



# CITY OF ST. PETERS BOARD OF ALDERMEN

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

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August 25, 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. Primary Election August 2, 2016
    - a. [Acknowledgement of Certified Election Results held August 2, 2016](#)
- D. Approval of Minutes: The [Board of Aldermen Work Session meeting of August 11, 2016](#); and the [Regular Board of Aldermen meeting of August 11, 2016](#).
- E. Reports of Officers, Boards and Commissions
  - 1. Mayoral Report of Appointments to Boards and Commissions
  - 2. City Administrator's Report:
  - 3. Report of Director, Planning, Community and Economic Development:
    - a. [Petition 16-14, Amended CPD, Joseph M. Baldetti](#) – Powers
    - b. [Update to Title IV Land Use Chapter 405](#) – Powers
  - 4. St. Peters Business Spotlight:
    - a. Sip & Savor, Greater St. Charles County Chamber of Commerce
- F. Open Forum
  - 1. Citizens Petitions and Comments

2. Communications from the Elected Officials

3. Announcements

G. Public Hearings:

1. [Voluntary Annexation – 1905 Oak Tree Street](#) – Powers

H. Unfinished (Old) Business Items: None

I. New Business Items:

1. [Bill No. 16-132](#): Bill amending certain sections of the Municipal Code of the City of St. Peters, Missouri; Title IV: Land Use pertaining to zoning and property within said City in response to rezoning Petition Number 16-14 by Joseph M. Baldetti by making certain changes in the designated districts in certain sections of said City
2. [Bill No. 16-133](#): Bill of the City of St. Peters, Missouri, amending Sections 210.175.A., Subsections 3 and 6, 405.100.B., 405.110.C., 405.230.D, and 405.240.D of the St. Peters City Code, and enacting a new Section 405.500, regulating the use of land in certain zoning classifications within the City; and, providing penalties for violations thereof [Sponsor: Mayor]
3. [Bill No. 16-134](#): Bill of the City of St. Peters, Missouri, amending Sections 210.005 and 405.100.B of the St. Peters City Code; enacting a new Section 210.282; and amending Sections 210.280, 405.240.D.16, and 600.230 of the St. Peters City Code by deleting them in their entirety, and, in lieu thereof, enacting new Sections 210.280, 405.240.D.16, and 600.230; prohibiting indecent exposure and sexual conduct with animals; and regulating adult-oriented businesses in the City of St. Peters [Sponsor: Mayor]
4. [Bill No. 16-135](#): Bill amending Ordinance No. 6398, Ordinance No. 6440, and Ordinance No. 6542 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
5. [Bill No. 16-136](#): Bill providing for the adoption of the General Fund, Debt Service 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, 2016 and ending September 30, 2017
6. [Bill No. 16-137](#): Bill amending Section 235.090.B.1 of the Code of the City of St. Peters, Missouri relating to the Solid Waste Service Rates
7. [Bill No. 16-138](#): Bill amending Sections 705.040 and 710.260 of the Code of the City of St. Peters, Missouri relating to the Water and Sewer Rates
8. [Bill No. 16-139](#): Bill authorizing the City Administrator of the City of St. Peters, Missouri, to enter into an agreement for a Temporary Construction Easement with the Brookwood Estates Homeowners Association for the P-27 Calwood Channel Improvements Project

9. [Bill No. 16-140](#): [Bill](#) authorizing the City Administrator of the City of St. Peters, Missouri, to execute a contract change order with Gershenson Construction Company for the Jungermann Road-Mexico Road Intersection Improvement Project
  10. [Bill No. 16-141](#): [Bill](#) directing the City Administrator of the City of St. Peters, Missouri, to enter into a contract with International Truck and Engine Corporation for the purchase of a Road Tractor
  11. [Bill No. 16-142](#): [Bill](#) directing the City Administrator of the City of St. Peters, Missouri, to enter into a contract with International Truck and Engine Corporation for the purchase of a Tandem Axle Dump Truck with Snowplow
  12. [Bill No. 16-143](#): [Bill](#) authorizing the City Administrator of the City of St. Peters, Missouri, to enter into an agreement providing for acquisition of right-of-way for the Mid Rivers Mall Drive – Ohmes Road Intersection Improvement Project
- 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: August 22, 2016 at 9:00 a.m.  
By: P. Smith, City Clerk

Next Regular Board of Aldermen Meeting: September 8, 2016

Statement of Votes Cast  
 PRIMARY ELECTION - AUGUST 2, 2016  
 ST. CHARLES COUNTY, MISSOURI  
 Election Results  
 Official Election Results

Date: 8/12/2016  
 Time: 11:32:27 AM

**RECEIVED**  
 AUG 16 2016  
 BY: *[Signature]*

ST. PETERS PROPOSITION Q

	Reg. Voters	Total Votes	YES	NO	Over votes	Under votes
Jursidiction Wide						
1 KAMPVILLE						
Normal		-	-	-	-	-
Absentee		-	-	-	-	-
Provisional		-	-	-	-	-
4 ORCHARD FARM						
Normal		-	-	-	-	-
Absentee		-	-	-	-	-
Provisional		-	-	-	-	-
5 RIVERS						
Normal		-	-	-	-	-
Absentee		-	-	-	-	-
Provisional		-	-	-	-	-
14 LINCOLN						
Normal		-	-	-	-	-
Absentee		-	-	-	-	-
Provisional		-	-	-	-	-
15 WASHINGTON						
Normal		-	-	-	-	-
Absentee		-	-	-	-	-
Provisional		-	-	-	-	-
16 MONTCLAIR						
Normal		-	-	-	-	-
Absentee		-	-	-	-	-
Provisional		-	-	-	-	-
21 TRUMAN						
Normal		-	-	-	-	-
Absentee		-	-	-	-	-
Provisional		-	-	-	-	-
22 CHESHIRE						
Normal		-	-	-	-	-
Absentee		-	-	-	-	-
Provisional		-	-	-	-	-
24 WILSHIRE						
Normal		-	-	-	-	-
Absentee		-	-	-	-	-
Provisional		-	-	-	-	-

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25 SHIREWOOD						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
28 TREETOP						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
31 SIBLEY						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
33 CANARY						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
34 McNAIR						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
36 SUN LAKE						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
41 GOVERNMENT						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
43 MARINA						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
45 MAMELLE						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
47 COVILLI						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-

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51 ST. CLETUS								
Normal	-	-	-	-	-	-	-	-
Absentee	-	-	-	-	-	-	-	-
Provisional	-	-	-	-	-	-	-	-
54 COVERDELL								
Normal	-	-	-	-	-	-	-	-
Absentee	-	-	-	-	-	-	-	-
Provisional	-	-	-	-	-	-	-	-
56 EDGEWOOD								
Normal	-	-	-	-	-	-	-	-
Absentee	-	-	-	-	-	-	-	-
Provisional	-	-	-	-	-	-	-	-
57 HANOVER								
Normal	-	-	-	-	-	-	-	-
Absentee	-	-	-	-	-	-	-	-
Provisional	-	-	-	-	-	-	-	-
62 ADAMS								
Normal	-	-	-	-	-	-	-	-
Absentee	-	-	-	-	-	-	-	-
Provisional	-	-	-	-	-	-	-	-
63 ST. ANDREWS								
Normal	832	172	109	63.37%	63	36.63%	0	3
Absentee	832	0	0	-	0	-	0	0
Provisional	832	0	0	-	0	-	0	0
71 FAIRWAYS								
Normal	-	-	-	-	-	-	-	-
Absentee	-	-	-	-	-	-	-	-
Provisional	-	-	-	-	-	-	-	-
80 HERITAGE								
Normal	-	-	-	-	-	-	-	-
Absentee	-	-	-	-	-	-	-	-
Provisional	-	-	-	-	-	-	-	-
83 WOODCLIFF								
Normal	-	-	-	-	-	-	-	-
Absentee	-	-	-	-	-	-	-	-
Provisional	-	-	-	-	-	-	-	-
84 HARVESTER								
Normal	486	120	75	62.50%	45	37.50%	0	1
Absentee	486	0	0	-	0	-	0	0
Provisional	486	0	0	-	0	-	0	0

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<b>85 SYCAMORE</b>								
Normal	30	3	3	100.00%	0	-	0	0
Absentee	30	0	0	-	0	-	0	0
Provisional	30	0	0	-	0	-	0	0
<b>86 ARLINGTON</b>								
Normal	855	193	133	68.91%	60	31.09%	0	10
Absentee	855	0	0	-	0	-	0	0
Provisional	855	0	0	-	0	-	0	0
<b>87 RIVER BEND</b>								
Normal	-	-	-	-	-	-	-	-
Absentee	-	-	-	-	-	-	-	-
Provisional	-	-	-	-	-	-	-	-
<b>91 KATY TRAIL</b>								
Normal	713	193	112	58.03%	81	41.97%	0	14
Absentee	713	0	0	-	0	-	0	0
Provisional	713	0	0	-	0	-	0	0
<b>100 McCLAY</b>								
Normal	3132	671	451	67.21%	220	32.79%	0	20
Absentee	3132	0	0	-	0	-	0	0
Provisional	3132	0	0	-	0	-	0	0
<b>101 GRAYBRIDGE</b>								
Normal	988	293	195	66.55%	98	33.45%	0	4
Absentee	988	0	0	-	0	-	0	0
Provisional	988	0	0	-	0	-	0	0
<b>102 TANGLEWOOD</b>								
Normal	2395	633	410	64.77%	223	35.23%	0	10
Absentee	2395	0	0	-	0	-	0	0
Provisional	2395	0	0	-	0	-	0	0
<b>103 CAVE SPRINGS</b>								
Normal	1109	364	254	69.78%	110	30.22%	0	8
Absentee	1109	0	0	-	0	-	0	0
Provisional	1109	0	0	-	0	-	0	0
<b>104 HI POINT</b>								
Normal	1482	488	312	63.93%	176	36.07%	1	22
Absentee	1482	0	0	-	0	-	0	0
Provisional	1482	0	0	-	0	-	0	0
<b>106 SPENCER</b>								
Normal	2079	474	294	62.03%	180	37.97%	0	9
Absentee	2079	0	0	-	0	-	0	0
Provisional	2079	0	0	-	0	-	0	0

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107 OAK CREEK								
Normal	2790	802	450	56.11%	352	43.89%	0	28
Absentee	2790	0	0	-	0	-	0	0
Provisional	2790	0	0	-	0	-	0	0
111 WOODSTREAM								
Normal	113	37	22	59.46%	15	40.54%	0	1
Absentee	113	0	0	-	0	-	0	0
Provisional	113	0	0	-	0	-	0	0
113 BRIARHILL								
Normal	2711	786	560	71.25%	226	28.75%	0	21
Absentee	2711	0	0	-	0	-	0	0
Provisional	2711	0	0	-	0	-	0	0
121 ST. MARYS								
Normal	629	184	139	75.54%	45	24.46%	0	12
Absentee	629	0	0	-	0	-	0	0
Provisional	629	0	0	-	0	-	0	0
122 MID RIVERS								
Normal	1494	252	155	61.51%	97	38.49%	0	4
Absentee	1494	0	0	-	0	-	0	0
Provisional	1494	0	0	-	0	-	0	0
124 RABBIT RUN								
Normal	1906	437	307	70.25%	130	29.75%	0	54
Absentee	1906	0	0	-	0	-	0	0
Provisional	1906	0	0	-	0	-	0	0
126 MEADOW VALLEY								
Normal	1549	376	248	65.96%	128	34.04%	0	11
Absentee	1549	0	0	-	0	-	0	0
Provisional	1549	0	0	-	0	-	0	0
128 FAIRMONT								
Normal	2098	459	326	71.02%	133	28.98%	0	21
Absentee	2098	0	0	-	0	-	0	0
Provisional	2098	0	0	-	0	-	0	0
129 PARKWOOD								
Normal	-	-	-	-	-	-	-	-
Absentee	-	-	-	-	-	-	-	-
Provisional	-	-	-	-	-	-	-	-
130 LAKES								
Normal	306	69	48	69.57%	21	30.43%	0	3
Absentee	306	0	0	-	0	-	0	0
Provisional	306	0	0	-	0	-	0	0

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<b>131 SHADOW CREEK</b>								
Normal	1577	379	260	68.60%	119	31.40%	0	9
Absentee	1577	0	0	-	0	-	0	0
Provisional	1577	0	0	-	0	-	0	0
<b>132 COUNTRY HILL</b>								
Normal	2562	634	427	67.35%	207	32.65%	0	20
Absentee	2562	0	0	-	0	-	0	0
Provisional	2562	0	0	-	0	-	0	0
<b>139 DISCOVERY</b>								
Normal	-	-	-	-	-	-	-	-
Absentee	-	-	-	-	-	-	-	-
Provisional	-	-	-	-	-	-	-	-
<b>140 LAURA HILLS</b>								
Normal	129	26	19	73.08%	7	26.92%	0	0
Absentee	129	0	0	-	0	-	0	0
Provisional	129	0	0	-	0	-	0	0
<b>143 ALL SAINTS</b>								
Normal	-	-	-	-	-	-	-	-
Absentee	-	-	-	-	-	-	-	-
Provisional	-	-	-	-	-	-	-	-
<b>144 FOX</b>								
Normal	49	9	7	77.78%	2	22.22%	0	0
Absentee	49	0	0	-	0	-	0	0
Provisional	49	0	0	-	0	-	0	0
<b>145 SALT LICK</b>								
Normal	1669	461	214	46.42%	247	53.58%	0	6
Absentee	1669	0	0	-	0	-	0	0
Provisional	1669	0	0	-	0	-	0	0
<b>146 ST. JUDE</b>								
Normal	1386	377	261	69.23%	116	30.77%	0	11
Absentee	1386	0	0	-	0	-	0	0
Provisional	1386	0	0	-	0	-	0	0
<b>147 COTTLEVILLE</b>								
Normal	-	-	-	-	-	-	-	-
Absentee	-	-	-	-	-	-	-	-
Provisional	-	-	-	-	-	-	-	-
<b>148 WINDS</b>								
Normal	1261	310	200	64.52%	110	35.48%	0	7
Absentee	1261	0	0	-	0	-	0	0
Provisional	1261	0	0	-	0	-	0	0



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160 HARMONY						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
161 MONTBROOK						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
162 ELKS						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
163 CIVIC						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
165 ST. PAUL						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
166 MOUNT HOPE						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
167 MORNINGSIDE						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
169 HIGHGROVE						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
170 STARBUCK						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
173 TURTLE CREEK						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-

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181 COMMUNITY						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
182 EVERGREEN						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
183 FORISTELL						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
184 FLINT HILL						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
185 JOSEPHVILLE						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
186 TWIN OAKS						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
187 FAIRVIEW						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
189 PIONEER						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
190 PEINE						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
193 DELMAR						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-

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194 AMBER MEADOWS						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
196 PHOENIX						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
197 FEISE						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
198 CEDAR						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
199 REGATTA BAY						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
200 NORMANDY						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
202 RIDGEPOINT						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
203 FIELDCREST						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
205 BAYFIELD						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
206 MONTICELLO						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-

Statement of Votes Cast  
 PRIMARY ELECTION - AUGUST 2, 2016  
 ST. CHARLES COUNTY, MISSOURI  
 Election Results  
 Official Election Results

Date: 8/12/2016  
 Time: 11:32:27 AM

ST. PETERS PROPOSITION Q

	Reg. Voters	Total Votes	YES	NO	Over votes	Under votes
207 CARRIAGE HILLS						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
208 TWIN CHIMNEYS						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
210 FREYMUTH						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
211 SUMMERSET						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
212 CANVAS COVE						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
213 BRYAN						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
214 HAWK RIDGE						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
215 COACHMAN						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
217 KEYSTONE						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-
218 DUVALL						
Normal	-	-	-	-	-	-
Absentee	-	-	-	-	-	-
Provisional	-	-	-	-	-	-



Statement of Votes Cast  
 PRIMARY ELECTION - AUGUST 2, 2016  
 ST. CHARLES COUNTY, MISSOURI  
 Election Results  
 Official Election Results

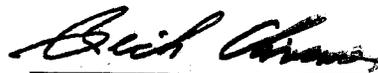
Date: 8/12/2016  
 Time: 11:32:27 AM

ST. PETERS PROPOSITION Q

	Reg. Voters	Total Votes	YES		NO		Over votes	Under votes
231 WOLFRUM								
Normal	-	-	-	-	-	-	-	-
Absentee	-	-	-	-	-	-	-	-
Provisional	-	-	-	-	-	-	-	-
234 WINDCASTLE								
Normal	-	-	-	-	-	-	-	-
Absentee	-	-	-	-	-	-	-	-
Provisional	-	-	-	-	-	-	-	-
ABSENTEE								
Normal	0	0	0	-	0	-	0	0
Absentee	0	518	341	65.83%	177	34.17%	2	27
Provisional	0	0	0	-	0	-	0	0
Total								
Normal	41437	10484	6900	65.81%	3584	34.19%	1	348
Absentee	41437	518	341	65.83%	177	34.17%	2	27
Provisional	41437	0	0	-	0	-	0	0
Total	41437	11002	7241	65.82%	3761	34.18%	3	375

IN WITNESS WHEREOF: I, Rich Chrismer, Director of Elections in and for the County of St. Charles, State of Missouri, do hereby certify that the figures set out hereon are Official results of the August 2, 2016 Primary Election for your Political Subdivision.

Given under my hand and official seal this 16th day of August, 2016.

  
 Rich Chrismer, Director of Elections  
 St. Charles County, Missouri



**OFFICIAL BALLOT  
REPUBLICAN PARTY  
PRIMARY ELECTION - AUGUST 2, 2016  
ST. CHARLES COUNTY, MISSOURI**

**46**

**INSTRUCTIONS TO VOTERS**

Using blue or black ink, completely fill in the target next to the candidate or question response of your choice like this:   
**Write-in:** To vote for a valid write-in candidate, write the person's name on the line provided and darken the target.  
 If you are in favor of any question submitted on this ballot, darken the target to the left of the word "YES".  
 If you are opposed to any question submitted on this ballot, darken the target to the left of the word "NO".  
 If you tear, deface, or make a mistake and wrongfully mark any ballot, you must return it to the election judges and receive a new ballot.

**FOR UNITED STATES SENATOR**

Vote For ONE

- ROY BLUNT
- KRISTI NICHOLS
- BERNIE MOWINSKI
- RYAN D LUETHY

**FOR GOVERNOR**

Vote For ONE

- CATHERINE HANAWAY
- ERIC GREITENS
- JOHN BRUNNER
- PETER D. KINDER

**FOR LIEUTENANT GOVERNOR**

Vote For ONE

- ARNIE C. - AC DIENOFF
- BEV RANGLES
- MIKE PARSON

**FOR SECRETARY OF STATE**

Vote For ONE

- WILL KRAUS
- JOHN (JAY) ASHCROFT
- ROI CHINN

**FOR STATE TREASURER**

Vote For ONE

- ERIC SCHMITT

**FOR ATTORNEY GENERAL**

Vote For ONE

- JOSH HAWLEY
- KURT SCHAEFER

**FOR UNITED STATES REPRESENTATIVE DISTRICT 3**

Vote For ONE

- BLAINE LUETKEMEYER
- CYNTHIA LYNN DAVIS

**FOR STATE SENATOR DISTRICT 23**

Vote For ONE

- BILL EIGEL
- ANNE ZERR

- MICHAEL (MIKE) EDWARD GARTER

**FOR STATE REPRESENTATIVE DISTRICT 106**

Vote For ONE

- CHRISSY SOMMER
- MARY WEST

**FOR CIRCUIT JUDGE CIRCUIT 11 DIVISION 2**

Vote For ONE

- DEBORAH ALESSI
- GRANT GORMAN

**FOR ASSOCIATE CIRCUIT JUDGE CIRCUIT 11 DIVISION 13**

Vote For ONE

- MICHAEL FAGRAS
- REBECA McKELVEY

**FOR COMMITTEEMAN MUEGGE TOWNSHIP**

Vote For ONE

- WILLIAM R. PUNDMANN
- MIKE SOMMER

WRITE IN: \_\_\_\_\_

**COUNTY OF ST. CHARLES**

**PROPOSITION**

Shall a maximum charge as specified below and not to exceed fifty dollars be assessed annually on residential property for each lateral sewer service line serving six or less dwelling units on that property and condominiums that have six or less condominium units per building and any condominium responsible for its own individual lateral sewer line to provide funds to pay the cost of certain repairs of those lateral sewer service lines which may be billed quarterly or annually?

The charges authorized hereby shall be assessed only on properties in unincorporated St. Charles County served by sanitary sewers operated by municipalities that contract with St. Charles County for collecting and administering those charges, and shall not exceed the charges that those municipalities assess on properties within their jurisdictions to fund the costs of the repairs identified above.

- YES
- NO

**VOTE BOTH SIDES OF THE BALLOT**



**CITY OF ST. PETERS**

**PROPOSITION Q**

Shall the City of St. Peters, Missouri, issue its general obligation bonds in the amount of Twelve Million Dollars (\$12,000,000) for the purpose of acquiring, constructing, renovating, installing, improving and equipping park and recreational facility improvements within the City including a new municipal aquatic park, a new municipal golf course clubhouse with banquet/community center, other park and recreational improvements within the City and related access, site improvements and land acquisition?

YES

NO

VOTE BOTH SIDES OF THE BALLOT





CITY OF ST. PETERS BOARD OF ALDERMEN  
WORK SESSION MINUTES  
August 11, 2016

BOARD OF ALDERMEN ITEMS FOR DISCUSSION

The Work Session was called to order at approximately 5:00 p.m. on Thursday, August 11, 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; Board President Reitmeyer; Alderman Shea; Alderman Violet; Russ Batzel, City Administrator; Jeff Finkelstein, Chief of Police; Special Counsel Randy Weber; Burt Benesek, Transportation and Development Services Manager; Bill Malach, Water Environment Services Manager; Cheryl Hanks-Sinecki, Director of Health and Recycling Services; Jeff Hutsler, Parks and Golf Services Manager; Rick Oloteo, Recreation and Cultural Services Manager; Cathy Pratt, Staff Support Services Manager; Patty Smith, City Clerk. Aldermen Bateman, Hollingsworth, and Thomas were absent.

COMMUNICATIONS FROM BOARD MEMBERS/ALDERMANIC REPRESENTATIVES

Committee reports were given during this time.

BOARD OF ALDERMEN ITEMS FOR DISCUSSION

UNFINISHED (OLD) BUSINESS ITEMS

None

NEW BUSINESS ITEMS

None

MAYOR/CITY ADMINISTRATOR ITEMS FOR DISCUSSION

UNFINISHED (OLD) BUSINESS ITEMS

Mayor Pagano asked that the next two items be moved to the August 25, 2016 Work Session meeting agenda. Alderman Shea moved and Alderman Reitmeyer seconded the motion to move Discussion/Running for Office Filing Location and Discussion/Running for Office Filing Fees (both continued from 6/23/16) to the August 25, 2016 Work Session meeting. The motion was approved.

## NEW BUSINESS ITEMS

Alderman Reitmeyer moved and Alderman Shea seconded the motion to remove Discussion of Digital Message Boards from the agenda for discussion. The motion was approved.

## DISCUSSION OF DIGITAL MESSAGE BOARDS – BENESEK

Mr. Benesek gave a PowerPoint presentation explaining the features and purpose of the dynamic digital message signs within the City. The signs will provide public information regarding City events and traffic conditions and feature full color LED with higher resolution, static and dynamic displays, and connection to City network for remote programming. The various proposed locations include the following: east of the new Rec-Plex entrance, Mexico Road and Grand Teton intersection at the northwest corner, and Mid Rivers Mall Drive at Grand Teton Drive. These projects were budgeted as part of the Fiscal Year 2016. The Aldermen expressed their suggestions for various optional locations of these digital message signs as follows: Jungermann/Mexico eastward location or Jungermann/McClay Road area instead of Grand Teton/Mexico Road area; Page Avenue Extension/Harvester area. Mr. Benesek addressed questions from the Board regarding sign locations and remote programming; which will be conducted by the City's Communications Department. He explained that the Gateway Green Light network will also deploy additional digital message signs on arterial roadways. The possibility of future grant monies was discussed. Alderman Barclay expressed the idea of reallocating funds in the amount of \$75,000 previously approved by the Board for the installation of a City entrance monument, to fund another digital message sign in the eastward area of the City.

Alderman Barclay moved and Alderman Shea seconded the motion to remove Contract Change Order for Jungermann/Mexico Road Project from the agenda for discussion. The motion was approved.

## CONTRACT CHANGE ORDER FOR JUNGERMANN/MEXICO ROAD PROJECT – BENESEK

Mr. Benesek explained the City has a contract with Gershenson Construction to complete the Improvement Project at Jungermann Road and Mexico Road Intersection and briefly explained the history of the project. Board authorization is required for additional project costs of \$103,000 related to the adjacent property owners and the extension of the east bound Mexico Road right turn lane on to south bound Jungermann Road; and an additional retaining wall installation required to limit impact to adjacent commercial properties and meet ADA accessible compliance and other additional improvements. Alderman Reitmeyer moved and Alderman Violet seconded the motion to place this item on the August 25, 2016 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the August 25, 2016 Board of Aldermen meeting agenda for consideration.**

Alderman Shea moved and Alderman Violet seconded the motion to remove Budget Update from the agenda for discussion. The motion was approved.

## BUDGET UPDATE – GARDNER

Ms. Gardner, Budget Analyst, gave an overview of the budget process for Capital Improvement Plan (CIP) with the budget being approved in January and the CIP approved in May 2016. Since May there have been a few changes that were outlined and distributed in the meeting packet. She further advised that the next step is to adopt the FY'17 Budget, which is available on the City website for viewing along with the draft ordinances. The final step will be the adoption of the 2016 tax rate in September 2016. She noted a new item added to the budget which incorporates the Vision 2025 Strategic Plan. When reviewing the budget, the seven (7) items are noted by Vision 2025 icons; which are safe, healthy, prosperous, sustainable, innovative, connected, and community. She advised that there will be an opportunity during the public hearing on tonight's Board of Aldermen meeting for citizens to comment on the proposed water and sewer tax rate. The proposed FY'17 budget, solid waste rate, water and sewer rate ordinances are scheduled to be considered for approval at the August 25<sup>th</sup> Board of Aldermen meeting and the Tax Rate Ordinances will be on a September Board of Aldermen meeting agenda. Alderman Reitmeyer moved and Alderman Shea seconded the motion to place the proposed FY'17 budget, solid waste rate, water and sewer rate ordinances on the August 25, 2016 Board of Aldermen meeting agenda. The motion was approved. The Tax Rate ordinance will be placed on a September Board of Aldermen meeting agenda. **These items will be placed on the August 25, 2016 and the September Board of Aldermen meeting agenda for consideration.**

Alderman Reitmeyer moved and Alderman Shea seconded the motion to remove Purchase of Replacement Road Tractor from the agenda for discussion. The motion was approved.

## PURCHASE OF REPLACEMENT ROAD TRACTOR – HANKS-SINECKI

Ms. Cheryl Hanks-Sinecki, Director of Health and Recycling Services, stated that for FY'16 \$180,000 was budgeted for a new truck to replace the current road tractor #354 used by TDS. The truck is used to pull the low boy trailer to transport the City's heavy equipment to their work sites. Staff is recommending awarding the contract to International Truck and Engine as part of the MoDOT procurement contract #3-140214RJ in the amount of \$102,528.43. This purchase is \$77,471.50 under budget. The contract has expired, International Truck and Engine has agreed to hold the pricing until September. Alderman Shea moved and Alderman Violet seconded the motion to place these items on the August 25, 2016 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the August 25, 2016 Board of Aldermen meeting agenda for consideration.**

Alderman Barclay moved and Alderman Reitmeyer seconded the motion to remove Purchase of Replacement Dump Truck #741 from the agenda for discussion. The motion was approved.

## PURCHASE OF REPLACEMENT DUMP TRUCK #741 – HANKS-SINECKI

Ms. Hanks-Sinecki advised in FY17, \$180,000 was budgeted for the replacement of truck #741; which is a dump truck that is used for the park and trail maintenance and is part of the snow removal fleet. The existing truck is not operational due to engine failure. Fleet

has recommended avoiding a \$9,000 repair cost for the engine and replace ;the truck this fiscal year. Staff has recommended replacing the truck this fiscal year due to a scheduled \$5,000 price increase in September. Therefore, staff is recommending awarding the contract to the low bid from International Truck and Engine as part of the MoDOT procurement contract in the amount of \$159,094.00. This purchase is \$20,906 under budget. Alderman Reitmeyer moved and Alderman Shea seconded the motion to place these items on the August 25, 2016 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the August 25, 2016 Board of Aldermen meeting agenda for consideration.**

#### MISCELLANEOUS UPDATES – BATZEL

Chief Finkelstein reminded the Board of Aldermen that there is a City Police Officer who is under contract with the Drug Enforcement Agency (DEA). This DEA contract is up for renewal and requires the Boards approval for the City Administrator to execute the agreement. Alderman Reitmeyer moved and Alderman Shea seconded the motion to authorize the City Administrator to execute the DEA contract agreement. All in favor, the motion was approved.

#### BOARD MEETING AGENDA ITEM REVISIONS – BATZEL

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)

No Executive Session was called at this time.

#### ADJOURNMENT OF THE WORK SESSION

Alderman Shea 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 5:33 p.m.

Submitted by,

Patricia E. Smith  
City Clerk



CITY OF ST. PETERS CITY HALL  
BOARD OF ALDERMEN MINUTES  
AUGUST 11, 2016

#### CALL TO ORDER

Mayor Pagano called the Board of Aldermen meeting to order at approximately 7:00 p.m. on August 11, 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; Board President Reitmeyer; Alderman Shea; Alderman Violet; Russ Batzel, City Administrator; Randy Weber, Special Counsel; Jeff Finkelstein, Chief of Police; Patty Smith, City Clerk. Aldermen Bateman, Hollingsworth, and Thomas were absent. The Invocation was delivered by Pastor Steve Koeneman. The Pledge of Allegiance was led by Mayor Pagano.

#### JUNIOR CITIZEN POLICE ACADEMY – OFFICER DOSS

Officers Melissa Doss and Mike Edwards introduced the 2016 Junior Citizens Police Academy class and spoke about the activities the 65 participants were involved with. This was the first Junior Citizen Police Academy class and due to the overwhelming response they hope to offer it again in the future.

#### APPROVAL OF MINUTES: WORK SESSION MEETING OF JULY 28, 2016 AND THE REGULAR BOARD OF ALDERMEN MEETING OF JULY 28, 2016

Alderman Reitmeyer moved and Alderman Violet seconded the motion to approve the Board of Aldermen Work Session meeting minutes of July 28, 2016, and the Regular Board of Aldermen meeting minutes of July 28, 2016. The motion carried and the minutes were approved.

#### REPORTS OF OFFICERS, BOARDS AND COMMISSIONS

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

##### RE-APPOINTMENTS TO THE BOARD OF APPEALS

Alderman Reitmeyer moved and Alderman Shea seconded the motion to approve the re-appointment of the following individuals to serve as member to the Board of Appeals for the term effective September 1, 2016 and expiring August 31, 2021: John O'Mara, 31 Harvest Rust Court, St. Peters (Ward 4). All in favor, the motion was approved.

##### CITY ADMINISTRATOR'S REPORT:

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

None

##### ST. PETERS BUSINESS SPOTLIGHT

None

OPEN FORUM

CITIZENS PETITIONS AND COMMENTS

Mayor Pagano called individuals to come forward to speak who completed public comment cards which referenced the passing of Proposition Q. City Clerk Smith swore in each individual prior to their testimony. Deborah Pagoria, 41 N Joyce Ellen Way, spoke of her concerns regarding the banquet center being located near her residence possibly effecting quality of life, property values, and flooding. Ms. Pagoria feels nearby residents were not well informed. Ken Krawczak, 41 N. Joyce Ellen Way, made comments regarding his concerns that the proposed banquet center location near his property would cause peace disturbance. Ken Revanaugh, 20 S. Joyce Ellen Way, spoke about his concern of the funding and with the City competing with private enterprises with the new banquet hall profiting at the golf course.

COMMUNICATIONS FROM THE ELECTED OFFICIALS

Elected Officials made comments during this time.

ANNOUNCEMENTS

PUBLIC HEARINGS

PROPOSED BUDGET AND WATER AND SEWER RATES FOR FISCAL YEAR 2017 - GARDNER

Erin Gardner, Budget Analyst for the City of St. Peters, spoke about the proposed budget and water and sewer rates for the 2017 Fiscal Year. Ms. Gardner advised the draft budget is available on the City website and is up for approval at the next Board meeting. Ms. Gardner gave a brief report about the proposed budget. Mayor Pagano opened the floor for Public Hearing comments at 7:33 p.m. and inquired if there were any comments or concerns. Being no comments, Mayor Pagano closed the Public Hearing at 7:33 p.m.

