be paid from special assessments and for which the issuer may not levy a general property tax.

(2) Estimate based on 2015 assessed real and personal property, except for the school districts which is based on locally assessed real property following review by the Board of Equalization.

Source: Bond amounts were provided by the political subdivisions or public records and assessments were provided by the Office of the County Registrar and by the Office of the County Assessor.

Draft

Debt Service Requirements

Certificates of Participation

The following table sets forth the debt service on the City's outstanding Certificates of Participation:

Fiscal Year	Principal	Interest	US Treasury Interest Subsidy[1]	Total Debt Service
2016[2]	$ 1,560,000	$1,101,443	$ (128,553)	$ 2,532,890
2017	1,610,000	1,042,273	(132,946)	2,519,327
2018	1,670,000	978,131	(126,961)	2,521,170
2019	1,370,000	909,871	(120,409)	2,159,462
2020	1,400,000	852,283	(113,321)	2,138,962
2021	1,450,000	792,490	(105,841)	2,136,649
2022	1,500,000	736,200	(97,864)	2,138,336
2023	1,550,000	674,873	(89,376)	2,135,497
2024	1,600,000	608,393	(80,360)	2,128,033
2025	1,500,000	541,555	(70,884)	1,970,671
2026	1,550,000	475,405	(60,922)	1,964,483
2027	1,615,000	401,818	(49,656)	1,967,162
2028	1,675,000	323,020	(37,953)	1,960,067
2029	1,750,000	239,333	(25,813)	1,963,520
2030	1,825,000	150,433	(13,125)	1,962,308
2031	1,270,000	58,420	–	1,328,420
Total	$24,895,000	$9,885,941	$(1,253,984)	$33,526,957

(1) Represents a 35% U.S. Treasury Interest Subsidy which at the time of issuance was expected to be received in conjunction with the City' Taxable Certificates of Participation (City of St. Peters, Missouri, Lessee), Series 2010B (Build America Bonds – Direct Pay). Under the automatic budget sequestration provisions of the Budget Control Act of 2011, the City's subsidy was reduced by 7.3% for the 2015 Fiscal Year and will be reduced by 6.8% for the 2016 Fiscal Year. Absent Congressional action, the sequester will continue to October 2024; however, the percentage of the reduction is not known at this time and, consequently, the figures above do not reflect the reduction in subsidy except for the 2016 Fiscal Year.

(2) Includes payments made in the 2015 calendar year that are included in the City's 2016 Fiscal Year.

As noted hereinbefore, although a specific source of taxes and revenues may not be pledged to make payments on lease obligations, the City intends to pay debt service on its lease obligations from the general fund, Park and Stormwater Sales Tax, the Recreation Fund and the Transportation Sales Tax. The following table sets forth the particular fund or revenue source from which the principal and interest payments set forth in the table above are expected to be paid excluding debt service expected to be paid from a US Treasury Interest Subsidy:

Draft

Fiscal Year	General Fund	Park and Stormwater	Recreation Fund	Transportation Fund	Total[1]
2016[2]	$ 378,788	$ 165,665	$1,352,900	$ 635,537	$2,532,890
2017	380,765	162,790	1,348,873	626,899	2,519,327
2018	381,983	164,509	1,348,895	625,784	2,521,171
2019	20,720	165,609	1,344,518	628,616	2,159,463
2020	—	166,390	1,347,118	625,454	2,138,962
2021	—	161,770	1,348,318	626,562	2,136,650
2022	—	166,870	1,344,718	626,748	2,138,336
2023	—	166,470	1,343,043	625,984	2,135,497
2024	—	160,813	1,342,980	624,240	2,128,033
2025	—	—	1,344,030	626,641	1,970,671
2026	—	—	1,336,343	628,141	1,964,484
2027	—	—	1,339,943	627,219	1,967,162
2028	—	—	1,334,583	625,484	1,960,067
2029	—	—	1,335,583	627,938	1,963,521
2030	—	—	1,337,933	624,375	1,962,308
2031	—	—	1,328,420	—	1,328,420
Total	$1,162,256	$1,480,886	$21,478,198	$9,405,622	$33,526,962

(1) Annual totals may vary from the table on the prior page due to rounding.
(2) Includes payments made in the 2015 calendar year that are included in the City's 2016 Fiscal Year.

*General Obligation Bonds**

The following table sets forth the debt service requirements on the City's general obligation bonds following the issuance of the Bonds:

Calendar Year	Outstanding Bonds Principal	Outstanding Bonds Interest	The Bonds Principal	The Bonds Interest	Total Debt Service
2016	$ 555,000	$ 615,748			$ 1,170,748
2017	1,585,000	1,138,450	$ 280,000	$ 245,096	3,248,546
2018	1,615,000	1,103,040	320,000	205,725	3,243,765
2019	1,655,000	1,063,270	330,000	199,225	3,247,495
2020	1,700,000	1,019,860	335,000	192,156	3,247,016
2021	2,075,000	971,865	340,000	184,563	3,571,428
2022	2,125,000	912,914	350,000	176,800	3,564,714
2023	2,185,000	854,158	360,000	168,363	3,567,521
2024	2,250,000	794,639	365,000	159,300	3,568,939
2025	2,305,000	736,873	375,000	150,050	3,566,923
2026	2,370,000	673,476	385,000	140,069	3,568,545
2027	2,435,000	606,620	400,000	129,275	3,570,895
2028	2,505,000	537,889	410,000	118,138	3,571,027
2029	2,585,000	462,349	420,000	106,200	3,573,549
2030	2,660,000	383,761	435,000	93,375	3,572,136
2031	2,285,000	302,371	445,000	80,175	3,112,546
2032	2,355,000	234,615	460,000	66,600	3,116,215
2033	2,180,000	163,020	475,000	52,575	2,870,595
2034	2,250,000	95,040	490,000	38,100	2,873,140
2035	1,665,000	24,975	505,000	23,175	2,218,150
2036	—	—	520,000	7,800	527,800
Total	$41,340,000	$12,694,933	$8,000,000	$2,536,760	$64,571,693

* Subject to Change

Draft

Debt Ratios and Related Information[1]

Population, 2014	56,076
Assessed Value, 2015	$1,133,852,833
Estimated Market Value, 2015	$4,874,793,597
Direct Bonded Debt	$49,340,000
Direct and Overlapping Bonded Debt	$131,172,518
Per Capita 2015 Assessed Valuation	$20,220
Per Capita 2015 Estimated Market Value	$86,932
Per Capita Direct Bonded Debt	$880
Per Capita Combined Net Direct and Overlapping Debt	$2,339
Direct Bonded Debt as a Percentage of 2015 Assessed Valuation	4.35%
Direct and Overlapping Bonded Debt as a Percentage of 2015 Assessed Valuation	11.57%
Direct Bonded Debt as a Percentage of 2015 Estimated Market Value	1.01%
Direct and Overlapping Bonded Debt as a Percentage of 2015 Estimated Market Value	2.69%

(1) The assessed value and related market value is based on the assessed valuation following review by the Board of Equalization.

Future General Obligations and Lease Obligations

The City has an additional $14,535,000 of authorized and unissued general obligation bonds for stormwater improvements. The City is planning to issue the bonds in phases over the next ten years. The City has no plans for additional lease obligations.

On August 2, 2016, voters will consider a proposition to authorize $12,000,000 of general obligation bondsfor a variety of park and recreation facilities. If approved, the City expects to sell the bonds within the next 12 months.

THE PROJECT

Description

The City is required under the Clean Water Act to obtain a National Pollutant Discharge Elimination System (NPDES) Permit related to the City's efforts to control pollution of local streams resulting from stormwater runoff. The City engaged Black & Veatch engineers to study the City watershed and develop a master plan for compliance with the aforementioned Federal regulations and overall stormwater management for the City. The Bonds will fund construction/reconstruction of several regional stormwater detention basins and several creek bank stabilization projects. In addition, the Bonds will fund engineering design of additional projects related to pollution control, storm water management and creek bank stabilization . All projects to be financed with the proceeds of the Bonds are expected to be completed by the fall of 2017.

Draft

Estimated Sources and Uses of Funds*

The estimated sources and uses of funds are set forth below.

Sources of Funds	
Net Proceeds of the Bonds[1]	$8,175,000
Interest During Construction[2]	15,214
Total	$8,190,214
Uses of Funds	
Project Costs	$8,129,414
Costs of Issuance	60,800
Total	$8,190,214

(1) Represents the principal amount of the Bonds, plus the estimated net original issue premium less the estimated underwriter's discount.

(2) Based on an 18 month construction period and an interest rate of .25%.

LEGAL MATTERS

All matters incident to the authorization and issuance of the Bonds are subject to the approval of Gilmore & Bell, P.C., St. Louis, Missouri, Bond Counsel. The approving opinion of Bond Counsel will be furnished at the time the Bonds are paid for and delivered. Bond Counsel has participated only in the preparation of the cover page of this Official Statement and of those portions of this Official Statement captioned "THE BONDS," "LEGAL MATTERS," "CONTINUING DISCLOSURE UNDERTAKING – Description of Undertaking" and "TAX MATTERS." Bond Counsel accordingly expresses no opinion as to the accuracy or sufficiency of other portions of this Official Statement.

TAX MATTERS

The following is a summary of the material federal and State of Missouri income tax consequences of holding and disposing of the Bonds. This summary is based upon laws, regulations, rulings and judicial decisions now in effect, all of which are subject to change (possibly on a retroactive basis). This summary does not discuss all aspects of federal income taxation that may be relevant to investors in light of their personal investment circumstances or describe the tax consequences to certain types of owners subject to special treatment under the federal income tax laws (for example, dealers in securities or other persons who do not hold the Bonds as a capital asset, tax-exempt organizations, individual retirement accounts and other tax deferred accounts, and foreign taxpayers), and, except for the income tax laws of the State of Missouri, does not discuss the consequences to an owner under any state, local or foreign tax laws. The summary does not deal with the tax treatment of persons who purchase the Bonds in the secondary market. Prospective investors are advised to consult their own tax advisors regarding federal, state, local and other tax considerations of holding and disposing of the Bonds.

Opinion of Bond Counsel

In the opinion of Gilmore & Bell, P.C., Bond Counsel, under the law existing as of the issue date of the Bonds:

Federal and Missouri Tax Exemption. The interest on the Bonds (including any original issue discount properly allocable to an owner thereof) is excludable from gross income for federal income tax purposes and is exempt from income taxation by the State of Missouri.

* Subject to Change

Draft

Alternative Minimum Tax. Interest on the Bonds is not an item of tax preference for purposes of computing the federal alternative minimum tax imposed on individuals and corporations and is not taken into account in determining adjusted current earnings for the purpose of computing the alternative minimum tax imposed on certain corporations.

Bank Qualification. The Bonds are not "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.

Bond counsel's opinions are provided as of the date of the original issue of the Bonds, subject to the condition that the City comply with all requirements of the Code that must be satisfied subsequent to the issuance of the Bonds in order that interest thereon be, or continue to be, excludable from gross income for federal income tax purposes. The City has covenanted to comply with all such requirements. Failure to comply with certain of such requirements may cause the inclusion of interest on the Bonds in gross income for federal and Missouri income tax purposes retroactive to the date of issuance of the Bonds. Bond Counsel is expressing no opinion regarding other federal, state or local tax consequences arising with respect to the Bonds but has reviewed the discussion under the heading **"TAX MATTERS."**

Other Tax Consequences

Original Issue Discount. For federal income tax purposes, original issue discount ("OID") is the excess of the stated redemption price at maturity of a Bond over its issue price. The issue price of a Bond is the first price at which a substantial amount of the Bonds of that maturity have been sold (ignoring sales to bond houses, brokers, or similar persons or organizations acting in the capacity of underwriters, placement agents, or wholesalers). Under Section 1288 of the Code, OID on tax-exempt obligations accrues on a compound basis. The amount of OID that accrues to an owner of a Bond during any accrual period generally equals (1) the issue price of that Bond, plus the amount of OID accrued in all prior accrual periods, multiplied by (2) the yield to maturity on that Bond (determined on the basis of compounding at the close of each accrual period and properly adjusted for the length of the accrual period), minus (3) any interest payable on that Bond during that accrual period. The amount of OID accrued in a particular accrual period will be considered to be received ratably on each day of the accrual period, will be excludable from gross income for federal income tax purposes, and will increase the owner's tax basis in that Bond. Prospective investors should consult their own tax advisors concerning the calculation and accrual of OID.

Original Issue Premium. If a Bond is issued at a price that exceeds the stated redemption price at maturity of the Bond, the excess of the purchase price over the stated redemption price at maturity constitutes "premium" on that Bond. Under Section 171 of the Code, the purchaser of that Bond must amortize the premium over the term of the Bond using constant yield principles, based on the purchaser's yield to maturity. As premium is amortized, the owner's basis in the Bond and the amount of tax-exempt interest received will be reduced by the amount of amortizable premium properly allocable to the owner. This will result in an increase in the gain (or decrease in the loss) to be recognized for Federal income tax purposes on sale or disposition of the Bond prior to its maturity. Even though the owner's basis is reduced, no Federal income tax deduction is allowed. Prospective investors should consult their own tax advisors concerning the calculation and accrual of bond premium.

Sale, Exchange or Retirement of Bonds. Upon the sale, exchange or retirement (including redemption) of a Bond, an owner of the Bond generally will recognize gain or loss in an amount equal to the difference between the amount of cash and the fair market value of any property received on the sale, exchange or retirement of the Bond (other than in respect of accrued and unpaid interest) and such owner's adjusted tax basis in the Bond. To the extent a Bond is held as a capital asset, such gain or loss will be capital gain or loss and will be long-term capital gain or loss if the Bond has been held for more than 12 months at the time of sale, exchange or retirement.

Draft

Reporting Requirements. In general, information reporting requirements will apply to certain payments of principal, interest and premium paid on the Bonds, and to the proceeds paid on the sale of the Bonds, other than certain exempt recipients (such as corporations and foreign entities). A backup withholding tax will apply to such payments if the owner fails to provide a taxpayer identification number or certification of foreign or other exempt status or fails to report in full dividend and interest income. The amount of any backup withholding from a payment to an owner will be allowed as a credit against the owner's federal income tax liability.

Collateral Federal Income Tax Consequences. Prospective purchasers of the Bonds should be aware that ownership of the Bonds may result in collateral federal income tax consequences to certain taxpayers, including, without limitation, financial institutions, property and casualty insurance companies, individual recipients of Social Security or Railroad Retirement benefits, certain S corporations with "excess net passive income," foreign corporations subject to the branch profits tax, life insurance companies, and taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry or have paid or incurred certain expenses allocable to the Bonds. Bond Counsel expresses no opinion regarding these tax consequences. Purchasers of Bonds should consult their tax advisors as to the applicability of these tax consequences and other federal income tax consequences of the purchase, ownership and disposition of the Bonds, including the possible application of state, local, foreign and other tax laws.

RATING

Moody's Investors Service, Inc., 7 World Trade Center, 250 Greenwich, New York, New York 10007 has assigned the Bonds the rating of "Aa2." An explanation of the significance of the rating may be obtained from the rating agency. There is no assurance that such rating will continue for any period of time or that it will not be revised or withdrawn. A revision or withdrawal of a rating may adversely affect the market price of the Bonds.

MUNICIPAL ADVISOR

WM Financial Strategies, St. Louis, Missouri (the "Municipal Advisor"), is a registered Municipal Advisor with the Securities and Exchange Commission and the Municipal Securities Rulemaking Board. The Municipal Advisor is employed by the City to render certain professional services, including advising the City on a plan of financing and assisting in preparing the Official Statement for the sale of the Bonds. The Municipal Advisor does not guaranty, warrant or represent the accuracy or completeness of the information contained in this Official Statement.

UNDERWRITING

_____ (the "Underwriter") has agreed to purchase the Bonds from the City at a price equal to $_____. The price is net of the underwriter's discount of $_____ plus a net original issue premium of $_____. The Bonds may be offered and sold to certain dealers and others at prices lower than the initial public offering price and such initial offering price may be changed from time to time.

NO LITIGATION CERTIFICATE

Simultaneously with the delivery of and payment for the Bonds, the Mayor acting on behalf of the City, will furnish to the Underwriter a certificate which shall state, among other things, that there is no controversy, suit or other proceeding of any kind pending and served, or to his knowledge, threatened in any court (either State or federal) restraining or enjoining the issuance or delivery of the Bonds or questioning (i) the proceedings under which the Bonds are to be issued, (ii) the validity of the Bonds, (iii) the pledge of the City of the moneys under the Bond Ordinance, or (iv) the legal existence of the City or the title to office of the present officials of the City.

Draft

CONTINUING DISCLOSURE UNDERTAKING

Description of Undertaking

In accordance with the requirements of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission, the City has agreed to provide the following to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System ("EMMA"):

(i) audited financial statements beginning on or prior to 180 days after the end of each Fiscal Year commencing with the Fiscal Year and certain annual financial information and operating data generally consistent with the financial information and operating data contained in this Official Statement under the captions "THE CITY'S FINANCES," "SOURCES OF REVENUE," "TAXATION," and "DEBT OF THE CITY". Such information shall be made available beginning on or prior to 180 days after the end of each Fiscal Year commencing with the Fiscal Year ended September 30, 2016.

(ii) notice of the occurrence of any of the following events with respect to the Bonds, within 10 business days after the occurrence:

(1) principal and interest payment delinquencies;

(2) non-payment related defaults, if material;

(3) modifications to rights of bondholders, if material;

(4) bond calls, if material, and tender offers;

(5) defeasances;

(6) rating changes;

(7) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Forms 570-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax-exempt status of the security;

(8) unscheduled draws on debt service reserves reflecting financial difficulties;

(9) unscheduled draws on credit enhancements reflecting financial difficulties;

(10) substitution of credit or liquidity providers, or their failure to perform;

(11) release, substitution or sale of property securing repayment of the Bonds, if material;

(12) bankruptcy, insolvency, receivership or similar event of the City;

(13) the consummation of a merger, consolidation or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and

(14) appointment of a successor or additional trustee or the change of name of the bond trustee, if material.

Draft

(iii) notice of a failure (of which the City has knowledge) to provide the required annual financial information on or before the date specified in its written continuing disclosure undertaking.

The City may, from time to time, choose to provide notice of the occurrence of certain other events, in addition to those listed above, if, in the judgment of the City, such other event is material with respect to the Bonds, however, the City does not undertake to commit to provide any such notice of the occurrence of any material event except those indicated herein.

The City reserves the right to modify, from time to time, the specific types of information provided or the format of the presentation of such information, to the extent necessary or appropriate in the judgment of the City; provided that the City agrees that any such modification will be done in a manner consistent with the Rule as the same may be amended from time to time. The City reserves the right to terminate its obligation to provide annual financial information and notices of material events, as set forth above, if and when the City no longer remains an "Obligated Person" with respect to the Bonds within the meaning of the Rule. The City acknowledges that its undertaking pursuant to the Rule described under this heading is intended to be for the benefit of the holders of the Bonds and shall be enforceable by the owners of the Bonds provided that the right to enforce the provisions of this undertaking shall be limited to a right to obtain specific enforcement of the City's obligations hereunder and any failure by the City to comply with the provisions of this undertaking shall not be an event of default with respect to the Bonds.

Prior Compliance

To the best of the City's knowledge and belief it has materially complied with its continuing disclosure requirements for the past five years.

All of the City's bonds that have been outstanding for the past five years were initially rated solely by Moody's. Some of the City's current and previously outstanding bonds were insured by a financial guarantor. Moody's ratings on securities that are guaranteed or "wrapped" by a financial guarantor are generally maintained at a level equal to the higher of the following: the rating of the guarantor (if rated at the investment grade level); or the published underlying rating. Accordingly, in general, the City's practice has been to discontinue filing event notices relating to a change in rating of the financial guarantor when the rating of the guarantor fell below the City's published underlying rating and the underlying rating became the published rating.

The City has not filed any event notices for ratings that were assigned to any of its outstanding bonds by any rating agency other than Moody's since the City is not a party to such ratings and the City did not disclose any ratings, other than ratings assigned by Moody's, in any primary offering documents.

CERTIFICATION OF OFFICIAL STATEMENT

Simultaneously with the delivery of the Bonds, the City will furnish to the Underwriter a certificate which will state, among other things, that to the best of the knowledge and belief of the official signing such certificate, this Official Statement (and any amendment or supplement hereto) as of the date of sale and as of the date of delivery of the Bonds does not contain any untrue statement of a material fact and does not omit to state a material fact required to be stated therein or necessary to make the statements herein, in light of the circumstances under which they were made, not misleading in any material respect.

Draft

MISCELLANEOUS

This Official Statement is not to be construed as a contract or agreement between the City and the Underwriter of any of the Bonds. Any statement made in this Official Statement involving matters of opinion is intended merely as an opinion and not as a representation of fact. The information and expressions of opinion contained herein are subject to change without notice, and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the City since the date hereof.

CITY OF ST. PETERS, MISSOURI

BY: _____
Mayor

Draft

APPENDIX A

CITY OF ST. PETERS, MISSOURI
FINANCIAL STATEMENTS

SEPTEMBER 30, 2015

The financial statements presented within this Appendix have been extracted from the City's comprehensive annual financial report for the year ended September 30, 2015. The report includes supplemental information and the auditor's report which are not included herein. The financial statements of the City are prepared in conformance with generally accepted accounting principles. Copies of the Comprehensive Annual Financial Report, in its entirety, and the City's budget for the 2016 Fiscal Year are available from the City at http://www.stpetersmo.net/finance-and-purchasing.aspx.

INDEX

Statement of Net Position A-3

Statement of Activities A-4

Balance Sheet – Governmental Funds A-6

Reconciliation of the Balance Sheet of Governmental Funds to the Statement of Net Position A-7

Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds A-8

Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances of Governmental Funds to the Statement of Activities A-9

Statement of Net Position – Proprietary Funds A-10

Statement of Revenues, Expenses and Changes in Fund Net Position – Proprietary Funds A-11

Statement of Cash Flows – Proprietary Funds A-12

Statement of Fiduciary Net Position – Other Post Employment Benefits Trust Fund A-13

Statement of Changes in Fiduciary Net Position – Other Post Employment Benefits Trust Fund A-14

Notes to Basic Financial Statements A-15

Required Supplementary Information:

Budgetary Comparison Information – Budget Basis – General Fund A-56

Budgetary Comparison Information – Budget Basis – Transportation Trust Fund A-57

Draft

Budgetary Comparison Information – Budget Basis – Local Parks and Stormwater Fund A-58

Budgetary Comparison Information – Budget Basis – Special Allocation Fund - City Centre A-59

Notes to Budgetary Comparison Information A-60

Schedule of Funding Progress – Employees' Retirement System A-62

Schedule of Funding Progress and Contributions A-63

Schedule of Funding Progress and Contributions – Other Post-Employment Benefit Plan A-64

Other Supplementary Information:

Schedule of Revenues, Expenditures and Changes in Fund Balances – Budget and Actual – Budget Basis – Debt Service Fund A-65

Schedule of Revenues and Expenses - Budget and Actual – Budget Basis – Waterworks/Sanitary Sewer Fund - (Utility Operating Fund) A-66

Schedule of Revenues and Expenses - Budget and Actual – Budget Basis – Enterprise Fund – Solid Waste Fund A-67

Schedule of Revenues and Expenses - Budget and Actual – Budget Basis – Enterprise Fund – Central Materials Processing Facility Fund A-68

Schedule of Revenues and Expenses - Budget and Actual – Budget Basis – Enterprise Fund – Recreation Fund A-69

Draft

CITY OF ST. PETERS, MISSOURI

STATEMENT OF NET POSITION
SEPTEMBER 30, 2015

	Primary Government			Component Unit
	Governmental Activities	Business-Type Activities	Total	Natatorium Foundation
Assets:				
Cash and investments	$ 34,994,738	$ 15,299,666	$ 50,294,404	$ 1,894,426
Receivables (net):				
Taxes	3,889,587	-	3,889,587	-
Services	-	2,517,856	2,517,856	-
Intergovernmental	4,746,858	26,377	4,773,235	-
Interest	2,711	-	2,711	
Other	2,688,822	755,147	3,443,969	2
Internal balances	117,105	(117,105)	-	-
Inventory and prepaid items	920,972	106,870	1,027,842	-
Investment in joint venture	-	1,748,912	1,748,912	-
Restricted assets:				
Cash and investments	715,659	1,907,719	2,623,378	-
Held by trustees	1,441,507	-	1,441,507	-
Long-term receivables	608,131	-	608,131	-
Capital assets:				
Nondepreciable	174,341,106	1,695,692	176,036,798	-
Depreciable	150,029,031	87,890,868	237,919,899	-
Total Assets	374,496,227	111,832,002	486,328,229	1,894,428
Deferred Outflows of Resources:				
Deferred charge on refunding	488,390	905,893	1,394,283	-
Deferred amounts related to pensions	4,563,699	1,577,076	6,140,775	-
Total Deferred Outflows of Resources	5,052,089	2,482,969	7,535,058	-
Liabilities:				
Accounts payable	5,848,003	1,224,081	7,072,084	-
Accrued interest	3,149,995	357,201	3,507,196	-
Accrued payroll	1,331,386	478,435	1,809,821	-
Unearned revenue	585,742	254,988	840,730	-
Deposits	1,220,480	280,009	1,500,489	-
Claims payable	1,186,467	-	1,186,467	-
Other liabilities	-	11,530	11,530	-
Long-term liabilities:				
Due within one year	4,347,509	3,169,766	7,517,275	-
Due in more than one year	64,026,759	46,467,168	110,493,927	-
Due in more than one year - net pension obligation and OPEB	7,494,124	3,148,099	10,642,223	-
Total Liabilities	89,190,465	55,391,277	144,581,742	-
Deferred Inflows of Resources:				
Deferred amounts related to pensions	887,513	383,901	1,271,414	-
Deferred revenue - contributions	500,000	-	500,000	-
Total Deferred Outflows of Resources	1,387,513	383,901	1,771,414	-

Draft

CITY OF ST. PETERS, MISSOURI

STATEMENT OF NET POSITION (CONTINUED)
SEPTEMBER 30, 2015

Net Position:				
Net investment in capital assets	259,507,068	40,399,392	299,906,460	-
Restricted for:				
Transportation	5,571,420	-	5,571,420	-
Sewer lateral projects	629,753	-	629,753	-
Water line repair projects	190,541	-	190,541	-
Special allocation projects	3,684,185	-	3,684,185	-
Grants	758,502	-	758,502	-
Debt service	3,366,084	1,907,719	5,273,803	-
Local parks and stormwater	4,742,416	-	4,742,416	-
Police services	325,280	-	325,280	-
Unrestricted	10,195,089	16,232,682	26,427,771	1,894,428
Total Net Position	$ 288,970,338	$ 58,539,793	$ 347,510,131	$ 1,894,428

Draft

CITY OF ST. PETERS, MISSOURI

STATEMENT OF ACTIVITIES
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015

		Program Revenues			Net (Expense) Revenue and Changes in Net Position			
					Primary Government			Component Unit
Functions	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-Type Activities	Total	Natatorium Foundation
Governmental Activities:								
General government	$ 7,815,960	$ 1,669,806	$ 243,984	$ 101,682	$ (5,800,488)	$ -	$ (5,800,488)	$ -
Administration	4,312,392	-	-	-	(4,312,392)	-	(4,312,392)	-
Police	12,728,527	2,037,068	1,667,192	11,575	(9,012,692)	-	(9,012,692)	-
Municipal court	417,289	-	-	-	(417,289)	-	(417,289)	-
Public works	15,574,017	785,074	1,820,887	7,745,035	(5,223,021)	-	(5,223,021)	-
Engineering	2,240,612	-	-	-	(2,240,612)	-	(2,240,612)	-
Maintenance	379,588	-	-	-	(379,588)	-	(379,588)	-
Health	807,978	16,035	-	-	(791,943)	-	(791,943)	-
Parks and recreation	6,606,600	8,908	210,189	180,465	(6,207,038)	-	(6,207,038)	-
Communications	990,599	-	-	-	(990,599)	-	(990,599)	-
Community and arts	259,914	290,812	12,654	-	43,552	-	43,552	-
Interest on long-term debt and other	3,886,941	-	-	-	(3,886,941)	-	(3,886,941)	-
	56,020,417	4,807,703	3,954,906	8,038,757	(39,219,051)	-	(39,219,051)	-
Business-Type Activities:								
Waterworks/sanitary sewer	12,546,331	10,978,093	-	203,588	-	(1,364,650)	(1,364,650)	-
Solid waste	5,310,401	5,813,449	-	-	-	503,048	503,048	-
Central materials processing facility	4,093,146	3,846,377	-	-	-	(246,769)	(246,769)	-
Recreation	8,669,871	6,803,164	-	-	-	(1,866,707)	(1,866,707)	-
	30,619,749	27,441,083	-	203,588	-	(2,975,078)	(2,975,078)	-
Total Government	$ 86,640,166	$ 32,248,786	$ 3,954,906	$ 8,242,345	(39,219,051)	(2,975,078)	(42,194,129)	-
Component Unit								
Natatorium Foundation	$ 313,185	$ -	$ -	$ -				(313,185)
General Revenues:								
Property taxes levied for:								
General purposes					7,360,015	-	7,360,015	-
Debt service					1,553,343	-	1,553,343	-
Tax increment financing districts					4,205,844	-	4,205,844	-
Sales tax levied for:								
General purposes					13,711,848	-	13,711,848	-
Transportation purposes					6,855,926	-	6,855,926	-
Park and stormwater purposes					6,784,761	-	6,784,761	-
Tax increment financing districts					6,340,070	-	6,340,070	-
Tourism					125,329	-	125,329	-
Franchise and public service taxes					4,741,751	-	4,741,751	-
Earnings on investments					26,613	1,085	27,698	127,480
Other revenues					498,732	-	498,732	1,951
Gain on disposition of capital assets					-	-	-	-
Transfers					(971,668)	971,668	-	-
Total General Revenues and Transfers					51,232,564	972,753	52,205,317	129,431
Change in net position					12,013,513	(2,002,325)	10,011,188	(183,754)
Net Position - Beginning of Year, Restated					276,956,825	60,542,118	337,498,943	2,078,182
Net Position - End of Year					$ 288,970,338	$ 58,539,793	$ 347,510,131	$ 1,894,428

Draft

CITY OF ST. PETERS, MISSOURI

BALANCE SHEET - GOVERNMENTAL FUNDS
SEPTEMBER 30, 2015

	Major Funds						Nonmajor Funds	
	General	Transportation Trust	Local Parks and Stormwater Fund	Special Allocation-City Centre	Debt Service	Capital Projects	Other Governmental Funds	Total Governmental Funds
Assets:								
Cash and investments:								
Unrestricted	$ 12,146,765	$ 4,849,473	$ 4,464,761	$ 298,712	$ 879,499	$ 6,137,977	$ 6,217,551	$ 34,994,738
Restricted	87,004	628,655	-	-	-	-	-	715,659
Held by trustees	-	-	166,878	1,271,979	-	-	2,650	1,441,507
Receivables, net of allowances where applicable:								
Taxes	2,410,232	638,518	638,247	128,871	68,931	-	4,788	3,889,587
Intergovernmental	164,821	4,523,459	-	-	-	-	58,578	4,746,858
Other	297,033	171,846	512,402	1,464,572	5,882	-	182,327	2,634,062
Due from other funds	194,310	-	-	-	-	-	-	194,310
Long term receivables	-	-	-	-	-	-	608,131	608,131
Inventory and prepaid items	910,729	10,029	203	-	-	-	11	920,972
Total Assets	$ 16,210,894	$ 10,821,980	$ 5,782,491	$ 3,164,134	$ 954,312	$ 6,137,977	$ 7,074,036	$ 50,145,824
Liabilities, Deferred Inflows of Resources and Fund Balances:								
Liabilities:								
Accounts payable	$ 1,105,838	$ 3,840,763	$ 284,932	$ 195,270	$ 1,916	$ 162,930	$ 256,354	$ 5,848,003
Accrued liabilities	1,234,499	27,729	68,824	-	-	-	334	1,331,386
Deposits/guarantee bonds	1,217,180	-	-	-	-	-	3,300	1,220,480
Due to other funds	-	32,369	5,683	-	-	-	39,153	77,205
Unearned revenue	38,931	546,811	-	-	-	-	-	585,742
Claims payable	1,186,467	-	-	-	-	-	-	1,186,467
Total Liabilities	4,782,915	4,447,672	359,439	195,270	1,916	162,930	299,141	10,249,283
Deferred Inflows of Resources:								
Unavailable revenues - property taxes	210,711	-	-	-	63,140	-	-	273,851
Unavailable revenues - contributions	-	-	500,000	-	-	-	-	500,000
Unavailable revenues - special assessments	-	-	-	-	-	-	5,875	5,875
Total Deferred Inflows of Resources	210,711	-	500,000	-	63,140	-	5,875	779,726
Fund Balances:								
Nonspendable	910,729	10,029	203	-	-	-	11	920,972
Restricted for:								
Transportation	-	5,735,624	-	-	-	-	-	5,735,624
Sewer lateral projects	-	-	-	-	-	-	629,753	629,753
Water line repair projects	-	-	-	-	-	-	190,541	190,541
Special allocation projects	-	-	-	1,268,600	-	-	5,186,788	6,455,388
Grants	-	-	-	-	-	-	758,502	758,502
Debt service	87,004	628,655	-	1,700,264	889,256	-	3,425	3,308,604
Local parks and stormwater	-	-	4,922,849	-	-	-	-	4,922,849
Police services	325,280	-	-	-	-	-	-	325,280
Committed:								
Contingency reserve	3,000,000	-	-	-	-	-	-	3,000,000
Assigned for:								
Capital projects	610,547	-	-	-	-	5,975,047	-	6,585,594
Encumbrances	339,410	-	-	-	-	-	-	339,410
Subsequent year budget	289,130	-	-	-	-	-	-	289,130
Unassigned	5,655,168	-	-	-	-	-	-	5,655,168
Total Fund Balances	11,217,268	6,374,308	4,923,052	2,968,864	889,256	5,975,047	6,769,020	39,116,815
Total Liabilities, Deferred Inflows of Resources and Fund Balances	$ 16,210,894	$ 10,821,980	$ 5,782,491	$ 3,164,134	$ 954,312	$ 6,137,977	$ 7,074,036	$ 50,145,824

Draft

CITY OF ST. PETERS, MISSOURI

RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS TO THE STATEMENT OF NET POSITION SEPTEMBER 30, 2015

Total Fund Balance - Governmental Funds	$ 39,116,815
Amounts reported for governmental activities in the statement of net position are different because:	
Capital assets used in governmental activities are not financial resources and, therefore are not reported in the funds. The cost of the assets is $491,074,397 and the accumulated depreciation is $166,704,260.	324,370,137
Property taxes assessed by the City, but not collected within 60 days of year end, are deferred within the fund financial statements. However, revenue for this amount, net of a reserve for uncollectible accounts, is recognized in the government-wide statements.	273,851
Special assessments levied by the City, but not collected within 60 days of year end, are deferred within the fund financial statements. However, revenue for this amount, is recognized in the government-wide statements.	5,875
To recognize federal interest subsidy which is not a current financial resource and therefore is not reported in the funds.	57,471
Long-term liabilities applicable to the City's governmental activities are not due and payable in the current period and, accordingly, are not reported as liabilities within the fund financial statements. Interest on long-term debt is not accrued in governmental funds, but rather is recognized as an expenditure when due. All liabilities - both current and long-term - are reported on the government-wide statement of net position. Discounts, premiums and deferred amounts on refunding costs are reported in the governmental fund financial statements when the debt was issued whereas these amounts are deferred and amortized over the life of the debt as an adjustment to interest expense on the government-wide financial statements.	
Balances as of September 30, 2015 are:	
Accrued compensated absences, vacation	(1,380,809)
Accrued interest on outstanding debt	(3,149,995)
Other post employment benefit obligation	(7,268,777)
Net pension obligation	(225,347)
Pension related deferred outflows of resources	4,563,699
Pension related deferred inflows of resources	(887,513)
Bonds and notes payable	(66,558,700)
Unamortized bond discount	197,873
Unamortized bond premium	(632,632)
Unamortized deferred charge on refunding	488,390
Total Net Position - Governmental Activities	$ 288,970,338

Draft

CITY OF ST. PETERS, MISSOURI

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - GOVERNMENTAL FUNDS FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015

	Major Funds						Nonmajor Funds	
	General	Transportation Trust	Local Parks and Stormwater Fund	Special Allocation-City Centre	Debt Service	Capital Projects	Other Governmental Funds	Total Governmental Funds
Revenues:								
Sales tax	$ 13,711,848	$ 6,855,926	$ 6,784,761	$ 5,313,882	$ -	$ -	$ 1,026,188	$ 33,692,605
Property tax	7,402,649	-	-	3,271,041	1,568,116	-	934,803	13,176,609
Utility franchise tax	4,548,100	-	-	5,049	-	-	-	4,553,149
Cigarette tax	188,601	-	-	-	-	-	-	188,601
Licenses and permits	1,443,080	-	-	-	-	-	-	1,443,080
Interest	5,205	822	3,128	11,540	528	890	4,500	26,613
Intergovernmental	3,824,234	6,305,660	-	-	-	-	231,274	10,361,168
Fines and forfeitures	1,799,379	-	-	-	-	-	-	1,799,379
Charges for services	693,164	-	8,908	-	-	-	783,644	1,485,716
Miscellaneous	506,226	11,380	202,216	-	5,443	-	6,975	732,240
Total Revenues	34,122,486	13,173,788	6,999,013	8,601,512	1,574,087	890	2,987,384	67,459,160
Expenditures:								
Current:								
General government	1,845,955	-	-	4,992,666	-	-	607,063	7,445,684
Administration	4,155,519	-	-	-	-	-	-	4,155,519
Police	12,379,373	-	-	-	-	-	-	12,379,373
Municipal court	431,073	-	-	-	-	-	-	431,073
Public works	2,109,265	4,468,100	1,554,408	-	-	-	969,289	9,101,062
Engineering	2,181,945	-	-	-	-	-	-	2,181,945
Maintenance	386,533	-	-	-	-	-	-	386,533
Health	654,199	-	-	-	-	-	-	654,199
Parks and recreation	4,893,133	-	886,920	-	-	-	-	5,780,053
Communications	920,607	-	-	-	-	-	-	920,607
Community and arts	213,475	-	-	-	-	-	-	213,475
Capital outlay	695,108	9,427,817	1,737,949	-	-	4,822,796	35,443	16,719,113
Debt service:								
Principal retirement	315,000	360,000	120,000	2,075,000	2,460,000	-	6,000	5,336,000
Interest	60,705	406,150	43,065	205,240	1,428,454	-	2,165	2,145,779
Payment to escrow agent	-	-	-	-	363,273	-	-	363,273
Other	-	911	1,166	1,590	163,461	-	5,795	172,923
Total Expenditures	31,241,890	14,662,978	4,343,508	7,274,496	4,415,188	4,822,796	1,625,755	68,386,611
Revenues Over (Under) Expenditures	2,880,596	(1,489,190)	2,655,505	1,327,016	(2,841,101)	(4,821,906)	1,361,629	(927,451)
Other Financing Sources (Uses):								
Transfers in	-	49,400	-	-	1,968,639	-	-	2,018,039
Transfers out	(1,070,329)	-	(1,623,039)	-	-	-	-	(2,693,368)
Proceeds from sale of capital assets	65,290	136,317	-	-	-	-	-	201,607
Issuance of debt	-	-	-	-	7,050,000	-	-	7,050,000
Bond premium	-	-	-	-	218,886	-	-	218,886
Payment to escrow agent	-	-	-	-	(7,141,596)	-	-	(7,141,596)
Total Other Financing Sources (Uses)	(1,005,039)	185,717	(1,623,039)	-	2,095,929	-	-	(346,432)
Net Changes in Fund Balances	1,875,557	(1,303,473)	1,032,466	1,327,016	(745,172)	(4,821,906)	1,361,629	(1,273,883)
Fund Balances:								
Beginning of Year	9,341,711	7,677,781	3,890,586	1,641,848	1,634,428	10,796,953	5,407,391	40,390,698
End of Year	$ 11,217,268	$ 6,374,308	$ 4,923,052	$ 2,968,864	$ 889,256	$ 5,975,047	$ 6,769,020	$ 39,116,815

Draft

CITY OF ST. PETERS, MISSOURI

RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015

Net change in fund balances - total governmental funds		$ (1,273,883)
Amounts reported for governmental activities in the statement of activities are different because:		
Governmental funds report capital outlays as expenditures. However, in the statement of activities, assets with an initial, individual cost of more than $5,000 for general and $25,000 for infrastructure are capitalized and the cost is allocated over their estimated useful lives and reported as depreciation expense. Donated assets are not recorded in governmental funds but are recognized as revenue in the statement of activities. This is the amount by which capital outlays and donated capital assets exceeded depreciation in the current period.		
Capital outlays	18,364,381	
Proceeds from sale of capital assets	(201,607)	
Donated capital assets	1,611,150	
Net transfer of assets between the proprietary and governmental activities	(296,339)	
Depreciation expense	(11,127,875)	8,349,710
In the statement of activities, the gain (loss) on the sale of capital assets is reported. The gain (loss) is not a use of current resources and, thus, is not reported in the funds.		(74,445)
The governmental funds report bond proceeds as an other financing source, while repayment of bond principal is reported as an expenditure. In the statement of net assets, however, issuing debt increases long-term liabilities and does not affect the statement of activities. Similarly, repayment of principal is an expenditure in the governmental funds financial statements but reduces the long-term liabilities in the statement of net assets.		
Issuance of debt	(7,050,000)	
Principal payment to escrow agent	7,000,000	
Repayment of bond and note principal	5,336,000	5,286,000
Under the modified accrual basis of accounting used in governmental funds the effect of discounts and premiums are recognized when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities. Interest is recognized as an expenditure in the governmental funds when it is due, whereas in the statement of activities, interest expense is recognized as it accrues, regardless of when it is due. Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds. The net effect of these differences is as follows:		
Accrued interest on bonds	(1,446,419)	
Compensated absences	(5,005)	
Other post employment benefits	(284,843)	
Pension expense	1,362,947	
Premium on debt issuances, net of amortization	(185,142)	
Discount on debt issuances, net of amortization	(62,405)	
Deferred charge on refunding, net of amortization	411,708	(209,159)
Property tax revenues received prior to the year for which they are being levied are reported as deferred inflows in the governmental funds. They are, however, recorded as revenues in the statement of activities. Deferred property tax revenues decreased this year.		(57,406)
Special assessments levied by the City, not due until future years are reported as deferred inflows in the governmental funds. In the statement of activities, the special assessments were recognized as revenues in the year they were levied. Deferred special assessment revenues increased this year.		(5,545)
In the statement of activities, federal interest subsidy is recognized as an economic resource, whereas in the governmental funds, the interest subsidy is recorded as nonexchange revenue when all eligibility requirements are met.		(1,759)
Change in net position of governmental activities		$ 12,013,513

Draft

CITY OF ST. PETERS, MISSOURI

STATEMENT OF FUND NET POSITION - PROPRIETARY FUNDS
SEPTEMBER 30, 2015

	Major Enterprise Funds				
	Waterworks/ Sanitary Sewer	Solid Waste	Central Materials Processing Facility	Recreation	Total Enterprise Funds
Assets:					
Current Assets:					
Cash and investments:					
Unrestricted	$ 11,381,576	$ 1,332,685	$ 760,973	$ 1,824,432	$ 15,299,666
Restricted	1,907,719	-	-	-	1,907,719
Receivables, net allowances:					
Services	1,648,539	794,042	75,275	-	2,517,856
Grants	3,750	-	914	21,713	26,377
Other	269,550	166,964	133,182	185,451	755,147
Inventory/prepaids	2,570	836	66,867	36,597	106,870
Total Current Assets	15,213,704	2,294,527	1,037,211	2,068,193	20,613,635
Noncurrent Assets:					
Investment in joint venture	1,748,912	-	-	-	1,748,912
Capital assets	112,213,283	7,681,036	6,770,299	52,436,962	179,101,580
Less: Accumulated depreciation	54,086,277	5,957,463	4,770,533	24,700,747	89,515,020
Capital assets - net	58,127,006	1,723,573	1,999,766	27,736,215	89,586,560
Total Noncurrent Assets	59,875,918	1,723,573	1,999,766	27,736,215	91,335,472
Total Assets	75,089,622	4,018,100	3,036,977	29,804,408	111,949,107
Deferred Outflows of Resources:					
Deferred charge on refunding	-	-	-	905,893	905,893
Deferred amounts related to pensions	645,335	360,228	258,349	313,164	1,577,076
Total Deferred Outflows of Resources	645,335	360,228	258,349	1,219,057	2,482,969
Liabilities:					
Current Liabilities:					
Accounts payable	706,536	98,593	281,668	137,284	1,224,081
Accrued payroll	167,288	86,818	69,214	155,115	478,435
Accrued compensated absences	182,228	103,096	64,881	99,561	449,766
Accrued interest	102,034	-	-	255,167	357,201
Deposits held for others	180,834	-	-	99,175	280,009
Due to other funds	90,540	4,457	3,826	18,282	117,105
Unearned revenue	19,008	-	-	235,980	254,988
Current portion of revenue bonds payable	1,985,000 *	-	-	735,000	2,720,000
Other	-	-	-	11,530	11,530
Total Current Liabilities	3,433,468	292,964	419,589	1,747,094	5,893,115
Noncurrent Liabilities:					
Long-term portion of revenue bonds payable	31,349,498	-	-	15,117,670	46,467,168
Other long-term liabilities	1,219,480	667,272	590,414	670,933	3,148,099
Total Liabilities	36,002,446	960,236	1,010,003	17,535,697	55,508,382
Deferred Inflows of Resources:					
Deferred amounts related to pensions	157,091	87,689	62,889	76,232	383,901
Net Position:					
Net investment in capital assets	24,792,508	1,723,573	1,999,766	11,883,545	40,399,392
Restricted for debt service	1,907,719	-	-	-	1,907,719
Unrestricted	12,875,193	1,606,830	222,668	1,527,991	16,232,682
Total Net Position	$ 39,575,420	$ 3,330,403	$ 2,222,434	$ 13,411,536	$ 58,539,793

* Payable from restricted assets

Draft

CITY OF ST. PETERS, MISSOURI

STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET POSITION - PROPRIETARY FUNDS FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015

	Major Enterprise Funds				
	Waterworks/ Sanitary Sewer	Solid Waste	Central Materials Processing Facility	Recreation	Total Enterprise Funds
Operating Revenues:					
Water	$ 5,034,720	$ -	$ -	$ -	$ 5,034,720
Sewer	4,155,601	-	-	-	4,155,601
Solid waste	-	5,635,377	-	-	5,635,377
Tap on fees	352,250	-	-	-	352,250
Tipping fees	-	-	2,257,194	-	2,257,194
Recycling income	-	-	1,185,662	-	1,185,662
Earth Centre	-	-	390,251	-	390,251
Intergovernmental	25,000	-	914	21,713	47,627
Recreation	-	-	-	6,781,451	6,781,451
Miscellaneous	1,410,522	178,072	12,356	-	1,600,950
Total Operating Revenues	10,978,093	5,813,449	3,846,377	6,803,164	27,441,083
Operating Expenses:					
Personnel costs	3,916,228	2,172,544	1,740,921	3,676,920	11,506,613
Depreciation	2,650,981	580,187	247,225	2,027,649	5,506,042
Utilities	724,754	52,625	56,215	914,834	1,748,428
Purchased water	741,154	-	-	-	741,154
Wastewater treatment costs	104,850	-	-	-	104,850
Disposal fees	-	1,095,371	1,204,475	-	2,299,846
Repairs and maintenance	863,055	318,778	118,924	231,520	1,532,277
Chemicals and supplies	358,142	1,399	-	70,742	430,283
Professional services	483,002	19,878	32,061	144,864	679,805
Office expense	241,534	61,855	190,637	404,223	898,249
Insurance	(39,029)	31,431	22,359	52,567	67,328
Gasoline and fuel	92,637	205,236	30,949	19,801	348,623
Rent	12,521	1,189	4,604	-	18,314
Concessions	-	-	-	246,641	246,641
Miscellaneous	849,418	759,472	440,900	140,327	2,190,117
Total Operating Expenses	10,999,247	5,299,965	4,089,270	7,930,088	28,318,570
Operating Income (Loss)	(21,154)	513,484	(242,893)	(1,126,924)	(877,487)
Nonoperating Revenues (Expenses):					
Interest on investments	690	160	84	151	1,085
Bond interest and fees	(1,416,389)	-	-	(666,191)	(2,082,580)
Gain (loss) on disposal of capital assets	(51,871)	(10,436)	(3,876)	(73,592)	(139,775)
Equity loss in joint venture	(78,824)	-	-	-	(78,824)
Total Nonoperating Revenues (Expenses)	(1,546,394)	(10,276)	(3,792)	(739,632)	(2,300,094)
Loss Before Capital Contributions and Transfers	(1,567,548)	503,208	(246,685)	(1,866,556)	(3,177,581)
Capital contributions	203,588	-	-	296,339	499,927
Transfers in	-	-	-	675,329	675,329
Changes In Net Position	(1,363,960)	503,208	(246,685)	(894,888)	(2,002,325)
Net Position - Beginning of Year, Restated	40,939,380	2,827,195	2,469,119	14,306,424	60,542,118
Net Position - End of Year	$ 39,575,420	$ 3,330,403	$ 2,222,434	$ 13,411,536	$ 58,539,793

Draft

CITY OF ST. PETERS, MISSOURI

STATEMENT OF CASH FLOWS - PROPRIETARY FUNDS
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015

	Major Enterprise Funds				
	Waterworks/ Sanitary Sewer	Solid Waste	Central Materials Processing Facility	Recreation	Total Enterprise Funds
Cash Flows From Operating Activities:					
Receipts from customers	$ 9,538,255	$ 5,606,201	$ 3,830,704	$ 6,751,479	$ 25,726,639
Payments to suppliers	(4,267,751)	(2,467,794)	(2,101,394)	(2,232,152)	(11,069,091)
Payment to employees	(4,004,072)	(2,239,415)	(1,788,216)	(3,724,542)	(11,756,245)
Other receipts	1,545,635	184,069	15,325	(45,321)	1,699,708
Net Cash Provided By (Used In) Operating Activities	2,812,067	1,083,061	(43,581)	749,464	4,601,011
Cash Flows Provided By (Used In) Noncapital Financing Activities:					
Transfers in	-	-	-	675,329	675,329
Advances on (repayments of) internal balances	(114,243)	(59,559)	1,101	5,803	(166,898)
Net Cash Provided By (Used In) Noncapital Financing Activities	(114,243)	(59,559)	1,101	681,132	508,431
Cash Flows From Capital and Related Financing Activities:					
Acquisition and construction of capital assets, net	(1,371,442)	(872,494)	(189,718)	(351,481)	(2,785,135)
Proceeds from sale of capital assets	4,150	-	5,970	-	10,120
Principal paid on bonds	(1,930,000)	-	-	(715,000)	(2,645,000)
Issuance of revenue bonds	7,500,000	-	-	-	7,500,000
Interest and fees paid on bonds	(410,675)	-	-	(638,541)	(1,049,216)
Net Cash Used In Capital and Related Financing Activities	3,792,033	(872,494)	(183,748)	(1,705,022)	1,030,769
Cash Flows Provided By Investing Activities:					
Interest received on investments	690	160	84	151	1,085
Net Increase (Decrease) In Cash And Cash Equivalents	6,490,547	151,168	(226,144)	(274,275)	6,141,296
Cash and Cash Equivalents - Beginning of Year	6,798,748	1,181,517	987,117	2,098,707	11,066,089
Cash and Cash Equivalents - End of Year	$ 13,289,295	$ 1,332,685	$ 760,973	$ 1,824,432	$ 17,207,385
Reconciliation of Operating Income (Loss) to Net Cash Provided By (Used In) Operating Activities:					
Operating income (loss)	$ (21,154)	$ 513,484	$ (242,893)	$ (1,126,924)	$ (877,487)
Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities:					
Depreciation expense	2,650,981	580,187	247,225	2,027,649	5,506,042
(Increase) decrease in assets:					
Services receivable	14,692	(29,176)	(2,403)	-	(16,887)
Miscellaneous receivable	102,169	5,997	2,169	(55,164)	55,171
Inventory	(1,400)	(534)	(29,691)	(3,147)	(34,772)
Increase (decrease) in liabilities:					
Accounts payable	165,687	79,974	29,421	(3,486)	271,596
Accrued payroll	24,714	7,419	808	11,766	44,707
Accrued vacation	2,606	(5,245)	(5,974)	(6,703)	(15,316)
Deposits held for others	7,972	-	(114)	(15,661)	(7,803)
Other liabilities	(134,200)	(69,045)	(42,129)	(78,866)	(324,240)
Total Adjustments	2,833,221	569,577	199,312	1,876,388	5,478,498
Net Cash Provided By (Used In) Operating Activities	$ 2,812,067	$ 1,083,061	$ (43,581)	$ 749,464	$ 4,601,011

Noncash Investing, Capital and Financing Activities:

During fiscal year 2015, the Waterworks/Sanitary Sewer Fund received $203,588 in contributed water and sewer lines from developers and incurred a $78,824 equity loss in joint venture. The Recreation Fund received $296,339 in contributed capital from governmental activities.

