



City Council Meeting Agenda Monday December 5, 2022 – 6:30 p.m. City Hall, 200 South Osage, Sedalia MO

MAYOR: ANDREW L. DAWSON

MAYOR PRO-TEM: TINA BOGGESS

- A. **CALL TO ORDER** – Mayor Dawson – Council Chambers
- B. **PRAYER & PLEDGE OF ALLEGIANCE**
- C. **ROLL CALL**
- D. **SERVICE AWARDS**
 - 1. Jason Wolfe – Filtration Plant Operator III – Water Department – 25 years of service
 - 2. Kenneth Oswald – Equipment Operator II – Street Department – 25 years of service
 - 3. Christopher Maggert – Fire Driver/Engineer – Fire Department – 10 years of service
 - 4. William Brown Jr. – Custodian – Library – 5 years of service
 - 5. Matthew Moulton – Fire Driver/Engineer – Fire Department – 5 years of service
 - 6. Justin Hilliard – Firefighter – Fire Department – 5 years of service
- E. **SPECIAL AWARDS** – None
- F. **RETIREMENT AWARDS** - None
- I. **APPROVAL OF PREVIOUS SESSION MINUTES**
 - A. Council Meeting – November 21, 2022
- II. **REPORT OF SPECIAL BOARDS, COMMISSIONS AND COMMITTEES** - None
- III. **ROLL CALL OF STANDING COMMITTEES**
 - A. **FINANCE / ADMINISTRATION** – Chairman Chris Marshall; Vice Chairman Jack Robinson
 - 1. Presentation – Sedalia-Pettis County Economic Development: Annual Report (Jessica Craig, Presenter)
 - 2. Adoption of Fraud Prevention and Detection Policy.
Council Discussion led by Chairman Marshall
 - Call for Ordinance Adopting a Fraud Prevention and Detection Policy for the City – Mayor Dawson
 - 3. Amendment – Section 12-28 and Fee Schedule – monthly fee for delinquent business licenses.
Council Discussion led by Chairman Marshall
 - Call for Ordinance Amending Section 12-28 and Fee Schedule regarding penalties for delinquent business licenses – Mayor Dawson
 - 4. Grant Application – Cybersecurity
Council Discussion led by Chairman Marshall
 - Call for Resolution Authorizing submission of an FY 2022 State and Local Cybersecurity Grant application – Mayor Dawson

B. PUBLIC WORKS – Chairman Thomas Oldham; Vice Chairwoman Tina Boggess

1. Ownership and City maintenance extension of Lamm Drive and West 10th Street extension.

Council Discussion led by Chairman Oldham

- Call for Ordinance Accepting Lamm Drive and West Tenth Street Extensions for Ownership and City Maintenance – Mayor Dawson

2. Additional permanent easement – 101 South Washington

Council Discussion led by Chairman Oldham

- Call for Ordinance Authorizing Acceptance of a Conveyance of Easement Agreement for property located at 101 South Washington Avenue in the City of Sedalia, Missouri – Mayor Dawson

3. Quotes – Replacement of engines in 2013 International 7400 and 2014 Ford F550 Swap Loader (2013 International \$32,409.49; 2014 Ford F550 \$16,090.23).

Council Discussion led by Chairman Oldham

- Call for Ordinance Approving and Accepting quotes for Truck Engine Replacements – Mayor Dawson

4. ARPA Grant application – Airport

Council Discussion led by Chairman Oldham

- R Call for Resolution Authorizing the Sedalia Regional Airport to submit an American Rescue Plan Act Grant Application – Mayor Dawson

C. COMMUNITY DEVELOPMENT – Chairwoman Rhiannon Foster; Vice Chairman Bob Cross – No Report

D. PUBLIC SAFETY – Chairman Jack Robinson; Vice Chairman Steve Bloess

1. Strategic Planning Presentation – Police Department (Matt Wirt, Presenter)

2. Strategic Planning Presentation – Fire Department (Matt Irwin, Presenter)

3. Budget Amendment – Fire Vehicle Repairs

Council Discussion led by Chairman Robinson

- R Call for Resolution of the City Council of the City of Sedalia, Missouri, stating facts and reasons for the necessity to amend and increase the City's Annual Budget for Fiscal Year 2023 – Mayor Dawson

- Call for Ordinance amending the budget for the Fiscal Year 2022-2023 regarding Fire vehicle repairs – Mayor Dawson

4. Ordinance – Recreational Marijuana

Council Discussion led by Chairman Robinson

- Call for Ordinance amending the City Code regarding marijuana – Mayor Dawson

- Call for Ordinance imposing a three percent (3%) tax on the retail sale of recreational marijuana to be placed on the ballot for the April 4, 2023, Municipal election – Mayor Dawson

IV. OTHER BUSINESS

A. ACCEPTANCE OF RESIGNATIONS – BOTHWELL REGIONAL HEALTH CENTER BOARD OF TRUSTEES

- 1. Arwilda Poole – Effective immediately**

2. Stafford Swearingen – Effective December 31, 2022

B. APPOINTMENTS – None

C. LIQUOR LICENSES – None

V. MISCELLANEOUS ITEMS FROM MAYOR, CITY COUNCIL AND CITY ADMINISTRATOR

VI. GOOD AND WELFARE – *Any items from anyone in the audience*

VII. **Closed Door Meeting** – Motion and Second to move into closed door meeting in the upstairs conference room pursuant to Subsections 1 (Legal Advice), 2 (Real Estate) and 12 (Negotiated Contracts) of Section 610.021 RSMo.

A. Roll Call Vote for Closed Door Meeting

B. Discussion of closed items

C. Vote on matters, if necessary (require a Roll Call Vote)

D. Motion and Second with Roll Call Vote to adjourn closed door meeting and return to open meeting

VIII. **Business Related to Closed Door Meeting**

A. Motion and Second to reopen regular meeting

B. Roll Call

C. Ordinance approving the sale of property

IX. **ADJOURN MEETING**

A. Motion and second to adjourn meeting

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Please be mindful of others on the call by eliminating as much background noise as you can. Mute yourself until you are ready to speak. Do not put the call on hold, if you need to leave even for a short time, hang up as you can always dial back in after your other call. If you hear an echo or squeal, you may have your computer speakers on as well as the phone, mute your computer speakers to eliminate this.

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United States: +1 (669) 224-3318

- One-touch: <tel:+16692243318,,578973061#>

Access Code: 578-973-061

The City Council reserves the right to discuss any other topics that are broached during the course of this meeting.

IF YOU HAVE SPECIAL NEEDS, WHICH REQUIRE ACCOMMODATION, PLEASE NOTIFY THE CITY CLERK'S OFFICE AT 827-3000. ACCOMMODATIONS WILL BE MADE FOR YOUR NEEDS

POSTED ON DECEMBER 2, 2022 AT 3:30 P.M. AT THE SEDALIA MUNICIPAL BUILDING, BOONSLICK REGIONAL LIBRARY, SEDALIA PUBLIC LIBRARY AND ON THE CITY'S WEBSITE AT WWW.SEDALIA.COM



OFFICE OF THE CITY ADMINISTRATOR

To: Honorable Mayor Andrew L. Dawson & City Council Members
From: Kelvin Shaw, City Administrator
Re: Agenda items for City Council meeting on Monday, December 5, 2022, 6:30 p.m.

Finance/Administration Committee - There are four items for consideration through the Finance / Administration Committee.

1. As part of our strategic planning process, we ask that our outside service contractors make a presentation. The contract requires such presentation and essentially, we ask that they report on how the funds were used this fiscal year, and then what services and costs they propose for the next fiscal year. This is an important function for these contracts from a legal standpoint, as we must show the general public purpose for the expenditure of these funds. In addition, from an overall resource allocation standpoint, we must review these services to determine how they stack up against all other priorities. For this meeting, Sedalia-Pettis County Economic Development will present their annual report. They provide economic development services and coordination for Sedalia, as well as to Pettis County, and as per the current contract; we help offset the costs with \$135,000.00.
2. Various sections of our policies address the handling of City funds and assets, as well as, ethics and conflicts of interest. However, it is difficult to find specifics on the prevention and detection of fraudulent behavior. Fraud risks can come from so many different types of individuals, such as employees, council members, board and commission members, and other volunteers, and there is not a good resource available that deals with these issues. Therefore, Mayor Dawson and staff worked to bring together a set of policies and procedures dealing specifically with prevention, detection, and investigation of fraudulent activities involving the City. Staff recommends adoption of these policies.
3. Jessica Pyle, Finance Director, has identified a conflict in our code of ordinances. The text of the code states a specific penalty for delinquent business licensure, and the fee schedule tables in the code state a different amount. Staff recommends eliminating the specific amount in the text of the code and refer to the fee schedule, and to further update the fee schedule for the correct section reference and make the amount what was previously in the text of the code.
4. Staff has identified another grant opportunity that would help us improve our cyber security systems. The grants are up to \$200,000 and require a 10% local match. Monte Richardson, IT Manager, is working through the allowable items under the grant to identify areas we could benefit from. Staff recommends approval of a resolution to authorize submission of an application for this funding, which is due by the 16th of December.

Public Works Committee – There are four items for consideration through the Public Works Committee.

1. The developers of the properties in the areas of Lamm Drive and West 10th Street have constructed to City specifications the roadway connecting them and have offered a quit claim

deed to transfer ownership to the City. Staff recommends acceptance of this roadway to make it a public right of way.

2. Staff has negotiated with the owners of the property at 101 South Washington Street to obtain an additional easement in exchange for replacement of a driveway to the property. This expansion of the easement will allow the City to widen the roadways at the intersection of Washington and Main Streets in order to provide for an adequate turning radius of truck traffic. Staff recommends approval.
3. Two vehicles used in City Public Works Departments have failed and need engine replacements. As required by our procurement policies, staff issued a request for bids. However, no formal bids were received in accordance with the bid specifications calling for a firm fixed price. Therefore, staff worked with known qualified vendors in the area to obtain informal quotes as allowed for in the policies in these circumstances. Staff recommends acceptance of the quotes from Scheppers International Truck Center of \$32,409.49 for one of the trucks, and from Rick Ball Ford of \$16,090.23 for the other truck.
4. Derrick Dodson, Airport Director, has learned of another grant opportunity similar to previous ones received that are designed to offset added costs and lost revenues sustained by airports during the pandemic. It appears we would qualify for approximately \$32,000 under this program. Staff recommends authorization to apply for this grant.

Community Development Committee – There are no items for consideration through the Community Development Committee.

Public Safety Committee – There are four items for consideration through the Public Safety Committee.

1. Mathew Wirt, our Chief of Police, will continue this year's presentations of strategic planning for each department. Chief Wirt will present at this meeting an overview of the plans for the Police Department.

As a reminder, I ask that in each of the individual presentations that they address the following four questions:

- a) Why is the service needed?
- b) Why should the City be doing it?
- c) What level of service are we providing now?
- d) How are we going to accomplish it? In other words, strategies going forward for services including any major budget requests related to new or expanded initiatives.

These presentations will all lead up to and set the stage for the Council strategic planning session on January 7th (the first Saturday in January). During this session, we review the highlights of each of these individual department strategic plans to bring them together into an overall plan for the City, to include setting relative priorities. This high-level direction from Council then becomes the basis for the budget development to match that strategy. We will then have budget work sessions February through March, culminating with a budget adoption the last meeting in March.

2. Matthew Irwin, Fire Chief, will continue this year's presentations of strategic planning for each department. He will cover the fire department plan.
3. We have experienced a few relatively large repairs for fire trucks that have caused us to exceed the anticipated amount for this line item in the budget. Two of the more costly and unexpected repairs involved the lift cylinders and lights on Ladder Truck 1 and leaf springs and radiator repairs to Engine 2. These two alone amounted to over \$15,000, which is approximately what we anticipate will be the annual over budget condition. Therefore, staff recommends a budget amendment to increase the equipment repair line item for the fire department by this amount.
4. The voters approved State Constitutional Amendment 3 in this past November election. The provisions of this amendment, in general, makes marijuana legal for recreational use for individuals over the age of 21 effective December 8, 2022. Since the City Code of Ordinances mirror the current State and Federal laws, the City Code needs to be updated to reflect this new constitutional amendment. Our legal counsel has worked with staff to bring together an ordinance to do just that and staff recommends approval.

Also included in amendment 3 is a provision that allows for up to a 3% sales tax on marijuana sales to help defray the added costs this new law will create for local governments, such as developing methods and training for identifying what constitutes impaired driving within the new laws. This sales tax would only be applied to marijuana sales. Further, the tax must be approved by the voters, before it can then be established by ordinance. Therefore, staff recommends approval of an ordinance to place a measure on the ballot for the upcoming April 4th election.



CITY OF SEDALIA, MISSOURI
CITY COUNCIL MEETING
NOVEMBER 21, 2022

The City has an on-line broadcast of Council Meetings available both live and recorded by going to https://global.gotomeeting.com/join/578973061".

The Council of the City of Sedalia, Missouri duly met on Monday, November 21, 2022 at 6:30 p.m. at the Municipal Building in the Council Chambers with Mayor Andrew L. Dawson presiding. Mayor Dawson called the meeting to order and asked for a moment of prayer led by Chaplain Byron Matson followed by the Pledge of Allegiance.

ROLL CALL:

Table with 4 columns: Name, Status, Name, Status. Rows include Jack Robinson, Thomas Oldham, Chris Marshall, Tina Boggess, Bob Hiller, Bob Cross, Rhiannon Foster, Steve Bloess.

SERVICE/SPECIAL/RETIREMENT AWARDS: None

MINUTES: The Council Meeting minutes of November 7, 2022 were approved on motion by Cross, seconded by Oldham. All in favor.

REPORTS OF SPECIAL BOARDS, COMMISSIONS & COMMITTEES: The Citizen's Traffic Advisory Commission minutes dated October 12, 2022 were accepted on motion by Oldham, seconded by Marshall. All in favor.

ROLL CALL OF STANDING COMMITTEES:

FINANCE & ADMINISTRATION – Chris Marshall, Chairman; Jack Robinson, Vice Chairman

Presentation – Oats: Annual Report

Tracy Walkup, Oats Midwest Regional Director, presented the annual report for Oats. During fiscal year 2022, Oats provided 150,214 trips originating from Pettis County, drove 510,729 miles, provided 27,740 hours of service, averaged operating costs at \$40/hr., had \$433,400 direct payroll dollars and riders have almost returned to pre-covid levels.

Challenges for upcoming year – No new buses, lag time in replacement parts, fuel costs, multiple catalytic converter losses and a nationwide driver shortage.

Solutions for upcoming year – Procurement of more buses, cooperative fuel purchases, increase staff wages, referral bonuses, flexible scheduling and reduce services for City bus and Medicaid trips.

Financial Update: Finance Director Jessica Pyle, stated Sales and Use Taxes are up over \$800,000.00 or 7.7% which is \$400,000.00 over budget. Gas Tax is up 18.1% and is offset by Vehicle Sales Tax, which is down by 7.9%. Property Taxes are collected in December and January.

- The Ordinance is for updating signatory authorization at banking institutions for City accounts.
BILL NO. 2022-196, ORDINANCE NO. 11690 – AN ORDINANCE DESIGNATING A CHANGE IN SIGNATORIES AND AUTHORIZED REPRESENTATIVES ON BANK ACCOUNTS AND INVESTMENTS OWNED BY THE CITY OF SEDALIA was read once by title.
2nd Reading – Motion by Oldham, 2nd by Marshall. All in favor.
Final Passage – Motion by Oldham, 2nd by Foster. All in favor.
Roll Call Vote: Voting “Yes” were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted “No”.

PUBLIC WORKS – Thomas Oldham, Chairman; Tina Boggess, Vice Chairwoman

Strategic Planning Presentation – Airport Department

Airport Director Derrick Dodson gave an overview of the Sedalia Regional Airport and goals for the upcoming year. The Airport handles 22-30 operations/day or 8,000 to 11,000 operations/year. The Airport has 2 runways, 18 hangars, 21-based aircraft and 4 privately owned box hangars that are under a land lease with the City. The airport provides citizens and local businesses with air transportation and is essential to provide full service to local commerce. According to a 2012 MODOT economic impact study, the Sedalia Regional Airport has an annual economic impact of \$3.63 Million.

Grant Based Projects: July 2018 finished reconstructed parking ramp; July 2022 finished 65’ x 65’ box hangar; install new parallel taxiway for runway 18/36 and restore runway 5/23; maintenance on existing taxiway surface.