UNFINISHED (OLD) BUSINESS ITEMS:

None

NEW BUSINESS ITEMS:

MOTION/APPROVED: BILL NO. 16-131: ORDINANCE NO. 6596: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO ENTER INTO AN AGREEMENT WITH KAPLAN LUMBER CO INC. FOR A PERMANENT SANITARY SEWER EASEMENT

Alderman Reitmeyer moved and Alderman Shea seconded the motion to introduce the Bill. The motion carried. Alderman Reitmeyer moved and Alderman Shea seconded the motion to read Bill No. 16-131 for the first time. The motion carried and Alderman Reitmeyer 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 Shea 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. 16-131 was passed becoming Ordinance No. 6596.

Reitmeyer: Yes Thomas: Absent Bateman: Absent Hollingsworth: Absent  
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes  
AYES: 5 NAYS: 0 ABSTENTIONS: 0 ABSENT: 3 MAYOR:

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

No Executive Session was called at this time.

#### ADJOURNMENT

Alderman Thomas moved and Alderman Reitmeyer seconded the motion to adjourn the Regular Board of Aldermen meeting. The motion was approved and the Regular Board of Aldermen meeting was adjourned at approximately 7:38 p.m.

Respectfully submitted,

Patricia E. Smith  
City Clerk

## NOTICE OF PUBLIC HEARING

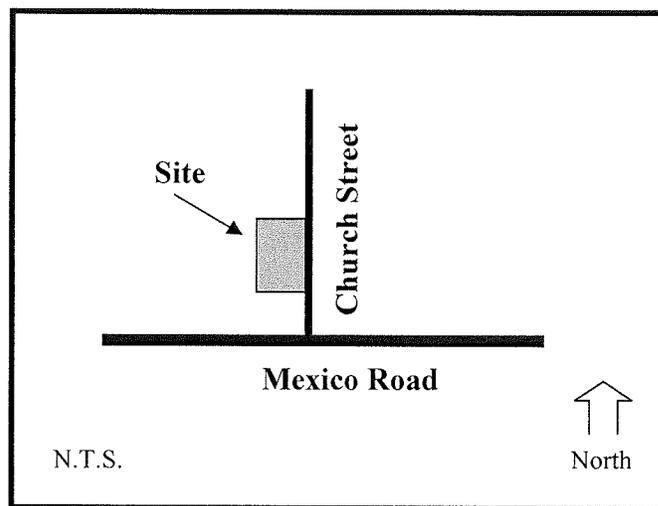
The Planning and Zoning Commission of the City of St. Peters will hold a public hearing at 6:30 p.m. on Wednesday, August 3, 2016 at the St. Peters Justice Center. The St. Peters Justice Center is located at the intersection of Suemandy Drive and Grand Teton Drive. The Planning and Zoning Commission may recommend and the Board of Aldermen may enact by ordinance the rezoning as described below or an alternate zoning category.

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 16-14

Joseph M. Baldetti requests an amended Commercial Planned District (CPD) to allow the additional uses of a dance studio, fitness/aerobics salon, martial arts studio, and other indoor entertainment activities on a 2.12 +/- acre parcel. The subject site is located on the west side of Church Street, north of Mexico Road (427 South Church Street).

### 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, August 3, 2016 at the St. Peters Justice Center **to discuss proposed changes to the Zoning and Subdivision Regulations (Chapter 405 of the Municipal Code) for the City of St. Peters.** The proposed changes refer to, but are not limited to, hunting within the City boundaries, Definitions, and the I-2 Heavy Industrial District. The Justice Center is located at 1020 Grand Teton Drive.

All interested citizens will have the opportunity to give written and oral comment. Please contact 636-477-6600, ext. 1438 or 636-278-2244, ext. 1438. 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, 636-477-6600 or 278-2244.

## NOTICE OF PUBLIC HEARING

The Board of Alderman of the City of St. Peters, Missouri will hold an official public hearing at 7:00 p.m. on Thursday, August 25, 2016, concerning the proposed annexation into the City of St. Peters, for the real estate as described below, which is presently located in St. Charles County. The hearing will be held at the City of St. Peters Justice Center, 1020 Grand Teton Drive.

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

At this public hearing any interested person, corporation, or political subdivision may present evidence regarding the proposed annexation. Furthermore, any objections to the proposed annexation should be filed in writing with the Board of Aldermen of the City of St. Peters not later than fourteen (14) days after the date of said public hearing.

Owner	Description	Approximate Acreage
Baty/Guerdan	1905 Oak Tree Steet (Hi Point Acres Lot N of Lot 1)	0.37

A detailed legal description of this property is available at St. Peters City Hall, One St. Peters Centre Boulevard.

Done by order of the Board of Aldermen.

Patricia E. Smith

Patricia E. Smith, City Clerk

ORDINANCE NO.

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE MUNICIPAL CODE OF THE CITY OF ST. PETERS, MISSOURI; TITLE IV: LAND USE PERTAINING TO ZONING AND PROPERTY WITHIN SAID CITY IN RESPONSE TO REZONING PETITION NUMBER 16-14 BY JOSEPH M. BALDETTI BY MAKING CERTAIN CHANGES IN THE DESIGNATED DISTRICTS IN CERTAIN SECTIONS OF SAID CITY

WHEREAS, by Petition Number 16-14 Joseph m. Baldetti (the “Tenant”) requests an amendment to the Commercial Planned District approved for the subject site; and

WHEREAS, by Petition Number 12-07 Thomas Tierney the Commercial Planned District was initially requested and was approved via Ordinance 5776; and

WHEREAS, the Board of Aldermen of the City of St. Peters, Missouri did first 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 amendment; and

WHEREAS, at the 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 to the Board of Aldermen.

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

No.

SECTION 1. The Code of the City of St. Peters, Missouri, Title IV: Land Use is hereby amended by making the following changes in the Zoning District Map, which map is on file in the Office of the City Clerk, to amend a 2.12+/- acre tract zoned Commercial Planned District (CPD) which tract is described as follows (the "Property"):

Southland Commercial Plat Two as recorded in Book 20 Page 110 of the  
St. Charles County Recorder of Deeds.

SECTION 2. The above-described Property shall comply with the following development criteria:

A. The Property Owner will continue with operation of the Planned Commercial Development in accordance with the Development Plan and Site Plan filed with the City (or in accordance with a revised Development Plan or Site Plan, if any such revision be proposed by Property Owner, its successors or assigns, and subsequently be approved by the City, all in conformance with the then controlling sections of the Zoning Ordinances for the City of St. Peters, Missouri).

B. The Property Owner (or its successors in interest) may develop the Property, except that as concerns those matters not addressed therein, the Property Owner will comply with the Ordinances of the City.

C. The Property Owner shall use the Property as a retail office/shopping center and appurtenant uses.

D. City will issue building permits with respect to the Property in as timely a manner as practicable, or will enumerate in writing the reasons, if any, why any such permit may not be issued.

E. The Property Owner will provide the City with all information required by the appropriate sections of City Ordinances for a Planned Commercial Development, and if any information is inadvertently omitted it will be provided upon request, as soon as it may reasonably be obtained.

F. Section C. of Ord. 5776 is amended as follows:

C. The Lessee, and any future owner of the Premises, may use the Premises for retail store(s) which include the sale of new and used merchandise and dance studios, fitness/aerobics salons, martial arts studios, and other indoor entertainment activities in addition to all permitted uses in the C-2 Community Commercial District.

1. The sale of used merchandise shall be permitted on the Property, except for the following: weapons, guns, ammunition, knives (other than those knives

**No.**

typically used for food consumption which are part of a silverware set) whips, chains, rusty farm implements, automotive parts, any items that are donated for the purpose of re-sale, and any item which would fall under the definition of junk yard in Section 405.100 of the St. Peters City Code.

SECTION 3. Savings.

Except as specifically 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 Ordinance 5776 or 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.

SECTION 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 invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

SECTION 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 25th day of August, 2016.

---

As Presiding Officer and as Mayor  
Len Pagano, Mayor

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

No.

Approved this 25th day of August, 2016.

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

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

DRAFT

No.

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

AN ORDINANCE OF THE CITY OF ST. PETERS, MISSOURI, AMENDING SECTIONS 210.175.A., SUBSECTIONS 3 AND 6, 405.100.B., 405.110.C., 405.230.D., AND 405.240.D. OF THE ST. PETERS CITY CODE, AND ENACTING A NEW SECTION 405.500, REGULATING THE USE OF LAND IN CERTAIN ZONING CLASSIFICATIONS WITHIN THE CITY; AND, PROVIDING PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, under § 79.450(2), RSMo., the Board of Aldermen of the City of St. Peters, Missouri, has the authority to “regulate, restrain and prevent the discharge of firearms” in the City; and

WHEREAS, the Board of Aldermen does hereby find, determine and declare that unregulated hunting on land within the City is dangerous to residents of the City; and

WHEREAS, after publishing notice hereof, the Planning and Zoning Commission and the Board of Aldermen of the City did hold Public Hearings on these proposed revisions to Chapter 405 of the St. Peters City Code; and

WHEREAS, at such Public Hearings all persons-in-interest, residents and other citizens were given an opportunity to be heard; and

WHEREAS, the Board of Aldermen of the City of St. Peters does desire to regulate, on land within the City, hunting and the discharge of firearms and projectile weapons.

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

SECTION NO. 1. That Section 210.175.A., Subsections 3 and 6 of the St. Peters City Code be and they hereby are amended by deleting the same in their entirety, and adding thereto new Subsections 3 and 6 which shall read as follows:

3. Discharges or shoots a firearm, except in Hunting Heritage Protection Areas as defined in Section 252.243, RSMo. or as permitted in Section 405.500 of the St. Peters City Code.

6. Openly carries a firearm or any other weapon readily capable of lethal use, except in Hunting Heritage Protection Areas as defined in Section 252.243, RSMo. or as permitted in Section 405.500 of the St. Peters City Code.

SECTION NO. 2. That Section 405.110.C. (“A-1” Agricultural District) of the St. Peters City Code be and is hereby amended by adding thereto a new Subsection 7 which shall read as follows:

7. Hunting of wildlife.

SECTION NO. 3. That Section 405.230.D. (“I-1” Light Industrial District) of the St. Peters City Code be and is hereby amended by adding thereto a new Subsection 19 which shall read as follows:

19. Hunting of wildlife.

SECTION NO. 4. That Section 405.240.D. (“I-2” Heavy Industrial District) of the St. Peters City Code be and is hereby amended by adding thereto a new Subsection 28 which shall read as follows:

28. Hunting of wildlife.

SECTION NO. 5. That Section 405.100.B. (“Definitions and Rules of Construction”) of the St. Peters City Code be and is hereby amended by adding thereto the following:

FIREARM: Any weapon that is designed or adapted to expel a projectile by the action of an explosive.

PROJECTILE WEAPON: Any bow, crossbow, pellet gun, slingshot or other weapon that is not a firearm, which is capable of expelling a projectile that could inflict serious physical injury or death by striking or piercing a person.

PUBLIC ROADWAY: The right of way which is either owned in fee or by easement by the State of Missouri, St. Charles County, or the City of St. Peters, or which is used by the general public for travel and is also regularly maintained by the Missouri Department of Transportation, United States of America, St. Charles County, the City of St. Peters, or any agency or instrumentality thereof.

SHOTGUN: Any firearm designed or adapted to be fired from the shoulder and to use the energy of the explosive in a fixed shotgun shell to fire a number of shot or a single projectile through a smooth bore barrel by a single function of the trigger.

WILDLIFE: All wild birds, mammals, fish and other aquatic and amphibious forms, and all other wild animals, regardless of classification, whether resident, migratory or imported, protected or unprotected, dead or alive, and any and every part of any individual species of wildlife.

SECTION NO. 6. That Article VI of Chapter 405 of the St. Peters City Code be and is hereby amended by adding thereto a new Section 405.500 which shall read as follows:

SECTION 405.500. HUNTING OF WILDLIFE WITHIN THE CITY.

A. *Certain Hunting Permitted.* Upon first obtaining a special use permit to hunt on certain property within the City, the following hunting activities may be permitted:

No.

1. *Hunting with Projectile Weapons.* Hunting of wildlife with a projectile weapon on property consisting of at least five (5) contiguous acres.

2. *Hunting with Shotguns.* Hunting of wildlife on property consisting of at least forty (40) contiguous acres with shotguns loaded with a self-contained cartridge containing multiple, spherical projectiles commonly referred to as “shot.”

Two or more properties may be combined, upon written consent of all the owners of all the properties to be combined, to achieve the minimum land size requirements of this Subsection A.

*B. Specific Action Prohibited/Required.*

1. All hunters must complete a hunter safety course prior to hunting in the City.
2. The holder of a special use permit to hunt wildlife must annually provide the City with a certificate of insurance providing evidence of a policy of general liability insurance in an amount of not less than One Million Dollars (\$1,000,000.00) per occurrence, and Two Million Dollars (\$2,000,000.00) in the aggregate.
3. All hunters must carry a valid Missouri hunting permit and any necessary tags on their person at all times, and must otherwise comply with the State of Missouri Wildlife Code, Federal hunting regulations, and City ordinances.
4. It shall be unlawful for any person to discharge any firearm or projectile weapon from, towards or across any public roadway or sidewalk.
5. It shall be unlawful for any person to discharge a firearm or projectile weapon within two hundred fifty (250) yards of any church, school, or playground.
6. It shall be unlawful for any person to discharge any firearm or projectile weapon at or in the direction of another person, any vehicle, dwelling unit, church, school, playground or building that is within the range of discharge plus two hundred fifty (250) feet.
7. It shall be unlawful for any person to discharge a firearm or projectile weapon within two hundred fifty (250) feet of any vehicle, dwelling unit, or building, unless the hunter is the owner of such vehicle, dwelling unit, or building, or unless the hunter has previously received express authority from such owner to discharge the shotgun, firearm or projectile weapon within two hundred fifty (250) feet of such vehicle, dwelling unit, or building.
8. It shall be unlawful for any person to knowingly discharge a firearm or projectile weapon while on the property of another without first having obtained permission from the owner, lessee, or person in lawful possession of such property.

*C. Violations.* Any person determined to be in violation of any of the provisions of this Section shall, upon conviction, be subject to a fine of up to five hundred dollars (\$500.00) and up to

ninety (90) days in the St. Charles County Jail, or to both such fine and imprisonment. Each incident or day of such violation shall constitute a separate offense.

SECTION NO. 7. Effective Date. This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

SECTION NO. 8. 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. 9. 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 25<sup>th</sup> day of August, 2016.

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

Attest:

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

Approved this 25<sup>th</sup> day of August, 2016.

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

Attest:

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

No.

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

AN ORDINANCE OF THE CITY OF ST. PETERS, MISSOURI, AMENDING SECTIONS 210.005 AND 405.100.B OF THE ST. PETERS CITY CODE; ENACTING A NEW SECTION 210.282; AND AMENDING SECTIONS 210.280, 405.240.D.16, AND 600.230 OF THE ST. PETERS CITY CODE BY DELETING THEM IN THEIR ENTIRETY, AND, IN LIEU THEREOF, ENACTING NEW SECTIONS 210.280, 405.240.D.16, AND 600.230; PROHIBITING INDECENT EXPOSURE AND SEXUAL CONDUCT WITH ANIMALS; AND REGULATING ADULT-ORIENTED BUSINESSES IN THE CITY OF ST. PETERS

WHEREAS, the purpose of this ordinance is to prohibit indecent exposure and regulate adult-oriented businesses in the City of St. Peters in order to protect the health, safety and general welfare and property values of the residents of the City through reasonable and uniform regulation thereof. It is not the intent or purpose of this ordinance to prohibit adult-oriented businesses from having a reasonable opportunity to locate in this City; and

WHEREAS, reports of the Minnesota Attorney General’s Working Group on Sexually Oriented Businesses Reports and reports completed for the cities of Minneapolis, St. Paul, Indianapolis, Phoenix and Los Angeles have concluded that:

- 1) Studies have concluded that adult-oriented businesses may have adverse impacts on the surrounding properties and neighborhoods;
- 2) The adverse effects caused by adult-oriented businesses tend to diminish if adult-oriented businesses are governed by local requirements;
- 3) The public health, safety, and general welfare will be promoted by this City adopting regulations governing adult-oriented businesses; and

WHEREAS, the Board of Aldermen finds, based upon the studies described above, that:

- 1) Studies have shown a close association between adult-oriented businesses,
- 2) High crime rates and low property values in a neighborhood.
- 3) Arrests for sexual crimes and the location of adult-oriented businesses were directly related.
- 4) A concentration of adult-oriented businesses has serious impacts upon the surrounding neighborhood.
- 5) Community impacts of adult-oriented businesses are primarily a function of two variables, proximity to residential areas and concentration. Property values are directly affected within a small radius of the location of an adult-oriented business. Concentration may compound depression of property values and may lead to an increase in crime sufficient to change the quality of life and perceived desirability of property in a neighborhood.