Draft

CITY OF ST. PETERS, MISSOURI

STATEMENT OF FIDUCIARY NET POSITION - OTHER POST EMPLOYMENT BENEFITS TRUST FUND SEPTEMBER 30, 2015

ASSETS:	
Cash and investments:	
Held by trustees:	
Money market mutual funds	$ 87,219
Domestic equity investments:	
Exchange traded funds	787,700
Mutual funds	4,372,935
International equities:	
Exchange traded funds	516,048
Mutual funds	511,087
Fixed income investments:	
Credit	893,886
Diversified taxable mutual funds	3,634,303
Other	46,623
Alternative investments:	
Hedge funds	567,718
Infrastructure	243,637
Traded real estate	162,185
Receivables, net of allowances:	
Interest	7,196
Prepaid items	14,413
Total Assets	11,844,950
LIABILITIES:	
Accounts payable	92,016
Unearned revenue	6,542
Total Liabilities	98,558
NET POSITION:	
Restricted for other post employment benefits	$ 11,746,392

Draft

CITY OF ST. PETERS, MISSOURI

STATEMENT OF CHANGES IN FIDUCIARY NET POSITION - OTHER POST EMPLOYMENT BENEFITS TRUST FUND FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015

ADDITIONS:	
Contributions:	
City of St. Peters	$ 643,600
Plan members	121,225
Total Contributions	764,825
Investment income:	
Interest and dividends	744,959
Net depreciation in the fair value of plan investments	(906,545)
Total Investment Income	(161,586)
Total Additions	603,239
DEDUCTIONS:	
Benefit payments	610,797
Administrative and general expenses:	
Insurance, taxes and other premiums	240,303
Professional fees	50,217
Total administrative and general expenses	290,520
Total Deductions	901,317
CHANGE IN NET POSITION	(298,078)
NET POSITION RESTRICTED FOR OTHER POST EMPLOYMENT BENEFITS:	
BEGINNING OF YEAR	12,044,470
END OF YEAR	$ 11,746,392

Draft

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The City of St. Peters, Missouri (the City) was incorporated in 1910. The City operates as a fourth-class city under the Missouri state statutes under the Board of Aldermen/City Administrator form of government. The Board of Aldermen is comprised of eight Aldermen and a Mayor. The City provides the following services: public safety (police), public works, public improvements, water and sanitary sewer, residential trash collection, recreation, community development, health, planning and zoning, and general administration.

The accounting policies and financial reporting practices of the City conform to accounting principles generally accepted in the United States of America applicable to governmental entities. The following is a summary of the more significant accounting policies:

Reporting Entity

The City defines its reporting entity to include all component units for which the City's governing body is financially accountable or closely related. The City's financial reporting entity consists of the City and its component units.

Discretely Presented Component Units: The component unit column in the statement of net position and statement of activities includes the financial data of the City's discretely presented component unit, which is reported in a separate column to emphasize that it is legally separate from the City.

> The City of St. Peters Natatorium Foundation (the Foundation) is a not-for-profit corporation organized for the purpose of accepting contributions from the community and using the resources to fund improvements to the St. Peters Rec-Plex natatorium. The Foundation is discretely presented since the entire purpose of the Foundation is to benefit the City's natatorium; therefore, exclusion from the City's financial report would render the financial statements incomplete or misleading. The accounting policies and financial reporting practices of the Foundation conform to accounting principles generally accepted in the United States of America applicable to not-for-profit entities. The Foundation has only one fund. There are no separate financial statements issued for the Foundation.

Joint Venture: The City has entered into the following multi-governmental arrangement creating an organization that is owned, operated or governed by two or more participants as a separate and specific activity subject to joint control, in which the City retains an ongoing financial interest or an ongoing financial responsibility.

> The St. Peters-St. Charles Water Pipeline Project (the Water Pipeline Project) was formed under the laws of the State of Missouri on October 2, 1985. The purpose of the Water Pipeline Project is to construct and operate a water pipeline and appurtenant facilities from the Howard Bend Treatment Plant, owned and operated by the City of St. Louis, Missouri, to the separate facilities of the municipalities of St. Peters, Missouri, and St. Charles, Missouri, in order to adequately supply water by the pipeline to the citizens and businesses of the municipalities. The Water Pipeline Project is owned by the City of St. Peters

Draft

(31.8%) and the City of St. Charles (68.2%). The City of St. Peters is responsible for managing and accounting for the daily operations of the Water Pipeline Project, except when concurrence of both cities is required. Additional information regarding the Water Pipeline Project is provided in Note 9.

Basis Of Presentation

The City's basic financial statements include both government-wide (reporting on the City as a whole) and fund financial statements (reporting the City's major, and in the aggregate nonmajor, funds).

Government-Wide Financial Statements

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all nonfiduciary activities of the City. The effect of interfund activity has been removed from these statements, with the exception of interfund services provided and used. Governmental activities, which normally are supported by taxes, intergovernmental revenues and other nonexchange transactions, are reported separately from business-type activities, which rely to a significant extent on fees and charges to external parties.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function. Program revenues include 1) charges to customers or applicants for goods, services, or privileges provided, 2) operating grants and contributions, and 3) capital grants and contributions, including special assessments. Taxes, unrestricted interest earnings and other items not included among program revenues are reported instead as general revenues. The government-wide focus is on the sustainability of the City as an entity and the change in the City's net position resulting from the current year's activity.

Fund Financial Statements

Following the government-wide financial statements are separate financial statements for governmental funds, proprietary funds and fiduciary funds. Fiduciary funds are excluded from the government-wide financial statements. Major individual governmental funds are reported as separate columns in the fund financial statements. All other governmental funds are reported in one column labeled "Other Governmental Funds." The total fund balances for all governmental funds is reconciled to total net position for governmental activities as shown on the statement of net position. The net change in fund balance for all governmental funds is reconciled to the total change in net position as shown on the statement of activities in the government-wide financial statements.

Fund Accounting

The City uses funds to maintain its financial records during the year. A fund is defined as a fiscal and accounting entity with self-balancing accounts. Governmental resources are allocated to and accounted for in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled. There are three categories of funds used by the City, governmental, proprietary and fiduciary.

Draft

Governmental Funds

Governmental funds are those through which most governmental functions of the City are financed. The acquisition, use, and balances of the City's expendable financial resources and the related liabilities (except those accounted for in proprietary funds) are accounted for through governmental funds. The measurement focus is upon determination of and changes in financial position rather than upon net income. The following are the City's major governmental funds:

General - The general fund is the main operating fund of the City. It is used to account for all financial resources except those required to be accounted for in another fund.

Transportation Trust - The transportation trust fund is used to account for transportation sales tax revenues and grants to be used for the construction, repair and maintenance of streets, roads and bridges.

Local Parks And Stormwater - The local parks and stormwater fund is used to account for one-tenth sales tax revenue and grant proceeds to be used for park and stormwater projects.

Special Allocation - City Centre - The special allocation fund - City Centre is used to account for revenues generated by the City Centre TIF district for the payment of debt service and other TIF related expenditures.

Debt Service - The debt service fund is used to account for the accumulation of resources for, and the payment of, governmental long-term debt principal, interest and related costs.

Capital Projects - The capital projects fund is used to account for financial resources to be used for the acquisition or construction of major capital facilities.

The other governmental funds of the City are considered nonmajor. They are special revenue funds, which account for the proceeds of specific revenue sources that are legally restricted to expenditures for specific purposes.

Proprietary Funds

Proprietary funds are used to account for activities that are similar to those found in the private sector. The measurement focus used is the economic resources measurement focus. Enterprise funds are used to account for operations that are financed and operated in a manner similar to private business enterprises - where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges. The City has four enterprise funds which are all considered major funds as follows:

Waterworks/Sanitary Sewer - The waterworks/sanitary sewer fund is used to account for the billing and collection of charges for water and sanitary sewer services for customers of the waterworks and sanitary sewer system. Revenues are used to pay for both operating expenses and capital costs to maintain these services.

Draft

Solid Waste - The solid waste fund is used to account for the provision of solid waste collection to the residents of the City. All activities necessary to provide such services are accounted for in this fund.

Central Materials Processing Facility - The central materials processing facility fund is used to account for revenues and expenses resulting from the processing of solid waste. Trash and recyclable materials are sorted by recyclable type (i.e., cardboard, newspaper, plastic, glass, aluminum, etc.). The sorted recyclables are then baled and sold to companies that use recyclable material in the manufacturing of their products. The remaining material (trash) is taken to a landfill.

Recreation Fund - The recreation fund is used to account for activities of the City's recreation operations.

Proprietary funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations.

The principal operating revenues of the Enterprise Funds are charges to customers for sales and services. Operating expenses for the Enterprise Funds include the costs of sales and services, administrative expenses and depreciation on capital assets. All revenues and expenses not meeting these definitions are reported as nonoperating revenues and expenses.

Fiduciary Fund Type - Trust And Agency Funds

Fiduciary funds are used to account for resources held for the benefit of parties outside the government. Fiduciary funds are not reflected in the government-wide financial statements because the resources of those funds are not available to support the City's own programs. Trust funds are accounted for and reported similar to proprietary funds. The City's trust fund accounts for post-employment health care benefits provided to eligible retirees. The City does not have any agency funds.

Measurement Focus

Government-Wide Financial Statements

The government-wide financial statements are prepared using the economic resources measurement focus. All assets, deferred outflows/inflows of resources and all liabilities associated with the operation of the City are included on the statement of net position.

Fund Financial Statements

All governmental funds are accounted for using a flow of current financial resources measurement focus. With this measurement focus, only current assets, deferred outflows/inflows of resources and current liabilities generally are included on the balance sheet. The statement of revenues, expenditures and changes in fund balances reports on the

Draft

sources (i.e., revenues and other financing sources) and uses (i.e., expenditures and other financing uses) of current financial resources. This approach differs from the manner in which the governmental activities of the government-wide financial statements are prepared. Governmental fund financial statements therefore include a reconciliation with brief explanations to better identify the relationship between the government-wide statements and the statements for governmental funds.

Like the government-wide statements, all proprietary funds are accounted for on a flow of economic resources measurement focus. All assets, deferred outflows/inflows of resources and all liabilities associated with the operation of these funds are included on the statement of net position. The statement of changes in fund net position presents increases (i.e., revenues) and decreases (i.e., expenses) in total net position. The statement of cash flows provides information about how the City finances and meets the cash flow needs of its proprietary activities.

Basis Of Accounting

Basis of accounting determines when transactions are recorded in the financial records and reported on the financial statements. Government-wide financial statements, proprietary and fiduciary funds are prepared using the accrual basis of accounting. Governmental funds use the modified accrual basis of accounting. Differences in the accrual and modified accrual basis of accounting arise in the recognition of revenue, the recording of unearned and deferred revenue and in the presentation of expenses versus expenditures.

Revenues - Exchange And NonExchange Transactions

Revenue resulting from exchange transactions, in which each party gives and receives essentially equal value, is recorded on the accrual basis when the exchange takes place. On a modified accrual basis, revenue is recorded in the year in which the resources are measurable and become available. Available means that the resources will be collected within the current year or are expected to be collected soon enough thereafter to be used to pay liabilities of the current year.

Nonexchange transactions, in which the City receives value without directly giving equal value in return, include property taxes, grants, entitlements and donations. On an accrual basis, revenue from property taxes is recognized in the year for which the taxes are levied (Note 3). Revenue from grants, entitlements and donations is recognized in the year in which all eligibility requirements have been satisfied. Eligibility requirements include timing requirements, which specify the year when the resources are required to be used or the year when use is first permitted, matching requirements, in which the City must provide local resources to be used for a specified purpose, and expenditure requirements, in which the resources are provided to the City on a reimbursement basis. On a modified accrual basis, revenue from nonexchange transactions must also be available before it can be recognized. For the City, available means expected to be received within 60 days of year end.

Under the modified accrual basis, the following revenue sources are considered to be both measurable and available at year end: state-levied locally shared taxes (including gasoline tax), fines and forfeitures, licenses and permits, interest, grants and rentals.

Draft

Unearned Revenues

Unearned revenue arises when assets are recognized before revenue recognition criteria has been satisfied. Certain grants received before eligibility requirements are met are reported as unearned revenues.

Expenses/Expenditures

On the accrual basis of accounting, expenses are recognized at the time they are incurred.

The measurement focus of governmental fund accounting is on decreases in net financial resources (expenditures) rather than expenses. Expenditures are generally recognized in the accounting period in which the related fund liability is incurred, if measurable. However, principal and interest on general long-term debt, which have not matured are recognized when paid. Allocations of cost, such as depreciation and amortization, are not recognized in governmental funds.

Cash And Cash Equivalents And Investments

The City's cash and cash equivalents consist of highly liquid investments (including restricted assets) with maturity dates within three months of the date acquired by the City. Investments consist of those investments with maturity dates greater than three months at the time of purchase by the City. Investments that have a maturity date of less than one year at the time of purchase are carried at cost or amortized cost because of their short-term maturities. Investments that have a maturity date of greater than one year at the time of purchase are carried at fair value. Fair value is based on quoted market prices.

Prepaid Items

Payments made to vendors for services that will benefit periods beyond the fiscal year end are recorded as prepaid items. The cost of governmental fund-type prepaid items is recorded as expenditures when consumed rather than when purchased.

Inventories

Inventories are valued at cost, which approximates market, using the first-in, first-out (FIFO) method. The cost of governmental fund-type inventories is recorded as expenditures when consumed rather than when purchased.

Encumbrances

Encumbrance accounting, under which purchase orders, contracts and other commitments for the expenditure of funds are recorded, is employed within the governmental fund financial statements. Encumbrances outstanding at year-end do not constitute expenditures or liabilities and are reported as assigned fund balance to indicate that a portion of the fund balance is not available for subsequent appropriation.

Draft

Capital Assets

Capital assets, which include property, plant, equipment and prospectively reported infrastructure assets (e.g., roads, bridges, sidewalks and similar items), are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined as assets with an initial, individual cost of $5,000 or more for general capital assets and $25,000 or more for infrastructure, and an estimated useful life in excess of one year. Such assets are recorded at historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair value at the date of donation.

The costs of normal maintenance and repairs that do not enhance functionality or materially extend the life of an asset are not capitalized.

Capital assets are depreciated using the straight-line method over the following estimated useful lives:

Buildings	30 years
Structures and improvements	20 years
Water and sewer lines	50 years
Streets, bridges and sidewalks	12 - 50 years
Furniture and other equipment	5 - 8 years
Vehicles	5 years
Computer equipment	5 years
Software	3 years
Land improvement	20 years
Pool equipment	5 years

Compensated Absences

City employees earn vacation during the current year which must be taken in the subsequent year. Accrued vacation time is recognized as a liability when incurred and any unused accumulated vacation is payable to employees upon termination. Based upon the policy of the City, all of the accrued vacation is due within one year and is recorded in the government-wide and proprietary fund financial statements as a short-term liability. A liability for these amounts is reported in governmental funds only if the amounts due at year end have matured. Sick leave benefits do not vest and are recorded as expenditures when paid. Compensated absences are typically liquidated by the general fund or the respective fund from which the employee is paid.

Other Post Employment Benefit Obligation

The City calculates and records a net other post employment benefit obligation (OPEB) in the government-wide and proprietary funds financial statements. The net OPEB is, in general, the cumulative difference between the actuarial required contribution and the actual contributions since October 1, 2008, the required date of implementation. The City was not required to and elected not to retroactively implement GASB 45. Details relating to the City's postretirement health care benefits provided, OPEB liability and its calculation are provided at Note 12. The obligation is typically liquidated by the general fund or the respective fund from which the employee is paid.

Draft

Long-Term Liabilities

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the statement of net position. Bond premiums and discounts are deferred and amortized over the life of the bonds using the straight-line method. Bonds payable, as reported in the statement of net position, are adjusted by the applicable bond premium or discount.

In the fund financial statements, governmental funds recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures. The accounting for long-term liabilities in the proprietary funds is the same as it is in the government-wide financial statements.

Deferred Outflows/Inflows Of Resources

In addition to assets, the statement of net position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The government reports a deferred charge on refunding reported in the government-wide-statement and proprietary fund statements of net position. A deferred charge on refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt.

In addition to liabilities, the statement of net position and balance sheet will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The governmental funds report unavailable revenues from three sources: property taxes, contributions and special assessments. These amounts are deferred and recognized as an inflow of resources in the period that the amounts become available.

In the government-wide and proprietary fund financial statements, components of pension expense that are recognized over a period of time are classified as either deferred outflows of resources (using plan assets that are applicable to a future reporting period) or deferred inflows of resources (acquiring plan assets that are applicable to a future reporting period). Employer contributions subsequent to the measurement date of the net pension liability are required to be reported as deferred outflows of resources.

Pensions

The City records a net pension (asset) liability in the government-wide and proprietary fund financial statements for its defined benefit plan. The (asset) liability is calculated as the portion of the present value of projected benefit payments to be provided through the pension plan to current active and inactive employees that is attributed to those employees' past periods of service (total pension liability), less the amount of the pension plan's fiduciary net position.

Draft

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Missouri Local Government Employees Retirement System (LAGERS) and additions to/deductions from LAGERS fiduciary net position have been determined on the same basis as they are reported by LAGERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value. The pension obligation is typically liquidated by the general fund or the respective fund from which the employee is paid. Details of the City's defined benefit plan are provided in Note 5.

Interfund Activity

Transfers of resources from a fund receiving revenue to the fund through which the resources are to be expensed are recorded as other financing sources (uses) in the governmental fund financial statements.

In the process of aggregating data for the statement of net position and the statement of activities, some amounts reported as interfund activity and balances in the funds were eliminated or reclassified. Interfund receivables and payables were eliminated to minimize the "grossing up" effect on assets and liabilities within the governmental activities column.

Governmental Fund Balances

In the governmental fund financial statements the following classifications are used to define the governmental fund balances:

Nonspendable - This consists of the governmental fund balances that are not in spendable form or legally or contractually required to be maintained intact. The City's nonspendable fund balance consists of inventory and prepaid items.

Restricted - This consists of the governmental fund balances that are legally restricted by outside parties or by law through constitutional provisions or enabling legislation. The City's restricted funds consist of various taxes approved by voters for specific purposes, capital projects, sewer lateral projects, water line repair projects, grants, police services, tourism, TIF projects, stormwater projects and debt obligations.

Committed - This consists of the governmental fund balances that can only be used for specific purposes pursuant to constraints imposed by formal action (resolution) of the Board of Aldermen, the City's highest level of decision-making authority. The City's committed fund balance consists of the contingency reserve as outlined below.

Assigned - This consists of the governmental fund balances that are intended to be used for specific purposes by the Board of Aldermen. The City's assigned fund balance includes capital projects, monies budgeted in the subsequent year and general fund contractual obligations (encumbrances) not previously accounted for.

Draft

Assigned encumbrances by function are as follows:

Function	Amount
General government	$ 9,922
Administration	253,565
Police	10,511
Engineering	34,345
Maintenance	5,318
Health	103
Parks and recreation	23,855
Communications	1,791
Total	**$ 339,410**

Unassigned - This consists of the governmental funds that do not meet the definition of "nonspendable," "restricted," "committed," or "assigned." The General Fund is the only fund that reports a positive unassigned fund balance amount. In other governmental funds it is not appropriate to report a positive unassigned fund balance amount. However, in governmental funds other than the General Fund, if expenditures incurred for specific purposes exceed the amounts that are restricted, committed, or assigned to those purposes, it may be necessary to report a negative unassigned fund balance in that fund.

General Fund Contingency Reserve Policy

During fiscal year 2013 the City utilized tools provided by the Government Finance Officers Association of the United States and Canada (GFOA) to determine the appropriate level of Contingency Reserve for the City's General Fund. The City completed the GFOA Risk Evaluation Tool, and based upon the results of the assessment; the City has determined the targeted General Fund Contingency Reserve to be two months regular, ongoing operating expenses. The Board of Alderman then adopted an ordinance establishing a General Fund Contingency Reserve Policy of two months regular, ongoing operating expenses (which at the time amounted to approximately $5,000,000). The ordinance requires the City to create a Contingency Reserve within the General Fund. The City transferred $2,500,000 into the Contingency Reserve during Fiscal Year 2014 and the Contingency Reserve will be increased by $500,000 in each subsequent Fiscal Year until the targeted amount of $5,000,000 is reached. The City's additional funding of the Contingency Reserve will be incorporated into the Five Year Capital Improvement Plan adopted by the Mayor and Board of Aldermen as part of the City's long-range planning process. After the initial target of $5,000,000 is reached, the City Administrator will reevaluate the Contingency Reserve level necessary to cover two months operating expenses in future years and incorporate the funding of the Contingency Reserve into the draft Five Year Capital Improvement Plan and draft Budget documents submitted to the Mayor and Board of Aldermen each year. It is the intent of the City to limit use of the Contingency Reserve to address unanticipated, non-recurring needs. The Contingency reserve shall not normally be applied to recurring annual operating expenditures. However, it may be used to allow time for the City to restructure its operations in a deliberate manner (as might be required in an economic downturn), but such use will only take place

Draft

pursuant to an appropriation in the Annual Budget. In addition, the Contingency Reserve may be spent in the event of an emergency or a fiscal crisis for the following purposes:

- To correct revenue cash-flow shortfalls
- To correct unforeseen annual revenue budgetary shortfalls
- To the extent permitted by law, to make temporary or emergency operating transfers to any other City Fund
- For emergency repairs, replacements or expenditures

In the event that the Contingency Reserve is used as provided above, a plan will be developed and included in the Five Year Capital Plan adopted by the Mayor and Board of Aldermen for the years subsequent to the Contingency Reserve draw to replenish the Contingency Reserve to the targeted level.

The City Administrator is directed to submit future draft Annual Budget and Five Year Capital Improvement Plan documents that reach the goals established by this policy.

Any modifications made to this policy must be approved by the Board of Aldermen.

Net Position

In the government-wide financial statements, net position is displayed in three components as follows:

Net Investment In Capital Assets - This consists of capital assets, net of accumulated depreciation, less the outstanding balances of any bonds, notes or other borrowings that are attributable to the acquisition, construction or improvements of those assets.

Restricted - This consists of net position that are legally restricted by outside parties or by law through constitutional provisions or enabling legislation.

Unrestricted - This consists of net position that do not meet the definition of "restricted" or "invested in capital assets, net of related debt."

Use Of Restricted Resources

When an expense is incurred that can be paid using either restricted or unrestricted resources (net position), the City's policy is to first apply the expense toward restricted resources and then toward unrestricted resources. In governmental funds, the City's policy is to first apply the expenditure toward restricted fund balance and then to other, less-restrictive classifications-committed and then assigned fund balances before using unassigned fund balances.

Investment In Joint Venture

The City's investment in the St. Peters - St. Charles Water Pipeline Project (the Joint Venture) is recorded on the equity method of accounting, taking into consideration capitalized interest.

Draft

Estimates And Assumptions

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires the City to make estimates and assumptions that affect the reported amounts of assets and liabilities at fiscal year end and revenues and expenditures or expenses during the reporting period. Actual results could differ from those estimates.

Adoption Of New Accounting Standards

For the year ended September 30, 2015, the City adopted GASB Statement No. 68, "Accounting and Reporting for Pensions", as amended by GASB Statement No. 71, "Pension Transition for Contributions Made Subsequent to the Measurement Date". The objective of these statements is to revise and establish new financial reporting requirements for most governments that provide their employees with pension benefits. At transition, a government must recognize a beginning deferred outflow of resources for its pension contributions, if any, made subsequent to the measurement date of the beginning net pension liability. As a result, the net position for the year ended September 30, 2014 has been restated as follows:

Government-Wide Financial Statements:

	Governmental Activities	Business-Type Activities	Total
Net position, September 30, 2014, as previously reported:	$ 274,733,795	$ 59,774,739	$334,508,534
To eliminate the net pension (asset) obligation prior to GASB Statement No. 68	135,138	54,682	189,820
To record the net pension asset (obligation) at the beginning of the year according to GASB Statement No. 68	1,409,912	465,274	1,875,186
To record a deferred outflows for contributions made after the prior year measurement date and before the prior year employer reporting date according to GASB Statement No. 71	677,980	247,423	925,403
Net position, September 30, 2014, restated	$ 276,956,825	$ 60,542,118	$337,498,943

Draft

Proprietary Fund Financial Statements:

	Waterworks/ Sanitary Sewer	Solid Waste	Central Materials Processing Facility	Recreation	Total
Net position, September 30, 2014, as previously reported:	$ 40,626,759	$ 2,652,758	$ 2,341,850	$ 14,153,372	$ 59,774,739
To eliminate the net pension (asset) obligation prior to GASB Statement No. 68	20,987	11,646	10,518	11,531	54,682
To record the net pension asset (obligation) at the beginning of the year according to GASB Statement No. 68	190,389	106,276	76,219	92,390	465,274
To record a deferred outflows for contributions made after the prior year measurement date and before the prior year employer reporting date according to GASB Statement No. 71	101,245	56,515	40,532	49,131	247,423
Net position, September 30, 2014, restated	$ 40,939,380	$ 2,827,195	$ 2,469,119	$ 14,306,424	$ 60,542,118

2. DEPOSITS AND INVESTMENTS

Investment Policy

The City's Deputy Investment Officer, subject to the review of the Investment Officer, is authorized to invest excess cash in any investments authorized by the City's investment policy. The City's investment policy conforms to the investment policy guidelines set forth by the State of Missouri. The City's investment policy authorizes the City to invest in the following instruments: insured or collateralized certificates of deposit, certain collateralized repurchase agreements, direct obligations of any state in the United States and certain Missouri governmental entities (as outlined in the policy) that are rated "AAA" by Standard & Poor's Corporation and/or "Aaa" by Moody's Investor Service at the time of purchase, direct obligations of the United States of America and obligations issued or guaranteed by certain agencies of the United States of America (as outlined in the policy). As of September 30, 2015, all of the City's investments were in compliance with the City's investment policy.

Any bond ordinance, contract or other document, which imposes more stringent standards for investments than those set forth in the policy, shall govern the investment of such funds. To the extent the City's policy shall impose more stringent standards for investments than those set forth in any bond ordinance, contract or other document, the City's policy shall govern such investments.

Draft

As of September 30, 2015, the City's deposit and investment balances were as follows:

Deposit/Investment Type	Carrying Value
Deposits	$47,204,467
Money market mutual funds	2,157,172
U.S. government security	4,997,650
	$54,359,289

As of September 30, 2015, the discretely presented component unit's investment balances were as follows:

Discretely Presented Component Unit

Money market funds	$ 17,275
Stocks - domestic	505,840
Stocks - foreign	83,215
Mutual funds - domestic	271,707
Mutual funds - international	333,187
Fixed income mutual funds (domestic)	551,929
Fixed income mutual funds (international)	131,273
	$ 1,894,426

The discretely presented component unit is not required to adopt the provision of GASB 40.

Fiduciary Trust Investments

Money market mutual funds	$ 87,219
Exchange traded funds - domestic	787,700
Mutual funds - domestic	4,372,935
Exchange traded funds - foreign	516,048
Mutual funds - international	511,087
Fixed income investments - credit	893,886
Fixed income investments - diversified taxable mutual funds	3,634,303
Fixed income investments - emerging markets	46,623
Hedge funds	567,718
Infrastructure	243,637
Traded real estate	162,185
	$ 11,823,341

Draft

Since the investment strategies and associated risks for the City's Fiduciary Trust fund is substantially different than those of the remainder of the City, the investment disclosures for the Fiduciary Trust are presented separately.

Interest Rate Risk

Interest rate risk is the risk that the market value of securities in the portfolio will fall due to changes in general interest rates. As of September 30, 2015, the City had the following investments and maturities:

Investment	Carrying Value	Investment Maturities (In Years) Less than 1	1 - 5
City:			
Money market mutual funds	$ 2,157,172	$ 2,157,172	$ -
U.S. government security	4,997,650	4,997,650	
	$ 7,154,822	$ 7,154,822	$ -

Generally, all investments shall be held to maturity to avoid market losses. To enable investments to be held to maturity, investments shall be made in a manner that ensures the availability of funds on a timely and adequate basis for payment of general expenditures and capital outlay projects. Maturity limitations shall depend on fund type (i.e., short-term or long-term). All funds shall be considered short-term, except those for debt service reserves, capital projects, special assessment funds and trust funds, unless otherwise determined by the Investment Officer consistent with the policy.

Market price volatility risk and reinvestment risk shall be controlled through maturity diversification.

All repurchase agreements shall have a maturity of no longer than 30 days. No more than 15% of the City's portfolio shall be invested in repurchase agreements, unless approval has been obtained by the Board of Aldermen.

Short-term fund investment maturities shall be scheduled to coincide with projected cash flow needs, considering anticipated revenues and large routine expenditures (e.g. payroll). Short-term funds shall be invested in instruments whose maturities do not exceed one year at the time of purchase.

At no time shall the City invest short-term funds with a maturity date of over one year without the approval of the Board of Aldermen prior to commitment of such funds.

Debt service reserve funds may be invested for a period corresponding to the maturity on the bonds that such debt service reserve fund secures. All other long-term funds may be invested with maturities that generally coincide with the expected fund uses. Long-term funds may only be invested in investments that are permitted in the policy.

Draft

Investment Credit Risk

The City will minimize the credit risk, the risk of loss due to failure of the security issuer or backer, by pre-qualifying the financial institutions, broker/dealers, advisors and depositories with which the City will do business. The City will also diversify the portfolio so that potential losses on individual securities will be minimized.

The City's credit ratings associated with their investments are as follows:

Money market mutual funds	AAA
U.S. government security	AA

Concentration of Credit Risk

The City's investment policy places no specific limits on the amount the City may invest in any one issuer as a percentage of the total portfolio, with the exception of repurchase agreements, which are limited to 15% of the portfolio. The City employs the "prudent person" standard, as defined in the policy, to determine the instrument type and maturity that the City invest its funds in. As of September 30, 2015, the City had $4,997,650 invested in a U.S. government security that was not subject to concentration of credit risk.

Custodial Credit Risk

For investments, custodial credit risk is the risk that in the event of the failure of the counterparty to a transaction, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. In accordance with its policy, the City addresses custodial credit risk by pre-qualifying institutions with which the City places investments, diversifying its investment portfolio and maintaining the "prudent person" standard of quality for its investments.

For deposits, custodial credit risk is the risk that in the event of bank failure, the City's deposits may not be returned to it. Protection of the City's deposits is provided by the Federal Deposit Insurance Corporation, by eligible securities pledged by the financial institution, by surety company bonds or by a single collateral pool established by the financial institution.

Fiduciary Trust Investments

The Fiduciary Trust Fund is governed by City of St. Peters Post Retirement Medical Trust (the "Trust") guidelines. The Trust will be for the benefit of former employees who have retired directly from service with the City.

The Trust is authorized to invest in the following types of investments:

a. Equity funds, which are primarily invested in common stocks of publicly traded companies, as well as securities that can be converted into common stocks. Equity strategies may include large, mid and small capitalization investments. International equity strategies may include developed markets and emerging markets investments.

Draft

b. Fixed income, which may be comprised of individually managed bonds, mutual funds and exchange traded funds. Fixed income investments shall consist of U.S. Treasury Government Agencies, Corporate, Mortgage Backed, Taxable Municipal and Asset Backed Securities. A portion of the fixed income allocation may be invested in international, high yield and emerging market bond funds.

Interest Rate Risk

As of September 30, 2015, the Trust had the following investments and maturities:

		Investment Maturities (In Years)		
Investment Type	**Carrying Value**	**Not Applicable**	**Less Than 1**	**1 - 5**
Fiduciary Trust:				
Money Market Mutual Funds	$ 87,219	$ -	$ 87,219	$ -
Exchange Traded Funds - Domestic	787,700	787,700	-	-
Exchange Traded Funds - Foreign	516,048	516,048	-	-
Mutual Funds:				
Domestic	4,372,935	4,372,935	-	-
International	511,087	511,087	-	-
Fixed Income - Diversified Taxable	3,634,303	-	3,634,303	-
Fixed Income Investments - Credit	893,886	-	893,886	-
Fixed Income Investments - Emerging Markets	46,623	-	46,623	-
Hedge Funds	567,718	567,718	-	-
Infrastructure	243,637	243,637	-	-
Traded Real Estate	162,185	162,185	-	-
	$ 11,823,341	$ 7,161,310	$ 4,662,031	$ -

The Trust plan requires active managers to manage the effective duration of their portfolio type comparable to their peers and relative to specific indices outlined in the Plan's policies.

Custodial Credit Risk

The Trust plan does not have a specific policy addressing custodial credit risk. The Pension Trust was not subject to custodial credit risk this year.

Draft

Investment Credit Risk

The Trust plans investment policies limit its investment choices, as documented above. The credit ratings associated with their investments subject to credit risk have average ratings by Standard & Poor's or Moody's as follows:

	Investment Type					
Ratings	Money Market Mutual Funds	Fixed Income Mutual Funds	Fixed Income Investments - Emerging Markets	Fixed Income - Credit	Infrastructure	Unrated
AAA	$ 87,219	$ -	$ -	$ -	$ -	$ -
AA	-	1,627,088	-	-	-	-
A	-	2,007,215	-	893,886	243,637	-
BBB	-	-	46,623	-	-	-
Unrated	-	-	-	-	-	6,917,673
	$ 87,219	$ 3,634,303	$ 46,623	$ 893,886	$ 243,637	$ 6,917,673

Concentration of Investment Credit Risk

The Trust's investment policy allows the following ranges for asset classes:

Equity	40% to 60%
Fixed Income	10% to 40%
Money Markets	1% to 40%
Alternative Investments*	up to 10%

* including pooled real estate/real estate investment trusts, hedge funds, commodity funds, etc.

Concentration of credit risk is required to be disclosed by the City for any single investment that represents 5% or more of total investments (excluding investments issued by or explicitly guaranteed by the U.S. Government, investments in mutual funds, investments in external investment pools and investments in other pooled investments). At September 30, 2015, the Fiduciary Trust Fund's investments were not subject to concentration of credit risk.

3. PROPERTY TAX

The City's property tax is levied annually, on or before September 1, based on the assessed valuation of property located in the City as of the previous January 1. Assessed valuations are established by the St. Charles County Assessor. The City tax rate was levied at $.77 per $100 of assessed valuation, of which $.6282 is for general revenue purposes and $.1418 for the payment of principal and interest on general obligation bonds. Taxes billed November 1, are due and collectible on December 31, and are delinquent and represent a lien on related property on January 1 of the following year. Taxes are billed, collected and remitted to the City by the St. Charles County Collector.

Draft

4. CAPITAL ASSETS

Capital asset activity for the year ended September 30, 2015:

	Balance October 1, 2014	Additions and transfers	Retirements and transfers	Balance September 30, 2015
Governmental Activities:				
Capital assets, not being depreciated:				
Land and land improvements	$ 158,014,093	$ 7,364,507	$ -	$ 165,378,600
Construction in progress	7,203,442	6,334,778	4,575,714	8,962,506
Total capital assets not being depreciated	165,217,535	13,699,285	4,575,714	174,341,106
Capital assets, being depreciated:				
Structures and improvements	54,066,367	912,831	227,352	54,751,846
Machinery and equipment	14,424,494	635,621	1,162,909	13,897,206
Furniture and fixtures	568,454	-	250,092	318,362
Vehicles	6,254,343	833,739	265,438	6,822,644
Infrastructure	236,150,161	8,173,429	3,380,357	240,943,233
Total capital assets being depreciated	311,463,819	10,555,620	5,286,148	316,733,291
Less - accumulated depreciation for:				
Structures and improvements	21,738,984	1,863,370	170,956	23,431,398
Machinery and equipment	12,086,764	891,484	1,040,216	11,938,032
Furniture and fixtures	365,088	53,013	166,744	251,357
Vehicles	4,650,635	591,078	251,824	4,989,889
Infrastructure	121,745,011	7,728,930	3,380,357	126,093,584
Total accumulated depreciation	160,586,482	11,127,875	5,010,097	166,704,260
Total capital assets being depreciated, net	150,877,337	(572,255)	276,051	150,029,031
Governmental activities, capital assets, net	$ 316,094,872	$ 13,127,030	$ 4,851,765	$ 324,370,137

Draft

	Balance October 1, 2014	Additions and Transfers	Retirements and Transfers	Balance September 30, 2015
Business-Type Activities:				
Waterworks/Sanitary Sewer:				
Capital assets, not being depreciated:				
Land and land rights	$ 1,289,356	$ -	$ -	$ 1,289,356
Construction in progress	120,522	277,333	64,009	333,846
Total capital assets not being depreciated	1,409,878	277,333	64,009	1,623,202
Capital assets, being depreciated:				
Structures and improvements	57,994,534	227,625	69,948	58,152,211
Water lines	24,194,022	170,234	236,886	24,127,370
Sewer lines	22,688,629	151,352	154,459	22,685,522
Machinery, equipment and vehicles	5,187,192	993,912	556,126	5,624,978
Furniture, fixtures and other assets	4,638	-	4,638	-
Total capital assets being depreciated	110,069,015	1,543,123	1,022,057	110,590,081
Less: Accumulated depreciation for:				
Structures and improvements	31,231,934	1,299,876	51,272	32,480,538
Water lines	8,396,623	516,173	89,205	8,823,591
Sewer lines	8,196,501	455,368	56,224	8,595,645
Machinery, equipment and vehicles	4,343,000	379,427	535,924	4,186,503
Furniture, fixtures and other assets	4,483	137	4,620	-
Total accumulated depreciation	52,172,541	2,650,981	737,245	54,086,277
Total capital assets being depreciated, net	57,896,474	(1,107,858)	284,812	56,503,804
Waterworks/sanitary sewer capital assets, net	$ 59,306,352	$ (830,525)	$ 348,821	$ 58,127,006
Solid Waste:				
Capital assets, not being depreciated:				
Land and land rights	$ -	$ -	$ -	$ -
Construction in progress	-	72,490	-	72,490
Total capital assets not being depreciated	-	72,490	-	72,490
Capital assets, being depreciated:				
Structures and improvements	707,268	2,853	6,504	703,617
Machinery and equipment	1,115,733	-	33,012	1,082,721
Vehicles	5,178,916	797,151	153,859	5,822,208
Total capital assets being depreciated	7,001,917	800,004	193,375	7,608,546
Less: Accumulated depreciation for:				
Structures and improvements	578,455	20,445	6,148	592,752
Machinery and equipment	1,013,676	47,737	22,933	1,038,480
Vehicles	3,968,084	512,005	153,858	4,326,231
Total accumulated depreciation	5,560,215	580,187	182,939	5,957,463
Total capital assets being depreciated, net	1,441,702	219,817	10,436	1,651,083
Solid waste capital assets, net	$ 1,441,702	$ 292,307	$ 10,436	$ 1,723,573

Draft

	Balance October 1, 2014	Additions and Transfers	Retirements and Transfers	Balance September 30, 2015
Business-Type Activities (continued):				
Central Materials Processing Facility:				
Capital assets, not being depreciated:				
Land and land rights	$ -	$ -	$ -	$ -
Construction in progress	-	-	-	-
Total capital assets not being depreciated	-	-	-	-
Capital assets, being depreciated:				
Structures and improvements	4,591,750	104,643	11,169	4,685,224
Machinery and equipment	1,857,225	85,075	19,133	1,923,167
Furniture and fixtures	1,207	-	1,207	-
Vehicles	161,908	-	-	161,908
Total capital assets being depreciated	6,612,090	189,718	31,509	6,770,299
Less: Accumulated depreciation for:				
Structures and improvements	2,806,804	168,264	5,010	2,970,058
Machinery and equipment	1,575,990	78,809	16,232	1,638,567
Furniture and fixtures	270	151	421	-
Vehicles	161,907	1	-	161,908
Total accumulated depreciation	4,544,971	247,225	21,663	4,770,533
Total capital assets being depreciated, net	2,067,119	(57,507)	9,846	1,999,766
Central Materials Processing Facility capital assets, net	$ 2,067,119	$ (57,507)	$ 9,846	$ 1,999,766
Recreation:				
Capital assets, not being depreciated:				
Land and land rights	$ -	$ -	$ -	$ -
Construction in progress	-	-	-	-
Total capital assets not being depreciated	-	-	-	-
Capital assets, being depreciated:				
Structures and improvements	50,217,954	317,001	116,079	50,418,876
Machinery and equipment	1,787,966	330,819	189,379	1,929,406
Furniture and fixtures	48,082	-	31,542	16,540
Vehicles	72,140	-	-	72,140
Total capital assets being depreciated	52,126,142	647,820	337,000	52,436,962
Less: Accumulated depreciation for:				
Structures and improvements	21,524,854	1,881,226	84,645	23,321,435
Machinery and equipment	1,319,815	131,041	154,406	1,296,450
Furniture and fixtures	37,152	3,745	24,357	16,540
Vehicles	54,685	11,637	-	66,322
Total accumulated depreciation	22,936,506	2,027,649	263,408	24,700,747
Total capital assets being depreciated, net	29,189,636	(1,379,829)	73,592	27,736,215
Recreation capital assets, net	$ 29,189,636	$ (1,379,829)	$ 73,592	$ 27,736,215

Capitalized interest totaling $1,489,114 and $1,343,753 is included in the Recreation Fund and Waterworks/Sanitary Sewer Fund capital assets, respectively.

Draft

Depreciation expense was charged to functions/programs of the primary government as follows:

Governmental Activities:	
General government	$ 302,903
Administration	285,195
Police	929,983
Municipal court	2,806
Public works	8,227,213
Engineering	119,504
Maintenance	16,959
Health	169,103
Parks and recreation	939,873
Communications	84,498
Community and arts	49,838
Total depreciation expense - governmental-type activities	$ 11,127,875
Business-Type Activities:	
Waterworks/sanitary sewer	$ 2,650,981
Solid waste	580,187
Central materials processing facilities	247,225
Recreation	2,027,649
Total depreciation expense - business-type activities	$ 5,506,042

5. EMPLOYEES' RETIREMENT SYSTEM

Plan description. The City participates in the Missouri Local Government Employees Retirement System (LAGERS) provides certain retirement, disability and death benefits to plan members and beneficiaries. LAGERS is an agent multiple-employer, statewide public employee pension plan established in 1967 and administered in accordance with RSMo. 70.600-70.755. As such, it is LAGERS responsibility to administer the law in accordance with the expressed intent of the General Assembly. The plan is qualified under the Internal Revenue Code Section 401(a) and is tax exempt. The responsibility for the operations and administration of LAGERS is vested in the LAGERS Board of Trustees consisting of seven persons. LAGERS issues a publicly available financial report that includes financial statements and required supplementary information. This report may be obtained by accessing the LAGERS website at www.molagers.org.

Benefits provided. LAGERS provides retirement, death and disability benefits. Benefit provisions are adopted by the governing body of the employer, within the options available in the state statutes governing LAGERS. All benefits vest after 5 years of credited service. Employees who retire on or after age 60 (55 for police and fire) with 5 or more years of service are entitled to an allowance for life based upon the benefit program information provided below. Employees may retire with an early retirement benefit with a minimum of 5 years of credited service and after attaining age 55 (50 for police and fire) and receive a reduced allowance.

Draft

	2015 Valuation
Benefit Multiplier:	2.00%
Final Average Salary:	3 Years
Member Contributions:	4.00%

Benefit terms provide for annual post retirement adjustments to each member's retirement allowance subsequent to the member's retirement date. The annual adjustment is based on the increase in the Consumer Price Index and is limited to 4% per year.

Employees covered by benefit terms. At September 30, 2015, the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefits	168
Inactive employees entitled to but not yet receiving benefits	69
Active employees	395
	632

Contributions. The employer is required to contribute amounts at least equal to the actuarially determined rate, as established by LAGERS. The actuarially determined rate is the estimated amount necessary to finance the cost of benefits earned by employees during the year, with an additional amount to finance an unfunded accrued liability. Full-time employees of the employer contribute 4% of their gross pay to the pension plan. Employer contribution rates are 15.1% (General) and 16.1% (Police) of annual covered payroll.

Net Pension Liability. The employer's net pension liability was measured as of June 30, 2015, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of February 28, 2015.

Actuarial assumptions. The total pension liability in the February 28, 2015 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	3.5% wage inflation; 3.0% price inflation
Salary Increase	3.5% to 6.8% including inflation
Investment rate of return	7.25%, net of investment and administrative expenses

Mortality rates were based on the 1994 Group Annuity Mortality Table set back 0 years for both males and females.

The actuarial assumptions used in the February 28, 2015 valuation were based on the results of an actuarial experience study for the period March 1, 2005 through February 28, 2010.

The long-term expected rate of return on pension plan investments was determined using a model method in which the best-estimate ranges of expected future real rates of return (expected returns, net of investment expenses and inflation) are developed for each major asset class. These ranges

Draft

are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Equity	48.50%	5.50%
Fixed Income	25.00%	2.25%
Real Assets	20.00%	4.50%
Strategic Assets	6.50%	7.50%

Discount rate. The discount rate used to measure the total pension liability is 7.25%. The projection of cash flows used to determine the discount rate assumes that employer and employee contributions will be made at the rates agreed upon for employees and the actuarially determined rates for employers. Based on these assumptions, the pension plan's fiduciary net position was projected to be available to pay all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payment to determine the total pension liability.

Changes in the Net Pension Liability

	Increase (Decrease)		
	Total Pension Liability (a)	Plan Fiduciary Net Position (b)	Net Pension Liability (a) - (b)
Balances at September 30, 2014	$ 122,276,571	$ 124,151,757	$ (1,875,186)
Changes for the year:			
Service Cost	3,138,201	-	3,138,201
Interest	8,844,697	-	8,844,697
Difference between expected and actual experience	(1,517,411)	-	(1,517,411)
Contributions - employer	-	3,962,002	(3,962,002)
Contributions - employee	-	1,023,984	(1,023,984)
Net investment income	-	2,516,940	(2,516,940)
Benefit payments, including refunds	(3,709,697)	(3,709,697)	-
Administrative expense	-	(57,042)	57,042
Other changes	-	825,771	(825,771)
Net changes	6,755,790	4,561,958	2,193,832
Balances at September 30, 2015	$ 129,032,361	$ 128,713,715	$ 318,646

Draft

Sensitivity of the net pension liability to changes in the discount rate. The following presents the Net Pension Liability of the employer, calculated using the discount rate of 7.25%, as well as what the employer's Net Pension Liability would be using a discount rate that is 1 percentage point lower (6.25%) or one percentage point higher (8.25%) than the current rate.

1% Decrease 6.25%	Current Single Discount Rate Assumption 7.25%	1% Increase 8.25%
$ 19,283,499	$ 318,646	$ (15,425,268)

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

For the year ended September 30, 2015 the employer recognized government-wide pension expense of $2,211,876. The employer reported deferred outflows and inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences in experience	$ -	$ 1,271,414
Differences in assumptions	-	-
Excess (deficit) investment returns	5,245,517	-
Contributions subsequent to the measurement date*	895,258	-
Total	$ 6,140,775	$ 1,271,414

*The amount reported as deferred outflows of resources resulting from contributions subsequent to the measurement date will be recognized as a reduction in the Net Pension Liability for the year ending September 30, 2016.

Amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in pension expense as follows:

Year Ending September 30,	Net Deferred Outflows of Resources
2016	$ 1,065,383
2017	1,065,383
2018	1,065,383
2019	1,065,382
2020	(245,997)
Thereafter	(41,431)
	$ 3,974,103

Draft

Payable to the Pension Plan

At September 30, 2015, the City reported a payable of $376,407 for the outstanding amount of required contributions to the pension plan.

6. LONG-TERM LIABILITIES

The original issue amount and fund maturity date for each bond outstanding is as follows:

	Original Authorized/ Issued Amount	Date of Maturity
General Obligation:		
Series 2008	$ 16,000,000	March 2028
Series 2010A Refunding	2,520,000	March 2021
Series 2010B Refunding	3,790,000	September 2030
Series 2011 Refunding	5,150,000	March 2016
Series 2012	4,000,000	September 2032
Series 2014	9,675,000	September 2034
Series 2015 Refunding	7,050,000	March 2027
Neighborhood Improvement District Special Assessment Debt With Governmental Commitment:		
Series 2006	52,700	March 2016
Tax Increment Revenue:		
Series 2001	9,900,000	December 2015
Revenue Bonds:		
Series 2003	12,970,000	May 2023
Series 2007	21,445,000	May 2032
Series 2009	5,000,000	May 2029
Series 2015	7,500,000	May 2040
Certificates of Participation:		
Series 2010A	870,000	May 2019
Series 2010B	8,805,000	May 2030
Series 2010C Refunding	1,725,000	June 2024
Series 2013 Refunding	18,540,000	May 2031
Development Notes (Premier 370 Project):		
Series 2008A	18,000,000	September 2028

Draft

	Balance - October 1, 2014	Additions	Retirements	Balance - September 30, 2015	Current Portion
Governmental Activities:					
General Obligation Bonds:					
Series 2007	$ 7,000,000	$ -	$ 7,000,000	$ -	$ -
Series 2008	16,000,000	-	-	16,000,000	505,000
Series 2010A Refunding	2,175,000	-	285,000	1,890,000	295,000
Series 2010B Refunding	3,790,000	-	-	3,790,000	-
Series 2011 Refunding	2,350,000	-	1,620,000	730,000	730,000
Series 2012	3,665,000	-	170,000	3,495,000	175,000
Series 2014	9,675,000	-	385,000	9,290,000	380,000
Series 2015 Refunding	-	7,050,000	-	7,050,000	50,000
Neighborhood Improvement District					
Limited General Obligation Bonds:					
Series 2006	12,700	-	6,000	6,700	6,700
Annual Appropriation Bonds:					
Tax Increment Revenue Notes:					
Tax-exempt - Series 2001	3,717,000	-	2,075,000	1,642,000	-
Certificates of Participation:					
Series 2010A - Refunding portion	240,000	-	50,000	190,000	55,000
Series 2010B - Build America Bonds	7,410,000	-	360,000	7,050,000	370,000
Series 2010C - Refunding portion	1,375,000	-	120,000	1,255,000	125,000
Series 2013 - Refunding	1,130,000	-	265,000	865,000	275,000
Development Notes, Series A	13,305,000	-	-	13,305,000	-
Compensated absences	1,375,804	1,998,715	1,993,709	1,380,810	1,380,810
	$ 73,220,504	$ 9,048,715	$ 14,329,709	67,939,510	$ 4,347,510
Add: Unamortized premium				632,632	
Less: Unamortized discount				(197,873)	
Total Governmental Activities				$ 68,374,269	
Business -Type Activities:					
Water/Sewer Revenue Bonds:					
Capital Appreciation Series 1999	$ 790,000	$ -	$ 790,000	$ -	$ -
Capital Appreciation Series 2003	11,450,000	-	570,000	10,880,000	1,360,000
Capital Appreciation Series 2007	20,000,000	-	495,000	19,505,000	500,000
Revenue Bonds Series 2009	5,000,000	-	75,000	4,925,000	125,000
Revenue Bonds Series 2015	-	7,500,000	-	7,500,000	-
Annual Appropriation Bonds:					
Certificates of Participation:					
Series 2013 - Refunding	16,250,000	-	715,000	15,535,000	735,000
Compensated absences	465,082	656,012	671,328	449,766	449,766
	$ 53,955,082	$ 8,156,012	$ 3,316,328	58,794,766	$ 3,169,766
Add: Unamortized premium				317,670	
Less: Unamortized discount				(229,508)	
Unaccreted capital appreciation on bonds				(9,245,994)	
Total Business-Type Activities				$ 49,636,934	

Draft

Debt Service Requirements To Maturity (Including Public Improvement Corporation)

The annual principal requirements to maturity of bonded debt outstanding as of September 30, 2015, assuming the Certificates of Participation lease/purchase agreement is renewed each year, are as follows:

Years Ending September 30,	Governmental Activities				Business-Type Activities				Total Debt Service Requirments To Maturity	
	General Obligation and Special Assessment		Annual Appropriation		Revenue Bonds		Annual Appropriation			
	Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest
2016	$ 2,141,700	$ 1,373,914	$ 825,000	$ 483,543	1,985,000	493,184	735,000	617,900	$ 5,686,700	$ 2,968,541
2017	2,195,000	1,318,658	850,000	453,400	2,035,000	456,995	760,000	588,873	5,840,000	2,817,926
2018	2,250,000	1,258,647	880,000	419,236	2,090,000	451,745	790,000	558,895	6,010,000	2,688,523
2019	2,315,000	1,191,452	560,000	375,354	2,140,000	443,870	810,000	534,518	5,825,000	2,545,194
2020	2,385,000	1,117,692	555,000	350,165	2,165,000	434,245	845,000	502,117	5,950,000	2,404,219
2021-2025	15,150,000	4,171,717	2,905,000	1,325,422	10,905,000	1,986,013	4,695,000	2,028,087	33,655,000	9,511,239
2026-2030	12,940,000	1,445,840	2,785,000	535,625	10,555,000	1,545,311	5,630,000	1,054,382	31,910,000	4,581,158
2031-2035	2,875,000	216,571	-	-	6,005,000	1,198,228	1,270,000	58,420	10,150,000	1,473,219
2036-2040	-	-	-	-	4,930,000	458,531	-	-	4,930,000	458,531
	$ 42,251,700	$ 12,094,491	$ 9,360,000	$ 3,942,745	$ 42,810,000	$ 7,468,122	$ 15,535,000	$ 5,943,192	$ 109,956,700	$ 29,448,550

General Obligation Bonds

General obligation bonds are supported by a pledge of the City's full faith and credit. These bonds, which are reported in the government-wide statement of net position, were issued to finance various capital projects. $889,256 is available in the City's Debt Service Funds to repay general obligation bonds. The remainder of the general obligation bonds are to be repaid from future property tax levies. The bonds bear interest at rates ranging from .60% to 4.50% and mature through 2034.