Other Projects: Upgrade fuel farm with electrical upgrade; work with sign shop on new signs for the Airport; hard line for self-serve pump; repaint pavement markings; update maintenance hangar lighting; upgrade storage area by installing garage door; crack seal crosswind runway; remodel old terminal building.

Goals:

- Provide safe and efficient service to all customers. The Airport took possession of a UTV vehicle in September 2020 for plowing snow around hangars and ramp areas and to tow aircraft in and out of the new box hangar.
- Service more transient traffic. The Airport put a new 5,000-gallon Jet A Fuel Truck in service September 2020 and have implemented contract fueling options. As an FBO (service and fuel supplier) customers receive best possible service. The Airport takes care of every flight from start to finish and as a City-owned service is more competitive than a privately owned provider.
- Increase aircraft maintenance business. The Airport took possession of the former Pro-Energy hangar in January 2021 and started aircraft maintenance March 2021. The hangar came with a ground power unit. The hangar brought 2 business aircraft to the Airport (1 Jet and 1 large twin engine piston). The hangar gives the Airport the ability to hangar aircraft overnight. The Airport implemented fees for Jet and Turboprop aircraft.
- Add an additional position for A & P mechanic. Add position FY 2024; also look at hiring part-time help.
- Work towards obtaining an aircraft for rental and flight instruction. This will be discussed in the budgeting process for FY 2024.

Total Revenue (2019-2022): 2019 - \$217,000.00; 2020 - \$92,000.00 (Covid year); 2021 - \$324,000.00; 2022 (January – November) \$463,000.00. Revenue sources include fuel, oil, hangars, maintenance fees and other services.

- The sewer main extension project on U.S. Highway 65 is a cost-sharing project with 2 businesses. The total estimated cost is \$290,000.00 and the 2 businesses have committed to a total of \$75,000.00 towards the cost.

RESOLUTION NO. 2000 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI, STATING FACTS AND REASONS FOR THE NECESSITY TO AMEND AND INCREASE THE CITY'S ANNUAL BUDGET FOR FISCAL YEAR 2023 was read once by title and approved on motion by Oldham, seconded by Marshall. All in favor.

BILL NO. 2022-197, ORDINANCE NO. 11691 – AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2022-2023 REGARDING WPC SEWER EXTENSION was read once by title.

2nd Reading – Motion by Oldham, 2nd by Foster. All in favor.

Final Passage – Motion by Oldham, 2nd by Marshall. All in favor.

Roll Call Vote: Voting "Yes" were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted "No".

BILL NO. 2022-198, ORDINANCE NO. 11692 – AN ORDINANCE APPROVING A SEWER MAIN EXTENSION PROJECT ON U.S. HIGHWAY 65 was read once by title.

2nd Reading – Motion by Oldham, 2nd by Foster. All in favor.

Final Passage – Motion by Foster, 2nd by Oldham. All in favor.

Roll Call Vote: Voting "Yes" were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted "No".

***Note:** Councilman Oldham left the room at 7:15 p.m. and came back at 7:20 p.m.

COMMUNITY DEVELOPMENT – Rhiannon Foster, Chairwoman; Bob Cross, Vice Chairman

Strategic Planning Presentation – Community Development

Community Development Director John Simmons and Chief Building Official Devin Lake presented the strategic plan for Community Development. The department is comprised of Development, Facilities Management and Building Services. Community Development works with Economic Development to create jobs, stimulate local economy, increase tax base for critical City services and maintain and improve the City's appearance which helps with recruitment, bond issuance and credit ratings.

Housing Initiatives: 353 Redevelopment Corporation to provide tools, preservation credits, Neighborhood Associations and community improvement districts for areas needing improvements; developed tax abatement guidelines and process; identified properties for activation; working with State Fair Community College building trades program; Victorian Towers Reconnaissance Survey – next phase amended (multi-phase survey), Phase III – grant submitted for design guidelines; Lien clearance; property management; monitor and anticipate additional staffing needs.

Comprehensive Plan: Completed August 2021; annual review of Implementation Matrix by Planning & Zoning, City Council and departments.

Downtown: Focus on cleanliness, sidewalks, alley lighting, depot connections; Public Works completed parking lots at 3rd & Lamine and 2nd & Osage; Missouri Main Street PEP Grant (Finishing year 1 of 2); ongoing façade program; special events; developer attraction; Christmas lighting.

<u>Continued Events</u>	<u>New Events</u>	<u>Partnerships</u>
St. Patrick's Day	Shop Local	Alley Activation & Murals
4 th of July	Gift Your City (city-wide)	Liberty Center Stage
Halloween	Small Business Saturday (city-wide)	Trust Building Renovations
Thanksgiving Lighting		
Christmas Parade		
Relay for Life		
Zombie Crawl		

New Initiatives/Goals: Reactivate Wayfinding; Katy Trail assessment and use; State Fair Community College housing project, building trades and workshops; grant procurement focus.

Facilities Management Needs: Amtrak Depot/Oats office; Animal Shelter; Solar Power Conversion; and back wall of South Annex.

Code Enforcement and Building Department

Chief Building Official Devin Lake stated the City follows the 2015 International Property Maintenance Code and 2015 International Residential Code. There are 8,000 residential properties, 1,500 vacant properties and 1,100 commercial properties inside City limits. Code Enforcement has written 500 citations for 351 properties and 61 delinquent business licenses.

Continued/Newly Implemented Improvements: Proactive enforcement; actively escalating non-compliance properties to court; and 10-day compliance timeframe; Administrative search warrants; liens placed as Special Tax Assessments; motor vehicle operation with Police Department (163 vehicles over 3 days); and lodging inspections.

FY 2024 Code Enforcement Goals: Improve efficiency; watch for habitual/chronic offenders; incentivized training; speak with other code departments; continue collaboration with Police, Fire and Public Works for demolitions; start E-Ticketing process; implement Administrative Search Warrant Ordinance.

FY 2024 Code Enforcement Budget Impact: 1 new vehicle for added code staff; incentivized training.

The Building Department follows the 2015 International Building Code and 2014 Electrical Code. The department handles electrical, mechanical, plumbing, sign, special use permits and also handles rezoning applications. Building permits/inspections/commercial development are down and Certificates of Occupancy are up. Year-to-date, 90% of construction is residential homes.

FY 2024 Building Department Goals: Incentivized training; speak to other building departments; provide informational handouts (working with Fire Department on handouts & videos); begin using Comcate building department software – Cancelled (couldn't confirm that historical data could be transferred into comcate); continue collaboration with Public Works, Fire Department and Pettis County Health Center for inspections; adopt 2021 ICC codes.

FY 2024 Building Department Budget Impact: Incentivized training

Councilwoman Boggess asked for clarification on tagging vehicles. Vehicles are tagged if they are in the right-of-way and they have 5 days to be moved. If they are on private property, a letter is sent to the address where the vehicle is sitting and if it is still there after 10 days, it is ran through dispatch to find the owner. Mayor Dawson asked if building permitting could be set up on the City's website. City Administrator Kelvin Shaw stated that is part of the City's website development where forms would be available through Springbrook. Councilman Bloess stated Blue Beam software allows architects, code officials and contractors to interact. Chief Building Official Lake added that with Blue Beam, permit applications and plans could be submitted online for review.

- The City abates property maintenance nuisances and costs are charged as a special tax bills against property. The Ordinance directs the Pettis County Collector to collect the special tax bills the same as other real estate taxes levied on property.

BILL NO. 2022-199, ORDINANCE NO. 11693 – AN ORDINANCE AUTHORIZING THE ISSUANCE AND COLLECTION OF A SPECIAL TAX BILL BY THE PETTIS COUNTY COLLECTOR'S OFFICE was read once by title.

2nd Reading – Motion by Foster, 2nd by Oldham. All in favor.

Final Passage – Motion by Oldham, 2nd by Marshall. All in favor.

Roll Call Vote: Voting "Yes" were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted "No".

PUBLIC SAFETY – Jack Robinson, Chairman; Steve Bloess, Vice Chairman

- Grant funds for \$20,000.00 will help offset 50% of the cost towards radios for the new fire engine and squad trucks. The Division of Public Safety now requires the use of APX-8000 radios, which cost more. If the grant is awarded, the Fire Department will try to purchase as many radios as possible.
RESOLUTION NO. 2001 – A RESOLUTION AUTHORIZING THE SEDALIA FIRE DEPARTMENT TO SUBMIT A 2023 MISSOURI DIVISION OF PUBLIC SAFETY ARPA GRANT APPLICATION was read once by title and approved on motion by Foster, seconded by Oldham. All in favor.
- Grant funding as part of the Peace Officer Grant is a 50/50 grant that will help offset the cost of ballistic vests for the Special Response Team. The total project is \$39,242.00, resulting in a grant and matching requirements of \$19,621.00. If the grant is awarded, a budget amendment will be brought to Council for consideration.
RESOLUTION NO. 2002 – A RESOLUTION AUTHORIZING THE SEDALIA POLICE DEPARTMENT TO SUBMIT A 2023 AMERICAN RESCUE PLAN ACT STATE AND LOCAL FISCAL RECOVERY FUNDS PEACE OFFICER GRANT APPLICATION was read once by title and approved on motion by Cross, seconded by Oldham. All in favor.

APPOINTMENTS: None

BIDS: None

LIQUOR LICENSES: The following new/renewal Liquor Licenses were read and approved on motion by Oldham, seconded by Marshall. All in favor.

New (Special Event – 70th Birthday Party – The Venue – 6:00 p.m. to Midnight):

*Mary Louise Schlup dba Kehde's BBQ, 1915 S Limit

Renewal:

*Kelly L. Wertz-Black dba State Fair Spirits LLC, 1419 S Limit, Packaged Liquor, Sunday Sales & Taste Testing

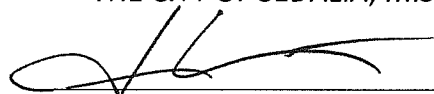
MISCELLANEOUS ITEMS FROM MAYOR/COUNCIL/ADMINISTRATOR: None

GOOD & WELFARE: None

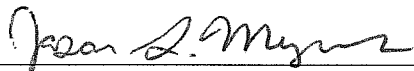
The meeting adjourned at 8:04 p.m. on motion by Oldham, seconded by Bloess to a closed door meeting in the upstairs conference room pursuant to subsections 1 (Legal Advice), 2 (Real Estate) and 12 (Negotiated Contracts) of Section 610.021 RSMo. Roll Call Vote: Voting "Yes" were Robinson, Oldham, Marshall, Boggess, Hiller, Cross, Foster and Bloess. No one voted "No".

The regular meeting reopened and closed at 8:19 p.m. on motion by Oldham, seconded by Robinson. All in favor.

THE CITY OF SEDALIA, MISSOURI



Andrew L. Dawson, Mayor



Jason S. Myers, City Clerk

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A FRAUD PREVENTION AND DETECTION POLICY FOR THE CITY.

WHEREAS, the City of Sedalia has identified the need to adopt a fraud prevention and detection policy for the city. Said code of conduct is attached to this ordinance as Exhibit A and is incorporated by reference herein.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI as follows:

Section 1. The Council of the City of Sedalia, Missouri, hereby adopts the fraud prevention and detection policy for the city, attached hereto as Exhibit A and incorporated by reference.

Section 2. The Mayor or City Administrator are authorized and directed to execute and the City Clerk is hereby authorized and directed to attest and fix the seal of the City of Sedalia, Missouri, on the document in substantively the same form and content as it has been proposed.

Section 3. The City Clerk is hereby directed to file in her office a duplicate or copy of the code of conduct after it has been executed by the parties or their duly authorized representatives.

Section 4. This ordinance shall take effect and be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 5th day of December, 2022.

Presiding Officer of the Council

Approved by the Mayor of said City this 5th day of December, 2022.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk



Let's Cross Paths

City of Sedalia

Human Resources Department
200 S. Osage
Sedalia, MO 65301
(660) 827-3000 www.sedalia.com

December 5, 2022

City Administrator Shaw,

It was brought to the Human Resources Department's attention earlier this year the need for a Fraud Prevention and Detection Policy for the City.

The HR Department has worked with the Mayor and Staff to bring forward the proposed Policy for Council's consideration.

Sincerely,

Shannon Ramey-Trull
Human Resources Director



CITY OF SEDALIA, MISSOURI FRAUD PREVENTION AND DETECTION POLICY

The purpose of this document is to communicate municipal policy regarding the deterrence and investigation of suspected fraudulent conduct and dishonesty by employees and others, and to provide specific instructions regarding appropriate action in case of suspected violations.

I. INTRODUCTION

The City of Sedalia (City) is committed to protecting its revenue, property, information and other assets from any attempt, either by members of the public, contractors, vendors, agents or its own employees, to gain by fraudulent conduct, financial or other benefits at the expense of City taxpayers.

City officials and employees must, at all times, comply with all applicable laws and regulations. The City shall not condone the activities of officials or employees who achieve results through violation of the law or unethical business dealings. The City does not permit any activity that fails to stand the closest possible public scrutiny.

This policy sets out specific guidelines and responsibilities regarding appropriate actions that must be followed for the investigation of fraudulent conduct and other similar irregularities.

The impact of fraudulent conduct and dishonesty may include, but is not limited to:

- The actual financial loss incurred
- Damage to the reputation of the City and its employees
- Negative publicity
- The cost of investigation
- Loss of employees
- Loss of public confidence
- Damaged relationships with City contractors and suppliers
- Litigation
- Damages employee morale

The goal of this policy is to establish and maintain an environment of fairness, ethics, honesty and integrity for City employees, the citizens, City vendors and anyone else with whom the City has a relationship. Further, the environment shall be transparent to the point that it leaves no question or doubt as to its absence of wrongful doing. To maintain such an environment requires the diligence of each City employee and manager while in the performance of their duties. The City of Sedalia is committed to the deterrence, detection and correction of fraudulent conduct, misconduct and dishonesty. The discovery, reporting and documentation of such acts provide a sound foundation for the protection of innocent parties, the taking of disciplinary action against offenders up to and including dismissal where appropriate, the referral to law enforcement agencies when warranted by facts and the recovery of assets.

II. APPLICABILITY

This policy applies to all elected officials, appointed committee/board members, employees and volunteers of the City of Sedalia, as well as any individual or entity doing business with the City.

III. PROHIBITION

All elected officials, appointed committee/board members, employees and volunteers of the City of Sedalia, as well as any individual or entity doing business with the City are prohibited from engaging in fraudulent conduct in the course of their employment, duties or business relations with the City.

IV. DEFINITIONS

Fraudulent Conduct is defined as the use of one's occupation or position for personal enrichment through the deliberate misuse or misapplication of the City's resources or assets, or for the personal enrichment of others. There are three major categories of fraudulent conduct:

1. **Asset misappropriations.** Theft or misuse of an organization's assets.

(1) Cash.

- a. **Fraudulent Disbursements.** Perpetrator causes organization to disburse funds through some trick or device (e.g., submitting false invoices/time cards/sheets, expense reimbursement schemes, check tampering, etc.) or prevents the timeliness of the disbursement of funds.
- b. **Embezzlement.** Perpetrator appropriates monies fraudulently to one's own use, as money or property entrusted in one's care.

- c. Skimming. Cash is stolen from an organization before it is recorded on the organization's books and records.
- d. Cash Larceny. Cash is stolen from an organization after it has been recorded on the organization's books and records.

(2) Inventory and all other assets.

- a. Misuse. Improper use, misappropriation, misapplication, destruction, removal or concealment of an organization's inventory or assets for personal use (e.g., City vehicles, computers, supplies, etc.)
 - b. Larceny. Inventory or other assets are stolen from an organization.
2. **Corruption.** Wrongful use of influence in a business transaction in order to procure some benefit from themselves or another person, contrary to duty to employer or the rights of another.
1. **Conflicts of interest.** An undisclosed economic or personal interest in a transaction that adversely affects the employer.
 2. **Bribery.** The offering, giving, receiving or soliciting of anything of value to influence an official act or a business decision.
 3. **Illegal Gratuities.** A party that benefits from an official act or a business decision in giving of a gift to a person who made the decision. An illegal gratuity does not require proof of intent to influence.
 4. **Economic Extortion.** An employee demands that a vendor/contractor/etc. pay to influence an official act or a business decision.
3. **Fraudulent Statements.** Falsification of an organization's financial statements.
- **Other Similar Irregularities.** Any activity involving questionable behavior or business dealings by members of the public, contractors, vendors, agents or City employees, that put City revenue, property, information and other assets at risk of waste or abuse.
 - **Fraud Investigator.** In this context, reference is to any person or persons assigned by the Mayor and City Administrator in consultation with the City Council (whether a City employee or an individual or firm retained by the City on a contract basis) to investigate any fraud or similar activity.

V. POLICY ACKNOWLEDGEMENT

All City Council members, appointed committee/board members, employees and volunteers of the City of Sedalia shall be responsible for understanding and adherence to this policy. On an annual basis, these applicable individuals are required to review the current City of Sedalia Fraud Policy and acknowledge their understanding of it by signing the Fraud Recognition and Understanding Form found at the end of this document.

It is the responsibility of the Mayor, City Council, City Administrator managers/supervisors and chairpersons to ensure all applicable individuals have read and understand the City of Sedalia Fraud Policy and understand their responsibilities as related to the prevention, detection and reporting of suspected fraud, misconduct and dishonesty. The Mayor, City Council's, City Administrator's, managers/supervisors' or chairperson's signature on the attached Fraud Recognition and Understanding Form signifies that this process has occurred.

VI. RESPONSIBILITIES

Mayor, each City Council Member, Administrator, manager/supervisor and employee has defined responsibilities and procedures to follow when there is knowledge or suspicion of an act committed in violation of this policy.

- **Mayor and City Council Responsibilities:**
 1. If the Mayor or Councilmember has reason to suspect that an incident of fraudulent conduct has occurred, he/she shall immediately contact the City Administrator.
 2. The City Council shall not attempt to investigate the suspected incident of fraudulent conduct or discuss the matter with anyone other than the Mayor and Administrator.
 3. The alleged fraud or audit investigation shall not be discussed with the media by any person other than through the Mayor and City Administrator in consultation with the City Attorney and the Fraud Investigator.
 4. If a fraud allegation involves the City Administrator, the Mayor and City Council shall select a Fraud Investigator for the purpose of investigating the allegation and reporting the results thereof. The City Council shall select a professional services firm or individual to act as the Fraud Investigator. In this situation, the Fraud Investigator shall inform the City Council of pertinent investigative findings and results.

5. If a violation of this policy is determined, the City Council will take appropriate corrective and disciplinary action, up to and including dismissal, and prosecution after consulting with the City Attorney.

- **Management Responsibilities:**

1. Each Department Head of the City is responsible for instituting and maintaining a system of internal controls to provide reasonable assurance for the prevention and detection of fraudulent conduct, and other similar irregularities for their respective departments.
2. Each Department Head should be familiar with the types of improprieties that might occur within their area of responsibility and be alert for any indications of such conduct.
3. Management is responsible for being alert to, and reporting fraudulent or related dishonest activities in their areas of responsibility.
4. When an improper activity is detected or suspected, management should determine whether an error or mistake has occurred or if there may be dishonest or fraudulent activity.
5. Upon receipt of any allegation of fraud, the Mayor and City Administrator shall notify the City Council of such allegation.
6. In notifying the City Council, the Mayor and City Administrator shall exercise care to ensure that the City Council is fully aware of the nature of the allegation presented while ensuring that the rights and identity of any City employee involved are duly protected.
7. Based upon consultation with the City Council, the Mayor and City Administrator shall select a Fraud Investigator for the purpose of investigating the allegation and reporting the results thereof.
8. The selection of a Fraud Investigator shall be based upon careful consideration as to whether City staff has the necessary degree of independence and competence as well as sufficient time available to ascertain the validity of the allegation that has been brought forth. If these qualifications are not met by internal staff, the Mayor and City Administrator in consultation with the City Council shall select a professional services firm or individual to act as the Fraud Investigator.

9. If any member of management determines a suspected activity may involve fraud or related dishonest activity, the member of management shall contact the Human Resources Director, Mayor or City Administrator.
10. Management shall not attempt to conduct individual investigations, interviews or interrogations. However, management is responsible for taking appropriate corrective actions to ensure adequate controls exist to prevent reoccurrence of improper actions. Management shall support the City's responsibilities and cooperate fully with the Fraud Investigator, other involved departments and law enforcement agencies in the detection, reporting and investigation of criminal acts, including the prosecution of offenders.
11. Management shall give full and unrestricted access to all necessary records and personnel to the Fraud Inspector. All City property is open to inspection by the Fraud Inspector at any time and there is no assumption of privacy.
12. In dealing with suspected dishonest or fraudulent activities, great care must be exercised. Management should avoid the following:
 - a. Incorrect accusations.
 - b. Alerting suspected individuals that an investigation is underway.
 - c. Unfair treatment of employees.
 - d. Making of statements that could lead to claims of false accusations or other offenses.
13. In handling dishonest or fraudulent activities, management shall:
 - a. Make no contact (unless requested) with the suspected individual to determine the facts or demand restitution. Under no circumstances It is preferred that the following terms be avoided when possible, "what you did", "the crime", "the fraud", "the misappropriation", etc.
 - b. Avoid discussion of the case, facts, suspicions or allegations with anyone outside the City Government (including the Fraud Inspector), unless specifically directed to do so by the City Attorney or by court order.
 - c. Avoid discussion of the case with anyone inside the City government other than employees who have a need to know such as the Mayor, City Administrator, Fraud Investigator, City Attorney or law enforcement personnel.
 - d. Direct all inquiries from the suspected individual, or representative, to the Mayor and City Administrator or City Attorney. All inquiries by an attorney of the

suspected individual shall be directed to the City Attorney. All inquiries from the media shall be directed to the Mayor and City Administrator.

- e. Take appropriate corrective and disciplinary action, up to and including dismissal and prosecution, after consulting with the City Attorney or labor relations representative, in conformance with the City's personnel policies.

- **Employee Responsibilities:**

1. A suspected fraudulent incident or practice observed by, or made known to, an employee shall be reported to the Human Resources Director or Mayor and City Administrator.
2. The reporting employee shall refrain from further investigation of the incident, confrontation with the alleged violator or further discussion of the incident with anyone, unless specifically requested by the Mayor, City Administrator, Fraud Investigator, City Attorney or law enforcement personnel.

- **Fraud Investigator Responsibilities:**

1. Upon assignment by the Mayor and City Administrator, the Fraud Investigator shall promptly investigate the fraud.
2. In all circumstances where there appears to be reasonable grounds for suspecting that a fraud has taken place, the Fraud Investigator, in consultation with the City Attorney, shall contact the Sedalia Police Department or other appropriate law enforcement authorities.
3. The Fraud Investigator shall be available and receptive to receiving relevant, confidential information and to the extent allowed by law maintaining such confidentiality.
4. If evidence is uncovered showing possible dishonest or fraudulent activities, the Fraud Investigator shall proceed as follows:
 - a. Discuss the findings with the Human Resources Director, management and the department manager, if appropriate.
 - b. Advise management, if the case involves staff members, to meet with the Mayor, City Administrator (or designated representative), and Human Resources Director to determine if and the extent of disciplinary actions to be taken.

- c. Report to the City's external auditor of such activities in order to assess the effect of the illegal activity on the City's financial statements.
- d. Coordinate with the City's Risk Manager regarding notifications to insurers and filing of insurance claims.
- e. Take immediate action, in consultation with the City Attorney, to prevent the theft, alteration or destruction of evidentiary records. Such action shall include, but not limited to:
 - 1. Removal of records to place in a secure location or limit access to the location where the records currently exist.
 - 2. Prevent the individual suspected of committing the fraud from having access to the records.
- f. In consultation with the City Attorney and the Sedalia Police Department, the Fraud Investigator may disclose particulars of the investigation with potential witnesses if such disclosure would further the investigation.
- g. If the Fraud Investigator is contacted by the media regarding an alleged fraud or audit investigation, the Fraud Investigator shall consult with the Mayor, City Administrator, and the City Attorney, as appropriate, before responding to a media request for information or interview.
- h. At the conclusion of the investigation, the Fraud Investigator shall document the results in a confidential memorandum report to the Mayor, City Administrator, Human Resources Director and City Attorney. If the report concludes that the allegations are founded, the report shall be forwarded to the Sedalia Police Department and City Council.
- i. Unless exceptional circumstances exist, a person under investigation for fraud is to be given notice in writing of essential particulars of the allegations following the conclusion of the investigation

VII. AUTHORITY AND INVESTIGATION

It is the City's intent to fully investigate any suspected acts of fraud, misappropriation or other similar irregularity. An objective and impartial investigation shall be conducted regardless of the position, title, length of service or relationship with the City of any party who might be or becomes involved in or becomes/is the subject of such investigation.

- The Fraud Investigator has the primary responsibility for the investigation of all activity as defined in this policy.
- Throughout the investigation, the Fraud Investigator shall inform the Mayor and City Administrator of pertinent investigative findings.
- Upon conclusion of the investigation, the results shall be reported to the Mayor and City Administrator.
- The Mayor and City Administrator, following review of investigation results, shall take appropriate action regarding employee misconduct. Disciplinary action can include termination and referral of the case for possible prosecution.
- The City shall pursue every reasonable effort, including court-order restitution, to obtain recovery of City losses from the offender or other appropriate sources.

VIII. WHISTLE-BLOWER PROTECTION

Employees who observe and, in good faith, report a violation of the City's fraud policy shall be granted the protections contained herein. However, such protection shall not be afforded to employees on a retroactive basis to those employees who are the subject of pending disciplinary action. When informed of a suspected impropriety, neither the City nor any person acting on behalf of the City shall:

- Dismiss or threaten to dismiss the reporting employee for engaging in protected activity;
- Discipline, suspend or threaten to discipline or suspend the reporting employee for engaging in protected activity;
- Impose any penalty upon the reporting employee; or
- Intimidate or coerce the reporting employee.

Violation of this section shall result in discipline up to and including dismissal in accordance with applicable federal, state and local administrative laws.

IX. DISCIPLINE

Violations of this policy by an employee will be handled in accordance with the City's Personnel Policy Manual. All other persons or entities that are found to have violated this policy will be either removed from the applicable board or committee or subject to suspension by the City from future business transactions for a specified period of time.

X. EXCEPTIONS

Police Officers are subject to certain notice and hearing rights pursuant to Section 590.502, RSMo. The City will follow state statute and to the extent possible this policy when the Fraudulent Conduct involves a police officer. There shall be no other exceptions to this policy unless provided and approved by the City Council.

**CITY OF SEDALIA, MISSOURI
FRAUD RECOGNITION AND UNDERSTANDING FORM**

My signature signifies that I have read the City of Sedalia Fraud Prevention and Detection Policy and that I understand my responsibilities related to the prevention, detection and reporting of suspected fraud, misconduct, dishonesty and other similar irregularities.

Print Name:

Signature:

_____ **Date:** _____

Witness:

_____ **Date:** _____

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 12-28 AND FEE SCHEDULE REGARDING PENALTIES FOR DELINQUENT BUSINESS LICENSES.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI as follows:

Section 1. The City Code, Section 12-28 is hereby amended to read as follows:

“Sec. 12-28. When licenses delinquent; penalty for delinquency.

All licenses or occupational taxes required to be paid by any provision of this Code or other ordinance of the city shall be deemed delinquent if not paid on the date such payment is due, and all persons so delinquent in the payment of such taxes shall be required to pay an additional amount as provided in the fee schedule, in addition to any other penalty prescribed for such delinquency.”

Section 2. The Fee Schedule is hereby amended as follows:

12-28	Delinquent license and occupational tax fees – As percentage amount due	
	First month or fraction thereof.....	10%
	Each additional month or fraction thereof.....	1%

Section 3. This ordinance shall take effect and be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 5th day of December 2022.

Presiding Officer of the Council

Approved by the Mayor of said City this 5th day of December 2022.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

RESOLUTION _____

A RESOLUTION AUTHORIZING SUBMISSION OF AN FY 2022 STATE AND LOCAL CYBERSECURITY GRANT APPLICATION.

WHEREAS, the City of Sedalia, Missouri is applying for a grant through the State of Missouri for improving the City's ability to manage and reduce cybersecurity risk.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI as follows:

Section 1. The City Administrator is hereby authorized to sign the grant application for cybersecurity grant funds and any other official project documents that are necessary to obtain such assistance including any agreements, contracts or other documents that are required by the State of Missouri.

Section 2. In the event a grant is awarded, the City of Sedalia working in close coordination with the State of Missouri is prepared to complete the project within the time period identified on the signed project agreement.

Section 3. In the event a grant is awarded, the City of Sedalia will comply with all rules and regulations of the State of Missouri grant program, applicable Executive Orders and all state and federal laws that govern the grant applicant during the performance of the project.

PASSED by the Council of the City of Sedalia, Missouri, this 5th day of December, 2022.

Presiding Officer of the Council

ATTEST:

Jason S. Myers
City Clerk

To: Kelvin Shaw, C.P.A., City Administrator

From: Monte Richardson *MWR*

Date: 11/30/22

Re: FY 2022 State and Local Cybersecurity Grant

Sir:

The federal government issued a Notice of Funding Opportunity a few weeks ago that was directed to Federal and State organizations. Those organizations in turn are mandated to allocate 80% of grant funds to local and regional governments. Grants of up to \$200,000 for projects spanning 09/01/22 through 08/31/25 are available with a 10% local funding match required.

The goal of the grant program is to assist state and local governments with managing and reducing systemic cyber risk. The four objectives to meet the goal, in summary are:

1. Develop and establish appropriate governance structures... to improve capabilities to respond to cybersecurity incidents and ensure continuity of operations.
2. Understand current cybersecurity posture and areas of improvement based on continuous testing, evaluation, and structured assessments.
3. Implement security protections commensurate with risk.
4. Ensure organization personnel are appropriately trained in cybersecurity, commensurate with responsibility.

The state of Missouri has established seven priorities:

1. Implement multi-factor authentication
2. Implement enhanced logging
3. Data encryption for data at rest and in transit
4. End use of unsupported/end of life software and hardware that are accessible from the Internet
5. Prohibit use of known/fixed/default passwords and credentials
6. Ensure the ability to reconstitute systems (backups)
7. Migration to the .gov internet domain

I would like authorization to pursue a grant under this program to improve the City's ability to manage and reduce cybersecurity risk. Grant applications are due December 16th, 2022. I've already started the process of identifying which needs should be addressed. Several of the initiatives listed above would be of benefit to the City. One item of interest is the implementation of enhanced logging, among several others. If awarded a grant, this could provide a multi-year opportunity to put governance and tools in place to improve our response to cybersecurity incidents and other identified risks.

Respectfully submitted.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING LAMM DRIVE AND WEST TENTH STREET EXTENSIONS FOR OWNERSHIP AND CITY MAINTENANCE.

WHEREAS, the Public Works Department recommends the City of Sedalia accept ownership and maintenance from E.W. Thompson Inc. for the following extensions:

- Approximately 735 linear foot roadway extension of Lamm Drive; and
- Approximately 333 linear foot roadway extension of West 10th Street

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI as follows:

Section 1. The Council of the City of Sedalia, Missouri hereby approves and accepts for City ownership and maintenance Lamm Drive and West Tenth Street Extensions, as more fully described in the attached Exhibits A and B.

Section 2. This ordinance shall be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 5th day of December 2022.


Presiding Officer of the Council

Approved by the Mayor of said City this 5th day of December 2022.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

To: Kelvin Shaw
From: Brenda Ardrey 
Date: November 17, 2022
Subject: Acceptance of Lamm Drive and W. Tenth St. Extensions

The Public Works Department recommends the City of Sedalia accept for ownership and maintenance from E.W. Thompson Inc. the following two roadway extensions:

- the approximately 735 linear foot roadway extension of Lamm Drive; and
- approximately 333 linear foot roadway extension of W. 10th Street.

The extensions are more fully described in the attached Quit Claim Deed that includes detailed legal descriptions and a survey document. The extensions were built by B&P Excavating storm drainage system, excavation, Ramey Concrete Construction, Inc. curb and gutter and Frech Paving Co. and were inspected by the City's Senior Engineering Technician who confirmed the extensions were built to city specifications.

Thank you for your consideration of this recommendation.