- 6) When adult-oriented businesses have multiple uses (i.e., theater, bookstore, nude dancing, peep booths), one building can have the impact of several separate businesses.
- 7) The presence of bars in the immediate vicinity of adult-oriented businesses also compounds impacts upon the neighborhood.
- 8) Evidence on a national level highlights the vulnerability of adult-oriented businesses to criminal control.
- 9) The limitation on the hours of operation and the regulation of exterior appearance, including signage, of adult-oriented business activities is necessary to protect and secure neighboring uses, to control adverse noise and traffic impacts associated with those activities, and otherwise address, mitigate, and if possible, eliminate the adverse impacts and secondary effects of adult-oriented business activities on the areas in which such activities are located or taking place; and

WHEREAS, the Board of Aldermen of the City of St. Peters finds and determines that adult-oriented businesses, as a category of commercial enterprises, are associated with a wide variety of adverse secondary effects, including but not limited to personal and property crimes, prostitution, potential spread of disease, lewdness, public indecency, obscenity, illicit drug use and drug trafficking, negative impacts on surrounding properties, urban blight, litter, and sexual assault and exploitation; and

WHEREAS, the Board of Aldermen finds and determines that adult-oriented businesses should be separated from sensitive land uses to minimize the impact of their secondary effects upon such uses, and should be separated from other adult-oriented businesses, to minimize the secondary effects associated with such uses and to prevent an unnecessary concentration of adult-oriented businesses in one area; and

WHEREAS, the Board of Aldermen finds and determines that the foregoing negative secondary effects constitute a harm which the City has a substantial interest in preventing or abating, or both; and

WHEREAS, the Board of Aldermen finds and determines that this Bill leaves more than reasonable alternative avenues of communication for adult-oriented businesses; and

WHEREAS, the Planning and Zoning Commission of the City of St. Peters, Missouri, did consider and recommend revisions to Sections 405.100.B and 405.240.D.16 of the City Code; and

WHEREAS, after publishing notice, the Board of Aldermen and the Planning and Zoning Commission did hold Public Hearings on the proposed revisions; and

WHEREAS, at such Public Hearings all persons-in-interest and other citizens were given an opportunity to be heard; and

WHEREAS, the Board of Aldermen desires to prohibit indecent exposure and regulate adult-oriented businesses in the City;

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

SECTION NO. 1. That Section 210.005 of the City Code be and is hereby amended by deleting the definitions of “sexual conduct” and “sexual contact” in their entirety and enacting, in lieu thereof, new definitions of “animal,” “fully opaque covering,” “nudity,” “public place,” “semi-nudity,” “sexual contact,” “sexual conduct,” “sexual conduct with an animal” and “sexual intercourse” which shall read as follows:

SECTION 210.005 DEFINITIONS.

ANIMAL: Every creature, either alive or dead, other than a human being.

FULLY OPAQUE COVERING: Non-transparent clothing or other similar object or substance. This term does not include body paint, body dyes, tattoos, liquid latex, whether wet or dried, and other similar substances.

NUDITY: The showing of the human genitals, pubic area, vulva, anus, anal cleft, or the female breast with less than a fully opaque covering of any part of the nipple or areola.

PUBLIC PLACE: Any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, schools, restaurants and bars, hospitals, apartment houses, office buildings, transport facilities, and retail shops. A public place does not include any place where persons appearing in a state of semi-nudity do so in a modeling class operated:

1. By a college, junior college, or university supported entirely or partly by taxation;
2. By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or
3. In a structure:
  - a. Which has no sign visible from the exterior of the structure and no other advertising that indicates a semi-nude person is available for viewing; and
  - b. Where, in order to participate in a class, a student must enroll at least three days in advance of the class.

SEMI-NUDITY: The showing of the female breast below a horizontal line across the top of the areola and extending across the width of the breast at such point, or the showing of the male or female buttocks. Such definition includes the lower portion of the human female breast, but shall not include any portion of the cleavage of the female breasts exhibited by a bikini,

dress, blouse, shirt, leotard, or similar wearing apparel provided the areola is not exposed in whole or in part.

SEXUAL CONDUCT: Sexual intercourse, sexual contact or masturbation.

SEXUAL CONDUCT WITH AN ANIMAL: Any touching of an animal with the genitals or any touching of the genitals or anus of an animal for the purpose of arousing or gratifying the person's sexual desire.

SEXUAL CONTACT: Any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of any female person, or such touching through the clothing, for the purpose of arousing or gratifying sexual desire of any person or for the purpose of terrorizing the victim.

SEXUAL INTERCOURSE: Any penetration, however slight, of the female genitalia by the penis. Sexual intercourse also includes any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person or a sexual act involving the penetration, however slight, of the penis, female genitalia, or the anus by a finger, instrument or object done for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim.

SECTION NO. 2. That Section 210.280 of the City Code be and is hereby amended deleting it in its entirety and enacting, in lieu thereof, a new Section 210.280 which shall read as follows:

SECTION 210.280: INDECENT EXPOSURE.

A. Except as otherwise provided in Subsections B and C of this Section 210.280, any person twelve (12) years of age or older who knowingly or intentionally, in a public place, does or engages in any of the following shall be guilty of indecent exposure:

1. Any person who engages in sexual conduct.
2. Any person who appears in a state of nudity or semi-nudity.
3. Any person who displays films, video programs or pictures depicting persons in a state of nudity or semi-nudity or engaging in sexual conduct.
4. Any person who is the legal owner of a public place, has the authority to control access to the public place, or otherwise exercises authority over a public place and who expressly authorizes, employs or permits a person to appear in a state of nudity or semi-nudity or to engage in sexual conduct.

B. Notwithstanding any other provision of this Section 210.280 to the contrary, a mother may breast-feed her child or express breast milk in any public or private location where the mother is

otherwise authorized to be. The act of a mother breast-feeding a child or expressing breast milk in a public or private location where the mother and child are otherwise authorized to be shall not:

1. Constitute sexual conduct or sexual contact; or
  2. Be considered an act of indecent exposure.
- C. Any person who knowingly or intentionally does or engages in any of the actions described in Subsection A, Subparagraphs 2, 3 and 4 shall not be guilty of indecent exposure if the action(s) takes place in an “adult oriented business, bookstore, video store or peep show” as defined in Section 405.100 and that is operated in accordance with Section 405.530 and other applicable laws and ordinances of the City.

SECTION NO. 3. That Article VIII of Chapter 210 of the City Code be and is hereby amended by enacting a new Section 210.282 which shall read as follows:

SECTION 210.282: SEXUAL CONDUCT WITH AN ANIMAL.

No person shall engage in sexual conduct with an animal. Nothing in this Section shall be construed to prohibit generally accepted animal husbandry, farming and ranching practices or generally accepted veterinary medical practices.

SECTION NO. 4. That Section 405.100.B of the City Code be and is hereby amended by deleting the definition of “adult oriented business, bookstore, video store or peep show” in its entirety and enacting, in lieu thereof, new definitions of “adult oriented business, bookstore, video store or peep show,” “fully opaque covering,” “nude,” “semi-nude,” “sexual conduct,” “sexual contact,” and “sexual intercourse” which shall read as follows:

SECTION 405.100 DEFINITIONS AND RULES OF CONSTRUCTION.

ADULT ORIENTED BUSINESS, BOOKSTORE, VIDEO STORE OR PEEP SHOW:  
A business establishment which, as its principal purposes, offers for sale, rental, display or viewing for any form of consideration any one (1) or more of the following:

1. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, computer disks, or other visual representations which depict or describe acts of sexual conduct or persons in a state of nudity or semi-nudity.
2. Instruments, devices, or paraphernalia which are designed for use in connection with acts of sexual conduct.
3. Business establishment where for any form of consideration, films, motion pictures, video cassettes, slides, computer disks, or similar photographic reproductions are regularly shown which are characterized by the depiction of acts of sexual conduct or persons in a state of nudity or semi-nudity.

4. A business establishment where for any form of consideration dancing or viewing of live nude or semi-nude men or women is conducted.

5. Such uses as described above shall not be considered "adult" for the purpose of being required to locate within an industrial zoning district if all of the following criteria are met:

a. The sale of merchandise depicting or describing acts of sexual conduct or persons in a state of nudity or semi-nudity is an accessory use to a non-adult oriented business.

b. All merchandise depicting or describing acts of sexual conduct or persons in a state of nudity or semi-nudity is packaged for sale and use off of the premises with no "adult" oriented activity taking place on the premises.

c. The area in which merchandise depicting or describing acts of sexual conduct or persons in a state of nudity or semi-nudity is located is completely screened from public view and occupies no more than twenty-five percent (25%) of the general sales area of the business.

**FULLY OPAQUE COVERING:** Non-transparent clothing or other similar object or substance. This term does not include body paint, body dyes, tattoos, liquid latex, whether wet or dried, and other similar substances.

**NUDITY:** The showing of the human genitals, pubic area, vulva, anus, anal cleft, or the female breast with less than a fully opaque covering of any part of the nipple or areola.

**SEMI-NUDITY:** The showing of the female breast below a horizontal line across the top of the areola and extending across the width of the breast at such point, or the showing of the male or female buttocks. Such definition includes the lower portion of the human female breast, but shall not include any portion of the cleavage of the female breasts exhibited by a bikini, dress, blouse, shirt, leotard, or similar wearing apparel provided the areola is not exposed in whole or in part.

**SEXUAL CONDUCT:** Sexual intercourse, sexual contact or masturbation.

**SEXUAL CONTACT:** Any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of any female person, or such touching through the clothing, for the purpose of arousing or gratifying sexual desire of any person or for the purpose of terrorizing the victim.

**SEXUAL INTERCOURSE:** Any penetration, however slight, of the female genitalia by the penis. Sexual intercourse also includes any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person or a sexual act involving the penetration,

however slight, of the penis, female genitalia, or the anus by a finger, instrument or object done for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim.

SECTION NO. 5. That Section 405.240.D.16 of the City Code be and is hereby amended deleting it in its entirety and enacting, in lieu thereof, a new Section 405.240.D.16 which shall read as follows:

16. Adult oriented business, bookstore, video store or peep show.

SECTION NO. 6. That Section 600.230 of the City Code be and is hereby amended deleting it in its entirety and enacting, in lieu thereof, a new Section 600.230 which shall read as follows:

SECTION 600.230: PREMISES TO BE KEPT ORDERLY.

A. All licensees under this Chapter shall at all times keep and maintain an orderly place upon the premises.

B. A premises shall not be deemed an orderly place if there are at least two (2) instances of disorderly conduct on the premises in the same liquor license year and the disorderly conduct promotes disturbances or breaches of the peace, or violations of the law. Disorderly conduct includes, but is not limited to, the following:

1. Actions or conduct which become a nuisance;
2. Offenses concerning public peace under Article V of Chapter 210 of the City Code;
3. A licensee's failure, or the failure of the licensee's employees, to immediately prevent or suppress any violent quarrel, disorder, brawl, fight or other improper or unlawful conduct of any person upon the premises;
4. Failing to immediately report to law enforcement authorities the occurrence of an illegal or violent act that has been committed on or about the licensed premises, in the event that a licensee or his/her employee knows or should have known of such illegal or violent act;
5. Failing to cooperate with law enforcement authorities during the investigation into an occurrence identified in subsection B.4 of this Section;
6. Open, repeated, and continuous sales of intoxicating liquors to minors; and
7. Indecent exposure offenses under Section 210.280 of the City.

No.

SECTION NO. 7. Effective Date. This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

SECTION NO. 8. 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. 9. 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 25th day of August, 2016.

---

As Presiding Officer and as Mayor  
Len Pagano, Mayor

Attest:

---

Patricia E. Smith, City Clerk

Approved this 25th day of August, 2016.

---

Len Pagano, Mayor

Attest:

---

Patricia E. Smith, City Clerk

No.

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

AN ORDINANCE AMENDING ORDINANCE NO. 6398, ORDINANCE NO. 6440, AND ORDINANCE NO. 6542 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.

WHEREAS, the City Administrator, acting as the Budget Officer for the City of Saint Peters, has prepared budgets for 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 in accordance with the requirements of said funds of the City; and

WHEREAS, the department heads of the operating departments of the City have participated in the drafting of said budgets, and have agreed to the budgeted amount for the operation of their respective department; and

WHEREAS, the anticipated expenditures from each of the above funds do not exceed the anticipated revenues plus any unencumbered fund balance for the fiscal year.

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

SECTION NO. 1 – Section 5 of Ordinance No. 6398 and Section 4 of Ordinance No. 6542 shall be amended to read as follows:

(a) That the budget for the Local Parks and Storm Water Fund of the City prepared as presented for fiscal year 2016 including anticipated revenues, transfers from other funds and unencumbered fund balance of \$9,634,764, anticipated expenditures, reserve transfers and transfers out of \$8,519,679, and an anticipated ending unencumbered fund balance of \$1,115,085, be and is hereby adopted as the budget for the City of Saint Peters, Missouri.

(b) That the anticipated Local Parks and Storm Water Fund expenses as specified in Section 1(a) of this Ordinance are hereby appropriated for expenditure as follows:

Ranger Division	\$	587,800
CSO Division	\$	396,950
Parks Department	\$	4,110,024
Storm Water Department	\$	2,016,800
Debt Service for Park Projects	\$	<u>167,500</u>
Subtotal	\$	7,279,074
Overhead/Fleet Allocation	\$	277,600
Transfer to Debt Service Fund for 2010B G.O. Bonds	\$	130,000
Transfer to Debt Service Fund for 2012 G.O. Bonds	\$	250,000
Transfer to Debt Service Fund for 2014 G.O. Bonds	\$	655,000
Transfer to Recreation Fund	\$	400,000
Transfer to Transportation Trust Fund	\$	529,005
Transfer to (from) Reserves	\$	<u>(1,001,000)</u>
TOTAL	\$	8,519,679

SECTION NO. 2 – Section 8 of Ordinance No. 6398 and Section 7 of Ordinance No. 6542 shall be amended to read as follows:

(a) That the budget for the Special Allocation Fund – Old Town Levee of the City prepared as presented for fiscal year 2016 including anticipated revenues, transfers from other funds and unencumbered fund balance of \$6,158,800, anticipated expenditures and reserve transfers of \$6,036,787, and an anticipated ending unencumbered fund balance of \$122,013, be and is hereby adopted as the budget for the City of Saint Peters, Missouri.

(b) That the anticipated Special Allocation Fund – Old Town Levee expenses as specified in Section 2(a) of this Ordinance are hereby appropriated for expenditure as follows:

Surplus PILOTS	\$	393,067
Capital Improvement Projects	\$	5,720,000
Reimburse Transportation Trust Fund	\$	103,720
Other Expense	\$	20,000
Transfer to (from) Reserves	\$	<u>(200,000)</u>
TOTAL	\$	6,036,787

SECTION NO. 3 – Section 11 of Ordinance No. 6398 and Section 10 of Ordinance No. 6542 shall be amended to read as follows:

(a) That the budget for the Water Service Line Repair Program Fund of the City prepared as presented for fiscal year 2016 including anticipated revenues and unencumbered fund balance of \$402,032, anticipated expenditures of \$308,000, and an anticipated ending unencumbered fund balance of \$94,032, be and is hereby adopted as the budget for the City of Saint Peters, Missouri.

(b) That the anticipated Water Service Line Repair Program Fund expenses as specified in Section 3(a) of this Ordinance are hereby appropriated for expenditure as follows:

Administration	\$	37,000
Water Line Repairs	\$	<u>271,000</u>
TOTAL	\$	308,000

SECTION NO. 4 – Section 12 of Ordinance No. 6398 and Section 11 of Ordinance No. 6542 shall be amended to read as follows:

(a) That the budget for the CMPF Fund of the City prepared as presented for fiscal year 2016 including anticipated revenues, transfers from other funds and unencumbered fund balance of \$4,973,146, anticipated expenditures and transfers out of \$4,539,620, and an anticipated ending unencumbered fund balance of \$433,526, be and is hereby adopted as the budget for the City of Saint Peters, Missouri.

(b) That the anticipated CMPF Fund expenses as specified in Section 4(a) of this Ordinance are hereby appropriated for operating expenses of the Fund.