Neighborhood Improvement District Bonds (Special Assessment Debt With Governmental Commitment)

In 1994, State legislation was adopted permitting the formation of special assessment areas, known as Neighborhood Improvement Districts, to finance local public improvements (the NID Act). The improvements are financed by bonds which are retired by assessments levied on those specific properties which benefit from the improvements. To the extent assessments are insufficient to retire the NID Bonds, the City is obligated to pay for debt service with available funds of the City. The City is not authorized to levy a City-wide property tax to pay the NID Bonds.

On September 26, 2006, the City issued $52,700 of Neighborhood Improvement District Limited General Obligation Bonds (NID Bonds). These bonds are supported by a pledge of the City's full faith and credit and will be repaid from future special assessments to be assessed on certain real property of the District. The bonds bear interest at 4.7% and mature in 2016.

The total principal and interest remaining on the bonds is $6,857, payable through March 2016. For the current year, principal and interest paid and total special assessment revenues were $6,456 and $6,975, respectively.

Draft

Tax Increment Financing (TIF) Notes Payable

The tax increment financing notes payable are payable from payments in lieu of taxes collected by the Special Allocation special revenue funds.

The TIF notes represent special, limited obligations of the City, payable solely from the incremental sales and property taxes generated by the development project. The annual debt service repayments of the TIF notes are contingent upon the amounts of payments in lieu of taxes collected by the TIF districts. The notes bear interest at rates ranging from 7% to 8.5% and mature December 1, 2015.

For the current year, principal and interest paid and total incremental sales tax revenues were $2,280,240 and $1,837,273, respectively.

Revenue Bonds

All revenue bonds payable are recorded in the appropriate enterprise funds since the ordinances authorizing the bond issues require that the bonds be repaid from operations of the respective enterprise fund. These bonds are payable solely from, and secured by, a pledge of the net revenues to be derived from the operation of the Waterworks and Sewerage System. The bond ordinances require the establishment of certain cash reserve accounts which are described in Note 6. These bonds bear interest at rates ranging from 3.3% to 5.25% and mature through 2040.

The City has pledged future water customer revenues, net of specified operating expenses, to repay $42.8 million in water system revenue bonds, Series 1999, Series 2003, Series 2007, Series 2009, and Series 2015. Proceeds from the bonds provided financing for the Waterworks and Sewerage System. The bonds are payable solely from water customer net revenues and are payable through May 2040. The total principal and interest remaining to be paid on the bonds is $50,278,122. Principal and interest paid for the current year and total customer net revenues were $2,127,589 and $2,344,646 respectively.

Certificates of Participation

Certificates of Participation ("COPS") evidence proportionate ownership interest in the right to receive rental payments to be paid by the City under various lease/purchase agreements. The American Recovery and Reinvestment Act of 2009 authorizes the City to issue taxable obligations known as "Build America Bonds" to finance capital expenditures for which it could otherwise issue tax-exempt obligations and to elect to receive a subsidy payment, on each payment date, from the United States Treasury up to 35% of the amount of each interest payment on the Build America Bonds. During 2010, the City made an irrevocable election to issue the Certificates as Build America Bonds. The US Treasury Interest Subsidy will be paid directly to the City. The City intends to apply, but has not pledged, the US Treasury Interest Subsidy to payment of the Certificates. Additionally, no holder of any Build America Bonds issued by the City will be entitled to any federal income tax credits associated with the Build America Bonds.

Draft

The purpose of the Series 2010C Certificates is to refund $1,765,000 principal amount of outstanding PIC Leasehold Revenue Bonds, Series 2003. The Series 2010C Certificates are non-taxable, bear interest at rates ranging from 2.00% to 3.75% and mature September 2024.

The purpose of the Series 2010A Certificates is to refund $1,190,000 principal amount of outstanding PIC Leasehold Revenue Bonds, Series 2002. The Series 2010A Certificates are non-taxable, bear interest at rates ranging from 1.0% to 3.6% and mature May 2019. The purpose of the Series 2010B Certificates (Build America Bonds) is to construct and reconstruct certain roads in the City. The Series 2010B Certificates are taxable, bear interest at rates ranging from 1.25% to 6.25% and mature May 2030.

The purpose of the Series 2013 Certificates is to refund $20,045,000 principal amount of the outstanding Series 2006A. The Series 2013 Certificates bear interest at rates ranging from 2.0% to 4.6% and mature May 2031.

Development Notes (Premier 370 Project)

The City has a reimbursement agreement with the Premier 370 Project Developer. The Developer intends to construct on the property certain public infrastructure improvements ("Public Improvements") and other improvements for industrial and commercial uses ("Development"), all of which will help to improve the social and economic welfare of the City and enhance the tax base on the City.

To ensure the economic stability of the project, the City has agreed to reimburse the Developer for a portion of certain costs related to the Public Improvements for the construction of an Interchange.

On December 14, 2006, the City authorized the issuance of Development Notes (Series A and B) not to exceed $19 million and was subsequently reduced to $18 million. As of September 30, 2015, the City has issued $15,945,000 of Development Notes (Series A) for the Premier 370 project. The Series A Notes are tax-exempt and bear interest at 5.675%. Principal and interest is payable on February 1, May 1, August 1 and November 1 and final payment is due on September 15, 2028.

The notes represent special, limited obligations of the City. Principal and interest are payable from pledged revenues, as defined in the agreement. Upon substantial completion of the Public Improvements, the Developer will dedicate and convey to the City, along with all necessary easements and rights of way.

For the current year, principal and interest paid and pledged revenues were $1,709 and $4,904, respectively.

Draft

Legal Debt Margin

Under the statutes of the State of Missouri, the limit of bonded indebtedness is 10% of the most recent assessed valuation. This does not include an additional debt limit of 10% assessed valuation available for street improvements or waterworks and electric plants as provided under the statutes of the State of Missouri. The computation is as follows:

Assessed valuation - 2014 tax year	$1,024,251,891
Debt limit - 10% of assessed valuation	102,425,189
Amount of debt applicable to debt limit:	
Total general obligation bonded debt	42,251,700
Less: Amount available in debt service fund	(889,256)
Bond indebtedness applicable to debt limit	41,362,444
Legal debt margin	$ 61,062,745

7. DEBT DEFEASANCE

On May 6, 2015, the City issued $7,050,000 in General Obligation Refunding Bonds, Series 2015 with interest rates ranging between 2.0% and 3.0% The City issued the bonds to advance refund the remaining $7,000,000 of outstanding principal on the General Obligation Bonds, Series 2007. The net proceeds of $7,141,596 (after bond premium of $218,886 and issuance cost of $127,290) plus an additional $363,273 of City debt service fund monies were used to purchase United States government securities. These securities were deposited in an irrevocable trust with an escrow agent to provide for future debt service on the Series 2007 bonds. As a result, the Series 2007 bonds are considered defeased, and the City has removed the liability from the governmental activities statement of net position. At September 30, 2015, the outstanding balance of the defeased debt is $7,000,000. The defeased bonds will be redeemed on March 1, 2017.

The advance refunding results in an economic gain (difference between the present values of the debt service payments on the old and new debt) of approximately $392,000.

8. ENTERPRISE FUNDS DEBT REQUIREMENTS

Cash and cash equivalents and investments restricted at September 30, 2015 are as follows:

Revenue Fund	$ 92,550
Series 2003 Waterworks and Sewage Bond Debt Service Fund	680,000
Series 2007 Waterworks and Sewage Bond Debt Service Fund	250,000
Series 2009 Waterworks and Sewage Bond Debt Service Fund	160,169
Depreciation Fund	225,000
Interest Reserve Fund	500,000
	$ 1,907,719

Draft

The various Leasehold and other Revenue Bond, Certificates of Participation and related documents provide for the restriction of operating revenues of the enterprise fund after current operating expenses have been met. The Ordinance also provides for additional restrictions of operating revenues. The following are descriptions of the related reserve requirements:

Revenue Fund

Requirements - deposit of the gross earnings (excluding tap-on fees) of the Waterworks and Sewer System as collected, to be disbursed to the following funds as required.

Series 2003 Waterworks and Sewage Revenue Bonds Debt Service Fund

Requirements - monthly credit (1/12) of the debt service payment due the next succeeding May 1.

Series 2007 Waterworks and Sewage Revenue Bonds Debt Service Fund

Requirements - monthly credit (1/12) of the debt service payment due the next succeeding May 1.

Series 2009 Waterworks and Sewage Revenue Bonds Debt Service Fund

Requirements - monthly credit (1/12) of the debt service payment due the next succeeding May 1.

Series 2015 Waterworks and Sewage Revenue Bonds Debt Service Fund

Requirements - monthly credit (1/6) of the amount of interest that will come due on the next succeeding interest payment date. Beginning in 2032, the monthly credit will be (1/12) of the debt service payment due on the next succeeding maturity date.

Depreciation Fund

Requirements - initial transfer and credit of $225,000 to be used only for making emergency replacements and repairs and necessary extensions and enlargements to the Waterworks and Sewerage System. In the event monies are drawn from this fund, the City will replenish the fund to $225,000 by making 24 equal monthly deposits into the fund in the 24 months immediately succeeding the use.

Interest Reserve Fund

Requirements - initial transfer and credit of $500,000 and thereafter such amounts as appropriated by the Board of Alderman of the City from the Contingency Account, the General Fund of the City, or other available funds of the City. Monies in the Interest Reserve Fund shall be held and used by the City to make up any deficiency in any of the accounts or subaccounts in the Revenue Fund and may be withdrawn by the City at any time and applied to its general governmental purposes if not required to satisfy the City's rate covenant.

Draft

Rate Covenant

Requirements - the City will fix, establish, maintain and collect such rates, fees and charges for the use and services furnished by the Waterworks and Sewer System to provide revenues in each fiscal year to pay for the operating costs of the system, the bond principal and interest payments, and any required deposits. Such rates should generate available revenues (net revenues plus interest reserve fund monies) at least equal to 125% of the principal and interest requirements on all waterworks and sewerage system bonds during the fiscal year and net revenues at least equal to 100% of the principal and interest requirements on all waterworks and sewerage system revenue bonds during the fiscal year.

As of September 30, 2015, the City met all related debt reserve requirements.

9. INTERFUND BALANCES AND TRANSFERS

The following represents a reconciliation of transfers between individual funds for the fiscal year ended September 30, 2015:

	Transfers From	Transfers To	Net Transfers
Major Governmental Funds:			
General	$ 1,070,329	$ -	$(1,070,329)
Transportation Trust	-	49,400	49,400
Local Parks and Stormwater	1,623,039	-	(1,623,039)
Debt Service	-	1,968,639	1,968,639
Major Enterprise Funds:			
Recreation	-	675,329	675,329
	$ 2,693,368	$ 2,693,368	$ -

Interfund transfers of $945,000 from the General Fund and $1,023,639 from the Local Parks and Stormwater Fund were made to the Debt Service Fund for debt payments.

An interfund transfer of $49,400 was made from the Local Parks and Stormwater Fund to the Transportation Trust Fund for stormwater expenses associated with the Willott Road Bridge Replacement project.

An interfund transfer of $550,000 was made from the Local Parks and Stormwater Fund to the Recreation Fund for operating support.

An interfund transfer of $125,329 was made from the General Fund to the Recreation Fund for tourism activities.

Individual fund interfund receivable and payable balances as of September 30, 2015 are as follows:

Draft

	Interfund Receivable	Interfund Payable
Major Governmental Funds:		
General	$ 194,310	$ -
Transportation Trust	-	32,369
Local Parks and Stormwater	-	5,683
Nonmajor Governmental Funds:		
Sewer Lateral Repair Program	-	70
Water Service Line Repair Program	-	44
Community Development Block Grant - Subrecipient	-	39,039
Major Enterprise Funds:		
Waterworks/Sanitary Sewer	-	90,540
Solid Waste	-	4,457
Central Materials Processing Facility	-	3,826
Recreation	-	18,282
	$ 194,310	$ 194,310

The amounts due to or from individual funds represent interfund borrowings that arise in the normal course of business. Interfund borrowings are necessary due to the nature and timing of governmental receipts.

Interfund payables at September 30, 2015 include $18,282 in the Recreation Fund, $32,369 in the Transportation Trust Fund, $5,683 in the Local Parks and Stormwater Fund, $70 in the Sewer Lateral Repair Program Fund, $44 in the Water Service Line Repair Program Fund, $4,457 in the Solid Waste Fund, $90,540 in the Waterworks/Sanitary Sewer Fund and $3,826 in the Central Materials Processing Facility Fund are for reimbursement to the General Fund for insurance expense.

Interfund payables of $39,039 in the CDBG - Subrecipient Fund are due to the elimination of negative cash balances.

10. JOINT VENTURE

In October 1985, the City of St. Peters, Missouri and the City of St. Charles, Missouri entered into a joint venture agreement to form the St. Peters - St. Charles Water Pipeline Project (the Joint Venture). The purpose of the Joint Venture is to construct and operate a water pipeline and appurtenant facilities from the Howard Bend Treatment Plant, owned and operated by the City of St. Louis, Missouri, to the separate facilities of the municipalities of St. Peters, Missouri and St. Charles, Missouri (the Owners), in order to adequately supply water by the pipeline to the citizens and businesses of the municipalities.

The Joint Venture is owned by the City of St. Peters, Missouri (31.8%) and the City of St. Charles, Missouri (68.2%). In accordance with the Joint Venture agreement, the City of St. Peters, Missouri is responsible for managing and accounting for the daily operations of the Joint Venture, except where concurrence of both cities is required. The Joint Venture receives all of its operating revenue from the water it sells to the Owners. The Owners financed the cost of construction of the

Draft

pipeline and appurtenant facilities and, therefore, depreciation is excluded from the charges to the Owners. The cumulative investment in the Joint Venture by the City of St. Peters, Missouri through September 30, 2015 includes its proportionate share of water pipeline construction costs and an initial contribution to a water pipeline maintenance fund. Under terms of the Joint Venture agreement, additional contributions to maintain the water pipeline maintenance fund at an agreed-upon base amount may be required. The current base amount is $500,000 which may be increased to a maximum of $1,000,000 if maintenance costs so justify.

During the fiscal year 2015, the City of St. Peters, Missouri purchased water from the Joint Venture and paid related pumping charges totaling $741,154. These costs are included as operating expenses of the City's waterworks/sanitary sewer enterprise fund.

Condensed summary of financial information for the Joint Venture as of and for its fiscal year ended September 30, 2015 is as follows:

Assets	$ 5,888,729
Liabilities	$ 707,137
Partnership capital:	
St. Peters	2,903,699
St. Charles	6,227,431
Accumulated deficit:	
St. Peters	(1,255,957)
St. Charles	(2,693,581)
	$ 5,888,729
Operating revenue	$ 2,138,135
Operating expenses	(2,371,661)
Nonoperating revenue	118
Net Loss	$ (233,408)

The joint venture issues separate financial statements which may be obtained by writing to the St. Peters - St. Charles Water Pipeline Project, One St. Peters Centre Boulevard, St. Peters, Missouri 63376.

11. INSURANCE PROGRAMS

The City became self-insured with respect to workers' compensation, general liability and property and casualty insurance effective July 1, 1998 and medical insurance effective January 1, 1998. Unemployment compensation became effective in 1997. The estimated liability for payment of incurred (both reported and unreported) but unpaid claims relating to these matters is recorded in the general fund.

Draft

The City obtains periodic funding information from the claims-servicing company managing the self-insurance programs and adjusts the charges to the various funds as required to maintain the appropriate level of estimated claims liabilities. The City maintains excess liability coverages for workers' compensation, general liability, property and casualty and medical costs. Settled claims did not exceed commercial coverages for each of the past three fiscal years.

At September 30, 2015, the City's total estimated liability for payment of incurred (both reported and unreported) but unpaid claims for workers' compensation, property, and medical costs were $1,186,467.

Changes in the self-insured claims liabilities at September 30, 2015 and 2014 were as follows:

	Workers' Compensation/ General	Medical	Total
Balance - September 30, 2013	$ 607,436	$ 600,000	$ 1,207,436
Add: Current Year Claims And Changes in Estimate	600,712	3,804,030	4,404,742
Less: Claim Payments	592,922	3,804,030	4,396,952
Balance - September 30, 2014	615,226	600,000	1,215,226
Add: Current Year Claims And Changes in Estimate	426,528	4,707,686	5,134,214
Less: Claim Payments	455,287	4,707,686	5,162,973
Balance - September 30, 2015	$ 586,467	$ 600,000	$ 1,186,467

12. POSTEMPLOYMENT HEALTH CARE BENEFITS

Plan Description

The City of St. Peters (City) sponsors a Postemployment Benefit Plan (Plan), which is a single-employer defined benefit healthcare plan administered by the City of St. Peters. The Plan is accounted for as a trust fund since an irrevocable trust has been established. A stand-alone financial report is not available for the Plan. The Plan provides medical and dental insurance benefits to eligible retirees and their spouses. In order to be eligible, retirees must be at least age 55 (age 50 for Police employees) with 5 years of service, or have at least 80 points (age plus service), or be otherwise eligible to retire under the LAGERS Pension Plan. Spouses of retirees are eligible to continue participation after the death of the retiree.

Draft

Membership consisted of the following at October 1, 2014, the date of the latest actuarial valuation:

Active plan members	407
Retirees and beneficiaries	96
Terminated plan members entitled to but not yet receiving benefits	- -
Total	503

Funding Policy

The required contribution is based on projected pay-as-you-go financing requirements, with an additional amount to prefund benefits as determined annually by the City; however, the City has no obligation to contribute to the Plan on an annual basis or to provide post-employment benefits to its employees. Money held in the trust is restricted for the provision of those benefits. For the fiscal year 2015, the City contributed $643,600 to the Plan. Plan members receiving benefits contributed approximately $121,225 through required contributions based on their years of service.

Annual OPEB Cost And Net OPEB Obligation

The City's annual other postemployment benefit (OPEB) cost (expense) is calculated based on the annual required contribution of the employer (ARC), an amount actuarially determined in accordance with the parameters of GASB Statement 45. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and amortize any unfunded actuarial liabilities (or funding excess) over a period not to exceed thirty years. The following table shows the components of the City's annual OPEB cost for the fiscal year, the amount actually contributed to the Plan, and changes in the City's net OPEB obligation (NOO):

1.	Annual required contribution (ARC)	$ 1,692,000
2.	Interest on net OPEB obligation (NOO)	695,000
3.	Adjustment to ARC (Amortization of NOO)	(515,000)
4.	Annual OPEB cost (expense), (1) + (2) + (3)	1,872,000
5.	Employer contributions made	(1,479,000)
6.	Change in net OPEB obligation, (4) + (5)	393,000
7.	New OPEB obligation - beginning of year	9,930,577
8.	Net OPEB obligation - end of year, (6) + (7)	$ 10,323,577

The City's annual OPEB cost, the percentage of annual OPEB cost contributed to the Plan, and the net OPEB obligation for 2015 and the two preceding years were as follows:

Draft

Fiscal Year Ended	Annual OPEB Cost	Percentage of Annual OPEB Cost Contributed	Net OPEB Obligation
2013	$ 2,063,000	48.2%	$ 8,881,577
2014	$ 2,220,000	52.7%	$ 9,930,577
2015	$ 1,872,000	79.0%	$ 10,323,577

Funded Status and Funding Progress

As of October 1, 2014, the most recent actuarial valuation date, the plan was 49.2% funded. The actuarial accrual liability for benefits was $24.8 million, and the actuarial value of assets was $12.2 million, resulting in an unfunded actuarial accrued liability (UAAL) of $12.6 million. For the year ended September 30, 2015, the covered payroll (annual payroll of active employees covered by the plan) was $25.5 million, and the ratio of the UAAL to the covered payroll was 50%.

Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend. Amounts determined regarding the funded status of the Plan and the annual required contributions of the employer are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future. The schedule of funding progress, presented as required supplementary information following the notes to the financial statements, presents multiyear trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability for benefits.

Actuarial Methods and Assumptions

Projections of benefits for financial reporting purposes are based on the substantive plan (the plan as understood by the employer and the plan members) and include the types of benefits provided at the time of each valuation and the historical pattern of sharing of benefit costs between the employer and plan members to that point. The actuarial methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations.

In the October 1, 2014 actuarial valuation, the projected unit credit cost method was used. The actuarial assumptions included a 7.0% investment rate of return (net of administrative expenses), which is a blended rate of the expected long-term investment returns on plan assets and on the employer's own investments calculated based on the funded level of the plan at the valuation date, and an annual healthcare cost trend rate of 8% initially for pre 65 retirees and 7.0% initially for post 65 retirees, reduced by .5% each year to an ultimate rate of 4.5%. The health consumer price index is assumed to increase at a rate of 3% each year. Salaries include a 3.5% inflation assumption. The actuarial value of assets was set equal to the market value of assets. The UAAL is being amortized as a level percentage of projected payroll on an open basis. The remaining amortization period at September 30, 2015, was 24 years.

Draft

13. COMMITMENTS AND CONTINGENCIES

Litigation

The City is a defendant in a number of lawsuits pertaining to matters which are incidental to performing routine governmental and other functions. Based on the current status of all of these legal proceedings, it is the opinion of management that they will not have a material effect on the City's financial position.

Federal Grants

Under the terms of federal grants, periodic audits are required and certain costs may be questioned as not being appropriate expenditures under the terms of the grants. Such audits could lead to reimbursements to the grantor agencies. It is the opinion of management that such reimbursements, if any, will not have a material effect on the City's financial position.

14. CONDUIT DEBT

During the year ended September 30, 2010, the City authorized the issuance of $26,500,000, Series 2010, Taxable Industrial Development Revenue Bonds to finance an industrial development project at 9 Cermak Boulevard for a Company in the City. The project consists of the Company's acquisition and installation of manufacturing machinery and equipment for use on the project site. The Company conveyed to the City title to the personal property included in the project. At the same time, the City leased the personal property back to the Company pursuant to a lease agreement. These bonds are secured by the property financed and are payable solely from revenues received from the project. Upon repayment of the bonds, ownership of the acquired facilities transfers to the private-sector entity served by the bond issuance. Neither the City, County, State of Missouri, nor any political subdivision thereof is obligated in any manner for repayment of the bonds. Accordingly, the bonds are not reported as liabilities in the accompanying basic financial statements. At September 30, 2015, $14,978,218 of these Taxable Industrial Revenue Bonds have been issued and remain outstanding. As part of the agreement, the Company has agreed to create and maintain quality jobs for specified periods and the City has agreed to extend tax abatements to the Company in proportion to the jobs create for the years 2011-2017.

During the year ended September 30, 2013, the City authorized the issuance of $26,500,000, Series 2012 Taxable Industrial Development Revenue Bonds for the same company to provide funds to acquire and improve an additional facility at 1 Gerber Industrial Court and to acquire and install additional project equipment at the Company's facilities in the City. Subsequently, the City increased the maximum amount of the 2012 Series Bonds to $38,500,000 to provide funds to acquire and improve an additional facility located at 13-15 Arrowhead Industrial Boulevard and to acquire and install additional project equipment at the Company's facilities in the City. Under the Series 2012 Bonds, the Company acquired and constructed real and personal properly improvements. The company conveyed to the City title to the site and the personal property included in the project. At the same time, the City leased the project site, improvements, there on and the personal property back to the Company pursuant to a lease agreement. At September 30,

Draft

2015, $38,105,237 of these Taxable Industrial Revenue Bonds have been issued and remain outstanding.

15. ENCUMBRANCES

The following encumbrances were outstanding as of September 30, 2015:

Fund	Amount
Major Governmental Funds:	
General	$ 339,410
Transportation Trust	4,462,325
Local Parks and Stormwater	439,060
Capital Projects	1,631,860
	6,872,655
Nonmajor Governmental Funds	326,398
Major Enterprise Funds:	
Waterworks/Sanitary Sewer	1,415,639
Solid Waste	309,957
Central Materials Processing Facility	43,421
Recreation	8,824
	1,777,841
Total	$ 8,976,894

16. SUBSEQUENT EVENTS

Subsequent to September 30, 2015, the City reduced the authorized Development Notes (Premier 370 Project) from $18 million to $17.5 million.

Subsequent to September 30, 2015, the City issued $16,170,000 Series 2016 General Obligation Refunding Bonds to refund all of the outstanding Series 2008 Bonds. The Series 2016 Bonds bear interest at rates ranging from 2.0% to 3.0% and mature March 1, 2035.

Subsequent to September 30, 2015, the City authorized the issuance of $31.5 million Taxable Industrial Revenue Bonds (Reckitt Benckiser LLC Logistics Center Project), Series 2016 for the purpose of acquiring certain real property and constructing an approximately 715,000 square foot facility to be used for warehousing, custom manufacturing and repackaging operations purposes.

17. RECENT ACCOUNTING PRONOUNCEMENTS

The accounting principles governing the reported amounts, presentation and related disclosures are subject to change from time to time based on new pronouncements and/or rules issued by various governing bodies. The Governmental Accounting Standards Board

Draft

(GASB) is responsible for establishing generally accepted accounting principles (GAAP) for state and local governments.

In February 2015, the GASB approved Statement No. 72 "Fair Value Measurement and Application." This statement addresses accounting and financial reporting issues related to fair value measurements and provides guidance for determining fair value measurement for financial reporting purposes. This Statement also provides guidance for applying fair value to certain investments and disclosures related to all fair value measurements. The requirements of this Statement are effective for financial statements for periods beginning after June 15, 2015.

In June 2015, the GASB approved Statement No. 74 "Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans" and Statement No. 75 "Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions." The objective of these Statements is to improve the usefulness of information about postemployment benefits other than pensions (other postemployment benefits or OPEB) and establishes new accounting and financial reporting requirements for governments whose employees are provided with OPEB. The requirements of Statement No. 74 are effective for financial statements for fiscal years beginning after June 15, 2016, and the requirements of Statement No.75 are effective for fiscal years beginning after June 15, 2017.

In In June 2015, the GASB approved Statement No. 76 "The Hierarchy of Generally Accepted Accounting Principles for State and Local Governments." The objective of this Statement is to identify-in the context of the current governmental financial reporting environment-the hierarchy of generally accepted accounting principles (GAAP). The "GAAP hierarchy" consists of the sources of accounting principles used to prepare financial statements of state and local governmental entities in conformance with GAAP and the framework for selecting those principles. This Statement reduces the GAAP hierarchy to two categories of authoritative GAAP and addresses the use of authoritative and nonauthoritative literature in the event that the accounting treatment for a transaction or other event is not specified within a source of authoritative GAAP. The requirements of this Statement are effective for reporting periods beginning after June 15, 2015.

In August 2015, the GASB approved Statement No. 77 "Tax Abatement Disclosures." Although many governments offer tax abatements and provide information to the public about them, they do not always provide the information necessary to assess how tax abatements affect their financial position and results of operations, including their ability to raise resources in the future. This statement requires disclosures of tax abatement information about (1) a reporting government's own tax abatement agreements and (2) those that are entered into by other governments and that reduce the reporting government's tax revenues. The requirements of this Statement are effective for reporting periods beginning after December 15, 2015.

The effects of the City's financial statements as a result of the adoption of these new pronouncements are unknown.

Draft

CITY OF ST. PETERS, MISSOURI

REQUIRED SUPPLEMENTARY INFORMATION
BUDGETARY COMPARISON INFORMATION - BUDGET BASIS - GENERAL FUND
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015

	Budgeted Amounts			
	Original Budget	Revised Final Budget	Actual	Variance with Final Budget Positive (Negative)
Revenues:				
Sales tax	$ 13,350,000	$ 13,350,000	$ 13,711,848	$ 361,848
Property tax	7,067,500	7,067,500	7,360,015	292,515
Utility franchise tax	4,384,600	4,384,600	4,548,100	163,500
Cigarette tax	200,000	200,000	188,601	(11,399)
Licenses and permits	1,092,100	1,092,100	1,443,080	350,980
Interest	5,000	5,000	5,205	205
Intergovernmental	3,150,000	3,150,000	3,828,365	678,365
Fines and forfeitures	2,423,500	2,423,500	1,799,379	(624,121)
Charges for services	665,300	665,300	693,164	27,864
Miscellaneous	591,400	591,400	571,516	(19,884)
Total Revenues	32,929,400	32,929,400	34,149,273	1,219,873
Expenditures:				
General government	1,798,550	1,798,550	1,846,053	(47,503)
Administration	4,174,280	4,210,780	3,900,492	310,288
Police	12,890,575	12,893,490	12,383,466	510,024
Municipal court	483,050	483,050	431,073	51,977
Public works	2,082,450	2,082,450	2,109,265	(26,815)
Engineering	2,298,600	2,298,600	2,184,004	114,596
Maintenance	480,390	480,390	388,644	91,746
Health	682,075	682,075	654,132	27,943
Parks and recreation	5,101,465	5,101,465	4,890,311	211,154
Communications	1,007,400	1,007,400	919,915	87,485
Community and arts	207,830	207,830	213,475	(5,645)
Capital outlay	736,375	1,044,821	833,406	211,415
Debt service:				
Principal	315,000	315,000	315,000	-
Interest and fiscal charges	61,000	61,000	60,705	295
Total Expenditures	32,319,040	32,666,901	31,129,941	1,536,960
Revenues Over Expenditures	610,360	262,499	3,019,332	2,756,833
Other Financing Uses:				
Transfers out	(1,089,500)	(1,089,500)	(1,070,329)	19,171
Net Changes in Fund Balance	(479,140)	(827,001)	1,949,003	2,776,004
Fund Balances:				
Budget basis:				
Unreserved:				
Beginning of year	5,087,561	5,087,561	5,087,561	-
Transfer from (to) reserved	(465,000)	(257,584)	(371,923)	(114,339)
End of year	4,143,421	4,002,976	6,664,641	2,661,665
Reserved:				
Beginning of year	4,070,780	4,070,780	4,070,780	-
Transfer from (to) unreserved	465,000	257,584	371,923	114,339
End of Year	4,535,780	4,328,364	4,442,703	114,339
Budget basis, end of year	$ 8,679,201	$ 8,331,340	11,107,344	$ 2,776,004
Budget basis grant receivable			(4,131)	
Budget basis prepaid item			(14,644)	
Encumbrances, end of year			339,410	
Property tax - deferred revenue, end of year			(210,711)	
GAAP basis, end of year			$ 11,217,268	

Draft

CITY OF ST. PETERS, MISSOURI

REQUIRED SUPPLEMENTARY INFORMATION
BUDGETARY COMPARISON INFORMATION
BUDGET BASIS - TRANSPORTATION TRUST FUND
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015

	Budgeted Amounts			Variance with Final Budget Positive (Negative)
	Original Budget	Revised Final Budget	Actual	
Revenues:				
Sales tax	$ 6,675,000	$ 6,675,000	$ 6,855,926	$ 180,926
Interest	2,000	2,000	822	(1,178)
Intergovernmental	8,048,720	7,633,625	7,718,934	85,309
Miscellaneous	60,000	410,000	147,696	(262,304)
Total Revenues	14,785,720	14,720,625	14,723,378	2,753
Expenditures:				
Public works	5,411,605	4,715,605	3,945,866	769,739
Capital outlay	10,324,750	11,845,520	11,208,725	636,795
Debt service	768,000	768,000	767,061	939
Total Expenditures	16,504,355	17,329,125	15,921,652	1,407,473
Revenues Under Expenditures	(1,718,635)	(2,608,500)	(1,198,274)	1,410,226
Other Financing Sources:				
Transfers in	-	138,400	49,400	(89,000)
Net Changes In Fund Balance	(1,718,635)	(2,470,100)	(1,148,874)	1,321,226
Fund Balances:				
Budget basis:				
Unreserved:				
Beginning of year	5,416,230	5,416,230	5,416,230	-
Transfer from (to) reserved	-	-	(32)	(32)
End of year	3,697,595	2,946,130	4,267,324	1,321,194
Reserved:				
Beginning of year	628,623	628,623	628,623	-
Transfer from (to) reserved	-	-	32	32
End of year	628,623	628,623	628,655	32
Budget basis, end of year	$ 4,326,218	$ 3,574,753	4,895,979	$ 1,321,226
Budget basis receivable			(2,868,496)	
Budget basis prepaid item			(115,500)	
Encumbrances, end of year			4,462,325	
GAAP basis, end of year			$ 6,374,308	

Draft

CITY OF ST. PETERS, MISSOURI

REQUIRED SUPPLEMENTARY INFORMATION
BUDGETARY COMPARISON INFORMATION
BUDGET BASIS – LOCAL PARKS AND STORMWATER FUND
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015

	Budgeted Amounts			Variance With Final Budget - Positive (Negative)
	Original Budget	Revised Final Budget	Actual	
Revenues:				
Sales tax	$ 6,675,000	$ 6,675,000	$ 6,784,761	$ 109,761
Interest	2,000	2,000	3,128	1,128
Charges for services	11,000	11,000	8,908	(2,092)
Miscellaneous	200,000	207,500	202,215	(5,285)
Total Revenues	6,888,000	6,895,500	6,999,012	103,512
Expenditures:				
Public works	2,066,420	2,121,420	1,562,364	559,056
Parks and recreation	1,035,935	1,053,435	889,862	163,573
Capital outlay	1,652,300	1,988,529	1,640,121	348,408
Debt service	165,500	165,500	164,231	1,269
Total Expenditures	4,920,155	5,328,884	4,256,578	1,072,306
Revenues Over Expenditures	1,967,845	1,566,616	2,742,434	1,175,818
Other Financing Uses:				
Transfers out	(1,630,000)	(1,679,400)	(1,623,039)	56,361
Net Changes in Fund Balance	337,845	(112,784)	1,119,395	1,232,179
Fund Balances:				
Budget basis:				
Unreserved:				
Beginning of year	1,697,719	1,697,719	1,697,719	-
Transfers from (to) reserved	(500,000)	(500,000)	(500,000)	-
End of year	1,535,564	1,084,935	2,317,114	1,232,179
Reserved:				
Beginning of year	1,666,878	1,666,878	1,666,878	-
Transfers from (to) reserved	500,000	500,000	500,000	-
End of year	2,166,878	2,166,878	2,166,878	-
Budget basis, end of year	$ 3,702,442	$ 3,251,813	4,483,992	$ 1,232,179
GAAP basis receivable			-	
Encumbrances, end of year			439,060	
GAAP basis, end of year			$ 4,923,052	

Draft

CITY OF ST. PETERS, MISSOURI

REQUIRED SUPPLEMENTARY INFORMATION
BUDGETARY COMPARISON INFORMATION
BUDGET BASIS - SPECIAL ALLOCATION FUND - CITY CENTRE
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015

	Budgeted Amounts			Variance with Final Budget Positive (Negative)
	Original Budget	Revised Final Budget	Actual	
Revenues:				
Sales tax	$ 3,390,600	$ 3,979,200	$ 5,313,882	$ 1,334,682
Property tax	3,025,200	3,167,700	3,271,041	103,341
Utility franchise tax	5,000	4,400	5,049	649
Interest	-	-	11,540	11,540
Total Revenues	6,420,800	7,151,300	8,601,512	1,450,212
Expenditures:				
General government	70,000	5,052,200	4,992,666	59,534
Debt service	1,860,000	2,276,900	2,281,830	(4,930)
Total Expenditures	1,930,000	7,329,100	7,274,496	54,604
Net Changes In Fund Balance	4,490,800	(177,800)	1,327,016	1,504,816
Fund Balances:				
Budget basis:				
Unreserved:				
Beginning of year	15,464	15,464	15,464	-
Transfers from (to) reserved	(4,490,800)	177,800	(73,879)	(251,679)
End of year	15,464	15,464	1,268,601	1,253,137
Reserved:				
Beginning of year	1,626,384	1,626,384	1,626,384	-
Transfers from (to) reserved	4,490,800	(177,800)	73,879	251,679
End of year	6,117,184	1,448,584	1,700,263	251,679
Budget basis, end of year	$ 6,132,648	$ 1,464,048	2,968,864	$ 1,504,816
Encumbrances, end of year			-	
GAAP basis, end of year			$ 2,968,864	

Draft

NOTES TO BUDGETARY COMPARISON INFORMATION
SEPTEMBER 30, 2015

Budgetary Process

The Board of Aldermen follow the procedures outlined below in establishing the budgetary data reflected in the financial statements:

1. On or before August 1, the City Administrator submits to the Mayor and Board of Aldermen a proposed operating budget for the general, special revenue (excluding NID), and debt service funds for the fiscal year commencing the following October 1. In addition, budgets for the waterworks/sanitary sewer, solid waste, central materials processing facility and recreation enterprise fund operations are prepared on a basis similar to that of the general governmental funds in order to better manage these operations. The operating budgets include proposed expenditures and the means of financing them. Expenditures may not legally exceed appropriations at the fund level.

2. The annual operating budgets are approved through the adoption of the budget ordinance by the affirmative vote of a majority of the members of the Board of Aldermen and approval by the Mayor on or before September 1 of the preceding budget year. If the budgets have not been passed and approved on or before the last day preceding the budget year (September 30), the budgets and appropriations for the current fiscal year shall be deemed to be rebudgeted and reappropriated for the budget year until a new budget is adopted and approved.

3. The City Administrator is authorized to transfer part, or all, of any unexpended balance among any departments within a given fund.

4. If it is determined that the original budgeted revenues and expenditures need to be increased or decreased, the Board of Aldermen may, by ordinance, make such changes in budgeted revenues and expenditures so long as the total budgeted expenditures do not exceed the amount of budgeted revenues plus beginning unencumbered fund balance.

5. If it appears probable that revenues available will be insufficient to meet the amount appropriated, the Board of Aldermen may, by ordinance, reduce one or more appropriations.

6. Unencumbered appropriations lapse at year end.

The budgets for the general fund, the special revenue funds, and debt service funds are adopted on a basis which is consistent with accounting principles generally accepted in the United States of America (GAAP), except for the following:

- For GAAP purposes, expenditures are recognized primarily as incurred, whereas the City's budget basis recognizes encumbrances outstanding at year end as expenditures of the current period.

Draft

- In the special revenue funds, certain nonexchange intergovernmental revenue is recognized differently for GAAP and budget basis purposes due to the related recognition (encumbrance) of reimbursable expenditures discussed above.

- Property tax revenue is recognized in the period for which it is levied, to the extent it is collected within the current period or expected to be collected within 60 days following the end of the fiscal period on a GAAP basis. Property tax revenue not received at year end is recorded as a deferred inflow of resources. Property tax revenue is recognized on a budget basis at the point in time that the tax is levied.

Draft

CITY OF ST. PETERS, MISSOURI

EMPLOYEES' RETIREMENT SYSTEM – SCHEDULE OF CHANGES IN NET PENSION LIABILITY AND RELATED RATIOS SEPTEMBER 30, 2015

The following required supplementary information relates to the City of St. Peters' participation in Missouri LAGERS, an agent multiple-employer public retirement system.

Fiscal year ending September 30,		**2015**
Total Pension Liability		
Service cost	$	3,138,201
Interest on the total pension liability		8,844,697
Benefit changes		-
Difference between expected and actual experience		(1,517,411)
Assumption changes		-
Benefit payments, including refunds		(3,709,697)
Net Change in Total Pension Liability		6,755,790
Total Pension Liability Beginning		122,276,571
Total Pension Liability Ending	$	129,032,361
Plan Fiduciary Net Position		
Contributions-employer	$	3,962,002
Contributions-employee		1,023,984
Pension plan net investment income		2,516,940
Benefit payments, including refunds		(3,709,697)
Pension plan administrative expense		(57,042)
Other		825,771
Net Change in Plan Fiduciary Net Position		4,561,958
Plan Fiduciary Net Position Beginning		124,151,757
Plan Fiduciary Net Position Ending	$	128,713,715
Employer Net Pension Liability	$	318,646
Plan Fiduciary Net Position as a percentage of the Total Pension Liability		99.75%
Covered Employee Payroll	$	25,347,479
Employer's Net Pension Liability as a percentage of covered employee payroll		1.26%

Notes to schedule:

This schedule is intended to show information for ten years. Additional years will be displayed as they become available.

Draft

CITY OF ST. PETERS, MISSOURI

EMPLOYEES' RETIREMENT SYSTEM – SCHEDULE OF CONTRIBUTIONS
SEPTEMBER 30, 2015

	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006
Actuarially determined contribution	$3,931,857	$4,012,044	$4,093,859	$3,772,678	$3,696,433	$2,764,227	$2,645,769	$2,622,949	$2,560,018	$2,456,679
Contributions in relation to the actuarially determined contribution	3,931,858	3,957,591	3,629,022	3,277,500	2,996,125	2,764,226	2,645,769	2,622,950	2,560,017	2,456,680
Contribution deficiency (excess)	($1)	$54,453	$464,837	$495,178	$700,308	$1	$0	($1)	$1	($1)
Covered-employee payroll	$25,580,737	$24,990,193	$24,230,840	$23,449,756	$23,075,206	$23,072,006	$22,304,334	$21,420,367	$20,480,141	$19,867,173
Contributions as a percentage of covered-employee payroll	15.37%	15.84%	14.98%	13.98%	12.98%	11.98%	11.86%	12.25%	12.50%	12.37%

Notes to Schedule:

Methods and assumptions used to determine contribution rates for the most recent year include:

Valuation date	February 28/29 of each year; the roll-forward of total pension liability from February 28, 2015 to June 30, 2015 (measurement date) reflects expected service cost and interest reduced by actual benefit payments and administrative expenses.
Actuarial cost method	Entry age normal cost.
Amortization method	Level percentage of payroll, closed.
Remaining amortization period	Multiple bases from 14 to 16 years.
Asset valuation method	5-year smoothed market; 20% corridor.
General inflation	3.5% wage inflation; 3.0% price inflation.
Salary increases	3.5% to 6.8% including wage inflation.
Investment rate of return	7.25%, net of investment and administrative expenses.
Retirement age	Experience-based tables of rates that are specific to the type of eligibility condition.
Mortality	105% of the 1994 Group Annuity Mortality Table set back 0 years for men and 0 years for women. Based upon experience observed during the most recent 5-year period of study, it appears that the current table provides for an approximate 13% margin for future mortality improvement.

Draft

CITY OF ST. PETERS, MISSOURI

SCHEDULE OF FUNDING PROGRESS AND CONTRIBUTIONS – OTHER POST-EMPLOYMENT BENEFIT PLAN SEPTEMBER 30, 2015

The following required supplementary information relates to the City's other post-employment benefits program.

Schedule of Funding Progress:

Fiscal Year	Actuarial Valuation Date	(a) Actuarial Value of Assets	(b) Actuarial Accrued Liability	(b-a) Unfunded Actuarial Accrued Liability (UAAL)	(a/b) Funded Ratio	(c) Covered Payroll	((b-a)/c) UAAL as a Percentage of Covered Payroll
09/30/13	10/01/12	$ 9,924,000	$ 25,156,000	$ 15,232,000	39.4%	$23,825,000	63.93%
09/30/14	10/01/12	$ 9,924,000	$ 25,156,000	$ 15,232,000	39.4%	$25,049,887	60.81%
09/30/15	10/01/14	$12,231,000	$ 24,872,000	$ 12,641,000	49.2%	$25,503,199	49.57%

Schedule of Employer Contributions:

Year Ended September 30,	Annual Required Contribution	Percentage Contributed
2013	$ 1,921,000	51.74%
2014	$ 2,059,000	56.87%
2015	$ 1,692,000	87.41%

Note: The results shown above are based on plan provisions and long-term assumptions and methods summarized in Note 12.

Draft

CITY OF ST. PETERS, MISSOURI

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL - BUDGET BASIS - DEBT SERVICE FUND FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015

	Debt Service Fund		
	Revised Final Budget	Actual	Variance With Final Budget - Positive (Negative)
Revenues:			
Property tax	$ 1,515,900	$ 1,553,343	$ 37,443
Interest	10,000	528	(9,472)
Miscellaneous	3,000	5,443	2,443
Total Revenues	1,528,900	1,559,314	30,414
Expenditures:			
Debt service	4,365,000	4,287,898	77,102
Total Expenditures	4,365,000	4,287,898	77,102
Revenues Under Expenditures	(2,836,100)	(2,728,584)	107,516
Other Financing Sources:			
Transfers in	2,019,500	1,968,639	(50,861)
Net Changes in Fund Balance	(816,600)	(759,945)	56,655
Fund Balances:			
Budget basis:			
Unreserved:			
Beginning of year	1,712,341	1,712,341	-
End of year	895,741	952,396	56,655
Budget basis, end of year	$ 895,741	952,396	$ 56,655
Property tax - deferred revenue, end of year		(63,140)	
GAAP basis, end of year		$ 889,256	

Draft

CITY OF ST. PETERS, MISSOURI

SCHEDULE OF REVENUES AND EXPENSES - BUDGET AND ACTUAL - BUDGET BASIS - ENTERPRISE FUND - WATERWORKS/SANITARY SEWER FUND - (UTILITY OPERATING FUND) FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015

	Revised Final Budget	Actual	Variance With Final Budget - Positive (Negative)
Revenues:			
Water and sewer	$ 9,336,300	$ 9,188,947	$ (147,353)
Interest	1,000	449	(551)
Miscellaneous	1,503,100	1,500,910	(2,190)
Total Revenues	10,840,400	10,690,306	(150,094)
Expenses:			
Personnel costs	4,066,715	4,031,331	35,384
Utilities	709,000	724,754	(15,754)
Purchased water	747,000	741,154	5,846
Wastewater treatment costs	95,000	104,850	(9,850)
Repairs and maintenance	881,250	838,645	42,605
Chemicals and supplies	350,140	358,142	(8,002)
Professional services	424,800	413,068	11,732
Supplies and other	305,455	240,161	65,294
Insurance	48,100	(39,029)	87,129
Gasoline and fuel	106,500	92,637	13,863
Rent	13,000	12,521	479
Miscellaneous	790,700	834,933	(44,233)
Total Expenses	8,537,660	8,353,167	184,493
Net Revenues Before Capital Revenues (Expenditures) and (Debt Service and Fees)	2,302,740	2,337,139	34,399
Capital Revenues	21,250	-	(21,250)
Capital Expenditures	(1,241,950)	(849,207)	392,743
Debt Service and Fees	(2,129,750)	(2,128,780)	970
Net Changes in Net Position	(1,047,710)	(640,848)	406,862
Net Position:			
Budget basis:			
Unreserved:			
Beginning of year	1,456,082	1,456,082	-
Transfers from (to) reserved	207,775	207,792	17
End of year	616,147	1,023,026	406,879
Reserved:			
Beginning of year	2,025,750	2,025,750	-
Transfers from (to) reserved	(207,775)	(207,792)	(17)
End of year	1,817,975	1,817,958	(17)
Budget basis, end of year	$ 2,434,122	$ 2,840,984	$ 406,862

* The City adopts a separate budget for the utility operating fund (part of the waterworks/sanitary sewer enterprise fund). Actual amounts presented above include amounts encumbered at year end, which are treated as expenditures for purposes of the budget to actual comparison. Additionally, capital expenditures and bond principal payments are recognized as expenses for budget purposes.

Draft

CITY OF ST. PETERS, MISSOURI

SCHEDULE OF REVENUES AND EXPENSES - BUDGET AND ACTUAL - BUDGET BASIS - ENTERPRISE FUND - SOLID WASTE FUND FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015

	Revised Final Budget	Actual	Variance With Final Budget - Positive (Negative)
Revenues:			
Trash collection	$ 5,475,500	$ 5,639,381	$ 163,881
Miscellaneous	142,800	178,072	35,272
Interest	500	160	(340)
Total Revenues	5,618,800	5,817,613	198,813
Expenses:			
Personnel costs	2,439,780	2,241,589	198,191
Utilities	56,300	52,625	3,675
Disposal fees	1,048,600	1,095,371	(46,771)
Repairs and maintenance	298,300	318,028	(19,728)
Capital expenditures	818,000	732,378	85,622
Chemicals and supplies	5,000	1,399	3,601
Professional services	15,180	19,878	(4,698)
Supplies and other	63,550	61,855	1,695
Insurance	26,600	31,431	(4,831)
Gasoline and fuel	296,400	205,236	91,164
Rent	1,800	1,189	611
Miscellaneous	692,200	677,927	14,273
Total Expenses	5,761,710	5,438,906	322,804
Net Changes in Net Position	(142,910)	378,707	521,617
Net Position:			
Budget basis:			
Unreserved:			
Beginning of year	1,043,680	1,043,680	-
Transfers from (to) reserved	-	-	-
End of year	900,770	1,422,387	521,617
Reserved:			
Beginning of year	250,000	250,000	-
Transfers from (to) reserved	-	-	-
End of year	250,000	250,000	-
Budget basis, end of year	$ 1,150,770	$ 1,672,387	$ 521,617

Draft

CITY OF ST. PETERS, MISSOURI

SCHEDULE OF REVENUES AND EXPENSES - BUDGET AND ACTUAL - BUDGET BASIS - ENTERPRISE FUND - CENTRAL MATERIALS PROCESSING FACILITY FUND FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015

	Revised Final Budget	Actual	Variance With Final Budget - Positive (Negative)
Revenues:			
Tipping fees	$ 2,126,900	$ 2,257,190	$ 130,290
Recycling fees	1,357,800	1,185,662	(172,138)
Earth Centre	399,600	390,251	(9,349)
Intergovernmental	-	914	914
Interest	500	84	(416)
Miscellaneous	37,000	18,326	(18,674)
Total Revenues	3,921,800	3,852,427	(69,373)
Expenses:			
Personnel costs	1,968,420	1,783,050	185,370
Disposal fees	1,261,500	1,204,475	57,025
Utilities	62,100	56,215	5,885
Capital expenditures	231,300	189,195	42,105
Professional services	39,150	32,061	7,089
Repairs and maintenance	96,800	112,067	(15,267)
Insurance	21,300	22,359	(1,059)
Gasoline and fuel	46,500	30,949	15,551
Supplies and other	648,280	624,864	23,416
Total Expenses	4,375,350	4,055,235	320,115
Net Changes in Net Position	(453,550)	(202,808)	250,742
Net Position:			
Budget basis:			
Unreserved:			
Beginning of year	644,453	644,453	-
End of year	190,903	441,645	250,742
Reserved:			
Beginning of year	175,000	175,000	-
End of year	175,000	175,000	-
Budget basis, end of year	$ 365,903	$ 616,645	$ 250,742

Draft

CITY OF ST. PETERS, MISSOURI

SCHEDULE OF REVENUES AND EXPENSES - BUDGET AND ACTUAL - BUDGET BASIS - ENTERPRISE FUND - RECREATION FUND FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015

	Revised Final Budget	Actual	Variance With Final Budget - Positive (Negative)
Revenues:			
Recreation	$ 7,037,500	$ 6,803,164	$ (234,336)
Interest	500	151	(349)
Total Revenues	7,038,000	6,803,315	(234,685)
Expenses:			
Personnel costs	3,897,500	3,729,604	167,896
Utilities	984,000	914,834	69,166
Repairs and maintenance	235,000	231,283	3,717
Capital expenditures	227,005	80,009	146,996
Chemicals and supplies	83,500	70,742	12,758
Professional services	166,950	144,864	22,086
Supplies and other	436,125	403,965	32,160
Concessions	241,500	246,641	(5,141)
Insurance	50,400	52,567	(2,167)
Gasoline and fuel	33,050	19,801	13,249
Miscellaneous	68,100	203,299	(135,199)
Total Expenses	6,423,130	6,097,609	325,521
Net Revenues Before Debt Service and Fees	614,870	705,706	90,836
Debt Service and fees	1,355,500	1,353,541	1,959
Revenues Under Expenses	(740,630)	(647,835)	92,795
Other Financing Sources:			
Transfers in	700,000	675,329	(24,671)
Net Changes in Net Position	(40,630)	27,494	68,124
Net Position:			
Budget basis:			
Unreserved:			
Beginning of year	301,675	301,675	-
Transfers from (to) reserved	27,158	43,206	16,048
End of year	288,203	372,375	84,172
Reserved:			
Beginning of year	836,005	836,005	-
Transfers from (to) reserved	(27,158)	(43,206)	(16,048)
End of year	808,847	792,799	(16,048)
Budget basis, end of year	$ 1,097,050	$ 1,165,174	$ 68,124

Draft

This Page Left Blank Intentionally

Draft

APPENDIX B

BOOK-ENTRY ONLY SYSTEM

General. The Bonds are available in book-entry only form. Purchasers of the Bonds will not receive certificates representing their interests in the Bonds. Ownership interests in the Bonds will be available to purchasers only through a book-entry system (the "Book-Entry System") maintained by DTC.

