



TENTATIVE AGENDA
BOARD OF ALDERMEN WORK SESSION
ST. PETERS JUSTICE CENTER, 1020 GRAND TETON DRIVE
ST. PETERS, MO 63376
SEPTEMBER 22, 2016 AT 5:00 P.M.

A. Communications from Board Members/Aldermanic Representatives

B. BOA Items for Discussion

Unfinished Business Items:

1. [Discussion Water Service Line Repair Program](#) (continued from 9-08-16)
–Thomas/Reitmeyer

New Business Items:

2. [Multi-Way Stop Sign Install/Ehlmann Road and Shady Springs Intersection](#) – Violet/Shea
3. [Discussion/Draft Ordinance Chapter 505 Building Code Amendments](#) – Bateman

C. Mayor/City Administrator Item

Unfinished Business Items:

1. [Discussion/Chapter 105 Elections](#) (continued from 9-08-16) – Mayor

New Business Items:

2. [Contract/P-24 Rachels Trail and Shining Rock Storm Water Improvement](#) – Benesek
3. [Sanitary and Storm Sewer CIPP Lining Bid Recommendation](#) – Malach
4. [Storm Sewer Rehabilitation Projects Bid Recommendation](#) – Malach
5. [Draft Resolution of Intent for Industrial Revenue Bonds](#) – Pratt
6. Miscellaneous Updates – Batzel
7. Board Meeting Agenda Item Revisions – Batzel
8. Executive Session re: Litigation, Real Estate and Personnel, pursuant to Section 610.021(1)(2)(3)(9)(12)(13)(14) & 610.022 (1-6)

D. Adjournment

AGENDA Posted at City Hall: September 19, 2016
By: P. Smith, City Clerk

Next Work Session: October 13, 2016



INTEROFFICE MEMORANDUM

TO: RUSS BATZEL
FROM: BILL MALACH
SUBJECT: WATER SERVICE LINE REPAIR PROGRAM
DATE: SEPTEMBER 14, 2016
CC: TIM MYERS; VANESSA PRINSTER; SUE HAYWOOD

Leak Locating Services

It is recommended the City contracts with a Leak Locating Service and makes the service available to residents. This service will be reimbursable up to \$350 and will be applied towards the maximum coverage amount of \$3000 for the repair.

Cost Control

On an annual basis during budget preparation, staff will review the annual costs to the program and determine if the maximum coverage amount currently \$3,000 will need to be lowered or if a deductible will need to be added to the program for the following year to keep the program solvent. If any of these changes are recommended, they will be presented to the board during budget meetings for approval.

At the September 8th BOA Work Session the Board approved the recommended cost control options of bidding flat unit rates for a larger quantity of repairs instead of individually bidding each repair and only using seed and straw instead of sod for site restoration. These two items are currently being implemented.

RBA FORM (OFFICE USE)
MEETING DATE: September 22, 2016
Regular () Work Session (X)
ATTACHMENT: YES (X) NO ()
Contract () Ordinance () Other (X)

**Request for Board Action
By Staff**

Ward 1 () 2 () 3 (X) 4 () All Wards ()

Brief Description: An ordinance to authorize the City Administrator to install multi-way stop signs at the intersection of Ehlmann Road and Shady Springs Lane.

Staff: Recommended (X) Not recommended () No Position ()

Summary/Explanation:

Traffic staff conducted a Manual On Uniform Traffic Control Devices (MUTCD) compliant multi-way stop sign warrant study at the intersection of Ehlmann Road and Shady Springs Lane. The intersection was evaluated based on three MUTCD warrants: main street traffic volume, side street traffic volume and accident history. The study found the intersection meets the side street traffic volume warrant by 2 vehicles. Meeting one of the three MUTCD warrants is grounds for converting an intersection to an all way stop condition.

Given the recorded side street volume just meets the minimum warrant, and considering the potential impact to adjacent commercial and residential properties, it is recommended to follow the protocol for placement of unwarranted stop signs stated in Section 335.100 of St. Peters City Code. Approval will authorize the City Administrator to install temporary, all way stop signs at the intersection with notification signs advising that an ordinance authorizing permanent placement all way stops signs will be considered by the Board of Aldermen at the October 13, 2016 Board of Aldermen Meeting.