SECTION NO. 5 – Section 13 of Ordinance No. 6398 and Section 12 of Ordinance No. 6542 shall be amended to read as follows:

(a) That the budget for the Recreation Fund of the City prepared as presented for fiscal year 2016 including anticipated revenues, transfers from other funds and unencumbered fund balance of \$8,076,272, anticipated expenditures, reserve transfers, and transfers out of \$7,874,215, and an anticipated ending unencumbered fund balance of \$202,057, be and is hereby adopted as the budget for the City of Saint Peters, Missouri.

(b) That the anticipated Recreation Fund expenses as specified in Section 5(a) of this Ordinance are hereby appropriated for expenditure as follows:

Rec-Plex Expense	\$	4,901,165
General Recreation Expense	\$	359,150
Golf Course Expense	\$	872,900
370 Lakeside Park Expense	\$	351,100
Subtotal	\$	6,484,315
Debt Service	\$	1,356,500
Transfer to/ (from) Reserves	\$	5,000
Transfer to Trust – Post Retirement Benefits	\$	28,400
TOTAL	\$	7,874,215

SECTION NO. 6 – That the funds shall be expended in substantially the same manner as presented to the Board of Aldermen in the details of the 2015/16 Annual Budget, the original copy, and subsequent amendments, of which are on file this date in the office of the City Clerk, and incorporated herein by this reference.

SECTION NO. 7 – That the Mayor and City Administrator are hereby authorized to expend these funds in accordance with the provisions of this Ordinance, subject to the provision of Ordinance No. 326, or as said Ordinance from time to time may be amended.

SECTION NO. 8 – This Ordinance shall be in full force and effect as of the date of its final passage and approval.

SECTION NO. 9. 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. 10. 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.

Read two times, passed and approved this 25th day of August, 2016.

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As Presiding Officer and as Mayor  
Len Pagano, Mayor

Attest:

Patricia E. Smith, City Clerk

No.

LOCAL PARKS AND STORM WATER FUND

	FY'16 BUDGET	ADJUSTMENTS	FY'16 BUDGET AUGUST 25, 2016
BEGINNING FUND BALANCE	\$ 2,317,114	\$ -	\$ 2,317,114
REVENUES:			
Sales Tax	7,072,150	-	7,072,150
Intergovernmental Revenue	100,000	-	100,000
Interest Income	2,000	-	2,000
Other Revenue	143,500	-	143,500
TOTAL REVENUE	<u>7,317,650</u>	<u>-</u>	<u>7,317,650</u>
FUNDS AVAILABLE	<u>9,634,764</u>	<u>-</u>	<u>9,634,764</u>
EXPENDITURES:			
Ranger Division	587,800	-	587,800
TOTAL RANGER DIVISION	<u>587,800</u>	<u>-</u>	<u>587,800</u>
CSO Division	396,950	-	396,950
TOTAL CSO DIVISION	<u>396,950</u>	<u>-</u>	<u>396,950</u>
Parks Department Operating Expenditure	454,700	-	454,700
Parks Department Vehicles and Rolling Stock	613,000	-	613,000
Parks Department Capital Improvement Projects	3,192,324	(150,000)	3,042,324
TOTAL PARKS DEPARTMENT	<u>4,260,024</u>	<u>(150,000)</u>	<u>4,110,024</u>
Storm Water Department Operating Expenditure Excluding Storm Water Maintenance	1,391,500	-	1,391,500
Storm Water Department Capital Expenditure	106,300	-	106,300
Storm Water 50/50 Projects	100,000	-	100,000
Storm Water/Creek Stabilization Maintenance	356,000	-	356,000
Storm Water/Creek Subdivision Maintenance	63,000	-	63,000
TOTAL STORM WATER DEPARTMENT	<u>2,016,800</u>	<u>-</u>	<u>2,016,800</u>
DEBT SERVICE FOR PARK PROJECTS	<u>167,500</u>	<u>-</u>	<u>167,500</u>
TOTAL EXPENDITURES	<u>7,429,074</u>	<u>(150,000)</u>	<u>7,279,074</u>
TRANSFER (TO)FROM RESERVES	901,000	100,000	1,001,000
TRANSFER TO DEBT SERVICE FUND 2010 G.O. BONDS	(130,000)	-	(130,000)
TRANSFER TO DEBT SERVICE FUND 2012 G.O. BONDS	(250,000)	-	(250,000)
TRANSFER TO DEBT SERVICE FUND 2014 G.O. BONDS	(655,000)	-	(655,000)
TRANSFER TO DEBT SERVICE FUND 2016 G.O. BONDS	-	-	-
TRANSFER TO RECREATION FUND	(400,000)	-	(400,000)
TRANSFER TO TRANSPORTATION TRUST FUND	(529,005)	-	(529,005)
OVERHEAD ALLOCATION	<u>(277,600)</u>	<u>-</u>	<u>(277,600)</u>
ENDING FUND BALANCE	<u>\$ 865,085</u>	<u>\$ 250,000</u>	<u>\$ 1,115,085</u>

DETAIL OF ADJUSTMENTS:

EXPENDITURES:

Parks Department Capital Expenditure	100,000	Move Rec-Plex tuckpointing from FY17 to FY16
Parks Department Capital Expenditure	(250,000)	Move Golf Course restroom and concession stand project forward to FY17
TOTAL Parks Department Capital Expenditure	<u>(150,000)</u>	
TRANSFER (TO)FROM RESERVES	<u>100,000</u>	Reverse reserves for Parks capital - Rec-Plex tuckpointing

SPECIAL ALLOCATION FUND - OLD TOWN LEVEE

	FY'16 BUDGET	ADJUSTMENTS	FY'16 BUDGET AUGUST 25, 2016
BEGINNING FUND BALANCE	\$ 4,261,800	\$ -	\$ 4,261,800
REVENUES			
Property Tax - Real Estate Revenue	815,000	-	815,000
Sales and Franchise Tax	1,077,000	-	1,077,000
Other Revenue	5,000	-	5,000
TOTAL REVENUE	<u>1,897,000</u>	<u>-</u>	<u>1,897,000</u>
FUNDS AVAILABLE	<u>6,158,800</u>	<u>-</u>	<u>6,158,800</u>
EXPENDITURES			
Surplus PILOTS	393,067	-	393,067
Capital Improvement Projects	5,670,000	50,000	5,720,000
Reimburse Transportation Trust Fund	103,720	-	103,720
Reimburse Water Sewer Tap Fund	-	-	-
Other Expense	20,000	-	20,000
TOTAL EXPENDITURES	<u>6,186,787</u>	<u>50,000</u>	<u>6,236,787</u>
TRANSFER (TO) FROM RESERVES FOR ANTICIPATED SURPLUS PILOTS	-	-	-
TRANSFER (TO) FROM RESERVES	<u>200,000</u>	<u>-</u>	<u>200,000</u>
ENDING FUND BALANCE	<u>\$ 172,013</u>	<u>\$ (50,000)</u>	<u>\$ 122,013</u>

DETAIL OF ADJUSTMENTS:

EXPENDITURES:

Capital Improvement Projects	<u>50,000</u>	Carry forward Iffrig Road paving from FY16 budget
TOTAL EXPENDITURES	<u>50,000</u>	

WATER SERVICE LINE REPAIR PROGRAM FUND

	FY'16 BUDGET	ADJUSTMENTS	FY'16 BUDGET AUGUST 25, 2016
BEGINNING FUND BALANCE	\$ 179,032	\$ -	\$ 179,032
REVENUES			
Water Line Repair Revenue	223,000	-	223,000
Interest	-	-	-
TOTAL REVENUE	<u>223,000</u>	<u>-</u>	<u>223,000</u>
FUNDS AVAILABLE	<u>402,032</u>	<u>-</u>	<u>402,032</u>
EXPENDITURES			
Administration	37,000	-	37,000
Water Line Repair Program	186,000	85,000	271,000
TOTAL EXPENDITURES	<u>223,000</u>	<u>85,000</u>	<u>308,000</u>
TRANSFER (TO) FROM RESERVES	-	-	-
ENDING FUND BALANCE	\$ 179,032	\$ (85,000)	\$ 94,032

DETAIL OF ADJUSTMENTS:

EXPENDITURES:		
Water Line Repair Program	85,000	Adjust to anticipated actual
TOTAL EXPENDITURES	<u>85,000</u>	

CMPF FUND

	FY'16 BUDGET	ADJUSTMENTS	FY'16 BUDGET AUGUST 25, 2016
BEGINNING FUND BALANCE	\$ 441,646	\$ -	\$ 441,646
REVENUES	<u>4,531,500</u>	-	<u>4,531,500</u>
FUNDS AVAILABLE	<u>4,973,146</u>	-	<u>4,973,146</u>
TOTAL EXPENDITURES	<u>4,150,620</u>	29,500	<u>4,180,120</u>
OVERHEAD/FLEET ALLOCATION	(320,100)	-	(320,100)
TRANSFER (TO) FROM RESERVES	-	-	-
TRANSFER (TO) FROM POST RETIREMENT BENEFITS TRUST	<u>(39,400)</u>	-	<u>(39,400)</u>
ENDING FUND BALANCE	\$ 463,026	\$ (29,500)	\$ 433,526

DETAIL OF ADJUSTMENTS:

EXPENDITURES:

Capital Expense

TOTAL EXPENDITURES

<u>29,500</u>	Move replacement of wire tie machine from FY17 to FY16
<u>29,500</u>	

## RECREATION FUND

	FY'16 BUDGET	ADJUSTMENTS	FY'16 BUDGET AUGUST 25, 2016
BEGINNING FUND BALANCE	\$ 372,372	\$ -	\$ 372,372
TRANSFER FROM GENERAL FUND	150,000	-	150,000
TRANSFER FROM LOCAL PARKS AND STORM WATER FUND	400,000	-	400,000
REVENUES:			
Rec-Plex Revenue	5,458,400	-	5,458,400
General Recreation Revenue	403,400	-	403,400
Golf Course Revenue	876,700	-	876,700
370 Lakeside Park Revenue	415,400	-	415,400
TOTAL REVENUE	<u>7,153,900</u>	<u>-</u>	<u>7,153,900</u>
FUNDS AVAILABLE	<u>8,076,272</u>	<u>-</u>	<u>8,076,272</u>
EXPENDITURES:			
Rec-Plex Expense	4,901,165	-	4,901,165
General Recreation Expense	359,150	-	359,150
Golf Course Expense	866,700	6,200	872,900
370 Lakeside Park Expense	351,100	-	351,100
TOTAL EXPENDITURES	<u>6,478,115</u>	<u>6,200</u>	<u>6,484,315</u>
DEBT SERVICE 2006 CERTIFICATE OF PARTICIPATION BONDS	(1,356,500)	-	(1,356,500)
TRANSFER (TO) FROM RESERVES	(5,000)	-	(5,000)
TRANSFER (TO) FROM POST RETIREMENT BENEFITS TRUST	(28,400)	-	(28,400)
TRANSFER (TO) FROM RESERVES - GOLF COURSE	<u>(10,000)</u>	<u>10,000</u>	<u>-</u>
ENDING FUND BALANCE	<u>\$ 198,257</u>	<u>\$ 3,800</u>	<u>\$ 202,057</u>
DETAIL OF ADJUSTMENTS:			
EXPENDITURES:			
Golf Course Expense	<u>6,200</u>	Add replacement of coolers	
Total Golf Course Expense	<u>6,200</u>		
TRANSFER (TO) FROM RESERVES - GOLF COURSE	<u>10,000</u>	Adjust transfer to reserves from Golf Course	

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

AN ORDINANCE PROVIDING FOR THE ADOPTION OF THE GENERAL FUND, DEBT SERVICE 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, 2016 AND ENDING SEPTEMBER 30, 2017.

WHEREAS, the City Administrator, acting as the Budget Officer for the City of Saint Peters, has prepared budgets for the General Fund, Debt Service 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 in accordance with the requirements of said funds of the City; and

WHEREAS, the department heads of the operating departments of the City have participated in the drafting of said budgets, and have agreed to the budgeted amount for the operation of their respective department; and

WHEREAS, the anticipated expenditures from each of the above funds do not exceed the anticipated revenues plus any unencumbered fund balance for the fiscal year.

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

SECTION NO. 1 – General Fund Budget

(a) That the budget for the General Fund of the City prepared as presented for fiscal year 2017 including anticipated revenues, transfers in, and unencumbered fund balance of \$39,974,452, anticipated expenditures, reserve transfers, and transfers out of \$37,420,015, and an anticipated ending unencumbered fund balance of \$2,554,437, be and is hereby adopted as the budget for the City of Saint Peters, Missouri.

(b) That the anticipated General Fund expenditures as specified in Section 1(a) of this Ordinance are hereby appropriated for expenditure by department as follows:

HES - Health	\$	1,777,945
HES - Maintenance	\$	1,874,410
MPS - Police	\$	13,596,320
PGS - Parks-General	\$	4,374,820
RCS - Cultural Arts Centre	\$	225,575
SSS - Administration	\$	6,659,170
SSS - Communications	\$	1,128,485
SSS - Community & Economic Development	\$	402,270
SSS - Governmental	\$	1,360,350
SSS - Municipal Court	\$	492,030
TDS - Engineering	\$	2,077,440
TDS - Streets Department	\$	2,186,000
Subtotal	\$	36,154,815
Debt Service on 2010 Refunding Bonds	\$	60,000
Debt Service on 2013 Refunding Bonds	\$	321,500
Transfer to Debt Service Fund	\$	621,900
Transfer to Recreation Fund	\$	150,000
Transfer to Trust – Post Retirement Benefits	\$	461,800
Transfer to (from) Reserves	\$	(850,000)
Transfer to Contingency Reserve	\$	500,000
TOTAL	\$	37,420,015

SECTION NO. 2 – Debt Service Budget

(a) That the budget for the Debt Service Fund of the City prepared and presented for fiscal year 2017 including anticipated revenues, transfers from other funds, and unencumbered fund balance of \$5,035,995, anticipated expenditures of \$3,357,500, and an anticipated unencumbered fund balance of \$1,678,495, be and is hereby adopted as the budget for the City of St. Peters, Missouri.

(b) That the anticipated Debt Service expenditures as specified in Section 2(a) of this Ordinance are hereby appropriated to satisfy the debt service requirements of the following general obligation bond issues:

Collection and Assessment Fees	\$	45,000
Uncollectable Taxes	\$	3,000
Distribution Fees	\$	3,500
2010 St. Peters Lakeside Business Park Refunding (2002)	\$	342,000
2010B Storm Water/Creek Stabilization Refunding	\$	130,000
2012 Storm Water/Creek Stabilization	\$	250,000
2014 Storm Water/Creek Stabilization	\$	655,000
2015 Justice Center/Public Works Refunding (2007)	\$	718,500
2016 Justice Center Refunding (2008)	\$	635,500
2016 Storm Water/Creek Stabilization	\$	575,000
TOTAL	\$	3,357,500

SECTION NO. 3 – Community Development Block Grant Subrecipient Fund:

(a) That the budget for the Community Development Block Grant Subrecipient Fund of the City prepared as presented for fiscal year 2017 including anticipated revenues and unencumbered fund balance of \$200,000, anticipated expenditures of \$200,000 and an anticipated ending unencumbered fund balance of \$0, be and is hereby adopted as the budget for the City of Saint Peters, Missouri.

(b) That the anticipated Community Development Block Grant Subrecipient Fund expenditures as specified in Section 3(a) of this Ordinance are hereby appropriated for expenditures supporting activities that benefit persons of low and moderate income as set out in the Housing and Urban Development’s guidelines as follows:

Public Service	\$	40,000
Rehabilitation of Private Properties	\$	159,000
Miscellaneous Expense	\$	<u>1,000</u>
TOTAL	\$	200,000

SECTION NO. 4 – Local Parks and Storm Water Fund Budget:

(a) That the budget for the Local Parks and Storm Water Fund of the City prepared as presented for fiscal year 2017 including anticipated revenues, transfers from other funds and unencumbered fund balance of \$8,533,335, anticipated expenditures and reserve transfers of \$7,934,310, and an anticipated ending unencumbered fund balance of \$599,025, be and is hereby adopted as the budget for the City of Saint Peters, Missouri.

(b) That the anticipated Local Parks and Storm Water Fund expenses as specified in Section 4(a) of this Ordinance are hereby appropriated for expenditure as follows:

Ranger Division	\$	692,005
CSO Division	\$	339,850
Parks Department	\$	1,833,805
Storm Water/Creek Stabilization	\$	2,072,700
Debt Service for Park Projects	\$	<u>164,500</u>
Subtotal	\$	5,102,860
Overhead/Fleet Allocation	\$	280,200
Transfer to Debt Service Fund for 2010B G.O. Bonds	\$	130,000
Transfer to Debt Service Fund for 2012 G.O. Bonds	\$	250,000
Transfer to Debt Service Fund for 2014 G.O. Bonds	\$	655,000
Transfer to Debt Service Fund for 2016 G.O. Bonds	\$	575,000
Transfer to Recreation Fund	\$	600,000
Transfer to Transportation Trust Fund	\$	188,350
Transfer to (from) Reserves	\$	125,000
Transfer to Trust – Post Retirement Benefits	\$	<u>27,900</u>
TOTAL	\$	7,934,310

SECTION NO. 5 – Sewer Lateral Repair Program Fund:

(a) That the budget for the Sewer Lateral Repair Program Fund of the City prepared as presented for fiscal year 2017 including anticipated revenues and unencumbered fund balance of \$922,384, anticipated expenditures of \$725,700, and an anticipated ending unencumbered fund balance of \$196,684, be and is hereby adopted as the budget for the City of Saint Peters, Missouri.

(b) That the anticipated Sewer Lateral Repair Program Fund expenses as specified in Section 5(a) of this Ordinance are hereby appropriated for expenditure as follows:

Administration	\$	125,700
Sewer Lateral Repairs	\$	<u>600,000</u>
TOTAL	\$	725,700

SECTION NO. 6 – Special Allocation Fund – Old Town Levee Budget:

(a) That the budget for the Special Allocation Fund- Old Town Levee of the City prepared as presented for fiscal year 2017 including anticipated revenues, transfers from other funds and unencumbered fund balance of \$1,431,513, anticipated expenditures and reserve transfers of \$275,000, and an anticipated ending unencumbered fund balance of \$1,156,513, be and is hereby adopted as the budget for the City of Saint Peters, Missouri.

(b) That the anticipated Special Allocation Fund – Old Town Levee expenses as specified in Section 6(a) of this Ordinance are hereby appropriated for expenditure as follows:

Other Expense	\$	<u>25,000</u>
Subtotal	\$	25,000
Transfer to Reserve for Anticipated PILOTS	\$	<u>250,000</u>
TOTAL	\$	275,000

SECTION NO. 7 – Special Allocation Fund – St. Peters Lakeside Park Budget:

(a) That the budget for the Special Allocation Fund – St. Peters Lakeside Park of the City prepared as presented for fiscal year 2017 including anticipated revenues, transfers from other funds and unencumbered fund balance of \$698,635, anticipated expenditures and reserve transfers of \$11,000, and an anticipated ending unencumbered fund balance of \$687,635, be and is hereby adopted as the budget for the City of Saint Peters, Missouri.

(b) That the anticipated Special Allocation Fund – St. Peters Lakeside Park expenses as specified in Section 7(a) of this Ordinance are hereby appropriated for expenditure as follows:

Debt Service	\$	5,000
Other Expense	\$	<u>5,000</u>
Subtotal	\$	10,000
Transfer to Reserve for Anticipated PILOTS	\$	<u>1,000</u>
TOTAL	\$	11,000

SECTION NO. 8 – Transportation Trust Fund Budget

(a) That the budget for the Transportation Trust Fund of the City prepared and presented for fiscal year 2017 including anticipated revenues, transfers from other funds, and unencumbered fund balance of \$17,325,267, anticipated expenditures and transfers to other funds of \$16,659,420, and an anticipated unencumbered fund balance of \$665,847, be and is hereby adopted as the budget for the City of Saint Peters, Missouri.

(b) That the anticipated Transportation Trust Fund expenditures as specified in Section 8(a) of this Ordinance are hereby for expenditures as follows:

Road Construction & Traffic Signal Installation	\$	10,369,105
Street Maintenance	\$	3,428,625
Traffic Management	\$	1,849,090
Contingency	\$	<u>50,000</u>
Subtotal	\$	15,696,820
Debt Service	\$	761,500
Transfer to Trust – Post Retirement Benefits	\$	13,200
Administration Overhead	\$	<u>187,900</u>
TOTAL	\$	16,659,420

SECTION NO. 9 – Water Service Line Repair Program Fund:

(a) That the budget for the Water Service Line Repair Program Fund of the City prepared as presented for fiscal year 2017 including anticipated revenues and unencumbered fund balance of \$317,032, anticipated expenditures of \$223,000, and an anticipated ending unencumbered fund balance of \$94,032, be and is hereby adopted as the budget for the City of Saint Peters, Missouri.

(b) That the anticipated Water Service Line Repair Program Fund expenses as specified in Section 9(a) of this Ordinance are hereby appropriated for expenditure as follows:

Administration	\$	31,200
Water Line Repairs	\$	<u>191,800</u>
TOTAL	\$	223,000

SECTION NO. 10 – Central Materials Processing Facility (CMPF) Fund Budget:

(a) That the budget for the CMPF Fund of the City prepared as presented for fiscal year 2017 including anticipated revenues, transfers from other funds and unencumbered fund balance of \$4,854,126, anticipated expenditures and transfers out of \$4,361,140, and an anticipated ending unencumbered fund balance of \$492,986, be and is hereby adopted as the budget for the City of Saint Peters, Missouri.

(b) That the anticipated CMPF Fund expenses as specified in Section 10(a) of this Ordinance are hereby appropriated for operating expenses of the Fund.

SECTION NO. 11 – Recreation Fund Budget:

(a) That the budget for the Recreation Fund of the City prepared as presented for fiscal year 2017 including anticipated revenues, transfers from other funds and unencumbered fund balance of \$8,105,557, anticipated expenditures, reserve transfers, and transfers out of \$8,082,015, and an anticipated ending unencumbered fund balance of \$23,542, be and is hereby adopted as the budget for the City of Saint Peters, Missouri.

(b) That the anticipated Recreation Fund expenses as specified in Section 11(a) of this Ordinance are hereby appropriated for expenditure as follows:

Rec-Plex Expense	\$	4,974,675
General Recreation Expense	\$	359,650
Golf Course Expense	\$	859,540
370 Lakeside Park Expense	\$	<u>484,250</u>
Subtotal	\$	6,678,115
Debt Service	\$	1,352,500
Transfer to/ (from) Reserves	\$	5,000
Transfer to Trust – Post Retirement Benefits	\$	<u>46,400</u>

TOTAL \$ 8,082,015

SECTION NO. 12 – Solid Waste Fund Budget:

(a) That the budget for the Solid Waste Fund of the City prepared as presented for fiscal year 2017 including anticipated revenues, transfers from other funds and unencumbered fund balance of \$7,570,511, anticipated expenditures and transfers out of \$6,804,930, and an anticipated ending unencumbered fund balance of \$765,581, be and is hereby adopted as the budget for the City of Saint Peters, Missouri.

(b) That the anticipated Solid Waste Fund expenses as specified in Section 12(a) of this Ordinance are hereby appropriated for expenditures related to solid waste collection.

SECTION NO. 13 – Water/Sewer Fund:

(a) That the budget for the Water/Sewer Fund of the City prepared and presented for fiscal year 2017 including anticipated revenues of \$12,277,900, a beginning Interest Reserve Fund Balance of \$500,000, a beginning Contingency Fund balance of \$638,046, anticipated expenses, reserve transfers, and transfers out of \$12,176,635, and an ending anticipated Interest Reserve Fund balance of \$500,000, and an ending Contingency Fund balance of \$739,311, be and is hereby adopted as the budget for the City of Saint Peters, Missouri.

(b) That the anticipated Water/Sewer Fund expenses as specified in Section 13(a) of this Ordinance are hereby appropriated as follows:

Operating Expenses	\$ 8,203,610
Capital Expenditures	\$ 601,600
Transfer to (from) Bond Reserves	\$ 24,875
Debt Service	\$ 2,495,250
Subtotal	\$ 11,325,335
Administration/Fleet Overhead	\$ 773,000
Transfer to Trust – Post Retirement Benefits	\$ 78,300
TOTAL	\$ 12,176,635

SECTION NO. 14 – That the funds shall be expended in substantially the same manner as presented to the Board of Aldermen in the details of the 2016/17 Annual Budget, the original copy, and subsequent amendments, of which are on file this date in the office of the City Clerk, and incorporated herein by this reference.

SECTION NO. 15 – That the Mayor and City Administrator are hereby authorized to expend these funds in accordance with the provisions of this Ordinance, subject to the provision of Ordinance No. 326, or as said Ordinance from time to time may be amended.

SECTION NO. 16 – This Ordinance shall be in full force and effect as of the date of its final passage and approval.

SECTION NO. 17. 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. 18. 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.

Read two times, passed and approved this 25<sup>th</sup> day of August, 2016.

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As Presiding Officer and as Mayor  
Len Pagano, Mayor

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

No.

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 235.090.B.1 OF THE CODE OF THE CITY OF ST. PETERS, MISSOURI RELATING TO THE SOLID WASTE SERVICE RATES

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

SECTION NO. 1 - That Section 235.090.B.1 Service Charges of the St. Peters City Code shall be amended to read as follows:

- 1. Service charges. City solid waste service shall consist of regular collection and special collection of residential solid waste.
  - a. Service charges billed on and after October 1, 2016, shall be imposed on each dwelling unit and residential property as follows:

Standard City solid waste container.....	\$21.45 per month
Special City solid waste container for physically disabled or handicapped .....	\$19.40 per month
Special City solid waste container for each dwelling unit in multiple housing facilities ...	\$12.95 per month
Each additional standard/special solid waste container (excluding bulk container) .....	\$15.10 per month
Special bulk containers for each dwelling unit in multiple housing facilities .....	\$8.90 per month

SECTION NO. 2 - This Ordinance shall be in full force and effect as of the date of its final passage and approval.

SECTION NO. 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 NO. 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.

Read two (2) times, passed and approved this 25<sup>th</sup> day of August, 2016.

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As Presiding Officer and as Mayor  
Len Pagano, Mayor

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

Read two (2) times, passed and approved this 25<sup>th</sup> day of August, 2016.

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As Presiding Officer and as Mayor  
Len Pagano, Mayor

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

No.

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

AN ORDINANCE AMENDING SECTIONS 705.040 AND 710.260 OF THE CODE OF THE CITY OF ST. PETERS, MISSOURI RELATING TO THE WATER AND SEWER RATES

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

SECTION NO. 1 - That Subsection (A) of Section 705.040 Water Rate Structure of the St. Peters City Code shall be amended to read as follows:

- A. Occupants and owners of premises connected to the water system of the City shall pay for water drawn from the water system of the City bi-monthly according to readings of the meters in each particular case as follows:

BI-MONTHLY RATE SCHEDULE

Meter Size		
5/8" and 3/4"	First 4,000 Gallons (Minimum)	\$18.16
	Next 6,000 Gallons	3.29/M
	Next 10,000 Gallons	2.53/M
	All over 20,000 Gallons	2.14/M
1"	First 20,000 gallons (Minimum)	\$63.20
	All over 20,000 gallons	2.14/M
1 1/2"	First 40,000 gallons (Minimum)	\$106.00
	All over 40,000 gallons	2.14/M
2"	First 60,000 gallons (Minimum)	\$148.80
	All over 60,000 gallons	2.14/M
3"	First 100,000 gallons (Minimum)	\$234.40
	All over 100,000 gallons	2.14/M
4" and Larger	First 200,000 gallons (Minimum)	\$448.40
	All over 200,000 gallons	\$2.14/M

SECTION NO. 2 - That Subsection (C) of Section 710.260 Sewer Rate Structure of the St. Peters City Code shall be amended to read as follows:

- C. (Reference is made to Appendix A & B of this Ordinance, which are on file in the City offices.) The minimum bi-monthly charge shall be \$3.99 of which \$1.60 is for billing and collection and \$2.39 is for treatment of Infiltration and Inflow. In addition, each contributor shall pay a user charge rate of \$2.63 per 1,000 gallons of water (or wastewater) as determined in Section 6 of Appendix A to this Ordinance, of which \$1.66 is for operation and maintenance and \$0.97 is for debt service.

SECTION NO. 3 - That Subsection (D) of Section 710.260 Sewer Rate Structure of the St. Peters City Code shall be amended to read as follows:

D. (Reference is made to Appendix A, which is on file in the City offices.) For those customers who contribute wastewater, the strength of which is greater than normal domestic sewage, a surcharge in addition to the normal user charge will be collected. The surcharge for operation and maintenance including replacement is:

- \$.37..... per pound BOD
- \$.17..... per pound SS
- \$.19..... per pound COD

SECTION NO. 4 - That Subsection (L) of Section 710.260 Sewer Rate Structure of the St. Peters City Code shall be amended to read as follows:

L. (Reference is made to Appendix C of this Section, which is on file in the City offices.) In addition to all other charges payable under this Title VII, each customer of the sewer system located outside the City limits of St. Peters, Missouri, and located in a Special Service Area, as that term is defined in Section 710.010, shall pay in addition to such other fees, a bi-monthly surcharge of three dollars and seventy-eight cents (\$3.78).

SECTION NO. 5 - This Ordinance shall be in full force and effect for bills issued after October 1, 2016.

SECTION NO. 6. Savings Clause

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

SECTION NO. 7. Severability Clause

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

Read two times, passed and approved this 25<sup>th</sup> day of August, 2016.

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As Presiding Officer and as Mayor  
Len Pagano, Mayor

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

DRAFT

## APPENDIX "A" TO SEWER USER CHARGE ORDINANCE

This appendix presents the methodology to be used in calculating user charge rates and surcharges and illustrates the calculations followed in arriving at the first year's user charges and surcharges. The unit costs established in this appendix are based on estimates of expenses and loadings. The actual expenses and loadings that occur may differ from these estimates and certainly they will change as time passes. Therefore, the unit costs must be reestablished whenever necessary to reflect actual expenses and loadings. Once the system is in use, the expenses and loadings can be determined from operating records and the unit costs can be adjusted based on these figures.

1. Expenses: The total annual expenses associated with the treatment works, as defined in Section 2(k) (8) of Ordinance No. 573, are estimated as follows:

	Budget			
	Wastewater	Water	Combined Customer Surcharge	Total
Billing and Collection	184,240	193,480	0	377,720
Administrative	415,424	412,968	200	828,592
Utilities (Electric, Gas, Telephone)	474,700	291,900	0	766,600
Labor (Incl. Fringe Benefits)	1,921,749	1,943,539	193,100	4,058,388
Material Costs	180,350	1,224,500	5,000	1,409,850
Replacement Costs	541,765	309,350	17,000	868,115
Debt Service	2,071,058	424,193	0	2,495,250
Purchase of Equipment	416,355	178,380	25,000	619,735
Other	397,030	316,680	13,800	727,510
Sub-Total	6,602,671	5,294,989	254,100	12,151,760

2. Allocation of Expenses: The total operation and maintenance including replacement expense is allocated to the appropriate pollutants in the following manner:

Annual \$ to Treat Annual Flow = % annual cost allocated to flow x (total annual O & M budget minus billing & collection, treatment of I & I, and debt service) (45%) = 1,832,568

Annual \$ to Treat Annual BOD = % annual cost allocated to BOD x (total annual O & M budget minus billing and collection, treatment of I & I, and debt service) (35%) = 1,425,331

Annual \$ to Treat Annual SS = % annual cost allocated to SS x (total annual O & M budget minus billing & collection, treatment of I & I, and debt service) (20%) = 814,475

3. Loadings:

The hydraulic loading is estimated to be 2,140,916,000 gal/year

The BOD loading is estimated to be 3,839,000 pounds/yr

The SS loading is estimated to be 4,717,000 pounds/yr

4. Unit Costs:

Initial unit cost for Debt Service in \$/Gals =			
	<u>Annual Debt Service</u>	<u>2,071,058</u>	=
	Est. Annual Hydraulic Loading	2,140,916,000	
			0.97 /M
Initial unit cost for Flow in \$/Gals =			
	<u>Annual Cost to Treat Annual Flow</u>	<u>1,832,568</u>	=
	Est. Annual Hydraulic Loading	2,140,916,000	
			0.86 /M
Initial unit cost for BOD in \$/Pound =			
	<u>Annual Cost to Treat Annual BOD</u>	<u>1,425,331</u>	=
	Est. Annual BOD Loading	3,839,000	
			0.37 /lb
Initial unit cost for SS in \$/Pound =			
	<u>Annual Cost to Treat Annual SS</u>	<u>814,475</u>	=
	Est. Annual SS Loading	4,717,000	
			0.17 /lb

The unit cost for BOD and SS are to be inserted in Section 6 of this Appendix.

5. Minimum Charge:

Annual Billing and Collection Cost	184,240
Annual cost to treat infiltration/inflow (assumed clear water) including costs to investigate / determine sources and perform remedial work on sewers and appurtenances = unit costs to treat flow annual infiltration/inflow	<u>275,000</u>
Total Annual Minimum Cost	<u><u>459,240</u></u>
Minimum Charge/User/Billing Period (410,939/19,180/6)	<u><u>3.99</u></u>

This minimum charge/user/billing period is to be inserted in Section 2 of this Ordinance.