The following information concerning DTC and DTC's book-entry system has been obtained from DTC. The City (referred to in this section as the "Issuer") takes no responsibility for the accuracy or completeness thereof and neither the Indirect Participants nor the Beneficial Owners should rely on the following information with respect to such matters, but should instead confirm the same with DTC or the Direct Participants, as the case may be. There can be no assurance that DTC will abide by its procedures or that such procedures will not be changed from time to time.

1. The Depository Trust Company ("DTC"), New York, New York, will act as securities depository for the Bonds. The Bonds will be delivered as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered certificate will be delivered for each maturity of the Bonds, each in the aggregate principal amount of such maturity, and will be deposited with DTC.

2. DTC, the world's largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has a Standard & Poor's rating of AA+. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

3. Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC's records. The ownership interest of each actual purchaser of each Bond ("Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.

Draft

4. To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

5. Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time.

6. Redemption notices shall be sent to DTC. If less than all of the Bonds within a maturity are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

7. Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to Bonds unless authorized by a Direct Participant in accordance with DTC's MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the Issuer as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

8. Redemption proceeds, distributions, and dividend payments on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the Issuer or the Paying Agent, on the payment date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, the Paying Agent, or the Issuer, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and dividend payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the Issuer or the Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

9. DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice to the Issuer or the Paying Agent. Under such circumstances, in the event that a successor depository is not obtained, certificates are required to be printed and delivered.

10. The Participants holding a majority position in the Bonds may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository).In that event, bonds will be printed and delivered to DTC.

11. The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that the Issuer believes to be reliable, but the Issuer takes no responsibility for the accuracy thereof.

Draft

Exhibit C

CONTINUING DISCLOSURE UNDERTAKING

Dated July 5, 2016

By the

CITY OF ST. PETERS, MISSOURI

$8,000,000
GENERAL OBLIGATION BONDS
SERIES 2016

Draft

CONTINUING DISCLOSURE UNDERTAKING

This **CONTINUING DISCLOSURE UNDERTAKING** dated July 5, 2016 (the "Continuing Disclosure Undertaking"), is executed and delivered by the **CITY OF ST. PETERS, MISSOURI** (the "City").

RECITALS

1. This Continuing Disclosure Undertaking is executed and delivered by the City in connection with the issuance of $8,000,000 General Obligation Bonds, Series 2016 (the "Bonds"), pursuant to an ordinance adopted by the Board of Aldermen of the City on June 23, 2016 (the "Ordinance").

2. The City is entering into this Continuing Disclosure Undertaking for the benefit of the Beneficial Owners of the Bonds and in order to assist the Participating Underwriter in complying with Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"). The City is the only "obligated person" with responsibility for continuing disclosure hereunder.

In consideration of the mutual covenants and agreements herein, the City covenants and agrees as follows:

Section 1. Definitions. In addition to the definitions set forth in the Ordinance, which apply to any capitalized term used in this Continuing Disclosure Undertaking unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

"Annual Report" means any Annual Report filed by the City pursuant to, and as described in, **Section 2** of this Continuing Disclosure Undertaking.

"Beneficial Owner" means any registered owner of any Bonds and any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

"EMMA" means the Electronic Municipal Market Access system for municipal securities disclosures established and maintained by the MSRB, which can be accessed at www.emma.msrb.org.

"Material Events" means any of the events listed in **Section 3** of this Continuing Disclosure Undertaking.

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

"Participating Underwriter" means any of the original underwriter(s) of the Bonds required to comply with the Rule in connection with offering of the Bonds.

"Rule" means Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

Draft

Section 2. Provision of Annual Reports.

(a) The City shall, not later than **180** days after the end of the City's fiscal year file with the MSRB, through EMMA, the following financial information and operating data (the "**Annual Report**):

(1) commencing with the fiscal year ending September 30, 2016, the audited financial statements of the City for the prior fiscal year. If audited financial statements are not available by the time the Annual Report is required to be filed pursuant to this Section, the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement relating to the Bonds, and the audited financial statements shall be filed in the same manner as the Annual Report promptly after they become available; and

(2) commencing with the fiscal year ending September 30, 2016, updates as of the end of the fiscal year of certain financial information and operating data contained in the final Official Statement, as described in **Exhibit A**, in substantially the same format contained in the final Official Statement.

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues with respect to which the City is an "obligated person" (as defined by the Rule), which have been filed with the MSRB and is available through EMMA or to the Securities and Exchange Commission. If the document included by reference is a final official statement, it must be available from the MSRB on EMMA. The City shall clearly identify each such other document so included by reference.

In each case, the Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in this Section; provided that the audited financial statements of the City may be submitted separately from the balance of the Annual Report and later than the date required above for the filing of the Annual Report if they are not available by that date. If the City's fiscal year changes, it shall give notice of such change in the same manner as for a Material Event under **Section 3**.

(b) In addition to the foregoing requirements of this Section, the City agrees to provide copies of the most recent Annual Report to any requesting Beneficial Owner or prospective Beneficial Owner, but only after the same have been delivered to the MSRB.

Section 3. Reporting of Material Events. Within 10 business days after the occurrence of any of the following events, the City shall give, or cause to be given to the MSRB, through EMMA, notice of the occurrence of any of the following events with respect to the Bonds ("Material Events"):

(1) principal and interest payment delinquencies;
(2) non-payment related defaults, if material;
(3) modifications to rights of bondholders, if material;
(4) bond calls, if material, and tender offers;

Draft

(5) defeasances;
(6) rating changes;
(7) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax-exempt status of the Bonds;
(8) unscheduled draws on debt service reserves reflecting financial difficulties;
(9) unscheduled draws on credit enhancements reflecting financial difficulties;
(10) substitution of credit or liquidity providers, or their failure to perform;
(11) release, substitution or sale of property securing repayment of the Bonds, if material;
(12) bankruptcy, insolvency, receivership or similar event of the City;
(13) the consummation of a merger, consolidation or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
(14) appointment of a successor or additional trustee or the change of name of the bond trustee, if material.

If the City has not submitted the Annual Report to the MSRB by the date required in **Section 2(a)**, the City shall send a notice to the MSRB of the failure of the City to file on a timely basis the Annual Report, which notice shall be given by the City in accordance with this **Section 3**.

Section 4. Termination of Reporting Obligation. The City's obligations under this Continuing Disclosure Undertaking shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds. If the City's obligations under this Continuing Disclosure Undertaking are assumed in full by some other entity, such person shall be responsible for compliance with this Continuing Disclosure Undertaking in the same manner as if it were the City, and the City shall have no further responsibility hereunder. If such termination or substitution occurs prior to the final maturity of the Bonds, the City shall give notice of such termination or substitution in the same manner as for a Material Event under **Section 3**.

Section 5. Amendment; Waiver. Notwithstanding any other provision of this Continuing Disclosure Undertaking, the City may amend this Continuing Disclosure Undertaking and any provision of this Continuing Disclosure Undertaking may be waived, provided that Bond Counsel or other counsel experienced in federal securities law matters provides the City with its written opinion that the undertaking of the City contained herein, as so amended or after giving effect to such waiver, is in compliance with the Rule and all current amendments thereto and interpretations thereof that are applicable to this Continuing Disclosure Undertaking.

In the event of any amendment or waiver of a provision of this Continuing Disclosure Undertaking, the City shall describe such amendment or waiver in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or, in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the City. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (1) notice of such change shall be given in the same manner as for a Material Event under **Section 3**, and (2) the Annual Report for the year in which the change is made should present a comparison (in narrative form and also, if feasible, in

Draft

quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

Section 6. Additional Information. Nothing in this Continuing Disclosure Undertaking shall be deemed to prevent the City from disseminating any other information, using the means of dissemination set forth in this Continuing Disclosure Undertaking or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Material Event, in addition to that which is required by this Continuing Disclosure Undertaking. If the City chooses to include any information in any Annual Report or notice of occurrence of a Material Event, in addition to that which is specifically required by this Continuing Disclosure Undertaking, the City shall have no obligation under this Continuing Disclosure Undertaking to update such information or include it in any future Annual Report or notice of occurrence of a Material Event.

Section 7. Default. If the City fails to comply with any provision of this Continuing Disclosure Undertaking, any Participating Underwriter or any Beneficial Owner of the Bonds may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the City to comply with its obligations under this Continuing Disclosure Undertaking. A default under this Continuing Disclosure Undertaking shall not be deemed an event of default under the Ordinance or the Bonds and the sole remedy under this Continuing Disclosure Undertaking in the event of any failure of the City to comply with this Continuing Disclosure Undertaking shall be an action to compel performance.

Section 8. Beneficiaries. This Continuing Disclosure Undertaking shall inure solely to the benefit of the City, the Participating Underwriter, and Beneficial Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Section 9. Severability. If any provision in this Continuing Disclosure Undertaking, the Ordinance or the Bonds shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

Section 10. Electronic Transactions. The arrangement described herein may be conducted and related documents may be sent, received or stored by electronic means. Copies, telecopies, facsimiles, electronic files and other reproductions of original documents shall be deemed to be authentic and valid counterparts of such original documents for all purposes, including the filing of any claim, action or suit in the appropriate court of law.

Section 11. Governing Law. This Continuing Disclosure Undertaking shall be governed by and construed in accordance with the laws of the State of Missouri.

Section 12. Notice to the City. The City may be required by an underwriter of any future obligation of the City to state in any future offering document subject to the Rule whether the City has materially complied with its obligations under this Continuing Disclosure Undertaking for the five year period preceding the date of such offering document or shorter period if the Bonds have not been outstanding for five years. The foregoing shall not be deemed to be an obligation of the City, contractually or otherwise, and is only included for purposes of providing notice to the City.

[Remainder of Page Intentionally Left Blank]

Draft

IN WITNESS WHEREOF, the City has caused this Continuing Disclosure Undertaking to be executed as of the day and year first above written.

CITY OF ST. PETERS, MISSOURI

_____

(SEAL) Mayor

ATTEST:

_____

City Clerk

Draft

EXHIBIT A

FINANCIAL INFORMATION AND OPERATING DATA TO BE INCLUDED IN ANNUAL REPORT

The following sections and tables contained in the final Official Statement:

1. **"THE CITY'S FINANCES"**

2. **"SOURCES OF REVENUE"**

3. **"TAXATION"**

4. **"DEBT OF THE CITY"**

Draft

BILL NO. 16-80 I-02

ORDINANCE NO._____

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE MUNICIPAL CODE OF THE CITY OF ST. PETERS, TITLE IV: LAND USE PERTAINING TO ZONING PROPERTY WITHIN SAID CITY IN RESPONSE TO REZONING PETITION NUMBER 16-08 MID RIVERS INVESTMENT PARTNERS, LLC, BY MAKING CERTAIN CHANGES IN THE DESIGNATED DISTRICTS IN CERTAIN SECTIONS OF SAID CITY

WHEREAS, by Petition Number 16-08 to the Board of Aldermen, a certain change was requested in the Zoning Law of the City; and

WHEREAS, the Board of Aldermen of the City of St. Peters, Missouri, did refer this Petition to the City's Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission did hold a Public Hearing on this proposed change; and

WHEREAS, at this Public Hearing persons in interest and citizens were given an opportunity to be heard on this proposed change; and

WHEREAS, said Planning and Zoning Commission did consider this Petition and did recommend approval of this item to the Board of Aldermen.

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

SECTION 1. That certain sections of the Municipal Code of the City of St. Peters, Missouri, Title IV: Land Use be amended by making the following changes in the Zoning District Map, which map is on file in the Office of the City Clerk, to rezone to C-3 General Commercial District for a 25 +/- acre parcel from I-1 Light Industrial District, more particularly described as follows:

LAND DESCRIPTION

BEING ALL OF LOT 1 OF THE KAPLAN LUMBER CO. INC. PROPERTY, RECORDED IN PLAT BOOK 34, PAGE 362, IN THE REGISTER'S OFFICE FOR ST. CHARLES COUNTY, MISSOURI, AND MAY BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" PIPE FOUND (ID: LS2840) IN THE RIGHT OF WAY LINE INTERSECTION OF MID

Draft

RIVERS MALL DRIVE AND NORFOLK AND WESTERN RAILROAD, SAID PIPE ALSO BEING THE NORTHWEST CORNER OF LOT 1, KAPLAN SUBDIVISION, PLAT TWO, PLAT BOOK 34, PAGE 362; THENCE WITH THE SOUTH RIGHT OF WAY LINE OF SAID NORFOLK AND WESTERN RAILROAD, AS FOLLOWS: SOUTH 77 DEGREES 57 MINUTES 00 SECONDS EAST A DISTANCE OF 314.39 FEET TO A 1/2" PIPE FOUND (ID: LS2840); THENCE SOUTH 62 DEGREES 29 MINUTES 01 SECONDS EAST A DISTANCE OF 24.61 FEET TO A 1/2" IRON PIN FOUND (NO ID); THENCE SOUTH 77 DEGREES 56 MINUTES 11 SECONDS EAST A DISTANCE OF 1371.83 FEET TO A 1/2" IRON PIN FOUND (NO ID); THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 385.16 FEET, WITH A RADIUS OF 5786.08 FEET, WITH A CHORD BEARING OF SOUTH 79 DEGREES 50 MINUTES 24 SECONDS EAST, WITH A CHORD LENGTH OF 385.09 FEET TO 1/2" PIPE FOUND (ID: LS2840); THENCE LEAVING SAID RIGHT OF WAY LINE WITH THE WEST LINE OF LOT 2, KAPLAN SUBDIVISION, PLAT TWO, PLAT BOOK 34, PAGE 362 SOUTH 26 DEGREES 11 MINUTES 55 SECONDS WEST A DISTANCE OF 703.66 FEET TO A 1/2" PIPE FOUND IN THE NORTH RIGHT OF WAY LINE OF NORTH OUTER ROAD, MISSOURI INTERSTATE HIGHWAY 70; THENCE WITH THE SAID NORTH RIGHT OF WAY LINE NORTH 83 DEGREES 52 MINUTES 21 SECONDS WEST A DISTANCE OF 399.01 FEET TO A 1/2" PIPE FOUND (ID: LS308F); THENCE LEAVING SAID RIGHT OF WAY LINE WITH THE NORTH LINE OF THE 5160 LLC PROPERTY, RECORDED IN BOOK 5622, PAGE 889 AND BOOK 1672, PAGE 720 NORTH 62 DEGREES 30 MINUTES 21 SECONDS WEST A DISTANCE OF 1221.45 FEET TO A 1/2" IRON PIN FOUND (ID: LS 308F) IN THE NORTH RIGHT OF WAY LINE OF SAID NORTH OUTER ROAD; THENCE WITH SAID NORTH OUTER ROAD, AS FOLLOWS: NORTH 62 DEGREES 31 MINUTES 53 SECONDS WEST A DISTANCE OF 282.74 FEET TO A 5/8" IRON PIN SET; THENCE NORTH 43 DEGREES 13 MINUTES 33 SECONDS WEST A DISTANCE OF 5.37 FEET TO A 5/8" IRON PIN SET; THENCE WITH THE EAST RIGHT OF WAY LINE OF SAID MID RIVERS MALL DRIVE, AS FOLLOWS: NORTH 02 DEGREES 03 MINUTES 41 SECONDS WEST A DISTANCE OF 188.34 FEET TO A PK NAIL SET; THENCE NORTH 00 DEGREES 59 MINUTES 30 SECONDS EAST A DISTANCE OF 134.00 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 24.97 ACRES, MORE OR LESS.

SECTION 2. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

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.

Draft

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 23rd day of June , 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor of St Peters

Attest:_____
Patricia E. Smith, City Clerk

Draft

ORDINANCE NO.

AN ORDINANCE APPROVING A SPECIAL USE PERMIT IN THE C-3 GENERAL COMMERCIAL DISTRICT TO PERMIT FIREARM SALES AND SERVICE IN RESPONSE TO PETITION 16-09 (MID RIVERS INVESTMENT PARTNERS, LLC) AND ADOPTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW WITH RESPECT THERETO

WHEREAS, by Petition to the Board of Aldermen, a special use permit was requested in the C-3 General Commercial District to permit firearm sales and service; and

WHEREAS, the Board of Aldermen of the City of St. Peters, Missouri, did refer this Petition to the City's Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission did hold a Public Hearing on this proposed special use; and

WHEREAS, the said Planning and Zoning Commission of the City did consider this Petition and did recommend approval of this petition to the Board of Aldermen; and

WHEREAS, at the Public Hearing persons in interest and citizens were given an opportunity to be heard on this proposed special use.

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

SECTION 1. The Board of Aldermen of the City of St. Peters, Missouri, does hereby approve the Special Use Permit, attached herewith and marked as Exhibit "A", for Mid Rivers Investment Partners, LLC, to permit firearm sales and service:

LEGAL DESCRIPTION

BEING ALL OF LOT 1 OF THE KAPLAN LUMBER CO. INC. PROPERTY, RECORDED IN PLAT BOOK 34, PAGE 362, IN THE REGISTER'S OFFICE FOR ST. CHARLES COUNTY, MISSOURI, AND MAY BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" PIPE FOUND (ID: LS2840) IN THE RIGHT OF WAY LINE INTERSECTION OF MID RIVERS MALL DRIVE AND NORFOLK AND WESTERN RAILROAD, SAID PIPE ALSO BEING THE NORTHWEST CORNER OF LOT 1, KAPLAN SUBDIVISION, PLAT TWO, PLAT BOOK 34, PAGE 362;

Draft

THENCE WITH THE SOUTH RIGHT OF WAY LINE OF SAID NORFOLK AND WESTERN RAILROAD, AS FOLLOWS: SOUTH 77 DEGREES 57 MINUTES 00 SECONDS EAST A DISTANCE OF 314.39 FEET TO A 1/2" PIPE FOUND (ID: LS2840); THENCE SOUTH 62 DEGREES 29 MINUTES 01 SECONDS EAST A DISTANCE OF 24.61 FEET TO A 1/2" IRON PIN FOUND (NO ID); THENCE SOUTH 77 DEGREES 56 MINUTES 11 SECONDS EAST A DISTANCE OF 1371.83 FEET TO A 1/2" IRON PIN FOUND (NO ID); THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 385.16 FEET, WITH A RADIUS OF 5786.08 FEET, WITH A CHORD BEARING OF SOUTH 79 DEGREES 50 MINUTES 24 SECONDS EAST, WITH A CHORD LENGTH OF 385.09 FEET TO 1/2" PIPE FOUND (ID: LS2840); THENCE LEAVING SAID RIGHT OF WAY LINE WITH THE WEST LINE OF LOT 2, KAPLAN SUBDIVISION, PLAT TWO, PLAT BOOK 34, PAGE 362 SOUTH 26 DEGREES 11 MINUTES 55 SECONDS WEST A DISTANCE OF 703.66 FEET TO A 1/2" PIPE FOUND IN THE NORTH RIGHT OF WAY LINE OF NORTH OUTER ROAD, MISSOURI INTERSTATE HIGHWAY 70; THENCE WITH THE SAID NORTH RIGHT OF WAY LINE NORTH 83 DEGREES 52 MINUTES 21 SECONDS WEST A DISTANCE OF 399.01 FEET TO A 1/2" PIPE FOUND (ID: LS308F); THENCE LEAVING SAID RIGHT OF WAY LINE WITH THE NORTH LINE OF THE 5160 LLC PROPERTY, RECORDED IN BOOK 5622, PAGE 889 AND BOOK 1672, PAGE 720 NORTH 62 DEGREES 30 MINUTES 21 SECONDS WEST A DISTANCE OF 1221.45 FEET TO A 1/2" IRON PIN FOUND (ID: LS 308F) IN THE NORTH RIGHT OF WAY LINE OF SAID NORTH OUTER ROAD; THENCE WITH SAID NORTH OUTER ROAD, AS FOLLOWS: NORTH 62 DEGREES 31 MINUTES 53 SECONDS WEST A DISTANCE OF 282.74 FEET TO A 5/8" IRON PIN SET; THENCE NORTH 43 DEGREES 13 MINUTES 33 SECONDS WEST A DISTANCE OF 5.37 FEET TO A 5/8" IRON PIN SET; THENCE WITH THE EAST RIGHT OF WAY LINE OF SAID MID RIVERS MALL DRIVE, AS FOLLOWS: NORTH 02 DEGREES 03 MINUTES 41 SECONDS WEST A DISTANCE OF 188.34 FEET TO A PK NAIL SET; THENCE NORTH 00 DEGREES 59 MINUTES 30 SECONDS EAST A DISTANCE OF 134.00 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 24.97 ACRES, MORE OR LESS.

and states it will not adversely affect the character or the traffic conditions of the surrounding area, nor adversely affect the public utility facilities, that this Special Use complies with the Comprehensive Plan of the City and with other matters pertaining to the general welfare of its residents.

SECTION 2. The Board of Aldermen of the City of St. Peters, Missouri, does hereby authorize the requested special use by Mid Rivers Investment Partners, LLC, in the C-3 General Commercial District to permit firearm sales and service at the subject site.

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

Draft

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 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Draft

Exhibit A

BEFORE THE BOARD OF ALDERMEN
OF THE CITY OF ST. PETERS, MISSOURI

	)	
	)	
	)	
In re: Application for Special Use	)	
Permit --	)	
	)	Application No. 16-09
Mid Rivers Investment Partners, LLC	)	
Applicant	)	

Draft

FINDINGS OF FACT AND CONCLUSION OF LAW

INTRODUCTION

On May 5, 2016, pursuant to the requirements of Section 405.780 of the Code of the City of St. Peters, Missouri (the "City Code"), Mid Rivers Investment Partners, LLC (the "Applicant") submitted to the City of St. Peters, Missouri (the "City"), Application No. 16-09 for a Special Use Permit requesting a permit to use certain property within the C-3 General Commercial District for the sale and brokerage of firearms, including the transfer of firearms (the "Application"), which property is more particularly described in the legal description attached hereto as **Exhibit A** ("the Property"). Specifically, the Applicant requested the following use:

"Fire Arm Sales"

Pursuant to the Application and the requirements of the Section 405.780.C.4 of the City Code, a hearing was conducted before the Board of Alderman on June 23, 2016, a copy of the video recording of which is available in the office of the City Clerk and is incorporated by reference herein (the "Hearing"). At such Hearing all persons-in-interest and other citizens were given an opportunity to be heard regarding the proposed Special Use Permit.

The Board of Aldermen makes its findings based upon the following:

A. The Application submitted by the applicant on May 5, 2016 a copy of which is attached hereto as **Exhibit F** and incorporated by reference herein;

B. The sworn testimony of _____, provided at the Hearing;

C. The Site Plan, a copy of which is attached hereto as **Exhibit B** and incorporated by reference herein**;**

D. The City Code, a copy of which is on file in the office of the City Clerk, and incorporated as though fully set forth herein;

E. The City's Comprehensive Plan, a copy of which is available in the office of the City Clerk and incorporated by reference herein;

F. The Zoning Map of the City, a copy of which is available in the office of the City Clerk and incorporated by reference herein;

G. The Report of the Director of Planning, Community and Economic Development, a copy of which is attached hereto as **Exhibit D** and incorporated by reference herein; and

H. The Recommendation of Planning and Zoning Commission, a copy of which is attached hereto as **Exhibit E** and incorporated by reference herein.

FINDINGS OF FACT

A. The Property is owned by Kaplan Lumber Company, Inc. (the "Owner").

B. The Property is located in the C-3 General Commercial District.

C. Section 405.210(D)(3) of the City Code provides that Special Uses within the C-3 General Commercial District include "The sale and brokerage of firearms, including the transfer of firearms; firearm repair".

CONCLUSIONS OF LAW

At a public meeting held on June 23, 2016, the Board of Aldermen of the City of St. Peters, Missouri, reviewed and discussed the Application, the sworn testimony and the additional information presented by all interested parties. Following discussion of the foregoing, and after each Board Member had been provided the opportunity to express their respective thoughts concerning the Application, a motion was made to approve the Application, with details of the motion, seconding of the motion, and vote of the Board members set forth in the approved minutes of the Board of Aldermen from the meeting. The vote of the Board was _____) in the affirmative, _____ in the negative, and _____ member(s) absent. The motion passed and the Application was approved.

Draft

Pursuant to the foregoing vote, the Board of Aldermen makes the following conclusions of law:

A. The proposed Special Use complies with all applicable provisions of the City Code, including intensity of use regulations, setback regulations and use limitations.

B. The proposed Special Use of the Property will contribute to and promote the general, welfare, health, safety and convenience of the public.

C. The location and size of the Special Use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the Property with respect to streets giving access to it are such that the Special Use will not adversely affect the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.

D. Off-street parking and loading areas will be provided in accordance with the standards set forth in the City Code.

E. Adequate utility, drainage and other such necessary facilities have been or will be provided on the Property.

F. Adequate access roads, entrances and exit drives are being provided and are so designed to prevent traffic hazards and to minimize traffic congestion on public streets and alleys.

Based on all of the circumstances, including the Application and the evidence presented to the Board of Aldermen, the Special Use Permit requested pursuant to the Application shall be, and hereby is GRANTED subject to the following terms and conditions:

A. Uses:

This Special Use Permit shall authorize the use of the Property for the sale and brokerage of new and used firearms, firearm repair, and ammunition sales. Any modifications to the Premises shall be subject to prior approval by the Planning and Zoning Commission, with minor modifications to be approved by the City's Planning Department.

B. General Requirements:

1. The Property shall be constructed, maintained, and operated in compliance with all local, state, and federal laws.

2. Operation of the Property for such uses shall not occur until the Owner has obtained a Federal Firearms License.

3. No sale or brokerage of firearms, ammunition, or accessory items may be conducted in a manner commonly associated with a pawn shop.

4. The sale of armor piercing and tracer ammunition is prohibited.

Draft

5. No firearms sold, brought for trade-in or repaired at this facility shall be fully automatic firearms.

6. No discharge of weapons shall occur on the Property.

7. All serial numbers of all weapon(s) sold or repaired at the facility shall be recorded as required by Federal regulation. Such records shall be available for review upon request of the St. Peters Police Department.

8. The Property shall be monitored by an alarm company.

9. No outside bars are permitted over the front or side windows of the building.

10. All exterior window glass of any store oriented solely to the sale or servicing of firearms shall include a burglar resistant safety film.

11. All guns for sale shall be displayed only in a tempered safety glass display case or similar enclosure during business hours.

12. Rifles for sale shall be displayed in a rack behind the counter during business hours.

13. All firearms shall be located in locked safes during non-business hours.

C. General Requirements:

1. The configuration of the Property shall be shall be as substantially shown on **Exhibit B**. Any minor modifications to the Property or the Premises from that shown on the Site Plan shall be as approved by the Planning Department. Any substantive changes to the approved building shall first be approved by the Planning and Zoning Commission.

2. The design of the existing building on the Property shall be as substantially shown on **Exhibit C**. Any minor modifications to the building shall be as approved by the Planning Department. Any substantive changes to the approved building shall first be approved by the Planning and Zoning Commission.

C. If any provision of the permit shall to any extent be invalid or unenforceable, the remainder of the permit shall not be affected thereby, and each such provision of the permit shall be valid and enforceable to the fullest extent permitted by law.

D. The Special Use Permit shall only be valid for a period of one (1) year from the date of its approval by the Board of Alderman, unless within such period:

a. a building permit or occupancy permit is issued for and the herein permitted use of the Property is commenced; or

b. the Board of Aldermen, upon written request of the Applicant, grants an extension not exceeding one year, without notice of hearing.

E. The terms and conditions herein set forth shall be deemed to be covenants running with

Draft

the Property.

F. The Owner, Applicant, and their successors in interest, shall comply with all other requirements of the City's Zoning and Subdivision Regulations, including but not limited to parking and signage requirements, and any other city, state, or federal regulations that are applicable unless otherwise stated herein.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

Draft

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the _____ day of _____, 2016.

CITY OF ST. PETERS, MISSOURI

SEAL

By_____
Len Pagano, Mayor

Attest:

_____
Patricia E. Smith, City Clerk

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

On this _____ day of _____, 2016, before me appeared LEN PAGANO, to me personally known, who, being by me duly sworn, did say the he is the Mayor of the CITY OF ST. PETERS, MISSOURI, a municipal corporation, 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, said LEN PAGANO acknowledged said instrument to be 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:

Draft

OWNER: KAPLAN LUMBER COMPANY, INC.

By:_____
Leonard Kaplan, President

STATE OF MISSOURI)
) SS.
COUNTY OF _____)

On this _____day of _____, 2016, before me appeared Leonard Kaplan, who, being by me duly sworn did say that he is the President of Kaplan Lumber Company, Inc., a Missouri corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation, and said Leonard Kaplan, by authority of its Board of Directors, 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 the day and year first above written.

_____
Notary Public

My Commission Expires:

Draft

APPLICANT: MID RIVERS INVESTMENT PARTNERS, LLC

By:_____

STATE OF MISSOURI)
) SS.
COUNTY OF _____)

On this _____ day of _____, 2016, before me personally appeared _____, to me personally known, who, being by me duly sworn, did say that he/she is a _____ of Mid Rivers Investment Partners, LLC, a Missouri limited liability company, and that said instrument was signed on behalf of said limited liability company; and said _____ acknowledged said instrument to be the free act and deed of said limited liability company.

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

_____
Notary Public

My Commission Expires:

Draft

EXHIBIT A

BEING ALL OF LOT 1 OF THE KAPLAN LUMBER CO. INC. PROPERTY, RECORDED IN PLAT BOOK 34, PAGE 362, IN THE REGISTER'S OFFICE FOR ST. CHARLES COUNTY, MISSOURI, AND MAY BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" PIPE FOUND (ID: LS2840) IN THE RIGHT OF WAY LINE INTERSECTION OF MID RIVERS MALL DRIVE AND NORFOLK AND WESTERN RAILROAD, SAID PIPE ALSO BEING THE NORTHWEST CORNER OF LOT 1, KAPLAN SUBDIVISION, PLAT TWO, PLAT BOOK 34, PAGE 362; THENCE WITH THE SOUTH RIGHT OF WAY LINE OF SAID NORFOLK AND WESTERN RAILROAD, AS FOLLOWS: SOUTH 77 DEGREES 57 MINUTES 00 SECONDS EAST A DISTANCE OF 314.39 FEET TO A 1/2" PIPE FOUND (ID: LS2840); THENCE SOUTH 62 DEGREES 29 MINUTES 01 SECONDS EAST A DISTANCE OF 24.61 FEET TO A 1/2" IRON PIN FOUND (NO ID); THENCE SOUTH 77 DEGREES 56 MINUTES 11 SECONDS EAST A DISTANCE OF 1371.83 FEET TO A 1/2" IRON PIN FOUND (NO ID); THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 385.16 FEET, WITH A RADIUS OF 5786.08 FEET, WITH A CHORD BEARING OF SOUTH 79 DEGREES 50 MINUTES 24 SECONDS EAST, WITH A CHORD LENGTH OF 385.09 FEET TO 1/2" PIPE FOUND (ID: LS2840); THENCE LEAVING SAID RIGHT OF WAY LINE WITH THE WEST LINE OF LOT 2, KAPLAN SUBDIVISION, PLAT TWO, PLAT BOOK 34, PAGE 362 SOUTH 26 DEGREES 11 MINUTES 55 SECONDS WEST A DISTANCE OF 703.66 FEET TO A 1/2" PIPE FOUND IN THE NORTH RIGHT OF WAY LINE OF NORTH OUTER ROAD, MISSOURI INTERSTATE HIGHWAY 70; THENCE WITH THE SAID NORTH RIGHT OF WAY LINE NORTH 83 DEGREES 52 MINUTES 21 SECONDS WEST A DISTANCE OF 399.01 FEET TO A 1/2" PIPE FOUND (ID: LS308F); THENCE LEAVING SAID RIGHT OF WAY LINE WITH THE NORTH LINE OF THE 5160 LLC PROPERTY, RECORDED IN BOOK 5622, PAGE 889 AND BOOK 1672, PAGE 720 NORTH 62 DEGREES 30 MINUTES 21 SECONDS WEST A DISTANCE OF 1221.45 FEET TO A 1/2" IRON PIN FOUND (ID: LS 308F) IN THE NORTH RIGHT OF WAY LINE OF SAID NORTH OUTER ROAD; THENCE WITH SAID NORTH OUTER ROAD, AS FOLLOWS: NORTH 62 DEGREES 31 MINUTES 53 SECONDS WEST A DISTANCE OF 282.74 FEET TO A 5/8" IRON PIN SET; THENCE NORTH 43 DEGREES 13 MINUTES 33 SECONDS WEST A DISTANCE OF 5.37 FEET TO A 5/8" IRON PIN SET; THENCE WITH THE EAST RIGHT OF WAY LINE OF SAID MID RIVERS MALL DRIVE, AS FOLLOWS: NORTH 02 DEGREES 03 MINUTES 41 SECONDS WEST A DISTANCE OF 188.34 FEET TO A PK NAIL SET; THENCE NORTH 00 DEGREES 59 MINUTES 30 SECONDS EAST A DISTANCE OF 134.00 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 24.97 ACRES, MORE OR LESS.

Draft

EXHIBIT B
Site Plan

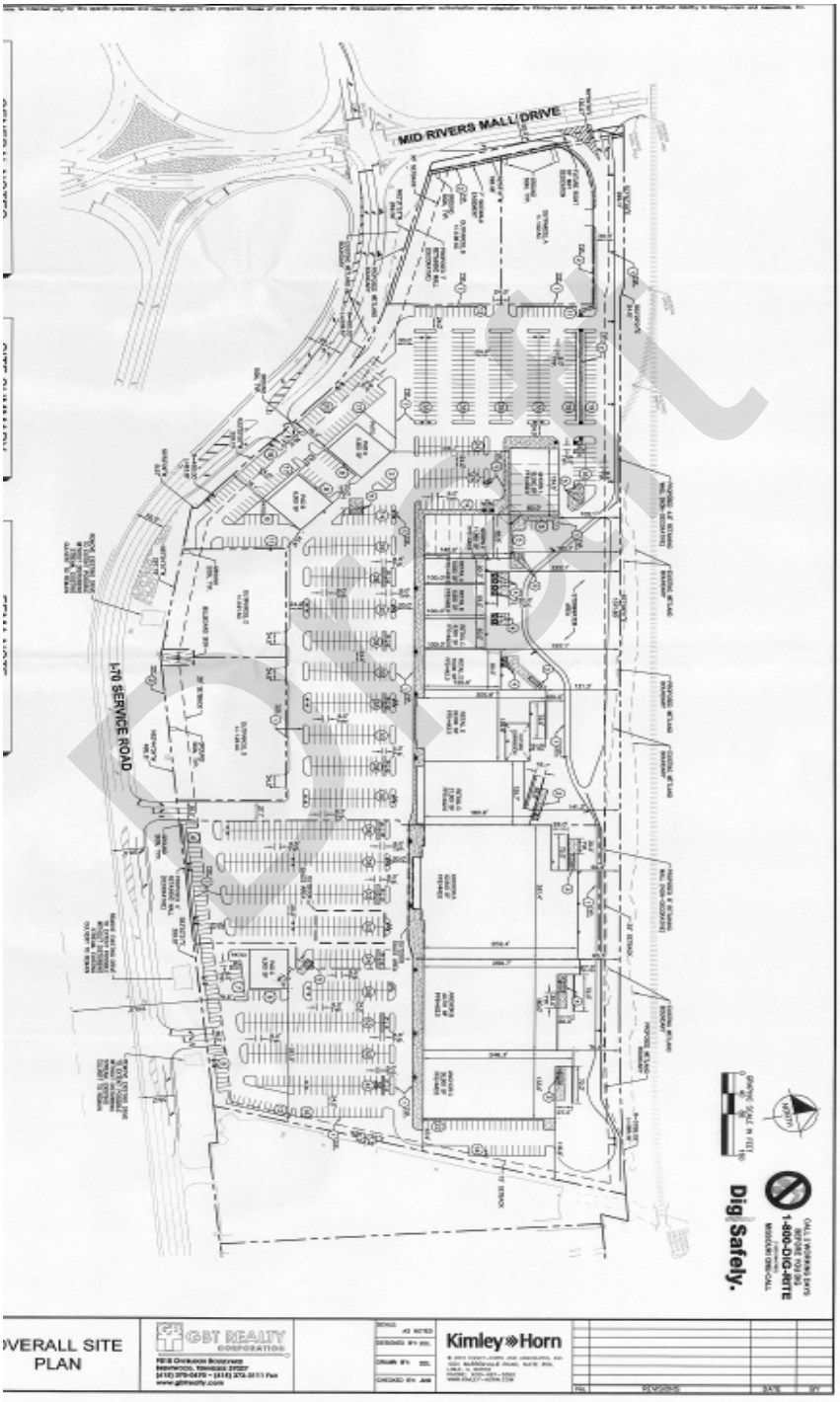


EXHIBIT C
Architectural Design

EXTERIOR MATERIAL LEGEND

ALUM	ALUMINUM STOREFRONT - CHAR BRONZE ANODIZED	BLW1
BR4	ACME BRICKLAR BRICK, COLOR: SLATE GRAY ON SILL	ABR4
BR5	ACME BRICKLAR BRICK, COLOR: MARMOTTO NUTLAR PAVE ON SILL	ABR5
CB1(a)	EXIMET: BRIC WHITE WHITE	ABR6
CB1(b)	EXIMET: BRIC MONASTERY BROWN	PF4
CB1(c)	EXIMET: BRIC BRAMPTON	PF4
CB1(d)	EXIMET: BRIC BRAMPTON TEXTURE COAT OVER CONCRETE PANEL	PF4
CB1(e)	EXIMET: BRIC BRIGHTON	PF4
CB1(f)	EXIMET: BRIC BRIGHTON TEXTURE COAT OVER CONCRETE PANEL	PF4
CB1(g)	BLUE EXIMET BRICK TO PROVIDE THE SAME PRINT OVER WHITE BLENDED BRICK SUBSTRATE RECEIVED BY ARCHITECT. ARCHITECT TO PROVIDE ORIGINAL PRINT TO EXIMET FOR PRODUCTION OF MATERIAL. NEW SOLIDL PRINT ADVANTAGE: SAME MATERIAL AS PREVIOUS PLAZA	PF4
CB1(h)	EXIMET BRIC TO MATCH EXISTING ATTACHED PRINT	PF4
CB1(i)	EXIMET BRIC TO MATCH EXISTING ATTACHED PRINT WHITE TONE	PF4
CMU1	SPLITFACE CMU, PAINTED	SQ-1
CMU2	SMOOTHFACE CMU, PAINTED	

Note: Signage subject to city approval.

05/03/16

GBT REALTY CORPORATION
1010 Overlook Boulevard
Sewickley, Pennsylvania 15143
(412) 370-0670 • (412) 370-3111 Fax
www.gbtrealty.com

THE SHOPPES of MID RIVERS

St. Peters, MO

Note: Signage subject to city approval.

05/03/16

GBT REALTY CORPORATION
1010 Overlook Boulevard
Sewickley, Pennsylvania 15143
(412) 370-0670 • (412) 370-3111 Fax
www.gbtrealty.com

THE SHOPPES of MID RIVERS

St. Peters, MO

Draft

EXHIBIT D

Report of the Director of Planning, Community and Economic Development

Petition 16-09 Mid Rivers Investment Partners LLC: A request for a Special Use Permit in the C-3 General Commercial District for firearm sales on a 28.05 +/- acre parcel. The subject site is located on the east side of Mid Rivers Mall Drive, north of Interstate 70. (Ward 1)

Staff Evaluation:

The proposed site is located on the east side of Mid Rivers Mall Drive north of Interstate 70 and fronting on the I-70 Service Road North. The site has been developed with Kaplan Lumber for years; the lumber business has not been active in recent years and the site has been used for a variety of smaller businesses, most recently ABC Roofing. The site is adjacent to a small tract zoned C-3 General Commercial District which is developed with Wm. Nobbe & Co., a John Deere tractor dealership which fronts on I-70 Service Road North.

The proposed overall project, which includes a large retail center and multiple pads and out lots, is proposed to include the area of the Kaplan and Nobbe tracts – approximately twenty –eight acres. The proposed firearms sales are likely to be a component of a sporting goods store within the center, although an individual firearms store would also be allowed.

The surrounding land uses include industrially zoned areas to the north, past the railroad tracts, which include a recycling facility and industrial uses. To the northwest are also some residential properties zoned industrial or agricultural. To the east are car dealers and a large vacant tract zoned commercial and industrial; to the west are commercially zoned properties including a convenience store with gas pumps and a fast food restaurant. Beyond is Old Town St. Peters zoned Special Old Town District.

The site is served by Mid Rivers Mall Drive and I-70 Service Road North – both roads have been designed to carry heavy traffic levels. The primary entrance to the development will be from the service road, with a secondary entrance from Mid Rivers Mall Drive.

Staff is of the opinion the firearms facility can operate without detriment to the area. The business will be located within a major commercial development at an interstate interchange; the location has easy access and ample parking to accommodate all customers..

Staff notes that the proposed special use permit for firearm sales includes conditions typical for firearm sales in St. Peters. This includes security requirements and record keeping/reporting related to firearm sales, and storage requirements.

Per the City of St. Peters Zoning Code, the review of any proposed special use must include consideration of certain standards; these are addressed below:

Draft

a. *Character of the surrounding area:* The site is located along a major arterial road at an interstate interchange; the proposed use would be consistent with the nature of the area.

b. *Traffic conditions in the surrounding area:* The site is served by Mid Rivers Mall Drive and I-70 Service Road North, both of which are improved to serve the land uses in the area and is designed to accommodate substantial traffic levels. Also, some road improvements are planned with the development to ensure the traffic generated by the development can be accommodated.

c. *Public Utility facilities:* The area is currently served with all utilities. Utility services are readily available in this area.

d. *The Comprehensive Plan:* The City's Comprehensive Plan, as amended in 2008, indicates the site area is appropriate for commercial uses and zoning. The proposed use of firearms sales and service would be consistent with the plan.

e. *Other matters pertaining to general welfare:* The site is located along a commercial roadway; this location is appropriate for continued commercial development.

Staff Recommendation:

Based on the above review, staff recommends approval of the proposed special use subject to the attached special use permit.

Draft

EXHIBIT E

Planning and Zoning Commission Recommendation

Petition 16-09 – Mid Rivers Investment Partners, LLC: A request for a special use permit in the C-3 General Commercial District to permit firearm sales and service on a 28 +/- acre parcel. The property is located on the north side of Interstate 70, east of Mid Rivers Mall Drive.

Mr. Jeff Pape and Ms. Fiona Haulter, GBT Realty Corporation, presented this to the Commission for approval. Ms. Haulter explained that the proposed project includes a large retail center and multiple pads and outlots and is proposed to include the area of the Kaplan tract – approximately 25 acres – and the Nobbe tract. The proposed firearm sales are likely to be a component of a sporting goods store within the center, although an individual firearms store would also be allowed. At the hearing, the special use permit request was amended to include only the Kaplan tract. Chairman McNames opened the public hearing at 6:51 p.m. and asked anyone wishing to speak on this petition to please come forward. Seeing no one present to comment, Chairman McNames closed the public hearing at 6:51 p.m. Mr. Westhoff made a motion and Mr. Winslow seconded to adopt staff's Findings of Fact as the Commission's Findings of Fact. The motion carried unanimously. Mr. Westhoff made a motion and Ms. Shetterly seconded to recommend approval of this Special Use Permit to the Board of Aldermen. The motion carried unanimously.

Draft

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

EXHIBIT F
Application

APPLICATION FOR A SPECIAL USE PERMIT
STATE OF MISSOURI
COUNTY OF ST. CHARLES
CITY OF ST. PETERS

INSTRUCTIONS TO APPLICANT: APPLICATION NUMBER: 16-09

Submit the following to an Administrative Officer:

- ☐ The petition forms completely filled out typed or printed.
- ☐ The petition fee.
  - THE BASE FEE IS $250.00 WHICH SHOULD BE SUBMITTED WITH THIS PETITION.
  - THE APPLICANT WILL BE BILLED $2.00 PER EACH SET OF 3 LETTERS FOR THE ADDITIONAL COST OF THE MAILINGS.
- ☐ A typed and electronic version of the legal description of the property being petitioned.
- ☐ Provide items required by Section 405.780 (D)(2)

NAME OF APPLICANT: Mid Rivers Investment Partners, LLC

IF APPLICANT IS A LIMITED LIABILITY CORPORATION OR INCORPORATION, A COPY OF THE CURRENT OPERATION AGREEMENT OR ARTICLES OF INCORPORATION, WHICHEVER IS APPLICABLE, SHALL BE PROVIDED.

ADDRESS: 9010 Overlook Blvd.

Brentwood, TN ZIP CODE: 37027

TELEPHONE NUMBER: 615-370-0670 FAX: E-MAIL: fhaulter@gbtrealty.com

NAME OF LEGAL OWNER: Kaplan Lumber Company, Inc. and Nobbe Land Trust #101

IF OWNER IS A LIMITED LIABILITY CORPORATION OR INCORPORATION, A COPY OF THE CURRENT OPERATION AGREEMENT OR ARTICLES OF INCORPORATION, WHICHEVER IS APPLICABLE, SHALL BE PROVIDED.

ADDRESS: 5140 N. Service Rd., St. Peters, MO

5160 N. Service Rd., St. Peters, MO ZIP CODE: 63376

TELEPHONE NUMBER: 636-397-4471 FAX: E-MAIL: tomg52@aol.com

CHECK ONE: ☒ OWNER Kaplan ☒ OWNER BY OPTION Nobbe ☐ AGENT ☐ OTHER (SPECIFY):

IF OWNER BY OPTION, INDICATE: DATE OF CONTRACT: See attachments
EXPIRATION DATE: See attachments

LOCATION OF PROPERTY Northeast quadrant of I-70 and Mid Rivers Mall Dr. Interchange

ACREAGE TO THE NEAREST $^{1}/_{10}$ OF AN ACRE OF THE PROPERTY BEING PETITIONED: 28.05

1

Draft

PRESENT ZONING CLASSIFICATION: Kaplan: I-1 (C-3 requested); Nobbe: C-3

PRESENT USE: Commercial

PROPOSED USE: Shopping Center

DESCRIBE IN DETAIL THE SPECIAL USE PROPOSED AND JUSTIFICATION FOR THE REQUEST (MAY BE ATTACHED):
Fire Arm Sales,

The special use permits will support the uses of the proposed retailers.

SIGNATURE OF APPLICANT (MUST BE NOTARIZED): [signature]

DATE: 5/3/2016

STATE OF ~~MISSOURI~~ TENNESSEE
COUNTY OF ~~ST. CHARLES~~ WILLIAMSON SS

On this 3rd (number date) day of May (month), 2016 (year), before me personally appeared

Fiona Haulter To me known, who, being by me duly sworn, did say that they have signed the foregoing instrument of their own free will and deed. 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.

Tiffany S. Prewitt
Notary Public

My Commission Expires: 8/23/2016

NOTARY PUBLIC OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY
MY COMMISSION EXPIRES: August 23, 2016

SIGNATURE OF LEGAL OWNER (MUST BE NOTARIZED): Leonard Kaplan

DATE: 5-4-16

STATE OF MISSOURI
COUNTY OF ST. CHARLES SS

On this 4th (number date) day of May (month), 2016 (year) before me personally appeared

Leonard Kaplan To me known, who, being by me duly sworn, did say that they have signed the foregoing instrument of their own free will and deed. 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.

Diane L. Rosales
Notary Public

My Commission Expires: Oct. 19, 2018

DIANE L. ROSALES
Notary Public - Notary Seal
St. Charles County, STATE OF MISSOURI
My Commission Expires: Oct. 19, 2018
Commission #14031880

TO BE COMPLETED BY ADMINISTRATIVE OFFICE

DATE FILED: May (month) 5 (day), 2016 (year)

FEE PAID: $ ✓ ($250.00)

$ _____ (Mailing)

Draft

ORDINANCE NO.

AN ORDINANCE APPROVING A SPECIAL USE PERMIT IN THE C-3 GENERAL COMMERCIAL DISTRICT TO PERMIT CONVENIENCE STORES AND GAS STATIONS IN RESPONSE TO PETITION 16-10 (MID RIVERS INVESTMENT PARTNERS, LLC) AND ADOPTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW WITH RESPECT THERETO

WHEREAS, by Petition to the Board of Aldermen, a special use permit was requested in the C-3 General Commercial District to permit convenience stores and gas stations; and

WHEREAS, the Board of Aldermen of the City of St. Peters, Missouri, did refer this Petition to the City's Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission did hold a Public Hearing on this proposed special use; and

WHEREAS, the said Planning and Zoning Commission of the City did consider this Petition and did recommend approval of this petition to the Board of Aldermen; and

WHEREAS, at the Public Hearing persons in interest and citizens were given an opportunity to be heard on this proposed special use.