QUIT CLAIM DEED

GRANTOR: **E. W. Thompson, Inc.**
GRANTEE: **City of Sedalia, 200 S. Osage, Sedalia, MO 65301**

THIS INDENTURE made on the 16th day of November, 2022, by and between E. W. Thompson Inc., a Missouri corporation, of the County of Pettis and State of Missouri, party of the first part; and the City of Sedalia, Missouri, a Municipal Corporation, of the County of Pettis and State of Missouri, party of the second part;

WITNESSETH, that the said party of the first part, in consideration of the sum of ONE DOLLAR AND OTHER CONSIDERATIONS to it paid by the said party of the second part, the receipt of which is hereby acknowledged, does by these presents, Remise, Release and forever Quit Claim under the said party of the second part, the following described tracts or parcels of land lying, being and situated in the County of Pettis and State of Missouri, for public right-of-way purposes, to-wit:

A 50.0 foot strip for roadway and utility purposes lying 25.0 feet each side of the following described centerline:

Commencing at the intersection of the centerline of Lamm Drive and the Southerly right-of-way line of Leroy Van Dyke Boulevard, said point being 25.0 feet Northwesterly of the Northwest corner of Lot 1 of Lowe's subdivision to the City of Sedalia, Missouri; thence South 25°05'20" West along the centerline of said Lamm Drive, 735.0 feet to the point of beginning; thence continuing South 25°05'20" West, 2133.82 feet to the termination of said roadway.

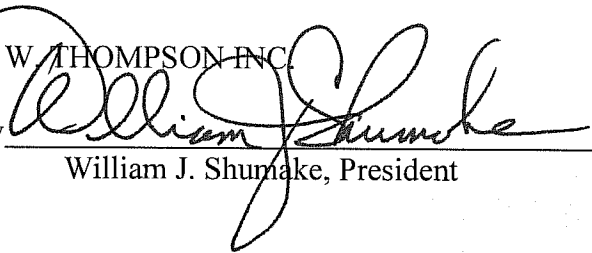
AND ALSO:

A 60.0 foot strip for roadway and utility purposes lying 30.0 feet each side of the following described centerline:

Commencing at the Southwest corner of the survey recorded as Document #2020-0028 in Plat Cabinet C, pages 1030-1031 of the records of Pettis County, Missouri; thence South 25°05'10" West, 30.0 feet to the centerline of 10th Street as dedicated by ordinance number #11447 and the point of beginning, thence North 64°54'50" West, 332.77 feet to the termination of said roadway.

TO HAVE AND TO HOLD the same, with all the rights, immunities, privileges and appurtenances thereto belonging unto said party of the second part and its successors and assigns forever; so that neither the said party of the first part nor its successors or assigns; nor any other person or persons, for it or in its name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises, or any part thereof, but they and every one of them shall, by these presents, be excluded and forever barred, for so long as the same is used for its intended purpose of a public right-of-way.

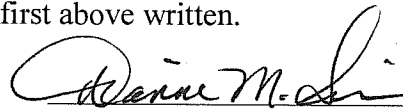
IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals on the day and year first above written.

E. W. THOMPSON INC.
By 
William J. Shumake, President

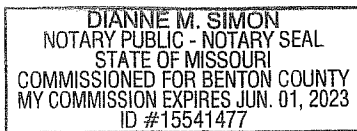
STATE OF MISSOURI)
) ss.
COUNTY OF PETTIS)

On this 16th day of November, 2022, before me personally appeared William J. Shumake, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same in his capacity as President of E. W. Thompson, Inc., with full authority to do so as the free act and deed of the corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Sedalia, Missouri, the day and year first above written.


Notary Public

My commission expires: 6/1/2023

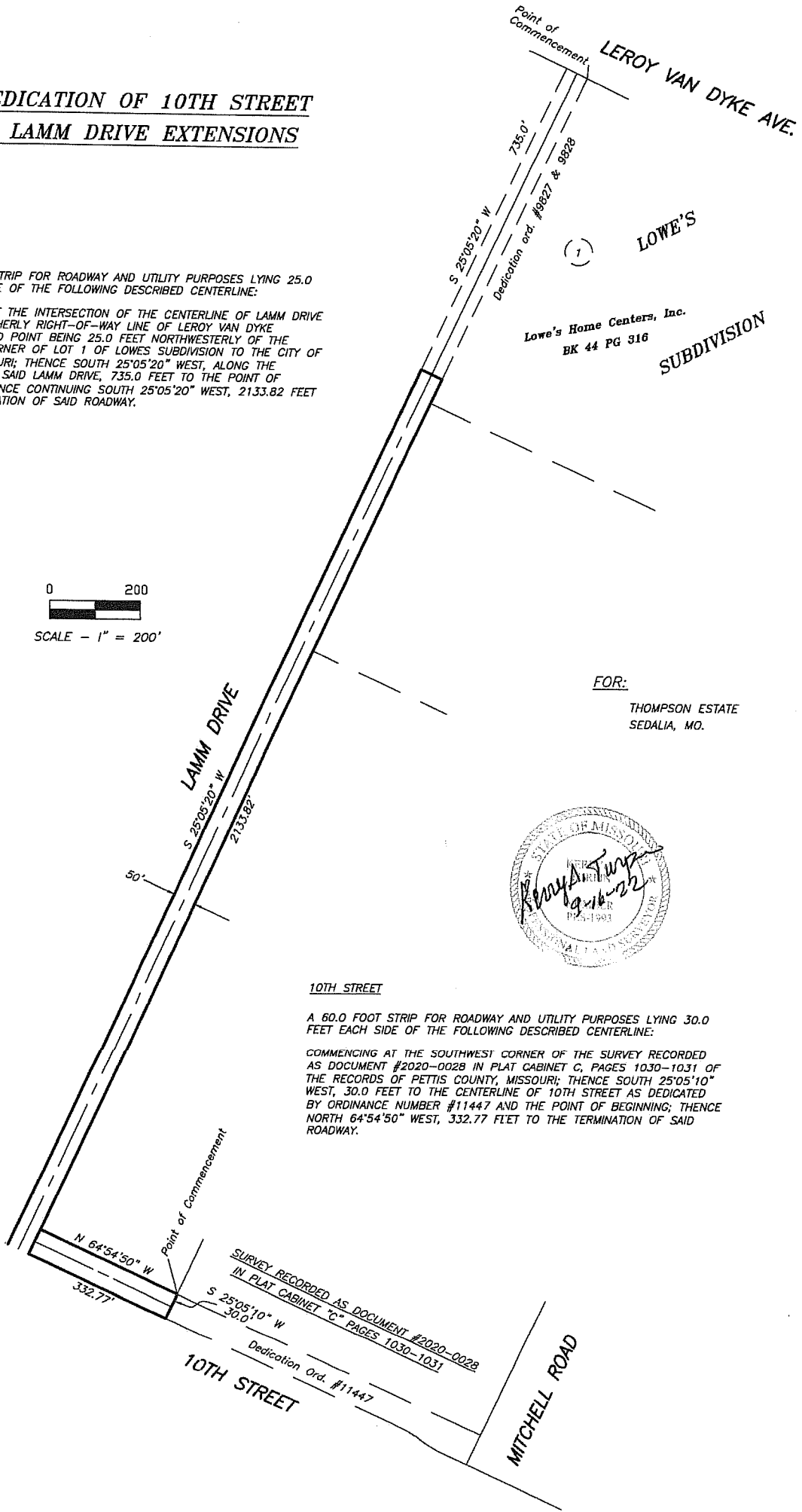
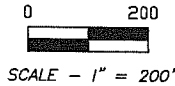


**DEDICATION OF 10TH STREET
& LAMM DRIVE EXTENSIONS**

LAMM DRIVE

A 50.0 FOOT STRIP FOR ROADWAY AND UTILITY PURPOSES LYING 25.0 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF LAMM DRIVE AND THE SOUTHERLY RIGHT-OF-WAY LINE OF LEROY VAN DYKE BOULEVARD SAID POINT BEING 25.0 FEET NORTHWESTERLY OF THE NORTHWEST CORNER OF LOT 1 OF LOWE'S SUBDIVISION TO THE CITY OF SEDALIA, MISSOURI; THENCE SOUTH 25°05'20" WEST, ALONG THE CENTERLINE OF SAID LAMM DRIVE, 735.0 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 25°05'20" WEST, 2133.82 FEET TO THE TERMINATION OF SAID ROADWAY.



Lowe's Home Centers, Inc.
BK 44 PG 316

**LOWE'S
SUBDIVISION**

FOR:

THOMPSON ESTATE
SEDALIA, MO.



10TH STREET

A 60.0 FOOT STRIP FOR ROADWAY AND UTILITY PURPOSES LYING 30.0 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF THE SURVEY RECORDED AS DOCUMENT #2020-0028 IN PLAT CABINET C, PAGES 1030-1031 OF THE RECORDS OF PETTIS COUNTY, MISSOURI; THENCE SOUTH 25°05'10" WEST, 30.0 FEET TO THE CENTERLINE OF 10TH STREET AS DEDICATED BY ORDINANCE NUMBER #11447 AND THE POINT OF BEGINNING; THENCE NORTH 64°54'50" WEST, 332.77 FEET TO THE TERMINATION OF SAID ROADWAY.

SURVEY RECORDED AS DOCUMENT #2020-0028
IN PLAT CABINET "C" PAGES 1030-1031
Dedication Ord. #11447

10TH STREET

MITCHELL ROAD

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A CONVEYANCE OF EASEMENT AGREEMENT FOR PROPERTY LOCATED AT 101 SOUTH WASHINGTON AVENUE IN THE CITY OF SEDALIA, MISSOURI.

WHEREAS, The City of Sedalia, Missouri, has negotiated a Conveyance of Easement Agreement with Gabriela Galvan; and

WHEREAS, under the agreement, the City of Sedalia, Missouri shall receive a permanent easement for property located at 101 South Washington Avenue to allow for correction at the intersection and in exchange the City shall replace driveways entering said property as more fully described in the proposed agreement attached and incorporated by reference as though the proposed agreement were set forth herein.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI, as follows:

Section 1. The Council of the City of Sedalia, Missouri, hereby approves and accepts the agreement by and between the City of Sedalia, Missouri and Gabriela Galvan in substantively the same form and content as the agreement has been proposed, and further accepts the subject easement pursuant to the agreement.

Section 2. The Mayor is authorized and directed to execute and the City Clerk is hereby authorized and directed to attest and fix the seal of the City of Sedalia, Missouri, on the document in substantively the same form and content as it has been proposed.

Section 3. The City Clerk is hereby directed to file in his office a duplicate or copy of the document after it has been executed by the parties or their duly authorized representatives and after said agreement has been recorded with the Pettis County Recorder of Deed's office.

Section 4. This ordinance shall take effect and be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 5th day of December, 2022.

Presiding Officer of the Council

Approved by the Mayor of said City this 5th day of December, 2022.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

To: Kelvin Shaw
From: Brenda Ardrey *BA*
Date: November 18, 2022
Subject: Council Memo – Agreement Obtain Additional Easement 101 S. Washington in Exchange for Providing Driveways

The Public Works Department is requesting to enter into an Agreement for additional permanent easement at 101 S. Washington to allow for correction at the intersection to more easily allow semi-trucks and trailers to traverse the intersection. Gabriela Galvan, the property owner, is interested in providing this permanent easement to the City in exchange for replacement of the driveways entering her property from South Washington Avenue that were destroyed during removal of their business that burned in 2021.

Thank you for your consideration of this Agreement.

CONVEYANCE OF EASEMENT.

This Agreement (hereinafter "Agreement") entered into this _____ day of November, 2022, between the City of Sedalia, Missouri (hereinafter "City") and Gabriela Galvan of 101 South Washington Avenue, Sedalia, Missouri (hereinafter "Owner").

RECITALS:

1. Whereas, the Owner represents that she is the owner of the following real estate (hereinafter referred to as "Property") located in Pettis County, Missouri:

See attached "Exhibit A" Sheet 1 of 2 the legal description of the property and Sheet 2 of 2 a plan sheet prepared by Wilson & Company of 800 East 101st Terrace, Suite 200, Kansas City, Missouri of Main Street Improvements.

2. Whereas, the City desires to improve the turning conditions for vehicles entering East Main Street from South Washington Avenue through modifications to the sidewalk, curb and gutter and in order to do so requires additional easement on the Owners property as detailed on Sheet 2 of 2 of Exhibit A.

3. Whereas, Owners desire to have two new driveways from South Washington Avenue constructed to serve their property.

4. Whereas, the City as part of their Main Street Improvements can construct the two driveways.

NOW, THEREFORE, for and in consideration of the above-recitals as well as the terms and conditions hereafter, the parties hereby agree as follows:

1. Owner, in exchange for the City's agreement to construct the two driveways, the Owner on behalf of herself, her successors, heirs and assigns, hereby shall convey unto the City the irrevocable and perpetual right to a permanent easement (the "Easement") as described on Exhibit "A" Sheet 1 of 2 attached hereto.

2. Owner shall convey such Easement in the land to the City for construction of such Public Infrastructure Improvements. Such improvements shall be made by the City, specifically a sidewalk, curb and gutter. Owner shall grant to the City the right to permanently use such land and improvements within the easement for public purposes.

3. The City shall construct the two aforementioned driveways to the property at 101 S. Washington Ave. as shown in Exhibit B for the granting of such easement by the Owner.

4. The City shall construct such improvements in compliance with City regulations and standards.

5. The parties hereto agree that this Agreement shall be recorded, in the real estate records of the Office of the Recorder of Deeds of Pettis County, Missouri, and that the obligations and conditions of this Agreement shall run with the Property and shall be binding upon all future owners and users of the Property. Owner, on her own behalf and on behalf of all such future owners of the Property hereby agree that each purchaser, assignee or transferee of an interest in the Property, or any portion thereof, will be obligated and bound by the terms of this Agreement.

6. This Agreement is not intended to confer any rights or remedies on any person other than the parties.

7. The benefits and burdens of this Agreement are intended to attach to and run with the land and shall be binding on and inure to the benefit of the parties and their respective legal representatives, successors, heirs and assigns. All persons claiming under the parties shall conform to and observe the provisions of this Agreement.

8. This Agreement shall be recorded in the office of the Pettis County Recorder of Deeds at the City's expense.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

CITY OF SEDALIA, MISSOURI

By: _____
Andrew Dawson, Mayor

ATTEST:

Jason Myers, City Clerk

OWNER: GABRIELA GALVAN

Gabriela Galvan, Owner

On the _____ day of November, 2022 before me appeared _____, to me personally known, who, being duly sworn, did say that he is the Mayor of the City of Sedalia, Missouri And that the seal affixed to the foregoing instrument is the corporate seal of the City and that this instrument was signed and sealed on behalf of the City by authority of its City Council and the Mayor acknowledged this instrument to be the free act and deed of the City.

IN TESTIMONY WHEREOF, I have hereunto set by hand and affixed my official seal of my office in Sedalia, Pettis County, Missouri, the day and year first above written.

By: _____
Andrew Dawson, Mayor

ACKNOWLEDGMENT BY OWNER, CORPORATION OR ASSOCIATION
STATE OF MISSOURI)
) SS
COUNTY OF PETTIS)

On the day _____ of November, 2022, before me appeared Gabriela Galvan to me personally known, who being by me duly sworn, did say that she is the Owner o 1101 South Washington Avenue, and that said instrument was signed by her and acknowledged the said instrument to be a free act and deed of _____.

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

Notary Public

EXHIBIT A

See Attached Permanent Right of Way – Main Street Improvements

Source: Wilson & Company Project No. 22-600-309-00

Sheets 1 and 2 dated 7/11/2022

EXHIBIT B

DRIVEWAY APPROACH DETAIL DRAWING

See Attached Aerial of Main Street Improvements – Driveways on South Washington Avenue

Source: Wilson & Company Project No. 22-600-309-00

EXHIBIT "A"
SHEET 1 OF 2

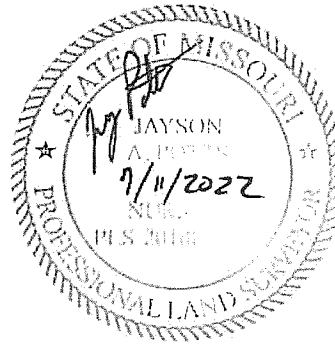
PERMANENT RIGHT OF WAY

Permanent Right of Way (See Exhibit "A" Sheet 2 of 2)

Beginning at the intersection of the East right of way line of South Washington Avenue as now established and the South right of way line of East Main Street as now established; thence S77°11'56"E along said South right of way line, a distance of 130.00 feet; thence S12°53'42"W, leaving said South right of way line, a distance of 9.00 feet; thence N77°11'56"W, a distance of 130.00 feet to a point on said East right of way line; thence N12°53'42"E along said East right of way line, a distance of 9.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains 1170.00 sq. ft. or 0.03 acres, more or less

The bearings used in this description are based on the Missouri Central Zone State Plane Coordinate System, NAD 83.





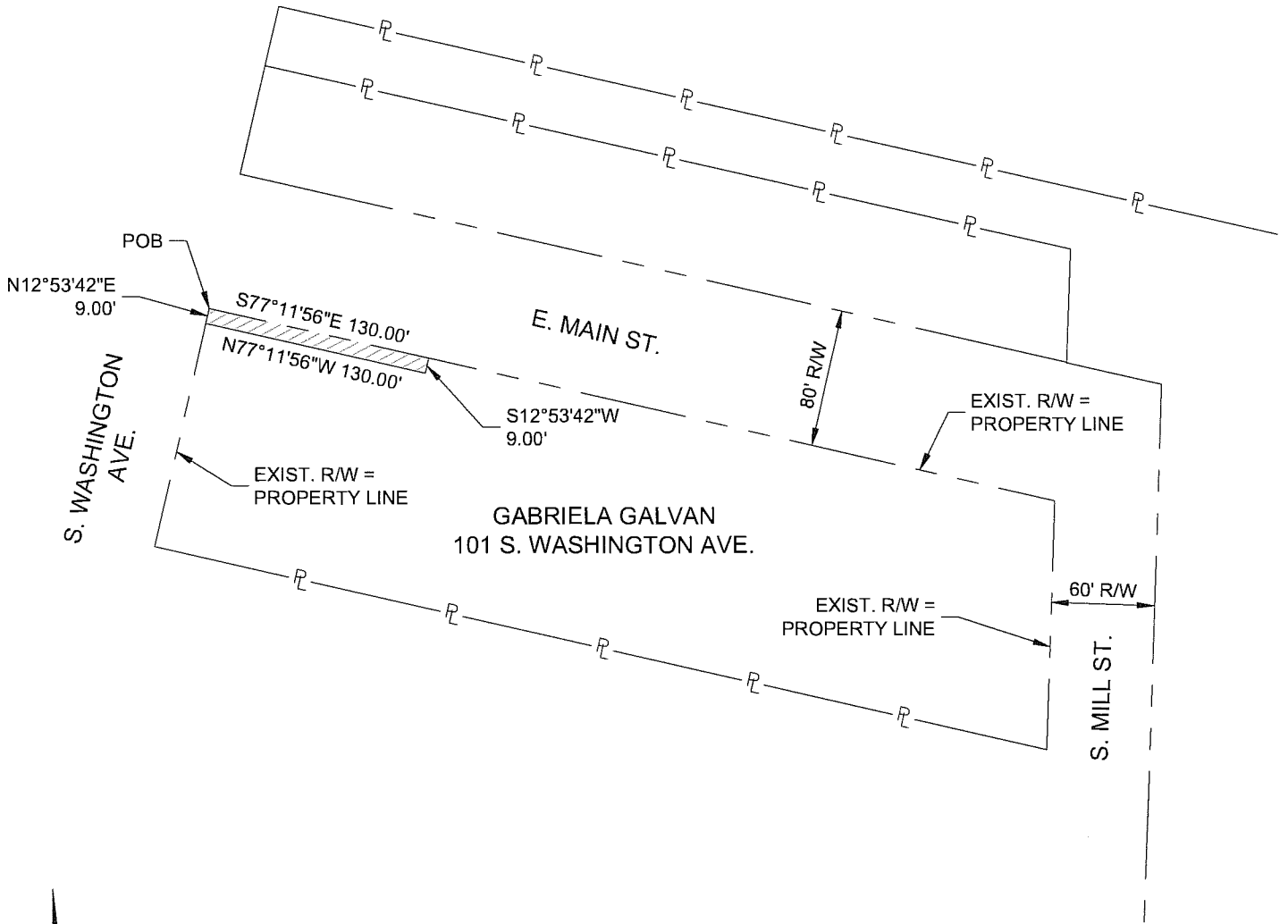
<p>WILSON & COMPANY 800 EAST 101ST TERRACE, SUITE 200 KANSAS CITY, MO. 64131 816-701-3100</p>	PROJECT TITLE MAIN STREET IMPROVEMENTS				PROJECT NO. 22-600-309-00 DATE 7/11/2022	
	DRAWN BY: TRZ	CHECKED BY: WEK	APPROVED BY: JAP	COUNTY: PETTIS		
					<p style="font-size: 1.2em;">Gabriela Galvan 101 S. Washington Ave.</p>	
	REV.	DESCRIPTION	BY	DATE		

EXHIBIT "A"

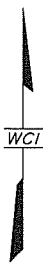
SHEET 2 OF 2

LEGEND

-  RW = RIGHT OF WAY
- POB POINT OF BEGINNING
-  PROPERTY LINE



TABULATION OF AREAS
 R/W = 1170.00 SQ.FT. OR 0.03± ACRES



0 50 100
 SCALE: 1"=100'

This exhibit represents a graphical depiction of the areas to be taken for property acquisition only and does not constitute a parcel boundary survey. Right-of-Ways show hereon are surveyed in the field and are verified by title documents and the monuments which control their location.

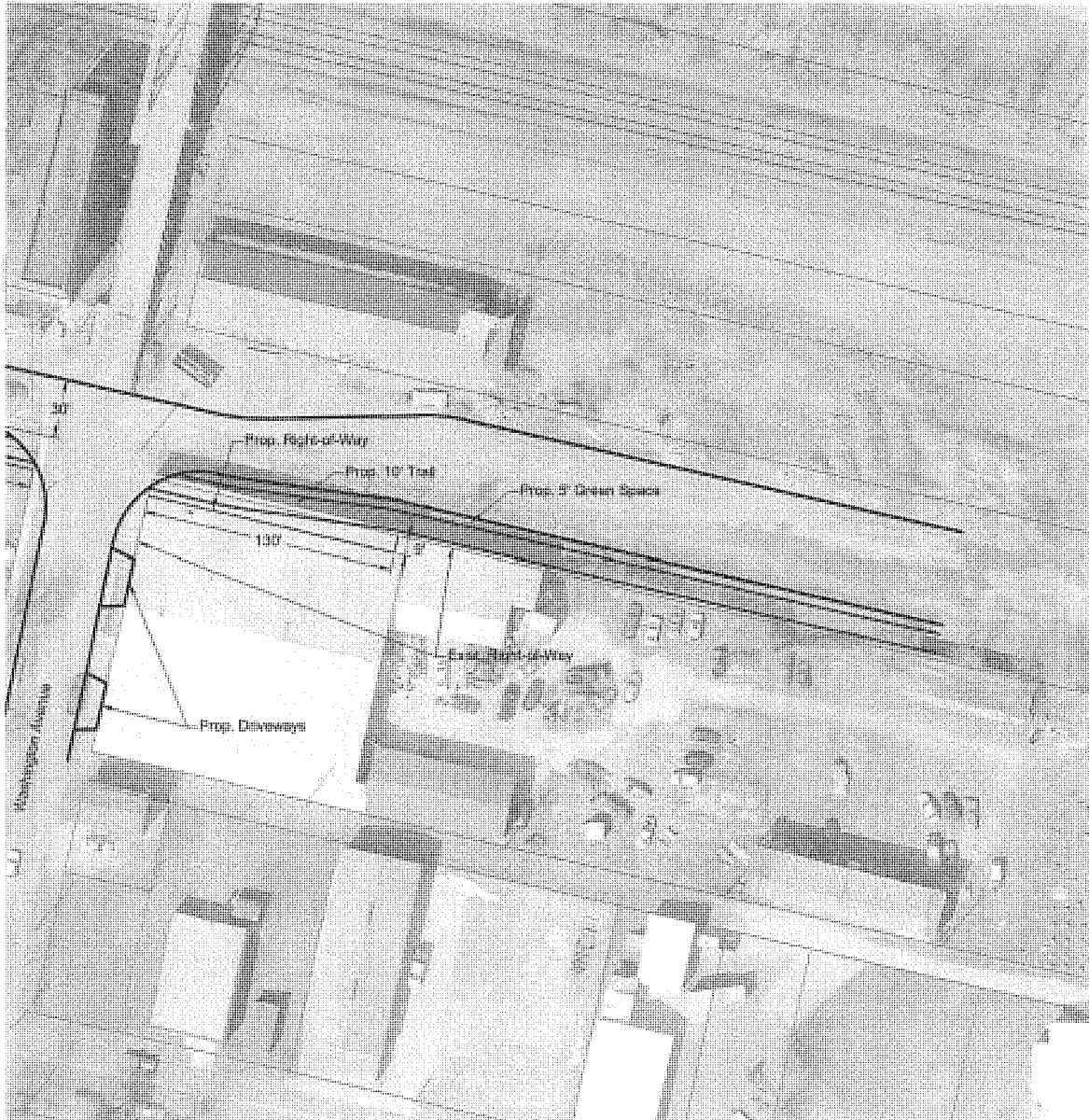
WILSON & COMPANY
 800 EAST 101ST TERRACE, SUITE 200
 KANSAS CITY, MO. 64131
 816-701-3100

PROJECT TITLE				MAIN STREET IMPROVEMENTS			
DRAWN BY:	CHECKED BY:	APPROVED BY:	COUNTY:				
TRZ	WEK	JAP	PETTIS				
REV.	DESCRIPTION		BY	DATE			

PROJECT NO. 22-600-309-00 | DATE 7/11/2022

Gabriela Galvan
 101 S. Washington Ave.

EXHIBIT B
LOCATION OF DRIVEWAYS
101 S. WASHINGTON



BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ACCEPTING QUOTES FOR TRUCK ENGINE REPLACEMENTS.

WHEREAS, The City of Sedalia, Missouri, has received quotes for the replacement of Truck Engines for a 2013 International 7400 SFA 4X2 (Maxxforce DT 270 HP/2400 GOV) and a 2014 Ford F550 Swap Loader Truck #504; and

WHEREAS, under the terms of the quotes, the City of Sedalia shall pay the following sums and amounts for said Engine Replacements as more fully described in the quotes attached to this ordinance and incorporated by reference herein:

- **Scheppers International Truck Center - \$32,409.49**
- **Rick Ball Ford Sedalia - \$16,090.23**

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI, as follows:

Section 1. The Council of the City of Sedalia, Missouri, hereby approves and accepts the quotes by and between the City of Sedalia, Missouri, Scheppers International Truck Center, and Rick Ball Ford Sedalia in substantively the same form and content as they have been proposed.

Section 2. The Mayor or City Administrator are authorized and directed to execute and the City Clerk is hereby authorized and directed to attest and fix the seal of the City of Sedalia, Missouri, on the quotes, in substantively the same form and content as they have been proposed.

Section 3. The City Clerk is hereby directed to file in his office a duplicate or copy of the quotes after they have been executed by the parties or their duly authorized representatives.

Section 4. This ordinance shall take effect and be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 5th day of December, 2022.

Presiding Officer of the Council

Approved by the Mayor of said City this 5th day of December, 2022.

ATTEST:

Andrew L. Dawson, Mayor

Jason S. Myers, City Clerk

To: Kelvin Shaw
From: Brenda Ardrey BA
Date: November 18, 2022
Subject: Council Memo Notifying of No Bid on IFB for Truck Engine Replacement for a 2013 International 7400 SFA 4 X2 (Maxxforce DT 270 HP/2400 GOV) and Need to Replace Truck Engine for a 2014 Ford F550 Swap Loader Truck #504
Request for Approval of Quotes for Two Engine Replacements Based Upon Quotes Received

The Public Works Department released IFB 2023-11 for the above referenced truck engine replacement service in August 2022. The only response received was a "No Bid" from Scheppers International Truck Center of Jefferson City, MO 65109. The stated reason for not bidding was that the company would not be bound to a contract for this type of repair/replacement service and just too many variables and unknowns with this type of repair.

With no bids received from the Invitation for Bids (IFB), Fleet Maintenance requested quotes on the International engine replacement from known vendors. Following is a summary of the bids received:

Scheppers International Truck Center (Jefferson City)	\$32,409.49
Cummins Sales and Service (Columbia)	\$32,653.32
Foley Equipment (Sedalia)	\$35,803.82
Rush Truck Center of Missouri (Sedalia)	\$39,462.09

The lowest quote for replacement of the engine with the cost of towing to Jefferson City to be added is Scheppers International Truck Center for \$32,409.49.

During the period bidding was occurring for the International truck discussed above, Sanitation's swap loader experienced failure of the engine which requires replacement. With no bids received from the Invitation for Bids (IFB) for the International, it was assumed the same would hold true for the swap loader. Fleet Maintenance requested quotes on the engine replacement for the F550 from known vendors. Following is a summary of the bids received:

Rick Ball Ford (Sedalia)	\$16,090.23
Wilson Diesel LLC (Sedalia)	\$17,209.82
W & K Ford (Boonville)	\$20,126.94

The lowest quote for replacement of the engine is Rick Ball Ford (Sedalia) for \$16,090.23.

Public Works is requesting approval to move ahead with the low quote on each of these truck replacements.

Thank you for your consideration of these truck engine replacement projects.

New updated parts \$

Repair Management
BY NAVISTAR

SCHEPPERS INTL TRK CTR
1722 SOUTHRIDGE DR. - JEFFERSON CITY, MO 65109
Phone: (1) 573-6362133 - Fax: (1) 573-6368312
Estimate Number: 3638351 - RO Number: N/A
Service Writer: Jeff Zuidervaart - Date: 4/21/2022 4:20 PM (C)
Currency: USD



NAVISTAR COMPANY

Unit No: **Sedalia, City Of**

VIN: 1HTWDAAR7EH797568
Model: 7400 SFA 4X2
Engine: MAXXFORCE DT 270HP/2400 GOV
Make: International
Delivered: 9/27/2013
In Service: 8 Years 9 Months
Mileage: 0 Eng Hrs: 0

Recall/AFC: No
Contact Name: Fleet Manager
Position: primary, service-primary, parts-primary
Phone: (660) 827-3000
E-Mail:
PO Number:

Operation (All Sections)	Labor Cost	Parts Cost	Core Charge	Total Cost
Engine Assembly (COMPLETE), Remove & Reinstall	\$7,425.00	\$24,284.49	\$0.00	\$31,709.49
(1) ENGINE,REMAN 466HT 245HP AND A (2) INSULATOR, ENGINE MOUNTING, REAR (2) INSULTR,INSULATOR, ENGINE FRON (1) GASKET, MOUNTING, POWER STEERING PUMP (1) GASKET, MANIFOLD, INTAKE, INLET DUCT (1) HOSE, AIR COMPRESSOR (1) GASKET, IRREGULAR MOLDED (1) GASKET, EXHAUST PIPE FLANGE, 4 IN. (1) GASKET, EXHAUST PIPE FLANGE (1) V-BELT, V RIBBED, 10-PACK, 2520MM (1) FILTER,ELEMENT AIR CLEANER (1) HOSE, COOLANT, RADIATOR, LOWER, OUTLET (1) HOSE, RADIATOR OUTLET 2 1/4" I.D. X 6 1/2" (1) HOSE RAD OUTLET PREMIUM (6) #44 CLAMP (7) CONVENTIONAL 15W40 CK-4 OIL(1GAL) (8) PERFORMANCE PLUS 50/50 ELC (6) BOLT, M10 X 25 PHC CLASS 10.9				
PARTADJ - MISC. PARTS	\$0.00	\$500.00	\$0.00	\$500.00

Notes: [4/21/2022 4:20 PM] - Dealer: ENGINE REPLACEMENT

Parts: \$24,784.49
Core: \$0.00
Labor: \$7,425.00
Shop: \$200.00
Tax: \$0.00
TOTAL: \$32,409.49

This estimate is subject to teardown and inspection and is valid for 30 days from date above. I, the undersigned, authorize you to perform the repairs and furnish the necessary materials. I understand any costs verbally quoted are an estimate only and not binding. Your employees may operate vehicle for inspecting, testing and delivery at my risk. You will not be responsible for loss or damage to vehicle or articles left in it. AUTHORIZED BY: _____
DATE: _____

CITY OF SEDALIA
IFB 2023-011
REPLACE TRUCK ENGINE (COMPLETE)
STATEMENT OF "NO BID"

RETURN THIS PAGE ONLY IF YOUR COMPANY PROVIDES THE PRODUCTS/SERVICES BEING REQUESTED AND DECLINES TO DO SO.

WE, THE UNDERSIGNED, HAVE DECLINED TO RESPOND ON YOUR IFB 2023-011 REPLACE TRUCK ENGINE (COMPLETE) FOR THE FOLLOWING REASON(S):

____ SPECIFICATIONS ARE TOO "TIGHT," I.E. GEARED TOWARD ONE BRAND, MANUFACTURER OR COMPANY ONLY (PLEASE EXPLAIN BELOW).

____ INSUFFICIENT TIME TO RESPOND TO INVITATION FOR BIDS.

____ OUR PROJECT SCHEDULE WOULD NOT PERMIT US TO PERFORM.

____ UNABLE TO MEET SCOPE OF WORK.

____ UNABLE TO MEET INSURANCE REQUIREMENTS.

____ REQUIREMENTS UNCLEAR (PLEASE EXPLAIN BELOW).

OTHER (PLEASE SPECIFY BELOW).

REMARKS: Scheppers International will not be bound to a contract for this type of repair (engine replacement), there are too many variables & unknowns with this type of repair especially since diagnosis was not performed @ Scheppers International truck center. I have attached the estimate for repairs requested by customer sight unseen.

COMPANY NAME: Scheppers International Truck Center

ADDRESS: 1722 Southridge Drive, Jefferson City MO 65109

SIGNATURE AND TITLE: Jan Bross Service Manager

TELEPHONE NUMBER: 573-635-9223

DATE: 8/9/22

Scheppers International truck center would be happy to perform the needed repairs but not under contract. If unit was brought to Scheppers International Truck Center we would perform the needed repairs under our terms per the estimate. If any additional parts or labor is needed the customer will be contacted about additional cost. It is unknown exactly what misc parts the unit will require or the cost of additional parts, also the truck utilizes a Regen system and until the engine is replaced, road tested & monitored it is unclear if any work will be needed for the Regen system to work correctly. We look forward to performing the work for you but not under contract. Thank you!

Jan Bross

Jason Myers

From: jason boessen <jasonboessen@alscheppers.com>
Sent: Friday, August 12, 2022 9:52 AM
To: bidresponse
Subject: RE: IFB 2023-011
Attachments: IFB 2023-011.pdf

I have attached the statement of no bid along with our estimate we would be more than happy to perform the repairs needed per the estimate attached but we do not wish to participate in a contract for this type of repair. Thank you and we appreciate your business.

Jason Boessen
Service Manager
Scheppers International Truck Center
1722 Southridge Drive
Jefferson City, Mo 65109
573-636-2133 ext: 1467



Rick Ball

00229 1FDUF5GT7EEB27587 CITY OF SEDALIA 10/18/22
 2014 FORD F550 SUPER WHITE SEDALIA MO 65301
 85933 C:(660) 620-5527
 H:(660) 619-2361 W:(660) -
 N/A MIKE

(1) ENGINE HAS A BAD MISS	Labor ENGINE		2880.00
INSPECTED AND RAN COMPRESSION TEST ON	JC3Z6006B (SERVICE ENGI)	1	10407.00
#2 CYC HAS NO COMPRESSION, TORN TOP OF ENGINE	DC3Z6A785C (SEPARATOR AS)	1	144.67
DOWN FOR INSPECTION FOUND LIFTER SPUN ON	HC3Z6A642A (OIL COOLER A)	1	155.50
CAMSHAFT TORN UP VALVE TRAIN WILL NEED ENGINE	BC3Z9T514A (KIT - HARDWA)	1	126.17
WILL NEED ENGINE REPLACED FOR CONCERN	BC3Z9P455B (GASKET)	1	133.33
	BC3Z9V425A (TUBE ASY)	1	461.67
	HC3Z6030C (BRACKET)	1	178.33
	BC3Z12A342C (GLOW PLUG)	8	322.16
	FC3Z9448A (GASKET)	2	104.34
	MISC (MISC)	1	1177.06
	Total Labor		2880.00
	Total Parts		13210.23
	Total Repair (Customer).....		16090.23

A

10/18/2022 11:7 AM
 Quote is valid for 360 days.

.00	.00 Labor	2880.00
.00	.00 Parts	13210.23
.00	.00 Sublet/Fees	.00
.00	.00 Shp Supplies	.00
.00	.00 Oil/Grease	.00
.00	.00 Sub Total	16090.23
.00	.00 Tax	.00
.00	.00 Total	16090.23

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE SEDALIA REGIONAL AIRPORT TO SUBMIT AN AMERICAN RESCUE PLAN ACT GRANT APPLICATION.

WHEREAS, the City of Sedalia, Missouri, Airport is applying for an American Rescue Plan Act grant for use toward the cost of operations incurred after January 20, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI as follows:

Section 1. The City Administrator is hereby authorized to sign the grant application for American Rescue Plan Act funds and any other official project documents that are necessary to obtain such assistance, including any agreements, contracts or other documents that are required.

Section 2. In the event a grant is awarded, the City of Sedalia is prepared to complete the project within the time period identified on the signed project agreement.

Section 3. In the event a grant is awarded, the City of Sedalia will comply with all rules and regulations of the grant program, applicable Executive Orders and all state laws that govern the grant applicant during the performance of the project.

PASSED by the Council of the City of Sedalia, Missouri, this 5th day of December, 2022.

Presiding Officer of the Council

ATTEST:

Jason S. Myers
City Clerk

INTEROFFICE MEMORANDUM

TO: KELVIN SHAW, JASON MYERS

FROM: DERRICK DODSON

SUBJECT: COUNCIL RESOLUTION FOR ARPA GRANT APPLICATION.

DATE: 12/01/2022

CC: CC NAME

We have received notification that we can apply for American Rescue Plan Act (ARPA) funding for the airport. This grant funding and application process is similar to the CARES and CRRSA grants. It appears this funding will equate to \$32,000 that can be used for operating costs incurred after January 20, 2020. I would like to add this to the December 5th Council Meeting.

**CITY COUNCIL
OF THE CITY OF SEDALIA, MISSOURI**

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI,
STATING FACTS AND REASONS FOR THE NECESSITY TO AMEND AND INCREASE
THE CITY'S ANNUAL BUDGET FOR FISCAL YEAR 2023.**

WHEREAS, Section 67.010 of the Revised Statutes of Missouri requires each political subdivision of the State of Missouri ("State") to prepare an annual budget and establishes the requirements for that budget; and

WHEREAS, the City of Sedalia, Missouri ("City"), is a city of the third classification created pursuant to Chapter 77, RSMo, and is a political subdivision of the State of Missouri; and

WHEREAS, the City Council of the City adopted and approved the City's annual budget for Fiscal Year 2023 in accordance with the requirements of Section 67.010, RSMo, by Ordinance No. 11535 on March 21, 2022, and

WHEREAS, Sections 67.030 and 67.040 authorize and provide a procedure for the City Council to amend the City's annual budget to increase expenditures in any fund; and

WHEREAS, expenses for City's operations for Fiscal Year 2023 have been higher than budgeted, but do not exceed revenues plus the City's unencumbered balance brought forward from previous years; and

WHEREAS, the City Council of the City desire to state the facts and reasons necessitating an amendment to increase certain expenditures in the Fiscal Year 2023 annual budget.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI, AS FOLLOWS:

Section 1. Expenditures from the City's Fire Fund must be increased by a total of \$15,000 above the amount authorized in the adopted annual budget for Fiscal Year 2023. An amendment to increase said budget is necessary for the following facts and reasons:

- A. Unplanned fleet repairs pushing expenses over budget.
- B. New budget total will allow for projected repairs to be made through March 31, 2023.

Section 2. This Resolution shall take effect immediately upon its execution by the Mayor or otherwise as provided by law.

PASSED by the City Council of the City of Sedalia, Missouri, on November 21, 2022.

Presiding Officer of the Council

ATTEST: _____
Jason S. Myers, City Clerk

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2022-2023
REGARDING FIRE VEHICLE REPAIRS.**

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
SEDALIA, MISSOURI** as follows:

Section 1. The 2022-2023 fiscal year budget beginning April 1, 2022 and ending March 31, 2023 is hereby amended to modify certain budgeted line items as they appear on the attached schedule and made a part hereof as Exhibit A as if fully set out herein.

Section 2. This ordinance shall be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 5th day of December 2022.

Presiding Officer of the Council

Approved by the Mayor of said City this 5th day of December 2022.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

Exhibit A
 City of Sedalia
 FY23 Budget Amendment 12/5/2022 Fire Vehicle Repairs

Account / Description	Current Budget	Change	Amended Budget	Comments
Expenditures / Uses of Funds				
Fire				
10-12-222-02	23,480.00	15,000.00	38,480.00	Fleet Repairs: Cylinders and lighting/Leaf springs and radiator
Total Expenditure Change		<u>15,000.00</u>		
		<u>(15,000.00)</u>		Net Increase (Decrease) In Projected Fund Balance

Sedalia Fire Department
DEPARTMENTAL MEMORANDUM
Office of the Firer Chief

To : City Administrator Kelvin Shaw

From : Fire Chief Matthew Irwin

Date : November 30, 2022

Ref : Budget amendment Vehicle fleet repair

As Fire Chief, I am requesting the following amendment to the Sedalia Fire departments Vehicle repair budget amount. With the unplanned repair of our fleet the current budgeted amount is no longer sufficient.

Truck 1 lift cylinders and lighting repair:	\$9400,00
Engine 2 Leaf springs and radiator repair	\$5700.00

With these additional unplanned and unbudgeted repair costs I am requesting an additional \$15,000.00 be amended into the vehicle fleet repair line to cover these repairs as well as projected repairs to be made through March 31st 2023.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SEDALIA AMENDING THE CITY CODE REGARDING MARIJUANA.

WHEREAS, Effective December 6th, 2018, the Missouri Constitution was amended by adding Article XIV, Section 1, pertaining to medical marijuana; and

WHEREAS, effective December 8th, 2022, the Missouri Constitution was further amended by adding Article XIV, Section 2, regarding recreational marijuana;

WHEREAS, it is necessary to amend the ordinances of this City to conform to the provisions of the Constitution.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI AS FOLLOWS:

SECTION 1: The Code of the City of Sedalia is hereby amended by repealing Chapter 12, Article VIII and enacting one new Article in lieu thereof to read as follows:

“ARTICLE VIII. MARIJUANA

Sec. 12-600. Definitions.

- A. Any term not specifically defined in this Chapter shall have the definition set forth in Article XIV of the Constitution, if any.
- B. Specific Definitions. Unless the context indicates otherwise, the following terms shall have the meaning set forth herein.
 - (1) "Administer" means the direct application of marijuana to a Qualifying Patient or by way of any of the following methods:
 - a. Ingestion of capsules, teas, oils, and other marijuana-infused products;
 - b. Vaporization or smoking of dried flowers, buds, plant material, extracts, or oils;
 - c. Application of ointments or balms;
 - d. Transdermal patches and suppositories;
 - e. Consuming marijuana-infused food products.
 - (2) "Church" means a permanent building primarily and regularly used as a place of religious worship.

(3) Enclosed, Locked Facility

a. An indoor stationary closet, room, garage, greenhouse, or other comparable fully enclosed space equipped with locks or other functioning security devices that permit access only to the qualifying patient(s) or primary caregiver(s) who have informed the department that this is the space where they will cultivate marijuana; or

b. An outdoor stationary structure:

i. That is enclosed on all sides, except at the base, by chain-link fencing, wooden slats, or a similar material that is anchored, attached, or affixed to the ground and that cannot be accessed from the top;

ii. In which the plants are not visible to the unaided eye from an adjacent property when viewed by an individual at ground level or from a permanent structure at any level; and

c. That is equipped with locks or other security devices that restrict access to only the qualifying patient(s) or primary caregiver(s) who have informed the department that this is the space where they will cultivate marijuana.

(4) “Comprehensive Facility” means a comprehensive marijuana cultivation facility, a comprehensive marijuana dispensary facility, or a comprehensive marijuana-infused products manufacturing facility.

(5) “Comprehensive Marijuana Cultivation Facility” means a facility licensed by the department to acquire, cultivate, process, package, store on-site or off-site, transport to or from, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones) to a medical facility, comprehensive facility, or marijuana testing facility. A comprehensive marijuana cultivation facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana. A comprehensive marijuana cultivation facility's authority to process marijuana shall include the creation of prerolls, but shall not include the manufacture of marijuana-infused products.

(6) “Comprehensive Marijuana Dispensary Facility” means a facility licensed by the department to acquire, process, package, store on-site or off-site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this section to a qualifying patient or primary caregiver, as those terms are defined in section I of this Article, or to a consumer, anywhere on the licensed property or to any address as directed by the patient, primary caregiver, or consumer and consistent with the limitations of this Article and as otherwise allowed by law, to a comprehensive facility, a

marijuana testing facility, or a medical facility. Comprehensive dispensary facilities may receive transaction orders at the dispensary directly from the consumer in person, by phone, or via the internet including from a third party. A comprehensive marijuana dispensary facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana, but shall collect all appropriate tangible personal property sales tax for each sale, as set forth in this Article and provided for by general or local law. A comprehensive marijuana dispensary facility's authority to process marijuana shall include the creation of prerolls.

- (7) “Comprehensive Marijuana-Infused Products Manufacturing Facility” means a facility licensed by the department to acquire, process, package, store, manufacture, transport to or from a medical facility, comprehensive facility, or marijuana testing facility, and sell marijuana-infused products, prerolls, and infused prerolls to a marijuana dispensary facility, a marijuana testing facility, or another marijuana-infused products manufacturing facility. A comprehensive marijuana-infused products manufacturing facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana.
- (8) “Constitution” shall mean the Constitution of the State of Missouri.
- (9) “Consumer” means a person who is at least twenty-one years of age.
- (10) “Consumption” means to smoke or ingest marijuana by any means.
- (11) “Daycare” means a child-care facility, as defined by section 215.201, RSMo., or successor provisions, that is licensed by the state of Missouri.
- (12) “Department” means the Department of Health and Senior Services or its successor agency.
- (13) “Directly” For the purpose of this chapter the term “directly” shall mean the shortest possible legally walkable practicable route from the Marijuana Facility to the permitted destination or destinations, without any voluntary detours or additional stops.
- (14) “Fine” when used herein shall mean a monetary fine imposed by the Municipal Court for this City.
- (15) “Marijuana” or “Marihuana” means Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. “Marijuana” or “Marihuana” do not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent on a dry weight basis, or commodities or products manufactured from industrial hemp.

- (16) “Marijuana Business” means any facility licensed by the Department of Health and Senior Services under the authority granted by Article XIV of the Constitution.
- (17) “Marijuana Dispensary” means either a Medical Marijuana Dispensary or a Comprehensive Marijuana Dispensary as those terms are defined in Art. XIV of the constitution.
- (18) “Marijuana Facility” shall mean a medical marijuana facility or a comprehensive facility as that term is defined by Art. XIV Section 2 of the Constitution.
- (19) “Marijuana-Infused Products” means products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates.
- (20) “Medical Marijuana Cultivation Facility” means a facility licensed by the Department, to acquire, cultivate, process, store, transport, and sell marijuana to a Medical Marijuana Dispensary Facility, Medical Marijuana Testing Facility, or to a Medical Marijuana-Infused Products Manufacturing Facility and shall also mean a Comprehensive Marijuana Cultivation Facility, as that term is defined in Article XIV of the Constitution.
- (21) “Medical Marijuana Dispensary Facility” or “Dispensary” means a facility licensed by the Department, to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this section to a Qualifying Patient, a Primary caregiver, another Medical Marijuana Dispensary Facility, a Medical Marijuana Testing Facility, or a Medical Marijuana-Infused Products Manufacturing Facility.
- (22) “Medical Marijuana-Infused Products Manufacturing Facility” means a facility licensed by the Department, to acquire, store, manufacture, transport, and sell marijuana-infused products to a Medical Marijuana Dispensary Facility, a Medical Marijuana Testing Facility, or another Medical Marijuana-Infused Products Manufacturing Facility.
- (23) “Primary caregiver” means a person designated as such by the Department.
- (24) “Qualifying Patient” means a person designated as such by the Department.
- (25) “Then existing” shall mean any school, child day-care center, or church with a written building permit from the city to be constructed, or under construction, or completed and in use at the time a business regulated under

this Chapter first applies for either zoning or a building permit, whichever comes first.