6. Residential User Unit Charge: The residential user unit charge is calculated as follows using the pollutant concentration defining normal domestic wastewater in Section 2 (k) (2), of Ordinance No. 573.

Debt Service unit charge = unit flow charge	.97/M
System Operating Charge = unit flow charge	.26/M
Residential unit charge = unit flow charge	.86/M
+ (unit BOD charge) (BOD <sub>ND</sub> )200(0.00834)	.37/M
+ (unit SS charge) (SS <sub>ND</sub> )225(.00834)	<u>.17/M</u>
	\$ 2.63/M gal.

Where: Residential unit charge is in \$/1000 gal.

- \* Unit flow charge is in \$/1000 gal. from Paragraph 4
- \* Unit BOD charge is in \$/lb. BOD from Paragraph 4
- \* Unit SS charge is in \$/lb. SS from Paragraph 4

- $BOD_{ND}$  is the normal domestic BOD strength in milligrams liter (mg/l) as defined in Section 710.010 of the Code of the City of St Peters and .00834 is a unit conversion factor.
- $SS_{ND}$  is the normal domestic SS strength in mg/l as defined in Section 710.010 of the Code of the City of St Peters and .00834 is a unit conversion factor.

This total residential unit charge is to be inserted in Section 3 of this Ordinance.

7. Extra Strength Users: For users who contribute wastewater that has greater strength than normal domestic wastewater, the users charge will be calculated as follows:

Total bi-monthly charge is extra strength user =  
charge to residential user + surcharge for BOD (if appropriate) + surcharge for SS (if appropriate) + surcharge for COD (if appropriate)

Total bi-monthly charge to extra strength users:

- minimum charge
- +v(residential unit charge)
- +v(unit BOD charge) ( $BOD_{ES} - BOD_{ND}$ ) (.00834)
- +v(unit SS charge) ( $SS_{ES} - SS_{ND}$ ) (.00834)
- +v(unit COD charge) ( $COD_{reported} - COD_{limit}$ ) (.00834)

Where: Total bi-monthly charge to extra strength user is in dollars.

- \* Minimum charge is in dollars as calculated in paragraph 5
- \* v is the volume of wastewater in 1000 gallons discharged by the extra strength user during the billing period.
- \* Residential unit charge is in \$/1000 gal. as calculated in paragraph 6.
- \* Unit BOD charge is in \$/lb. BOD from paragraph 4.
- \* Unit SS charge is in \$/lb. SS from paragraph 4.
- \* Unit COD Surcharge Rate (\$/lb) = 50% of BOD Rate (\$/lb)
- \*  $BOD_{ES}$  is the reported BOD concentration in milligrams per liter (mg/l) contributed by the extra strength user during the billing period.
- \*  $SS_{ES}$  is the reported SS concentration in mg/l contributed by the extra strength user during the billing period.
- \*  $BOD_{ND}$  is the normal domestic BOD strength in milligrams liter (mg/l) as defined in Section 710.010 of the Code of the City of St Peters and .00834 is a unit conversion factor.
- \*  $SS_{ND}$  is the normal domestic SS strength in mg/l as defined in Section 710.010 of the Code of the City of St Peters and .00834 is a unit conversion factor.
- \*  $COD_{reported}$  is the reported COD strength in mg/l as reported by the extra strength user in accordance to their Industrial Wastewater Discharge Permit.
- \*  $COD_{limit}$  is the local COD limit as defined in Section 710.010 of the Code of the City of St Peters and .00834 is a unit conversion factor

APPENDIX "C"

SPECIAL SERVICE AREA SURCHARGE  
 WESTWOOD ESTATES/ST. MARY'S/ST. PETERS ESTATES  
 CITY CODE SECTION 710.260 (L)

PRE-DESIGN COST	Thru 12/31/34
Interest	2.80%
Years	20
Project Cost	\$ 99,770
Amortized Cost/Year	\$ 6,583
# of Customers	809
Bi-monthly Surcharge	<u>\$ 1.36</u>
PRE-DESIGN COST CHANGE ORDER AND DESIGN COST	Thru 09/30/36
Interest	2.80%
Years	20
Project Cost	\$ 179,581
Amortized Cost/Year	\$ 11,737
# of Customers	809
Bi-monthly Surcharge	<u>\$ 2.42</u>
CONSTRUCTION COST	Thru 09/30/37
Interest	2.80%
Years	20
Project Cost	
Amortized Cost/Year	
# of Customers	809
Bi-monthly Surcharge	<u>\$ -</u>

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

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO ENTER INTO AN AGREEMENT FOR A TEMPORARY CONSTRUCTION EASEMENT WITH THE BROOKWOOD ESTATES HOMEOWNERS ASSOCIATION FOR THE P-27 CALWOOD CHANNEL IMPROVEMENTS PROJECT

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

WHEREAS, the improvements to said watershed necessitates obtaining a Temporary Construction Easement from the Brookwood Estates Homeowners Association.

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

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

SECTION 2. 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

**No.**

thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

SECTION 3. Severability Clause

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

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

Read two times, passed, and approved this 25<sup>th</sup> day of August, 2016.

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

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

Approved this 25th day of August, 2016.

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

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

No.

## Temporary Construction Easement Agreement

*This Instrument*, Made and entered into this 23 day of July, 2016, by and between Brookwood Estates Homeowners Association, a Missouri non-profit corporation, whose mailing address is c/o Patricia Jo Coil, 501 Deer Tracks Trail, St. Peters, Missouri 63376, hereinafter "GRANTOR," and the CITY OF ST. PETERS, MISSOURI, a fourth class city of the State of Missouri, whose mailing address is P.O. Box 9, St. Peters, Missouri 63376-0090, hereinafter "GRANTEE."

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

*A Temporary Construction Easement*, as more particularly described on Exhibits "A-1" & "A-2," and "B-1" & "B-2", attached hereto and incorporated by reference herein, for the purpose of surveying, staking, cutting, filling, sloping embankments, altering the existing grade of, reshaping and otherwise using the easement in order to construct **P-27 Calwood Channel Improvements Project** adjacent thereto and all other necessary improvements in connection therewith. GRANTEE covenants and agrees that after any such work done on and to the temporary construction easement herein granted, that it will restore the surface of the easement as nearly as practicable to its prior condition. This Temporary Construction Easement shall cease and terminate upon the completion of construction of the **P-27 Calwood Channel Improvements Project** and all other improvements to be installed in connection therewith.

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

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





EXHIBIT "A-1"

LEGAL DESCRIPTION  
P-27 CALWOOD CHANNEL IMPROVEMENTS PROJECT  
BROOKWOOD ESTATES COMMON GROUND  
TEMPORARY CONSTRUCTION EASEMENT

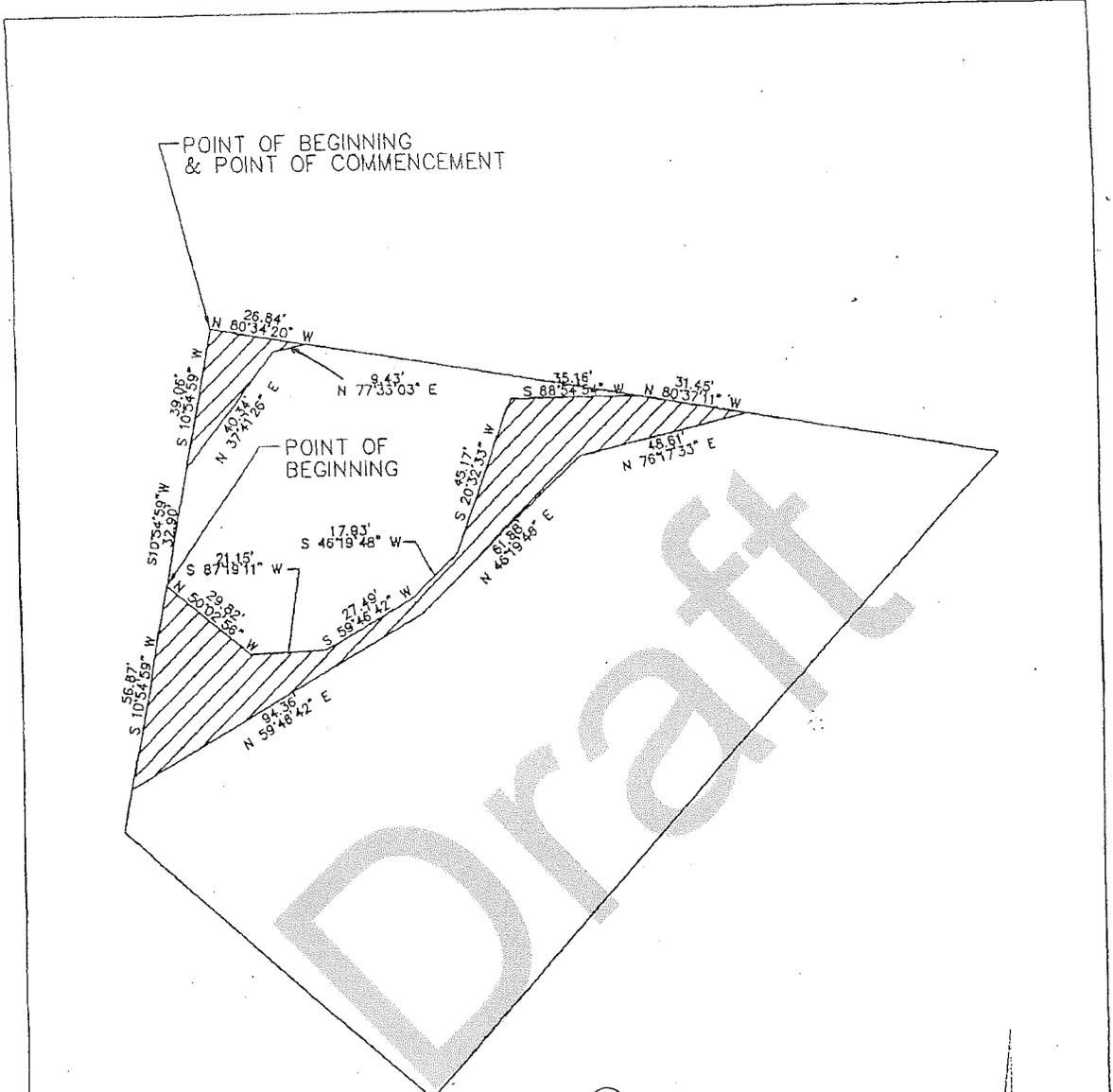
A PARCEL OF LAND BEING PART OF LOT A OF BROOKWOOD ESTATES #1, A SUBDIVISION IN ST. CHARLES COUNTY, MISSOURI ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 30 PAGES 138 AND 139 OF THE ST. CHARLES COUNTY, MISSOURI RECORDS AS CONVEYED TO THE TRUSTEES OF BROOKWOOD ESTATES SUBDIVISION BY INSTRUMENT RECORDED IN DEED BOOK 1442 PAGE 204 OF THE ST. CHARLES COUNTY, MISSOURI RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT, ALSO KNOWN AS THE POINT OF BEGINNING; THENCE SOUTH 10 DEGREES 54 MINUTES 59 SECONDS WEST, 39.06; THENCE NORTH 37 DEGREES 41 MINUTES 26 SECONDS EAST, 40.34 FEET; THENCE NORTH 77 DEGREES 33 MINUTES 03 SECONDS EAST, 9.43 FEET; THENCE NORTH 80 DEGREES 34 MINUTES 20 SECONDS WEST, 26.84 FEET TO THE POINT OF BEGINNING AND CONTAINING 402.00 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

AND

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTH 10 DEGREES 54 MINUTES 59 SECONDS WEST, 71.96 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 10 DEGREES 54 MINUTES 59 SECONDS WEST, 56.87 FEET; NORTH 59 DEGREES 46 MINUTES 42 SECONDS EAST, 94.36 FEET; THENCE NORTH 46 DEGREES 19 MINUTES 48 SECONDS EAST, 61.88 FEET; THENCE NORTH 76 DEGREES 17 MINUTES 33 SECONDS EAST, 48.61 FEET; THENCE NORTH 80 DEGREES 37 MINUTES 11 SECONDS WEST, 31.45 FEET; THENCE SOUTH 88 DEGREES 54 MINUTES 54 SECONDS WEST, 35.16 FEET; THENCE SOUTH 20 DEGREES 32 MINUTES 33 SECONDS WEST, 45.17 FEET; THENCE SOUTH 46 DEGREES 19 MINUTES 48 SECONDS WEST, 17.93 FEET; THENCE SOUTH 59 DEGREES 46 MINUTES 42 SECONDS WEST, 27.49 FEET; THENCE SOUTH 87 DEGREES 19 MINUTES 11 SECONDS WEST, 21.15 FEET; THENCE NORTH 50 DEGREES 02 MINUTES 56 SECONDS WEST, 29.82 FEET TO THE POINT OF BEGINNING AND CONTAINING 2,731.28 SQUARE FEET OR 0.06 ACRES, MORE OR LESS.

THE TOTAL CONTAINING 3,133.28 SQUARE FEET OR 0.07 TOTAL ACRES IN EASEMENTS, MORE OR LESS.



⑥  
 TRUSTEES OF BROOKWOOD  
 ESTATES SUBDIVISION  
 BROOKWOOD EST # 1 LOT A CG  
 BOOK 1442 PAGE 204  
 PARCEL ID 2-0061-6684-00-A



TCE AREA = 3,133.28 SF

N.T.S.  
 INITIAL:

EXHIBIT "B-1"

TEMPORARY CONSTRUCTION EASEMENT PLAT  
 BROOKWOOD EST # 1 LOT A CG  
 BROOKWOOD SUBDIVISION  
 BOOK 1442 PAGE 204  
 ST. PETERS, ST. CHARLES COUNTY, MISSOURI

EXHIBIT "A-2"

LEGAL DESCRIPTION  
P-27 CALWOOD CHANNEL IMPROVEMENTS PROJECT  
BROOKWOOD ESTATES COMMON GROUND  
TEMPORARY CONSTRUCTION EASEMENT

A PARCEL OF LAND BEING PART OF LOT B OF BROOKWOOD ESTATES #2, A SUBDIVISION IN ST. CHARLES COUNTY, MISSOURI ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 30 PAGES 321 AND 322 IN THE ST. CHARLES COUNTY, MISSOURI RECORDS AS CONVEYED TO THE TRUSTEES OF BROOKWOOD ESTATES SUBDIVISION BY INSTRUMENT RECORDED IN BOOK 1442 PAGE 204 OF THE ST. CHARLES COUNTY, MISSOURI RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT ALSO KNOWN AS THE POINT OF BEGINNING; THENCE SOUTH 41 DEGREES 52 MINUTES 55 SECONDS WEST, 110.00 FEET; THENCE NORTH 66 DEGREES 24 MINUTES 57 SECONDS WEST, 30.00 FEET; THENCE NORTH 87 DEGREES 56 MINUTES 40 SECONDS WEST, 134.26 FEET; THENCE SOUTH 65 DEGREES 34 MINUTES 17 SECONDS WEST, 68.51 FEET; THENCE SOUTH 42 DEGREES 51 MINUTES 16 SECONDS WEST, 45.15 FEET; THENCE SOUTH 29 DEGREES 21 MINUTES 27 SECONDS WEST, 37.81 FEET; THENCE SOUTH 01 DEGREES 20 MINUTES 37 SECONDS EAST, 11.75 FEET; THENCE NORTH 29 DEGREES 21 MINUTES 27 SECONDS EAST, 47.20 FEET; THENCE NORTH 42 DEGREES 51 MINUTES 16 SECONDS EAST, 43.24 FEET; THENCE NORTH 65 DEGREES 34 MINUTES 17 SECONDS EAST, 65.90 FEET; THENCE SOUTH 87 DEGREES 56 MINUTES 40 SECONDS EAST, 131.71 FEET; THENCE SOUTH 66 DEGREES 24 MINUTES 57 SECONDS EAST, 33.19 FEET; THENCE NORTH 41 DEGREES 52 MINUTES 55 SECONDS EAST, 92.31 FEET; THENCE SOUTH 46 DEGREES 54 MINUTES 45 SECONDS EAST, 45.86 FEET; THENCE SOUTH 43 DEGREES 05 MINUTES 15 SECONDS WEST, 105.92 FEET; THENCE NORTH 65 DEGREES 07 MINUTES 26 SECONDS WEST, 32.02 FEET; THENCE SOUTH 63 DEGREES 33 MINUTES 54 SECONDS WEST, 91.54 FEET; THENCE SOUTH 89 DEGREES 54 MINUTES 26 SECONDS WEST, 91.89 FEET; THENCE SOUTH 51 DEGREES 43 MINUTES 18 SECONDS WEST, 159.41 FEET; THENCE NORTH 85 DEGREES 36 MINUTES 37 SECONDS WEST, 33.16 FEET; THENCE NORTH 25 DEGREES 40 MINUTES 14 SECONDS WEST, 17.43 FEET; THENCE SOUTH 77 DEGREES 18 MINUTES 56 SECONDS WEST, 182.79 FEET; THENCE SOUTH 25 DEGREES 15 MINUTES 38 SECONDS WEST, 7.61 FEET; THENCE NORTH 77 DEGREES 18 MINUTES 56 SECONDS EAST, 182.70 FEET; THENCE SOUTH 25 DEGREES 40 MINUTES 14 SECONDS EAST, 16.12 FEET; THENCE SOUTH 85 DEGREES 36 MINUTES 37 SECONDS EAST, 38.97 FEET; THENCE NORTH 51 DEGREES 43 MINUTES 18 SECONDS EAST, 159.68 FEET; THENCE NORTH 89 DEGREES 54 MINUTES 26 SECONDS EAST, 91.22 FEET; THENCE NORTH 63 DEGREES 33 MINUTES 54 SECONDS EAST, 90.06 FEET; THENCE SOUTH 65 DEGREES 07 MINUTES 26 SECONDS EAST, 33.48 FEET; THENCE NORTH 43 DEGREES 05 MINUTES 15 SECONDS EAST, 116.26 FEET; THENCE NORTH

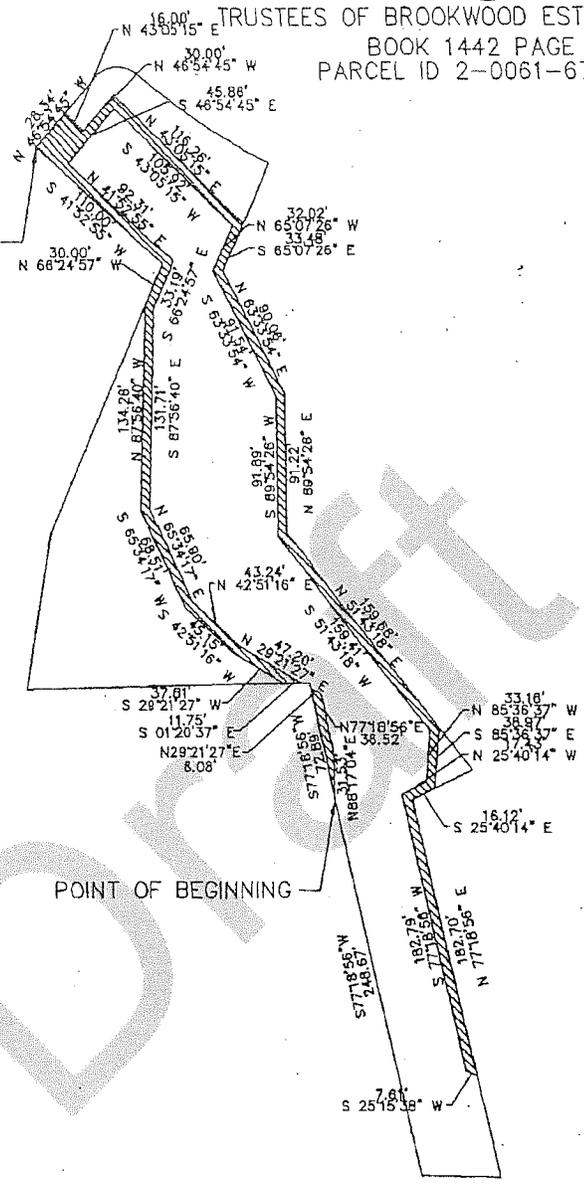
46 DEGREES 54 MINUTES 45 SECONDS WEST, 30.00 FEET; THENCE NORTH 43 DEGREES 05 MINUTES 15 SECONDS EAST, 16.00 FEET; THENCE NORTH 46 DEGREES 54 MINUTES 45 SECONDS WEST, 28.34 FEET TO THE POINT OF BEGINNING AND CONTAINING 7,559.80 SQUARE FEET OR 0.174 ACRES, MORE OR LESS.

AND

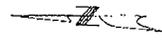
COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT ALSO KNOWN AS THE POINT OF COMMENCEMENT; THENCE NORTH 77 DEGREES 18 MINUTES 56 SECONDS WEST, 248.67 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 17 MINUTES 04 SECONDS EAST, 31.53 FEET; THENCE NORTH 77 DEGREES 18 MINUTES 56 SECONDS EAST, 36.52 FEET; THENCE NORTH 29 DEGREES 21 MINUTES 27 SECONDS EAST, 8.08 FEET; THENCE SOUTH 77 DEGREES 18 MINUTES 56 SECONDS WEST, 72.89 FEET TO THE POINT OF BEGINNING AND CONTAINING 328.23 SQUARE FEET OR 0.008 ACRES, MORE OR LESS.

Draft

POINT OF BEGINNING  
& POINT OF  
COMMENCEMENT



POINT OF BEGINNING



TCE AREA = 7,888.03 SF

EXHIBIT "B-2"

N.T.S.  
INITIAL:

TEMPORARY CONSTRUCTION EASEMENT PLAT  
LOT B OF BROOKWOOD ESTATES # 2  
BOOK 1442 PAGE 204  
ST. PETERS, ST. CHARLES COUNTY, MISSOURI

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO EXECUTE A CONTRACT CHANGE ORDER WITH GERSHENSON CONSTRUCTION COMPANY FOR THE JUNGERMANN ROAD-MEXICO ROAD INTERSECTION IMPROVEMENT PROJECT

WHEREAS, the City of St. Peters did previously enter into an agreement with Gershenson Construction Company for the Jungermann Road – Mexico Road Intersection Improvement Project; and

WHEREAS, additional work, not included in the original contract documents, is required to properly complete the Jungermann Road – Mexico Road Intersection Improvement Project; and

WHEREAS, Gershenson Construction Company has prepared an acceptable cost proposal for said additional work associated with the Jungermann Road – Mexico Road Intersection Improvement Project.

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 a Contract Change Order with Gershenson Construction Company in the initial amount of \$103,000.00, for additional work associated with the Jungermann Road – Mexico Road Intersection 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 or noted in the Change Order proposal for additional work associated with the Jungermann Road – Mexico Road Intersection Improvement Project.

SECTION 2. That the City Administrator be and is hereby authorized to negotiate, execute and administer said Contract Change Order 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.

No.

SECTION 4. Severability Clause

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

SECTION 5. This ordinance shall 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 25<sup>th</sup> day of August, 2016.

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

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

Approved this 25<sup>th</sup> day of August, 2016.

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

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

No.

ORDINANCE NO.

AN ORDINANCE DIRECTING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO ENTER INTO A CONTRACT WITH INTERNATIONAL TRUCK AND ENGINE CORPORATION FOR THE PURCHASE OF A ROAD TRACTOR

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 International Truck and Engine Corporation of Fenton, Missouri, as the dealer holding the current Missouri Department of Transportation Procurement Contract pricing as the low bidder for a negotiated purchase.

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

SECTION NO. 1. The City Administrator of the City of St. Peters, Missouri, be and he is hereby authorized to execute a contract with International Truck and Engine Corporation, of Fenton, Missouri, in the amount of \$102,528.43 for the purchase of a 2017 International 7600 SBA road tractor.

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

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

SECTION NO. 4. Savings.

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

No.

SECTION NO. 5. Severability.

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

Read two times, passed, and approved this 25<sup>th</sup> day of August 2016.

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

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

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

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

No.

ORDINANCE NO.

AN ORDINANCE DIRECTING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO ENTER INTO A CONTRACT WITH INTERNATIONAL TRUCK AND ENGINE CORPORATION FOR THE PURCHASE OF A TANDEM AXLE DUMP TRUCK WITH SNOWPLOW

WHEREAS, the City of St. Peters desires to procure adequate equipment for the operation of its Parks and Recreation 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 International Truck and Engine Corporation of Fenton, Missouri, as the dealer holding the current Missouri Department of Transportation Procurement Contract pricing as the low bidder for a negotiated purchase.

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

SECTION NO. 1. The City Administrator of the City of St. Peters, Missouri, be and he is hereby authorized to execute a contract with International Truck and Engine Corporation, of Fenton, Missouri, in the amount of \$159,094.00 for the purchase of a 2017 International 7500SFA tandem dump truck, equipped with a dump bed, hydraulic system and twelve (12') foot snowplow.

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.

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 25th day of August 2016.

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

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

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

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

No.

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO ENTER INTO AN AGREEMENT PROVIDING FOR ACQUISITION OF RIGHT-OF-WAY FOR THE MID RIVERS MALL DRIVE – OHMES ROAD INTERSECTION IMPROVEMENT 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, improvements of the intersection of Mid Rivers Mall Drive and Ohmes Road necessitates obtaining right-of-way from Mac’s Convenience Stores, LLC; and

WHEREAS, Mac’s Convenience Stores, LLC and the City of St. Peters are desirous of entering in an Agreement providing for the acquisition of right-of-way.

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

SECTION 1. That the City of St. Peters, Missouri does hereby accept and agrees to said Special Warranty Deed, and the City Administrator of the City of St. Peters, Missouri, be and is hereby authorized to execute on behalf of the City of St. Peters, Missouri, a Special Warranty Deed in substantially the form attached hereto and made a part hereof, with Mac’s Convenience Stores, LLC, for the Mid Rivers Mall Drive – Ohmes Road Improvement Project.

SECTION 2. The City Clerk is hereby directed to cause said Special Warranty Deed to be recorded in the office of the Recorder of Deeds of St. Charles County, Missouri.

SECTION 3. Savings Clause

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

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 25<sup>th</sup> day of August, 2016.

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

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

Approved this 25th day of August, 2016.

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

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

## SPECIAL WARRANTY DEED

*This Deed*, Made and entered into this 10<sup>th</sup> day of AUGUST, 2016, by and between Mac's Convenience Stores, LLC, a Delaware limited liability company authorized to do business in the State of Missouri, whose mailing address 4080 Jonathan Moore Pike, Columbus, Indiana 47201, hereinafter **GRANTOR**, and the CITY OF ST. PETERS, MISSOURI, a Missouri municipal corporation, whose address is #1 St. Peters Centre Boulevard, St. Peters, Missouri 63376, hereinafter **GRANTEE**.

*Witnesseth*, that the said GRANTOR, for and in consideration of the sum of \$1.00 and other good and valuable consideration paid by the said GRANTEE, the receipt and sufficiency of which is hereby acknowledged, do by these presents *Bargain and Sell, Convey and Confirm* unto the said GRANTEE, the following described Real Estate, situated in the County of St. Charles, and State of Missouri, to-wit:

SEE EXHIBITS A AND B, ATTACHED HERETO AND INCORPORATED BY REFERENCE HEREIN

*To Have and to Hold*, the same, together with all rights and appurtenances to the same belonging, unto the said GRANTEE, and to its successors and assigns forever. The said GRANTOR hereby covenanting that it and its successors and assigns shall and will *Warranty and Defend* the title to the premises unto the said GRANTEE, and to its successors and assigns forever, against the lawful claims of all persons claiming by, through or under GRANTOR, but none other, expecting, however, the general taxes for the calendar year 2016 and thereafter, and the special taxes becoming a lien after the date of this deed.



**GRANTEE:**

CITY OF ST. PETERS, MISSOURI

By: \_\_\_\_\_  
Russell W. Batzel, City Administrator

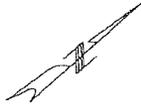
STATE OF MISSOURI            )  
  ) SS  
COUNTY OF ST. CHARLES    )

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

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

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

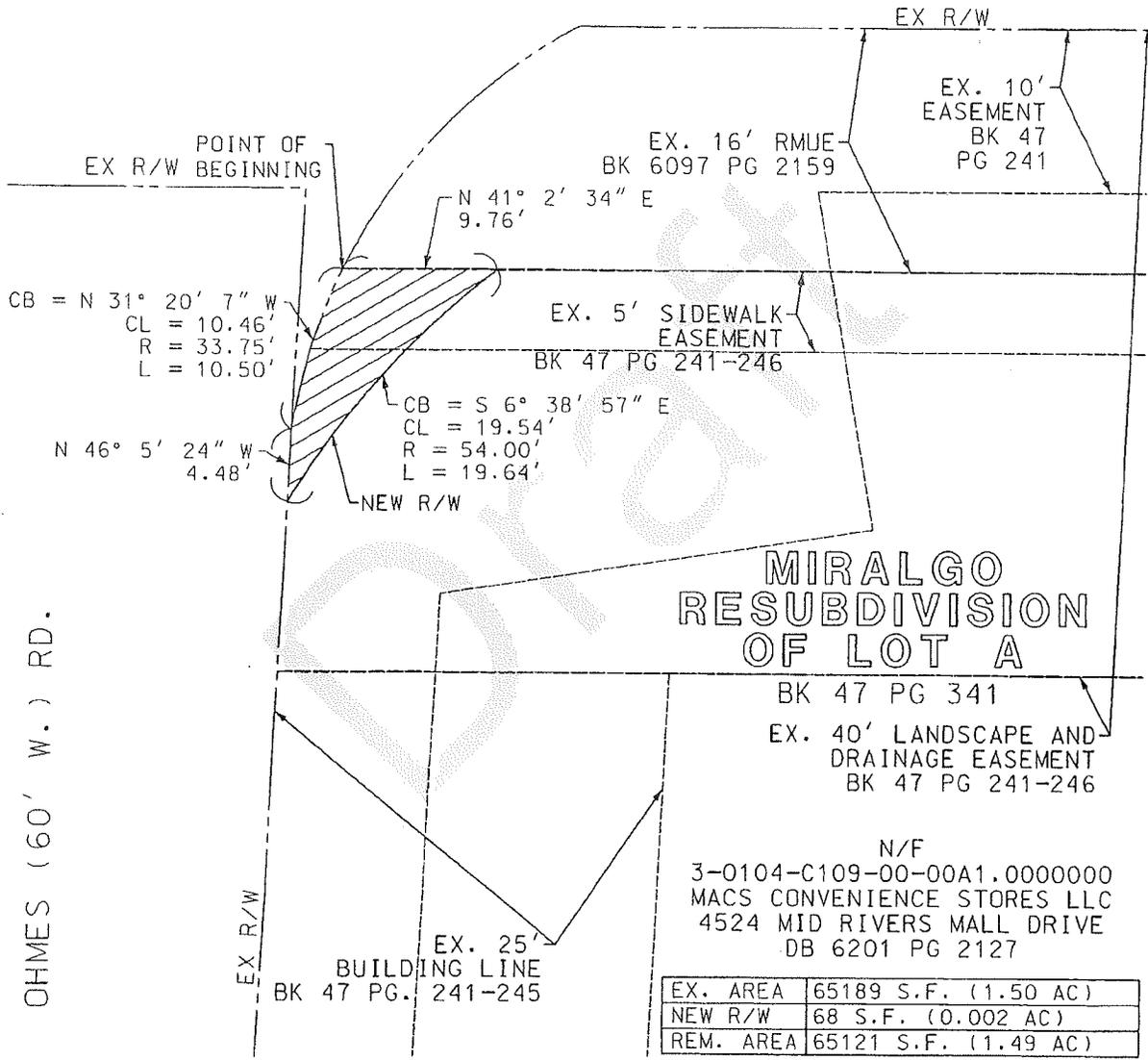
My Commission Expires:



SCALE: 1" = 10'



MID RIVERS MALL (80' W.) DR.



MIRALGO  
RESUBDIVISION  
OF LOT A

BK 47 PG 341  
EX. 40' LANDSCAPE AND  
DRAINAGE EASEMENT  
BK 47 PG 241-246

N/F  
3-0104-C109-00-00A1.0000000  
MACS CONVENIENCE STORES LLC  
4524 MID RIVERS MALL DRIVE  
DB 6201 PG 2127

EX. AREA	65189 S.F. (1.50 AC)
NEW R/W	68 S.F. (0.002 AC)
REM. AREA	65121 S.F. (1.49 AC)

EXHIBIT "A"

INITIAL:

**RIGHT OF WAY PLAT  
MIRALGO RESUBDIVISION OF LOT A  
PLAT BOOK 47 PAGE 341, T46N, R3E  
CITY OF ST. PETERS, ST. CHARLES COUNTY, MISSOURI**