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

SECTION 1. The Board of Aldermen of the City of St. Peters, Missouri, does hereby approve the Special Use Permit, attached herewith and marked as Exhibit "A", for Mid Rivers Investment Partners, LLC, to permit convenience stores and gas stations:

LEGAL DESCRIPTION

BEING ALL OF LOT 1 OF THE KAPLAN LUMBER CO. INC. PROPERTY, RECORDED IN PLAT BOOK 34, PAGE 362, IN THE REGISTER'S OFFICE FOR ST. CHARLES COUNTY, MISSOURI, AND MAY BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" PIPE FOUND (ID: LS2840) IN THE RIGHT OF WAY LINE INTERSECTION OF MID RIVERS MALL DRIVE AND NORFOLK AND WESTERN RAILROAD, SAID PIPE ALSO BEING THE

Draft

NORTHWEST CORNER OF LOT 1, KAPLAN SUBDIVISION, PLAT TWO, PLAT BOOK 34, PAGE 362; THENCE WITH THE SOUTH RIGHT OF WAY LINE OF SAID NORFOLK AND WESTERN RAILROAD, AS FOLLOWS: SOUTH 77 DEGREES 57 MINUTES 00 SECONDS EAST A DISTANCE OF 314.39 FEET TO A 1/2" PIPE FOUND (ID: LS2840); THENCE SOUTH 62 DEGREES 29 MINUTES 01 SECONDS EAST A DISTANCE OF 24.61 FEET TO A 1/2" IRON PIN FOUND (NO ID); THENCE SOUTH 77 DEGREES 56 MINUTES 11 SECONDS EAST A DISTANCE OF 1371.83 FEET TO A 1/2" IRON PIN FOUND (NO ID); THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 385.16 FEET, WITH A RADIUS OF 5786.08 FEET, WITH A CHORD BEARING OF SOUTH 79 DEGREES 50 MINUTES 24 SECONDS EAST, WITH A CHORD LENGTH OF 385.09 FEET TO 1/2" PIPE FOUND (ID: LS2840); THENCE LEAVING SAID RIGHT OF WAY LINE WITH THE WEST LINE OF LOT 2, KAPLAN SUBDIVISION, PLAT TWO, PLAT BOOK 34, PAGE 362 SOUTH 26 DEGREES 11 MINUTES 55 SECONDS WEST A DISTANCE OF 703.66 FEET TO A 1/2" PIPE FOUND IN THE NORTH RIGHT OF WAY LINE OF NORTH OUTER ROAD, MISSOURI INTERSTATE HIGHWAY 70; THENCE WITH THE SAID NORTH RIGHT OF WAY LINE NORTH 83 DEGREES 52 MINUTES 21 SECONDS WEST A DISTANCE OF 399.01 FEET TO A 1/2" PIPE FOUND (ID: LS308F); THENCE LEAVING SAID RIGHT OF WAY LINE WITH THE NORTH LINE OF THE 5160 LLC PROPERTY, RECORDED IN BOOK 5622, PAGE 889 AND BOOK 1672, PAGE 720 NORTH 62 DEGREES 30 MINUTES 21 SECONDS WEST A DISTANCE OF 1221.45 FEET TO A 1/2" IRON PIN FOUND (ID: LS 308F) IN THE NORTH RIGHT OF WAY LINE OF SAID NORTH OUTER ROAD; THENCE WITH SAID NORTH OUTER ROAD, AS FOLLOWS: NORTH 62 DEGREES 31 MINUTES 53 SECONDS WEST A DISTANCE OF 282.74 FEET TO A 5/8" IRON PIN SET; THENCE NORTH 43 DEGREES 13 MINUTES 33 SECONDS WEST A DISTANCE OF 5.37 FEET TO A 5/8" IRON PIN SET; THENCE WITH THE EAST RIGHT OF WAY LINE OF SAID MID RIVERS MALL DRIVE, AS FOLLOWS: NORTH 02 DEGREES 03 MINUTES 41 SECONDS WEST A DISTANCE OF 188.34 FEET TO A PK NAIL SET; THENCE NORTH 00 DEGREES 59 MINUTES 30 SECONDS EAST A DISTANCE OF 134.00 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 24.97 ACRES, MORE OR LESS.

and states it will not adversely affect the character or the traffic conditions of the surrounding area, nor adversely affect the public utility facilities, that this Special Use complies with the Comprehensive Plan of the City and with other matters pertaining to the general welfare of its residents.

SECTION 2. The Board of Aldermen of the City of St. Peters, Missouri, does hereby authorize the requested special use by Mid Rivers Investment Partners, LLC, in the C-3 General Commercial District to permit convenience stores and gas stations at the subject site.

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

Draft

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 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Draft

Exhibit A

BEFORE THE BOARD OF ALDERMEN
OF THE CITY OF ST. PETERS, MISSOURI

	)	
	)	
	)	
In re: Application for Special Use	)	
Permit --	)	
	)	Application No. 16-10
Mid Rivers Investment Partners, LLC	)	
Applicant	)	

Draft

FINDINGS OF FACT AND CONCLUSION OF LAW

INTRODUCTION

On May 9, 2016, pursuant to the requirements of Section 405.780 of the Code of the City of St. Peters, Missouri (the "City Code"), Mid Rivers Investment Partners, LLC (the "Applicant") submitted to the City of St. Peters, Missouri (the "City"), Application No. 16-10 for a Special Use Permit requesting a permit to use certain property within the C-3 General Commercial District for a convenience/food store with gasoline or petroleum products or services (the "Application"), which property is more particularly described in the legal description attached hereto as **Exhibit A** ("the Property"). Specifically, the Applicant requested the following use:

"Convenience Store/Gas Station"

Pursuant to the Application and the requirements of the Section 405.780.C.4 of the City Code, a hearing was conducted before the Board of Alderman on June 23, 2016, a copy of the video recording of which is available in the office of the City Clerk and is incorporated by reference herein (the "Hearing"). At such Hearing all persons-in-interest and other citizens were given an opportunity to be heard regarding the proposed Special Use Permit.

The Board of Aldermen makes its findings based upon the following:

A. The Application submitted by the applicant on May 9, 2016 a copy of which is attached hereto as **Exhibit F** and incorporated by reference herein;

B. The sworn testimony of _____, provided at the Hearing;

C. The Site Plan, a copy of which is attached hereto as **Exhibit B** and incorporated by reference herein**;**

D. The City Code, a copy of which is on file in the office of the City Clerk, and incorporated as though fully set forth herein;

E. The City's Comprehensive Plan, a copy of which is available in the office of the City Clerk and incorporated by reference herein;

F. The Zoning Map of the City, a copy of which is available in the office of the City Clerk and incorporated by reference herein;

G. The Architectural Design for other structures to be constructed on the Property, a copy of which is attached hereto as Exhibit C and incorporated by reference herein;

H. The Report of the Director of Planning, Community and Economic Development, a copy of which is attached hereto as **Exhibit D** and incorporated by reference herein; and

I. The Recommendation of Planning and Zoning Commission, a copy of which is attached hereto as **Exhibit E** and incorporated by reference herein.

FINDINGS OF FACT

A. The Property is owned by Kaplan Lumber Company, Inc. (the "Owner").

B. The Property is located in the C-3 General Commercial District.

C. Section 405.210(D)(8) of the City Code provides that Special Uses within the C-3 General Commercial District include "Convenience/food store with gasoline or petroleum products and services".

CONCLUSIONS OF LAW

At a public meeting held on June 23, 2016, the Board of Aldermen of the City of St. Peters, Missouri, reviewed and discussed the Application, the sworn testimony and the additional information presented by all interested parties. Following discussion of the foregoing, and after each Board Member had been provided the opportunity to express their respective thoughts concerning the Application, a motion was made to approve the Application, with details of the motion, seconding of the motion, and vote of the Board

Draft

members set forth in the approved minutes of the Board of Aldermen from the meeting. The vote of the Board was _____) in the affirmative, _____ in the negative, and _____ member(s) absent. The motion passed and the Application was approved.

Pursuant to the foregoing vote, the Board of Aldermen makes the following conclusions of law:

A. The proposed Special Use complies with all applicable provisions of the City Code, including intensity of use regulations, setback regulations and use limitations.

B. The proposed Special Use of the Property will contribute to and promote the general, welfare, health, safety and convenience of the public.

C. The location and size of the Special Use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the Property with respect to streets giving access to it are such that the Special Use will not adversely affect the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.

D. Off-street parking and loading areas will be provided in accordance with the standards set forth in the City Code.

E. Adequate utility, drainage and other such necessary facilities have been or will be provided on the Property.

F. Adequate access roads, entrances and exit drives are being provided and are so designed to prevent traffic hazards and to minimize traffic congestion on public streets and alleys.

Based on all of the circumstances, including the Application and the evidence presented to the Board of Aldermen, the Special Use Permit requested pursuant to the Application shall be, and hereby is GRANTED subject to the following terms and conditions:

A. Uses:

This Special Use Permit shall authorize the use of the Property for a convenience store with gasoline or petroleum products or services. Any modifications to the Site Plan or Design shall be subject to prior approval by the Planning and Zoning Commission, with minor modifications to be approved by the City's Planning Department.

B. General Requirements:

1. The configuration and development of the Premises shall be as substantially shown on the Site Plan. Any amendment to the Site Plan for the development of the Property must be approved by the Planning and Zoning Commission per Section 405.460 of the City Code. Any minor modifications to the Site Plan must be approved by the Planning Department. Any substantive changes to the approved Site Plan shall first be approved by the Planning and Zoning Commission.

Draft

2. The design of the convenience store and fuel pump island shall be compatible with the design shown on **Exhibit C**. The design of the convenience store shall be approved by the Planning and Zoning Commission per Section 405.460. E. of the City Code. Any minor modifications to the Design must be approved by the Planning Department. Any substantive changes to the approved Design, including changes to the building materials being used, shall first be approved by the Planning and Zoning Commission.

C. If any provision of the permit shall to any extent be invalid or unenforceable, the remainder of the permit shall not be affected thereby, and each such provision of the permit shall be valid and enforceable to the fullest extent permitted by law.

D. The Special Use Permit shall only be valid for a period of one (1) year from the date of its approval by the Board of Alderman, unless within such period:

   a. a building permit or occupancy permit is issued for and the herein permitted use of the Property is commenced; or

   b. the Board of Aldermen, upon written request of the Applicant, grants an extension not exceeding one year, without notice of hearing.

E. The terms and conditions herein set forth shall be deemed to be covenants running with the Property.

F. The Owner, Applicant, and their successors in interest, shall comply with all other requirements of the City's Zoning and Subdivision Regulations, including but not limited to parking and signage requirements, and any other city, state, or federal regulations that are applicable unless otherwise stated herein.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

Draft

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the _____ day of _____, 2016.

CITY OF ST. PETERS, MISSOURI

SEAL

By_____
Len Pagano, Mayor

Attest:

_____
Patricia E. Smith, City Clerk

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

On this _____ day of _____, 2016, before me appeared LEN PAGANO, to me personally known, who, being by me duly sworn, did say the he is the Mayor of the CITY OF ST. PETERS, MISSOURI, a municipal corporation, 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, said LEN PAGANO acknowledged said instrument to be 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:

Draft

OWNER: KAPLAN LUMBER COMPANY, INC.

By:_____
Leonard Kaplan, President

STATE OF MISSOURI)
) SS.
COUNTY OF _____)

On this _____day of _____, 2016, before me appeared Leonard Kaplan, who, being by me duly sworn did say that he is the President of Kaplan Lumber Company, Inc., a Missouri corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation, and said Leonard Kaplan, by authority of its Board of Directors, 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 the day and year first above written.

_____
Notary Public

My Commission Expires:

Draft

APPLICANT: MID RIVERS INVESTMENT PARTNERS, LLC

By:_____

STATE OF MISSOURI)
) SS.
COUNTY OF _____)

On this _____ day of _____, 2016, before me personally appeared _____, to me personally known, who, being by me duly sworn, did say that he/she is a _____ of Mid Rivers Investment Partners, LLC, a Missouri limited liability company, and that said instrument was signed on behalf of said limited liability company; and said _____ acknowledged said instrument to be the free act and deed of said limited liability company.

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

_____
Notary Public

My Commission Expires:

Draft

EXHIBIT A

BEING ALL OF LOT 1 OF THE KAPLAN LUMBER CO. INC. PROPERTY, RECORDED IN PLAT BOOK 34, PAGE 362, IN THE REGISTER'S OFFICE FOR ST. CHARLES COUNTY, MISSOURI, AND MAY BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" PIPE FOUND (ID: LS2840) IN THE RIGHT OF WAY LINE INTERSECTION OF MID RIVERS MALL DRIVE AND NORFOLK AND WESTERN RAILROAD, SAID PIPE ALSO BEING THE NORTHWEST CORNER OF LOT 1, KAPLAN SUBDIVISION, PLAT TWO, PLAT BOOK 34, PAGE 362; THENCE WITH THE SOUTH RIGHT OF WAY LINE OF SAID NORFOLK AND WESTERN RAILROAD, AS FOLLOWS: SOUTH 77 DEGREES 57 MINUTES 00 SECONDS EAST A DISTANCE OF 314.39 FEET TO A 1/2" PIPE FOUND (ID: LS2840); THENCE SOUTH 62 DEGREES 29 MINUTES 01 SECONDS EAST A DISTANCE OF 24.61 FEET TO A 1/2" IRON PIN FOUND (NO ID); THENCE SOUTH 77 DEGREES 56 MINUTES 11 SECONDS EAST A DISTANCE OF 1371.83 FEET TO A 1/2" IRON PIN FOUND (NO ID); THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 385.16 FEET, WITH A RADIUS OF 5786.08 FEET, WITH A CHORD BEARING OF SOUTH 79 DEGREES 50 MINUTES 24 SECONDS EAST, WITH A CHORD LENGTH OF 385.09 FEET TO 1/2" PIPE FOUND (ID: LS2840); THENCE LEAVING SAID RIGHT OF WAY LINE WITH THE WEST LINE OF LOT 2, KAPLAN SUBDIVISION, PLAT TWO, PLAT BOOK 34, PAGE 362 SOUTH 26 DEGREES 11 MINUTES 55 SECONDS WEST A DISTANCE OF 703.66 FEET TO A 1/2" PIPE FOUND IN THE NORTH RIGHT OF WAY LINE OF NORTH OUTER ROAD, MISSOURI INTERSTATE HIGHWAY 70; THENCE WITH THE SAID NORTH RIGHT OF WAY LINE NORTH 83 DEGREES 52 MINUTES 21 SECONDS WEST A DISTANCE OF 399.01 FEET TO A 1/2" PIPE FOUND (ID: LS308F); THENCE LEAVING SAID RIGHT OF WAY LINE WITH THE NORTH LINE OF THE 5160 LLC PROPERTY, RECORDED IN BOOK 5622, PAGE 889 AND BOOK 1672, PAGE 720 NORTH 62 DEGREES 30 MINUTES 21 SECONDS WEST A DISTANCE OF 1221.45 FEET TO A 1/2" IRON PIN FOUND (ID: LS 308F) IN THE NORTH RIGHT OF WAY LINE OF SAID NORTH OUTER ROAD; THENCE WITH SAID NORTH OUTER ROAD, AS FOLLOWS: NORTH 62 DEGREES 31 MINUTES 53 SECONDS WEST A DISTANCE OF 282.74 FEET TO A 5/8" IRON PIN SET; THENCE NORTH 43 DEGREES 13 MINUTES 33 SECONDS WEST A DISTANCE OF 5.37 FEET TO A 5/8" IRON PIN SET; THENCE WITH THE EAST RIGHT OF WAY LINE OF SAID MID RIVERS MALL DRIVE, AS FOLLOWS: NORTH 02 DEGREES 03 MINUTES 41 SECONDS WEST A DISTANCE OF 188.34 FEET TO A PK NAIL SET; THENCE NORTH 00 DEGREES 59 MINUTES 30 SECONDS EAST A DISTANCE OF 134.00 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 24.97 ACRES, MORE OR LESS.

Draft

EXHIBIT B
Site Plan

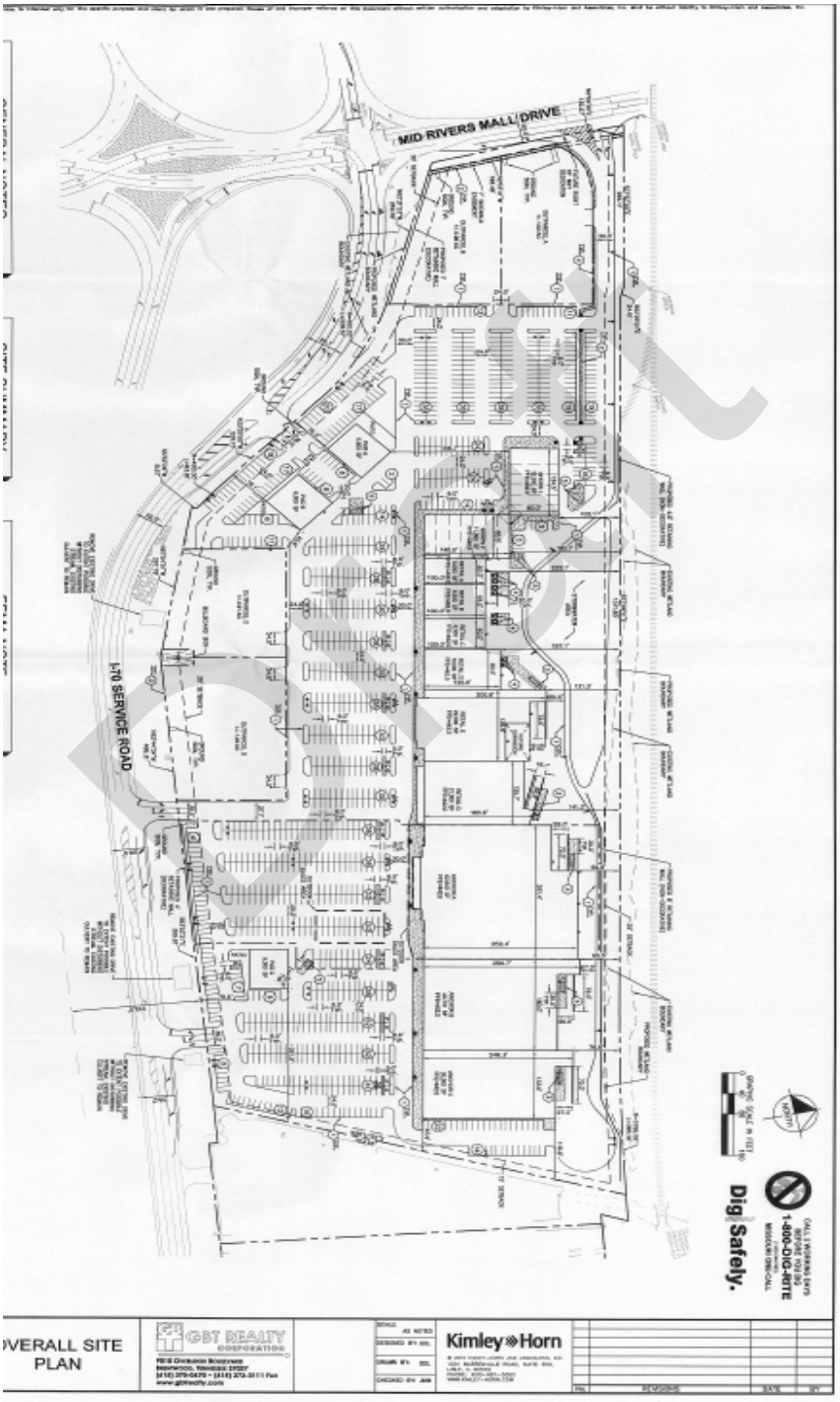


EXHIBIT C
Architectural Design

EXTERIOR MATERIAL LEGEND

ALUM	ALUMINUM STOREFRONT - CHAR BRONZE ANODIZED	BLW1
BR4	ACME BRICKLAR BRICK, COLOR: SLATE GRAY ON SILL	ABR4
BR5	ACME BRICKLAR BRICK, COLOR: MARMOTTO NUTLAR PAVE ON SILL	ABR5
CB1(a)	EXIMET: BRIC WHITE WHITE	ABR6
CB1(b)	EXIMET: BRIC MONASTERY BROWN	PF4
CB1(c)	EXIMET: BRIC BRAMPTON	PF4
CB1(d)	EXIMET: BRIC BRAMPTON TEXTURE COAT OVER CONCRETE PANEL	PF4
CB1(e)	EXIMET: BRIC BRIGHTON	PF4
CB1(f)	EXIMET: BRIC BRIGHTON TEXTURE COAT OVER CONCRETE PANEL	PF4
CB1(g)	BLUE EXIMET BRICK TO PROVIDE THE SAME PRINT OVER WHITE BLENDED BRICK SUBSTRATE RECEIVED BY ARCHITECT. ARCHITECT TO PROVIDE ORIGINAL PRINT TO EXIMET FOR PRODUCTION OF MATERIAL. NEW SOLIDL PRINT ADVANTAGE: SAME MATERIAL AS PREVIOUS PLAZA	PF4
CB1(h)	EXIMET BRIC TO MATCH EXISTING ATTACHED PRINT	PF4
CB1(i)	EXIMET BRIC TO MATCH EXISTING ATTACHED PRINT WHITE TONE	PF4
CMU1	SPLITFACE CMU, PAINTED	SQ-1
CMU2	SMOOTHFACE CMU, PAINTED	

Note: Signage subject to city approval.

05/03/16

GBT REALTY CORPORATION
1010 Overlook Boulevard
Sewickley, Pennsylvania 15143
(412) 370-0670 • (412) 370-3111 Fax
www.gbtrealty.com

THE SHOPPES of MID RIVERS

St. Peters, MO

Note: Signage subject to city approval.

05/03/16

GBT REALTY CORPORATION
1010 Overlook Boulevard
Sewickley, Pennsylvania 15143
(412) 370-0670 • (412) 370-3111 Fax
www.gbtrealty.com

THE SHOPPES of MID RIVERS

St. Peters, MO

Draft

EXHIBIT D

Report of the Director of Planning, Community and Economic Development

Petition 16-10 Mid Rivers Investment Partners LLC: A request for a Special Use Permit in the C-3 General Commercial District for a convenience store with gasoline or petroleum products on an 28.05 +/- acre parcel. The subject site is located on the east side of Mid Rivers Mall Drive, north of Interstate 70. (Ward 1)

Staff Evaluation:

The proposed site is located on the east side of Mid Rivers Mall Drive north of Interstate 70 and fronting on the I-70 Service Road North. The site has been developed with Kaplan Lumber for years; the lumber business has not been active in recent years and the site has been used for a variety of smaller businesses, most recently ABC Roofing. The site is adjacent to a small tract zoned C-3 General Commercial District which is developed with Wm. Nobbe & Co., a John Deere tractor dealership which fronts on I-70 Service Road North.

The proposed overall project, which includes a large retail center and multiple pads and out lots, is proposed to include the area of the Kaplan and Nobbe tracts – approximately twenty –eight acres. The proposed convenience store with gasoline or petroleum products would be developed on one of the out lots which will be part of the overall commercial development.

The surrounding land uses include industrially zoned areas to the north, past the railroad tracts, which include a recycling facility and industrial uses. To the northwest are also some residential properties zoned industrial or agricultural. To the east are car dealers and a large vacant tract zoned commercial and industrial; to the west are commercially zoned properties including a convenience store with gas pumps and a fast food restaurant. Beyond is Old Town St. Peters zoned Special Old Town District.

The site is served by Mid Rivers Mall Drive and I-70 Service Road North – both roads have been designed to carry heavy traffic levels. The primary entrance to the development will be from the service road, with a secondary entrance from Mid Rivers Mall Drive.

Staff is of the opinion the facility can operate without detriment to the area. The business will be located within a major commercial development at an interstate interchange; the location has easy access and the proposed use will serve patrons of the development as well as travelers on the interstate or outer road.

Per the City of St. Peters Zoning Code, the review of any proposed special use must include consideration of certain standards; these are addressed below:

a. *Character of the surrounding area:* The site is located along a major arterial road at a interstate interchange which has another convenience store with fuel pumps in close proximity. The proposed use would be consistent with the nature of the area.

Draft

b. *Traffic conditions in the surrounding area:* The site is served by Mid Rivers Mall Drive and I-70 Service Road North, both of which are improved to serve the land uses in the area and is designed to accommodate substantial traffic levels. Also, some road improvements are planned with the development to ensure the traffic generated by the development can be accommodated.

c. *Public Utility facilities:* The area is currently served with all utilities. Utility services are readily available in this area.

d. *The Comprehensive Plan:* The City's Comprehensive Plan, as amended in 2008, indicates the site area is appropriate for commercial uses and zoning. The proposed use of a convenience store with fuel pumps would be consistent with the plan.

e. *Other matters pertaining to general welfare:* The site is located along a commercial roadway; this location is appropriate for continued commercial development.

Staff Recommendation:

Based on the above review, staff recommends approval of the proposed special use subject to the attached special use permit.

Draft

EXHIBIT E

Planning and Zoning Commission Recommendation

Petition16-10 – Mid Rivers Investment Partners, LLC: A request for a Special Use Permit in the C-3 General Commercial District to permit convenience stores and gas stations on a 28+/- acre parcel. The property is located on the north side of Interstate 70, east of Mid Rivers Mall Drive.

Mr. Jeff Pape and Ms. Fiona Haulter, GBT Realty Corporation, presented this to the Commission for approval. Ms. Haulter explained that the proposed project includes a large retail center and multiple pads and outlots and is proposed to include the area of the Kaplan and Nnobbe tracts. The proposed convenience store with gasoline or petroleum products would be developed on one of the outlots which will be part of the overall commercial development. At the hearing, the special use permit request was amended to include only the Kaplan tract. Chairman McNames opened the public hearing at 6:54 and asked anyone wishing to speak on this petition to please come forward. An unidentified man in the audience had a question related to the location of the convenience store/gas station on the site. Mr. Pape noted that the convenience store/gas station would likely be located on the western portion of the property. Seeing no one else present to comment, Chairman McNames closed the public hearing at 6:54 p.m. Mr. Winslow made a motion and Mr. Westhoff seconded to adopt staff's Findings of Fact as the Commission's Findings of Fact. The motion carried unanimously. Mr. Westhoff made a motion and Ms. Shetterly seconded to recommend approval of this Special Use Permit to the Board of Aldermen. The motion carried unanimously.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

Draft

EXHIBIT F
Application

Convenience Store / gas Station

APPLICATION FOR A SPECIAL USE PERMIT
STATE OF MISSOURI
COUNTY OF ST. CHARLES
CITY OF ST. PETERS

INSTRUCTIONS TO APPLICANT: APPLICATION NUMBER: 116-10

Submit the following to an Administrative Officer:

- ☐ The petition forms completely filled out typed or printed.
- ☐ The petition fee.
  - THE BASE FEE IS $250.00 WHICH SHOULD BE SUBMITTED WITH THIS PETITION.
  - THE APPLICANT WILL BE BILLED $2.00 PER EACH SET OF 3 LETTERS FOR THE ADDITIONAL COST OF THE MAILINGS.
- ☐ A typed and electronic version of the legal description of the property being petitioned.
- ☐ Provide items required by Section 405.780 (D)(2)

NAME OF APPLICANT: Mid Rivers Investment Partners, LLC

IF APPLICANT IS A LIMITED LIABILITY CORPORATION OR INCORPORATION, A COPY OF THE CURRENT OPERATION AGREEMENT OR ARTICLES OF INCORPORATION, WHICHEVER IS APPLICABLE, SHALL BE PROVIDED.

ADDRESS: 9010 Overlook Blvd.

Brentwood, TN ZIP CODE: 37027

TELEPHONE NUMBER: 615-370-0670 FAX: E-MAIL: fhaulter@gbtrealty.com

NAME OF LEGAL OWNER: Kaplan Lumber Company, Inc. and Nobbe Land Trust #101

IF OWNER IS A LIMITED LIABILITY CORPORATION OR INCORPORATION, A COPY OF THE CURRENT OPERATION AGREEMENT OR ARTICLES OF INCORPORATION, WHICHEVER IS APPLICABLE, SHALL BE PROVIDED.

ADDRESS: 5140 N. Service Rd., St. Peters, MO

5160 N. Service Rd., St. Peters, MO ZIP CODE: 63376

TELEPHONE NUMBER: 636-397-4471 FAX: E-MAIL: tomg52@aol.com

CHECK ONE: ☒ OWNER Kaplan ☒ OWNER BY OPTION Nobbe ☐ AGENT ☐ OTHER (SPECIFY):

IF OWNER BY OPTION, INDICATE: DATE OF CONTRACT: See attachments
EXPIRATION DATE: See attachments

LOCATION OF PROPERTY Northeast quadrant of I-70 and Mid Rivers Mall Dr. Interchange

ACREAGE TO THE NEAREST $^{1}/_{10}$ OF AN ACRE OF THE PROPERTY BEING PETITIONED: 28.05

Draft

PRESENT ZONING CLASSIFICATION: Kaplan: I-1 (C-3 requested); Nobbe: C-3

PRESENT USE: Commercial

PROPOSED USE: Shopping Center

DESCRIBE IN DETAIL THE SPECIAL USE PROPOSED AND JUSTIFICATION FOR THE REQUEST (MAY BE ATTACHED):
Convenience Store/Gas Station,

The special use permits will support the uses of the proposed retailers.

SIGNATURE OF APPLICANT (MUST BE NOTARIZED):

DATE: 5/3/2016

STATE OF ~~MISSOURI~~ TENNESSEE
COUNTY OF ~~ST. CHARLES~~ Williamson SS

On this 3rd (number date) day of May (month), 2016 (year), before me personally appeared

Fiona Haulter To me known, who, being by me duly sworn, did say that they have signed the foregoing instrument of their own free will and deed. 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.

Tiffany S. Prewitt
Notary Public

My Commission Expires: 8/23/2016

TIFFANY S. PREWITT
NOTARY PUBLIC
OF
TENNESSEE
NOTARY
PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES:
August 23, 2016

SIGNATURE OF LEGAL OWNER (MUST BE NOTARIZED): Leonard Kaplan

DATE: 5-4-16

STATE OF MISSOURI
COUNTY OF ST. CHARLES SS

On this 4th (number date) day of May (month), 2016 (year) before me personally appeared

Leonard Kaplan To me known, who, being by me duly sworn, did say that they have signed the foregoing instrument of their own free will and deed. 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.

Diane L Rosales
Notary Public

My Commission Expires: Oct. 19, 2018

DIANE L. ROSALES
Notary Public - Notary Seal
St. Charles County, STATE OF MISSOURI
My Commission Expires: Oct. 19, 2018
Commission #14031880

TO BE COMPLETED BY ADMINISTRATIVE OFFICE

DATE FILED: May (month) 9 (day), 2016 (year)

FEE PAID: $ ✓ ($250.00)

$ _____ (Mailing)

Draft

ORDINANCE NO.

AN ORDINANCE APPROVING A SPECIAL USE PERMIT IN THE C-3 GENERAL COMMERCIAL DISTRICT TO PERMIT KENNELS IN RESPONSE TO PETITION 16-11 (MID RIVERS INVESTMENT PARTNERS, LLC) AND ADOPTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW WITH RESPECT THERETO

WHEREAS, by Petition to the Board of Aldermen, a special use permit was requested in the C-3 General Commercial District to permit kennels and

WHEREAS, the Board of Aldermen of the City of St. Peters, Missouri, did refer this Petition to the City's Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission did hold a Public Hearing on this proposed special use; and

WHEREAS, the said Planning and Zoning Commission of the City did consider this Petition and did recommend approval of this petition to the Board of Aldermen; and

WHEREAS, at the Public Hearing persons in interest and citizens were given an opportunity to be heard on this proposed special use.

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

SECTION 1. The Board of Aldermen of the City of St. Peters, Missouri, does hereby approve the Special Use Permit, attached herewith and marked as Exhibit "A", for Mid Rivers Investment Partners, LLC, to permit kennels:

LEGAL DESCRIPTION

BEING ALL OF LOT 1 OF THE KAPLAN LUMBER CO. INC. PROPERTY, RECORDED IN PLAT BOOK 34, PAGE 362, IN THE REGISTER'S OFFICE FOR ST. CHARLES COUNTY, MISSOURI, AND MAY BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" PIPE FOUND (ID: LS2840) IN THE RIGHT OF WAY LINE INTERSECTION OF MID RIVERS MALL DRIVE AND NORFOLK AND WESTERN RAILROAD, SAID PIPE ALSO BEING THE NORTHWEST CORNER OF LOT 1, KAPLAN SUBDIVISION, PLAT TWO, PLAT BOOK 34, PAGE 362;

Draft

THENCE WITH THE SOUTH RIGHT OF WAY LINE OF SAID NORFOLK AND WESTERN RAILROAD, AS FOLLOWS: SOUTH 77 DEGREES 57 MINUTES 00 SECONDS EAST A DISTANCE OF 314.39 FEET TO A 1/2" PIPE FOUND (ID: LS2840); THENCE SOUTH 62 DEGREES 29 MINUTES 01 SECONDS EAST A DISTANCE OF 24.61 FEET TO A 1/2" IRON PIN FOUND (NO ID); THENCE SOUTH 77 DEGREES 56 MINUTES 11 SECONDS EAST A DISTANCE OF 1371.83 FEET TO A 1/2" IRON PIN FOUND (NO ID); THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 385.16 FEET, WITH A RADIUS OF 5786.08 FEET, WITH A CHORD BEARING OF SOUTH 79 DEGREES 50 MINUTES 24 SECONDS EAST, WITH A CHORD LENGTH OF 385.09 FEET TO 1/2" PIPE FOUND (ID: LS2840); THENCE LEAVING SAID RIGHT OF WAY LINE WITH THE WEST LINE OF LOT 2, KAPLAN SUBDIVISION, PLAT TWO, PLAT BOOK 34, PAGE 362 SOUTH 26 DEGREES 11 MINUTES 55 SECONDS WEST A DISTANCE OF 703.66 FEET TO A 1/2" PIPE FOUND IN THE NORTH RIGHT OF WAY LINE OF NORTH OUTER ROAD, MISSOURI INTERSTATE HIGHWAY 70; THENCE WITH THE SAID NORTH RIGHT OF WAY LINE NORTH 83 DEGREES 52 MINUTES 21 SECONDS WEST A DISTANCE OF 399.01 FEET TO A 1/2" PIPE FOUND (ID: LS308F); THENCE LEAVING SAID RIGHT OF WAY LINE WITH THE NORTH LINE OF THE 5160 LLC PROPERTY, RECORDED IN BOOK 5622, PAGE 889 AND BOOK 1672, PAGE 720 NORTH 62 DEGREES 30 MINUTES 21 SECONDS WEST A DISTANCE OF 1221.45 FEET TO A 1/2" IRON PIN FOUND (ID: LS 308F) IN THE NORTH RIGHT OF WAY LINE OF SAID NORTH OUTER ROAD; THENCE WITH SAID NORTH OUTER ROAD, AS FOLLOWS: NORTH 62 DEGREES 31 MINUTES 53 SECONDS WEST A DISTANCE OF 282.74 FEET TO A 5/8" IRON PIN SET; THENCE NORTH 43 DEGREES 13 MINUTES 33 SECONDS WEST A DISTANCE OF 5.37 FEET TO A 5/8" IRON PIN SET; THENCE WITH THE EAST RIGHT OF WAY LINE OF SAID MID RIVERS MALL DRIVE, AS FOLLOWS: NORTH 02 DEGREES 03 MINUTES 41 SECONDS WEST A DISTANCE OF 188.34 FEET TO A PK NAIL SET; THENCE NORTH 00 DEGREES 59 MINUTES 30 SECONDS EAST A DISTANCE OF 134.00 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 24.97 ACRES, MORE OR LESS.

and states it will not adversely affect the character or the traffic conditions of the surrounding area, nor adversely affect the public utility facilities, that this Special Use complies with the Comprehensive Plan of the City and with other matters pertaining to the general welfare of its residents.

SECTION 2. The Board of Aldermen of the City of St. Peters, Missouri, does hereby authorize the requested special use by Mid Rivers Investment Partners, LLC, in the C-3 General Commercial District to permit kennels at the subject site.

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

Draft

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 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Draft

Exhibit A

BEFORE THE BOARD OF ALDERMEN
OF THE CITY OF ST. PETERS, MISSOURI

	)	
	)	
	)	
In re: Application for Special Use	)	
Permit --	)	
	)	Application No. 16-11
Mid Rivers Investment Partners, LLC	)	
Applicant	)	

Draft

FINDINGS OF FACT AND CONCLUSION OF LAW

INTRODUCTION

On May 9, 2016, pursuant to the requirements of Section 405.780 of the Code of the City of St. Peters, Missouri (the "City Code"), Mid Rivers Investment Partners, LLC (the "Applicant") submitted to the City of St. Peters, Missouri (the "City"), Application No. 16-11 for a Special Use Permit requesting a permit to use certain property within the C-3 General Commercial District for kennels, including interior and exterior kennels (the "Application"), which property is more particularly described in the legal description attached hereto as **Exhibit A** ("the Property"). Specifically, the Applicant requested the following use:

"Internal Kennels"

Pursuant to the Application and the requirements of the Section 405.780.C.4 of the City Code, a hearing was conducted before the Board of Alderman on June 23, 2016, a copy of the video recording of which is available in the office of the City Clerk and is incorporated by reference herein (the "Hearing"). At such Hearing all persons-in-interest and other citizens were given an opportunity to be heard regarding the proposed Special Use Permit.

The Board of Aldermen makes its findings based upon the following:

A. The Application submitted by the applicant on May 9, 2016 a copy of which is attached hereto as **Exhibit F** and incorporated by reference herein;

B. The sworn testimony of _____, provided at the Hearing;

C. The Site Plan, a copy of which is attached hereto as **Exhibit B** and incorporated by reference herein**;**

D. The City Code, a copy of which is on file in the office of the City Clerk, and incorporated as though fully set forth herein;

E. The City's Comprehensive Plan, a copy of which is available in the office of the City Clerk and incorporated by reference herein;

F. The Zoning Map of the City, a copy of which is available in the office of the City Clerk and incorporated by reference herein;

G. The Report of the Director of Planning, Community and Economic Development, a copy of which is attached hereto as **Exhibit D** and incorporated by reference herein; and

H. The Recommendation of Planning and Zoning Commission, a copy of which is attached hereto as **Exhibit E** and incorporated by reference herein.

FINDINGS OF FACT

A. The Property is owned by Kaplan Lumber Company, Inc. (the "Owner").

B. The Property is located in the C-3 General Commercial District.

C. Section 405.210(D)(5) of the City Code provides that Special Uses within the C-3 General Commercial District include "Kennels, including interior and exterior kennels".

CONCLUSIONS OF LAW

At a public meeting held on June 23, 2016, the Board of Aldermen of the City of St. Peters, Missouri, reviewed and discussed the Application, the sworn testimony and the additional information presented by all interested parties. Following discussion of the foregoing, and after each Board Member had been provided the opportunity to express their respective thoughts concerning the Application, a motion was made to approve the Application, with details of the motion, seconding of the motion, and vote of the Board members set forth in the approved minutes of the Board of Aldermen from the meeting. The vote of the Board was _____) in the affirmative, _____ in the negative, and _____ member(s) absent. The motion passed and the Application was approved.

Draft

Pursuant to the foregoing vote, the Board of Aldermen makes the following conclusions of law:

A. The proposed Special Use complies with all applicable provisions of the City Code, including intensity of use regulations, setback regulations and use limitations.

B. The proposed Special Use of the Property will contribute to and promote the general, welfare, health, safety and convenience of the public.

C. The location and size of the Special Use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the Property with respect to streets giving access to it are such that the Special Use will not adversely affect the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.

D. Off-street parking and loading areas will be provided in accordance with the standards set forth in the City Code.

E. Adequate utility, drainage and other such necessary facilities have been or will be provided on the Property.

F. Adequate access roads, entrances and exit drives are being provided and are so designed to prevent traffic hazards and to minimize traffic congestion on public streets and alleys.

Based on all of the circumstances, including the Application and the evidence presented to the Board of Aldermen, the Special Use Permit requested pursuant to the Application shall be, and hereby is GRANTED subject to the following terms and conditions:

A. Uses:

This Special Use Permit shall authorize the use of the Property for kennels, including interior and exterior kennels. Any modifications to the Property shall be subject to prior approval by the Planning and Zoning Commission, with minor modifications to be approved by the City's Planning Department.

B. General Requirements:

1. The Premises shall be operated in compliance with all requirements of the St. Peters City Code.

2. All animals shall be housed inside a permanent climate controlled (heated and air-conditioned) building.

3. A six (6) foot tall sight proof vinyl fence shall screen all exterior animal runs, exercise, and training areas.

Draft

4. No animal shall be kept upon the premises that by frequent and habitual barking, yelping, howling or whining causes fear or annoyance to persons living or working in the immediate area; or to persons passing upon the streets or sidewalks during daylight or night hours.

C. If any provision of the permit shall to any extent be invalid or unenforceable, the remainder of the permit shall not be affected thereby, and each such provision of the permit shall be valid and enforceable to the fullest extent permitted by law.

D. The Special Use Permit shall only be valid for a period of one (1) year from the date of its approval by the Board of Alderman, unless within such period:

   a. a building permit or occupancy permit is issued for and the herein permitted use of the Property is commenced; or

   b. the Board of Aldermen, upon written request of the Applicant, grants an extension not exceeding one year, without notice of hearing.

E. The terms and conditions herein set forth shall be deemed to be covenants running with the Property.

F. The Owner, Applicant, and their successors in interest, shall comply with all other requirements of the City's Zoning and Subdivision Regulations, including but not limited to parking and signage requirements, and any other city, state, or federal regulations that are applicable unless otherwise stated herein.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

Draft

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the _____ day of _____, 2016.

CITY OF ST. PETERS, MISSOURI

SEAL

By_____
Len Pagano, Mayor

Attest:

_____
Patricia E. Smith, City Clerk

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

On this _____ day of _____, 2016, before me appeared LEN PAGANO, to me personally known, who, being by me duly sworn, did say the he is the Mayor of the CITY OF ST. PETERS, MISSOURI, a municipal corporation, 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, said LEN PAGANO acknowledged said instrument to be 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:

Draft

OWNER: KAPLAN LUMBER COMPANY, INC.

By:_____
Leonard Kaplan, President

STATE OF MISSOURI)
) SS.
COUNTY OF _____)

On this _____day of _____, 2016, before me appeared Leonard Kaplan, who, being by me duly sworn did say that he is the President of Kaplan Lumber Company, Inc., a Missouri corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation, and said Leonard Kaplan, by authority of its Board of Directors, 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 the day and year first above written.

_____
Notary Public

My Commission Expires:

Draft

APPLICANT: MID RIVERS INVESTMENT PARTNERS, LLC

By:_____

STATE OF MISSOURI)
) SS.
COUNTY OF _____)

On this _____ day of _____, 2016, before me personally appeared _____, to me personally known, who, being by me duly sworn, did say that he/she is a _____ of Mid Rivers Investment Partners, LLC, a Missouri limited liability company, and that said instrument was signed on behalf of said limited liability company; and said _____ acknowledged said instrument to be the free act and deed of said limited liability company.

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

_____
Notary Public

My Commission Expires:

Draft

EXHIBIT A

BEING ALL OF LOT 1 OF THE KAPLAN LUMBER CO. INC. PROPERTY, RECORDED IN PLAT BOOK 34, PAGE 362, IN THE REGISTER'S OFFICE FOR ST. CHARLES COUNTY, MISSOURI, AND MAY BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" PIPE FOUND (ID: LS2840) IN THE RIGHT OF WAY LINE INTERSECTION OF MID RIVERS MALL DRIVE AND NORFOLK AND WESTERN RAILROAD, SAID PIPE ALSO BEING THE NORTHWEST CORNER OF LOT 1, KAPLAN SUBDIVISION, PLAT TWO, PLAT BOOK 34, PAGE 362; THENCE WITH THE SOUTH RIGHT OF WAY LINE OF SAID NORFOLK AND WESTERN RAILROAD, AS FOLLOWS: SOUTH 77 DEGREES 57 MINUTES 00 SECONDS EAST A DISTANCE OF 314.39 FEET TO A 1/2" PIPE FOUND (ID: LS2840); THENCE SOUTH 62 DEGREES 29 MINUTES 01 SECONDS EAST A DISTANCE OF 24.61 FEET TO A 1/2" IRON PIN FOUND (NO ID); THENCE SOUTH 77 DEGREES 56 MINUTES 11 SECONDS EAST A DISTANCE OF 1371.83 FEET TO A 1/2" IRON PIN FOUND (NO ID); THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 385.16 FEET, WITH A RADIUS OF 5786.08 FEET, WITH A CHORD BEARING OF SOUTH 79 DEGREES 50 MINUTES 24 SECONDS EAST, WITH A CHORD LENGTH OF 385.09 FEET TO 1/2" PIPE FOUND (ID: LS2840); THENCE LEAVING SAID RIGHT OF WAY LINE WITH THE WEST LINE OF LOT 2, KAPLAN SUBDIVISION, PLAT TWO, PLAT BOOK 34, PAGE 362 SOUTH 26 DEGREES 11 MINUTES 55 SECONDS WEST A DISTANCE OF 703.66 FEET TO A 1/2" PIPE FOUND IN THE NORTH RIGHT OF WAY LINE OF NORTH OUTER ROAD, MISSOURI INTERSTATE HIGHWAY 70; THENCE WITH THE SAID NORTH RIGHT OF WAY LINE NORTH 83 DEGREES 52 MINUTES 21 SECONDS WEST A DISTANCE OF 399.01 FEET TO A 1/2" PIPE FOUND (ID: LS308F); THENCE LEAVING SAID RIGHT OF WAY LINE WITH THE NORTH LINE OF THE 5160 LLC PROPERTY, RECORDED IN BOOK 5622, PAGE 889 AND BOOK 1672, PAGE 720 NORTH 62 DEGREES 30 MINUTES 21 SECONDS WEST A DISTANCE OF 1221.45 FEET TO A 1/2" IRON PIN FOUND (ID: LS 308F) IN THE NORTH RIGHT OF WAY LINE OF SAID NORTH OUTER ROAD; THENCE WITH SAID NORTH OUTER ROAD, AS FOLLOWS: NORTH 62 DEGREES 31 MINUTES 53 SECONDS WEST A DISTANCE OF 282.74 FEET TO A 5/8" IRON PIN SET; THENCE NORTH 43 DEGREES 13 MINUTES 33 SECONDS WEST A DISTANCE OF 5.37 FEET TO A 5/8" IRON PIN SET; THENCE WITH THE EAST RIGHT OF WAY LINE OF SAID MID RIVERS MALL DRIVE, AS FOLLOWS: NORTH 02 DEGREES 03 MINUTES 41 SECONDS WEST A DISTANCE OF 188.34 FEET TO A PK NAIL SET; THENCE NORTH 00 DEGREES 59 MINUTES 30 SECONDS EAST A DISTANCE OF 134.00 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 24.97 ACRES, MORE OR LESS.

Draft

EXHIBIT B
Site Plan

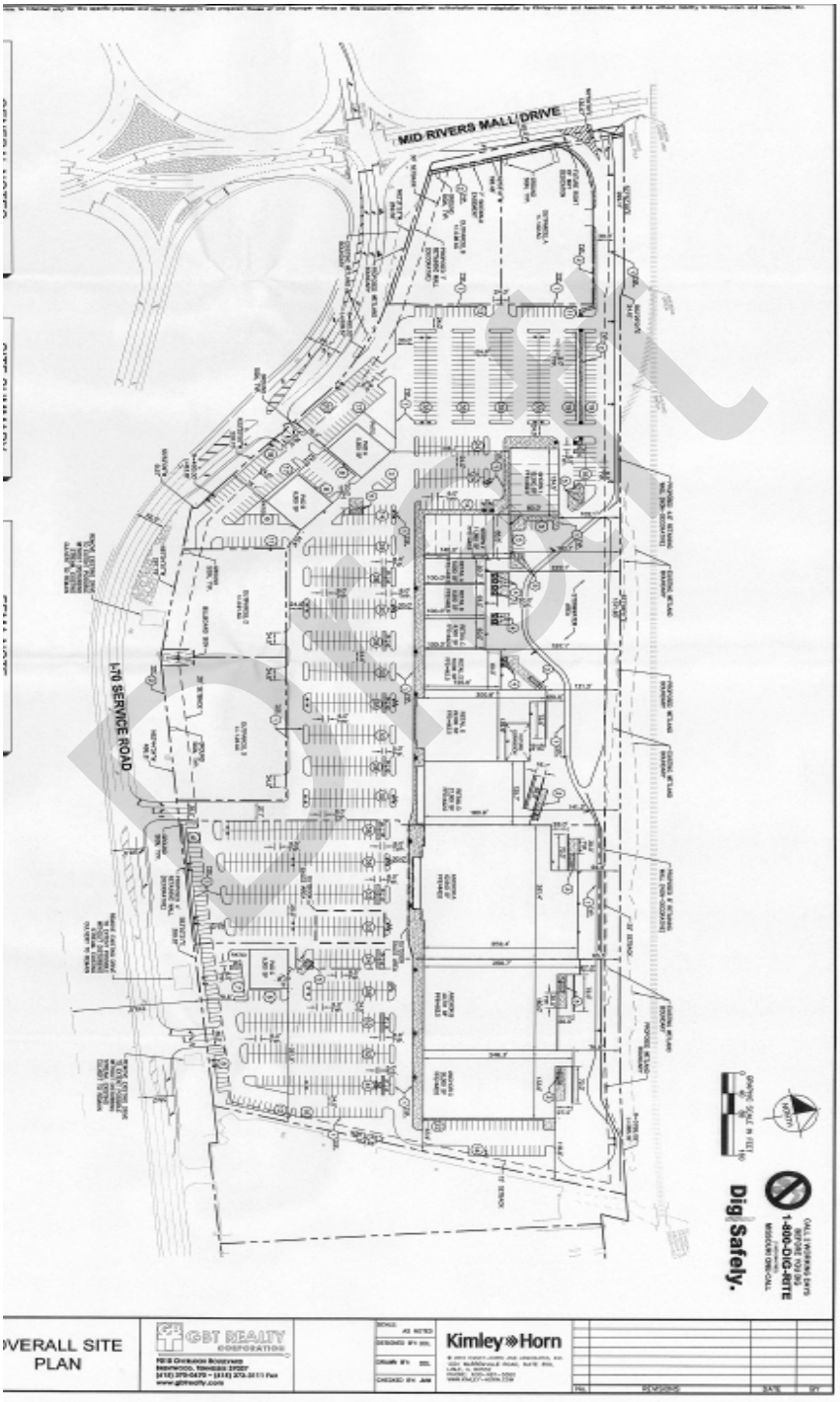


EXHIBIT C
Architectural Design

Note: Signage subject to city approval.
05/03/16
GBT REALTY CORPORATION
THE SHOPPES of MID RIVERS
St. Peters, MO

Draft

EXHIBIT D

Report of the Director of Planning, Community and Economic Development

Petition 16-11 Mid Rivers Investment Partners LLC: A request for a Special Use Permit in the C-3 General Commercial District for a kennel on a 28.05 +/- acre parcel. The subject site is located on the east side of Mid Rivers Mall Drive, north of Interstate 70. (Ward 1)

Staff Evaluation:

The proposed site is located on the east side of Mid Rivers Mall Drive north of Interstate 70 and fronting on the I-70 Service Road North. The site has been developed with Kaplan Lumber for years; the lumber business has not been active in recent years and the site has been used for a variety of smaller businesses, most recently ABC Roofing. The site is adjacent to a small tract zoned C-3 General Commercial District which is developed with Wm. Nobbe & Co., a John Deere tractor dealership which fronts on I-70 Service Road North.

The proposed overall project, which includes a large retail center and multiple pads and out lots, is proposed to include the area of the Kaplan and Nobbe tracts – approximately twenty –eight acres. The proposed kennel would likely be a component of a pet store within the center, although an individual kennel would also be allowed.

The surrounding land uses include industrially zoned areas to the north, past the railroad tracts, which include a recycling facility and industrial uses. To the northwest are also some residential properties zoned industrial or agricultural. To the east are car dealers and a large vacant tract zoned commercial and industrial; to the west are commercially zoned properties including a convenience store with gas pumps and a fast food restaurant. Beyond is Old Town St. Peters zoned Special Old Town District.

The site is served by Mid Rivers Mall Drive and I-70 Service Road North – both roads have been designed to carry heavy traffic levels. The primary entrance to the development will be from the service road, with a secondary entrance from Mid Rivers Mall Drive.

Staff is of the opinion a kennel can operate without detriment to the area. The business will be located within a major commercial development at an interstate interchange; the location has easy access and ample parking to accommodate all customers.

Staff notes that the proposed special use permit for a kennel includes conditions typical for kennels in St. Peters. This includes requirements for screening of outdoor activity and limitations on noise.

Draft

Per the City of St. Peters Zoning Code, the review of any proposed special use must include consideration of certain standards; these are addressed below:

a. *Character of the surrounding area:* The site is located along a major arterial road at an interstate interchange; the proposed use would be consistent with the nature of the area.

b. *Traffic conditions in the surrounding area:* The site is served by Mid Rivers Mall Drive and I-70 Service Road North, both of which are improved to serve the land uses in the area and is designed to accommodate substantial traffic levels. Also, some road improvements are planned with the development to ensure the traffic generated by the development can be accommodated.

c. *Public Utility facilities:* The area is currently served with all utilities. Utility services are readily available in this area.

d. *The Comprehensive Plan:* The City's Comprehensive Plan, as amended in 2008, indicates the site area is appropriate for commercial uses and zoning. The proposed use of a kennel would be consistent with the plan.

e. *Other matters pertaining to general welfare:* The site is located along a commercial roadway; this location is appropriate for continued commercial development.

Staff Recommendation:

Based on the above review, staff recommends approval of the proposed special use subject to the attached special use permit.

Draft

EXHIBIT E

Planning and Zoning Commission Recommendation

Petition 16-11 – Mid Rivers Investment Partners, LLC: A request for a Special Use Permit in the C-3 General Commercial District to permit kennels on a 28 +/- acre parcel. The property is located on the north side of Interstate 70, east side of Mid Rivers Mall Drive.