Budget Impact: (revenue generated, estimated cost, CIP item, budgeted, non-budgeted etc.)

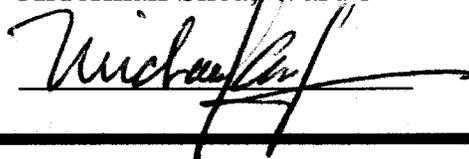
The estimated cost to install appropriate stop signs is \$200.00, which will come from funds budgeted as part of the FY 2016 Repair and Maintenance of Street Signs account within the Transportation Trust Fund.

RBA requested by: Alderman Violet, Ward 3

CA: Russ Batzel



Alderman Shea, Ward 3



City of St. Peters, MO
Wednesday, September 14, 2016

Chapter 335. Stop and Yield Intersections, Railroad Crossings

Article II. Establishment of Multi-Way Stops

Section 335.100. Policy For The Establishment of Multi-Way Stops.

[R.O. 2007 §335.100; CC 1979 §16-4; Ord. No. 2117 §§1 — 2, 3-10-1994; Ord. No. 2208 §1, 10-13-1994; Ord. No. 3854 §1, 7-21-2003; Ord. No. 3949 §1, 12-18-2003; Ord. No. 4949 §1, 1-10-2008; Ord. No. 5961 §1, 7-25-2013]

- A. Any need identified and proposed for the installation or removal of multi-way stop signs, including those presented by St. Peters residents and Aldermen, will be evaluated by the City Traffic Engineer to determine if the need meets specified warrants as provided under the traffic ordinances of the City.
 1. The City Traffic Engineer shall prepare and submit a written recommendation for all stop sign requests to the Aldermen of the affected ward within thirty (30) working days following the date of documented receipt of the request.
- B. Upon evaluation by the City Traffic Engineer, one (1) of the following two (2) processes shall be followed for the establishment of signage for the proposed multi-way stop:
 1. If the location meets the specified warrants as contained in the Manual on Uniform Traffic Control Devices, the City Traffic Engineer shall authorize placement of the proposed multi-way stop; or
 2. If the location does not meet specified warrants as contained in the Manual on Uniform Traffic Control Devices, the additional requirements listed below must be fulfilled in order for the proposed multi-way stop to be established:
 - a. The Aldermen of the affected ward shall bring any request for the installation or removal of a multi-way stop to the full Board of Aldermen for consideration. Upon approval of the majority of the Board of Aldermen, the City Administrator shall cause the City Traffic Engineer to proceed with the actions outlined in Subsection **(B)(2)(b)** of this Section to install a temporary stop

sign(s) enforceable for a period of forty-five (45) days to solicit public comment prior to further Board of Aldermen action.

- b. Prior to the adoption of an ordinance calling for the installation or removal of a proposed multi-way stop, pursuant to Subsection **(B)(2)(c)** of this Section, the City Traffic Engineer may cause a temporary stop sign(s) to be installed at the subject intersection. Such temporary sign(s) shall not be installed if, in the sole discretion of the City Traffic Engineer, the installation of the stop signs shall cause a dangerous or hazardous condition. In addition to, or in lieu of, any temporary stop sign(s), a notice identifying the time and place of the meeting of the Board of Aldermen at which the ordinance referenced in Subsection **(B)(2)(c)** shall be considered shall be posted at the location of the stop sign(s) proposed for installation or removal at least ten (10) days before the meeting of the Board of Aldermen at which said ordinance shall be considered. Said notice shall advise residents that they may make public comments regarding the installation of the stop sign(s) to the City prior to or at the scheduled meeting of the Board of Aldermen.
- c. After the requirements of Subsection **(B)(2)(b)** listed above are met, the request will be presented to the Board of Aldermen for their consideration of passage of an ordinance for final action. Any such approval for the installation or removal of stop signs may, upon recommendation of the City Traffic Engineer, include the installation or implementation of traffic calming devices, including, but not necessarily limited to, striping of the street for a distance of two hundred (200) feet from the point of entry of the intersection narrowing the traffic lanes.
- d. If such action fails to create the multi-way stop, another request may be submitted for consideration after twelve (12) months.