Sec. 12-605 Business License; No additional licenses.

Marijuana Businesses shall be required to have a city business license as required by this Chapter but shall not be required to have any other city-issued license.

Sec. 12-610 Marijuana Dispensaries

- A. Marijuana Dispensaries shall not be open to the public or make any sales between the hours of 8:00 p.m. and 8:00 a.m.
- B. No Marijuana, of any type, may be consumed on the premises of a Marijuana Dispensary, nor shall the licensee permit such consumption.
- C. Any Medical Marijuana Dispensary shall require any customer to display the customer's permit card from the Department of Health and Senior Services or other proof of eligibility at the time of each purchase.
- D. No person under the age of eighteen years old shall be allowed into a Medical Marijuana Dispensary; except that a Qualifying Patient who is under the age of eighteen years but who has been emancipated by a court order and a Qualifying Patient, under the age of eighteen years when accompanied by the Qualifying Patient's parent or guardian. No person under the age of 21 shall be allowed into a Marijuana Dispensary, except that a Qualifying Patient who is under the age of 21 years but who has been emancipated by a court order and a Qualifying Patient, under the age of 21 years when accompanied by the Qualifying Patient's parent or guardian.
- E. A Marijuana Dispensary shall have displayed its state-issued license and the city-issued license pursuant to this section visible to the public at all times.
- F. Each marijuana dispensary shall be operated from a permanent and fixed location. No marijuana dispensary shall be permitted to operate from a moveable, mobile, or transitory location. This subsection shall not prevent the physical delivery of marijuana to a customer, patient, or the patient's primary caregiver at a location off of the premises of the permittee's marijuana dispensary, to the extent so allowed by law, if:
 - (1) the marijuana was lawfully purchased;
 - (2) the marijuana is delivered only by the permittee or an employee of the permittee;
 - (3) the marijuana is delivered only by the use of a motor vehicle, bicycle, or other lawful means of transportation; marijuana may not be delivered by drone or

any remotely operated vehicle, or by any self-navigating vehicle unless a human occupies such self-navigating vehicle.

G. Marijuana Accessories (Paraphernalia) designed or intended for use in consuming marijuana may be sold at a marijuana dispensary.

H. A Marijuana Dispensary shall provide adequate security on the premises of the marijuana dispensary including, but not limited to, the following:

- (1) Security surveillance cameras installed to monitor the main entrance along with the interior and exterior of the premises to discourage and facilitate the reporting of criminal acts and nuisance activities occurring at the premises, and security video shall be preserved for at least 72 hours by the permittee;
- (2) Alarm systems that are professionally monitored and maintained in good working conditions;
- (3) A locking safe permanently affixed to the premises, or a locked secure storage room, that is suitable for storage of all of the saleable inventory of marijuana if marijuana is to be stored overnight on the premises; and
- (4) Exterior lighting that illuminates the exterior walls of the business and is compliant with the City Code.

I. Location.

- (1) A Dispensary may not be located within 1000 legally walkable feet of a then existing elementary or secondary school, state-licensed child day-care center, or church (see § Sec. Sec. 12-600 B(25) for the definition of ‘then existing’).
- (2) In the case of a freestanding facility, the distance between the facility and the school, daycare, or church shall be measured from the external wall of the facility structure closest in proximity to the school, daycare, or church to the closest point of the property line of the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility. In the case of a facility that is part of a larger structure, such as an office building or strip mall, the distance between the facility and the school, daycare, or church shall be measured from the property line of the school, daycare, or church to the facility's entrance or exit closest in proximity to the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility. Measurements shall be made along the shortest path between the demarcation points that can be lawfully traveled by foot.

- (3) The City Council may reduce this distance by resolution if an applicant shows good cause for the same. The determination of what constitutes good cause shall be at the sole discretion of the City Council.

Sec. 12-615 Offsite Storage Facilities.

Marijuana Dispensaries may operate an Offsite Storage Facility for the storage of products and inventory. A single Offsite Storage Facility may only be used by a single entity licensed as a Marijuana Dispensary. An Offsite Storage Facility shall not be open to the public. An Offsite Storage Facility shall comply with the same requirements of a dispensary in regard to location, security, and odor control.

Sec. 12-620 Marijuana-Infused Products Manufacturing Facility

- A. No permit shall be issued or renewed for a Marijuana-Infused Products Manufacturing Facility that does not meet the standards of this section.
- B. Distance Requirement. No Marijuana-Infused Products Manufacturing Facility using any combustible gases or CO₂ in the extraction process shall be located within 1000 legally walkable feet of a then existing elementary or secondary school, licensed child daycare center, or church. Any other Marijuana-Infused Products Manufacturing Facility may be located in any location where a Medical Marijuana Dispensary may be located as detailed above. Measurements shall be in a method consistent with the city's existing liquor license measurement standard. The City Council may reduce this distance by resolution if an applicant shows good cause for the same. The determination of what constitutes good cause shall be at the sole discretion of the City Council.
- C. Outdoor Operations or Storage. All operations and all storage of materials, products, or equipment shall be within a fully secured area inside the building structure or outdoors on the property in an area enclosed by a fence with razor wire at least ten (10) feet in height, not including the razor wire or such other alternative security measures approved by the City Council.
- D. Onsite Usage Prohibited. No marijuana may be smoked, ingested, or otherwise consumed on the premises of any Marijuana-Infused Products Manufacturing Facility at any time.
- E. Display of Licenses Required. The Marijuana-Infused Products Manufacturing Facility license issued by the State of Missouri, along with the City issued license pursuant to this chapter, shall be displayed in a prominent place in plain view near the front desk of the facility.
- F. The City may revoke the business license of the facility for violations of this section.

Sec. 12-625 Marijuana Cultivation and Testing Facilities

- A. No permit shall be issued or renewed for a Marijuana-Cultivation or Testing Facility that does not meet the standards of this section.
- B. Distance Requirement.
 - (1) No Marijuana Cultivation Facility shall be located within 1000 legally walkable feet of a then existing elementary or secondary school, state-licensed child day-care center, or church (see § Sec. Sec. 12-600 B(25) for the definition of ‘then existing’).
 - (2) In the case of a freestanding facility, the distance between the facility and the school, daycare, or church shall be measured from the external wall of the facility structure closest in proximity to the school, daycare, or church to the closest point of the property line of the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility. In the case of a facility that is part of a larger structure, such as an office building or strip mall, the distance between the facility and the school, daycare, or church shall be measured from the property line of the school, daycare, or church to the facility's entrance or exit closest in proximity to the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility. Measurements shall be made along the shortest path between the demarcation points that can be lawfully traveled by foot.
 - (3) The City Council may reduce this distance by resolution if an applicant shows good cause for the same. The determination of what constitutes good cause shall be at the sole discretion of the City Council.
- C. Outdoor Operations or Storage. All operations and all storage of materials, products, or equipment shall be within a fully secured area inside the building structure or outdoors on the property in an area enclosed by a fence with razor wire at least ten (10) feet in height, not including the razor wire or such other alternative security measures approved by the City Council.
- D. Onsite Usage Prohibited. No marijuana may be smoked, ingested, or otherwise consumed on the premises of any Marijuana Cultivation Facility at any time.
- E. Display of Licenses Required. The Marijuana Cultivation Facility license issued by the State of Missouri, along with the City issued license pursuant to this chapter, shall be displayed in a prominent place in plain view near the front entrance of the facility.

- F. The City may revoke the business license of the facility for violations of this section after notice and an opportunity for a hearing.

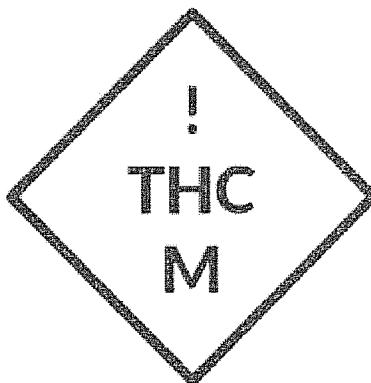
Sec. 12-630 Disposal of Marijuana

No person shall dispose of Marijuana or Marijuana-Infused products in an unsecured waste receptacle not in possession and control of the Licensee and designed to prohibit unauthorized access.

Sec. 12-635 Edible Marijuana, Labeling Requirements.

- A. No edible marijuana-infused product, packaging, or logo sold in this City pursuant to Article XIV of the Missouri Constitution shall be designed in the shape of a human, animal, or fruit, including realistic, artistic, caricature, or cartoon renderings. However, geometric shapes, including, but not limited to, circles, squares, rectangles, and triangles shall be permitted.
- B. Each package, or packages with or within a package, containing an edible marijuana-infused product with ten or more milligrams of tetrahydrocannabinol (THC) shall be stamped with a universal symbol for such products, which shall consist of the following:
- (1) A diamond containing the letters "THC";
 - (2) The letter "M" located under the "THC" within the diamond, to signify that the product is for medical purposes; and
 - (3) The number of milligrams of THC in the package.

The universal symbol shall be placed on the front of the package in red and white print and shall measure one-half inch by one-half inch from point to point.”



SECTION 2: Chapter 10 of the City Code is hereby amended by adding one new section to read as follows:

“Sec. 10-385 Marijuana Odors and Smoke Declared to be a Nuisance.

Any marijuana facility authorized by Article XIV of the Missouri Constitution which generates marijuana smoke or odor that is capable of being detected by a person of ordinary senses (including but not limited to any police officer) beyond the property line of the facility is hereby declared to be a nuisance. In addition to any other remedy provided for the abatement of nuisances, the City may revoke the business license of any such facility for violation of this section after notice and the opportunity for a hearing. Violation of this section shall also be punishable by a fine, not to exceed \$500.”

SECTION 3: Chapter 36 of the City Code is hereby amended by repealing Article VII in its entirety and enacting a new Article VII, to read as follows:

“Sec. 36-234 Definitions.

As used in this Article, the following terms shall mean:

ADMINISTER

To apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

1. A practitioner (or, in his/her presence, by his/her authorized agent); or
2. The patient or research subject at the direction and in the presence of the practitioner.

CONTROLLED SUBSTANCE

A drug, substance, or immediate precursor in Schedules I through V listed in Chapter 195, RSMo.

DELIVER or DELIVERY

The actual, constructive, or attempted transfer from one (1) person to another of drug paraphernalia or of a controlled substance, or an imitation controlled substance, whether or not there is an agency relationship, and includes a sale.

DEPRESSANT OR STIMULANT SUBSTANCE

1. A drug containing any quantity of barbituric acid or any of the salts of barbituric acid or any derivative of barbituric acid which has been designated by the United States Secretary of Health and Human Services as habit forming under 21 U.S.C. Section 352(d);
2. A drug containing any quantity of:
 - a. Amphetamine or any of its isomers;
 - b. Any salt of amphetamine or any salt of an isomer of amphetamine; or

c. Any substance the United States Attorney General, after investigation, has found to be, and by regulation designated as, habit forming because of its stimulant effect on the central nervous system;

3. Lysergic acid diethylamide; or

4. Any drug containing any quantity of a substance that the United States Attorney General, after investigation, has found to have, and by regulation designated as having, a potential for abuse because of its depressant or stimulant effect on the central nervous system or its hallucinogenic effect.

DISPENSE

To deliver a narcotic or controlled dangerous drug to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for such delivery. "Dispenser" means a practitioner who dispenses.

DISTRIBUTE

To deliver other than by administering or dispensing a controlled substance.

DRUG PARAPHERNALIA OR PARAPHERNALIA

1. All equipment, products, and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance or an imitation controlled substance in violation of Sections 195.005 to 195.425, RSMo. but not including Marijuana Accessories. It includes, but is not limited to:

a. Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing, or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived;

b. Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances or imitation controlled substances;

c. Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance or an imitation controlled substance;

d. Testing equipment used, intended for use, or designed for use in identifying, or in analyzing the strength, effectiveness or purity of controlled substances or imitation controlled substances;

e. Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances or imitation controlled substances;

- f. Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose, and lactose, used, intended for use, or designed for use in cutting controlled substances or imitation controlled substances;
- g. Blenders, bowls, containers, spoons, and mixing devices used, intended for use, or designed for use in compounding controlled substances or imitation controlled substances;
- h. Reserved.
- i. Capsules, balloons, envelopes, and other containers used, intended for use, or designed for use in packaging small quantities of controlled substances or imitation controlled substances;
- j. Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances or imitation controlled substances;
- k. Hypodermic syringes, needles, and other objects used, intended for use, or designed for use in parenterally injecting controlled substances or imitation controlled substances into the human body;
- l. Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing, cocaine, hashish, or hashish oil into the human body, except those designed or intended for use with marijuana, such as:
 - (1) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
 - (2) Water pipes;
 - (3) Carburetion tubes and devices;
 - (4) Smoking and carburetion masks;
 - (5) Roach clips, meaning objects used to hold burning material, except those for use with marijuana, that has become too small or too short to be held in the hand;
 - (6) Miniature cocaine spoons and cocaine vials;
 - (7) Chamber pipes;
 - (8) Carburetor pipes;
 - (9) Electric pipes;
 - (10) Air-driven pipes;
 - (11) Chillums;
 - (12) Bongs;
 - (13) Ice pipes or chillers;
 - (14) Substances used, intended for use, or designed for use in the manufacture of a controlled substance.
- 2. In determining whether an object, product, substance, or material is drug paraphernalia, a court or other authority should consider, in addition to all other logically relevant factors, the following:

- a. Statements by an owner or by anyone in control of the object concerning its use;
- b. Prior convictions, if any, of an owner, or of anyone in control of the object, under any State or Federal law relating to any controlled substance or imitation controlled substance;
- c. The proximity of the object, in time and space, to a direct violation of this chapter or Chapter 579, RSMo.;
- d. The proximity of the object to controlled substances or imitation controlled substances;
- e. The existence of any residue of controlled substances or imitation controlled substances on the object;
- f. Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he/she knows, or should reasonably know, intend to use the object to facilitate a violation of this chapter or Chapter 579 RSMo.; the innocence of an owner, or of anyone in control of the object, as to a direct violation of this chapter or Chapter 579, RSMo., shall not prevent a finding that the object is intended for use, or designed for use as drug paraphernalia;
- g. Instructions, oral or written, provided with the object concerning its use;
- h. Descriptive materials accompanying the object which explain or depict its use;
- i. National or local advertising concerning its use;
- j. The manner in which the object is displayed for sale;
- k. Whether the owner or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;
- l. Direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;
- m. The existence and scope of legitimate uses for the object in the community;
- n. Expert testimony concerning its use;
- o. The quantity, form or packaging of the product, substance or material in relation to the quantity, form or packaging associated with any legitimate use for the product, substance or material.

HALLUCINOGENIC SUBSTANCES

Including lysergic acid diethylamide, mescaline, psilocybin, and various types of methoxyamphetamines.

IMITATION CONTROLLED SUBSTANCE

A substance that is not a controlled substance, which by dosage unit appearance (including color, shape, size, and markings), or by representations made, would lead a reasonable person to believe that the substance is a controlled substance. In determining whether the substance is an imitation controlled substance the court or authority concerned should consider, in addition to all other logically relevant factors, the following:

1. Whether the substance was approved by the Federal Food and Drug Administration for over-the-counter (non-prescription or non-legend) sales and was sold in the Federal Food and Drug Administration-approved package, with the Federal Food and Drug Administration-approved labeling information;
2. Statements made by an owner or by anyone else in control of the substance concerning the nature of the substance, or its use or effect;
3. Whether the substance is packaged in a manner normally used for illicit controlled substances;
4. Prior convictions, if any, of an owner, or anyone in control of the object, under State or Federal law related to controlled substances or fraud;
5. The proximity of the substances to controlled substances;
6. Whether the consideration tendered in exchange for the non-controlled substance substantially exceeds the reasonable value of the substance considering the actual chemical composition of the substance and, where applicable, the price at which over-the-counter substances of like chemical composition sell. An imitation controlled substance does not include a non-controlled substance that was initially introduced in commerce prior to the initial introduction into commerce of the controlled substance that it is alleged to imitate. Furthermore, an imitation controlled substance does not include a placebo or registered investigational drug either of which was manufactured, distributed, possessed, or delivered in the ordinary course of professional practice or research;
7. Stimulants such as amphetamines and methamphetamines;
8. Barbiturates and other depressants such as amobarbital, secobarbital, pentobarbital, phenobarbital, methaqualone, phencyclidine, and diazepam.

LICENSE or LICENSED

Persons required to obtain annual registration as issued by the State Division of Health as provided by Section 195.030, RSMo.

MANUFACTURE

The production, preparation, propagation, compounding, or processing of drug paraphernalia or of a controlled substance, or an imitation controlled substance, either directly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its

container. This term does not include the preparation or compounding of a controlled substance or an imitation controlled substance by an individual for his/her own use or the preparation, compounding, packaging, or labeling of a narcotic or dangerous drug:

1. By a practitioner as an incident to his/her administering or dispensing of a controlled substance or an imitation controlled substance in the course of his/her professional practice; or
2. By a practitioner or by his/her authorized agent under his/her supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

MARIJUANA

All parts of the plant genus Cannabis in any species or form thereof, including, but not limited to Cannabis Sativa L., except industrial hemp, Cannabis Indica, Cannabis Americana, Cannabis Ruderalis, and Cannabis Gigantea, whether growing or not, the seeds thereof, the resin extracted from any part of the plant; and every compound, manufacture, sale, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of the plant which is incapable of germination.

MARIJUANA ACCESSORIES

Any equipment, product, material, or a combination of equipment, products, or materials, which is specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing marijuana into the human body.

PERSON

An individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership, joint venture, association, or any other legal or commercial entity.

PHARMACIST

A licensed pharmacist as defined by the laws of this State, and where the context so requires, the owner of a store or other place of business where controlled substances are compounded or dispensed by a licensed pharmacist; but nothing in this section shall be construed as conferring on a person who is not registered or licensed as a pharmacist any authority, right or privilege that is not granted to him/her by the pharmacy laws of this State.

PRACTITIONER

A physician, dentist, optometrist, podiatrist, veterinarian, scientific investigator, pharmacy, hospital or other person licensed, registered or otherwise permitted by this State to distribute, dispense, conduct research with respect to or administer or to use in teaching or chemical analysis, a controlled substance in the course of professional practice or research in this State, or a pharmacy, hospital or other institution licensed,

registered, or otherwise permitted to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of professional practice or research.

PRESCRIPTION

A written order and, in cases of emergency, a telephone order, issued by a practitioner in good faith in the course of his/her professional practice to a pharmacist for a drug or a particular patient which specifies the date of its issue, the name and address of the patient (and, if such drug is prescribed for an animal, the species of such animal), the name and quantity of the drug prescribed, the directions for use of such drug, and the signature of the practitioner.

PRIMARY CAREGIVER

An individual twenty-one (21) years of age or older who has significant responsibility for managing the well-being of a qualifying patient and who is designated as such on the primary caregiver's application for an identification card under the provisions of Article XIV, Section 1, of the Missouri Constitution or in other written notification to the Missouri Department of Health and Senior Services.

PRODUCTION

Includes the manufacture, planting, cultivation, growing, or harvesting of drug paraphernalia or of a controlled substance or an imitation controlled substance.

QUALIFYING PATIENT

A Missouri resident diagnosed with at least one (1) qualifying medical condition as defined by Article XIV, Section 1, of the Missouri Constitution.

WAREHOUSEMAN

A person who, in the usual course of business, stores drugs for others, is lawfully entitled to possess them and who has no control over the disposition of such drugs except for the purpose of such storage.

WHOLESALE

A person who supplies drug paraphernalia or controlled substances or imitation controlled substances that he himself has not produced or prepared, on official written orders, but not on prescriptions.

Sec. 36-236 Possession or Control of a Controlled Substance, Penalty.

A. A person commits the offense of possession of a controlled substance if he or she knowingly possesses a controlled substance or controlled substance analog, as those terms are defined in Section 195.010, RSMo., except as authorized by Chapter 579, RSMo., Chapter 195, RSMo., but excluding the possession of marijuana.

B. In any complaint, information, or indictment, and in any action or proceeding brought for the enforcement of any provision of this Section, it shall not be necessary to include any exception, excuse, proviso, or exemption contained in this Section, Chapter 579, RSMo., or Chapter 195, RSMo., and the burden of proof of any such exception, excuse, proviso or exemption shall be upon the defendant.

Sec. 36-238 Unlawful Use of Drug Paraphernalia.

A. No person shall use or possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or an imitation controlled substance in violation of Sections 195.005 to 195.425, RSMo.

Sec. 36-240 Illegal Possession and Transportation of Marijuana

A. No person shall possess in public at any time more than 3 ounces of marijuana, and no person under the age of 21 years may possess, use, ingest, inhale, transport, or deliver with or without consideration, marijuana or marijuana paraphernalia, except that qualified patients under the age of twenty-one years (21) years may possess medical marijuana or paraphernalia to the extent allowed by law.

(1) If the violation of this Section involves three ounces of marijuana or less, the penalty shall be punishable by a fine not to exceed One Hundred Dollars (\$100.00)

B. Illegal Growing:

(1) Possessing, transporting, planting, cultivating, harvesting, drying, processing, or manufacturing more than six flowering marijuana plants, six nonflowering marijuana plants (over fourteen inches tall), and six clones (plants under fourteen inches tall); or

(2) possessing, transporting, planting, cultivating, harvesting, drying, processing, or manufacturing marijuana plants without being registered with the Department of Health and Senior Services for the cultivation of marijuana plants; or

(3) failing to keep in excess of three ounces of such plants in a locked space not visible by normal, unaided vision from a public place; or

C. Growing or possessing such plants by a person under the age of twenty-one years;

D. Sale to Persons Under Twenty-One. No person shall deliver to, transfer to, or sell to persons twenty-one years of age or older marijuana or marijuana paraphernalia;

E. Penalties. Subject to the limitations of this section, a person who possesses not more than twice the amount of marijuana allowed pursuant to this subsection, produces not more than twice the amount of marijuana allowed pursuant to this subsection, delivers without receiving any consideration or remuneration to a person who is at least twenty-one years of age not more than twice the amount of marijuana allowed by this subsection, or possesses with intent to deliver not more than twice the amount of marijuana allowed by this subsection:

- (1) A first violation is subject to an ordinance violation punishable by a fine not exceeding two hundred and fifty dollars and forfeiture of the marijuana;
- (2) A second violation and subsequent violations, is subject to an ordinance violation punishable by a fine not exceeding five hundred dollars and forfeiture of the marijuana;
- (3) A person under twenty-one years of age in violation of this section is subject to a fine not to exceed two hundred and fifty dollars. Any such person shall be provided the option of attending up to eight hours of drug education or counseling in lieu of the fine; and
- (4) In lieu of payment, penalties under this subsection may be satisfied by the performance of community service. The rate of pay-down associated with said service option will be the greater of \$15 or the minimum wage in effect at the time of judgment per hour of service.

Sec. 36-242. Delivery of simulated drug or simulated controlled substance.

- (a) Definitions. The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
Controlled substance and drug have the same meaning as now or hereafter provided by state statute; Simulated drug or simulated controlled substance means either any product which identifies itself by using a common name or slang term, similar name, similar term, or similar mark, imprint, brand, stamp, or impression associated with a controlled substance or drug; or any product which indicates on its label or accompanying promotion material that the product simulates the effect of a controlled substance or drug.
- (b) Prohibited. It shall be unlawful for any person to deliver any simulated drug or simulated controlled substance to another person.

Sec. 36-244. Failure to produce medical marijuana identification.

Any person who is in possession of medical marijuana shall, immediately upon the request of any law enforcement officer, produce a valid permit issued by the Missouri Department of Health and Senior Services (or its successor) for such possession including, but not limited to, a qualified patient identification card, a qualified caretaker card, or a similar card issued by another state. Any person who fails to produce such a permit upon request shall be guilty of the offense of failure to produce a medical marijuana permit. Conviction of this offense shall be punishable by a fine not to exceed \$50.00.

Sec. 36-246 Driving Under The Influence Of Marijuana.

A. A person commits the offense of driving under the influence of marijuana if he/she operates a motor vehicle under the influence of marijuana. Provided however that the presence of marijuana in the defendant's system alone shall not be sufficient proof that the defendant was under the influence of marijuana.

Sec. 36-248 Residential Cultivation, Medical Marijuana

A. To the extent allowed by State law, marijuana for medicinal purposes may be cultivated in a residential structure, provided:

(1) The structure is the primary residence of a Primary Caregiver or Qualifying Patient and the marijuana is grown solely for the use of the Qualifying Patient who resides there or who is under the care of the Primary Caretaker;

(2) The residence has operating systems to assure that the emission of fumes or vapors connected with the cultivation are not allowed out of the building, or if the residence is in a multifamily building, that such fumes and vapors are not allowed into any other residence;

(3) No manufacturing of marijuana products shall occur in any residence.

(4) The cultivation must comply with the security and other requirements of state law and the rules of the Division of Health and Senior Services; and

(5) the resident has notified the City Clerk, including providing proof of eligibility, on a form provided by the City Clerk, so that law enforcement and code officials will be aware that the cultivation is lawfully taking place.

Sec. 36-250 Residential Consumption.

A. Persons may consume marijuana in their private residence, or in the residence of another with permission, but may not dispense or smoke marijuana in such a manner that the marijuana smoke or odor, exits the residence. If marijuana smoke or odor is capable of being detected by a person of ordinary senses (including but not limited to any police officer) beyond the property line of a single-family home or outside of the owned or leased premises of a duplex or multifamily unit there shall be a rebuttable presumption that this section has been violated. In a multifamily or similar dwelling, marijuana may not be dispensed or consumed in any common area.

B. Violation of this provision shall be punishable by a fine not to exceed One Hundred Dollars (\$100.00).

Sec. 36-252 Motor Vehicle Offenses Involving Marijuana. It shall be unlawful for any person to:

A. Operating or being in physical control of any motor vehicle, train, aircraft, motorboat, or other motorized forms of transport while under the influence of

marijuana. Notwithstanding the foregoing, a conviction of a person who is at least twenty-one years of age for any applicable offenses shall require evidence that the person was in fact under the influence of marijuana at the time the person was in physical control of the motorized form of transport and not solely on the presence of tetrahydrocannabinol (THC) or THC metabolites, or a combination thereof, in the person's system;

- B. Consumption of marijuana while operating or being in physical control of a motor vehicle, train, aircraft, motorboat, or other motorized forms of transport while it is being operated; or
- C. Smoking marijuana within a motor vehicle, train, or aircraft, motorboat, or another motorized form of transport while it is being operated.

Sec. 36-254 Possession or Consumption Prohibited on Certain Property.

If shall be unlawful for a person to be in possession or consumption of marijuana or possession of marijuana accessories on the grounds of a public or private preschool, elementary or secondary school, institution of higher education, in a school bus, or on the grounds of any correctional facility.

Sec. 36-256 Public Consumption.

- A. Smoking marijuana in a location where smoking tobacco is prohibited.
- B. Consumption of marijuana in a public place, other than in an area authorized by the City for that purpose is prohibited.
- C. Restaurants serving food that contains marijuana must register with the City and provide notice on all public entrances and on all menus that certain food contains marijuana.
- D. Violation of this Section shall be punishable by a fine not to exceed One Hundred Dollars (\$100.00) for the first offense and not more than Five Hundred Dollars (\$500.00) for subsequent offenses, as well as confiscation of the marijuana.”

SECTION 4: The provisions of any ordinance or code section in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

SECTION 5: This ordinance shall be in full force and effect beginning at 12:01 a.m. on December 8, 2022.

SECTION 6: The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 5th day of December 2022.

Presiding Officer of the Council

Approved by the Mayor of said City this 5th day of December 2022.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE IMPOSING A THREE PERCENT (3%) TAX ON THE RETAIL SALE OF RECREATIONAL MARIJUANA TO BE PLACED ON THE BALLOT FOR THE APRIL 4, 2023, MUNICIPAL ELECTION.

WHEREAS, the City of Sedalia is authorized by Article XIV, Section 2.6(5) of the Missouri Constitution to impose a local sales tax at a rate of Three Percent (3%); and

WHEREAS, this proposed local sales tax levy, if approved by the voters, shall be imposed on all retail sales of adult-use marijuana sold in the City of Sedalia; and

WHEREAS, the proposed sales tax levy requires a majority approval by the qualified voters of the City at an election.

NOW, THEREFORE, BE IT ORDAINED BY THE SEDALIA CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI, AS FOLLOWS:

SECTION 1. Pursuant to the authority granted by Article XIV, Section 2.6(5) of the Missouri Constitution a local city sales tax of Three Percent (3%) for general revenue purposes is imposed on the receipts from the sale of adult-use marijuana sold at retail within the City's corporate boundaries.

SECTION 2. This tax shall be submitted to the qualified voters of Sedalia, Missouri, for their approval, as required by the provisions of Article XIV, Section 2.6(5) of the Missouri Constitution, at the election hereby called and to be held on Tuesday, the 4th day of April 2023. The ballot of submission shall contain the following language:

Proposition A

Shall the City of Sedalia, Missouri impose a
City sales tax of Three Percent (3%) on the sales of adult-use
marijuana sold at retail?

YES

NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

SECTION 3. The Mayor and City Clerk shall prepare and execute the form of the Notice of said Election and shall transmit the same to the Election Authority for the City of Sedalia, Missouri, and request said election to be conducted by law.

SECTION 4. If a majority of the qualified voters voting at said election shall vote in favor of the approval of this ordinance, then the sales tax approved by the voters shall be in full force and effect on April 4, 2023, and the City Clerk shall forward to the Director of Revenue of the State of Missouri, by United States Registered Mail or Certified Mail, a certified copy of this ordinance, together with the certificates of the election returns and accompanied by a map of the City clearly showing the boundaries, thereof.

SECTION 5. If any section, subsection, sentence clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, as such holding shall not affect the validity of the remaining portion thereof.

SECTION 6. This tax shall be collected in addition to any other sales taxes imposed by the City and shall not replace or repeal any other sales tax.

SECTION 7. This ordinance shall be in full force and effect from and after its passage and approval subject to the provisions herein contained which provide for voter approval or for specific dates of effectiveness.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 5th day of December, 2022.

Presiding Officer of the Council

Approved by the Mayor of said City this 5th day of December, 2022.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

EXHIBIT A

PUBLIC NOTICE OF ELECTION FOR THE CITY OF SEDALIA, MISSOURI

Public notice is hereby given to the qualified voters of the City of Sedalia, Missouri, that the Sedalia City Council of said City has called a General Election to be held Tuesday, April 4, 2023, commencing at six o'clock A.M. and closing at seven o'clock P.M., local time, on the question contained in the following sample ballot:

OFFICIAL BALLOT

CITY OF SEDALIA, MISSOURI

GENERAL ELECTION

TUESDAY, APRIL 4, 2023

PROPOSITION A

Shall the City of Sedalia, Missouri impose a
city sales tax of Three Percent (3%) on the sales of adult use
marijuana sold at retail?

YES

NO

INSTRUCTIONS TO VOTERS:

Instructions to Voters: If you are in favor of the proposition, place an X in the box opposite "YES."
If you are opposed to the proposition, place an X in the box opposite "NO."

Done by order of the Sedalia City Council this ____ day of _____, 2022.

County Clerk, Pettis County, Missouri

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A QUIT CLAIM DEED FOR THE SALE OF PROPERTY COMMONLY KNOWN AS _____ FROM THE CITY OF SEDALIA, MISSOURI TO _____.

WHEREAS, The City of Sedalia, Missouri has received a proposal from _____ to purchase property commonly known as _____ for the sum and amount of _____ as contained in the contract for sale of real estate and quit claim deed attached hereto and incorporated by reference.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI, AS FOLLOWS:

Section 1. The Council of the City of Sedalia, Missouri approves and accepts the terms as contained in the contract for sale of real estate in substantially the same form and content as proposed.

Section 2. The Council of the City of Sedalia, Missouri, hereby approves the giving of a quit claim deed by the City of Sedalia, Missouri to _____ for the conveyance of property commonly known as _____ in substantially the same form and content as proposed.

Section 3. The City Administrator is authorized to accept said contract, sign said contract and deed and execute any and all closing documents on behalf of the City of Sedalia, Missouri and the City Clerk is hereby authorized and directed to file in his office the said contract and deed after recording said deed and ordinance with the Pettis County Recorder of Deeds.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 5th day of December, 2022.

Presiding Officer of the Council

Approved by the Mayor of said City this 5th day of December, 2022.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk