

BILL NO. 4576

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION MUNICIPAL AGREEMENT FOR PUBLIC IMPROVEMENTS ALONG ROUTE M. (Job No. J9S3449B)

WHEREAS, the Missouri Department of Transportation (“MoDOT”) wishes to upgrade pedestrian facilities to comply with the ADA Transition Plan in the city limits of the City of Ste. Genevieve (“City”) along Hwy M (Rozier St.); and

WHEREAS, these improvements will improve pedestrian facilities to comply with ADA conditions in the city from the intersection of US Hwy 61 & Missouri Route M to just south of Valle Spring Trail; and

WHEREAS, the improvements will become the responsibility of the City to maintain after construction; and

WHEREAS, the Ste. Genevieve Sidewalk and Trail Analysis report from June 2022 highlights this area within the city limits as a connecting trail with Progress Parkway to the Community Center; and

WHEREAS, the Board of Aldermen believe it to be in the best interests of its residents to approve the agreement for the improvements with MoDOT.

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

SECTION 1. The Board of Aldermen of the City of Ste. Genevieve, Missouri, hereby approves the execution of an agreement with Missouri Highways and Transportation Commission for improvements along Missouri Route M inside the City Limits that will consist of improving pedestrian facilities.

SECTION 2. The improvements located in the City are on Missouri Route M beginning at the intersection of US 61 and Missouri Route M Station 932+ 69.31 (Rozier Street), run southerly along Route M south of Valle Spring Trail to Route M Station 897+10.00 which is 3932.98’, S71 degrees 02’18”E of the SW Corner Lot 1 of US Survey 3253. Length of improvement within city is 3,559.31 feet.

SECTION 3. The Mayor is hereby authorized to execute such agreement (Attached as exhibit “A”) and the City Clerk to attest to such execution and to affix the official seal of the City of Ste. Genevieve.

SECTION 4: The City Administrator of the City of Ste. Genevieve is hereby authorized to execute all other documents necessary for this project on behalf of the City of Ste. Genevieve.

SECTION 5. All ordinances and parts of ordinances which are in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 6. This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

DATE OF FIRST READING: AUGUST 10, 2023

DATE OF SECOND READING: _____.

PASSED AND APPROVED THIS ____ **DAY OF** _____, **2023 BY A ROLL CALL VOTE AS FOLLOWS:**

VOTE

ALDERWOMAN KRISTI CLEGHORN
ALDERMAN ROBERT DONOVAN
ALDERMAN ERIC BENNETT
ALDERMAN JEFF EYDMANN
ALDERMAN MIKE RANEY
ALDERMAN JOE PRINCE
ALDERMAN JOE STEIGER

___ **Yes** ___ **No** ___ **Absent**

Approved as to form:

Brian Keim, Mayor

Mark Bishop, City Attorney

SEAL

Reviewed by:

Pam Meyer, City Clerk

Happy Welch, City Administrator

CCO Form: DE11
 Approved: 04/93 (CEH)
 Revised: 12/21 (BDG)
 Modified:

Municipal Agreement
 Route: Route M
 County: Ste. Genevieve
 Job No.: J9S3449B

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION MUNICIPAL AGREEMENT

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the **City of Ste. Genevieve**, Missouri, a municipal corporation (hereinafter, "City").

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties agree as follows:

(1) IMPROVEMENT DESIGNATION: The public improvement designated as Route M, Ste. Genevieve County, Job No. J9S3449B shall consist of upgrading pedestrian facilities to comply with the ADA Transition Plan in the City of Ste. Genevieve.

(2) IMPROVEMENT WITHIN CITY: The improvement within the City is located as follows:

Beginning at the intersection of US 61 and Missouri Route M Station 932+69.31 (Rozier Street), run southerly along Route M south of Valle Spring Trail to Route M Station 897+10.00 which is 3932.98', S71°02'18"E of the SW Corner Lot 1 of US Survey 3253. Length of improvement within city is 3,559.31 feet.

(3) EXTENT OF AGREEMENT: This Agreement shall apply only to the portion of the improvement lying within the city limits as they exist on the date this Agreement is executed by the City.

(4) LOCATION: The general location of the public improvement is shown on an attached sketch marked "Exhibit A" and made a part of this Agreement. The detailed location of the improvement is shown on the plans prepared by the Commission for the above-designated route and project.

(5) PURPOSE: It is the intent of this Agreement to outline the parties' responsibilities with respect to the construction and maintenance of those improvements to the State Highway System located within the City limits described in paragraphs (1) and (2) above and designated as Commission Job No. J9S3449B.

(6) RIGHT-OF-WAY USE: The City grants the right to use the right-of-way of public roads, streets, alleys, and any other property owned by the City as necessary for

construction and maintenance of said public improvement.

(7) CLOSE AND VACATE: The City shall temporarily close and vacate all streets or roads, or parts thereof, which may be necessary to permit the construction of the project in accordance with the detailed plans.

(8) RIGHT-OF-WAY ACQUISITION:

(A) Upon approval of all agreements, plans and specifications by the Commission and the Federal Highway Administration (FHWA), the Commission will file copies of the plans with the city clerk of the City and the county clerk of the county and proceed to acquire at its expense, at no cost or expense to the City, any necessary right-of-way required for the construction of the improvement.

(9) UTILITY RELOCATION:

(A) The Commission and the City shall cooperate to secure the temporary or permanent removal, relocation, or adjustment of public utilities or private lines, poles, wires, conduits, and pipes located on the right-of-way of existing public ways as necessary for construction of the improvement and the cost shall be borne by such public utilities or the owners of the facilities except where the City is by existing franchise or agreement obligated to pay all or a portion of such cost, in which case the City will pay its obligated portion of the cost.

(B) The Commission shall secure the removal, relocation, or adjustment of any public or private utilities located upon private easements and shall pay any costs incurred therein.

(C) It is understood and agreed by the parties to this Agreement that no city-owned utility facilities will require relocation or adjustment in connection with this improvement, but that should utility facilities be discovered at any time during development or construction of this improvement, relocation or adjustment of the same will be done and performed under a supplemental agreement covering the subject, and in accordance with Commission policy then in effect on division of costs for adjustment of utility facilities.

(D) In cases of public utilities owned by the City which must be moved, adjusted, or altered to accommodate construction of this improvement, and such city-owned utilities, poles, wires, conduits, and pipes are located within the present city limits and located on an existing city street, not state highway right-of-way, but being taken over by the Commission as a part of its highway right-of-way, the City will perform the necessary removal, adjustment, alterations and relocation, and the Commission will reimburse the City except as otherwise provided. The City shall perform the removal, adjustment, alterations and relocation in accordance with the detail plans, estimates of costs and bills of materials prepared by the City in accordance with Federal Aid Policy Guide, Title 23 CFR Subchapter G, Part 645, Subpart A (FAPG 23 CFR 645A), dated

December 9, 1991 and any revision of it, and approved by the Commission's District Engineer, and shall perform all work and keep the records of the costs in accordance with FAPG 23 CFR 645A and its revisions. Upon the completion of any such work and on receipt by the Commission of the original and four copies of a bill for the actual costs incurred by the City in making any such removal, adjustment, alteration and relocation, the Commission shall reimburse the City for the actual cost necessitated by construction of this public improvement. The Commission's obligation toward the cost of any such removal, adjustment, alteration, and relocation shall extend only to those costs incurred in accordance with FAPG 23 CFR 645A and its revisions.

(E) Should it be necessary to alter, relocate or adjust any city-owned utility facilities outside the present city limits on public right-of-way or on state highway right-of-way within or outside the city limits or within the right-of-way of a public way other than a city street or alley, the alteration, relocation, or adjustment shall be made by the City at its cost.

(F) The City agrees that any installation, removal, relocation, maintenance, or repair of public or private utilities involving work within highway right-of-way included in this project shall be done only in accordance with the general rules and regulations of the Commission and after a permit for the particular work has been obtained from the Commission's District Engineer or his authorized representative. Similarly, the City will allow no work on the highway right-of-way involving excavation or alteration in any manner of the highway as constructed, including but not limited to driveway connections, except in accordance with the rules and regulations of the Commission and only after a permit for the specific work has been obtained from the Commission's District Engineer or his authorized representative. The City shall take whatever actions that are necessary to assure compliance with this Subsection.

(10) LIGHTING

(A) The Commission will, at its cost and expense, install, operate, and maintain basic highway intersection or interchange lighting at warranted locations on the improvement. The construction, installation, and maintenance of any other or further lighting system on the public improvement covered by this Agreement shall be only in accordance with the Commission's policy on highway lighting in effect, and to the extent deemed warranted by the Commission, at the time of any such installation. No lighting system shall be installed or maintained by the City on the improvement without approval of the Commission.

(11) TRAFFIC CONTROL DEVICES: The installation, operation and maintenance of all traffic signals, pavement markings, signs, and devices on the improvement, including those between the highway and intersecting streets shall be under the exclusive jurisdiction and at the cost of the Commission. The City shall not install, operate, or maintain any traffic signals, signs or other traffic control devices on the highway or on streets and highways at any point where they intersect this highway without approval of the Commission.

(12) DRAINAGE:

(A) The Commission will construct drainage facilities along the improvement and may use any existing storm and surface water drainage facilities now in existence in the area. The City shall be responsible for receiving and disposing of storm and surface water discharged from those drainage facilities which the Commission constructs within the limits of highway right-of-way to the extent of the City's authority and control of the storm sewer facilities or natural drainage involved.

(13) PERMITS: The Commission shall secure any necessary approvals or permits from the Surface Transportation Board, the Public Service Commission of Missouri, or any other state or federal regulating authority required to permit the construction and maintenance of the highway.

(14) COMMENCEMENT OF WORK: After acquisition of the necessary right-of-way, the Commission shall construct the highway in accordance with final detailed plans approved by the Federal Highway Administration (or as they may be changed from time to time by the Commission with the approval of the FHWA) at such time as federal and state funds are allocated to the public improvement in an amount sufficient to pay for the federal and state government's proportionate share of construction and right-of-way costs. The obligation of the Commission toward the actual construction of the public improvement shall be dependent upon the completion of plans in time to obligate federal funds for such construction, upon approval of the plans by the FHWA, upon the award by the Commission of the contract for the construction, and upon the approval of the award by the FHWA.

(15) MAINTENANCE:

(A) Except as provided in this Agreement, upon completion of the public improvement, the Commission will maintain all portions of the improvement within the Commission owned right-of-way. Maintenance by the Commission shall not in any case include maintenance or repair of sidewalks whether new or used in place, water supply lines, sanitary or storm sewers (except those storm sewers constructed by the Commission to drain the highway), city-owned utilities within the right-of-way or the removal of snow other than the machine or chemical removal from the traveled portion of the highway.

(B) When it is necessary to revise or adjust city streets, the right-of-way acquired for these adjustments and connections will be deeded to the City.

(C) The City shall inspect and maintain the sidewalks constructed by this project in a condition reasonably safe to the public and, to the extent allowed by law, shall indemnify and hold the Commission harmless from any claims arising from the construction and maintenance of said sidewalks.

(16) ACCEPTED WITHIN HIGHWAY SYSTEM: Effective upon execution of this Agreement, the Commission temporarily accepts the portion of the City street system described in this Agreement as part of the State Highway System for the purposes of this project. However, during the construction period contemplated in this Agreement:

(A) The Commission will assume no police or traffic control functions not obligatory upon Commission immediately prior to the execution of this Agreement, and

(B) The City shall perform or cause to be performed normal maintenance on the project site.

(C) The City will convey to the Commission at no charge a Permanent Sidewalk Easement for the areas as shown in "Exhibit B" Right-of-Way Plans Tract 7B, 7C, 7D and 7E on City Right-of-Way.

(17) CITY TO MAINTAIN: Upon completion of construction of this improvement, the City shall accept control and maintenance of the improved City street that was temporarily accepted as part of the State Highway System for the purposes of this project pursuant to paragraph (16) above and shall thereafter keep, control, and maintain the same as, and for all purposes, a part of the City street system at its own cost and expense and at no cost and expense whatsoever to the Commission. All obligations of the Commission with respect to the City street system under this Agreement shall cease upon completion of the improvement.

(18) POLICE POWERS: It is the intent of the parties to this Agreement that the City shall retain its police powers with respect to the regulation of traffic upon the improvement contemplated. However, the City will enact, keep in force, and enforce only such ordinances relating to traffic movement and parking restrictions as may be approved by the Commission and as are not in conflict with any regulations for federal aid. The Commission shall not arbitrarily withhold approval of reasonable traffic regulations, signs, and markings which will permit the movement of traffic in accordance with accepted traffic regulation practices.

(19) RESTRICTION OF PARKING: Since the improvement is being designed and constructed to accommodate a maximum amount of traffic with a minimum amount of right-of-way, the City shall take whatever actions that are necessary to prevent parking upon the highway or any part of the area of the highway right-of-way within the limits of the improvement.

(20) OUTDOOR ADVERTISING: No billboards or other advertising signs or devices or vending or sale of merchandise will be permitted within the right-of-way limits of the project and the City shall take whatever actions that are necessary to enforce this Section.

(21) WITHHOLDING OF FUNDS: In the event that the City fails, neglects, or refuses to enact, keep in force or enforce ordinances specified or enacts ordinances

contrary to the provisions in this Agreement, or in any other manner fails, neglects or refuses to perform any of the obligations assumed by it under this Agreement, the Commission may, after serving written request upon the City for compliance and the City's failure to comply, withhold the expenditure of further funds for maintenance, improvement, construction, or reconstruction of the state highway system in the City.

(22) FEDERAL HIGHWAY ADMINISTRATION: This Agreement is entered into subject to approval by the Federal Highway Administration and is further subject to the availability of federal and state funds for this construction.

(23) INDEMNIFICATION:

(A) To the extent allowed or imposed by law, the City shall defend, indemnify and hold harmless the Commission, including its members and department employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the City's wrongful or negligent performance of its obligations under this Agreement.

(B) The City will require any contractor procured by the City to work under this Agreement:

(1) To obtain a no cost permit from the Commission's District Engineer prior to working on the Commission's right-of-way, which shall be signed by an authorized contractor representative (a permit from the Commission's District Engineer will not be required for work outside of the Commission's right-of-way); and

(2) To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the Commission, and the Missouri Department of Transportation and its employees, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities (\$500,000 per claimant and \$3,500,000 per occurrence) as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

(24) AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment approved and signed by representatives of the City and Commission, respectively, each of whom being duly authorized to execute the contract amendment on behalf of the City and Commission, respectively.

(25) COMMISSION REPRESENTATIVE: The Commission's Southeast District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(26) CITY REPRESENTATIVE: The City's City Administrator is designated as the City's representative for the purpose of administering the provisions of this Agreement. The City's representative may designate by written notice other persons having the authority to act on behalf of the City in furtherance of the performance of this Agreement.

(27) NOTICES: Any notice or other communication required or permitted to be given hereunder shall be in writing and shall be deemed given three (3) days after delivery by United States mail, regular mail postage prepaid, or upon receipt by personal or facsimile delivery, addressed as follows:

(A) To the City:
Happy Welch
City Administrator
165 S. 4th Street Ste. Genevieve, MO 63670

Facsimile No:(573) 883-8105

(B) To the Commission:
Mark Croarkin
Southeast District Engineer
2675 N. Main Sikeston, MO 63801

Facsimile No:(573) 472-5219

or to such other place as the parties may designate in accordance with this Agreement. To be valid, facsimile delivery shall be followed by delivery of the original document, or a clear and legible copy thereof, within three (3) business days of the date of facsimile transmission of that document.

(28) ASSIGNMENT: The City shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(29) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The City shall comply with all local, state and federal laws and regulations relating to the performance of the contract.

(30) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged

breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(31) SOLE BENEFICIARY: This Agreement is made for the sole benefit of the parties hereto and nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the City.

(32) AUTHORITY TO EXECUTE: The signers of this Agreement warrant that they are acting officially and properly on behalf of their respective institutions and have been duly authorized, directed and empowered to execute this Agreement.

(33) SECTION HEADINGS: All section headings contained in this Agreement are for the convenience of reference only and are not intended to define or limit the scope of any provision of this Agreement.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City on _____(Date).

Executed by the Commission on _____(Date).

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF STE. GENEVIEVE

By: _____

By: _____

Title: _____

Title: _____

ATTEST:

ATTEST:

Secretary to the Commission

By: _____

Title: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Commission Counsel

By: _____

Title: _____

Ordinance Number _____

EXHIBIT A

2022-06-70757

J9S3449B Route M Ste. Genevieve

Intersection US61/Route M (Rozier Street) Station 932+69.31

Vaile Spring Branch

Route M (Rozier Street) Station 897+10

Google Earth

2000 ft



BILL NO. 4577

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF STE. GENEVIEVE, MISSOURI, TO ESTABLISH A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN OFFICIALS.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF STE. GENEVIEVE, AS FOLLOWS:

Section 1 - Declaration of Policy

The proper operation of government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the city.

Section 2 - Conflicts of Interest

- All elected and appointed officials as well as employees of a political subdivision must comply with section 105.454 of Missouri Revised Statutes on conflicts of interest as well as any other state law governing official conduct.
- Any member of the governing body of a political subdivision who has a “substantial or private interest” in any measure, bill, order or ordinance proposed or pending before such governing body must disclose that interest to the secretary or clerk of such body and such disclosure shall be recorded in the appropriate journal of the governing body. Substantial personal or private interest is defined as ownership by the individual, his spouse, or his dependent children, whether singularly or collectively, directly or indirectly of:
 1. 10% or more of any business entity; or
 2. An interest having a value of \$10,000 or more; or
 3. The receipt of a salary, gratuity, or other compensation or remuneration of \$5,000 or more, per year from any individual, partnership, organization, or association within any calendar year.

Section 3 - Disclosure Reports

Each elected official, candidate for elective office, the chief administrative officer, the chief purchasing officer, and the full-time general counsel shall disclose the following information by

May 1, or the appropriate deadline as referenced in Section 105.487 RSMo, if any such transactions occurred during the previous calendar year:

1. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision.
2. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision.
3. The chief administrative officer, chief purchasing officer, and candidates for either of these positions also shall disclose by May 1, or the appropriate deadline as referenced in Section 105.487, RSMo., the following information for the previous calendar year:
 - a) The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;
 - b) The name and address of each sole proprietorship that he owned; the name address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or co-participant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class or outstanding stock, limited partnership units or other equity interests;
 - c) The name and address of each corporation for which such person served in the capacity of a director, officer, or receiver.

Section 4 – Filing of Reports

- A. The financial interest statements shall be filed at the following times, but no person is required to file more than one financial interest statement in any calendar year:
- Every person required to file a financial interest statement shall file the statement annually not later than May 1 and the statement shall cover the calendar year ending the immediately preceding December 31; provided that any member of the board may supplement the financial interest statement to report additional interests acquired after December 31 of the covered year until the date of filing of the financial interest statement.
 - Each person appointed to office shall file the statement within thirty days of such appointment or employment covering the calendar year ending the previous December 31;
 - Every candidate required to file a personal financial disclosure statement shall file no later than fourteen days after the close of filing at which the candidate seeks nomination or election or nomination by caucus. The time period of this statement shall cover the twelve months prior to the closing date of filing for candidacy.
- B. Financial disclosure reports giving the financial information required in Section 3 of this ordinance shall be filed with the local political subdivision and with the Missouri Ethics Commission. The reports shall be available for public inspection and copying during normal business hours.

Section 5 – Filing of Ordinance

A certified copy of the ordinance (order/resolution), adopted prior to September 15th, shall be sent within ten days of its adoption to the Missouri Ethics Commission.

Section 6 – Effective Date

This ordinance shall be in full force and effect from and after the date of its passage and approval and shall remain in effect until amended or repealed by the Ste. Genevieve Board of Aldermen.

Section 7 – Repealer

All ordinances and parts thereof that are in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

Section 8 - Severability

The invalidity of any section, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

DATE OF FIRST READING: August 10, 2023.

DATE FO SECOND READING: _____.

PASSED AND APPROVED THIS ____ DAY OF _____, 2023 BY A ROLL CALL VOTE OF THE STE. GENEVIEVE BOARD OF ALDERMEN AS FOLLOWS:

VOTE

Alderwoman Kristi Cleghorn
Alderman Bob Donovan
Alderman Eric Bennett
Alderman Jeff Eydmann
Alderman Michael Raney
Alderman Joe Steiger
Alderman Joe Prince

___ Ayes ___ Nays ___ Absent

Approved as to form:

Mayor, Brian Keim

City Attorney, Mark Bishop

ATTEST:

Reviewed by:

City Clerk, Pam Meyer

City Administrator, Happy Welch

BILL NO. 4578

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF STE. GENEVIEVE, MISSOURI, AUTHORIZING A “NO PARKING” RESTRICTION ON THE SOUTH SIDE OF JEFFERSON STREET BETWEEN THIRD AND FOURTH STREET.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF STE. GENEVIEVE, MISSOURI AS FOLLOWS:

SECTION 1: The Board of Aldermen hereby authorizes a no parking restriction on the South side of Jefferson Street starting approximately 55 ft West of N. Third Street extending 82 feet West towards Fourth Street and hereby approves the amendment to the Ste. Genevieve Code of Ordinances, Schedule “III” “Parking Restrictions”, Table III-A. No Parking at any time to include the following:

LOCATION: JEFFERSON STREET

RESTRICTION: THE SOUTH SIDE OF JEFFERSON STREET STARTING APPROXIMATELY 55 FT WEST OF N. THIRD STREET EXTENDING 82 FEET WEST.

SECTION 2: This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

DATE OF FIRST READING: August 10, 2023.

DATE OF SECOND READING: _____.

PASSED AND APPROVED BY THE BOARD OF ALDERMEN OF THE CITY OF STE. GENEVIEVE, MISSOURI THIS _____ DAY OF _____, 20____ BY A ROLL CALL VOTE AS FOLLOWS:

VOTE

ALDERWOMAN KRISTI CLEGHORN
ALDERMAN ROBERT DONOVAN
ALDERMAN ERIC BENNETT
ALDERMAN JOE STEIGER
ALDERMAN MIKE RANEY
ALDERMAN JEFF EYDMANN
ALDERMAN JOE PRINCE

_____ Yes _____ No _____ Absent

Approved as to form:

Brian Keim, Mayor

Mark Bishop, City Attorney

SEAL

Reviewed by:

Pam Meyer, City Clerk

Happy Welch, City Administrator

BILL NO. 4579

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF STE. GENEVIEVE, MISSOURI AMENDING CHAPTER 203 FIRE PREVENTION AND PROTECTION OF THE STE. GENEVIEVE MUNICIPAL CODE AS SET FORTH BELOW.

WHEREAS, the City of Ste. Genevieve ("City") has reviewed its fire tag fees and have determined that they need to be increased; and

WHEREAS, after comparing fees with neighboring fire districts the Board of Aldermen believe the fees set forth in this ordinance cover the proper costs of administration for fire tags for the Ste. Genevieve Fire Department.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF STE. GENEVIEVE, MISSOURI AS FOLLOWS:

SECTION 1. Chapter 203: FIRE PREVENTION AND PROTECTION; ARTICLE I: FIRE DEPARTMENT; **SECTION 203.015: FIRE PROTECTION PERMITS – FEES AND AREA OF COVERAGE** is hereby deleted in its entirety and replaced with the following:

Section 203.105. Fire Protection Permits – Fees and Area of Coverage.

A. The City Clerk and the Fire Chief of the City of Ste. Genevieve are hereby authorized and empowered to sell permits at the sums according to the following rate schedule and the permits shall be issued for a period of one (1) year:

1. Rural Properties:
 - a. Initiation Fee: Will be double the fire tag fee. (The fee for the first year is included)
 - b. Residential Property Fee: \$100.00
 - c. Farm Property – Landowner: \$125.00 over 10 acres
 - d. Additional Property – Non-adjoining: \$50.00
 - e. Commercial Property: \$125.00. The fee for a business may be set higher at the discretion of the Board of Aldermen with regard to the size of the business and/or hazard.
 - f. Late Fee: Fees not paid within sixty (60) days of due date, the member (tag holder) will be considered a non-member, therefore having to pay the initiation fee to rejoin as a new member.

Property Owner Responsibility: It shall be the property owner's responsibility to supply an ample water source along with sufficient roadway access and directions to the water supply for each property.

2. Rural Property within one thousand five hundred (1,500) feet of the municipal water systems of the City of Ste. Genevieve:
 - a. Initiation Fee: Will be double the fire tag fee. (The fee for the first year is included)

- b. Residential Property Fee: \$200.00
- c. Farm Property – Landowner: \$250.00 over 10 acres
- d. Additional Property – Non-adjoining: \$100.00 (if within reach of the municipal system, if not fee is \$50.00)
- e. Commercial Property: \$400.00. The fee for a business may be set higher at the discretion of the Board of Aldermen with regard to the size of the business and/or hazard.
- f. Late Fee: Fees not paid within sixty (60) days of due date, the member (tag holder) will be considered a non-member, therefore having to pay the initiation fee to rejoin as a new member.

Property Owner Responsibility: It shall be the property owner's responsibility to supply an ample water source along with sufficient roadway access and directions to the water supply for each property.

SECTION 2. Chapter 203: FIRE PREVENTION AND PROTECTION; ARTICLE I: FIRE DEPARTMENT; **SECTION 203.030. CONTENTS OF PERMIT FORM** is hereby deleted in its entirety and replaced with the following:

Section 203.030. Contents of Permit Form.

Fire protection permits shall be printed to conform to the following contents, to wit:

THE HOLDER OF THIS CARD IS ENTITLED TO FIRE PROTECTION FROM THE CITY OF STE. GENEVIEVE FROM AND AFTER THE 1ST DAY OF MARCH, 20__ , UNTIL THE LAST DAY OF FEBRUARY, 20__ , SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. Holder hereof expressly waives the right to recover any damages against the City of Ste. Genevieve or against any of the employees or volunteers of the City of Ste Genevieve which occur as a **direct** or indirect result of responding to and/or fighting fires.
2. Holder hereof expressly agrees that such service shall:
 - a. Be furnished subject to the first right of the citizens of the City of Ste. Genevieve.
 - b. Involve an adequate amount of equipment and sufficient manpower subject to the discretion of the present ranking officer; and
3. Shall be furnished within an approximate five (5) mile radius of the fire station outside the corporate City limits of Ste. Genevieve.
4. Holder hereof agrees to pay an annual fee as follows:
 - a. Rates for rural properties:

1. Residential Property Fee: \$100.00
2. Farm Property – Landowner: \$125.00 over 10 acres
3. Additional Property – Non-adjointing: \$50.00
4. Commercial Property: \$125.00. The fee for a business may be set higher at the discretion of the Board of Aldermen with regard to the size of the business and/or hazard.
5. Late Fee: Fees not paid within sixty (60) days of due date, the member (tag holder) will be considered a non-member, therefore having to pay the initiation fee to rejoin as a new member.

It shall be the property owner's responsibility to supply an ample water source along with sufficient roadway access and directions to the water supply for each property.

- b. Rural Property within one thousand five hundred (1,500) feet of the municipal water systems of the City of Ste. Genevieve:

1. Residential Fee: \$200.00
2. Farm – Landowner: \$250.00 over 10 acres
3. Additional Property – Non-adjointing: \$100.00 (if within reach of the municipal system, if not fee is \$50.00)
4. Commercial: \$400.00 The fee for a business may be set higher at the discretion of the Board of Aldermen with regard to the size of the business and/or hazard.
5. Late Fee: Fees not paid within sixty (60) days of due date, the member (tag holder) will be considered a non-member, therefore having to pay the initiation fee to rejoin as a new member.

It shall be the property owner's responsibility to supply an ample water source along with sufficient roadway access and directions to the water supply for each property.

5. Tag holder agrees to pay the sum for the following services rendered:
- a. Tag Holder: \$200 per hour for the first hour plus \$100.00 for each hour thereafter.
 - b. Non-Tag Holder: \$100.00 for responding; \$500.00 per hour if any action is taken plus cost of a tag and initiation fee (Section 320.302, RSMO)
 - c. Large vehicle fire (over 200 inches long): \$500.00 per hour unless they are a tag holder.
 - d. Small vehicle fire (200 inches long or less): \$250.00 per hour unless they are a tag holder.

- e. Extrication: \$250.00 minimum; \$100.00 per unit plus any charges to cover abnormal materials used, etc. These charges will be set at the discretion of the jurisdiction in charge.
- f. Hazardous material incidence: \$250.00 for responding and declaring that there is a hazardous material incident. When action is taken to secure an incident, the following fees will be charged \$500.00 per unit per hour plus any additional charges to cover abnormal materials or services used. These charges will be set by the jurisdiction in charge.

The City of Ste. Genevieve expressly reserves the right to refuse service to any holder hereof if they shall fail to comply with the terms set forth herein.

SECTION 3. Chapter 203: FIRE PREVENTION AND PROTECTION; ARTICLE I: FIRE DEPARTMENT; **SECTION 203.040. Holder to Sign Permit** is hereby deleted in its entirety.

SECTION 4. Chapter 203: FIRE PREVENTION AND PROTECTION; ARTICLE I: FIRE DEPARTMENT; **SECTION 203.060; Explanation of Properties, E.** is hereby deleted in its entirety and replaced with the following:

E. "Additional property" shall be defined as any property that does not join the dwelling property of a tag holder but is in the service area of a county Fire Department. EXAMPLE: You have a residential or farm property tag and you also have acreage in another area of the County that is non adjoining and unoccupied, there will be an additional fee of fifty dollars (\$50.00) per property. These additional property tags will be payable to the department where the additional property is located.

SECTION 5: EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

SECTION 6. REPEALER. All ordinance and parts thereof in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

DATE OF FIRST READING: August 10, 2023

DATE OF SECOND READING: _____

PASSED AND APPROVED BY THE BOARD OF ALDERMEN OF THE CITY OF STE. GENEVIEVE, MISSOURI THIS ____ DAY OF _____, 20__ BY A ROLL CALL VOTE AS FOLLOWS:

VOTE

**ALDERWOMAN KRISTI CLEGHORN
ALDERMAN BOB DONOVAN
ALDERMAN ERIC BENNETT
ALDERMAN JOE STEIGER
ALDERMAN MICHAEL RANEY
ALDERMAN JEFF EYDMANN
ALDERMAN JOE PRINCE**

____ YES ____ NO ____ ABSENT

Approved as to form:

Brian Keim, Mayor

Mark Bishop, City Attorney

SEAL

Reviewed by:

Pam Meyer, City Clerk

Happy Welch, City Administrator

Staff Report

August 24, 2023

To: Board of Aldermen
From: Happy Welch
Re: MoDOT Easement



Issue:

Part of the requirement for the improved sidewalks along Highway M is that the City take over maintenance of the sidewalks for any repairs or improvements that need to be done in the future.

MoDOT has to grant the City easements for the sidewalk along the highway for the future maintenance and that is what the easement ordinance is for.

Recommendation:

Approve the ordinance for the easements.

BILL NO. 4580

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION EASEMENT FOR UPGRADING PEDESTRIAN FACILITIES ALONG ROUTE M.

WHEREAS, the Missouri Department of Transportation (“MoDOT”) will be upgrading pedestrian facilities to comply with the ADA Transition Plan in the city limits of the City of Ste. Genevieve (“City”) along Highway M (Rozier St.); and

WHEREAS, these improvements will improve pedestrian facilities to comply with ADA regulations in the city from the intersection of US Hwy 61 & Missouri Route M to just south of Valle Spring Trail; and

WHEREAS, the attached easement (Exhibit A) will make these improvements the responsibility of the City to maintain after construction; and

WHEREAS, the Board of Aldermen believe it to be in the best interests of its residents to approve the easement agreement.

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

SECTION 1. The Board of Aldermen of the City of Ste. Genevieve, Missouri, hereby approves the easement agreement with the Missouri Highways and Transportation Commission for accepting improvements along Missouri Route M (Rozier St.) inside the City Limits that will consist of improving pedestrian facilities from Highway 61 to Valle Springs Road.

SECTION 2. The Mayor is hereby authorized to execute such agreement (Attached as exhibit “A”) and the City Clerk to attest to such execution and to affix the official seal of the City of Ste. Genevieve.

SECTION 3. All ordinances and parts of ordinances which are in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

DATE OF FIRST READING: _____.

DATE OF SECOND READING: _____.

PASSED AND APPROVED THIS ____ DAY OF _____, 2023 BY A ROLL CALL VOTE AS FOLLOWS:

VOTE

- ALDERWOMAN KRISTI CLEGHORN**
- ALDERMAN ROBERT DONOVAN**
- ALDERMAN ERIC BENNETT**
- ALDERMAN JEFF EYDMANN**
- ALDERMAN MIKE RANEY**
- ALDERMAN JOE PRINCE**
- ALDERMAN JOE STEIGER**

___ Yes ___ No ___ Absent

Approved as to form:

Brian Keim, Mayor

Mark Bishop, City Attorney

SEAL

Reviewed by:

Pam Meyer, City Clerk

Happy Welch, City Administrator

CCO FORM: RW23
Approved: 06/96 (RMH)
Revised: 06/21 (BDG)
Modified:

COUNTY: Ste. Genevieve
ROUTE: M
PROJECT: J9S3449B
PARCEL: 07

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
EASEMENT FOR HIGHWAY PURPOSES**

THIS INDENTURE, made this ____ day of _____, 2023, by and between the City of Ste. Genevieve of the County of Ste. Genevieve, and State of Missouri, 165 South 4th Street, Sainte Genevieve, MO 63670, (grantor), and the State of Missouri, acting by and through the Missouri Highways and Transportation Commission, 105 W. Capitol Avenue, Jefferson City, MO 65102, (grantee).

WITNESSETH, that the said grantor, in consideration of the sum of One and NO/100 Dollar, (\$1.00) and other good and valuable consideration, to them paid by the said grantee, the receipt of which is hereby acknowledged, do by these presents grant, bargain and sell, convey and confirm unto said grantee, its successors and assigns, the following described permanent easement and interests in real estate in the County of Ste. Genevieve, State of Missouri, to wit:

Perm Esmt B

A permanent easement for sidewalks located across that part of grantor's land lying in US Survey No. 3253, Ste. Genevieve County, Missouri, lying within boundaries designated by points measured at right angles from the Easterly side of the Rte. M surveyed centerline, to wit: Commencing at Station 904+12.00 on the hereinafter described Rte. M surveyed centerline; thence Northeasterly to a point 40.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 904+12.00, said point being the Point of Beginning; thence Southeasterly to a point 44.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 904+04.00; thence Southeasterly to a point 44.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline 903+04.56; thence Southeasterly to a point 64.54 feet Southeasterly of and at a right angle to the Rte. M surveyed centerline

Station 902+86.36; thence Southwesterly to a point 58.50 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 902+80.00; thence Westerly to a point 44.50 feet to a point Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 902+80.00; thence Southeasterly to a point 44.50 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 902+56.28; thence Southerly to a point 35.47 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 902+33.58; thence Southeasterly to a point 30.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 901+73.97, said point lying on the existing Rte. M Westerly boundary line; thence Northerly along said boundary to the point of beginning.

The above described permanent easement contains 0.011 acre, more or less.

Perm Esmt C

Also a permanent easement for sidewalks located across that part of grantor's land lying in US Survey No. 3253, Ste. Genevieve County, Missouri, lying within boundaries designated by points measured at right angles from the Easterly side of the Rte. M surveyed centerline, to wit: Commencing at Station 897+39.00 on the hereinafter described Rte. M surveyed centerline; thence Northeasterly to a point 30.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 897+39.00, said point being the Point of Beginning; thence Easterly to a point 35.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 897+34.00; thence Southeasterly to a point 35.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline 897+10.00; thence Southwesterly to a point 30.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 897+10.00, said point lying on the existing Rte. M Westerly boundary line; thence Northerly along said boundary to the point of beginning.

The above described permanent easement contains 0.001 acre, more or less.

Perm Esmt D

Also a permanent easement for sidewalks located across that part of grantor's land lying in US Survey No. 3253, Ste. Genevieve County, Missouri, lying within boundaries designated by points measured at right angles from the Westerly side of the Rte. M surveyed centerline, to wit: Commencing at Station 903+13.00 on the hereinafter described Rte. M surveyed centerline; thence Southwesterly to a point 30.00 feet Westerly of and at a right angle to the Rte. M surveyed centerline Station 903+13.00, said point being the Point of Beginning; thence Southwesterly to a point 66.00 feet Westerly of and at a right angle to the Rte. M surveyed centerline Station 903+13.00; thence Southeasterly to a point 66.00 feet Southwesterly of and at a right angle to the Rte. M surveyed centerline Station 902+93.00; thence Southeasterly to a point 30.00 feet Southwesterly of and at a right angle to the Rte. M surveyed centerline Station 902+67.00, said point lying on the existing Rte. M Westerly boundary line; thence Northwesterly along said boundary to the point of beginning.

The above described permanent easement contains 0.011 acre, more or less.

Perm Esmt E

A permanent easement for sidewalks located across that part of grantor's land lying in US Survey No. 3253, Ste. Genevieve County, Missouri, lying within boundaries designated by points measured at right angles from the Westerly side of the Rte. M surveyed centerline, to wit: Commencing at Station 927+90.00 on the hereinafter described Rte. M surveyed centerline; thence Westerly to a point 30.00 feet Westerly of and at a right angle to the Rte. M surveyed centerline Station 927+90.00, said point being the Point of Beginning; thence Westerly to a point 35.00 feet Westerly of and at a right angle to the Rte. M surveyed centerline Station 927+90.00; thence Southerly to a point 35.00 feet Westerly of and at a right angle to the Rte. M surveyed centerline Station 927+71.30; thence Easterly to a point 30.00 feet Westerly of and at a right angle to the Rte. M surveyed centerline 927+70.55, said point lying on the existing Rte. M Westerly boundary line; thence Northerly along said boundary to the point of beginning.

The above described permanent easement contains 0.002 acre, more or less.

Temp Esmt A

Also a temporary construction easement in US Survey No. 3253, Ste. Genevieve County, Missouri, lying within boundaries designated by points measured at right angles from the Westerly side of the Rte. M surveyed centerline, to wit: Commencing at Station 914+22.00; thence Southwesterly to a point 30.00 feet Southwesterly of and at a right angle to the Rte. M surveyed centerline Station 914+22.00, said point being the Point of Beginning; thence Southwesterly to a point 38.50 feet Southwesterly of and at a right angle to the Rte. M surveyed centerline Station 914+10.00; thence Southwesterly to a point 44.00 feet Southwesterly of and at a right angle to the Rte. M surveyed centerline Station 914+10.00; thence Southeasterly to a point 44.00 feet Southwesterly of and at a right angle to the Rte. M surveyed centerline Station 913+16.91; thence Southeasterly to a point 44.00 feet Southwesterly of and at a right angle to the Rte. M surveyed centerline Station 912+84.86; thence Southeasterly to a point 44.00 feet Southwesterly of and at a right angle to the Rte. M surveyed centerline Station 912+58.00; thence Northeasterly to a point 30.00 feet Southwesterly of and at a right angle to the Rte. M surveyed centerline Station 912+58.00; thence Northwesterly to the point of beginning.

The above described temporary easement contains 0.005 acre, more or less.

Temp Esmt B

Also a temporary construction easement in US Survey No. 3253, Ste. Genevieve County, Missouri, lying within boundaries designated by points measured at right angles from the Easterly side of the Rte. M surveyed centerline, to wit: Commencing at Station 907+14.80 on the hereinafter described Rte. M surveyed centerline; thence Northeasterly to a point 40.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 907+14.80, said point being the Point of Beginning; thence

Southeasterly to a point 85.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 906+15.00; thence Southeasterly to a point 85.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 903+56.18; thence Southeasterly to a point 85.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 903+00.00; thence Southwesterly to a point 64.54 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 902+86.36; thence Northwesterly to a point 44.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 903+04.56; thence Northwesterly to a point 44.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 904+04.00; thence Northwesterly to a point 40.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 904+12.00, said point lying on the existing Rte. M Easterly boundary; thence Northwesterly along said boundary to the point of beginning.

The above described temporary easement contains 0.048 acre, more or less.

Temp Esmt C

Also a temporary construction easement in US Survey No. 3253, Ste. Genevieve County, Missouri, lying within boundaries designated by points measured at right angles from the Easterly side of the Rte. M surveyed centerline, to wit: Commencing at Station 898+99.00 on the hereinafter described Rte. M surveyed centerline; thence Northeasterly to a point 40.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 898+99.00; thence Southeasterly to a point 41.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 897+38.00; thence Southeasterly to a point 50.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 897+22.00; thence Southeasterly to a point 50.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 897+10.00; thence Southwesterly to a point 35.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 897+10.00; thence Northwesterly to a point 35.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 897+34.00; thence Northwesterly to a point 30.00 feet Northeasterly of and at a right angle to the Rte. M surveyed centerline Station 897+39.00, said point lying on the existing Rte. M Easterly boundary; thence Northwesterly along said boundary to the point of beginning.

The above described temporary easement contains 0.002 acre, more or less.

Temp Esmt E

Also a temporary construction easement in US Survey No. 3253, Ste. Genevieve County, Missouri, lying within boundaries designated by points measured at right angles from the Westerly side of the Rte. M surveyed centerline, to wit: Commencing at Station 927+90.00 on the hereinafter described Rte. M surveyed centerline; thence Westerly to a point 35.00 feet Westerly of and at a right angle to the Rte. M surveyed centerline Station 927+90.00, said point being the Point of Beginning; thence Northwesterly to a

point 40.00 feet Westerly of and at a right angle to the Rte. M surveyed centerline Station 927+90.00; thence Southerly to a point 40.00 feet Westerly of and at a right angle to the Rte. M surveyed centerline Station 927+72.06; thence Easterly to a point 35.00 feet Westerly of and at a right angle to the Rte. M surveyed centerline Station 927+71.30; thence Northerly to the point of beginning.

The above described temporary easement contains 0.002 acre, more or less.

Upon completion and final acceptance of the project, the temporary easement rights in the last four described tracts shall cease and be no longer in effect.

The Route M surveyed centerline from Station 897+10.00 to Station 932+69.31 is described as follows:

Commencing from the Southwest Corner of Lot 1, U.S. Survey 3253, Ste. Genevieve County, as shown in Document No. 2022-2465; thence S71°02'18"E a distance of 3,932.98 feet to the Rte. M surveyed centerline Station 897+10.00 also being the Point of Beginning; thence N17°30'11"W a distance of 1,004.80 feet to the Rte. M surveyed centerline PC Station 907+14.80; thence along the arc of a 3°59'57.1" curve to the left a distance of 400.00 feet to the Rte. M surveyed centerline PT Station 911+14.80, said curve having a radius of 1,432.69 feet and a deflection angle of 15°59'48.3"; thence N33°49'42"W a distance of 584.10 feet to the Rte. M surveyed centerline Equation Station 916+99.83 Back equals PC Station 916+98.90 Ahead; thence along the arc of a 6°00'01.1" curve to the right a distance of 482.81 feet to the Rte. M surveyed centerline PT Station 921+81.71, said curve having a radius of 954.88 feet and a deflection angle of 28°58'11.4"; thence N4°33'24"W a distance of 1,087.60 feet to the Rte. M surveyed centerline Station 932+69.31 and there terminating.

TO HAVE AND TO HOLD the same, with all rights, privileges, appurtenances, and immunities thereto belonging or in anywise appertaining, unto said grantee, its successors and assigns; the said grantor hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises from which permanent easement is herein conveyed; that it has good right to convey the same.

IN WITNESS WHEREOF, the said grantor has executed the above the day and year first above written.

City of Ste. Genevieve

By:

Brian Keim
Mayor

Attest:

Pam Meyer
City Clerk



STAFF REPORT

August 24, 2023

TO: Board of Aldermen

From: Pam Meyer, City Clerk

RE: **SETTING OF 2023 PROPERTY TAX RATES**

Issue: The information for setting the tax rates was received in my office from the Missouri State Auditor on August 4, 2023. State Statutes requires a public hearing prior to approving the rates and a notice was posted in three places on August 8th, meeting those requirements and setting the Public Hearing for the August 24th Board of Aldermen meeting. The 2023 rates need to be approved and returned to the County Clerk prior to September 1, 2023 therefore I am requesting two readings of Bill No. 4581.

BILL NO. 4581

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF STE. GENEVIEVE LEVYING A TAX ON THE RESIDENTS OF THE CITY FOR THE YEAR 2023.

WHEREAS, the Missouri State Auditor has forwarded to the City of Ste. Genevieve (“City”) the property tax rates for 2023; and

WHEREAS, City staff has posted the public hearing notice in three locations as required by state statute; and

WHEREAS, the City must approve these tax rates prior to September 1, 2023 and deliver to the county clerk; and

WHEREAS, the Board of Aldermen conducted a public hearing on August 24, 2023 and after considering input from the public and reviewing the summary from the Missouri State Auditor, believe that it is in the best interest of the City to approve the tax rates for political subdivision use for 2023.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STE. GENEVIEVE, MISSOURI, AS FOLLOWS:

SECTION ONE. GENERAL FUND. For the purpose of carrying on the general city government and defraying the costs there of for the Fiscal Year 2024, there is hereby levied, in accordance with Article X, Section 11(b) of the Constitution of the State of Missouri, a tax levy of forty-eight cents and twelve one hundred cents (**\$0.4812**) on one hundred dollars of valuation, on each and all of the enumerated kinds of property, values and businesses.

SECTION TWO. CEMETERY. For the purpose of providing for the expenses of the public cemeteries of the City for the Fiscal Year 2024, there is hereby levied, in accordance with Article X, Section 11(b) of the Constitution of the State of Missouri and RSMo 79.430, a general tax levy of four and eight hundred cents (**\$0.0480**) on one hundred dollars of valuation, on each and all of the enumerated kinds of property, values and businesses.

SECTION THREE. BAND. For the purpose of providing for the expenses of a band fund for the City for the fiscal year 2024, there is hereby levied, in accordance with RSMo 71.640 a band tax levy of seven and seventy-three hundred cents (**\$0.0773**) on one hundred dollars of valuation, on each and all of the enumerated kinds of property, values and businesses.

SECTION FOUR. PARK. For the purpose of providing for the expenses of free public parks in the city for the Fiscal Year 2024, there is hereby levied, in accordance with RSMo 90.010, a Park

Tax Levy of twelve cents and fifty-one hundred cents (**\$0.1251**) on one hundred dollars of valuation, on each and all of the enumerated kinds of property, values and businesses.

SECTION FIVE. PUBLIC SAFETY. For the purpose of providing for the expenses of improving public safety for the city for Fiscal Year 2024, there is hereby levied, in accordance with RSMo 94.190 et seq. and 94.250 et seq., a Public Safety Tax Levy of twenty-six cents and eighty-four one hundred cents (**\$0.2684**) on one hundred dollars of valuation, on each and all of the enumerated kinds of property, values and businesses.

SECTION FIVE. ADJUSTMENT. The above tax rates are levied on all property, real and personal, within the City Limits which are subject to taxation for city purposes as assessed and equalized and returned by the Board of Equalization and subjects to adjustment to reflect the final assessed valuation within the City of Ste. Genevieve as final assessed valuation is determined by the State of Missouri Tax Commission pursuant to reassessment of all real estate in the State of Missouri, as ordered by the legislature of the State of Missouri.

SECTION SIX. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its date of passage by the Board of Aldermen.

SECTION SEVEN. REPEALER. All ordinances and parts thereof in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION EIGHT. SEVERABILITY. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

DATE OF FIRST READING: _____.

DATE OF SECOND READING: _____.

PASSED AND APPROVED THIS ____ DAY OF _____, 2023 BY A ROLL CALL VOTE OF THE STE. GENEVIEVE BOARD OF ALDERMEN AS FOLLOWS:

VOTE

ALDERWOMAN KRISTI CLEGHORN _____
ALDERMAN JOE STEIGER _____
ALDERMAN ERIC BENNETT _____
ALDERMAN ROBERT DONOVAN _____
ALDERMAN MIKE RANEY _____
ALDERMAN JEFF EYDMANN _____
ALDERMAN JOE PRINCE _____

_____ **AYES** _____ **NAYES** _____ **ABSENT**

Approved as to form:

Mayor, Brian Keim

City Attorney, Mark Bishop

Attest:

Reviewed by:

City Clerk, Pam Meyer

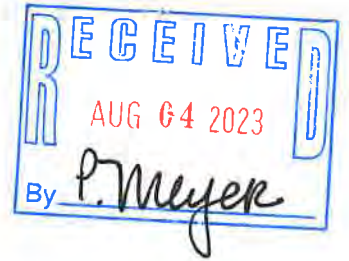
City Administrator, Happy Welch



Scott Fitzpatrick
Missouri State Auditor

MEMORANDUM

August 03, 2023



TO: 09-095-0003 City of Ste. Genevieve
RE: Setting of 2023 Property Tax Rates

The following are the tax rate computational forms that have been reviewed. Please follow the steps below to complete the process of setting your 2023 Property Tax Rate(s).

1. **Lines G - BB on the Summary Page should be completed** to show the actual tax rate(s) to levy.
2. Please **sign and date the Summary Page.**
3. Please **submit the finalized tax rate forms ready for certification to the County Clerk of each county** that your political subdivision resides in. The County Clerk must also sign the Summary Page and indicate the proposed tax rate to be entered on the tax books before submitting rate(s) to the State Auditor's Office for final review and certification.

If the attached calculation differs from the questionnaire submitted for review, please review the following line items for the reason(s) for the difference.

- **Form A, Line 2b - New Construction & Improvements - Personal Property**

Section 137.073.4, RSMo, states that the aggregate increase in valuation of personal property for the current year over that of the previous year is the equivalent of the new construction and improvements factor for personal property.

- **Form A, Line 5 - Prior Year Assessed Valuation**

If the 2023 questionnaire has a different amount on Form A, Line 5 than was previously submitted, we had to revise the 2022 calculation for this change. The revised 2022 tax rate ceiling is listed on the 2023 Summary Page, Line A. Your primary County Clerk should forward a copy of the revised 2022 calculation; please keep this form for your files.

- **(SCHOOL DISTRICTS ONLY) Form A, Line 14**

We revised the information the school district submitted on Line 14 to the amount computed by the Department of Elementary and Secondary Education (DESE).

If you have any questions about the enclosed forms, please contact the local government section at (573-751-4213.)



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/3/2023

Summary Page

(2023)

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Ste. Genevieve 09-095-0003 General Revenue
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s).

For Political Subdivision Use in Calculating its Tax Rate

- A. Prior year tax rate ceiling as defined in Chapter 137, RSMo, revised if the prior year data changed or a voluntary reduction was taken in a non-reassessment year... 0.4812
B. Current year rate computed pursuant to Article X, Section 22, of the Missouri Constitution and Section 137.073, RSMo, if no voter approved increase (Form A, Line 18) 0.4812
C. Amount of rate increase authorized by voters for current year if same purpose. (Form B, Line 7)
D. Rate to compare to maximum authorized levy to determine tax rate ceiling (Line B if no election, otherwise Line C) 0.4812
E. Maximum authorized levy the most recent voter approved rate 0.8500
F. Current year tax rate ceiling maximum legal rate to comply with Missouri laws Political subdivisions tax rate (Lower of Line D or E) 0.4812
G1. Less required sales tax reduction taken from tax rate ceiling (Line F), if applicable
G2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies) taken from tax rate ceiling (Line F)
H. Less voluntary reduction by political subdivision taken from the tax rate ceiling (Line F) WARNING: A voluntary reduction taken in an even numbered year will lower the tax rate ceiling for the following year.
I. Plus allowable recoupment rate added to tax rate ceiling (Line F) If applicable, attach Form G or H.
J. Tax rate to be levied (Line F - Line G1 - Line G2 - Line H + Line I)
AA. Rate to be levied for debt service, if applicable (Form C, Line 10)
BB. Additional special purpose rate authorized by voters after the prior year tax rates were set. (Form B, Line 7 if a different purpose)

Certification

I, the undersigned, (Office) of (Political Subdivision) levying a rate in (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

Form with fields for Date, Signature, Print Name, and Telephone.

Proposed rate to be entered on tax books by county clerk

based on certification from the political subdivision: Lines J AA BB

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of this section.

Form with fields for Date, County Clerk's Signature, County, and Telephone.



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/3/2023

Form A

(2023)

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Ste. Genevieve 09-095-0003 General Revenue
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

1. (2023) Current year assessed valuation

Include the current state and locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization.

(a) 63,651,421 (Real Estate) + (b) 16,014,158 (Personal Property) = 79,665,579 (Total)

2. Assessed valuation of new construction & improvements

2(a) - Obtained from the county clerk or county assessor

2(b) - increase in personal property, use the formula listed under Line 2(b)

(a) 898,430 (Real Estate) + (b) 0 (Personal Property) = 898,430 (Total)
Line 1(b) - 3(b) - 5(b) + 6(b) + 7(b)
If Line 2b is negative, enter zero

3. Assessed value of newly added territory

obtained from the county clerk or county assessor

(a) 0 (Real Estate) + (b) 0 (Personal Property) = 0 (Total)

4. Adjusted current year assessed valuation

(Line 1 total - Line 2 total - Line 3 total)

78,767,149

5. (2022) Prior year assessed valuation

Include prior year state and locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization.

NOTE: If this is different than the amount on the prior year Form A, Line 1, then revise the prior year tax rate form to recalculate the prior year tax rate ceiling. Enter the revised prior year tax rate ceiling on this year's Summary Page, Line A.

(a) 58,840,618 (Real Estate) + (b) 16,206,661 (Personal Property) = 75,047,279 (Total)

6. Assessed value of newly separated territory

obtained from the county clerk or county assessor

(a) 0 (Real Estate) + (b) 0 (Personal Property) = 0 (Total)

7. Assessed value of property locally assessed in prior year, but state assessed in current year

obtained from the county clerk or county assessor

(a) 0 (Real Estate) + (b) 0 (Personal Property) = 0 (Total)

8. Adjusted prior year assessed valuation

(Line 5 total - Line 6 total - Line 7 total)

75,047,279



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/3/2023

Form A

(2023)

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Ste. Genevieve 09-095-0003 General Revenue
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information in the Informational Data, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

For Political Subdivision Use in Calculating its Tax Rate

Table with 2 columns: Description and Rate. Rows include: 9. Percentage increase in adjusted valuation (4.9567%), 10. Increase in Consumer Price Index (CPI) (6.5000%), 11. Adjusted prior year assessed valuation (75,047,279), 12. (2022) Tax rate ceiling from prior year (0.4812), 13. Maximum prior year adjusted revenue (361,128), 14. Permitted reassessment revenue growth (4.9567%), 15. Additional revenue permitted (17,900), 16. Total revenue permitted in current year (379,028), 17. Adjusted current year assessed valuation (78,767,149), 18. Maximum tax rate permitted by Article X, Section 22, and Section 137.073, RSMo (0.4812).

* To compute the total property tax revenues billed for the current year (including revenues from all new construction and improvements and annexed property), multiply Line 1 by the rate on Line 18 and divide by 100. The property tax revenues billed would be used in estimating budgeted revenues.



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/3/2023

Summary Page

(2023)

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Ste. Genevieve 09-095-0003 Parks & Recreation
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s).

For Political Subdivision Use in Calculating its Tax Rate

- A. Prior year tax rate ceiling as defined in Chapter 137, RSMo, revised if the prior year data changed or a voluntary reduction was taken in a non-reassessment year... 0.1251
B. Current year rate computed pursuant to Article X, Section 22, of the Missouri Constitution and Section 137.073, RSMo, if no voter approved increase (Form A, Line 18) 0.1251
C. Amount of rate increase authorized by voters for current year if same purpose. (Form B, Line 7)
D. Rate to compare to maximum authorized levy to determine tax rate ceiling (Line B if no election, otherwise Line C) 0.1251
E. Maximum authorized levy the most recent voter approved rate 0.2000
F. Current year tax rate ceiling maximum legal rate to comply with Missouri laws Political subdivisions tax rate (Lower of Line D or E) 0.1251
G1. Less required sales tax reduction taken from tax rate ceiling (Line F), if applicable
G2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies) taken from tax rate ceiling (Line F)
H. Less voluntary reduction by political subdivision taken from the tax rate ceiling (Line F) WARNING: A voluntary reduction taken in an even numbered year will lower the tax rate ceiling for the following year.
I. Plus allowable recoupment rate added to tax rate ceiling (Line F) If applicable, attach Form G or H.
J. Tax rate to be levied (Line F - Line G1 - Line G2 - Line H + Line I)
AA. Rate to be levied for debt service, if applicable (Form C, Line 10)
BB. Additional special purpose rate authorized by voters after the prior year tax rates were set. (Form B, Line 7 if a different purpose)

Certification

I, the undersigned, (Office) of (Political Subdivision) levying a rate in (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

Form with fields for Date, Signature, Print Name, and Telephone.

Proposed rate to be entered on tax books by county clerk

based on certification from the political subdivision: Lines J AA BB

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of this section.

Form with fields for Date, County Clerk's Signature, County, and Telephone.



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/3/2023

Form A

(2023)

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Ste. Genevieve 09-095-0003 Parks & Recreation
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

1. (2023) Current year assessed valuation

Include the current state and locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization.

(a) 63,651,421 (Real Estate) + (b) 16,014,158 (Personal Property) = 79,665,579 (Total)

2. Assessed valuation of new construction & improvements

2(a) - Obtained from the county clerk or county assessor

2(b) - increase in personal property, use the formula listed under Line 2(b)

(a) 898,430 (Real Estate) + (b) 0 (Personal Property) = 898,430 (Total)
Line 1(b) - 3(b) - 5(b) + 6(b) + 7(b)
If Line 2b is negative, enter zero

3. Assessed value of newly added territory

obtained from the county clerk or county assessor

(a) 0 (Real Estate) + (b) 0 (Personal Property) = 0 (Total)

4. Adjusted current year assessed valuation

(Line 1 total - Line 2 total - Line 3 total)

78,767,149

5. (2022) Prior year assessed valuation

Include prior year state and locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization.

NOTE: If this is different than the amount on the prior year Form A, Line 1, then revise the prior year tax rate form to recalculate the prior year tax rate ceiling. Enter the revised prior year tax rate ceiling on this year's Summary Page, Line A.

(a) 58,840,618 (Real Estate) + (b) 16,206,661 (Personal Property) = 75,047,279 (Total)

6. Assessed value of newly separated territory

obtained from the county clerk or county assessor

(a) 0 (Real Estate) + (b) 0 (Personal Property) = 0 (Total)

7. Assessed value of property locally assessed in prior year, but state assessed in current year

obtained from the county clerk or county assessor

(a) 0 (Real Estate) + (b) 0 (Personal Property) = 0 (Total)

8. Adjusted prior year assessed valuation

(Line 5 total - Line 6 total - Line 7 total)

75,047,279



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/3/2023

Form A

(2023)

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Ste. Genevieve

09-095-0003

Parks & Recreation

Name of Political Subdivision

Political Subdivision Code

Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information in the Informational Data, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

For Political Subdivision Use in Calculating its Tax Rate

Table with 2 columns: Description and Rate. Rows include: 9. Percentage increase in adjusted valuation (4.9567%), 10. Increase in Consumer Price Index (CPI) (6.5000%), 11. Adjusted prior year assessed valuation (75,047,279), 12. (2022) Tax rate ceiling from prior year (0.1251), 13. Maximum prior year adjusted revenue (93,884), 14. Permitted reassessment revenue growth (4.9567%), 15. Additional revenue permitted (4,654), 16. Total revenue permitted in current year (98,538), 17. Adjusted current year assessed valuation (78,767,149), 18. Maximum tax rate permitted (0.1251).

* To compute the total property tax revenues billed for the current year (including revenues from all new construction and improvements and annexed property), multiply Line 1 by the rate on Line 18 and divide by 100. The property tax revenues billed would be used in estimating budgeted revenues.