Mr. Jeff Pape and Ms. Fiona Halter, GBT Realty Corporation, presented this to the Commission for approval. Ms. Haulter explained that the proposed project includes a large retail center and multiple pads and outlots and is proposed to include the area of the Kaplan tract and the Nobbe tract. The proposed kennel would likely be a component of a pet store within the center. At the hearing, the special use permit request was amended to include only the Kaplan tract. Chairman McNames opened the public hearing at 6:56 p.m. and asked anyone wishing to speak on this petition to please come forward. Seeing no one present to comment, Chairman McNames closed the public hearing at 6:56 p.m. Mr. Westhoff made a motion and Ms. Shetterly seconded to adopt staff's Findings of Fact as the Commission's Findings of Fact. The motion carried unanimously. Mr. Yoffie made a motion and Ms. O'Mara seconded to recommend approval of this Special Use Permit to the Board of Aldermen. The motion carried unanimously.

Draft

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

EXHIBIT F
Application

Kennels

APPLICATION FOR A SPECIAL USE PERMIT
STATE OF MISSOURI
COUNTY OF ST. CHARLES
CITY OF ST. PETERS

INSTRUCTIONS TO APPLICANT: APPLICATION NUMBER: 16-11

Submit the following to an Administrative Officer:

- ☐ The petition forms completely filled out typed or printed.
- ☐ The petition fee.
  - THE BASE FEE IS $250.00 WHICH SHOULD BE SUBMITTED WITH THIS PETITION.
  - THE APPLICANT WILL BE BILLED $2.00 PER EACH SET OF 3 LETTERS FOR THE ADDITIONAL COST OF THE MAILINGS.
- ☐ A typed and electronic version of the legal description of the property being petitioned.
- ☐ Provide items required by Section 405.780 (D)(2)

NAME OF APPLICANT: Mid Rivers Investment Partners, LLC

IF APPLICANT IS A LIMITED LIABILITY CORPORATION OR INCORPORATION, A COPY OF THE CURRENT OPERATION AGREEMENT OR ARTICLES OF INCORPORATION, WHICHEVER IS APPLICABLE, SHALL BE PROVIDED.

ADDRESS: 9010 Overlook Blvd.

Brentwood, TN ZIP CODE: 37027

TELEPHONE NUMBER: 615-370-0670 FAX: E-MAIL: fhaulter@gbtrealty.com

NAME OF LEGAL OWNER: Kaplan Lumber Company, Inc. and Nobbe Land Trust #101

IF OWNER IS A LIMITED LIABILITY CORPORATION OR INCORPORATION, A COPY OF THE CURRENT OPERATION AGREEMENT OR ARTICLES OF INCORPORATION, WHICHEVER IS APPLICABLE, SHALL BE PROVIDED.

ADDRESS: 5140 N. Service Rd., St. Peters, MO

5160 N. Service Rd., St. Peters, MO ZIP CODE: 63376

TELEPHONE NUMBER: 636-397-4471 FAX: E-MAIL: tomg52@aol.com

CHECK ONE: ☒ OWNER Kaplan ☒ OWNER BY OPTION Nobbe ☐ AGENT ☐ OTHER (SPECIFY):

IF OWNER BY OPTION, INDICATE: DATE OF CONTRACT: See attachments
EXPIRATION DATE: See attachments

LOCATION OF PROPERTY Northeast quadrant of I-70 and Mid Rivers Mall Dr. Interchange

ACREAGE TO THE NEAREST $^1/_{10}$ OF AN ACRE OF THE PROPERTY BEING PETITIONED: 28.05

Draft

PRESENT ZONING CLASSIFICATION: Kaplan: I-1 (C-3 requested); Nobbe: C-3

PRESENT USE: Commercial

PROPOSED USE: Shopping Center

DESCRIBE IN DETAIL THE SPECIAL USE PROPOSED AND JUSTIFICATION FOR THE REQUEST (MAY BE ATTACHED):
Internal Kennels

The special use permits will support the uses of the proposed retailers.

SIGNATURE OF APPLICANT (MUST BE NOTARIZED):

DATE: 5/3/2016

STATE OF ~~MISSOURI~~ TENNESSEE
COUNTY OF ~~ST. CHARLES~~ WILLIAMSON SS

On this 3rd (number date) day of May (month), 2016 (year), before me personally appeared Fiona Haulter To me known, who, being by me duly sworn, did say that they have signed the foregoing instrument of their own free will and deed. 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.

Tyffany S. Prewitt
Notary Public

STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission Expires: 8/23/2016

MY COMMISSION EXPIRES: August 23, 2016

SIGNATURE OF LEGAL OWNER (MUST BE NOTARIZED): Leonard Kaplan

DATE: 5-4-16

STATE OF MISSOURI
COUNTY OF ST. CHARLES SS

On this 4th (number date) day of May (month), 2016 (year) before me personally appeared Leonard Kaplan To me known, who, being by me duly sworn, did say that they have signed the foregoing instrument of their own free will and deed. 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.

Diane L Rosales
Notary Public

DIANE L. ROSALES
Notary Public - Notary Seal
St. Charles County, STATE OF MISSOURI
My Commission Expires: Oct. 19, 2018
Commission #14031880

My Commission Expires: Oct. 19, 2018

TO BE COMPLETED BY ADMINISTRATIVE OFFICE

DATE FILED: May (month) 9 (day), 2016 (year)

FEE PAID: $ ✓ ($250.00)

$ _____ (Mailing)

Draft

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE FORM OF A REDEVELOPMENT AGREEMENT WITH MID RIVERS INVESTMENT PARTNERS, LLC AND AUTHORIZING AND DIRECTING THE EXECUTION THEREOF

WHEREAS, the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "TIF Act"), authorizes municipalities to undertake redevelopment projects in blighted, conservation or economic development areas, as defined in the TIF Act; and

WHEREAS, pursuant to Ordinance Nos. 2469 and 2470, adopted on May 23, 1996, the Board of Aldermen: (a) designated 725 acres of real property within the City, including the area located at the northeast corner of Interstate 70 and Mid-Rivers Mall Drive, as a "redevelopment area" (the "Redevelopment Area") pursuant to the TIF Act; (b) approved the Redevelopment Plan, Old Town Levee Redevelopment Area dated March 12, 1996 (the "Redevelopment Plan") and the redevelopment projects described therein; (c) created a special allocation fund and various accounts therein; and (d) adopted tax increment financing ("TIF") within the Redevelopment Area; and

WHEREAS, Mid Rivers Investment Partners, LLC (the "Developer") has announced plans to acquire and develop approximately 28.0 acres of real property within the Redevelopment Area (the "Project Site") as a retail shopping center with various outlots and a parking lot (the "Developer Project"), and will incur significant costs associated with site work and public infrastructure, demolition of existing buildings and structures, and related design, engineering, architectural and legal costs to complete the Developer Project; and

WHEREAS, the Developer has requested to be reimbursed for a portion of the costs of completing the Developer Project and other site work and public improvements from existing and future TIF revenues and additional revenues from a proposed community improvement district on the property within the Project Site (the "District"); and

WHEREAS, the City is willing to enter into a redevelopment agreement with the Developer and the District to provide for reimbursement of certain costs, if the Developer performs certain obligations prescribed in the redevelopment agreement;

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

SECTION 1. The Redevelopment Agreement among the City, the Developer and the District (the "Redevelopment Agreement"), substantially in the form of **Exhibit A** attached hereto, is hereby approved, with such changes therein as shall be approved by the officers of the City executing such Redevelopment Agreement, such officers' signatures thereon being conclusive evidence of their approval thereof.

SECTION 2. The City is hereby authorized to enter into and the Mayor and the City Clerk are hereby authorized and directed to execute and deliver, for and on behalf of and as the act and deed of the City, the Redevelopment Agreement, and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Draft

SECTION 3. The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of the Ordinance are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the Board of Aldermen has enacted the valid portions without the void ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION 4. This Ordinance shall be in full force and effect from and after the date of its passage and approval; provided, if the Developer has not executed the Redevelopment Agreement within 30 days after passage of this Ordinance, all rights conferred by this Ordinance on the Developer shall terminate.

Read two times, passed, and approved this 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

(SEAL)

Attest:_____
Patricia E. Smith, City Clerk

Approved this ____ day of June, 2016.

_____
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Draft

Exhibit A

REDEVELOPMENT AGREEMENT

This **REDEVELOPMENT AGREEMENT** ("Agreement") is made and entered into as of _____ __, 2016 (the "Effective Date") by and among the **CITY OF ST. PETERS, MISSOURI**, a fourth class city organized and existing under the laws of the State of Missouri (the "City"), **MID RIVERS INVESTMENT PARTNERS, LLC**, a limited liability company organized and existing under the laws of the State of Georgia, and its permitted successors and assigns (the "Developer"), and, upon its formation, **SHOPPES OF MID RIVERS COMMUNITY IMPROVEMENT DISTRICT**, a community improvement district organized and existing under the laws of the State of Missouri (the "District").

RECITALS

1. The Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "TIF Act"), authorizes municipalities to undertake redevelopment projects in blighted, conservation or economic development areas, as defined in the TIF Act.

2. Pursuant to Ordinance Nos. 2469 and 2470, adopted on May 23, 1996, the Board of Aldermen for the City: (a) designated 725 acres of real property within the City, including the area located at the northeast corner of Interstate 70 and Mid-Rivers Mall Drive, as a "redevelopment area" (the "Redevelopment Area") pursuant to the TIF Act; (b) approved the Redevelopment Plan, Old Town Levee Redevelopment Area dated March 12, 1996 (the "Redevelopment Plan") and the redevelopment projects described therein; (c) created a special allocation fund and various accounts therein; and (d) adopted tax increment financing ("TIF") within the Redevelopment Area.

3. The Developer plans to acquire and develop approximately 28.0 acres of real property within the Redevelopment Area (the "Project Site") as a retail shopping center with various outlots and a parking lot (the "Developer Project"). The Developer Project is within the scope of the redevelopment projects described in the Redevelopment Plan. The Developer will incur a significant amount of costs associated with site work and public infrastructure, demolition of existing buildings and structures, and related design, engineering, architectural and legal costs to complete the Developer Project.

4. The Parties agree that the Developer shall be reimbursed for a portion of the costs of completing the Developer Project and other site work and public improvements from existing and future TIF revenues and additional revenues from a proposed community improvement district on the property within the Project Site (the "District"). The Parties desire to enter into this Agreement to provide for the process by which the City and the District will reimburse the Developer for Reimbursable Developer Project Costs (as defined herein) and to provide the City with assurances regarding the implementation of the Developer Project.

5. Pursuant to Ordinance No. [____] adopted on June __, 2016, the Board of Aldermen for the City has authorized the City to enter into this Agreement to provide the terms and conditions upon which the Developer will construct the Developer Project and be reimbursed for certain costs, as contemplated by the TIF Act, the Redevelopment Plan and the CID Act.

AGREEMENT

Draft

NOW, THEREFORE, in consideration of the premises and mutual promises contained herein and other good and valuable consideration, the adequacy and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

Section 1. Recitals and Exhibits. The representations, covenants and recitations set forth in the foregoing recitals and the exhibits attached to this Agreement are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth in this Section, and the appropriate exhibits are incorporated into each Section of this Agreement that makes reference to an exhibit.

Section 2. Definitions. Words and terms defined elsewhere in this Agreement shall have the meanings assigned therein. Whenever used in this Agreement, the following words and phrases, unless the context otherwise requires, shall have the following meanings:

"Agreement" shall mean this Redevelopment Agreement, as amended from time to time in accordance with its terms.

"Annual Operating Fund Deposit" shall mean (a) for the fiscal year ending September 30, 2017, an amount not to exceed $20,000; and (b) for each fiscal year of the District thereafter, an amount not to exceed the amount for the immediately preceding fiscal year plus two percent (2%).

"Authorized City Representative" means the Mayor or City Administrator or such other person or persons from time to time designated by the Board of Aldermen as the person or persons authorized to act on behalf of the City under this Agreement.

"Authorized District Representative" means the Chair or Executive Director or such other person or persons designated by the Board of Directors of the District as the persons or persons authorized to act on behalf of the District under this Agreement.

"**Available TIF Revenues**" means 100% of the existing and future incremental real property taxes and economic activity taxes described in Sections 99.845.1(2)(a) and 99.845.3 of the TIF Act, respectively, that are: (i) available after funding of the Prior City TIF Commitments, (ii) available after declaring certain revenues as "surplus" under the TIF Act and paying such revenues to the applicable taxing districts, (iii) received by the City prior to May 1, 2019, and (iv) deposited in the Special Allocation Fund pursuant to the TIF Act and the Redevelopment Plan, provided, however, no revenues that are subject to a challenge or protest shall be included in the definition of Available TIF Revenues until such challenge or protest is resolved, and provided further, in no event shall the Available TIF Revenues paid for Reimbursable TIF Project Costs exceed the Maximum TIF Reimbursement Amount in the aggregate. For purposes of clarification and to avoid any confusion, the City has previously declared and intends to continue to declare certain tax increment financing revenues as surplus. Future "surplus" revenues will be in an amount equal to the total incremental sales tax revenues from the City's 0.5% transportation sales tax, St. Charles County's 0.5% transportation sales tax and St. Charles County's 0.25% capital improvement sales tax that are required to be deposited into the Special Allocation Fund by operation of the TIF Act.

"Board of Aldermen" means the governing body of the City.

"Board of Directors" means the governing body of the District.

Draft

"Bond Counsel" means Armstrong Teasdale LLP, St. Louis, Missouri, or an attorney or firm of attorneys having nationally recognized standing in the field of tax-exempt municipal bonds approved by the District's Board of Directors.

"Certificate of Reimbursable Project Costs" means a certificate identifying Reimbursable Project Costs substantially in the form of **Exhibit B-1** or **Exhibit B-2**, attached hereto and incorporated herein by this reference. The aggregate amount of approved Reimbursable TIF Project Costs set forth on all Certificates of Reimbursable Project Costs shall not exceed the Maximum TIF Reimbursement Amount and the aggregate amount of all Reimbursable CID Developer Costs set forth on all Certificates of Reimbursable Project Costs shall not exceed the Maximum CID Reimbursement Amount.

"Certificate of Substantial Completion" means a document substantially in the form of **Exhibit C,** attached hereto and incorporated herein by this reference, delivered by the Developer to the District and the City in accordance with this Agreement and which, upon the District's and the City's acceptance thereof, will evidence the Developer's satisfaction of all obligations and covenants to perform the Developer Project in accordance with this Agreement.

"CID Act" means the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended.

"City" means the City of St. Peters, Missouri, a fourth class City and political subdivision of the State of Missouri.

"City Clerk" means the City Clerk of the City.

"Costs of Issuance" means all costs reasonably incurred by the District or the City in furtherance of the issuance of the District Obligations, including, but not limited to, the fees and expenses of financial advisors and consultants, the District's attorneys (including issuer's counsel and Bond Counsel), the City's attorneys (including special and finance counsels), the City's administrative fees and expenses (including fees and costs of attorneys, planning consultants and other advisors), underwriters' discounts and fees, the costs of printing any District Obligations and any official statements relating thereto, the costs of credit enhancement, if any, capitalized interest, debt service reserves and the fees of any rating agency rating any District Obligations.

"County Recorder" means the St. Charles County Recorder of Deeds.

"Developer" means Mid Rivers Investment Partners, LLC, a Georgia limited liability company, or its permitted successors and assigns.

"Developer Project" means the development of a retail shopping center with various outlots and a parking lot on the Project Site, as generally depicted on the Preliminary Site Plan.

"District" means the community improvement district established as a political subdivision of the State of Missouri pursuant to the Petition and the CID Act to impose a sales and use tax at the rate of up to 1% on retail sales within the Project Site. The legal description of the property within the District is attached hereto and incorporated herein as **Exhibit D.**

Draft

"District Bonds" means the sales tax revenue bonds issued by or on behalf of the District under a Trust Indenture and in accordance with this Agreement. The form of District Bonds shall be attached to and incorporated as part of a Trust Indenture.

"District Notes" means the sales tax revenue notes issued by or on behalf of the District under a Trust Indenture and in accordance with this Agreement. The form of District Notes shall be attached to and incorporated as part of a Trust Indenture.

"District Obligations" means any District Bonds, District Notes or other obligations issued by or on behalf of the District to pay or otherwise reimburse Reimbursable CID Project Costs.

"District Revenues Account" means the account of the Revenue Fund into which the Net Revenues are deposited from time to time in accordance with this Agreement.

"District Sales Tax" means the sales and use tax levied by the District on the receipts from the sale at retail of all eligible tangible personal property or taxable services within its boundaries pursuant to the CID Act at the rate of one percent (1%).

"Event of Default" means any event specified in **Section 17** of this Agreement.

"Mayor" means the Mayor of the City.

"Maximum CID Reimbursement Amount" means, to the extent there are sufficient Reimbursable CID Project Costs, $10,000,000 plus Costs of Issuance, Operating Costs advanced by the Developer and the amount paid by the Developer pursuant to **Section 7(a)**, less the aggregate amount of payments received by Developer pursuant to **Section 8**.

"Maximum TIF Reimbursement Amount" means the lesser of (a) $4,500,000 or (b) the aggregate amount of Reimbursable TIF Project Costs designated for reimbursement through Available TIF Revenues set forth on approved Certificates of Reimbursable Project Costs.

"Net Revenues" means the moneys remitted to the District pursuant to this Agreement as a result of the District Sales Tax. Net Revenues shall not include (a) the amount retained by the Missouri Department of Revenue for the cost of collecting such taxes, (b) any amount paid under protest until the protest is withdrawn or resolved against the taxpayer, and (c) any sum received by the District which is the subject of a suit or other claim communicated to the District which suit or claim challenges the collection of such sum.

"Operating Costs" means fees, costs and expenses incurred in connection with the administration, supervision and operation of the District, including without limitation: (a) expenses incurred in the exercise of the contractual powers of the District for such managerial, engineering, legal, technical, clerical, accounting or other assistance as it deems advisable pursuant to Section 67.1461.1(5) of the CID Act; (b) reimbursement to the Developer for the costs of filing and defending the Petition and all publication and incidental costs incurred in creating the District; (c) costs related to any authorized indebtedness of the District, including the Costs of Issuance and repayment of District Obligations pursuant to Section 67.1461.1(12) and Section 67.1491 of the CID Act; (d) the cost of insurance obtained by the District; (e) the cost of any audit obtained by the District; and (f) expenses incurred by the District in the exercise of the powers granted under Section 67.1461.1(29) of the CID Act, which consist of paying the costs of compensating employees or contractors, paying the costs of suits by or against the District, the cost of purchasing personal property necessary or convenient for the District's activities, the costs

Draft

of conducting economic, planning, marketing or other studies and the costs of collection and disbursement of funds for District activities.

"Operating Fund" means the fund established with the Trustee from which the District's Operating Costs shall be paid. The Operating Fund shall be funded from Net Revenues on deposit in the District Sales Tax Account of the Revenue Fund in an amount equal to the Annual Operating Fund Deposit.

"Parties" means, collectively, the City, the Developer and the District.

"**Payment Date**" means (i) the date that is 10 days after the acceptance or deemed acceptance of the Certificate of Substantial Completion, (ii) thereafter, every February 1, May 1, August 1 and November 1 following the acceptance or deemed acceptance of the Certificate of Substantial Completion and (iii) May 17, 2019 (i.e., approximately 23 years from the approval of the ordinances approving the Redevelopment Plan and adopting TIF within the Redevelopment Area).

"Petition" means the petition for the creation of the District to be filed or caused to be filed by the Developer pursuant to this Agreement.

"Preliminary Site Plan" means, the Preliminary Site Plan for the Shoppes at Mid-Rivers dated May 4, 2016 and previously submitted to the City, as may be amended and subsequent approved by the City.

"Prior City TIF Commitments" means the City's planned expenses from the Special Allocation Fund other than the payments due under **Section 8**, as set forth on **Exhibit E** hereto.

"Project Site" means the approximately 28.0 acres of real property that the Developer proposes to develop, as legally described on **Exhibit D** attached hereto and incorporated herein by reference.

"Redevelopment Plan" means the Redevelopment Plan, Old Town Levee Redevelopment Area, dated March 12, 1996, approved on May 23, 1996, pursuant to Ordinance No. 2469.

"Reimbursable CID Project Costs" means the costs of the Developer Project and other site work and public improvements to be further identified on the Certificate of Reimbursable Project Costs approved by the District in accordance with this Agreement and the CID Act.

"Reimbursable Developer Project Costs" means, collectively, Reimbursable CID Project Costs and Reimbursable TIF Project Costs.

"Reimbursable TIF Project Costs" means the costs of the Developer Project and other site work and public improvements to be further identified on the Certificate of Reimbursable Project Costs approved by the City in accordance with this Agreement and the TIF Act. Notwithstanding the foregoing, the Parties agree that only costs associated with (i) the demolition of existing improvements on the Project Site and (ii) improvements that will be dedicated to a public entity will constitute Reimbursable TIF Project Costs that may reimbursed through Available Revenues.

Draft

"Revenue Fund" means the fund established with the Trustee pursuant to the Trust Indenture into which Net Revenues shall be deposited, which fund shall contain a District Revenues Account.

"Special Allocation Fund" means the special allocation fund established by the City pursuant to the TIF Act in conjunction with the Redevelopment Plan.

"State" means the State of Missouri.

"Trust Fund" means the "Community Improvement District Revenue Trust Fund" established by the District pursuant to **Section 14(b)(2)** of this Agreement.

"Trust Indenture" means a trust indenture or trust indentures entered into by and between the District and the Trustee in connection with the issuance of the District Obligations, in form and substance mutually acceptable to all Parties hereto.

"Trustee" shall mean the trustee under a Trust Indenture entered in connection with the issuance of the District Obligations.

Section 3. Representations by the City. As of the Effective Date, the City represents that:

(a) The City is a fourth-class city duly organized and existing under the Constitution and laws of the State.

(b) The execution, delivery and performance by the City of this Agreement has been duly authorized by all necessary City actions.

(c) The City has the right, power and authority to enter into, execute, deliver and perform its duties and obligations under this Agreement.

(d) To the best of the City's knowledge, there are no actions or proceedings by or before any court, governmental commission, board, bureau or any other administrative agency pending and served, or to the best of the City's knowledge, threatened or affecting the City that would impair its ability to enter into or perform its obligations under this Agreement.

(e) There is no litigation or proceeding pending and served, or, to the City's knowledge, threatened against the City affecting the right of the City to execute or deliver this Agreement or the ability of the City to comply with its obligations under this Agreement.

Section 4. Representations by the Developer. As of the Effective Date, the Developer represents that:

(a) The Developer has all necessary power and authority to execute and deliver and perform the terms and obligations of this Agreement and to execute and deliver the documents required of the Developer herein, and such execution and delivery has been duly and validly authorized and approved by all necessary proceedings. Accordingly, this Agreement constitutes the legal valid and binding obligation of the Developer, enforceable in accordance with its terms, except to the extent that such enforceability is limited by (i) applicable reorganization, insolvency, receivership, liquidation, readjustment of debt, moratorium or other similar laws affecting the enforcement of the rights of creditors generally, as such laws may be applied in the event of reorganization, insolvency, receivership, liquidation, readjustment of

Draft

debt, moratorium applicable to the Developer, and (ii) general principles of equity (regardless of whether such enforceability is considered in a proceeding in equity or at law).

(b) The execution and delivery of this Agreement, the consummation of the transactions contemplated thereby, and the fulfillment of the terms and conditions hereof by the Developer do not and will not conflict with or result in a breach of any of the terms or conditions of any organizational restriction or of any agreement or instrument to which it is now a party, and do not and will not constitute a default under any of the foregoing.

(c) No litigation, proceedings or investigations are pending or, to the knowledge of the Developer, threatened against the Developer or any member or owners of the Developer which would have a material adverse effect on the Developer Project. In addition, no litigation, proceedings or investigations are pending or, to the knowledge of the Developer, threatened against the Developer seeking to restrain, enjoin or in any way limit the approval or issuance and delivery of this Agreement or which would in any manner challenge or adversely affect the existence or powers of the Developer to enter into and carry out the transactions described in or contemplated by the execution, delivery, validity or performance by the Developer of the terms and provisions of this Agreement.

(d) To its knowledge, the Developer is in material compliance with all laws, ordinances, orders, decrees, decisions, rules, regulations and requirements of every duly constituted governmental authority, commission and court applicable to any of its affairs, business, or operations as contemplated by this Agreement.

Section 5. Representations by the District.

(a) The District is a community improvement district duly organized and existing under the Constitution and laws of the State.

(b) The execution, delivery and performance by the District of this Agreement has been duly authorized by all necessary District actions.

(c) The District has the right, power and authority to enter into, execute, deliver and perform its duties and obligations under this Agreement.

(d) To the best of the District's knowledge, there are no actions or proceedings by or before any court, governmental commission, board, bureau or any other administrative agency pending and served, or to the best of the District's knowledge, threatened or affecting the District that would impair its ability to enter into or perform its obligations under this Agreement.

(e) There is no litigation or proceeding pending or, to the District's knowledge, threatened against the District affecting the right of the District to execute or deliver this Agreement or the ability of the District to comply with its obligations under this Agreement.

Section 6. Design, Construction, and Completion of Developer Project.

(a) *Submission and Approval of Construction Plans.* The Developer shall submit construction plans for the Developer Project to the City as follows:

(i) *Initial Approval.* The Developer will submit construction plans to the City for the Developer Project. The City will review such plans for compliance with all applicable laws, statutes and ordinances, rules and regulations, including but not limited to the safety and zoning

regulations of the City. The Developer will not begin construction of the Developer Project until it has received all requisite approvals from the City and other applicable agencies as required by federal, state, and local law, in accordance with a phased construction schedule agreed upon by the City and the Developer.

(ii) *Changes.* The Developer may make changes to the construction plans in accordance with federal, state, and local law.

(b) *Completion of Developer Project.* The Developer hereby agrees to complete the Developer Project no later than March 31, 2018.

(c) *Standards for Construction of Public Improvements.* In constructing any public improvements that are part of the Developer Project, the Developer shall comply with all federal and State laws relating to the construction of a City public works project, including, but not limited to, Section 107.170, RSMo., laws relating to the payment of prevailing wages, safety training, participation in a federal work authorization program, and prompt payment. In addition to the requirements above, the Developer shall solicit bids from at least three qualified bidders for general contractor of such public improvements and for each aspect of any public improvement with a cost in excess of $50,000 that is to be performed by any subcontractor. The Developer shall provide each bid tabulation sheet to the City's Director of Finance, and upon request shall submit copies of all bid solicitation materials and the bids received to the City's Director of Finance. The Developer shall make good faith efforts to solicit bids from general contractors and subcontractors located in the City and, when deciding between bids of the same quality and cost, shall give preference to the bid from the contractor located in the City, if any. All contracts associated with the construction of the Developer Project shall provide that the applicable contractor shall have no recourse against the City.

(d) *Certificate of Substantial Completion.*

(i) *Submission of Certificate of Substantial Completion.* Promptly after substantial completion of the Developer Project in accordance with the provisions of this Agreement, the Developer will furnish to the City and the District a Certificate of Substantial Completion so certifying. The City and the District will, within 60 days following delivery of the Certificate of Substantial Completion, carry out such inspections as they deem necessary to verify to their reasonable satisfaction the accuracy of the certifications contained in the Certificate of Substantial Completion. The Certificate of Substantial Completion shall be deemed accepted by the City and the District unless, prior to the end of such 60-day period after delivery to the City and the District of the Certificate of Substantial Completion, the City or the District furnishes the Developer with specific written objections to the status of the Developer Project, describing such objections and the measures required to correct such objections in reasonable detail. For the purposes of the foregoing, "substantial completion" shall mean the (1) the completion of all public infrastructure, (2) the construction of at least 200,000 square feet of commercial buildings and (3) the receipt of certificates of occupancy for at least 100,000 square feet of tenant space in such commercial buildings.

(ii) *Acceptance of the Certificate of Substantial Completion; Recordation.* Upon acceptance of the Certificate of Substantial Completion by the City and the District or upon the lapse of 60 days after delivery thereof to the City and the District without any written objections thereto, the Developer may record the Certificate of Substantial Completion with the County Recorder, and the same shall constitute evidence of the completion by the Developer of the Developer Project. The Certificate of Substantial Completion shall be in substantially the form

Draft

attached as **Exhibit C**, attached hereto and incorporated herein by reference. The City's acceptance or deemed acceptance of a Certificate of Substantial Completion shall not require the City to issue any temporary or final occupancy permits (which shall only be issued in accordance with the applicable provisions of the City Code). Likewise, any issuance of a temporary or final occupancy permit by the City shall not require the City to accept any Certificate of Substantial Completion (which shall only be accepted by the City in accordance with the provisions of this Agreement). Notwithstanding the foregoing, nothing contained herein shall prohibit the City from enforcing any ordinances, rules or regulations of the City with relation to the Developer Project following the acceptance or deemed acceptance of the Certificate of Substantial Completion.

(e) The Developer acknowledges that it must comply with Section 285.530, RSMo. regarding enrollment and participation in a federal work authorization program with respect to its employees working in connection with the Developer Project. The Developer represents and warrants that it is in compliance with Section 285.530, RSMo. at the time of execution of this Agreement and has provided a sworn affidavit and supporting documentation affirming participation in a qualified work authorization program as evidence thereof.

Section 7. Payment of the City's Costs; Financing of the Developer Project.

(a) *City's Costs*. On the Effective Date, the Developer agrees to pay to the City an amount sufficient to pay or reimburse the City for payment of reasonable and customary planning, legal, administrative and other costs associated with the Developer Project, including, but not limited to, reasonable legal and administrative costs and expenses incurred or charged by the City in connection with the negotiation and approval of this Agreement. All sums advanced to the City under this Section shall constitute Reimbursable Developer Project Costs and may be reimbursed to the Developer solely as provided for in this Agreement.

(b) *Developer's Costs.* The Developer agrees to advance all costs of design, construction and installation of the Developer Project. Costs incurred by the Developer in connection with the Developer Project will be eligible for reimbursement upon submission by the Developer, and acceptance by the City or the District, of a Certificate of Reimbursable Project Costs, as set forth below. The preliminary estimates for the Developer's costs for the Developer Project for which the Developer will seek reimbursement pursuant to this Agreement are set forth in **Exhibit A** attached hereto and incorporated herein. The Developer is entitled to reimbursement only for those categories of costs set forth on **Exhibit A**.

(i) *Submission of Certificate of Reimbursable Project Costs to the City*. The Developer may submit to the City, no more frequently than once per calendar quarter, a Certificate of Reimbursable Project Costs in substantially the form attached hereto as **Exhibit B-1** evidencing the Reimbursable TIF Project Costs for which the Developer requests reimbursement pursuant to **Sections 8** below. The City shall review each Certificate of Reimbursable Project Costs it receives and provide written objections, if any, to the Developer within 30 days from receipt thereof. If any objections are provided, the Developer shall cure such objections and resubmit the Certificate of Reimbursable Project Costs. If no objections are provided within 30 days of receipt, the Certificate of Reimbursable Project Costs shall be deemed approved by the City on the 31st day following receipt (unless affirmatively approved by the City prior to such date). The Developer shall provide the District with a copy of each Certificate of Reimbursable Project Costs approved pursuant to this paragraph immediately upon its approval.

(ii) *Submission of Certificate of Reimbursable Project Costs to the District.* The

Draft

Developer may submit to the District, no more frequently than once per calendar quarter, a Certificate of Reimbursable Project Costs in substantially the form attached hereto as **Exhibit B-2** evidencing the Reimbursable CID Project Costs for which the Developer requests reimbursement pursuant to **Section 10** below. The District shall review each Certificate of Reimbursable Project Costs it receives and provide written objections, if any, to the Developer within 30 days from receipt thereof. If any objections are provided, the Developer shall cure such objections and resubmit the Certificate of Reimbursable Project Costs. If no objections are provided within 30 days of receipt, the Certificate of Reimbursable Project Costs shall be deemed approved by the District on the 31st day following receipt (unless affirmatively approved by the City prior to such date). The Developer shall provide the City with a copy of each Certificate of Reimbursable Project Costs approved pursuant to this paragraph immediately upon its approval.

(iii) *Right to Substitute.* If the District or the City determine that any cost identified as a Reimbursable CID Developer Project Cost or Reimbursable TIF Developer Project Cost, as applicable, is not a Reimbursable CID Developer Project Cost or Reimbursable TIF Developer Project Cost, as applicable, the Developer shall then have the right to identify and substitute other costs as Reimbursable CID Project Costs or Reimbursable TIF Project Costs, as applicable, so long as all such costs are categories shown on **Exhibit A** hereto. Any substituted cost shall be included with a supplemental application for payment submitted within 30 days after the District's or City's notification of any ineligible costs. The District or the City, as applicable, shall then review and notify the Developer in writing within 30 days after submission of its approval or disapproval of the costs identified in the supplemental application for payment.

(iv) *Payment of Reimbursable Project Costs from Available TIF Revenues.* The City shall use Available TIF Revenues to reimburse the Developer for Reimbursable TIF Project Costs set forth in approved Certificates of Reimbursable Project Costs, as provided in **Section 8**.

(v) *Payment of Reimbursable Project Costs from District Obligations.* The District shall reimburse the Developer for Reimbursable CID Project Costs set forth in approved Certificates of Reimbursable Project Costs through the issuance of District Obligations, as provided in **Section 10**.

Section 8. TIF Installment Payments by the City.

(a) On each Payment Date, the City shall pay the Available TIF Revenues on deposit in the Special Allocation Fund to the Developer or its designee for the reimbursement of the Reimbursable TIF Project Costs up to the Maximum TIF Reimbursement Amount.

The City shall pay no interest on any Reimbursable TIF Project Costs.

(b) If requested by the City's Finance Director, the Developer (i) shall cause all businesses generating taxable retail sales located in the Developer Project to provide a consent to the release of confidential sales tax information to the City, in a form acceptable to the City, for the limited purpose of preparing and approving budgets, appropriation requests and other actions contemplated by this Agreement and (ii) require each "seller" (as that term is defined in Section 144.010(10) of the Revised Statutes of Missouri) located in the Developer Project to supply or cause to be promptly supplied to the City's Finance Director, monthly or quarterly sales tax information of each "seller" (as that term is defined in Section 144.010(10) of the Revised Statutes of Missouri) in a form substantially similar to the sales tax returns filed by such seller with the Missouri Department of Revenue.

Draft

Section 9. Annual Appropriation Obligation.

(a) The City's obligation to pay economic activity taxes pursuant to this Agreement is limited to those funds budgeted and appropriated for that purpose during the City's then-current fiscal year. The City agrees to cause the officials and employees in charge of drafting a budget to include in the annual budgets presented to the Board of Aldermen for its consideration of (i) an appropriation of at least $1,500,000 to be paid to the Developer on the initial Payment Date upon satisfaction of the conditions set forth herein and (ii) the other appropriations contemplated by this Agreement.

(b) The obligation of the City to pay economic activity taxes hereunder constitutes a current expense of the City, is from year-to-year, and does not constitute a mandatory payment obligation of the City in any fiscal year beyond the then-current fiscal year of the City. The City's obligation to pay economic activity taxes hereunder shall not in any way be construed to be a debt of the City in contravention of any applicable constitutional or statutory limitation or requirement concerning the creation of indebtedness by the City, nor shall anything contained herein constitute a pledge of the general credit, tax revenues, funds or moneys of the City.

Section 10. District Obligations.

(a) *Reimbursement of Costs; Issuance of District Obligations.* The District shall reimburse the Developer for Reimbursable CID Project Costs by issuing or causing the issuance of District Obligations as provided herein. Nothing in this Agreement shall obligate the District to issue or cause to be issued or endorse or cause to be further endorsed District Obligations for any cost that is not a Reimbursable CID Developer Project Cost. The District Obligations shall be issued pursuant to a Trust Indenture. Notwithstanding anything to the contrary contained herein, the District shall not issue any tax-exempt District Obligations without the City's prior written consent.

(b) *Limited Obligations.* The District Obligations issued by or on behalf of the District for reimbursement of Reimbursable CID Project Costs shall be payable solely from the Net Revenues or from the proceeds of the District Obligations and not from any other source. The District Obligations shall be the exclusive responsibility of the District, and shall not constitute a debt or liability or general obligation of the District, the City, the State or any agency or political subdivision thereof.

(c) *Cooperation in the Issuance of District Obligations.*

(i) The Developer covenants to cooperate and take all reasonable actions necessary to assist the District and its Bond Counsel, underwriters and financial advisors in the preparation of offering statements, private placement memoranda or other disclosure documents and all other documents necessary to market and sell District Obligations, as appropriate. The Developer will not be required to disclose to the general public or any investor any proprietary or confidential financial information pertaining to the Developer or any tenant, but upon the execution of a confidentiality agreement reasonably acceptable to the Developer, the Developer shall provide such information to the District and its Bond Counsel, financial advisors, underwriter and their counsel to enable such parties to satisfy their due diligence obligations. Such compliance obligation shall be a covenant running with the land, enforceable as if any subsequent transferee thereof were originally a party to and bound by this Agreement.

Draft

(ii) If either the proceeds of the District Obligations or the Net Revenues are insufficient to fund Costs of Issuance, such unfunded amount shall be paid by the Developer. All funds advanced by the Developer pursuant to this Section shall be considered Reimbursable CID Project Costs.

(d) *No Other Obligations or Uses of Net Revenues*. The District shall not issue or cause to be issued any indebtedness or obligations secured by the Net Revenues other than the District Obligations provided for under this Agreement.

(e) *District Notes.* Subject to the requirements of this Agreement, the District shall issue the District Notes in the form and substance as dictated by a Trust Indenture and the resolution approved by the Board of Directors approving the issuance of the District Notes. The District Notes shall be issued in an aggregate principal amount not to exceed the maximum amount of Reimbursable CID Project Costs. The District Notes shall bear interest at 7% per annum if, in the opinion of Bond Counsel, the interest on the District Notes is exempt from federal income taxation or at 9% per annum if the interest on the District Notes is not exempt from federal income taxation. Interest on the District Notes shall be payable semi-annually.

(f) *Application of Net Revenues.*

(i) From and after the issuance of the District Notes, the District shall transfer to the Trustee, not later than the 15th calendar day of each month (or the next business day thereafter if the 15th day is not a business day) for deposit in the District Revenues Account of the Revenue Fund, all Net Revenues on deposit in the Trust Fund, to the extent appropriated by the District.

(ii) Pursuant to the Trust Indenture entered into in connection with the issuance of the District Notes, the moneys in the Revenue Fund shall be applied by the Trustee on each semi-annual payment date to the extent necessary for the purposes and in the amounts as follows:

First, to the payment of any arbitrage rebate due and payable with respect to any of the District Notes, or to pay any rebate analyst to perform rebate services as required;

Second, for transfer to the Operating Fund, one-half of the Annual Operating Fund Deposit, but solely from Net Revenues;

Third, for payment to the Trustee or any paying agent for the District Notes, an amount sufficient for payment of any fees, charges, costs and expenses which are due and owing to the Trustee or any paying agent;

Fourth, to payment of interest due and payable on the District Notes;

Fifth, to payment of principal of and premium, if any, due and payable on any District Notes; and

Sixth, to the special mandatory redemption of any District Notes as more specifically provided for in the Trust Indenture.

Notwithstanding the foregoing, if the District has issued District Bonds to refund only a portion of the District Notes, then no money shall be applied to the payment of any District Notes so long as any District Bonds remain outstanding.

Draft

(g) *Conditions Precedent to Issuance of District Notes.*

(i) No District Notes shall be issued until such time as (1) the District has received and accepted a Certificate of Reimbursable Project Costs pursuant to **Section 7(b)(ii)**, (2) the District and the City have received and approved the Certificate of Substantial Completion for the Developer Project or the Developer provides a guaranty of completion of the Developer Project in form and substance acceptable to the City and the District in their sole and absolute discretion, and (3) with respect to any tax-exempt District Notes, written permission of the City is obtained, which will not be withheld if the City reasonably determines that the issuance of such District Notes will not adversely affect the designation of any City obligations under Section 265(b) of the Internal Revenue Code or any successor to such section.

(ii) After the receipt of such items set forth in subsection (i) above, the District shall issue District Notes for the Developer Project. Upon the satisfaction of subsection (i) above, and the issuance of the District Notes as provided herein, the Developer shall be deemed to have advanced funds necessary to purchase such District Notes and the District shall be deemed to have deposited such funds in a project fund created under the Trust Indenture and shall be deemed to have reimbursed the Developer in full for such costs of the Developer Project from the amounts deemed to be on deposit in such project fund from time to time.

(h) *District Bonds*. The District may issue or cause to be issued on its behalf District Bonds in an amount sufficient to (i) refund all or a portion of the outstanding District Notes and/or (ii) finance or refinance all or any portion of the Reimbursable CID Project Costs not previously financed by the issuance of District Notes, provided that the conditions precedent to the issuance of the District Notes set forth in **Section 9(g)((i)** of this Agreement have been satisfied and, with respect to any tax-exempt District Bonds, written permission of the City is obtained, which will not be withheld if the City reasonably determines that the issuance of such District Bonds will not adversely affect the designation of any City obligations under Section 265(b) of the Internal Revenue Code or any successor to such section. If the District is unable for any reason to refund all of the outstanding District Notes or issue or cause to be issued District Bonds to finance all Reimbursable CID Project Costs, the District may issue or cause to be issued District Bonds to refund only a portion of the District Notes or finance only a portion of the Reimbursable CID Project Costs, but only to the extent that the Developer consents to the subordination of any remaining District Notes to such District Bonds. The District Bonds will have a maturity of not longer than twenty-five years from the date of issuance.

(i) *Pledge of Net Revenues.* Upon the issuance of District Obligations, the District shall, subject to annual appropriation by the Board of Directors, pledge all Net Revenues on deposit in the Trust Fund to the payment of debt service on the District Obligations in accordance with this Agreement, the Trust Indenture and the resolution approved by the Board of Directors approving the issuance of the District Obligations.

(j) *Covenant to Request Annual Appropriation of Net Revenues.* The District covenants and agrees to cause the officer of the District at any time charged with the responsibility of formulating budget proposals to include in the budget proposal submitted to the Board of Directors for each fiscal year that the District Obligations are outstanding, a request for an appropriation of Net Revenues for application to the payment of District Obligations in accordance with this Agreement.

Section 11. Governance of the District. The Developer shall submit Petition or cause Petition to be submitted within 60 days the Developer or its designee acquires the Project Site. The Petition shall provide for the following:

Draft

(a) The District's Board of Directors shall consist of five members to be elected at-large by the eligible voters within the District pursuant to the CID Act and the Petition. The number of persons constituting the Board of Directors shall not be increased by the District without the consent of both the Developer and the City.

(b) Each director must have all of the following characteristics:

(i) be a citizen of the United States;
(ii) be a Missouri resident for at least one year prior to appointment to the Board of Directors;
(iii) be at least eighteen (18) years of age; and
(iv) be either:

(A) an owner as defined in Section 67.1401.2(11) of the CID Act of real property located within the District (or a legally authorized representative thereof);
(B) a business operating within the District (or a legally authorized representative thereof); or
(C) a registered voter residing within the District.

(c) No director shall receive any stated salary for his/her services as director, but may be reimbursed for actual, reasonable out-of-pocket expenses incurred in the performance of his/her duties on behalf of the District.

(d) From and after such time as the Developer acquires such real property within the District and continuing for so long as the Developer owns any real property within the District, at least three of the five directors shall be legally authorized representatives of the Developer.

(e) The City may designate an advisory member to the Board of Directors, who may attend all open and closed meetings of the Board of Directors, but shall have no voting power.

(f) The District shall not undertake or fund any projects in addition to the Developer Project without the approval of the Board of Aldermen.

Section 12. Records of the District.

(a) The District shall keep proper books of record and account in which full, true and correct entries will be made of all dealings or transactions of or in relation to its business affairs in accordance with generally accepted accounting principles consistently applied. The District shall, within 120 days after the end of each fiscal year, submit a report to the City and the Missouri Department of Economic Development and shall provide a copy of the same to the Developer stating the services provided, revenues collected and expenditures made by the District during such fiscal year, and copies of written resolutions approved by the Board of Directors during the fiscal year.

(b) The District shall make its books and records available to the City and the Developer and will furnish to the City and the Developer such information as they may reasonably request concerning the District, including such statistical and other operating information requested on a periodic basis, in order to determine whether the covenants, terms and provisions of this Agreement have been met. The City may retain such consultants as it deems necessary in connection with such review, the cost of which shall be an Operating Cost payable by the District or the Developer in accordance with this Agreement. For that purpose, all pertinent books, documents and vouchers relating to the District's business, affairs

Draft

and properties shall at all times during regular business hours be open to the inspection of such consultants (who may make copies of all or any part thereof provided that the confidentiality of all records shall be maintained pursuant to such confidentiality agreements as the District reasonably requires).

Section 13. Developer's Covenants Related to the District. The Developer covenants and agrees as follows:

(a) The Developer shall in good faith cooperate and assist in obtaining approval for and levying of the District Sales Tax contemplated by this Agreement by voting to approve the District Sales Tax at an election held in accordance with Section 67.1545 of the CID Act.

(b) The Developer shall in good faith cooperate and assist the District by taking all reasonable actions necessary to cause Net Revenues to be paid and deposited into the Trust Fund, including its cooperation with the District and the Missouri Department of Revenue or the Authorized District Representative in the enforcement and collection of all such payments through all reasonable and ordinary means of enforcement.

(c) The Developer waives the right to file suit to set aside the District Sales Tax or otherwise question the validity of the proceedings relating thereto.

(d) The Developer shall notify the District in writing of any sale, lease, transfer or other disposition of any real property within the District that is owned by the Developer or a related entity, which notice shall be given within 15 days after the date of said sale, lease, transfer or other disposition. Said notice shall specify the name and address of the person or entity that acquired any or all of the real property located within the District and shall identify the real property sold, leased, transferred or otherwise disposed, whether by voluntary transfer or otherwise.

(e) The Developer shall cooperate with the District to obtain approval of any proposal for the abolishment of the District pursuant to the CID Act.

(f) Upon execution of this Agreement and so long as any District Obligations are outstanding, the Developer shall, in the development and selling, leasing or transferring of any real property owned by the Developer within the District, use reasonable efforts to select purchasers, tenants or transferees that will produce a higher volume of District Sales Tax, all other economic terms and conditions being equal, provided, however, that the Developer shall not be in breach of or default under this Agreement if the Developer fails to do so.

The Developer's covenants in this Section shall run with the land to any purchaser, tenant or transferee of any of the Developer's real property within the District and the Developer shall record or cause to be recorded a memorandum of such covenants with the County Recorder. Upon execution of this Agreement, the Developer shall use reasonable efforts to specifically include the covenants in this Section in all deeds, leases and other instruments by which the Developer conveys an interest in real property within the District; provided that, the Developer shall have no obligation to include such covenants in any deeds, leases or other instruments by which the Developer has conveyed an interest in real property within the District prior to the execution of this Agreement.

Draft

Section 14. Parking Lot Easement.

To the extent that the Developer's Reimbursable CID Project Costs include all or any portion of the parking lot located on the Project Site, the District will, at the Developer's request, accept a grant of an easement over such portion of the parking lot to be financed by District Obligations in order to enable the interest on District Obligations issued by or on behalf of the District to be exempt from federal income taxation (subject to the opinion of Bond Counsel). Notwithstanding the grant of any easement, the owner of the Project Site will be responsible for maintenance of the parking lot and will indemnify the District against any and all claims or liability with respect to operation and maintenance of the parking lot.

Section 15. Imposition and Collection of District Sales Tax.

(a) *Imposition of the District Sales Tax***.** Prior to the issuance of District Obligations, the District shall approve a resolution imposing the District Sales Tax (subject to qualified voted approval). The District shall use the Net Revenues to pay the Operating Costs of the District and to make debt service payments on District Obligations issued to reimburse the Developer for Reimbursable CID Project Costs. The District shall not issue or cause to be issued the District Obligations except in accordance with **Section 10** of this Agreement and shall not otherwise reimburse the Developer for Reimbursable CID Project Costs unless the prerequisites for issuing District Notes set forth in **Section 10(g)(i)** have been satisfied.

(b) *Administration and Collection of the District Sales Tax.*

(1) The Parties expect the District Sales Tax to be collected by the Missouri Department of Revenue, as provided in the CID Act. The Parties shall cooperate with the Missouri Department of Revenue in all respects and as necessary for the collection by the Missouri Department of Revenue of the District Sales Tax.

(2) Upon receipt of Net Revenues, the District shall deposit the same into a special trust account to be known as the "Community Improvement District Revenue Trust Fund" and shall transfer, subject to annual appropriation by the Board of Directors, the money in the Trust Fund to the Trustee for application as contemplated in **Sections 10(f)** of this Agreement.

(3) Upon the earlier of the payment in full of all District Obligations or 20 years following the initial issuance of the District Obligations, the Board of Directors shall take such actions as may be necessary to repeal the District Sales Tax and to cause the District to be dissolved in accordance with the CID Act and this Agreement.

(c) *Collection Fee for the District Sales Tax.* The Parties hereby acknowledge that the Missouri Department of Revenue may deduct from the District Sales Tax its own collection and administrative fee as provided for in the CID Act and other applicable statutes.

(d) *Operating Costs.* Money in the Operating Fund shall be used to pay Operating Costs, to pay the principal of or interest on District Obligations, or for any other lawful purpose of the District, as determined by the Board of Directors. The expected Operating Costs shall be included in the District's annual budget, but shall not exceed the Annual Operating Fund Deposit. If Net Revenues are not sufficient to fund the Annual Operating Fund Deposit in any given year, such unfunded amount shall be paid by the Developer. All funds advanced by the Developer pursuant to this Section shall be considered Reimbursable CID Project Costs.

Draft

(e) *Enforcement of the District Sales Tax.*

(1) The District shall take all actions necessary for enforcement of the District Sales Tax. The District may prosecute or defend any action, lawsuit or proceeding or take any other action involving third persons that the District deems reasonably necessary to secure the payment of the District Sales Tax. The Developer covenants to cooperate and take all reasonable actions necessary to assist the District in the enforcement of the District Sales Tax.

(2) The District shall report all violations of the Sales Tax Law, Sections 144.010 to 144.525 of the Revised Statutes of Missouri, as amended, to the Missouri Department of Revenue for enforcement to the extent that such violations result in the District's inability to collect the District Sales Tax in a timely manner as provided for under Missouri law. If the Missouri Department of Revenue notifies the District that it refuses to undertake enforcement of the District Sales Tax, the District shall promptly initiate an action to enforce collection. Notwithstanding anything to the contrary in this Agreement, the District is not obligated to undertake any enforcement action if the cost of such enforcement is reasonably expected to exceed the amount of revenues sought to be collected.

(f) *Records of the District Sales Tax.* The District shall keep accurate records of the Net Revenues. Any District records pertaining to the District Sales Tax shall be provided to any person upon written request, to the extent permitted by law.

(g) *Repeal of the District Sales Tax.* Upon the payment in full of all District Obligations or 20 years following the initial issuance of District Obligations, whichever is earlier, the District shall implement the procedures in the CID Act for repeal of the District Sales Tax and abolishment of the District. The District shall not implement the procedures for repeal or modification of the District Sales Tax and abolishment of the District if the District, with the prior written consent of the City, has approved another project pursuant to the CID Act. Upon repeal of the District Sales Tax, the District shall:

(i) Pay all outstanding Operating Costs;

(ii) Retain any remaining Net Revenues until such time as the District is abolished and the District has provided for the transfer of any funds remaining in a manner permitted by the CID Act; and

(iii) Request that the City, pursuant to Section 67.1481.5 of the CID Act, adopt an ordinance setting forth a plan of dissolution for the District, which plan of dissolution will provide, to the extent permitted by law, that all remaining Net Revenues at the time of abolishment be transferred to the City for use by the City in maintaining any public improvements serving the real property within the District.

(h) *Annual Budget; Annual Financial Statements.*

(i) The District shall approve and submit its budget for its first fiscal year to the City within 90 days of the creation of the District and shall provide a copy of the same to the Developer. For each subsequent fiscal year, the District shall, no earlier than 180 days and no later than 90 days prior to the first day of each fiscal year, submit a proposed budget for the upcoming fiscal year to the City and shall provide a copy of the same to the Developer, which proposed budget shall be approved by the Board of Directors no later than 30 days prior to the first day of each fiscal year. Each budget for the District shall generally be prepared in accordance with all applicable state statutes including Section 67.010 Revised Statutes of Missouri, as amended. The fiscal year of the District shall be the same as that of the City, which shall be a fiscal year beginning October 1 and ending September 30.

Draft

(ii) The District shall promptly, and in any event within 120 days after the end of each fiscal year, provide to the Developer and the City copies of the annual audited financial statements of the District performed by an independent certified public accounting firm.

(iii) The District shall annually reimburse the City for the reasonable and actual expenses incurred by the City to review annual budgets and reports of the District required pursuant to this section upon receipt of an invoice therefor, provided that such annual reimbursement shall not exceed one and one-half percent of the Net Revenues in such year.

Section 16. Release and Indemnification.

(a) Notwithstanding anything herein to the contrary, the City, its governing body, officials, agents, employees and independent contractors shall not be liable to the Developer for damages of any kind or nature whatsoever if any ordinance adopted by the City or transaction completed by the City in connection with this Agreement is declared invalid or unconstitutional in whole or in part by the final (as to which all rights of appeal have expired or have been exhausted) judgment of any court of competent jurisdiction, and by reason thereof either the City is prevented from performing any of the covenants and agreements herein or the Developer is prevented from enjoying the rights and privileges hereof.

(b) The Developer releases the City from and covenants and agrees that the City and its governing body, officials, agents, employees and independent contractors shall not be liable for, and agrees to indemnify, defend and hold harmless the governing body, officials, agents, employees and independent contractors thereof against, any loss or damage to property or any injury to or death of any person occurring at or about or resulting from any defect in the construction of the Developer Project, except as such may be caused by the willful misconduct of the City, its governing body, officials, agents, employees or independent contractors.

(c) The Developer agrees to indemnify, defend and hold harmless the City, its governing body, officials, agents, employees and independent contractors from and against any and all suits, claims and attorneys' fees resulting from, arising out of, or in any way connected with (i) the construction of the Developer Project or (ii) the negligence or willful misconduct of the Developer, its managers, officials, agents, employees or independent contractors in connection with the management, development, redevelopment and construction of the Developer Project, except as such may be caused by the willful misconduct of the City, its governing body, officials, agents, employees or independent contractors.

(d) The Developer agrees to indemnify, defend, and hold harmless the City, its governing body, officials, agents, employees and independent contractors from and against any and all claims, demands, costs, liabilities, damages or expenses, including reasonable attorneys' and consultants' fees, investigation and laboratory fees, remediation costs and expenses, court costs and litigation expenses, arising from: (i) any prior, now-existing or hereafter-arising violation, actual or alleged, or any other liability, under or in connection with any environmental laws relating to any products or materials previously, now or hereafter located upon, delivered to or in transit to or from the Project Site or in connection with the construction of the Developer Project, regardless of whether such violation or alleged violation or other liability is asserted or has occurred or arisen before the date hereof or hereafter is asserted or occurs or arises and regardless of whether such violation or alleged violation or other liability occurs or arises as the result of any act, omission, negligence or misconduct of the City or any third party or otherwise; or (ii) any breach, falsity or failure of any representations, warranties, covenants or agreements of any person with respect to the Project Site and any environmental laws.

Draft

(e) The City and its governing body, officials, agents, employees and independent contractors shall not be liable for any damage or injury to the persons or property of the Developer or its officers, agents, independent contractors or employees or any other person who may be about the Redevelopment Area or the Developer Project due to any act of negligence or willful misconduct of any person, except as such may be caused by the willful misconduct of the City, its governing body, officials, agents, employees, or independent contractors.

(f) No member of the governing body, officials, agents, employees or independent contractors of the City shall be personally liable to the Developer in the event of a default or breach by any party under this Agreement.

(g) All covenants, stipulations, promises, agreements and obligations of the City contained herein shall be deemed to be the covenants, stipulations, promises, agreements and obligations of the City and not of its governing body, officials, agents, employees or independent contractors in their individual capacities.

Section 17. Termination. This Agreement shall terminate upon the earliest of any of the following:

(a) The final maturity of all District Obligations;

(b) The maximum amount of Reimbursable Developer Project Costs that are payable to the Developer under this Agreement have been paid to the Developer; or

(c) Upon written notice of termination by the non-defaulting party pursuant to **Section 18(b)** of this Agreement.

Additionally, this Agreement shall terminate if the Developer does not commence construction of the Developer Project by July 1, 2017.

Section 18. Default and Remedies.

(a) *Events of Default.* The following shall be an Events of Default with respect to this Agreement:

(i) If any material representation made by a party in this Agreement, or in any certificate, notice, demand or request made by a party, in writing and delivered to the other party pursuant to or in connection with this Agreement proves to be untrue or incorrect in any material respect as of the date made; or

(ii) Breach by a party of any material covenant, warranty or obligation set forth in this Agreement.

(b) *Remedies on Default.* In the case of an Event of Default by a party hereto or any successor to such party, such party or successor shall, upon written notice from another party, take immediate action to cure or remedy such Event of Default within thirty (30) days after receipt of such notice. If the Event of Default is not cured or remedied within such thirty (30) day period (or, in the case of Events of Default that cannot be cured within a thirty (30) day period, the defaulting party does make reasonable progress toward curing the default and does not notify the non-defaulting party of when default will be cured), then the non-defaulting party may terminate this Agreement or institute such

Draft

proceedings as may be necessary or desirable in its opinion to cure or remedy such default, including but not limited to, proceeding to compel specific performance by the party in default of its obligations.

(c) *Other Rights and Remedies of Parties; Delay in Performance Waiver.*

(i) Any delay by a party in instituting or prosecuting any actions or proceedings or otherwise asserting their rights under this Agreement shall not operate to act as a waiver of such rights or to deprive them of or limit such rights in any way (it being the intent of this provision that the parties should not be constrained so as to avoid the risk of being deprived of or limited in the exercise of the remedies provided in this Agreement because of concepts of waiver, laches or otherwise); nor shall any waiver in fact made by a party with respect to any specific Event of Default by a party under this Agreement be considered or treated as a waiver of the rights of a party under this Section or with respect to the particular Event of Default, except to the extent specifically waived in writing by the other parties.

(ii) The rights and remedies of the parties to this Agreement (or their successors in interest) whether provided by law or by this Agreement, shall be cumulative, and the exercise by any party of any one or more of such remedies shall not preclude the exercise by it, at the time or different times, of any other such remedies for the same Event of Default by another party. No waiver made by any party with respect to the performance, nor the manner of time thereof, or any obligation of another party or any condition to its own obligation under this Agreement shall be considered a waiver of any rights of the party making the waiver with respect to the particular obligation of another party or condition to its own obligation beyond those expressly waived in writing and to the extent thereof, or a waiver in any respect to regard to any other rights of the party making the waiver or any other obligations of another party.

(iii) Neither the City nor the Developer, nor any successor in interest, as the case may be, shall be considered in breach of, or in default of, any of its obligations under this Agreement or otherwise with respect to the Developer Project, or progress in respect thereto, in the event of delay in the performance of any such obligations due to unforeseeable causes beyond its control and without its fault or negligence, including, but not restricted to acts of God, acts of a public enemy, litigation instituted by third parties, acts of the other party (but not including any failure by the City to issue a permit or process any request or approval if such permit, request or approval was not applied for by the Developer in a timely manner), fires, floods, epidemics, quarantine restrictions, strikes, embargoes, acts of nature, unusually severe weather or delays of subcontractors due to such causes; it being the purpose and intent of this provision that in the event of the occurrence of any such delay, the time or times for performance of such obligations by the City or the Developer shall be extended for the period of the enforced delay; provided, that the party seeking the benefit of the provisions of this Section, shall within thirty (30) days after the beginning of any such enforced delay, have first notified the other party thereof in writing, of the cause or causes thereof, and requested an extension of the period of delay.

Section 19. Insurance.

(a) *Construction of the Developer Project.* Prior to the commencement of construction of the Developer Project or any buildings that are part of the Developer Project, the Developer shall obtain, or shall use reasonable efforts to ensure that the contractor(s) performing such construction work obtain, workers' compensation, comprehensive public liability and builder's risk insurance coverage in amounts customary in the industry for similar type projects. The Developer shall deliver to the District and the

Draft

City evidence of such insurance prior to commencement of such construction. In the event of any material casualty affecting the improvements, any insurance proceeds shall be applied, to the extent necessary, to rebuild or restore the damaged improvements to at least equal value and substantially the same character as prior to the damage or destruction; subject, however, to rights and prior claims of (and subject to other application of such proceeds pursuant to the directions of) any holder of a deed of trust, mortgage, or similar encumbrance on the Project Site securing loans, advances or extensions of credit to finance or from time to time refinance all or any part of the costs of the Developer Project.

(b) *Liability Insurance*. Not less than ten (10) days prior to commencement of construction of the Developer Project, the Developer and/or its general contractor shall provide the District and the City with a certificate of insurance evidencing a commercial general liability insurance policy with coverages of not less than the current absolute statutory waivers of sovereign immunity as set forth in Sections 537.600 and 537.610 of the Revised Statutes of Missouri, as amended. Further, the policy shall be adjusted upward annually, to remain at all times not less than the inflation-adjusted sovereign immunity limits as published in the Missouri Register on an annual basis by the Department of Insurance pursuant to Section 537.610 of the Revised Statutes of Missouri, as amended. The policy shall provide that it may not be cancelled, terminated, allowed to lapse or be substantially modified without at least thirty (30) days prior written notice to the City and the District. The City and the District shall be listed as an additional insured on such certificate. Such policy may be part of a blanket policy, shall include a severability of interests clause and the insurance shall be primary with respect to any applicable insurance maintained by the City or the District.

(c) *Contractual Liability Insurance.* The Developer shall provide evidence of contractual liability insurance (in form and substance reasonably acceptable to the City) covering the Developer's obligations to indemnify the City, as provided in this Agreement, by an insurance company with a rating by a reputable rating agency indicating excellent or superior financial strength (i.e., an A.M. Best rating of "A-" or better).

Section 20. Amendment or Modification. The parties to this Agreement may amend or modify this Agreement only by written instrument duly executed by the parties hereto.

Section 21. Third Party Rights. No person or entity who or which is not a party to this Agreement will have any right of action under this Agreement.

Section 22. Scope. This Agreement constitutes the entire Agreement between the parties, and no statements, promises or inducements that are not contained in this Agreement will be binding on the parties.

Section 23. Severability. If any part, term or provision of this Agreement is held by a court of law to be illegal or otherwise unenforceable, such illegality or unenforceability will not affect the validity of any other part, term or provision, and the rights of the parties will be construed as if the part, term or provision was never part of this Agreement.

Section 24. Transferability. This Agreement may not be assigned by the Developer without the express written approval of the City unless such assignment is (i) to an entity succeeding to all or substantially all of the business of the Developer or to an entity affiliated with the Developer (in which case the Developer shall provide notice to the City of such assignment within 10 days from the date of such assignment); (ii) made for the purpose of a collateral assignment by the Developer to secure loans, advances or extensions of credit to finance or from time to time refinance all or any part of the Redevelopment Project, or (iii) made by the transferee of any such collateral assignment to transfer such

Draft

interest by foreclosure or transfer in lieu of foreclosure under such collateral assignment. The City will cooperate and negotiate reasonable assignment language, permitting the Developer to assign its rights under this Agreement and any other agreements entered in connection with the Developer Project by and between the Developer, the City and or the City's designee.

Section 25. Notice. Any notice required or permitted by this Agreement will be deemed effective when personally delivered in writing or three (3) days after notice is deposited with the U.S. Postal Service, postage prepaid, certified, return receipt requested, and addressed as follows:

The City:	City of St. Peters St. Peters City Hall One St. Peters Centre Blvd. St. Peters, Missouri 63376 Attn: City Administrator
With copies to:	Hamilton Weber LLC 200 N. 3rd Street St. Charles, Missouri 63301 Attn: Wm. Randolph Weber, Esq. Gilmore & Bell, P.C. One Metropolitan Square 211 N. Broadway, Suite 2350 St. Louis, Missouri 63102 Attn: Mark D. Grimm, Esq.
The Developer:	Mid Rivers Investment Partners, LLC 9010 Overlook Boulevard Brentwood, Tennessee 37207 Attention: Jeffrey Pape
With copies to:	Mid Rivers Investment Partners, LLC 9010 Overlook Boulevard Brentwood, Tennessee 37207 Attention: J. Evan Gower Armstrong Teasdale LLP 7700 Forsyth Boulevard, Suite 1800 St. Louis, Missouri 63105 Attention: Robert Klahr, Esq.

Section 26. Immunity. Nothing contained in this Agreement constitutes a waiver of the City's sovereign immunity under any applicable state law.

Section 27. Jurisdiction and Venue. Personal jurisdiction and venue for any civil action commenced by either party to this Agreement shall be deemed to be proper only if such action is commenced in the Circuit Court of St. Charles County, Missouri. The Developer expressly waives its rights to bring such action in or to remove such action to any other court whether state or federal.

Draft

Section 28. Missouri Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Missouri.

Section 29. Federal Work Authorization Program. Simultaneously with the execution of this Agreement, the Developer will provide the City with an affidavit and documentation meeting the requirements of Section 285.530, RSMo.

Section 30. Counterparts. This Agreement may be executed in several counterparts, which shall constitute one and the same instrument.

Draft

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed and the City has caused its seal to be affixed hereto and attested as of the date first written above.

CITY OF ST. PETERS, MISSOURI

By: _____
Name: _____
Title: _____

(SEAL)

ATTEST:

By: _____
Name: Patricia E. Smith
Title: City Clerk

GBT REALTY CORORATION

By: _____
Name: _____
Title: _____

Draft

EXHIBIT A

ESTIMATED COSTS

The Shoppes of Mid Rivers
Estimated TIF and CID costs

The following table provides preliminary estimates of reimbursable costs for construction work associated with the proposed Shoppes of Mid Rivers retail development.

TIF Eligible costs[1]:

Item	Estimated Cost
Demolition (existing buildings and site features)	$530,000
Sanitary Sewer Offsite Work	$230,000
Sanitary Sewer On Site Work	$650,000
Water Distribution System	$695,000
I-70 North Outer Road Improvements (turn lanes, signal, etc.)	$706,000
I-70 Off Ramp / Interchange Improvements	$735,000
Engineering & Legal Costs for TIF Improvements	$220,000
Contingency for Above Improvements	$734,000
Total:	**$4,500,000***

CID Eligible costs:

Item	Estimated Cost
Parking lot, curbing, drive lanes, site prep, etc.	$2,956,000
Dry utilities (electric, telephone, cable, etc.)	$273,000
Site lighting, directional signage, striping, etc.	$333,000
Irrigation and landscaping	$551,000
Engineering and Legal costs for CID improvements	$215,000
Storm Sewer System and detention pond on site	$798,000
Contingency for Above Improvements	$374,000
Total:	**$5,500,000***

The Developer may request and receive reimbursement up to a maximum of $10,000,000 of Reimbursable Developer Project Costs in accordance with the terms of the Agreement.

[1] Reimbursable TIF Project Costs include only costs associated with (i) the demolition of existing improvements on the Project Site and (ii) improvements that will be dedicated to the City (as shown on the Preliminary Site Plan) or the Missouri Department of Transportation, as set forth above. If any of the costs shown as TIF Eligible Costs are not associated with demolition or improvements that will be dedicated to the City or the Missouri Department of Transportation, they may be reimbursed through the issuance of District Obligations so long as such costs constitute Reimbursable CID Project Costs.

Draft

EXHIBIT B-1

FORM OF CERTIFICATE OF REIMBURSABLE PROJECT COSTS
(REIMBURSABLE TIF PROJECT COSTS)

Certificate of Reimbursable Project Costs

TO: City of St. Peters, Missouri
Attention: City Administrator

CC: Shoppes of Mid Rivers Community Improvement District
Attention: Chair

Re: Certificate of Reimbursable Project Costs for [_____]

Terms not otherwise defined herein shall have the meaning ascribed to such terms in the Redevelopment Agreement dated as of _____, 2016 (the "*Agreement*") among the City of St. Peters, Missouri (the "*City*"), Mid Rivers Investment Partners, LLC (the "*Developer*") and the Shoppes of Mid Rivers Community Improvement District (the "*District*"). In connection with said Agreement, the undersigned hereby states and certifies that:

1. Each item listed on **Schedule 1** hereto is a Reimbursable TIF Developer Project Cost that was incurred in connection with the completion of the Developer Project.

2. These Reimbursable TIF Project Costs have been paid by the Developer and are reimbursable under the TIF Act and the Agreement.

3. There has not been filed with or served upon the Developer any notice of any lien, right of lien or attachment upon or claim affecting the right of any person, firm or corporation to receive payment of the amounts stated in this request, except to the extent any such lien is being contested in good faith.

4. All necessary permits and approvals required for the Developer Project are in full force and effect.

5. If any cost item to be reimbursed under this Certificate is not permitted to be reimbursed by under the TIF Act and the Agreement, the Developer shall have the right to substitute other eligible Reimbursable TIF Project Costs for payment hereunder.

6. The Developer is not in default or breach of any term or condition of the Agreement.

7. No cost item to be reimbursed under this Certificate has been included in any other Certificate submitted to the City or the District.

Draft

Dated this _____ day of _____, 20___.

MID RIVERS INVESTMENT PARTNERS, LLC

By: _____
[Name], [Title]

Approved for Payment this _____ day of _____, 20___:

CITY OF ST. PETERS, MISSOURI

By: _____
[Name], [Title]

(Insert Notary Form(s))

Draft

EXHIBIT B-2

FORM OF CERTIFICATE OF REIMBURSABLE PROJECT COSTS
(REIMBURSABLE CID PROJECT COSTS)

Certificate of Reimbursable Project Costs

TO: Shoppes of Mid Rivers Community Improvement District
Attention: Chair

CC: City of St. Peters, Missouri
Attention: City Administrator

Re: Certificate of Reimbursable Project Costs for [_____]

Terms not otherwise defined herein shall have the meaning ascribed to such terms in the Redevelopment Agreement dated as of _____, 2016 (the "*Agreement*") among the City of St. Peters, Missouri (the "*City*"), Mid Rivers Investment Partners, LLC (the "*Developer*") and the Shoppes of Mid Rivers Community Improvement District (the "*District*"). In connection with said Agreement, the undersigned hereby states and certifies that:

1. Each item listed on **Schedule 1** hereto is a Reimbursable CID Developer Project Cost that was incurred in connection with the completion of the Developer Project.

2. These Reimbursable CID Project Costs have been paid by the Developer and are reimbursable under the TIF Act and the Agreement.

3. There has not been filed with or served upon the Developer any notice of any lien, right of lien or attachment upon or claim affecting the right of any person, firm or corporation to receive payment of the amounts stated in this request, except to the extent any such lien is being contested in good faith.

4. All necessary permits and approvals required for the Developer Project are in full force and effect.

5. If any cost item to be reimbursed under this Certificate is not permitted to be reimbursed by under the CID Act and the Agreement, the Developer shall have the right to substitute other eligible Reimbursable CID Project Costs for payment hereunder.

6. The Developer is not in default or breach of any term or condition of the Agreement.

7. No cost item to be reimbursed under this Certificate has been included in any other Certificate submitted to the City or the District.

Draft

Dated this _____ day of _____, 20___.

MID RIVERS INVESTMENT PARTNERS, LLC

By: _____
[Name], [Title]

Approved for Payment this _____ day of _____, 20___:

SHOPPES OF MID RIVERS COMMUNITY IMPROVEMENT DISTRICT

By: _____
[Name], [Title]

(Insert Notary Form(s))

Draft

EXHIBIT C

FORM OF CERTIFICATE OF SUBSTANTIAL COMPLETION

To: Shoppes of Mid Rivers Community Improvement District
Attention: Chair

City of St. Peters, Missouri
Attention: City Manager

Re: Certificate of Substantial Completion for [_____]

Terms not otherwise defined herein shall have the meaning ascribed to such terms in the Redevelopment Agreement dated as of [_____, 2016] (the "*Agreement*"), among the City of St. Peters, Missouri (the "*City*"), Mid Rivers Investment Partners, LLC (the "*Developer*") and the Shoppes of Mid Rivers Community Improvement District (the "*District*"), as amended from time to time. In connection with said Agreement, the undersigned hereby states and certifies that:

1. As of _____, 20___, the Developer Project, as such term is defined in the Agreement has been substantially completed in accordance with the Agreement.

2. All work associated with the substantial completion of the Developer Project has been performed in a workmanlike manner and in accordance with the construction plans.

3. Lien waivers for applicable portions of the work associated with the substantial completion of the Developer Project have been obtained.

4. This Certificate of Substantial Completion is accompanied by the project architect's or owner's representative's certificate of substantial completion on AIA Form G-704 (or the substantial equivalent thereof), a copy of which is attached hereto as **Appendix A** and by this reference incorporated herein), certifying that the Developer Project has been substantially completed in accordance with the Agreement.

5. This Certificate of Substantial Completion is being issued by the Developer to the Shoppes at Mid Rivers Community Improvement District (the "District") and the City in accordance with the Agreement to evidence the Developer's satisfaction of all obligations and covenants with respect to the Developer Project.

6. The District's and the City's acceptance (below) or the District's and the City's failure to object in writing to this Certificate within 60 days of the date of delivery of this Certificate to the District and the City (which written objection, if any, must be delivered to the Developer prior to the end of such 60 day period), and the recordation of this Certificate with the County Recorder, shall evidence the satisfaction of the Developer's agreements and covenants to perform the Developer Project.

This Certificate shall be recorded in the office of the County Recorder. This Certificate is given without prejudice to any rights against third parties which exist as of the date hereof or which may subsequently come into being.

Draft

All certifications or statements made or set forth in this Certificate of Substantial Completion are made solely for the benefit of the District and shall not be relied upon or used for any purpose by any third party in any proceeding, claim or contest of any kind, nature or character.

IN WITNESS WHEREOF, the undersigned has hereunto set his/her hand this _____ day of _____, 20___.

[MID RIVERS INVESTMENT PARTNERS, LLC]

By: _____

Name: _____

Title: _____

ACCEPTED:

SHOPPES AT MID RIVERS COMMUNITY IMPROVEMENT DISTRICT

By:_____
Authorized District Representative

ACCEPTED:

CITY OF ST. PETERS, MISSOURI

By:_____
Authorized City Representative

(Insert Notary Form(s))

Draft

EXHIBIT D

LEGAL DESCRIPTION OF THE PROJECT SITE

[To be provided]

Draft

EXHIBIT E

PRIOR CITY TIF COMMITMENTS

Item	Estimated Cost
Storm water pump station #3 replacement	$3,000,000
Park street pump station replacement & force main	500,000
Slipline existing Old Town sewers	170,000
Old Town North public infrastructure improvements	500,000
Signal at Mid Rivers Mall Drive and Outer Road*	300,000
Mid Rivers Mall Drive widening	103,720
Other expenses	100,000

***** Not budgeted as of the date of this Agreement, but the City may undertake this improvement in the future.

Draft

BILL NO. 16-85 I-07

ORDINANCE NO. _____

AN ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY (HAMILTON, 60 CIRCLE WAY) INTO THE CITY OF ST. PETERS, MISSOURI

WHEREAS, on April 28, 2016, a verified petition signed by all of the owners of the real estate hereinafter described requesting annexation of said territories into the City of St. Peters, Missouri, were filed with the City Clerk; and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the City of St. Peters, Missouri; and

WHEREAS, a Public Hearing concerning said matter was held at the City Hall in St. Peters, Missouri, at the hour of 7:00 p.m. on May 26, 2016; and

WHEREAS, notice of said Public Hearing was given by publication of notice at least seven (7) days prior to the hearing in the St. Charles Post, a newspaper of general circulation in the County of St. Charles, State of Missouri; and

WHEREAS, at said Public Hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexations; and

WHEREAS, no written objection to the proposed annexations were filed with the Board of

Draft

Aldermen of the City of St. Peters, Missouri within fourteen (14) days after the public hearing; and

WHEREAS, the Board of Aldermen of the City of St. Peters, Missouri, does find and determine that said annexations are reasonable and necessary to the proper development of the City; and

WHEREAS, the City of St. Peters, Missouri, is able to furnish normal municipal services to said areas within a reasonable time after annexation;

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

SECTION 1. Pursuant to the provisions of Section 71.012 RSMo 2000, the following described real estate is hereby annexed into the City of St. Peters, Missouri, to wit:

Legal Description

The North 100.6 feet of Lot W of Lot 7 of Hi-Pointe Acres, as per plat thereof recorded in Plat Book 5 page 41 of the St. Charles County Records

Together with the street and road rights-of-way abutting said property.

More commonly known as 60 Circle Way

SECTION 2. The boundaries of the City of St. Peters, Missouri are hereby altered so as to encompass the above described tracts of and lying adjacent and contiguous to the present corporate limits.

SECTION 3. That the land described as the Hamilton Property, in Section 1 of this Ordinance shall be part of Ward 3 of the City of St. Peters.

SECTION 4. The City Clerk of the City of St. Peters is hereby ordered to cause three certified copies of this Ordinance to be filed with the St. Charles County Registrar.

SECTION 5. 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 6. Severability Clause.

Draft

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 7. 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 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

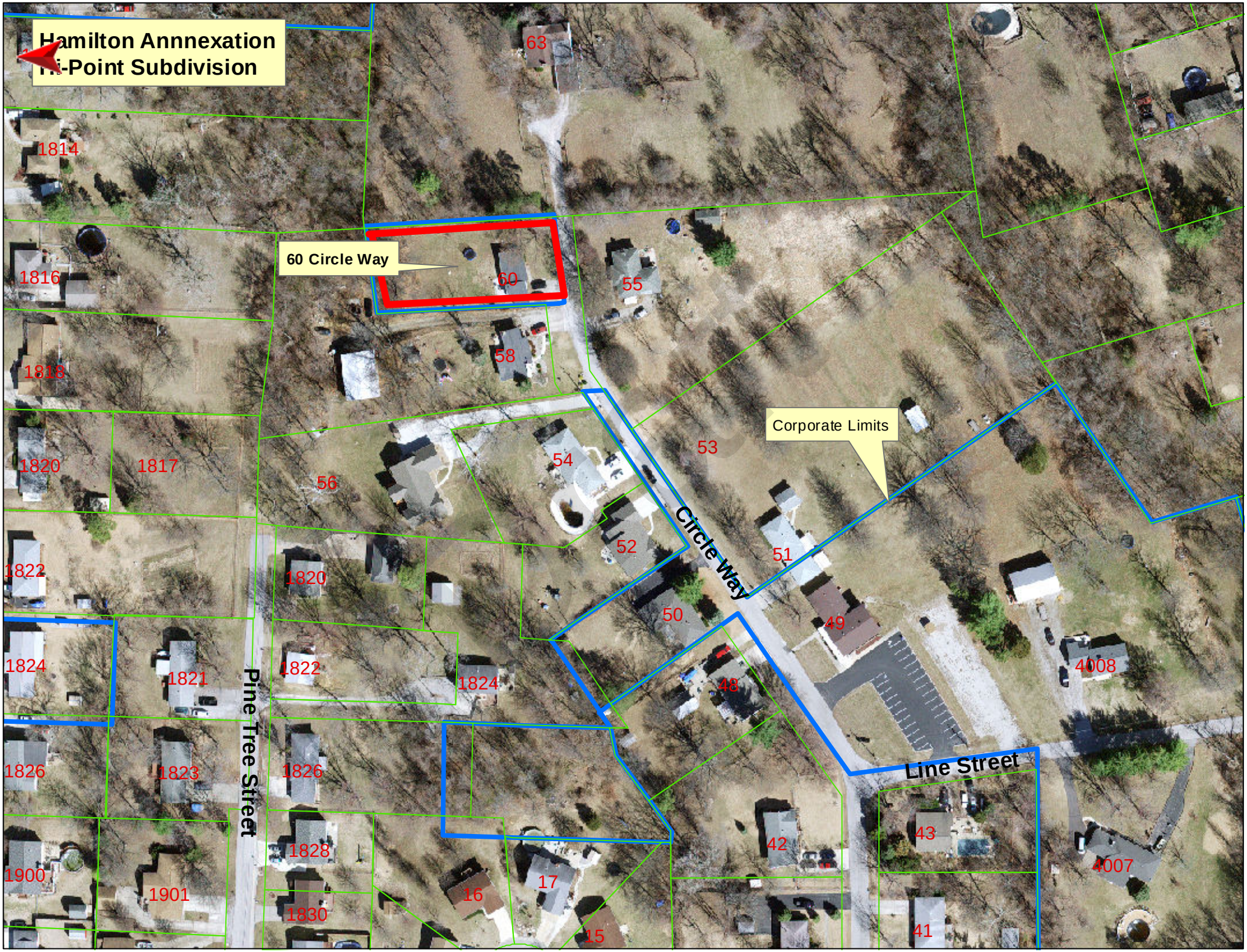
Attest:_____
Patricia E. Smith, City Clerk

Approved this 23rd day of June , 2016.

_____
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Draft


Hamilton Annnexation
Point Subdivision
60 Circle Way
Corporate Limits
Circle Way
Pine Tree Street
Line Street
63
1814
1816
60
55
58
1818
53
54
1820
1817
56
52
51
1822
1820
50
49
1824
1821
1822
1824
48
4008
1826
1823
1826
1828
42
43
4007
1900
1901
16
17
1830
15
41

BILL NO. 16-86 I-08

ORDINANCE NO.

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE CORPORATE LIMITS AND ZONING DISTRICT MAP OF THE CITY OF ST. PETERS, MISSOURI, IN RESPONSE TO A VOLUNTARY ANNEXATION OF PROPERTY (HAMILTON, 60 CIRCLE WAY)

WHEREAS, the Planning and Zoning Commission of the City, Missouri, has recommended approval to the Board of Aldermen of this rezoning for newly annexed property.

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

SECTION 1. That an amended zoning map of the City of St. Peters shall and hereby is adopted as a part of this Ordinance which zoning map has been amended to include the newly annexed territories brought within the corporate limits by Ordinance Number _____ which was passed and approved on June 23, 2016.

The zoning districts of the newly annexed territories within the corporate limits are bounded and defined as shown on a map entitled "Zoning District Map for the City of St. Peters, Missouri", adopted by the Board of Aldermen and certified by the City Clerk, which accompanies and which, with all explanatory matter thereon, is hereby made a part of this Ordinance, which Ordinance establishes the zoning classification for the newly annexed territories.

SECTION 2. The newly annexed tract, which is hereby established as R-1 Single Family Residential District is described as follows:

Legal Description

The North 100.6 feet of Lot W of Lot 7 of Hi-Pointe Acres, as per plat thereof recorded in Plat Book 5 page 41 of the St. Charles County Records

Together with the street and road rights-of-way abutting said property.

More commonly known as 60 Circle Way, St. Peters, Missouri 63376

SECTION 3: The Zoning District Map shall be kept and maintained by the City Clerk and shall be available for inspection and examination by members of the public at all reasonable times as any other public record.

Draft

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 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor of St Peters

Attest:_____
Patricia E. Smith, City Clerk

Draft

BILL NO. 16-87 I-09

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A CONTRACT FOR MEDICAL/Rx AND DENTAL BENEFIT SERVICES

WHEREAS, the City of St. Peters is desirous of providing the best possible medical/Rx and dental benefit services for its employees; and

WHEREAS, Gallagher Benefit Services, on behalf of the city, marketed our medical/Rx and dental benefits for proposals; and

WHEREAS, proposals were evaluated for medical/Rx and dental benefit services;

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

SECTION NO. 1. That the City Administrator of the City of St. Peters be and he is hereby authorized to execute a contract with Cigna for medical/Rx and dental benefit services for City employees and pre-65 retirees, at the prices shown on Exhibit I, effective October 1, 2016.

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.

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

Read two times, passed and approved this 23rd day of June.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Draft

Exhibit 1

City of Saint Peters **Effective Date: 10/01/2016**

Proposed Self-Funded Fees and Rates

ASO Fee Basic Medical	**Year 1**	**Year 2**	**Year 3**
Traditional & Pre-65 Retiree Plans	$26.47	$26.47	$27.26
HSA Plan	$30.41	$30.41	$31.32
Additional Programs			
Your Health First (Chronic Conditions Management)			
Traditional & Pre-65 Retiree Plans	$2.00	$2.00	$2.06
HSA Plan	$2.00	$2.00	$2.06
Health Advisor			
Traditional & Pre-65 Retiree Plans	$1.00	$1.00	$1.03
HSA Plan	$0.00	$0.00	$0.00
Total Medical Fees			
Traditional & Pre-65 Retiree Plans	$29.47	$29.47	$30.35
HSA Plan	$32.41	$32.41	$33.38
Dental and Vision			
Dental: Base and Buy-up	$2.59	$2.59	$2.67
Vision	$0.40	$0.40	$0.40
Wellness and Communication Fund			
	$20,000	$25,000	$25,000

Notes:

1. RX rebates are passed through to the City of Saint Peters.
2. Minimum Guaranteed Brand Rebates are below:

	2016 - 2017	**2017 - 2018**	**2018 - 2019**
Retail:	$27.00	$27.00	$27.00
Mail Order:	$150.00	$150.00	$150.00

3. HSA plan participant's accounts are charged a monthly banking $1.85 service fee not included above.
4. Quote includes $2.00 PEPM commission.
5. Estimated Administration run-out fees are $29,000.
6. Estimated two month premium holiday on Medical, Dental and Vision is $26,679.

Draft

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A CONTRACT WITH IDEAL LANDSCAPE CONSTRUCTION, INC. FOR THE SPENCER CREEK CHANNEL & ST PETERS CONDO BASIN IMPROVEMENTS PROJECT (P-12)

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 solicited bids for the Spencer Creek Channel & St. Peters Condo Basin Improvement Project (P-12); and

WHEREAS, bid proposals were received from three (3) on June 16, 2016, and

WHEREAS, it is recommended that the bid be awarded to Ideal Landscape Construction, Inc.

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 Ideal Landscape Construction Inc. in the initial amount of $1,422,577.00 for the base bid and the vegetation maintenance cost for years two (2) and three (3) of the Spencer Creek Channel & St. Peters Condo Basin Improvement Project (P-12). 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.

Draft

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 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 extend, 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 form and after the date of its final passage and approval.

Read two times, passed and approved this 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Draft

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Draft

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A CONTRACT WITH TWO ALPHA CONTRACTING FOR THE MID RIVERS ESTATES STREAM CHANNEL IMPROVEMENTS PROJECT (P-5)

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 solicited bids for the Mid Rivers Estates Stream Channel Improvements Project (P-5); and

WHEREAS, bid proposals were received from four (4) bidders on May 23, 2016, and

WHEREAS, it is recommended that the bid be awarded to Two Alpha Contracting.

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 Two Alpha Contracting in the initial amount of $275,016.00 for the base bid and the vegetation maintenance cost for years two (2) and three (3) of the Mid Rivers Estates Stream Channel Improvements Project (P-5). Upon approval of the City Administrator the initial contract amount shall

Draft

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 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 extend, 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 form and after the date of its final passage and approval.

Read two times, passed and approved this 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Draft

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Draft

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING FOR MAINTENANCE THE DEDICATION OF CERTAIN STORM SEWER LINES IN AND CONNECTED WITH THE RESUBDIVISION PLAT OF PARCEL 3B OF "A RESUBDIVISION OF PARCEL 3 HORIZON BUSINESS CENTER PLAT TWO"

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 Resubdivision Plat of Parcel 3B of "A Resubdivision of Parcel 3 Horizon Business Center Plat 2", 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 line described as follows:

162 lineal feet of 15" RCP from Structure 6971aI215 to Structure 6971aI178

SECTION 2. 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. AIM Investment Group, LLC shall thereafter be relieved from further obligation with respect to the maintenance of said storm sewer lines, except as may be contained within the executed Escrow Agreement Guaranteeing Improvements on file with the City.

SECTION 3. 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 AIM Investment Group, 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 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.

Draft

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 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Draft

Exhibit A

INSTRUMENT OF DEDICATION OF IMPROVEMENTS

THIS INSTRUMENT is made this 4th day of February, 2016, by and between AIM Investment Group, LLC, GRANTOR, whose mailing address is 590 Turner Boulevard, St. Peters, MO 63376 and the City of St. Peters, Missouri, a Municipal Corporation, GRANTEE, whose address is #1 St. Peters Centre Boulevard, St. Peters, MO 63376.

WHEREAS, Theodore E. Glosier Family Partnership, L.P., did on the 25th day of April, 2007, 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 Resubdivision Plat of Parcel 3B of "A Resubdivision of Parcel 3 Horizon Business Center Plat 2", which plat was recorded in Plat Book 44, Page 230; and

WHEREAS, AIM Investment Group, LLC, constructed a storm sewer system in and connected with Resubdivision Plat of Parcel 3B of "A Resubdivision of Parcel 3 Horizon Business Center Plat 2", and said system was constructed according to the City of St. Peters standards for same, and said system is located in either the street rights-of-way or utility easements contained in said plat; and

WHEREAS, AIM Investment Group, LLC, being the owner, intends that the storm sewer system so constructed become a part of the storm sewer system of the City of St. Peters, Missouri.

WHEREAS, AIM Investment Group, LLC being the owner of the storm sewer line located within and connected with the Resubdivision Plat of Parcel 3B of "A Resubdivision of Parcel 3 Horizon Business Center Plat 2", does hereby dedicate the following storm sewer line:

162 lineal feet of 15" RCP from Structure 6971AI215 to Structure 6971AI178

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

The City of St. Peters, Missouri does hereby accept the aforesaid storm sewer line as a part of the public storm sewer system of said City in perpetuity.

Draft

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

GRANTOR:

AIM Investment Group, LLC
a Missouri limited liability company

By: Paul R Bastean

TITLE: Director

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

On this 4th day of February, 2016, before me personally appeared Paul R. Bastean, of AIM Investment Group, LLC, known to me to be the person who executed the within Instrument of Dedication of Improvements in behalf of said limited liability company and acknowledged to me that he/she/they executed the same for the purposes therein stated.

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: Aug 19, 2017

WILLIAM D. DUDLEY
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Charles County
My Commission Expires: August 19, 2017
Commission Number 13516256

Draft

GRANTEE:

CITY OF ST. PETERS, MISSOURI
a 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:

Draft

BILL NO. 16-91 I-13

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO NEGOTIATE AND EXECUTE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT FOR THE JUNGERMANN ROAD – BOONE HILLS DRIVE INTERSECTION IMPROVEMENT PROJECT

WHEREAS, the City of St. Peters has entered into an agreement with St. Charles County to design and construct roadway, intersection and drainage improvements at the intersection of Jungermann Road and Boone Hills Drive; and

WHEREAS, the project requires professional engineering services to design said roadway, intersection and drainage improvements; and

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

WHEREAS, it is recommended that the firm of HR Green perform the required engineering services.

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 negotiate and execute a professional engineering services agreement with the HR Green in an amount not to exceed $180,000 for the Jungermann Road and Boone Hills Drive Intersection Improvement Project.

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. 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.

Draft

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 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Draft

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO AMEND AN AGREEMENT WITH BARR ENGINEERING TO PROVIDE ADDITIONAL PROFESSIONAL SERVICES FOR THE SUN RIVER / MCCLAY MEADOWS STORMWATER IMPROVEMENT PROJECT P-21

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, additional work is required to perform phase 2 design and construction phase services for the project defined by the phase 1 pre-design study; and

WHEREAS, it is recommended that the current agreement with Barr Engineering be amended to include additional professional services in accordance with the proposal submitted May 2, 2016.

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 amend the agreement with Barr Engineering in the proposed amount of $256,100.00 to provide additional professional services for the Sun River / McClay Meadows Stormwater Improvement Project P-21.

SECTION 2. That 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. 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.

Draft

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 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Draft

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A CONTRACT WITH PIPEWORKS UTILITIES, LLC FOR THE COUNTRY HILL ESTATES STORMWATER IMPROVEMENT PROJECT PHASE-1 (P-24)

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 solicited bids for the Country Hill Estates Stormwater Improvement Project Phase-1 (P-24); and

WHEREAS, bid proposals were received from seven (7) bidders on June 13, 2016, and

WHEREAS, it is recommended that the bid be awarded to Pipeworks Utilities, LLC.

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 Pipeworks Utilities, LLC in the initial amount of $153,190.58 for the Country Hill Estates Stormwater Improvement Project Phase-1 (P-24). 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.

Draft

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 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 extend, 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 form and after the date of its final passage and approval.

Read two times, passed and approved this 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Draft

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Draft

ORDINANCE NO.

AN ORDINANCE DIRECTING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO ENTER INTO A CONTRACT WITH ALTEC INDUSTRIES OF ST. JOSEPH, MISSOURI FOR THE PURCHASE OF A ONE-TON AERIAL LIFT 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 it's 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 Altec Industries of St. Joseph, Missouri as a dealer holding the current Missouri Department of Transportation Procurement Contract and offering a one-ton aerial lift 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 Altec Industries of St. Joseph, Missouri, in the amount of $103,218.00 for the purchase of a one-ton aerial lift 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.

Draft

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 23rd day of June 2016.

_____
As Mayor and as Presiding Officer
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Approved this 23rd day of June 2016.

_____
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Draft

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF ST. PETERS, MISSOURI, AMENDING ARTICLE II OF CHAPTER 115 OF THE ST. PETERS CITY CODE BY DELETING THEREFROM SECTIONS 115.080 AND 115.090 IN THEIR ENTIRETY; ENACTING, IN LIEU THEREOF, NEW SECTIONS 115.080 AND 115.090; AND PROVIDING FOR THE EMPLOYMENT AND DUTIES OF THE ASSISTANT CITY ADMINISTRATOR

WHEREAS, Section 77.042 RSMo, provides that "any forth class city may by ordinance provide for the employment by the governing body with the approval of the mayor of a city administrator who shall be the chief administrative assistant to the mayor and who shall have general superintending control of the administration and management of the government business, officers and employees of the city, subject to the direction and supervision of the mayor"; and

WHEREAS, Section 77.046.1, RSMo., provides that "Upon the adoption of a city administrator form of government, the governing body of the city may provide that all other officers and employees of the city, except elected officers, shall be appointed and discharged by the city administrator, but the governing body may make reasonable rules and regulations governing the same"; and

WHEREAS, pursuant to Section 115.050 of the City Code, the City created the office of the City Administrator; and

WHEREAS, the Board of Aldermen desires to amend the procedures for the designation and employment of an Assistant City Administrator.

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

SECTION NO. 1. That Section 115.080 of the St. Peters City Code be and it hereby is deleted in its entirety, and replaced, in lieu thereof, with the following:

SECTION 115.080. EFFECT OF ACTIONS TAKEN PURSUANT TO SECTION 115.070 OF THIS ARTICLE — NO ADDITIONAL AUTHORIZATION NECESSARY — NO RATIFICATION NECESSARY.

Any action taken by a person or persons designated or employed pursuant to Section 115.090 hereof, which could have validly been taken by the City Administrator and which has been delegated to such person by the City Administrator or by ordinance, shall have the same effect as if the City Administrator has personally taken such action. No

Draft

action taken by such designee, pursuant to this Section shall require any additional authorization from the Mayor or the Board of Aldermen if such authorization would not have been required if the City Administrator had personally taken such action.

SECTION NO. 2. That Section 115.090 of the St. Peters City Code be and it hereby is deleted in its entirety, and replaced, in lieu thereof, with the following:

SECTION 115.090. ASSISTANT TO THE CITY ADMINISTRATOR.

The City Administrator shall have the authority to appoint an assistant or assistants with the authority to exercise the powers and duties of the City Administrator set forth in Section 115.070 hereof, together with the authority to exercise such powers, perform such duties and assume such responsibilities as may be considered consistent therewith during the temporary absence of the City Administrator from the City, or as are delegated to him/her from time to time by the City Administrator, subject to the City Administrator's direction and supervision..

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.

SECTION NO. 5. Effective Date. 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 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Draft

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor

Attest:

_____
Patricia E. Smith, City Clerk

Draft

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A STORMWATER DETENTION BASIN EASEMENT AGREEMENT AND A STORMWATER DETENTION BASIN MANAGEMENT AGREEMENT WITH ST. PETERS CONDOMINIUM ASSOCIATION FOR THE P-27 ST PETERS CONDO DETENTION BASIN IMPROVEMENT PROJECT

WHEREAS, compliance with requirements of the City of St. Peters' MS4 permit issued by the Missouri Department of Natural Resources necessitates certain improvements to storm water detention basins within the City; and

WHEREAS, construction of said improvements necessitates obtaining a storm water detention basin easement and a storm water detention basin management agreement from St. Peters Condominium Association; and

WHEREAS, the City of St. Peters and said St. Peters Condominium Association, desire to enter into a storm water detention basin easement and a storm water detention basin management agreement for the P-27 St. Peters Condo Detention Basin Improvement Project.

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

SECTION NO. 1. That the City Administrator of the City of St. Peters, Missouri, be and he is hereby authorized to negotiate, execute, and administer, on behalf of said City, a Stormwater Detention Basin Easement and a Stormwater Detention Basin Management Agreement with St. Peters Condominium Association, in substantially the forms attached hereto and made a part hereof, for the P-27 St. Peters Condo Detention Basin Improvement Project.

SECTION NO. 2. 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

Draft

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 23rd day of June, 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

Draft

STORMWATER DETENTION BASIN MANAGEMENT AGREEMENT

This Stormwater Detention Basin Management Agreement (the "Agreement") dated the ____ day of _____, 2016, is effective on the date of the signature of the last party to sign this Agreement as set forth below (the "Effective Date"), by and between St. Peters Condominium Association, a Missouri non-profit corporation (hereinafter "Grantor" or "Association"), and the City of St. Peters, Missouri, a fourth class city and a political subdivision of the State of Missouri (hereinafter "Grantee" or "City").

BACKGROUND AND STATEMENT OF PURPOSE

A. The City wishes to enter into with certain property owners and/or homeowner associations within the City the agreement described below in order to protect the public health, safety and welfare of its residents, and in order to comply with the Federal Water Pollution Control Act, 33 U.S.C. 1342, et seq., the related Best Management Practices based on the National Pollutant Discharge Elimination System in part 122, of Chapter I – Environmental Protection Agency, of Title 40, Code of Federal Regulations, and the Missouri Stormwater Regulations codified at 10 CSR 20-6.200, et. seq., and promulgated under Section 644.026, RSMo. 2000, as amended, the "Missouri Clean Water Law."

B. The Association is the owner of certain real property located within the municipal boundaries of the City, and shown as "Common Elements" on St. Peters Condominiums Phase Nine recorded in Plat Book 23, page 38, and on St. Peters Condominiums Phase Ten recorded in Plat Book 23, page 44, of the St. Charles County Records, (the "Common Ground").

C. The City desires to retrofit (DB-7369-07) stormwater detention basin located on the Common Ground in order to improve its operation and stormwater pollutant removal efficiency as recommended in the City's Stormwater Master Plan. The selected basin defined herein is located as shown on the attached Exhibit B, (the "Basin"), and described on the approved construction plans for St. Peters Condominiums Phase Nine and St. Peters Condominiums dated April 1982. The basin is also known as DB-7369-07, in the City's Detention Basin database. The basin retrofits shall be designed and implemented for improved

Draft

water quality and volume control as outlined in City's Stormwater Master Plan and as shown on Exhibit A.

D. The Association and the City desire to enter into this Agreement in order to evaluate and improve the current detention basin, shown on Exhibit B, and to set forth the terms and conditions of the City's retrofit, construction, and maintenance responsibilities.

NOW THEREFORE, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto do hereby agree as follows:

SECTION 1. – BASIN. The parties hereto designate the area depicted on Exhibit B attached hereto and incorporated by reference herein as the "Basin" subject to the work outlined in this Agreement, and the Association hereby grants to and agrees to deliver to the City a fully executed Stormwater Detention Basin Easement Agreement as set forth on Exhibit C, attached hereto and incorporated by reference herein.

SECTION 2. – BASIN RETROFITS. The City shall evaluate the existing Basin for improvements to improve volume control and water quality.

The Basin will also be evaluated for retrofit to meet the design standards for a bio-filtration detention basin. The retrofits shall be in accordance with Code Chapter 550, and shall include: removal of existing concrete swale, regrading of the basin dimension, installation of bioretention soil and underdrain system, installation of stone lined swale and rock weirs, native vegetation plant palette, and replacement of the outlet control structure.

Exhibit A sets forth the plan view of the basin improvements to be built for the Association hereunder.

The City shall bear the entire cost for the retrofit and maintenance of the Basin. The Association will be responsible to maintain all Common Ground except for the Basin as described on Exhibit C.

Work performed by the City shall be confined to the easement areas as represented and shown on Exhibit C. The City shall be responsible for restoring the surface of any Common Ground damaged by City during access or construction of the water quality improvements to the extent practicable.

The Association agrees to execute and deliver, at no cost to the City, the necessary permanent drainage, maintenance, and ingress and egress easements in substantially the form of Exhibit C hereto.

SECTION 3. – MAINTENANCE OF BASIN. The Association shall, at its expense, adequately maintain, and shall hold harmless the City for any costs incurred for maintenance of the Common Ground within the St. Peters Condominiums Phase Nine and St. Peters Condominiums Phase Ten plats not associated with the City constructed water quality improvements. Exhibit B shows the area to be maintained by the Association and the areas to be maintained by the City. The area to be maintained by the Association includes all existing and

Draft

modified stormwater pipes and structures built to convey stormwater to the Basin, as well as other routine maintenance such as grass cutting, trash pickup, and weed control within the Common Ground. The City shall maintain the water quality improvements, including the native vegetation provided to control the quantity and quality of the stormwater within the area described on Exhibit C. If the City determines, at any time, that the water quality improvements are not functioning properly or providing the desired benefit for water quality, the City may alter the water quality improvements as necessary, or remove the water quality improvements and retrofit the Basin, at the City's expense. Prior to any changes to said water quality improvements, the City shall notify the Association of the proposed changes, unless there is an emergency situation, in which case the City shall notify the Association of the action taken within 24 hours after such action. Adequate maintenance is herein defined as the stormwater improvements performing their designed functions.

The Association agrees that it will assist the City in Public Education efforts by means of distribution of City supplied education materials, printing articles in Association newsletters, emails to residents, or other means available to the Association in regards to impacting the water quality in the basins, for example, dumping yard waste and other debris into the Basin areas, or mowing vegetation within the Basin areas. The Association shall also assist the City in identifying areas where yard waste dumping or other water quality impacts are occurring for action by the City.

SECTON 4. – BINDING EFFECT. This Agreement shall be binding upon, and shall inure to the benefit of, the City, the Association, and their successors and assigns.

SECTION 5. – INTENT. It is the intent of this Agreement to insure the proper maintenance of the Basin; provided however, that this Agreement shall not be deemed to create or establish any liability of any party for damage alleged to result from or caused by stormwater runoff.

SECTION 6. – INDEMNITY AND RELEASE. Association does hereby release and agree to indemnify, defend and hold harmless the City, 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 Association or its agents, contractors, volunteers, or residents in connection with the City's construction of the stormwater control and water quality improvements and maintenance of the Basin and/or stream channel improvements. If the City should expend any funds, except as otherwise provided herein, in connection with the Basin improvements, the Association shall reimburse the City for all such expenditures.

SECTION 7. - MISCELLANEOUS PROVISIONS.

A. Amendment. The provisions of the Agreement may be amended, but only with the prior, written consent of the parties.

B. Remedies. The parties declare that it is impossible to measure in money the damages which will accrue to City or Association by reason of the failure of City or Association to perform the obligations set forth in this Agreement. Should any dispute arise or any action be instituted by City or Association, their successors or assigns, to enforce the provisions of this

Agreement, it is agreed that this Agreement shall be enforceable in a court of equity by a decree of specific performance and that an injunction may be issued restraining any sale or transfer of the Basin or stream channel improvements or any use thereof contrary to the provisions of this Agreement, pending the determination of such controversy, and the City or the Association, for their successors and assigns, waive the claim or defense that an adequate remedy at law exists. Such equitable remedy shall be cumulative and not exclusive and shall be in addition to any other remedy which the City or Association may have.

C. Governing Law. It is agreed by the parties that the construction, enforcement and effect of this Agreement shall be governed by the laws of the State of Missouri.

D. Severability. It is understood and agreed by the parties that if any term, part or provision of this Agreement is held to be illegal or unenforceable, then the remaining parts, terms, provision or portions of the same shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if this Agreement did not contain the particular part, term or provision held invalid.

E. Representations of Trustees. The undersigned, on behalf of the Association, each represent and warrant to the City that they are the duly appointed Trustees of the Association, that they have been duly authorized by the Association and that it and they have the full right, power and authority to enter into this Agreement, to fully perform the Association's obligations hereunder, and that upon its due execution by the City, this Agreement shall be binding upon the parties hereto and in full force and effect as of the date hereof, in accordance with its terms.

F. Notice. Any notice, demand, request, consent, approval or communication that either party hereto desires to or is required to give to the other party under this Agreement shall be in writing. Notice shall be sent by mailing the same, certified mail, postage prepaid, return receipt requested, and shall be deemed given as of the third day following the same being so mailed.

If to City: CITY OF ST. PETERS, MISSOURI
One St. Peters Centre Boulevard
St. Peters, Missouri 63376
Attention: City Administrator

or to such other person or address as City shall designate to the Association in writing.

If to Association: ST. PETERS CONDOMINIUM ASSOCIATION
799 Del Ray Drive
St. Peters, Missouri 63376
Attention: Sara Heideman, President

or to such other person or address as the Association shall designate to the City in writing.

G. Notwithstanding any provisions herein to the contrary, the Basin retrofit, maintenance and stream channel improvements set forth in this Agreement are subject to annual appropriation by the Board of Aldermen. The City shall cause its responsible financial officer to do all things lawfully within his or her power to obtain and maintain funds from which payment

Draft

for such improvements and maintenance may be paid, including making provision for such payments to the extent necessary in each proposed budget or appropriation request submitted for adoption by the then current Board of Aldermen of the City in accordance with applicable provisions of law. The City reasonably believes that legally available funds in an amount sufficient to make all payments for improvements and maintenance can be obtained so long as this Agreement remains in effect. In the event no funds are appropriated to make the required payments, the City shall notify the Association in writing of such failure of appropriation of funds.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement as of the Effective Date.

SEAL

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, to me personally known, who, being by me duly sworn, did say that he is the City Administrator of the City of St. Peters, Missouri, and that the seal affixed to the foregoing instrument is the seal of said City, and that said instrument was signed and sealed on behalf of said City, by authority of its Board of Aldermen; and said William P. Charnisky 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 the day and year first above written.

_____
Notary Public

My Commission Expires:

Draft

ST. PETERS CONDOMINIUM ASSOCIATION
a Missouri non-profit corporation

By:_____
Sara Heideman, President

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

On this _____ day of _____, 2016, before me personally appeared SARA HEIDEMAN, who, being by me duly sworn, did state that she is the President of the St. Peters Condominium Association, a Missouri non-profit corporation, and that said instrument was signed on behalf of said corporation, by authority of its Board of Directors, and said SARA HEIDEMAN, President, 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 Public

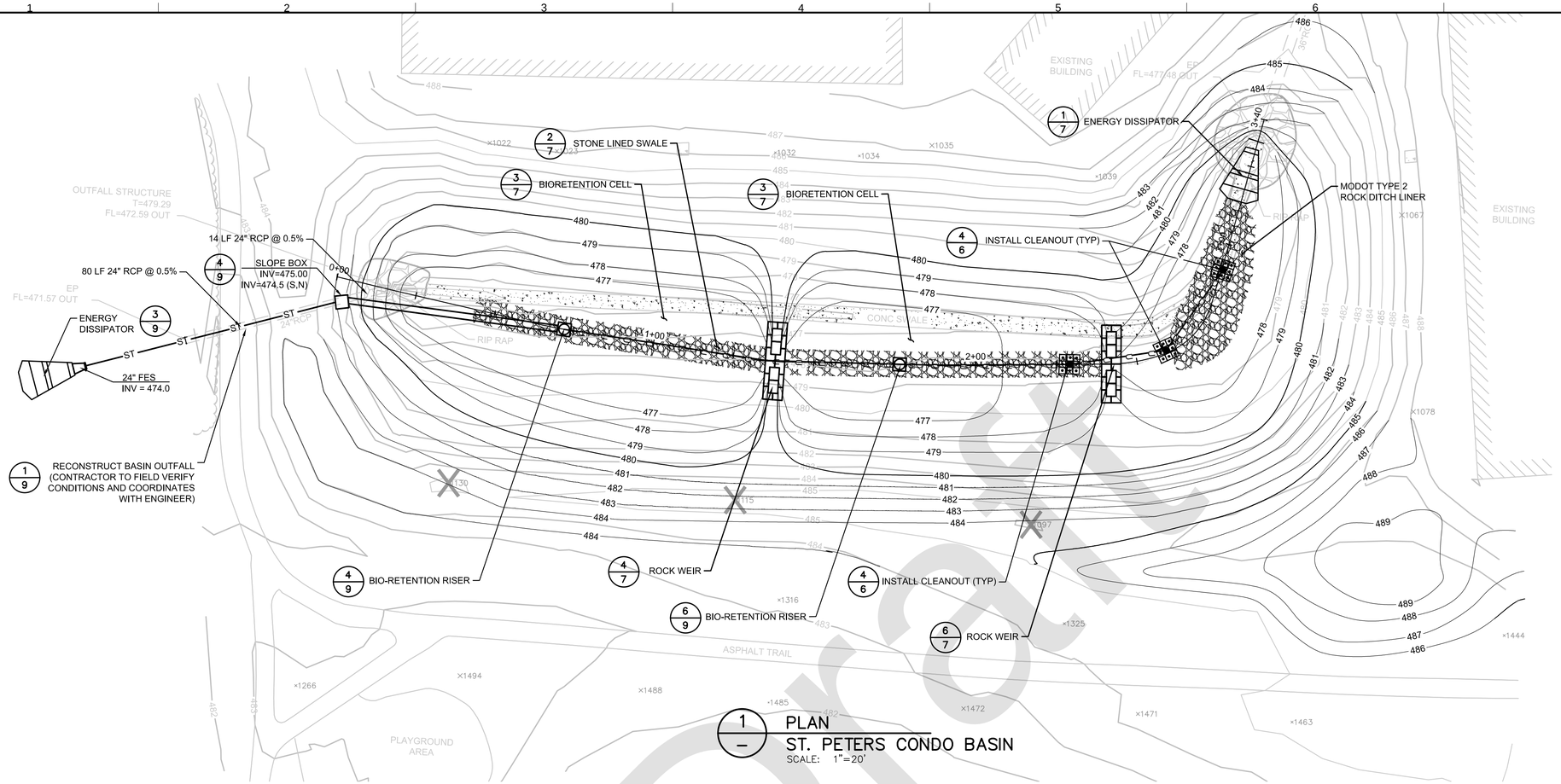
My Commission Expires:

Draft

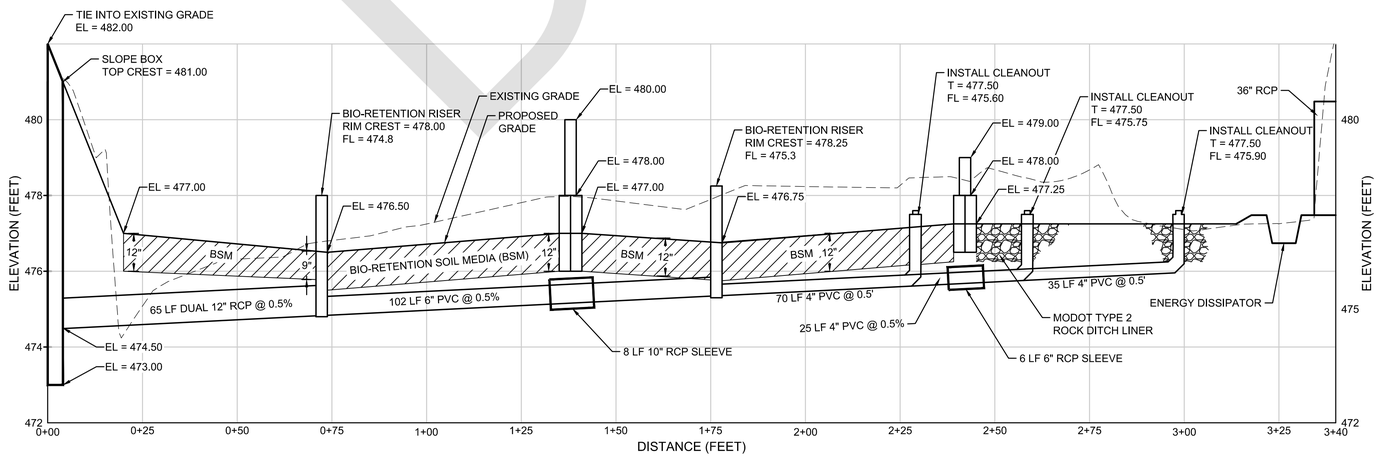
EXHIBIT A

Page 1 – Proposed Grading Plan
Page 2 – Proposed Restoration Plan (with City-maintenance limits)

Draft



1 PLAN
ST. PETERS CONDO BASIN
SCALE: 1"=20'



2 SECTION
ST. PETERS CONDO BASIN
SCALE: 1"=2' HOR.
SCALE: 1"=25' VERT

Call BEFORE you DIG
TOLL FREE
1-800-344-7483
MISSOURI ONE-CALL SYSTEM, INC.

UNDERGROUND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE INFORMATION AND THEREFORE THEIR LOCATIONS SHALL BE CONSIDERED APPROXIMATE ONLY. THE VERIFICATION OF THE LOCATION OF ALL UNDERGROUND UTILITIES, EITHER SHOWN OR NOT SHOWN ON THESE PLANS, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR, AND SHALL BE LOCATED PRIOR TO ANY GRADING AND/OR CONSTRUCTION OF IMPROVEMENTS.

EXHIBIT A
PAGE 1 OF 2

0 20' 40'
SCALE IN FEET

100% DESIGN DRAWINGS FOR CONSTRUCTION

REV	DATE	DESCRIPTION	DRN	APP

CLIENT LOGO AREA

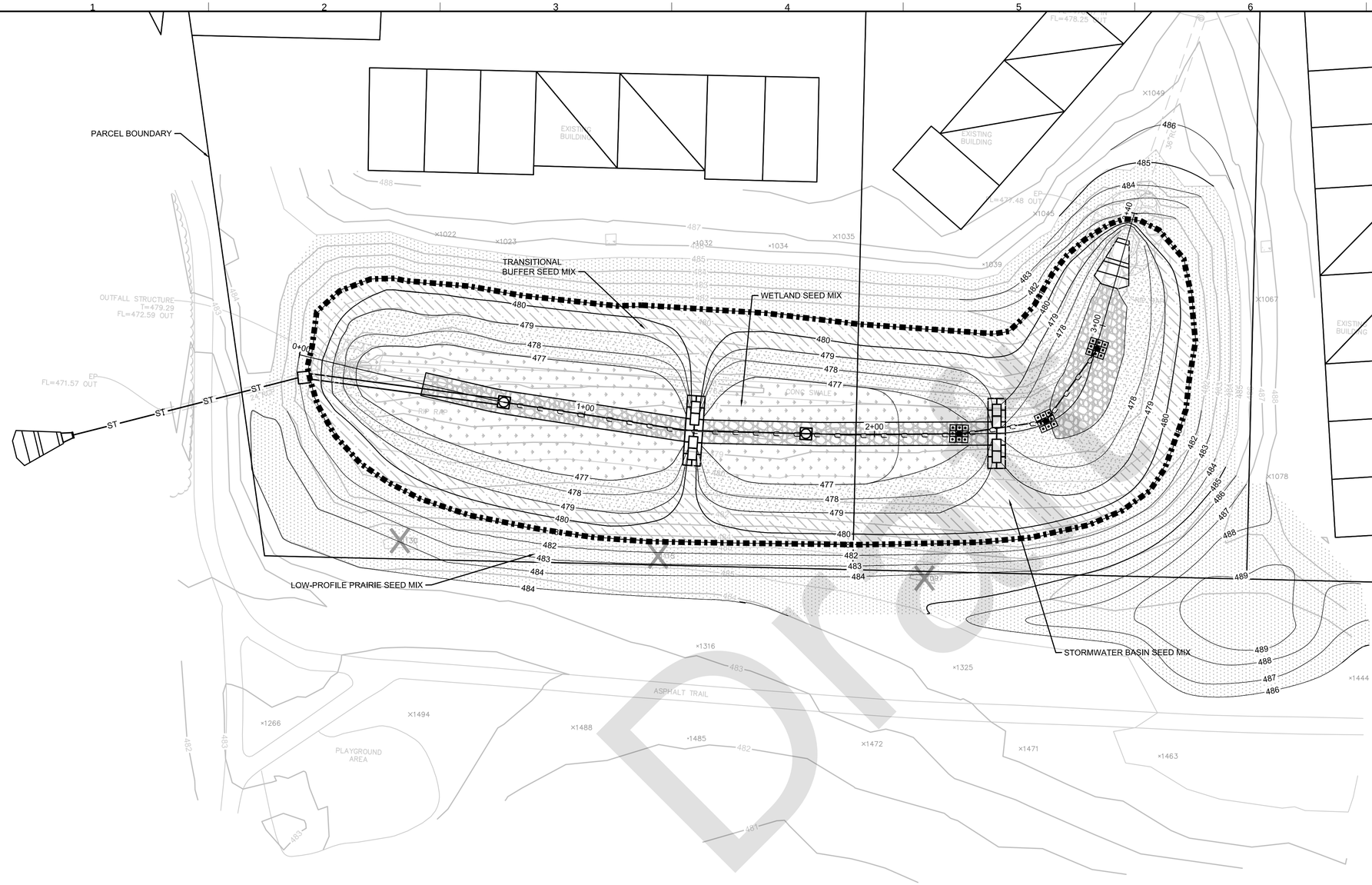
Geosyntec consultants
1420 KENSINGTON RD., SUITE 103
OAKBROOK, ILLINOIS 60523
PHONE: 630.203.3341

TITLE: ST. PETERS CONDO BASIN IMPROVEMENTS PROPOSED GRADING PLAN
PROJECT: STORMWATER RETROFIT PROJECT - P27
SITE: ST PETERS, MISSOURI

STATE OF MISSOURI MATTHEW R. BARGER NUMBER 2012038526 PROFESSIONAL ENGINEER 2-21-17

DESIGN BY:	DCB
DRAWN BY:	BJD
CHECKED BY:	DCB
REVIEWED BY:	MRB
APPROVED BY:	MRB

DATE: JANUARY 2016
PROJECT NO.: MOW5312
FILE:
DRAWING NO.: 3 OF 9



LEGEND

- STORMWATER BASED SEED MIX WITH PLUG SUPPORT OPTION ELEVATION: < 477.0
- 50% STORMWATER BASIN SEED MIX 50% LOW PROFILE MIX ELEVATION: 477.0–479.0
- LOW PROFILE PRAIRIE SEED MIX ELEVATION 479.0–481.0
- TURF GRASS ELEVATION: > 481.0
- CITY MAINTENANCE LIMITS (INSIDE DASHED LINE)

Call BEFORE you DIG
TOLL FREE
1–800–344–7483
MISSOURI ONE–CALL SYSTEM, INC.

UNDERGROUND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE INFORMATION AND THEREFORE THEIR LOCATIONS SHALL BE CONSIDERED APPROXIMATE ONLY. THE VERIFICATION OF THE LOCATION OF ALL UNDERGROUND UTILITIES, EITHER SHOWN OR NOT SHOWN ON THESE PLANS, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR, AND SHALL BE LOCATED PRIOR TO ANY GRADING AND/OR CONSTRUCTION OF IMPROVEMENTS.

EXHIBIT A
PAGE 2 OF 2

0 20' 40'
SCALE IN FEET

100% DESIGN DRAWINGS FOR CONSTRUCTION

REV	DATE	DESCRIPTION	DRN	APP

CLIENT LOGO AREA

Geosyntec consultants
1420 KENSINGTON RD. SUITE 103
OAKBROOK, ILLINOIS 60523 USA
PHONE: 630.203.3341

TITLE: ST. PETERS CONDO BASIN IMPROVEMENTS PROPOSED RESTORATION PLAN
PROJECT: STORMWATER RETROFIT PROJECT - P27
SITE: ST PETERS, MISSOURI

DESIGN BY:	DCB
DRAWN BY:	BJD
CHECKED BY:	DCB
REVIEWED BY:	MRB
APPROVED BY:	MRB

DATE: JANUARY 2016
PROJECT NO.: MOW5312
FILE:
DRAWING NO.: 4 OF 9

EXHIBIT B

LOCATION MAP

Draft

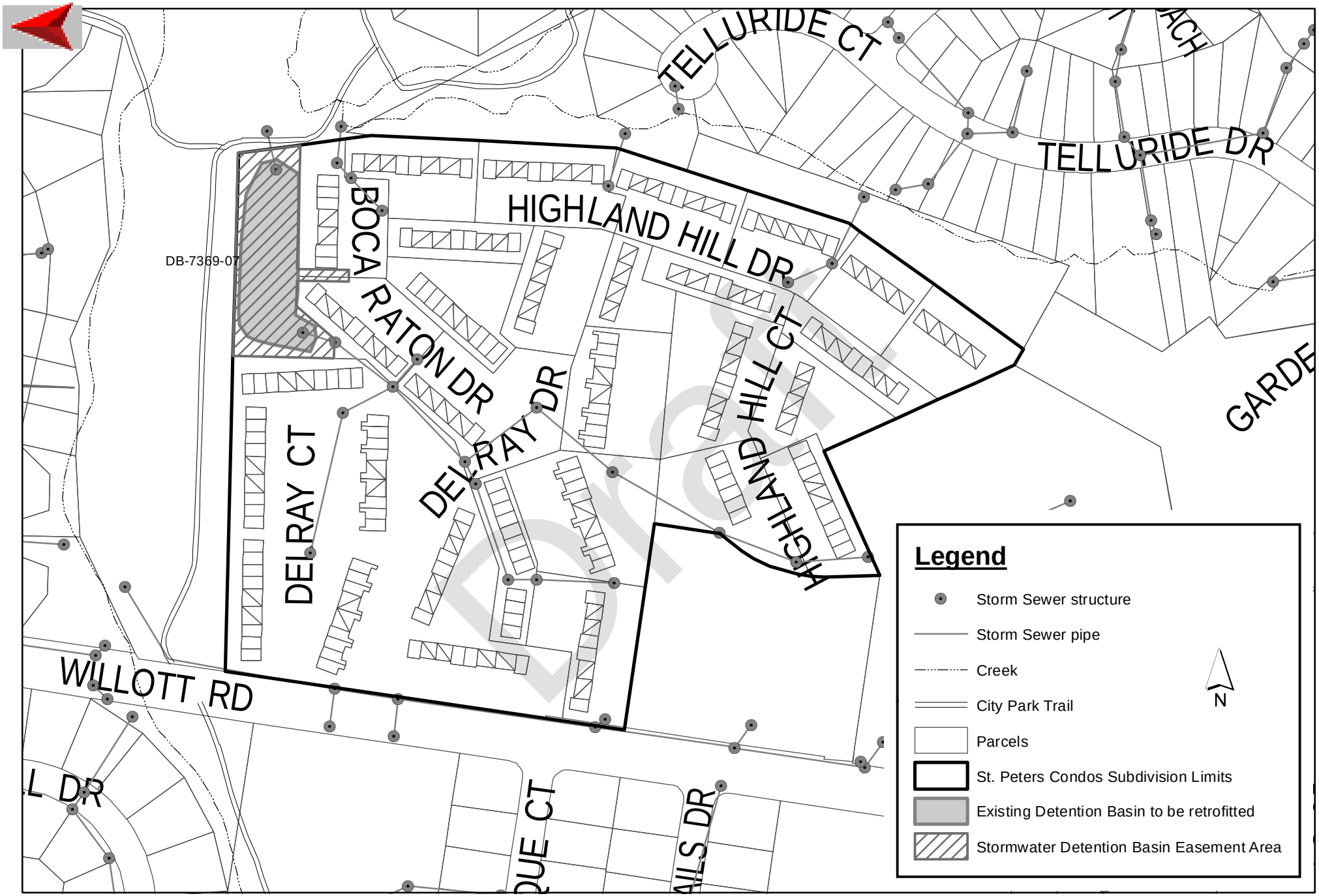


EXHIBIT B - LOCATION MAP
ST. PETERS CONDOMINIUM DETENTION BASIN

EXHIBIT C

Stormwater Detention Basin Easement Agreement

Draft

Stormwater Detention Basin Easement Agreement

This Agreement, made and entered into as of the _____ day of _____, 2016, by and between, St. Peters Condominium Association, a Missouri non-profit corporation, whose mailing address is 799 Del Ray Drive, St. Peters, Missouri 63376, hereinafter referred to as **GRANTOR**, and the CITY OF ST. PETERS, MISSOURI, a fourth class city of the State of Missouri, its successors and assigns, whose mailing address is #1 St. Peters Centre Blvd., St. Peters, Missouri 63376, hereinafter referred to as **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, 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 the 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, stormwater 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 the 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 **GRANTOR** outside of the Easement Area to substantially its prior condition, to the extent practicable.

Draft

GRANTOR covenants and agrees that it will not, nor will it allow others to construct, plant, erect or 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** part 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 the 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 stormwater control and water quality improvements, and **GRANTOR'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.

Draft

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

GRANTOR:
ST. PETERS CONDOMINIUM ASSOCIATION
a Missouri non-profit corporation

By_____
Sara Heideman, President

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

On this _____ day of _____, 2016, before me personally appeared SARA HEIDEMAN, who, being by me duly sworn, did state that she is the President of the St. Peters Condominium Association, a Missouri non-profit corporation, and that said instrument was signed on behalf of said corporation, by authority of its Board of Directors, and said SARA HEIDEMAN, President, 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 Public

My Commission Expires:

Draft

GRANTEE:
City of St. Peters,
a Missouri municipal corporation

SEAL

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, 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 my official seal in the County and State aforesaid, the day and year first above written.

_____
Notary Public

My Commission Expires:

Draft

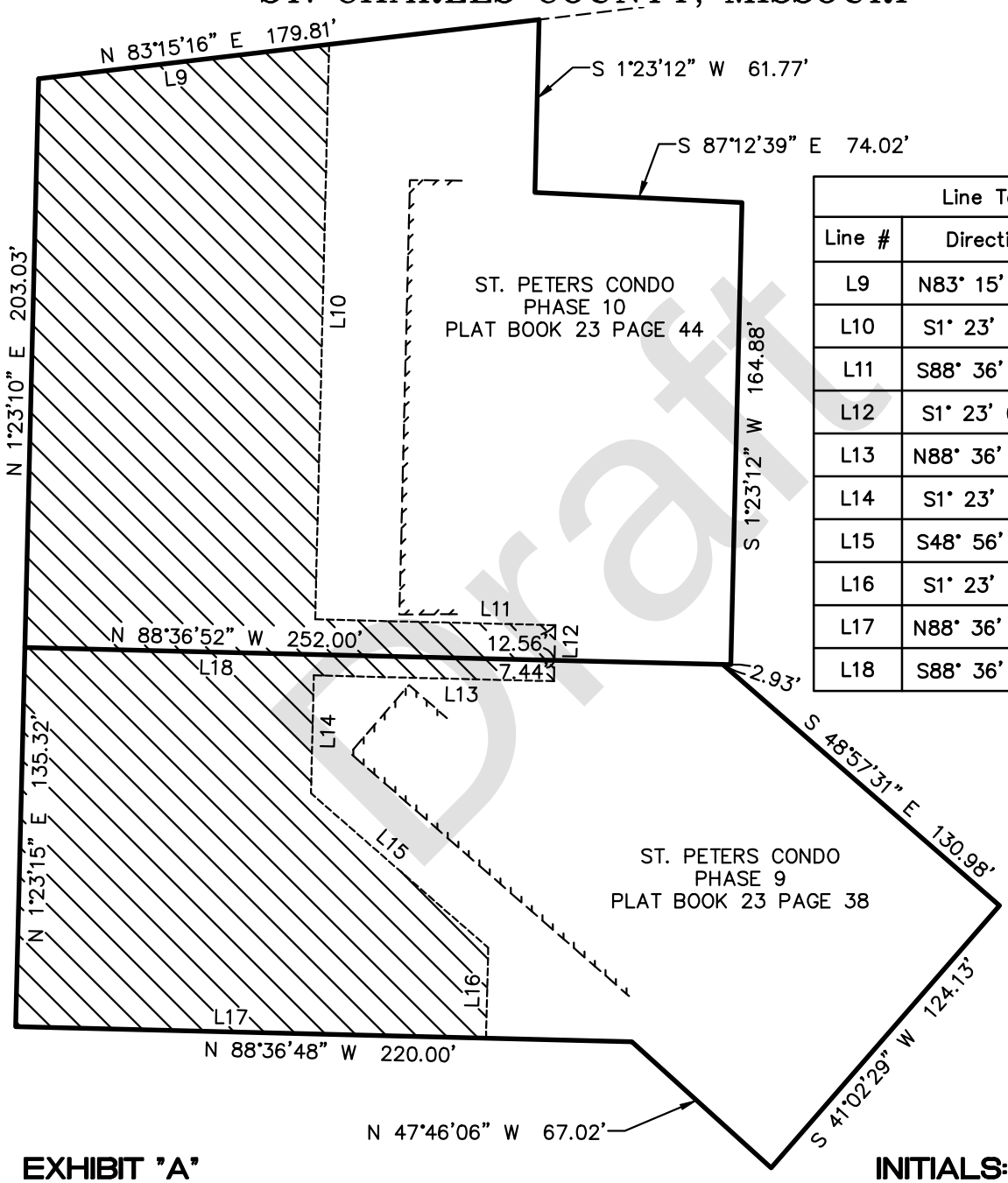
150305

EASEMENT EXHIBIT

PART OF U.S. SURVEY 1779 BEING PART OF ST. PETERS CONDO PL 9 AND PL 10

PB 23 PG 38 AND PB 23 PG 44 T46N R4E

ST. CHARLES COUNTY, MISSOURI



Line Table		
Line #	Direction	Length
L9	N83° 15' 16"E	104.38'
L10	S1° 23' 12"W	205.23'
L11	S88° 36' 52"E	85.74'
L12	S1° 23' 08"W	20.00'
L13	N88° 36' 52"W	85.74'
L14	S1° 23' 12"W	42.10'
L15	S48° 56' 47"E	83.88'
L16	S1° 23' 12"W	32.25'
L17	N88° 36' 48"W	167.90'
L18	S88° 36' 52"E	189.07'

Draft

EXHIBIT "A"

INITIALS:

SCALE:
1"=60'
0 30 60 120

REVISED: -

SHEET 1 OF 1

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 5/18/16

Easement Description
15-0305 JQP
May 18, 2016

EXHIBIT B

A tract of land being Part of U. S. Survey 1779, Township 46 North, Range 4 East, said tract being Part of St. Peters Condominiums Phase 9 as recorded in Plat Book 23 Page 38, and being Part of St. Peters Condominiums Plat 10 as recorded in Plat Book 23 Page 44 of the St. Charles County records, being more particularly described as follows:

Beginning at the Southwest corner of said St. Peters Condominiums Phase 9; thence North 1 degree 23 minutes 15 seconds East, 135.32 feet to the Southwest corner of St. Peters Condominiums Phase 10; thence North 1 degree 23 minutes 10 seconds East, 203.03 feet to a point; thence North 83 degrees 15 minutes 16 seconds East, 104.38 feet to a point; thence South 1 degree 23 minutes 12 seconds West, 205.23 feet to a point; thence South 88 degrees 36 minutes 52 seconds East, 85.74 feet to a point; thence South 1 degree 23 minutes 08 seconds West, 20.00 feet to a point; thence North 88 degrees 36 minutes 52 seconds West, 85.74 feet to a point; thence South 1 degrees 23 minutes 12 seconds West, 42.10 feet to a point; thence South 48 degrees 56 minutes 47 seconds East, 83.88 feet to a point; thence South 1 degree 23 minutes 12 seconds West, 32.25 feet to a point on the southern line of aforesaid St. Peters Condominiums Phase 9; thence along said southern line North 88 degrees 36 minutes 48 seconds West, 167.90 feet to the point of beginning, containing 41,250 square feet, more or less.

STATE OF MISSOURI
JAMES
Q. PRICE
NUMBER
PLS-2006016640
PROFESSIONAL LAND SURVEYOR

Draft

BILL NO. 16- 97 I-19

ORDINANCE NO._____

AN ORDINANCE PROVIDING FOR THE VACATION OF A UTILITY EASEMENT ON CONSOLIDATED LOT 1 OF THE LOT CONSOLIDATION PLAT OF LOTS A AND B OF BARNES-JEWISH ST. PETERS HOSPITAL SUBDIVISION, AS RECORDED IN PLAT BOOK 5407 PAGES 1823-1824 AT THE ST. CHARLES COUNTY RECORDER OF DEEDS

WHEREAS, utility easements have been recorded in Plat Book 5407 Pages 1823-1824 at the St. Charles County Recorder's Office; and

WHEREAS, the utility companies have not utilized the portion of said easements as shown cross-hatched on Exhibit A, which is attached hereto; and

WHEREAS, said easement is no longer required by the City of St. Peters.

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

SECTION 1. That said easement, as shown cross-hatched on Exhibit "A", in substantially the form attached hereto and incorporated by reference herein.

SECTION 2. That the Mayor of the City of St. Peters is hereby authorized to sign and execute a Release of Easement Rights, in substantially the form attached hereto, marked as Exhibit "B", and incorporated by reference herein.

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

Draft

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. The City Clerk is hereby directed to provide a copy of this Ordinance to the St. Charles County Recorder's Office.

SECTION 6. 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 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

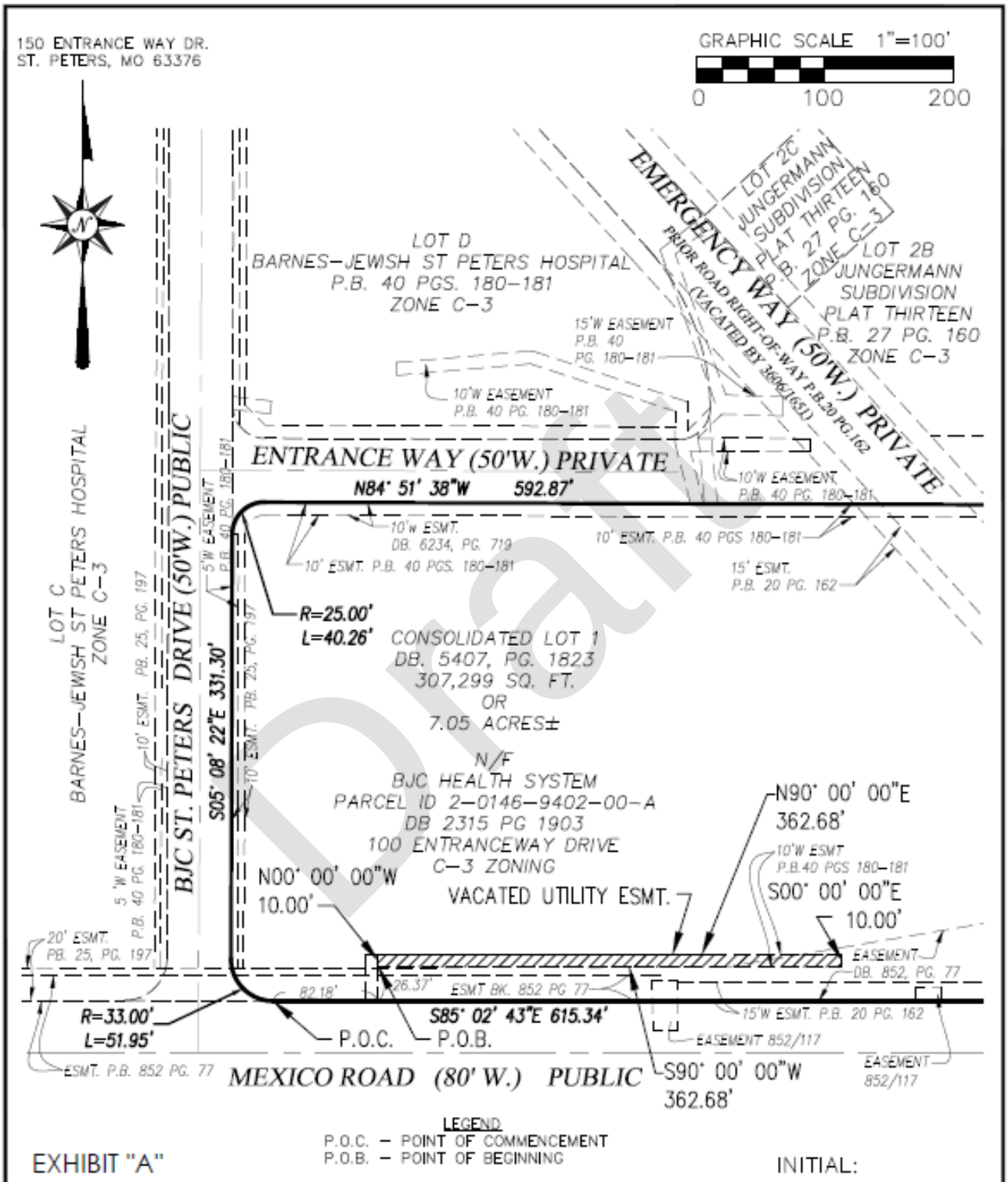
Attest:_____
Patricia E. Smith, City Clerk

Approved this _____ day of _____, 2016.

_____
Len Pagano, Mayor

Attest:_____
City Clerk

Draft



Not to Scale

EASEMENT VACATION PLAT

A TRACT OF LAND BEING CONSOLIDATED LOT 1 OF THE LOT CONSOLIDATION PLAT OF LOTS A AND B OF BARNES-JEWISH ST. PETERS HOSPITAL SUBDIVISION, AS RECORDED IN D.B. 5407, PG. 1823, LOCATED IN PART OF SECTION 28 & 33, TOWNSHIP 47 NORTH, RANGE 4 EAST, CITY OF ST. PETERS, ST. CHARLES COUNTY, MISSOURI

DATE: 03/02/16

JOB: 14-117

EXHIBIT “B”
RELEASE OF EASEMENT RIGHTS

THIS INSTRUMENT, made this _____ day of _____, 2016.

WITNESSETH THAT:

WHEREAS, an easement for utility purposes has been granted to the City of St. Peters, Missouri, pursuant to the document on file in Plat Book 5407 Pages 1823-1824 of the St. Charles County Missouri Recorder's Office; and

WHEREAS, it is the purpose and intent of the City of St. Peters, Missouri, to release any and all underground utility easement rights on a portion of the aforementioned easement, as shown cross-hatched on Exhibit "A", which is attached hereto and made a part hereof;

NOW, THEREFORE, the City of St. Peters, Missouri, does hereby remise and release the herein above described premises from all underground easement rights and interests acquired by said company pursuant to the aforementioned plats;

IN WITNESS WHEREOF, the said City of St. Peters, Missouri, has caused these presents to be executed the day and year first above written.

CITY OF ST. PETERS, MISSOURI

_____
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Draft

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

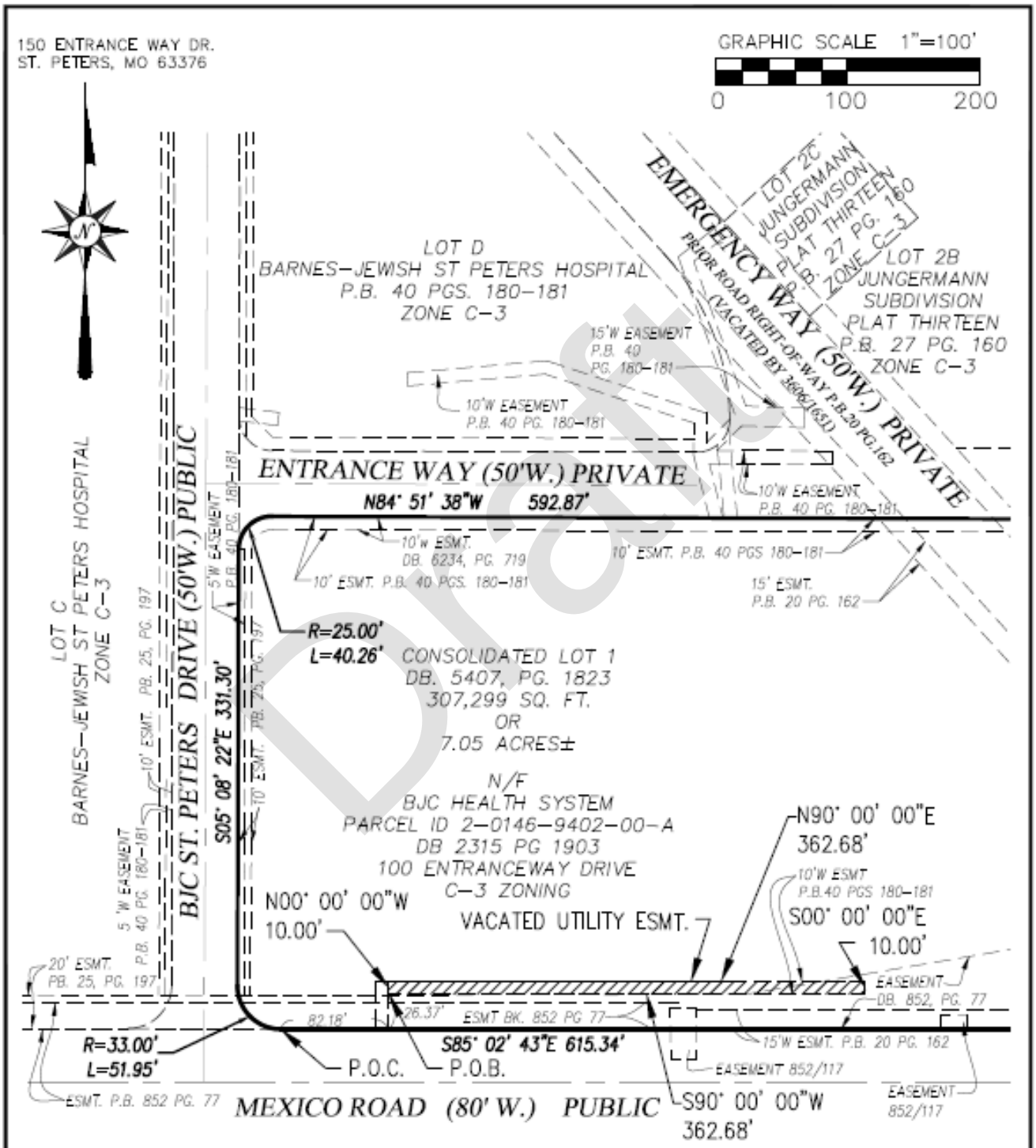
On this _____ day of _____ in the year 2016 before me, Patricia E. Smith, A Notary Public in and for said state, personally appeared Len Pagano, Mayor, known to me to be the person who executed the within Release of Easement Rights, in behalf of the City of St. Peters and acknowledged to me that he executed the same for the purposes therein stated.

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:

Draft



LEGEND
P.O.C. – POINT OF COMMENCEMENT
P.O.B. – POINT OF BEGINNING

EXHIBIT "A"

INITIAL:

EASEMENT VACATION PLAT

A TRACT OF LAND BEING CONSOLIDATED LOT 1 OF THE LOT CONSOLIDATION PLAT OF LOTS A AND B OF BARNES-JEWISH ST. PETERS HOSPITAL SUBDIVISION, AS RECORDED IN D.B. 5407, PG. 1823, LOCATED IN PART OF SECTION 28 & 33, TOWNSHIP 47 NORTH, RANGE 4 EAST, CITY OF ST. PETERS, ST. CHARLES COUNTY, MISSOURI

DATE: 03/02/16

JOB: 14-117

Draft

Not to Scale

Draft

ORDINANCE NO.

AN AUTHORIZING THE CITY ADMINSTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO EXECUTE AN AGREEMENT WITH GERSTNER ELECTRIC, INCORPORATED FOR DESIGN AND CONSTRUCTION OF THE MEXICO ROAD – CAVE SPRINGS BOULEVARD TRAFFIC SIGNAL REPLACEMENT PROJECT

WHEREAS, the City of St. Peters has long been an advocate of improved transportation systems and facilities to promote the general health, safety and welfare of the community; and

WHEREAS, the City solicited bids for the Mexico Road – Cave Springs Boulevard Traffic Signal Replacement Project; and

WHEREAS, bid proposals were received from two (2) bidders on May 16, 2016; and

WHEREAS, it is recommended that an agreement for the Mexico Road – Cave Springs Boulevard Traffic Signal Replacement Project be awarded to Gerstner Electric, Inc.

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 is hereby authorized to execute an agreement with Gerstner Electric, Inc. in the initial amount of $232,167.00 for the design and construction of the Mexico Road – Cave Springs Boulevard Traffic Signal Replacement Project. 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

Draft

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 extend, 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 form and after the date of its final passage and approval.

Read two times, passed and approved this 23rd day of June, 2016.

_____
As Mayor and as Presiding Officer
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Draft

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A CONTRACT WITH LEJAS CORPORATION FOR THE RECONSTRUCTION OF THE PUBLIC WORKS BUILDING SHED 1 AND 2 (DESIGN/BUILD) PROJECT

WHEREAS, the City of St. Peters owns a public works facility, consisting of a main building and various storage buildings, located at 100 Boone Hills Drive in the City of St. Peters that house the City's Street Department and the Parks Department; and

WHEREAS, funds have been appropriated by the Board of Aldermen for the design and reconstruction of two storage buildings located at 100 Boone Hills Drive; and

WHEREAS, the City solicited bids for the Public Works Building Shed 1 and 2 Reconstruction (Design/Build) Project; and

WHEREAS, bid proposals were received from two (2) bidders on June 7, 2016; and

WHEREAS, it is recommended that the bid be awarded to Lejas Corporation, of St. Louis, 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 is hereby authorized to enter into a contract with Lejas Corporation, in the initial amount of $173,611.00, for the design and construction of the Public Works Building Shed 1 and 2 Reconstruction (Design/Build) project. 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

Draft

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 extend, 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 form and after the date of its final passage and approval.

Read two times, passed and approved this 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Draft

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ISSUE A PURCHASE ORDER FOR THE PROCUREMENT OF CONCRETE READY MIX MATERIALS

WHEREAS, the City of St. Peters has long been an advocate of improved transportation systems and facilities to promote the general health, safety and welfare of the community; and

WHEREAS, funds have been appropriated by the Board of Aldermen for the repair of City streets; and

WHEREAS, competitive bids were solicited by the City of St. Peters on May 22nd, 2015 for the purchase of concrete ready mix materials; and

WHEREAS, bid proposals were received from seven (7) bidders, with the bid awarded to Schreiter Ready Mix, Incorporated; and

WHEREAS, the City's agreement with Schreiter Ready Mix includes an optional annual renewal clause that permits a three (3%) percent unit cost increase; and

WHEREAS, it is recommended that the City's existing agreement with Schreiter Ready Mix be renewed for a twelve (12) month period, with said three (3%) percent unit cost increase.

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 renew the blanket purchase order with Schreiter Ready Mix, Incorporated, in the initial amount of $200,000 for the purchase of concrete ready mix materials. Upon approval of the City Administrator, the initial contract amount shall be adjusted as necessary based on the final measured quantities purchased at the unit prices bid in the contract.

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

SECTION 3. Saving 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.

Draft

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. The 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 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Draft

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A CONTRACT FOR SPECIFIC AND AGGREGATE STOP LOSS COVERAGE FOR MEDICAL BENEFIT SERVICES

WHEREAS, the City of St. Peters is desirous of providing the best possible healthcare benefit services for its employees; and

WHEREAS, medical stop loss coverages were marketed for competitive pricing and proposals were evaluated;

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

SECTION NO. 1. That the City Administrator of the City of St. Peters be and he is hereby authorized to execute a contract with Cigna for medical stop loss coverages, at the rates shown on Exhibit 1, effective October 1, 2016.

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.

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

Read two times, passed and approved this 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Draft

Exhibit 1

City of Saint Peters **Effective Date: 10/01/2016**

Proposed Stop Loss Rates

Stop Loss Rates (PEPM)		**$175,000** Level
Individual Stop Loss		
Contract Basis		Paid in 12
Composite PEPM	437	$77.26
Aggregate Stop Loss		
Contract Basis		Paid in 12
Corridor		125%
Minimum Attachment Percentage		100%
Monthly Rate PEPM	437	$6.58

Aggregate Attachment		
HSA Plan	38	$1,302.69
Traditional Plan	346	$1,461.93
Pre-65 Retiree Plan	53	$1,583.11

Illustrative Minimum Attachment Point	$7,674,186

Note: Stop Loss rates include 10% commission.

Draft

ORDINANCE NO._____

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO EXECUTE AN AGREEMENT FOR CONSTRUCTION OF THE WEST WOOD ESTATES/ST. MARY'S/STEEPLECHASE/ST. PETERS ESTATES SPECIAL SERVICE AREA SANITARY SEWER IMPROVEMENT PROJECT

WHEREAS, the City of St. Peters owns, as a public utility, a sanitary sewer system operated for the general health, safety and welfare of the community; and

WHEREAS, the City solicited bids for the West Wood Estates/St. Mary's/Steeplechase/St. Peters Estates Special Service Area Sanitary Sewer Improvement Project; and

WHEREAS, bid proposals were received from four (4) bidders on June 17, 2016; and

WHEREAS, it is recommended that the bid be awarded to Kolb Grading, LLC.

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 execute a contract with Kolb Grading, LLC in the initial bid amount of $1,356,643.30 for the construction of the West Wood Estates/St. Mary's/Steeplechase/St. Peters Estates Special Service Area Sanitary Sewer Improvement Project. 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 complete 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

Draft

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 extend, 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 (2) times, passed and approved this 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Draft

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A CONTRACT FOR REPAIRS OF THE TUCK POINTING AT CITY HALL AND REC-PLEX

WHEREAS, the City of St. Peters has identified the need to repair the tuck pointing at City Hall and the Rec-Plex; and

WHEREAS, the City has appropriated funds for the repairs to the tuck pointing at City Hall and Rec-Plex; and

WHEREAS, proposals were received from two companies on June 17, 2016; and

WHEREAS, it is recommended that the bid be awarded to Staat, Inc. of St. Louis, Missouri.

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

SECTION NO. 1. That the City Administrator of the City of St. Peters, Missouri, be and he is hereby authorized to enter into a contract with Staat, Inc. in the amount of $174,195.99.

SECTION NO. 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 NO. 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 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.

DRAFT

SECTION NO. 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 NO. 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 NO. 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 23rd day of June, 2016.

_____
As Presiding Officer and As Mayor
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

DRAFT

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A CONTRACT WITH LANDSCAPE STRUCTURES, INCORPORATED FOR THE PURCHASE AND INSTALLATION OF A SPRAYGROUND/WET PLAY AREA AT 370 LAKESIDE PARK

WHEREAS, the City of St. Peters feels the development of 370 Lakeside Park will substantially enhance the quality of life for our residents; and

WHEREAS, the City of St. Peters has appropriated funds for the development of 370 Lakeside Park; and

WHEREAS, the City of St. Peters received proposals from two (2) companies for the purchase and installation of a sprayground/wet play area at 370 Lakeside Park on April 14, 2016; and

WHEREAS, it is recommended that the contract be awarded to Landscape Structures, Incorporated, of Delano, Minnesota.

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 Landscape Structures, Incorporated, in the amount of $240,075.00 for the purchase and installation of a sprayground/wet play area for 370 Lakeside Park.

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 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.

Draft

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 extend, 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 form and after the date of its final passage and approval.

Read two times, passed and approved this 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Approved this 23rd day of June, 2016.

_____
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Draft

ORDINANCE NO. ____

AN ORDINANCE AMENDING A CERTAIN SECTION OF THE ST. PETERS CITY CODE: TITLE II: PUBLIC HEALTH, SAFETY AND WELFARE DEALING WITH THE RESTRICTIONS ON USE OF MEMORIAL SITES IN THE CITY LIMITS OF THE CITY OF ST. PETERS, MISSOURI

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

SECTION 1. That SECTION 240.110 RESTRICTIONS ON USE OF MEMORIAL SITES of the Municipal Code of the City of St. Peters Title II: Public Health, Safety and Welfare is hereby amended by deleting the same in its entirety and substituting in lieu thereof the following:

Section 240.110 Restrictions on Use of Memorial Sites.

A. *Definitions.* For the purpose of this Section, the following terms shall have the prescribed meanings:

MEMORIAL SITE:
Any site designated by the City to be a place of honor, remembrance, and as a tribute to the men and women who have served and sacrificed for our community, State and nation.

PROHIBITED ACTIVITY:
Means and includes the following:

1. Riding or operating any wheeled vehicle or device, including skateboards, scooters, bikes, roller skates, or rollerblades within a sixty (60) foot radius from the center of a memorial site, excluding the portion of any sidewalk abutting a public roadway, but in no event shall the riding or operation of any wheelchair or other wheeled vehicle necessary to assist the physically handicapped be deemed a prohibited activity; or

2. Allowing any pet or domestic animal within a sixty (60) foot radius from the center of the memorial site, excluding the portion of any sidewalk abutting a public roadway, but in no event shall the use of a service dog necessary to assist the physically handicapped be deemed a prohibited activity; or

Draft

3. Damaging or defacing a memorial site; or

4. **Erecting any garage/yard sale sign, real estate sign, residential construction project sign, church directional sign, political signs, or any other temporary or permanent sign on any Memorial Site of the City of St. Peters except the City of St. Peters, its departments, agencies, contractors or subcontractors, the County of St. Charles and the State of Missouri.**

B. It shall be unlawful for any person to commit a prohibited activity.

SECTION 2. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

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 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Draft

Approved this 23rd day of June, 2016

_____
Len Pagano, Mayor

Attest:_____
Patricia E. Smith, City Clerk

Draft

RESOLUTION NO.

A RESOLUTION DESIGNATING MARCH 30TH OF EACH YEAR BEGINNING 2017 THROUGH 2025 AS "WELCOME HOME VIETNAM VETERANS DAY IN ST. PETERS"

WHEREAS, Vietnam Veterans Day commemorates the sacrifices of Vietnam Veterans and their families and is part of a national effort to recognize the men and women who were denied a proper welcome upon returning home more than 40 years ago; and

WHEREAS, most states celebrate “Welcome Home Vietnam Veterans Day” on March 29 or 30 of each year; and

WHEREAS, in 2012, Governor Nixon signed House Bill 1128, which designates March 30th of each year as Vietnam Veterans Day.

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

SECTION 1. That March 30th will be designated “Welcome Home Vietnam Veterans Day in St. Peters”, beginning the year 2017 and continue through the year 2025, hence marking the 50th Anniversary of the Vietnam War.

Read and adopted this 23rd day of June, 2016.

_____
As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Draft

RESOLUTION NO.

A RESOLUTION DESIGNATING THE PHYSICAL LOCATION AND PREMISES OF THE TWO EXISTING CITY OF ST. PETERS VETERANS MEMORIAL SITES

Whereas, the City's two memorials sites were constructed and designed to be places of honor, remembrance, and as tributes to the men and women who have served and sacrificed for our community, state and nation, in the armed forces; and

Whereas, the City's Board of Aldermen desires to appropriately designate the locations and premises of the two existing St. Peters Veterans Memorial sites.

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

SECTION 1. The City of St. Peters Board of Aldermen do hereby designate the physical location of Veterans Memorial, located at City Centre Complex, One St. Peters Centre Boulevard; and Veterans Memorial South, located at 890 Jungermann Road.

SECTION 2. That the Memorial site premises of the Veterans Memorial and the Veterans Memorial South be designated as 130 feet/40 meters radius from the center of the Memorial Structure, but excluding any portion of a public roadway.

Read and Adopted this 23rd Day of June, 2016.

Draft

_____
As Presiding Officer and As Mayor
Len Pagano, Mayor

ATTEST:_____
Patricia E. Smith, City Clerk

RESOLUTION NO.

A RESOLUTION OF INTENT TO SUPPORT AN APPLICATION BY GARDNER CAPITAL TO THE MISSOURI HOUSING DEVELOPMENT COMMISSION FOR THE CONSTRUCTION OF SENIOR APARTMENT HOMES PLANNED FOR THE AREA ADJACENT TO PHASE ONE OF ASPEN TRAILS SENIOR HOUSING

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

WHEREAS, the City of St. Peters has a need for senior housing; specifically new construction, affordable housing; and

WHEREAS, the land proposed is suitable to allow for use as senior housing, is "site ready", and the development will connect into Phase One of Aspen Trails Senior Housing development; and

WHEREAS, Gardner Capital is a private for-profit developer whose specialty is in the development of affordable housing for low income citizens; and

WHEREAS, Gardner Capital will apply for Missouri Housing Development Commission permanent loan dollars and an allocation of low income housing tax credits; and

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

SECTION 1. That the St. Peters Board of Aldermen is expressing its support of Gardner Capital in its efforts to build senior apartment homes in our community.

SECTION 2. That the St. Peters Board of Aldermen considers new construction, senior affordable housing a need and high priority.

SECTION 3. The St. Peters Board of Aldermen encourages development in this area and urges the Missouri Housing Development Commission to give consideration to Gardner Capital's request.

Read and adopted this 23rd day of June, 2016.

_____
As Presiding Officer and Mayor
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Draft