RBA FORM (OFFICE USE)

MEETING DATE: 9-22-16

Regular () Work Session (X)

ATTACHMENT: YES (X) NO ()

Contract () Ordinance (X) Other ()

**Request for Board Action
By Alderman**

Ward 1 () 2 () 3 () 4 () All Wards (X)

Brief Description: Draft Ordinance for Code Amendment to Chapter 505 Building Code

Staff: Recommended () Not recommended () No Position ()

Summary/Explanation:

Discussion and Draft Ordinance for an amendment to City Code Chapter 505 Building Code, SECTION 505.040 BUILDING CODE - AMENDMENTS, to remove the language regarding a letter of verification for payment of subdivision assessments, and clean up other language in this section regarding the designation of an agent for the receipt of notice and the service of summons for out-of-state property owners.

Budget Impact: (revenue generated, estimated cost, CIP item, budgeted, non-budgeted etc.)

RBA requested by: Alderman Judy Bateman

CA: Russell W. Batzel





BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 505.040, A.11., 111.6.7 OF THE ST.
PETERS CITY CODE PERTAINING TO THE BUILDING CODE

WHEREAS, the City of St. Peters has established certain responsibilities for the owners of residential rental dwelling units in the City and/or their agents or managers; and

WHEREAS, the Board of Aldermen believes it is in the best interest of the City's residents and in order to preserve the housing stock of the City that a building code compliance inspection be performed on all residential rental dwelling units in the City prior to their occupancy.

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

SECTION NO. 1: Section 505.040, A.11., 111.6.7 of the St. Peters City Code is hereby amended by deleting the same in its entirety, and substituting in lieu thereof the following:

SECTION 505.040, A.11.

111.6.7 Responsibilities of owner, agent and/or manager. All owners of residential rental dwelling units, or their agents or managers, who are responsible for the renting or leasing of such dwelling units, shall schedule with the Code Official a compliance inspection at least two (2) working days prior to a change in occupancy, as defined in this Chapter, so that the Code Official may have the units inspected according to the provisions of this Chapter. The dwelling units to be rented or leased shall comply with all Sections of this Chapter, and the owner, or his agent or manager responsible for the rent or lease of such dwelling units shall have a valid occupancy permit in his/her/its possession prior to the occupancy of the dwelling unit. No certificate of occupancy shall be issued for an out-of-state owner, unless such owner designates in writing to the Code Official the name of his/her/its agent in the State of Missouri for the receipt of notice and the service of process pursuant to this Chapter.

SECTION NO. 3. 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. 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 _____ day of _____, 2016.

As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Approved this _____ day of _____, 2016

Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF ST. PETERS, MISSOURI, AMENDING ARTICLE I OF CHAPTER 105 OF THE ST. PETERS CITY CODE BY DELETING THEREFROM SECTIONS 105.010, 105.020 AND 105.030 IN THEIR ENTIRETY; ENACTING, IN LIEU THEREOF, NEW SECTIONS 105.010, 105.020 AND 105.030; PERTAINING TO PROCEDURES FOR THE FILING OF A DECLARATION OF CANDIDACY

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

SECTION NO. 1. That Section 105.010 of the City Code be and it is hereby deleted in its entirety, and replaced, in lieu thereof, with the following:

SECTION 105.010: CANDIDATES ALLOWED TO ENTER CITY HALL THE EVENING PRIOR TO OPENING TIME ON FIRST DAY OF FILING

All candidates for City elective offices in municipal elections are prohibited from entering the St. Peters City Hall for the purpose of filing a declaration of candidacy prior to 6:00 P.M. on the Monday immediately preceding the opening time for filing such a declaration of candidacy as prescribed by state law. All candidates seeking to file such a declaration of candidacy on such date shall enter the west entrance of the St. Peters City Hall no earlier than the time prescribed in this Section. A registry sheet prepared by the City Clerk will be available for such candidates on which to sign their names, indicating the office sought, and the date and time of so signing. Thereafter, each candidate shall personally remain within the west entrance of the St. Peters City Hall until the opening of filing. On the first (1st) day of filing only, at 8:00 A.M., the order of the candidates' names on the registry sheet will be the order in which the declaration of candidacy will be received by the City Clerk or his/her designee. On any day thereafter, each declaration of candidacy shall be received by the City Clerk or his/her designee, during normal business hours, between 8:30 A.M. and 5:00 P.M., in the order presented, until filing closes.

SECTION NO. 2. That Section 105.020 of the City Code be and it is hereby deleted in its entirety, and replaced, in lieu thereof, with the following:

- A. The order in which the candidates' names for each elective office shall appear on the ballot shall be in the same order in which the declarations of candidacy were received by the City Clerk or his/her designee, as described in Section **105.010**.
1. Declarations of candidacy for any City elective office in any election held pursuant to the provisions of this Code shall only be received by the City Clerk or his/her designee. The opening and closing dates for the filing of declarations of candidacy shall be in compliance with Section 115.127, RSMo., as amended.

2. No candidate's name shall be certified to the County election authority unless the candidate has filed a written "declaration of candidacy" and paid the appropriate filing fee to the City Clerk or his/her designee, as described in Section **105.030**.
3. The declaration of candidacy shall be subscribed and sworn to before the official authorized to accept the declaration.
4. All candidates filing their declarations of candidacy shall personally file the declaration with the City Clerk or his/her designee.

SECTION NO. 3. That Section 105.030 of the City Code be and it is hereby deleted in its entirety, and replaced, in lieu thereof, with the following:

- A. At the time of filing, the candidate shall deposit with the City a non-refundable filing fee in the amount of One Hundred and Twenty-Five (\$125.00). No candidate's name shall be printed on any official ballot until the required fee has been paid.
- B. Any person who cannot pay the fee required to file as a candidate for elective office may have the fee waived by filing a declaration of inability to pay with his declaration of candidacy. Each such declaration of inability to pay shall be in substantially the following form:

DECLARATION OF INABILITY TO PAY FILING FEE, I, _____, do hereby swear that I am financially unable to pay the fee of _____ (amount of fee) to file as a candidate for the office of _____ at the municipal election to be held on the _____ day of _____, 20____. _____ (signature of candidate)

Subscribed and sworn to before me this _____ day of _____, 20____.

Signature of City Clerk or his/her designee authorized to administer oaths.

The declaration of inability to pay shall be signed and sworn to by the candidate before the City Clerk or his/her designee who witnesses the candidate's declaration of candidacy. With his declaration of inability to pay, the candidate shall submit a petition endorsing his candidacy. Except for the number of signatures required, each such petition shall, insofar as practicable, be in the form provided in Sections 115.321 and 115.325 RSMo 2000, as amended. The petition shall be signed by the number of registered voters in the City or the applicable ward which is equal to at least one percent of the total number of votes cast for the office sought at the last election in which a candidate ran for such office. The candidate's declaration of inability to pay and the petition with the required signatures shall be filed at the same time and in the same manner as his declaration of candidacy is filed. The petition shall be checked and its sufficiency determined in the same manner as new party and independent candidate petitions are under Chapter 115 RSMo 2000, as amended.

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.

SECTION NO. 6. 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 _____ day of _____, 2016.

As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Approved this _____ day of _____, 2016.

Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

No.

RBA FORM (OFFICE USE)
MEETING DATE: September 22, 2016
Regular () Work Session (X)
ATTACHMENT: YES (X) NO ()
Contract () Ordinance () Other (X)

**Request for Board Action
By Staff**

Ward 1 () 2 () 3 (X) 4 () All Wards ()

Brief Description: An ordinance authorizing the City Administrator to execute a contract for the construction of Rachels Trail and Shining Rock Drive Storm Water Improvements (P-24)

Staff: Recommended (X) Not recommended () No Position ()

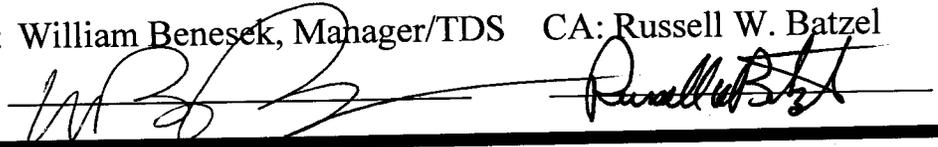
Summary/Explanation:

Please refer to the attached recommendation memo dated September 15, 2016.

Budget Impact: (revenue generated, estimated cost, CIP item, budgeted, non-budgeted etc.)

This project is funded by the Storm Water Bond Fund.

RBA requested by: William Beneseck, Manager/TDS CA: Russell W. Batzel





INTEROFFICE MEMORANDUM

TO: RUSS BATZEL, CITY ADMINISTRATOR

FROM: BURT BENESEK, MANAGER/TDS *WBB 9/15/16*

SUBJECT: BID RECOMMENDATION – RACHELS TRAIL AND SHINING ROCK DRIVE STORM WATER IMPROVEMENTS PROJECT (P-24)

DATE: SEPTEMBER 15, 2016

CC: LIANE SARGENT, DIRECTOR OF ENGINEERING

Recommendation: I recommend the Rachels Trail and Shining Rock Drive Storm Water Improvements (P-24) project be awarded to the low, responsive bidder NB West Contracting of Brentwood, MO. Approval of this recommendation will authorize the award of a contract in the initial amount \$274,528.00.

This project is funded by the Storm Water Bond Fund.

Background: On September 14, 2016, four (4) bids were received and opened for the Rachels Trail and Shining Rock Drive Storm Water Improvements (P-24) project. The project consists of constructing additional storm sewers and inlets, with associated grading, to reduce back yard flooding.

NB West Contracting of Brentwood, MO submitted the low, responsive bid of \$274,528.00. NB West’s bid is 19.2% lower than second low bid received and 17.2% lower than the average of the bids received. Below is a summary of the bids received:

Bidder	Total
NB West Contracting, Brentwood, MO	\$274,528.00
Lamke Trenching and Excavating, Marthasville, MO	\$327,358.55
L.F. Krupp Construction, Ellisville, MO	\$337,805.80
Ideal Landscape, Inc., St. Louis, MO	\$354,555.00

NB West has been in business since 1956 and has successfully completed various road and bridge improvement projects in the greater St. Louis area. For St. Peters, the company successfully completed the 2014 Executive Centre Loop Road and Burning Leaf Box Culvert Replacement projects, 2015 Mexico Road Resurfacing and Willott Road Improvement projects and was recently awarded the Mid Rivers Mall Drive – Ohmes Road Intersection Improvement project. All of these projects included storm sewer and grading improvements similar to the improvements specified in the Rachels Trail – Shining Rock project. NB West is a MoDOT approved prime contractor who meets all required federal funding requirements. NB West has sufficient resources, staff and experience to complete the project as specified.

RBA FORM (OFFICE USE)

MEETING DATE: September 22, 2016

Regular () Work Session (X)

ATTACHMENT: YES (X) NO ()

Contract (X) Ordinance () Other ()

**Request for Board Action
By Staff**

Ward 1 () 2 () 3 () 4 () All Wards (X)

Brief Description: Sanitary and Storm Sewer CIPP Lining

Staff: Recommended (X) Not recommended () No Position ()

Summary/Explanation: Bid recommendation to the lowest qualified bidder, Insituform Technologies, for Cured-In Place Pipe (CIPP) lining 2,204-ft of sanitary sewer lines along with lining 3-ft of 61-laterals connecting to the public sanitary sewer main, and lining 81-ft of storm sewers. Please refer to the attached bid recommendation memorandum for further detail.

Budget Impact: (revenue generated, estimated cost, CIP item, budgeted, non-budgeted etc.) The public sanitary sewer lining (\$122,924) will be funded from the Water Sewer Bond Fund, the laterals (\$17,280) will be funded from the Sewer Lateral Fund, and the Storm Sewer portion (\$8,505) will be funded from the Local Parks and Storm Water Fund. The total cost is \$148,709 and the budgeted amount was \$191,000.

RBA requested by:

Bill Mabry 9-13-16

CA:

Rennell St. A



INTEROFFICE MEMORANDUM

TO: BILL MALACH
FROM: LISA JOHNSON
SUBJECT: BID RECOMMENDATION FY16 & FY17 CIPP LINING
DATE: SEPTEMBER 12, 2016
CC: TIM MYERS

*OK - Bill Malach
9-13-16*

Recommendation: I recommend that the City award the project to the low bidder, Insituform Technologies, in the amount of \$148,709.00. The project budget was \$191,000.

Bid Evaluation: On September 7, 2016, competitive bids were received for FY16 & FY17 Cured-In Place Pipe (CIPP) lining projects. Three (3) contractors responded and submitted bids. The bids are summarized below. This work consists of lining 2,204-ft of sanitary sewer lines along with lining 3-ft of 61-laterals connecting to the public sanitary sewer main and lining 81-ft of storm sewers.

Bidder	Location	Base Bid	Alternate Bid
Insituform Technologies	Chesterfield MO	\$148,709.00	\$141,694.00
SAK Construction	O'Fallon MO	\$168,938.00	\$143,318.00
Visu-Sewer of Missouri	East St. Louis, IL	\$251,366.80	No bid

The Base Bid specified 36-inch lateral lining length and the Alternate Bid specified only lining 20-inches up the lateral instead of 36-inches.

The following table shows the breakdown of FY budget and the low bid cost by Fiscal Year.

Fiscal year	Budget	Bid
FY16	\$91,000	\$62,325.00
FY17	\$100,000	\$86,384.00
Total	\$191,000	\$148,709.00

Insituform Technologies has submitted proof of project and project manager experience qualifications as requested and the product meets specifications. Insituform

Technologies has also successfully performed sewer projects for several years in the City of St. Peters, as well as, for other municipalities. The City's experience is that Insituform Technologies has provided good customer service, quality workmanship, and completed the work on time.

RBA FORM (OFFICE USE)

MEETING DATE: September 22, 2016

Regular () Work Session (X)

ATTACHMENT: YES (X) NO ()

Contract (X) Ordinance () Other ()

**Request for Board Action
By Staff**

Ward 1 () 2 () 3 () 4 () All Wards (X)

Brief Description: Storm Sewer Rehabilitation Projects

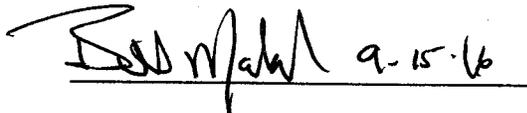
Staff: Recommended (X) Not recommended () No Position ()

Summary/Explanation: Bid recommendation to the lowest qualified bidder, Insituform Technologies, for Cured-In Place Pipe (CIPP) lining of 130-lf of 72-in diameter storm sewer under Oak Hill Ln and 280-ft of 36-in diameter storm sewer near Shady Springs. Please refer to the attached bid recommendation memorandum for further detail.

Budget Impact: (revenue generated, estimated cost, CIP item, budgeted, non-budgeted etc.) The low bid was \$111,175 and will be funded by the Local Parks Storm Water Fund, specifically the Storm Sewer Repair & Maintenance budget.

RBA requested by: Bill Malach

CA: Russell W. Batzel

 9-15-16





INTEROFFICE MEMORANDUM

TO: RUSS BATZEL
FROM: BILL MALACH
SUBJECT: BID RECOMMENDATION STORM SEWER REHABILITATION
DATE: SEPTEMBER 13, 2016
CC: TIM MYERS

Recommendation: I recommend that the City award the project to the low bidder, Insituform Technologies, in the amount of \$111,175. The project estimate was \$90,000.

Bid Evaluation: On September 12, 2016, competitive bids were received for rehabilitation of 130-lf of 72-in diameter storm sewer under Oak Hill Ln and 280-ft of 36-in diameter storm sewer near Shady Springs. We allowed two rehabilitation methods Cured-In-Place Pipe (CIPP) or Centrifugally Cast Concrete Pipe (CCCP) Lining. Three (3) contractors responded and submitted bids. The bids are summarized below.

Bidder	Location	Base Bid	Lining Method
Insituform Technologies	Chesterfield MO	\$111,175.00	CIPP
SAK Construction	O'Fallon MO	\$129,937.50	CIPP
Ace Pipe Cleaning	Kansas City, MO	\$126,050.00	CCCP

The difference between the project estimate and the bid costs was due to the increase of the required liner thickness for the Oak Hill Ln project from the time the project was estimated and the time the project was bid. The deterioration of the existing pipe accelerated over the last year, which required a thicker liner.

Insituform Technologies has submitted proof of project and project manager experience qualifications as requested and the product meets specifications. Insituform Technologies has also successfully performed sewer projects for several years in the City of St. Peters, as well as, for other municipalities. The City's experience is that Insituform Technologies has provided good customer service, quality workmanship, and completed the work on time.

Project Funding: These two projects were identified by pavement failures due to the deterioration of the storm sewer. The Oak Hill Lane project was budgeted at \$40,000.

The Shady Springs project was identified after the budget was prepared and therefore this project was not budgeted. There is sufficient funding in the current FY Local Parks & Storm Water Storm Sewer Repair & Maintenance budget line item to cover the total repair costs of \$111,175.

RBA FORM (OFFICE USE)

MEETING DATE: September 22, 2016

Regular (X) Work Session (X)

ATTACHMENT: YES (X) NO ()

Contract () Ordinance () Other (X)

**Request for Board Action
By Staff**

Ward 1 () 2 () 3 () 4 () All

Wards (X)

Brief Description: Resolution of Intent – Industrial Revenue Bonds to Finance an Industrial Development Project

Staff: Recommended (X) Not recommended () No Position ()

Summary/Explanation: Chapter 100 to support economic growth and jobs creation in the 370 development area. Company is looking to establish their warehouse/distribution center in Premier 370. To compete with other site locations, they requested economic incentives as approved by the BOA.

Budget Impact: (revenue generated, estimated cost, CIP item, budgeted, non-budgeted etc.)
Up to 25 new quality jobs over the next year. Real property abatement only.

RBA requested by: Cathy Pratt, SSS Group Manager

CA:

Cathy Pratt

Paul B. A.

RESOLUTION NO. _____

RESOLUTION OF OFFICIAL INTENT OF THE CITY OF ST. PETERS, MISSOURI, TOWARD THE ISSUANCE OF INDUSTRIAL REVENUE BONDS TO FINANCE AN INDUSTRIAL DEVELOPMENT PROJECT AND AUTHORIZING CERTAIN ACTIONS RELATING THERETO

WHEREAS, the City of St. Peters, Missouri (the “City”) is authorized and empowered under the provisions of Article VI, Section 27(b) of the Missouri Constitution, as amended, and Sections 100.010 to 100.200, inclusive, of the Revised Statutes of Missouri, as amended (collectively, the “Act”), to purchase, construct, extend and improve certain projects (as defined in the Act) for the purposes set forth in the Act and to issue industrial development revenue bonds for the purpose of providing funds to pay the costs of such projects and to lease or otherwise dispose of such projects to private persons or corporations for manufacturing, commercial, warehousing and industrial development purposes upon such terms and conditions as the City shall deem advisable; and

WHEREAS, Duke Realty Limited Partnership, an Indiana Limited Partnership (“Duke”) and Best Buy Company of Minnesota, a Minnesota corporation (“Best Buy”), have requested the City issue its industrial development revenue bonds in an approximate principal amount of \$15,000,000 (the “Bonds”) to provide funds to pay certain costs of acquiring and constructing a facility to be located at 2000 Premier Parkway, within the 370 Business Park in the City, to be used for warehouse purposes (the “Project”); and

WHEREAS, the bonds will be payable solely out of payments, revenues and receipts derived from the lease of the Project by the City to Duke or Best Buy; and

WHEREAS, the City has determined that it is necessary and desirable to declare the official intent of the City to finance the costs of the Project from the proceeds of the Bonds, subject to certain terms and conditions set forth in this Resolution;

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

Section 1. Finding of Public Benefit. The Board of Aldermen hereby finds and determines that the Project will promote the economic well-being and industrial development of the City and the taxing districts encompassing the area of the Project, and that the issuance of the Bonds to pay the cost of the Project will be in furtherance of the public purposes set forth in the Act.

Section 2. Declaration of Intent. The Board of Aldermen hereby declares the intent of the City to issue the Bonds to provide funds to finance the costs of the Project, subject to the conditions set forth in this Resolution.

Section 3. Limited Obligations. The Bonds shall be limited special revenue obligations payable solely out of payments, revenues and receipts derived from the lease of the Project by the City to Duke or Best Buy. The Bonds and the interest thereon shall not be a debt of the City or the State of Missouri, and neither the City nor the State shall be liable thereon, and the Bonds shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

Section 4. Conditions to Issuance of Bonds. This Resolution constitutes a statement of intent of the Board of Aldermen. The issuance of the Bonds and the execution and delivery of any documents related to financing the Project are subject, in the sole discretion of the City, to the following conditions:

- (a) approval by the Board of Aldermen of a plan for industrial development in accordance with Section 100.050 of the Act;
- (b) authorization by ordinance of the Board of Aldermen;
- (c) obtaining any other necessary governmental approvals for the Project;
- (d) agreement by the City, Duke, Best Buy and the purchaser of the Bonds on (1) mutually acceptable terms for the Bonds and for the sale and delivery thereof and (2) mutually acceptable terms and conditions of any documents related to the issuance of the Bonds and the Project, the sale of which Bonds is the sole responsibility of Duke and Best Buy; and
- (e) receipt by the City of satisfactory indemnification for all matters relating to the Project.

Section 5. Reimbursement for Project Costs. Duke and Best Buy are hereby authorized to proceed with the purchase and construction of the Project, including the entering of contracts and purchase orders in connection therewith, and to advance such funds as may be necessary to accomplish such purposes. If the Bonds are issued, Duke and Best Buy may be reimbursed solely out of the proceeds thereof for expenditures paid or incurred in connection with the Project.

Section 6. Notice to Taxing Districts. The City Clerk, on behalf of the Board of Aldermen, shall send such notices as are required by the Act in connection with the issuance of the Bonds.

Section 7. Preparation of Documents. The City Attorney and Gilmore & Bell, P.C., as Bond Counsel, and the officers, employees and representatives of the City, are hereby authorized to work with the Purchaser of the Bonds, Duke, Best Buy, their counsel and others, to prepare for submission to and final action by the Board of Aldermen all documents necessary to effect the authorization, issuance and sale of the Bonds and other actions contemplated hereunder in connection with the financing of the Project.

Section 8. Further Authority. The City hereby authorizes and empowers the officers and representatives of the City to do all such acts and things and to execute, acknowledge and deliver all such documents as may in their discretion be deemed necessary or desirable in order to carry out or comply with the terms and provisions of this Resolution in connection with the structure and sale of the Bonds. All of the acts and undertakings of such officers and representatives which are in conformity with the intent and purposes of this Resolution, whether heretofore or hereafter taken or done shall be and the same are hereby in all respects, ratified, confirmed and approved.

Section 9. Cancellation. If for any reason the Bonds are not issued within one year after the date of adoption of this Resolution, this Resolution shall be deemed canceled, and neither party will thereafter have any rights under this Resolution against the other, except that Duke and Best Buy will reimburse the City for all fees and out-of-pocket expenses incurred by the City, its counsel and Bond Counsel in connection with the Project.

Section 10. No Priority of Issuance. Nothing in this Resolution restricts the City or the State of Missouri or any agency or political subdivision thereof, in determining the order or priority of the issuance of Bonds by the City or to require the City to give the Bonds priority as to issuance or time of issuance over any other bonds previously or subsequently approved by the City.

Section 11. Effective Date. This Resolution shall be in full force and effect from and after the date of its passage.

Read and adopted this 22nd day of September, 2016.

(SEAL)

As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk