



City Hall
117 S. Main Street
Fayette, MO 65248
Ph:(660) 248-5246
Fax:(660) 248-3502

Tentative Agenda

June 25, 2024

Regular Meeting of the Board of Alderman of the City of Fayette
Fayette City Hall, 117 South Main, Fayette, MO 65248
Tuesday, June 25, 2024 at 6:00 p.m.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. ADDITIONS TO AND APPROVAL OF AGENDA

E. APPROVAL OF MINUTES FOR THE REGULAR MEETING HELD ON JUNE 11, 2024

F. APPROVAL OF MINUTES FOR THE BUDGET MEETING HELD ON JUNE 12, 2024

G. PUBLIC HEARING BEGINS

REGARDING DESIGNATING THE FAYETTE COURTHOUSE SQUARE HISTORIC DISTRICT
AS A LOCAL HISTORIC DISTRICT

H. CITY STAFF REPORTS:

1. City Marshal
2. City Clerk
3. City Attorney

I. VISITORS:

J. CITIZEN PARTICIPATION:

K. NEW BUSINESS:

1. PAY RESOLUTION 2024-13 APPROVING INVOICES FOR PAYMENT
2. DISCUSSION AND/OR APPROVAL OF BILL NO. 2024-13, AN ORDINANCE OF THE CITY OF FAYETTE, MISSOURI, DESIGNATING THE FAYETTE COURTHOUSE SQUARE HISTORIC DISTRICT AS A FAYETTE, MISSOURI LOCAL HISTORIC DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE.

1ST READING BY TITLE ONLY

2ND READING BY TITLE ONLY



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3. DISCUSSION AND/OR APPROVAL OF GENERAL CODE ANNUAL CODIFICATION OF ORDINANCES ANNUAL SUPPLEMENT AND/OR TRACKBACK FEATURE
4. DISCUSSION AND/OR APPROVAL OF RTS WASTE SERVICES, LLC CONTRACT
5. DISCUSSION AND/OR APPROVAL OF BILL NO. 2024-05 AN ORDINANCE OF THE CITY OF FAYETTE, MISSOURI AMENDING THE CITY CODE BY ADDING ONE NEW CHAPTER REGARDING ADULT ENTERTAINMENT.

1ST READING BY TITLE ONLY

2ND READING BY TITLE ONLY

L. BOARD OF ALDERMAN COMMENTS & COMMITTEE UPDATE:

1. Stephanie Ford, East Ward
2. Ronda Gerlt, East Ward
3. Peggy O’Connell, Northwest Ward
4. Michelle Ishmael, Northwest Ward
5. LeeAnna Shiflett, Southwest Ward
6. Marsha Broadus, Southwest Ward

M. MAYORS COMMENTS:

- N. MOTION TO ADJOURN TO CLOSED SESSION PURSUANT TO RSMO CHAPTER 610.021 (2) LEASING, PURCHASE OR SALE OF REAL ESTATE BY A PUBLIC GOVERNMENT BODY WHERE PUBLIC KNOWLEDGE OF THE TRANSACTION MIGHT ADVERSELY AFFECT THE LEGAL CONSIDERATION THEREFORE: RSMO CHAPTER 610.021 (3) HIRING, FIRING, DISCIPLINING OR PROMOTING OF PARTICULAR EMPLOYEES BY A PUBLIC GOVERNMENTAL BODY WHEN PERSONAL INFORMATION ABOUT THE EMPLOYEE IS DISCUSSED OR RECORDED; RSMO CHAPTER 610.021 (13) INDIVIDUALLY IDENTIFIABLE PERSONAL RECORDS, PERFORMANCE RATING OR RECORDS PERTAINING TO EMPLOYEES OR APPLICANTS FOR EMPLOYMENT**

- **Employee Review**

O. MOTION TO ADJOURNMENT:

**REGULAR MEETING OF THE BOARD OF ALDERMAN OF
THE CITY OF FAYETTE, MISSOURI
TUESDAY, JUNE 11, 2024**

CALL TO ORDER

The regular meeting of the Board of Aldermen of the City of Fayette was called to order at 6:00 p.m., June 11, 2024 by Mayor Greg Stidham.

PLEDGE OF ALLEGIANCE

Everyone in the Chamber rose for the Pledge of Allegiance led by Alderwoman Michelle Ishmael.

ROLL CALL

Roll Call verified six Board Members present for the meeting.

Responding to the Roll Call: Alderwoman Stephanie Ford, Alderwoman Ronda Gerlt, Alderwoman LeeAnna Shiflett, Alderwoman Marsha Broadus, Alderwoman Michelle Ishmael and Alderwoman Peggy O'Connell.

ADDITIONS TO AND APPROVAL OF AGENDA.

Alderwoman Ford motioned to approve the June 11, 2024 agenda. Alderwoman O'Connell seconded the motion. Six voting Aye. Nays – none. Motion passed.

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF
ALDERMAN HELD MAY 28, 2024**

Alderwoman Ford motioned to approve the minutes of the Regular Meeting of the Board of Alderman held May 28, 2024. Alderwoman Shiflett seconded the motion. Six voting Aye. Nays – none. Motion passed.

**APPROVAL OF THE MINUTES OF THE BUDGET MEETING OF THE BOARD OF
ALDERMAN HELD ON JUNE 4, 2024**

Alderwoman Ford motioned to approve the minutes of the Budget Meeting of the Board of Alderman held June 4, 2024. Alderwoman Ishmael seconded the motion. Six voting Aye. Nays – none. Motion passed.

CITY STAFF REPORTS

CITY MARSHAL DAVID FORD

City Marshal David Ford had no comments

WATER DISTRIBUTION SUPERINTENDENT CURTIS HAMMONS

Water Distribution Superintendent Curtis Hammons presented two line-item requests for the board's approval. The first in the amount of \$8,813.09 for fire hydrants, gate valves and lid covers and the second in the amount of \$9,405.00 for fifty-seven Smart Point antennas for water meters. Alderwoman Ford motioned to approve both requests for the amount submitted. Alderwoman Gerlt seconded the motion. Six voting Aye. Nays – none. Motion passed.

CITY CLERK JUDY THOMPSON

City Clerk Judy Thompson reported that business license renewal letters had been mailed out. Licenses will expire June 30, 2024.

Mrs. Thompson asked the board to discuss two areas of concern regarding the Fayette Swimming Pool. First, should the age of the responsible party be lowered from “adult” to a younger age. The other item is whether the price of pool parties for large parties should be raised to accommodate for additional lifeguards. Mayor Stidham suggested that Alderwoman Ford form a committee to discuss the pool situation and make a report at the next board of alderman meeting.

Mrs. Thompson reported that summer hours for utility workers would start July 1st and would be from 7:00 a.m. to 3:30 p.m. due to high temperatures

Mrs. Thompson reported the new Lager's Employer Contribution Rates will increase beginning July 1, 2024 to 9.2% for General Employees and 24.9% for Police.

Mrs. Thompson revealed the new “business license” for children at the Kid's Market created by Administrative Assistant Mati Salazar.

CITY ATTORNEY NATHAN NICKOLAUS

City Attorney Nathan Nickolaus had no comments.

VISITORS

1. **Tim Jackman** represented the Juneteenth Committee along with a group of members. A picture was taken by Editor Justin Addison of the group and Mayor Stidham read the Juneteenth Proclamation. Mr. Jackman thanked the board for it's continued support.
2. **Lindsey Bachtel** of Howard County 911 asked the board for funds to cover training for the Mules System. Mayor Stidham tabled the request until after budget time.
3. **Rebecca Fenton** presented information regarding her request to revise Ordinance 205.100. It is her desire that the rabies vaccine language be changed to one or three years to help decrease the amount of toxins given to animals and to add the use of titer testing. Mayor Stidham suggested that the board contact Dr. Stroupe for more information and then discuss the ordinance revision.
4. **Pam Huttzell**, representing the Fayette Historic Preservation Commission visited to report on the Planning and Zoning Public Hearing regarding the amendments for Chapter 405 and Chapter

415 which were unanimously approved by Planning and Zoning Commission. Mrs. Huttshell also discussed the Designation Ordinance that will be discussed at the June 25, 2024 meeting. She presented Design Guidelines for Courthouse Square Historic District and an article written by Nory Winter titled Benefits of Design Review.

CITIZEN PARTICIPATION

Regina Powell

Regina Powell expressed her concerns regarding fair housing for lower income people, speeding on South Park and a house across the street from her that is in bad shape.

Rev. Bill O'Neill

Reverend Bill O'Neill shared with the board that on July 22, 2024 Central Methodist will have 700 kids and 100 adults to do community service. Mr. O'Neill will contact Mayor Stidham.

NEW BUSINESS

PAY RESOLUTION 2024-12 APPROVING INVOICES FOR PAYMENT

Alderman Ford motioned to approve Pay Resolution 2024-12, approving invoices for payment and salaries in the total sum of **\$348,015.19** which includes, General Fund \$82,615.26, Electric Fund \$238,293.79, Water Fund \$10,395.71, Sewer Fund \$16,710.43. Alderman O'Connell seconded the motion. Six voting Aye. Nays – None. Motion passed.

DISCUSSION AND/OR APPROVAL OF APPOINTMENT OF LARRY ANDERSON TO THE FAYETTE HOUSING AUTHORITY BOARD.

Alderman Ford motioned to approve the appointment of Larry Anderson to the Fayette Housing Authority Board. Alderman Ishmael seconded the motion. Five voting Aye. One abstaining and Nays – None. Motion passed.

DISCUSSION AND/OR APPROVAL OF NEW BUSINESS LICENSE APPLICATION FOR GRAY BUILT, LLC

Alderman Broadus motioned to approve the new business license application for Gray Built, LLC. Alderman O'Connell seconded the motion. Six voting Aye. Nays – None. Motion passed.

REVIEW OF PLANNING & ZONING COMMISSION APPROVAL OF PRELIMINARY DEVELOPMENT PLANS FOR GL RENTALS ANNEX

Derek Forbis of OWN Engineering came to discuss the annex project for GL Rentals. Mr. Forbis explained that it was no benefit to the city to annex the flood plain area. The description should only include the outer boundary of the subdivision. Mr. Forbis also discussed the City's responsibility would be to provide sewer across the road to the subdivision which Mr. Forbis said the engineering fee would

cost approximately \$4,000.00 for DNR permitting and construction documents. Mr. Forbis asked the city to develop guidelines for new construction to make projects easier.

Aldерwoman Shiflett motioned to approve the preliminary development plans for GL Rentals annexed subdivision with the addition of a signature line to be added by Own Engineering. Aldерwoman Broadus seconded the motion. Four voting Aye. One abstained. One voting Nay. The motion passed.

Roll Call vote: Aldерwoman Ford voted Yes, Aldерwoman Gerlt abstained, Aldерwoman Shiflett voted Yes, Aldерwoman Broadus voted Yes, Aldерwoman Ishmael voted No, Aldерwoman O'Connell voted Yes.

REVIEW OF PLANNING & ZONING APPROVAL OF PROPOSED ORDINANCES.

Tabled until next Board of Alderman meeting.

DISCUSSION AND/OR APPROVAL OF BILL NO. 2024-11, AN ORDINANCE AMENDING CHAPTER 405 OF THE CITY CODE REGARDING HISTORIC BUILDINGS

Tabled until next Board of Alderman meeting.

DISCUSSION AND/OR APPROVAL OF BILL NO. 2024-12, AN ORDINANCE AMENDING CHAPTER 415 OF THE CITY CODE REGARDING HISTORIC BUILDINGS

Tabled until next Board of Alderman meeting.

DISCUSSION AND/OR APPROVAL OF BILL NO. 2024-05 AN ORDINANCE OF THE CITY OF FAYETTE, MISSOURI AMENDING THE CITY CODE BY ADDING ONE NEW CHAPTER REGARDING ADULT ENTERTAINMENT.

Tabled until next Board of Alderman meeting.

BOARD OF ALDERMAN & MAYOR COMMENTS & COMMITTEE UPDATES

Aldерwoman Stephanie Ford – East Ward

Aldерwoman Ford had no comments

Aldерwoman Ronda Gerlt – East Ward

Aldерwoman Gerlt gave a report on pot holes in city streets. The Street Department will start working on the pot holes.

Aldерwoman LeeAnna Shiflett – Southwest Ward

Aldерwoman Shiflett gave a report on pot holes on Depot, Boyd, Maple and West Davis Streets.

Mrs. Shiflett commented on overgrown grass on Derailed Commodities. Mayor Stidham mentioned that the boom mower was broken down.

Alderwoman Peggy O'Connell – Northwest Ward

Alderwoman O'Connell asked about fences around swimming pools at residences and reported that a citizen on Elm Street had a pool in their front yard with no fence.

Alderwoman Michelle Ishmael – Northwest Ward

Alderwoman Ishmael thanked Attorney Nickolaus for the training certificate.

Mrs. Ishmael reported that she had been on pot hole patrol and created a post on Facebook.

Mrs. Ishmael commented on the memorial stone that was placed in front of the cemetery was covered with grass and suggested a plaque be added to the fence above the plaque.

Mrs. Ishmael reported that Downtown Fayette is still looking for a new Executor Director and they are still looking for new members.

Mrs. Ishmael reported that Downtown Fayette are still looking for grants for Crigler's Corner, they will be participating in the Juneteenth celebration and the movie on the square is cancelled.

Alderwoman Marsha Broadus – Southwest Ward

Alderwoman Broadus reported on trucks and cars speeding on her street and asked what the status of the speed limit signs was. Mayor Stidham commented that the signs have been ordered.

Mayor Greg Stidham

Mayor Stidham reported that the city had received a letter from Missouri State Parks regarding being turned down for grant funds for the Fayette Swimming Pool.

Mr. Stidham met with all the department heads about being in charge since the Public Works Director is now gone and asked if each one would write a report of the work they'd done throughout the week.

Mr. Stidham reported Budget meeting Wednesday at 6:00 p.m.

Mr. Stidham reported on the Parking meeting that he had attended and reported that parallel parking had been eliminated from the plan.

Mr. Stidham brought up the vacation carry over policy and asked Alderwoman Shiflett to research the policy and bring the recommendations to the next meeting.

TO CLOSED SESSION

Alderwoman Broadus motioned to move to closed session at 7:38 p.m. Alderwoman Ishmael seconded the motion. Six voting Aye. Nays – 0. Motion Passed.

Responding to Roll Call: Alderwoman O’Connell, Alderwoman Ishmael, Alderwoman Broadus, Alderwoman Shiflett, Alderwoman Gerlt and Alderwoman Ford. Six voting Aye. Nays – None. Motion passed.

Alderwoman Broadus moved to adjourn closed session at 8:21 p.m. Alderwoman Ishmael seconded the motion.

Responding to Roll Call: Alderwoman Broadus, Alderwoman Ishmael, Alderwoman O’Connell, Alderwoman Shiflett, Alderwoman Gerlt, Alderwoman Ford. Six voting Aye. Nays – None. Motion passed.

ADJOURNMENT

Alderwoman Gerlt motioned to adjourn at 8:21 p.m. Alderwoman Ishmael seconded the motion. Six voting Aye. Nays – 0. Motion passed.

Respectfully submitted by:

_____ Judith Thompson, City Clerk

_____ Greg Stidham, Mayor

**BUDGET MEETING OF THE BOARD OF ALDERMAN OF
THE CITY OF FAYETTE, MISSOURI
TUESDAY, JUNE 12, 2024**

CALL TO ORDER

The budget meeting of the Board of Aldermen of the City of Fayette was called to order at 5:59 p.m., June 12, 2024 by Mayor Greg Stidham.

ROLL CALL

Roll Call verified four Board Members present for the meeting.

Responding to the Roll Call: Alderwoman Michelle Ishmael, Alderwoman Stephanie Ford, Alderwoman Ronda Gerlt and Alderwoman LeeAnna Shiflett.

Alderwomen Marsha Broadus and Peggy O’Connell were absent.

BUDGET WORK SESSION

The Board of Aldermen and Mayor Stidham reviewed and discussed items in the Electric, Water and Sewer Funds.

DISCUSSION OF FAYETTE POLICE DEPARTMENT CORPORAL POSITION

Alderwoman Ishmael motioned to approve the salary of \$24.00 per hour for a potential Corporal position in the Police Department. Alderwoman Ishmael seconded the motion. Four voting Aye. Nays – None. Motion passed.

The next Budget Work session was scheduled for Tuesday June 18, 2024 at 6:00 p.m.

ADJOURNMENT

Alderwoman Gerlt motioned to adjourn at 8:00 p.m. Alderwoman Shiflett seconded the motion. Four voting Aye. Nays – 0. Motion passed.

Respectfully submitted by:

_____ Judith Thompson, City Clerk

_____ Greg Stidham, Mayor



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN of a Public Hearing before the Board of Alderman of the City of Fayette, Missouri on Tuesday, June 25, 2024 at 6:00 p.m. at Fayette City Hall, 117 S Main Street, Fayette, Missouri.

The purpose of the hearing is to solicit input and comment on the nomination by the Fayette Historic Preservation Commission of the Fayette Courthouse Square National Register District as a Local Historic District. The nomination also has been approved and recommended by the Fayette Planning and Zoning Commission. The use of Design Guidelines is recommended utilizing an advisory/incentive program. The boundaries of the Local Historic District (H-District Overlay) would be identical to the boundaries of the National Historic District located within a nine-block area and generally described as south of Elm Street, east of Linn Street, west of Mulberry Street and north of Walnut Street.

For additional information contact:

Judy Thompson, Fayette City Clerk at (660) 248-5246, jthompson@cityoffayettemo.com

RESOLUTION APPROVING PAYMENT OF INVOICES 2024-13

Be it Ordained by the Board of Aldermen of the City of Fayette, as follows:

Section 1: For the purpose of paying invoices and various accounts against the City of Fayette, which have been allowed by the Board of Aldermen, at the meeting thereof on June 25, 2024 the sum of **\$169,505.97**

General Fund	\$	54,636.57
Electric Fund	\$	38,489.17
Water Fund	\$	67,950.29
Sewer Fund	\$	8,429.94

Section 2: The City Clerk is hereby authorized and instructed to draw checks on the respective City bank accounts, in favor of the accounts have been allowed as above amounting to **\$169,505.97** being the total amount of money above appropriated.

Section 3: This resolution shall take effect and be in force from and after its passage.

Approved June 25, 2024:

Greg Stidham, Mayor

Endorsed June 25, 2024: I hereby certify that a sufficient sum of money stands to the credit of the City, unappropriated, in the City Clerk's Payment Fund to meet the requirements of this ordinance.

Judith Thompson, City Clerk

CLAIMS REPORT

Vendor Checks: 6/12/2024- 6/25/2024

Page 1
Payroll Checks: 6/12/2024- 6/25/2024

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
AFLAC	EMPLOYEES INSURANCE	134.68	28257045	6/20/24	
ANIXTER INC	METER TEST	37.92	43207	6/25/24	
ANSWER MIDWEST INC	ANSWERING SERVICE	162.03	43208	6/25/24	
BOONE QUARRIES	GRAVEL	3,368.70	43209	6/25/24	
C & R SUPER MARKET	GALVANIZED NIPPLE, BOLTS, NUTS	309.52	43210	6/25/24	
CALEB SMEDLEY	MILEAGE FOR TRAINING	294.43	43211	6/25/24	
CARD SERVICES	LOUNGE CHAIRS FOR POOL	4,097.02	28257044	6/18/24	
CARRIE ADAMS	REIMBURSEMENT POOL PASS	60.00	43212	6/25/24	
CHRISTENSEN ASPHALT	COLD MIX	1,548.00	43213	6/25/24	
CODY HILGEDICK	MILEAGE MPUA TRAINING	120.60	43214	6/25/24	
CULLIGAN	WATER & COOLER	85.57	43215	6/25/24	
DIR OF REV/CREDIT STATE RD FND	ADVERTISING PERMIT SIGN ON 240	100.00	43216	6/25/24	
DOLLAR GENERAL - CHARGED SALES	SNACKS FOR POOL	76.60	43217	6/25/24	
FAMILY SUPPORT PAYMENT CENTER	GARNISHMENTS	69.23	43205	6/19/24	
GILLMORE BELL	LEGAL SERVICE FOR FILING 8038	250.00	43218	6/25/24	
GRAYBAR ELECTRIC COMPANY, INC.	LINE MATERIALS	18,512.55	43219	6/25/24	
HOWARD COUNTY REGIONAL WATER	WATER PURCHASE	54,871.64	43220	6/25/24	
HSA-C HAMMONS	HEALTH SAVINGS	100.00	28257040	6/19/24	
HSA-D FORD	HEALTH SAVINGS	25.00	28257039	6/19/24	
HSA-J THOMPSON	HEALTH SAVINGS	150.00	28257038	6/19/24	
HSA-M SALAZAR	HEALTH SAVINGS	75.00	28257041	6/19/24	
IRS	FED/FICA TAX	12,984.28	28257036	6/19/24	
JOHN BAIER	PAINT GARAGE DOOR CITY HALL	2,020.00	43221	6/25/24	
MISSOURI LOCAL GOVERNMENT	MONTHLY LAGERS BENEFIT	10,535.54	28257032	6/13/24	
LIBERTY NATIONAL LIFE INS	EMPLOYEE'S INSURANCE	236.44	43222	6/25/24	
MISSOURI DEPT. OF REVENUE	MAY SALES TAX	6,644.90	28257033	6/20/24	
MO DEPT OF REV (PAYROLL)	STATE TAX	3,555.50	28257037	6/19/24	
MOCCFOA	MEMBERSHIP	95.00	43223	6/25/24	
O'REILLY AUTOMOTIVE	FREON REPAIR CHEVY TRUCK	86.43	43224	6/25/24	
PETTY CASH	JASON HAMPTON MEALS TRAINING	134.70	43225	6/25/24	
STOREY KENWORTHY/MATT PARROTT	UTILITY BILLS	1,207.81	43226	6/25/24	
SYDENSTRICKER NOBBE PARTNERS	CANOPY FOR 3320 TRACTOR WITH	843.01	43206	6/20/24	
TRAVIS WIES	MOWING CEMETERY	150.00	43227	6/25/24	
UNITED HEALTHCARE INSURANCE CO	MONTHLY DENTAL AND VISION INS	469.00	28257043	6/12/24	
UNITED STATES POSTAL SERVICE	DELINQUENT NOTICES POSTAGE	48.76	28257034	6/18/24	
VERIZON WIRELESS	M2Z SHARED WATER COMMUNICATOR	75.06	43228	6/25/24	
WATER & SEWER SUPPLY INC	DUCT CAMP FOR WATER LINE	307.71	43229	6/25/24	
Accounts Payable Total			123,842.63		

Payroll Checks

01	GENERAL	28,580.44
02	ELECTRIC	8,570.11
03	WATER	5,060.91
04	SEWER	3,451.88

Total Paid On: 6/19/24

45,663.34

Total Payroll Paid

45,663.34

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
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Report Total

169,505.97

0.00 *	0.00 *
123,842.63 +	45,663.34 +
134.68 -	134.68 +
4,097.02 -	69.23 +
69.23 -	100.00 +
100.00 -	25.00 +
25.00 -	150.00 +
150.00 -	75.00 +
75.00 -	12,984.28 +
12,984.28 -	10,535.54 +
10,535.54 -	3,555.50 +
6,644.90 -	469.00 +
3,555.50 -	73,761.57 *
843.01 -	0.00 *
469.00 -	0.00 *
48.76 -	0.00 *
84,110.71 *	0.00 *
0.00 *	169,505.97 +
0.00 *	84,110.71 -
0.00 *	73,761.57 -
0.00 *	4,097.02 -
0.00 *	6,644.90 -
0.00 *	843.01 -
0.00 *	48.76 -
0.00 *	0.00 *
0.00 *	0.00 *
84,110.71 +	
45,663.34 +	
134.68 +	
4,097.02 +	
69.23 +	
100.00 +	
25.00 +	
150.00 +	
75.00 +	
12,984.28 +	
10,535.54 +	
6,644.90 +	
3,555.50 +	
843.01 +	
469.00 +	
48.76 +	
169,505.97 *	

CLAIMS REPORT
CLAIMS FUND SUMMARY

FUND	NAME	AMOUNT
01	GENERAL	54,636.57
02	ELECTRIC	38,489.17
03	WATER	67,950.29
04	SEWER	8,429.94
TOTAL FUNDS		169,505.97

ACCOUNTS PAYABLE CHECK REGISTER

BANK#	BANK NAME	CHECK#	DATE	ACCOUNT#	NAME	CHECK AMOUNT	CLEARED	MANUAL	VOID	REASON FOR VOID
1 #128740 CITY CLERK PAYMENT FND										
*	874 Thru	43204								
	43205	6/19/2024	1853	FAMILY SUPPORT PAYMENT CENTER	69.23					
	43206	6/20/2024	1490	SYDENSTRICKER NOBBE PARTNERS	843.01					
	43207	6/25/2024	2151	ANIXTER INC	37.92					
	43208	6/25/2024	2981	ANSWER MIDWEST INC	162.03					
	43209	6/25/2024	1723	BOONE QUARRIES	3,368.70					
	43210	6/25/2024	1189	C & R SUPER MARKET	309.52					
	43211	6/25/2024	2877	CALEB SMEDLEY	294.43					
	43212	6/25/2024	3021	CARRIE ADAMS	60.00					
	43213	6/25/2024	2369	CHRISTENSEN ASPHALT	1,548.00					
	43214	6/25/2024	3020	CODY HILGEDICK	120.60					
	43215	6/25/2024	1324	CULLIGAN	85.57					
	43216	6/25/2024	1550	DIR OF REV/CREDIT STATE RD FND	100.00					
	43217	6/25/2024	1962	DOLLAR GENERAL - CHARGED SALES	76.60					
	43218	6/25/2024	2821	GILLMORE BELL	250.00					
	43219	6/25/2024	2926	GRAYBAR ELECTRIC COMPANY, INC.	18,512.55					
	43220	6/25/2024	2238	HOWARD COUNTY REGIONAL WATER	54,871.64					
	43221	6/25/2024	3022	JOHN BAIER	2,020.00					
	43222	6/25/2024	2331	LIBERTY NATIONAL LIFE INS	236.44					
	43223	6/25/2024	1227	MOCCFOA	95.00					
	43224	6/25/2024	1239	O'REILLY AUTOMOTIVE	86.43					
	43225	6/25/2024	1248	PETTY CASH	134.70					
	43226	6/25/2024	2710	STOREY KENWORTHY/MATT PARROTT	1,207.81					
	43227	6/25/2024	1313	TRAVIS WIES	150.00					
	43228	6/25/2024	2147	VERIZON WIRELESS	75.06					
	43229	6/25/2024	1617	WATER & SEWER SUPPLY INC	307.71					
*28257031										
	28257032	6/13/2024	1173	MISSOURI LOCAL GOVERNMENT	10,535.54				E-PAY	
	28257033	6/20/2024	1213	MISSOURI DEPT. OF REVENUE	6,644.90				E-PAY	
	28257034	6/18/2024	1299	UNITED STATES POSTAL SERVICE	48.76				E-PAY	
*28257035				(NOT IN SELECTED DATE RANGE)						
	28257036	6/19/2024	2957	IRS	12,984.28				E-PAY	
	28257037	6/19/2024	2958	MO DEPT OF REV (PAYROLL)	3,555.50				E-PAY	
	28257038	6/19/2024	2968	HSA-J THOMPSON	150.00				E-PAY	
	28257039	6/19/2024	2969	HSA-D FORD	25.00				E-PAY	
	28257040	6/19/2024	2971	HSA-C HAMMONS	100.00				E-PAY	
	28257041	6/19/2024	2997	HSA-M SALAZAR	75.00				E-PAY	
*28257042				(NOT IN SELECTED DATE RANGE)						
	28257043	6/12/2024	2366	UNITED HEALTHCARE INSURANCE CO	469.00				E-PAY	
	28257044	6/18/2024	2571	CARD SERVICES	4,097.02				E-PAY	
	28257045	6/20/2024	1517	AFLAC	134.68				E-PAY	

* See Check Summary below for detail on gaps and checks from other modules.

BANK TOTALS:	
OUTSTANDING	123,842.63
CLEARED	.00

BANK 1 TOTAL	123,842.63
VOIDED	.00

ACCOUNTS PAYABLE CHECK REGISTER

BANK#	BANK NAME								
CHECK#	DATE	ACCOUNT#	NAME	CHECK AMOUNT	CLEARED	MANUAL	VOID	REASON FOR VOID	
		FUND		TOTAL	OUTSTANDING		CLEARED	VOIDED	
01		GENERAL		26,056.13	26,056.13		.00	.00	
02		ELECTRIC		29,919.06	29,919.06		.00	.00	
03		WATER		62,889.38	62,889.38		.00	.00	
04		SEWER		4,978.06	4,978.06		.00	.00	

ACCOUNTS PAYABLE CHECK REGISTER
*** CHECK SUMMARY ***

BANK# CHECK#	BANK NAME	DESCRIPTION
<hr/>		
1 #128740	CITY CLERK PAYMENT FND	
874 Thru 908	Payroll Checks	
909 Thru 43204	Gap in Checks	
43205 Thru 43229	Accounts Payable Checks	
28257032 Thru 28257045	Accounts Payable E-Pay	

APUPDT00 Sat Jun 22, 2024 4:18 PM
07.01.21 POSTING DATE: 6/25/2024

City of Fayette MO
SCHEDULED PAYMENT UPDATE DETAIL
CALENDAR 6/2024, FISCAL 12/2024

OPER: JUT
JRNL:5773

PAGE 1

INVOICE	LN	DIST ID	DUE DATE	REFERENCE	PAID AMT	CHECK NO		
0006 061724	1	1189 C & R SUPER MARKET 01	6/25/24	MATERIALS TO MOUNT BENCH LIBERTY PARK	55.00	43210		
0047 060324	1	02	6/25/24	GALVANIZED NIPPLE, BOLTS	187.95	43210		
0079 061224	1	02	6/25/24	NIPPLE	2.59	43210		
0178 051424	1	01	6/25/24	DOG FOOD	63.98	43210		
				** VENDOR TOTAL **	309.52	309.52	.00	309.52
06.20.24	1	1213 MISSOURI DEPT. OF REVENUE 02	6/20/24	MAY SALES TAX	3723.41	28257033E		
06.20.24	2	03	6/20/24	MAY SALES TAX	2921.49	28257033E		
				** TOTAL **	6644.90	6644.90	.00	6644.90
				** VENDOR TOTAL **	6644.90	6644.90	.00	6644.90
4088	1	1227 MOCCFOA 01	6/25/24	MEMBERSHIP	30.00	43223		
4294	1	01	6/25/24	MEMBERSHIP	15.00	43223		
4417	1	01	6/25/24	MEMBERSHIP	15.00	43223		
4649	1	01	6/25/24	MEMBERSHIP	30.00	43223		
4860	1	01	6/25/24	MEMBERSHIP	5.00	43223		
				** VENDOR TOTAL **	95.00	95.00	.00	95.00
4090-263893	1	1239 O'REILLY AUTOMOTIVE 01	6/25/24	OIL + FUNEL	40.44	43224		
4090-267504	1	01	6/25/24	FREON REPAIR CHEVY TRUCK	45.99	43224		
				** VENDOR TOTAL **	86.43	86.43	.00	86.43
062024	1	1248 PETTY CASH 01	6/25/24	POLICE CAR WASH	10.00	43225		
062024	2	01	6/25/24	POLICE CAR WASH	3.00	43225		
062024	3	01	6/25/24	POLICE CAR WASH	2.00	43225		
062024	4	04	6/25/24	JASON HAMPTON MEALS TRAI	119.70	43225		
				** TOTAL **	134.70	134.70	.00	134.70
				** VENDOR TOTAL **	134.70	134.70	.00	134.70
062024	1	1313 TRAVIS WIES 01	6/25/24	MOWING CEMETERY	150.00	43227		
				** VENDOR TOTAL **	150.00	150.00	.00	150.00
				1324 CULLIGAN				

INVOICE	LN	DIST ID	DUE DATE	REFERENCE	PAID AMT	CHECK NO		
		1324	CULLIGAN					
053124	1	01	6/25/24	WATER & COOLER	16.70	43215		
053124	2	03	6/25/24	WATER & COOLER	16.70	43215		
053124	3	04	6/25/24	WATER & COOLER	16.70	43215		
053124	4	02	6/25/24	WATER & COOLER	16.70	43215		
				** TOTAL **	66.80	66.80	.00	66.80
053124-2	1	01	6/25/24	WATER & COOLER	18.77	43215		
				** VENDOR TOTAL **	85.57	85.57	.00	85.57
6050D240603013	1	1550	DIR OF REV/CREDIT STATE RD FND					
		01	6/25/24	ADVERTISING PERMIT SIGN	100.00	43216		
				** VENDOR TOTAL **	100.00	100.00	.00	100.00
248797	1	1617	WATER & SEWER SUPPLY INC					
		03	6/25/24	DUCT CAMP FOR WATER LINE	217.94	43229		
248881	1	03	6/25/24	DUCT CAP	89.77	43229		
				** VENDOR TOTAL **	307.71	307.71	.00	307.71
988112	1	1723	BOONE QUARRIES					
		03	6/25/24	GRAVEL	366.66	43209		
988113	1	01	6/25/24	GRAVEL	835.38	43209		
988113	2	01	6/25/24	GRAVEL	831.96	43209		
988113	3	02	6/25/24	GRAVEL	189.18	43209		
988113	4	03	6/25/24	GRAVEL	575.46	43209		
988113	5	04	6/25/24	GRAVEL	570.06	43209		
				** TOTAL **	3002.04	3002.04	.00	3002.04
				** VENDOR TOTAL **	3368.70	3368.70	.00	3368.70
0866902 062124	1	1962	DOLLAR GENERAL - CHARGED SALES					
		01	6/25/24	HAND SOAP	7.50	43217		
1001320045	1	01	6/25/24	SNACKS FOR POOL	69.10	43217		
				** VENDOR TOTAL **	76.60	76.60	.00	76.60
9966369314	1	2147	VERIZON WIRELESS					
		03	6/25/24	M2Z SHARED WATER COMMUNI	75.06	43228		
				** VENDOR TOTAL **	75.06	75.06	.00	75.06
6078627-00	1	2151	ANIXTER INC					
		02	6/25/24	METER TEST	37.92	43207		
				** VENDOR TOTAL **	37.92	37.92	.00	37.92
		2238	HOWARD COUNTY REGIONAL WATER					

INVOICE	LN	DIST ID	DUE DATE	REFERENCE	PAID AMT	CHECK NO		
708	1	2238 03	6/25/24	HOWARD COUNTY REGIONAL WATER PURCHASE	54871.64	43220		
				** VENDOR TOTAL **	54871.64	54871.64	.00	54871.64
48389 062024	1	2331 01	6/25/24	LIBERTY NATIONAL LIFE INS EMPLOYEE'S INSURANCE	217.47	43222		
48389 062024	2	02	6/25/24	EMPLOYEE'S INSURANCE	6.32	43222		
48389 062024	3	03	6/25/24	EMPLOYEE'S INSURANCE	6.32	43222		
48389 062024	4	04	6/25/24	EMPLOYEE'S INSURANCE	6.33	43222		
				** TOTAL **	236.44	236.44	.00	236.44
				** VENDOR TOTAL **	236.44	236.44	.00	236.44
20522	1	2369 01	6/25/24	CHRISTENSEN ASPHALT COLD MIX	1548.00	43213		
				** VENDOR TOTAL **	1548.00	1548.00	.00	1548.00
PINV1182039	1	2710 02	6/25/24	STOREY KENWORTHY/MATT PARROTT UTILITY BILLS	402.61	43226		
PINV1182039	2	03	6/25/24	UTILITY BILLS	402.61	43226		
PINV1182039	3	04	6/25/24	UTILITY BILLS	402.59	43226		
				** TOTAL **	1207.81	1207.81	.00	1207.81
				** VENDOR TOTAL **	1207.81	1207.81	.00	1207.81
8054353	1	2821 04	6/25/24	GILLMORE BELL LEGAL SERVICE FOR FILING	250.00	43218		
				** VENDOR TOTAL **	250.00	250.00	.00	250.00
062124	1	2877 02	6/25/24	CALEB SMEDLEY MILEAGE FOR TRAINING	245.22	43211		
062124-2	1	02	6/25/24	MEALS DURING TRAINING	49.21	43211		
				** VENDOR TOTAL **	294.43	294.43	.00	294.43
9337536118	1	2926 02	6/25/24	GRAYBAR ELECTRIC COMPANY, INC. LINE MATERIAL	3996.57	43219		
9337542859	1	02	6/25/24	LINE MATERIALS	200.00	43219		
9337555030	1	02	6/25/24	LINE MATERIALS	12966.48	43219		
9337562384	1	02	6/25/24	STREET LIGHTS	1349.50	43219		
				** VENDOR TOTAL **	18512.55	18512.55	.00	18512.55
502706202024	1	2981 01	6/25/24	ANSWER MIDWEST INC ANSWERING SERVICE FAYETTE ACCOUNT # 5027	40.51	43208		

INVOICE	LN	DIST ID	DUE DATE	REFERENCE	PAID AMT	CHECK NO		
		2981		ANSWER MIDWEST INC				
502706202024	2	02	6/25/24	ANSWERING SERVICE FAYETTE ACCOUNT # 5027	40.51	43208		
502706202024	3	03	6/25/24	ANSWERING SERVICE FAYETTE ACCOUNT # 5027	40.51	43208		
502706202024	4	04	6/25/24	ANSWERING SERVICE FAYETTE ACCOUNT # 5027	40.50	43208		
				** TOTAL **	162.03	162.03	.00	162.03
				** VENDOR TOTAL **	162.03	162.03	.00	162.03
		3020		CODY HILGEDICK				
062124	1	02	6/25/24	MILEAGE MPUA TRAINING	120.60	43214		
				** VENDOR TOTAL **	120.60	120.60	.00	120.60
		3021		CARRIE ADAMS				
062124	1	01	6/25/24	REIMBURSMENT POOL PASS	60.00	43212		
				** VENDOR TOTAL **	60.00	60.00	.00	60.00
		3022		JOHN BAIER				
062124	1	0115	6/25/24	PAINT GARAGE DOOR CITY H	2020.00	43221		
				** VENDOR TOTAL **	2020.00	2020.00	.00	2020.00
				** E-PAYMENT TOTAL **				6644.90
				** PRINTD CHK TOTAL **				84110.71
				** GRAND TOTAL **	90755.61	90755.61	.00	90755.61

GL ACCOUNT NUMBER	GL ACCOUNT NAME	DEBITS	CREDITS	NET
01-00-1000	CASH ACCOUNT		55.00	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	55.00		
02-00-1000	CASH ACCOUNT		187.95	
02-00-2000	ACCOUNTS PAYABLE	187.95		
02-00-1000	CASH ACCOUNT		2.59	
02-00-2000	ACCOUNTS PAYABLE	2.59		
01-00-1000	CASH ACCOUNT		63.98	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	63.98		
01-00-1000	CASH ACCOUNT		30.00	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	30.00		
01-00-1000	CASH ACCOUNT		15.00	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	15.00		
01-00-1000	CASH ACCOUNT		15.00	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	15.00		
01-00-1000	CASH ACCOUNT		30.00	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	30.00		
01-00-1000	CASH ACCOUNT		5.00	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	5.00		
01-00-1000	CASH ACCOUNT		40.44	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	40.44		
01-00-1000	CASH ACCOUNT		45.99	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	45.99		
01-00-1000	CASH ACCOUNT		10.00	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	10.00		
01-00-1000	CASH ACCOUNT		3.00	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	3.00		
01-00-1000	CASH ACCOUNT		2.00	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	2.00		
04-00-1000	CASH ACCOUNT		119.70	
04-00-2000	ACCOUNTS PAYABLE	119.70		
01-00-1000	CASH ACCOUNT		150.00	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	150.00		
01-00-1000	CASH ACCOUNT		16.70	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	16.70		
03-00-1000	CASH ACCOUNT		16.70	
03-00-2000	ACCOUNTS PAYABLE	16.70		
04-00-1000	CASH ACCOUNT		16.70	
04-00-2000	ACCOUNTS PAYABLE	16.70		
02-00-1000	CASH ACCOUNT		16.70	
02-00-2000	ACCOUNTS PAYABLE	16.70		
01-00-1000	CASH ACCOUNT		18.77	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	18.77		
01-00-1000	CASH ACCOUNT		100.00	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	100.00		
03-00-1000	CASH ACCOUNT		217.94	
03-00-2000	ACCOUNTS PAYABLE	217.94		
03-00-1000	CASH ACCOUNT		89.77	
03-00-2000	ACCOUNTS PAYABLE	89.77		
03-00-1000	CASH ACCOUNT		366.66	
03-00-2000	ACCOUNTS PAYABLE	366.66		
01-00-1000	CASH ACCOUNT		835.38	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	835.38		
01-00-1000	CASH ACCOUNT		831.96	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	831.96		

GL ACCOUNT NUMBER	GL ACCOUNT NAME	DEBITS	CREDITS	NET
02-00-1000	CASH ACCOUNT		189.18	
02-00-2000	ACCOUNTS PAYABLE	189.18		
03-00-1000	CASH ACCOUNT		575.46	
03-00-2000	ACCOUNTS PAYABLE	575.46		
04-00-1000	CASH ACCOUNT		570.06	
04-00-2000	ACCOUNTS PAYABLE	570.06		
01-00-1000	CASH ACCOUNT		7.50	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	7.50		
01-00-1000	CASH ACCOUNT		69.10	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	69.10		
03-00-1000	CASH ACCOUNT		75.06	
03-00-2000	ACCOUNTS PAYABLE	75.06		
02-00-1000	CASH ACCOUNT		37.92	
02-00-2000	ACCOUNTS PAYABLE	37.92		
03-00-1000	CASH ACCOUNT		54871.64	
03-00-2000	ACCOUNTS PAYABLE	54871.64		
01-00-1000	CASH ACCOUNT		217.47	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	217.47		
02-00-1000	CASH ACCOUNT		6.32	
02-00-2000	ACCOUNTS PAYABLE	6.32		
03-00-1000	CASH ACCOUNT		6.32	
03-00-2000	ACCOUNTS PAYABLE	6.32		
04-00-1000	CASH ACCOUNT		6.33	
04-00-2000	ACCOUNTS PAYABLE	6.33		
01-00-1000	CASH ACCOUNT		1548.00	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	1548.00		
02-00-1000	CASH ACCOUNT		402.61	
02-00-2000	ACCOUNTS PAYABLE	402.61		
03-00-1000	CASH ACCOUNT		402.61	
03-00-2000	ACCOUNTS PAYABLE	402.61		
04-00-1000	CASH ACCOUNT		402.59	
04-00-2000	ACCOUNTS PAYABLE	402.59		
04-00-1000	CASH ACCOUNT		250.00	
04-00-2000	ACCOUNTS PAYABLE	250.00		
02-00-1000	CASH ACCOUNT		245.22	
02-00-2000	ACCOUNTS PAYABLE	245.22		
02-00-1000	CASH ACCOUNT		49.21	
02-00-2000	ACCOUNTS PAYABLE	49.21		
02-00-1000	CASH ACCOUNT		3996.57	
02-00-2000	ACCOUNTS PAYABLE	3996.57		
02-00-1000	CASH ACCOUNT		200.00	
02-00-2000	ACCOUNTS PAYABLE	200.00		
02-00-1000	CASH ACCOUNT		12966.48	
02-00-2000	ACCOUNTS PAYABLE	12966.48		
02-00-1000	CASH ACCOUNT		1349.50	
02-00-2000	ACCOUNTS PAYABLE	1349.50		
01-00-1000	CASH ACCOUNT		40.51	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	40.51		
02-00-1000	CASH ACCOUNT		40.51	
02-00-2000	ACCOUNTS PAYABLE	40.51		
03-00-1000	CASH ACCOUNT		40.51	
03-00-2000	ACCOUNTS PAYABLE	40.51		
04-00-1000	CASH ACCOUNT		40.50	
04-00-2000	ACCOUNTS PAYABLE	40.50		

GL ACCOUNT NUMBER	GL ACCOUNT NAME	DEBITS	CREDITS	NET
02-00-1000	CASH ACCOUNT		120.60	
02-00-2000	ACCOUNTS PAYABLE	120.60		
01-00-1000	CASH ACCOUNT		60.00	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	60.00		
01-00-1015	CASH - CAPITAL IMPROVEMENTS		2020.00	
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	2020.00		
	GENERAL LEDGER TOTALS	84110.71	84110.71	

ACCOUNT NUMBER	ACCOUNT TITLE	DEBITS	CREDITS	NET
01-00-1000	CASH ACCOUNT	.00	4,210.80	4,210.80-
01-00-1015	CASH - CAPITAL IMPROVEMENTS	.00	2,020.00	2,020.00-
01-00-2000	ACCOUNTS PAYABLE-GENERAL FUND	6,230.80	.00	6,230.80
02-00-1000	CASH ACCOUNT	.00	19,811.36	19,811.36-
02-00-2000	ACCOUNTS PAYABLE	19,811.36	.00	19,811.36
03-00-1000	CASH ACCOUNT	.00	56,662.67	56,662.67-
03-00-2000	ACCOUNTS PAYABLE	56,662.67	.00	56,662.67
04-00-1000	CASH ACCOUNT	.00	1,405.88	1,405.88-
04-00-2000	ACCOUNTS PAYABLE	1,405.88	.00	1,405.88
TRANSACTION TOTALS		84,110.71	84,110.71	.00
FUND	NAME	DEBITS	CREDITS	
01	GENERAL	6,230.80	6,230.80	
02	ELECTRIC	19,811.36	19,811.36	
03	WATER	56,662.67	56,662.67	
04	SEWER	1,405.88	1,405.88	
TOTALS		84,110.71	84,110.71	

Bill No. 2024-13

Ord. No.

**AN ORDINANCE OF THE CITY OF FAYETTE, MISSOURI, DESIGNATING THE
FAYETTE COURTHOUSE SQUARE HISTORIC DISTRICT AS A FAYETTE,
MISSOURI LOCAL HISTORIC DISTRICT AND PROVIDING FOR AN EFFECTIVE
DATE**

WHEREAS, under the Code of General Ordinances of the City of Fayette, Chapters 405 and 415, a procedure is provided to establish historic districts and landmarks in the City of Fayette; and

WHEREAS, the City of Fayette received a recommendation and report on the 13th day of February, 2024, from the Planning and Zoning Commission that the Fayette Courthouse Square Historic District meets the criteria for designation as a local historic district under the City's Code; and

WHEREAS, the Board of Aldermen held a public hearing on the 25th day of June, 2024, prior to enactment of this ordinance concerning whether the Fayette Courthouse Square National Register District meets the criteria for nomination as a local historic district and to solicit input and comments as to said local historic district; and

WHEREAS, the Fayette Courthouse Square Historic District was placed on the National Register of Historic Places on February 5, 1998, and was and continues to be significant for Commerce, Politics/Government and for Architecture in the City of Fayette, Missouri, as follows:

A. Historically, the district was the commercial center of the town and much of the surrounding area, and the vigorous commercial activity represented by the buildings in the district was focused on the square, the seat and center of county government. Architecturally, the historic district represents a collection of well-crafted, vernacular commercial buildings, some with stylistic influences of the Italianate, Italian Renaissance, and Romanesque Revival as well as examples of the Federal, Second Empire, Neo-Classical, and Mission styles. The period of significance for the historic district, ca. 1828 to 1947, represents the span of years between the earliest extant building in the district (previously listed in the National Register) and the arbitrary fifty-year cut-off date required by the National Register. While some of the buildings of the district have experienced storefront alterations, overall, the historic district retains its integrity of design, setting, materials, workmanship and location. In addition, the Howard County Courthouse, located within the boundaries of the district, is significant under Politics/Government. Completed in 1887, the courthouse is the oldest extant building to serve as the seat and focus of Howard County government.

B. Funds to build the Fayette Public Library, ca. 1914, were donated to the community by Andrew Carnegie, a 19th century industrialist, who between 1886 and 1919, donated more than \$40 million for 1,679 new library buildings in communities large and small across America. **The connection with Andrew Carnegie makes this building one of national significance.**

C. The following buildings are attributed to various architects: City Hall, ca. 1925, Carl Etz, architect; U.S. Post Office Building, ca. 1925, James A. Wetmore, architect; The New Century Block Building, ca. 1902, A. F. Davis and Sam Brown, architect; and Howard County Courthouse, ca. 1887, W. F. Schrage, architect.

D. Many of the buildings were constructed by a well-known local builder, W. J. Magraw, and his sons: New Opera House Block, ca. 1903 at 100 S. Main Street; The New Century Block Building, ca. 1902 at 112-122 East Davis Street; and the Howard County Jail and Residence, ca. 1889-1894, at 203 East Morrison Street.

E. Many of the buildings are associated with being built or housing commercial ventures of local business leaders of days gone by. Such names include: A. F. Davis, I. H. Pearson, Rosenbaum Brothers, Collier and Kelly Tinnors, John Talbot, L. W. Brockman, Uriel S. Wright, R. C. Clark, L. S. Prosser, Tully Chenoweth, and Eubanks Brothers.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Aldermen of the City of Fayette, Missouri:

SECTION 1: Pursuant to the provisions of Sections 405 and 415 of the Code of General Ordinances of the City of Fayette, Missouri, the Board of Aldermen designates the Fayette Courthouse Square Historic District as a Local Historic District of the City of Fayette, Missouri.

SECTION 2: That due to the significance of the buildings located within the boundaries of the Courthouse Square Historic District (see attached map indicating boundaries) and as described above with respect to history, association with the lives of persons significant to Fayette's past, and distinctive characteristics of a type, period, or method of construction, all exterior aspects of the historic structure should be carefully preserved and protected and all exterior construction and alteration to contributing buildings in the district, all proposed demolition of buildings in the district, and all additions in vacant lots within the district shall be reviewed by the Fayette Historic Preservation Commission for issuance of a Certificate of Appropriateness pursuant to the provisions of Section 405.310 and Section 415.450 of the Code of General Ordinances of the City of Fayette, Missouri. In determining whether or not to issue a Certificate of Appropriateness the FHPC shall be guided by the document "Design Guidelines

for the Courthouse Square Historic District” a copy of which shall be maintained at City Hall and published on the City Website.

SECTION 3: The following buildings with the indicated addresses are deemed to be contributing buildings to the Courthouse Square Historic District, and therefore, are contributing buildings to the Courthouse Square Local Historic District and subject to review by the Fayette Historic Preservation Commission for a Certificate of Appropriateness for building permits for exterior changes to said building and for proposed demolition of said building.

Main Street

1. 201 S. Main Street, Fayette Public Library, 1914. National Significance.
2. 117 S. Main Street, City Hall, 1925; Carl Etz, Architect.
3. 107 S. Main Street, ca. 1910-1925.
4. 118 S. Main Street, ca. 1898-1910.
5. 114B-116 S. Main Street, ca. 1898-1902.
6. 112-114 A S. Main Street, ca. 1898-1902.
7. 108-110 S. Main Street, ca. 1902-1905.
8. 100 S. Main Street, New Opera House Block, 1903, W. J. Megraw, builder.
9. 103 N. Main Street, A. F. Davis Bank (Farmers and Merchants Bank), ca. 1885.
10. 105-107 N. Main Street, I. H. Pearson Dry Goods Company and Rosenbaum Bros. Dry Goods Company, ca. 1885.
11. 109 N. Main Street, Collier and Kelly Tinnors, ca. 1885-1889.
12. 111-113 N. Main Street, The John Talbot and Co. Building, 1884.
13. 201 N. Main Street, Taylor Furniture, Knights of Pythias and Odd Fellow Lodge, 1902.
14. 204 N. Main Street, ca. 1925.
15. 206 N. Main Street, ca. 1910-1925.
16. 207-209 N. Main Street, L. W. Brockman Poultry and Processing Plant, ca. 1915.

Davis Street

17. 114-122 E. Davis Street, The New Century Block Buildings, 1902; A. F. Davis and Sam Brown, architect with W. J. Megraw, builder.
18. 100-106 E. Davis Street, Butler Block Building, ca. 1923.

Church Street

19. 203 N. Church Street, ca. 1910-1925.
20. 120 N. Church Street, Uriel S. Wright Building, ca. 1828.

Morrison Street

21. 112 W. Morrison Street, ca. 1885-1889.
22. 103 W. Morrison Street, U. S. Post Office Building, 1925, James A. Wetmore, architect.
23. 108 E. Morrison Street, c. 1925.
24. 112 E. Morrison Street, L. S. Prosser Dry Goods Co. ca. 1882-1885.
25. 114 E. Morrison Street, Tolson's Hall, ca. 1882-1885.
26. 120 E. Morrison Street, Woods and Long Drug Store and L. S. Prosser Dry Goods Store, ca. 1882-1885.
27. 124 E. Morrison Street, The Chenoweth Building, 1894.
28. 202 E. Morrison Street, Fayette City Jail and City Hall, ca. 1879; 1902, 1928.
29. 203 E. Morrison Street, Howard County Jail and Residence, ca. 1889-1894; W. J. McGraw, builder.
30. Howard County Courthouse, 1887; W. F. Schrage architect, Sam B. Baker, builder.

The following vacant lots within the boundaries of the Courthouse Square Local Historic District are subject to review by the Fayette Historic Preservation Commission for a Certificate of Appropriateness for building permits for any type of new addition or construction to said vacant lots.

1. 101 N. Main Street, at the northeast corner of Main Street and West Morrison Streets.
2. 106-108 W. Morrison Street.
3. 110 W. Morrison Street
4. City Hall Parking Lot adjacent to 117 S. Main Street.

The following buildings with the indicated addresses are non-contributing buildings to the Courthouse Square Historic District, and therefore, are non-contributing buildings to the Courthouse Square Local Historic District and not subject to review by the Fayette Historic Preservation Commission for a Certificate of Appropriateness for building permits for exterior changes to said building. However, said buildings are subject to review by the Fayette Historic Preservation Commission for a Certificate of Appropriateness for proposed demolition of said buildings.

1. 122 S. Main Street, ca. 1910-1925.
2. 119 N. Main Street, The Commercial Bank, 1910.
3. 203-205 N. Main Street, L. W. Brockman Poultry Plant, ca. 1902-1920.
4. 112 E. Davis, a portion of The New Century Block Building, 1902 and 108-110 E. Davis, The Reich Building, ca. 1872-1885. **(Demolished and new construction added.)**

5. 118 North Church Street, Keller Motors, ca. 1902-1910. **(Demolished and new construction added in 2024.)**
6. 114-116 N. Church Street, R. C. Clark Building, 1887. **(Demolished and new construction added in 2024.)**
7. 110-112 N. Church Street, 1887. **(Demolished and new construction added in 2024.)**
8. 102-108 N. Church Street, Bell Block Building, 1883. **(Demolished and new construction added in 2024.)**
9. 100 S. Church, Exchange Bank, ca. 1981.
10. 106-108 W. Morrison Street. **(Demolished and made a parking lot.)**
11. 110 W. Morrison Street. **(Demolished and made a parking lot.)**
12. 100 E. Morrison Street, Merchants and Farmers Bank, now BTC Bank, ca. 1973.
13. 206 E. Morrison Street, Crystal Steam Laundry, c. 1904.

SECTION 4: Per Sections 415.620, 415.630, and 415.640, nothing in this Ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior elements of any building or structure within the Fayette Courthouse Square Local Historic District.

SECTION 5: Effective Date. This ordinance shall be in full force and effect from and after the date of its passage and approval and shall remain in effect until amended or repealed by the Board of Aldermen.

Read Twice and approved by Roll Call Vote. Dated this _____ day of July, 2024.

Mayor

Attest:

Judith Thompson, City Clerk

2024 GRADE AND POSITION TABLE

Revised: 6/10/2024

GRADE	POSITIONS
30	Animal Control Officer/Nuisance; Customer Service Rep.; Clerk
35	Comm. Officer; Street Worker; Utility Worker
40	Water/Sewer Plant Operator - D; Mechanic; Asphalt Plant Operator; Firefighter
45	Chief Comm. Officer; Water/Sewer Plant Operator - C; Utility Worker DS-1 Acct. Assistant.; Billing Clerk
50	Police Officer; Fire Lt.; Field Foreman: Street, Utility; Water/Sewer Plant Operator - B; Utility Worker DS-2
55	Police Sergeant; Water/Sewer Plant Operator - A; Utility Worker DS-3
60	Asst. Sup.: Water, Sewer, Underground, Street; Asst. Sup. Park Electric Apprentice Lineman: 1-2 Years; Electric Generation Foreman
65	City Clerk; Codes Officer/Airport Manager; Park Sup.; Electric Apprentice Lineman: 3-4 Years
70	Sup.: Water, Sewer, Underground, Street; Electric Journeyman Lineman; Comptroller; Police Lt.; Fire Chief
75	Police Chief; Electric Journeyman Lineman Foreman/Asst. Sup.
80	Electric Sup.
85	City Admin; Utility Director

MERIT/YEARS OF SERVICE PAY SCALE

Revised: 6/10/2024

Grade	Minimum				Mid-Point				Maximum
	Years 0-2	Min+5%	Min+7%	Min+9%	Min+11%	Mid+5%	Mid+7%	Mid+9%	Mid+11%
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
30	\$36,067	\$37,870	\$38,592	\$39,313	\$40,034	\$42,036	\$42,837	\$43,637	\$44,438
35	\$38,528	\$40,454	\$41,225	\$41,996	\$42,766	\$44,904	\$45,760	\$46,615	\$47,470
40	\$40,107	\$42,112	\$42,914	\$43,717	\$44,519	\$46,745	\$47,635	\$48,525	\$49,416
45	\$42,251	\$44,364	\$45,209	\$46,054	\$46,899	\$49,244	\$50,182	\$51,119	\$52,057
50	\$45,906	\$48,201	\$49,119	\$50,038	\$50,956	\$53,503	\$54,523	\$55,542	\$56,561
55	\$49,704	\$52,189	\$53,183	\$54,177	\$55,171	\$57,930	\$59,033	\$60,137	\$61,240
60	\$52,000	\$54,600	\$55,640	\$56,680	\$57,720	\$60,606	\$61,760	\$62,915	\$64,069
65	\$55,287	\$58,051	\$59,157	\$60,263	\$61,369	\$64,437	\$65,664	\$66,892	\$68,119
70	\$60,000	\$63,000	\$64,200	\$65,400	\$66,600	\$69,930	\$71,262	\$72,594	\$73,926
75	\$65,800	\$69,090	\$70,406	\$71,722	\$73,038	\$76,690	\$78,151	\$79,611	\$81,072
80	\$70,500	\$74,025	\$75,435	\$76,845	\$78,255	\$82,168	\$83,733	\$85,298	\$86,863
85	\$91,336	\$95,903	\$97,730	\$99,556	\$101,383	\$106,452	\$108,480	\$110,507	\$112,535

Bill No. R22-700

Resolution No. _____

**A RESOLUTION PROVIDING FOR THE AMENDMENT TO THE
2020/2021 FISCAL YEAR BUDGET FOR THE CITY OF ROCKAWAY BEACH,
MISSOURI**

WHEREAS, it has become necessary to amend the budget for the year ending June 30, 2022, to provide authorization for payment of the City of Rockaway Beach, Missouri's expenses in accordance with Chapter 67, RSMo; and,

WHEREAS, the City desires to amend the 2021/2022 Fiscal Year Budget to match the revenues and expenditures for the year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Rockaway Beach, Missouri, to amend the budget for the year ending June 30, 2022 to match the end-of-year final numbers for revenues and expenditures.

ADOPTED by the Board of Aldermen of the City of Rockaway Beach, Missouri, this 13th day of June 2022. **Resolution No. R22-700**

JANN CLARK
CITY CLERK

Jim Harriger
MAYOR

Type

Judy Thompson

From: Donna Post <DPost@generalcode.com>
Sent: Tuesday, March 19, 2024 2:31 PM
To: Judy Thompson
Cc: Mike Dimond
Subject: Supplementation Process and Suggested Supplement Schedule GC:016327969

Hello Judy,

Thank you again for taking the time to talk with me today.

Here is a recap of the items that we talked about.

- eCode360 annual maintenance \$995 invoiced in April

★

- Annual codification of ordinances ballpark is \$1,800.
 - Suggested annual supplement schedule – July.
 - Suggested semi-annual supplement schedule – February and August
 - Supplementation process takes 7 to 9 weeks to complete the update of ordinances into the code book and on eCode. The final invoice will follow with net 30 to pay.
- Link to eCode360, online code, <https://ecode360.com/FA3297>
 - Forward your new eCode link to the person who maintains your municipal website.
 - Watch your inbox for an email from 'eCode360 Notifications' that will allow you to setup your administrative password.

*Donna said more like
\$2,000.00 - \$3,000.00*

Continue to email ordinances to ezsupp@generalcode.com as you have been doing. Once received we will post under New Laws pending the supplement schedule that the City decides on.

Hopefully, this message provides you with the information you need, but please feel free to get in touch if you have any additional questions or need more information.

Thank you and have a wonderful day!

Donna

Donna Post
Senior Supplementation Specialist
dpost@generalcode.com
800-836-8834 ext. 131

General Code®
A Member of the ICC Family of Solutions
781 Elmgrove Road | Rochester, NY 14624
generalcode.com

eCode's Newest Feature: **TrackBack** [Learn more in this webinar.](#)

From: Cathy Albano <CAlbano@generalcode.com>
Sent: Tuesday, March 19, 2024 8:45 AM

Judy Thompson

From: General Code <customerservice@generalcode.com>
Sent: Thursday, March 7, 2024 10:02 AM
To: Judy Thompson
Subject: Increase transparency with eCode360's™ new TrackBack

If this email is not displayed properly, click [here](#) to view in your browser

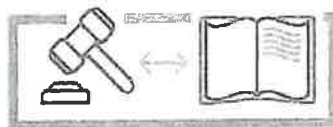
Dear Judy,

In sports, the use of instant replay gives game officials the opportunity to reexamine a play to make clearer and more accurate calls. Now you can do virtually the same with your online municipal code with a new eCode360 feature called TrackBack.

TrackBack gives municipalities the ability to quickly find and view the original ordinances that make up the code

Boost transparency and save time

As a new ordinance is codified and added to your code, Trackback automatically embeds links in the related code section so you can easily reference the original ordinance — no more searching through old files. Simply click the link and the original ordinance is immediately available to view. TrackBack is an excellent way to help clarify or confirm aspects of a particular law, help solve disputes or simply serve as a starting point for updating ordinances.



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Start keeping track of your ordinances today for just \$350 a year.*

Want to add ordinances from further back in your code's history? We offer an affordable way to do that too. Ask for details.

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\$250 to start

Make the most of your eCode360

Get Started

*A one-time setup fee of \$250 is required for new TrackBack customers followed by an annual fee of \$350



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- Annual Maintenance - \$995.00
- Annual Codification - \$1,800.00 - Start in July
- TrackBack - annual - \$350.00
- One-time set up fee - \$250.00
- \$3,395.00

SOLID WASTE HANDLING CONTRACT

The city of Fayette, Missouri (**CITY**) and RTS Waste Services LLC (**CONTRACTOR**), agree as follows:

1. TERM.

This **CONTRACT** is for (3) three years beginning on June 1, 2024, and ending no earlier than May 31, 2027. This contract can automatically be renewed for up to three additional 3-year periods as long as both parties agree to any changes.

2. SERVICES PROVIDED

- a. **CONTRACTOR** agrees to the collection of solid waste from single-family residences and multi-family residences with two (2) living units or less on a once-per-week basis. The collection of solid waste will be curbside between the hours of 6:00 a.m. and 5:00 p.m. All solid waste is to be set at the curb by 6:00 a.m. to ensure pickup. Weekly Limit of 2 bags or cans per residential unit per week. All trash must be bagged, bundled, or contained within the trash can provided by **CONTRACTOR**. Weight limit of 50 lbs. per container.
- b. Yard waste (grass, brush, leaves, etc.) is a part of this contract for services. No limbs over 3 inches in diameter and no longer than 3 feet. All limbs must be bundled with a bundle weighing no more than 50 pounds.
- c. The **CITY** and **CONTRACTOR** each recognize the County, State, and Federal legislation or regulations regarding solid waste collection and disposal may change during the terms of this **CONTRACT**. If any of the solid waste items set forth above are declared toxic or hazardous waste by a political entity, the **CONTRACTOR's** obligation to collect such items shall end.

3. BULK PICK UP.

- a. **CONTRACTOR** will provide monthly bulk pickup for **CITY** residents (non-commercial accounts) on the first pickup of the month. Bulk items are limited to the size and weight that two (2) men can pick up and load. Items to be collected include televisions, couches, tables, chairs, and other furniture, bed springs and mattresses, rugs and rug pads, lawn furniture, large toys, swing sets (dismantled), barbecue grills, sinks, and bathroom furniture *(Not piles of bags from house cleanout).
- b. **CONTRACTOR** will collect appliances during bulk pick up. **Appliance must have documentation that the appliance has had the refrigerant removed by a qualified person or entity for the specific item to be picked up.**
- c. There is no additional cost for the 1 bulk item on the first pickup of the month. Additional bulk items may be picked up at any time by making arrangements with the **CONTRACTOR's** office, additional fees may apply. Items to be collected during bulk pickup are residential household type items and must be generated by that household.

- d. Property clean-ups by landlords or any type of commercial property items are not part of this bulk pickup. Those must be contracted separately through **CONTRACTOR's** office.

4. **PICKUP AND ADA PICKUP.**

- a. Containers will be placed on the curb prior to pickup.
- b. In compliance with the ADA, Contractor will pick up containers from a resident's front porch or other agreed on location when the resident provides proof of disability to the Contractor.

5. **EXCLUSIVITY.**

During the term of this **CONTRACT**, the **CONTRACTOR** shall have the exclusive right to collect and properly dispose of the solid waste described in this **CONTRACT** which is generated by all residents. The **CITY** agrees that during the term of this **CONTRACT** it will neither engage nor allow any other persons or entities to perform the services described in this **CONTRACT**.

6. **PROHIBITED WASTE.**

- a. Nothing in **CONTRACT** shall require **CONTRACTOR** to accept or collect solid waste that has been mixed with or contaminated by toxic or hazardous waste.
- b. Building materials and demolition waste are **NOT** included as part of this contract. Arrangements for the collection of these materials can be made through our office for a fee paid by the waste generator.

7. **CONTRACTOR** agrees that all waste collected will be disposed of in a facility permitted and approved by the Missouri Department of Natural Resources.

8. **RATES.**

- a. The rate for the first three (3) contract years shall be **\$15.50** per residence per month.
- b. Contractor shall be permitted to make reasonable increases in its charges after the first three (3) year term of this contract. Any rate changes must be approved by all parties.
- c. The **CITY** will pay by number of residential water services in use that month for residential hand pick up services. Payment for prior month to be paid by 20th of the month.

9. **RECEPTICLES.**

- a. **CONTRACTOR** agrees to furnish one can per residential unit, two cans if requested by resident. Additional cans over 2 may be requested through the **CONTRACTOR's** office with the additional can being \$5 per month per can. Additional cans will be billed annually by the **CONTRACTOR**.
- b. After each pick up, Contractor will replace the receptacles on the customer's property

or on the street directly adjacent to the curb. In no event may cans be replaced so as to block driveways or streets.

- c. Contractor will replace or repair any damaged receptacle.

10. **CONTRACTOR** agrees to furnish services listed below once weekly at no cost to the city.

- a. City Hall – 2 Yard
- b. Waste Water Plant – 1 Yard
- c. Public Works – 6 Yard and 2 Yard
- d. Contractor agrees to empty all trash cans on the Courthouse Square each week. Following major events downtown, the Contractor will provide an extra pick up of street cans on the square.

11. Any charges the **CITY** has for administration or other expenses will be in addition to the **CONTRACTOR** fee.

12. In the event of a **CONTRACTOR-observed** holiday, waste services will be collected on the following day. The same next day service is applicable if an observed holiday falls earlier in the collection week. At the time of this contract **CONTRACTOR** observes the following holidays: Thanksgiving Day, Christmas Day, and New Year's Day.

13. The **CONTRACTOR** may decline to collect any waste which is not properly contained or placed at the curb for collection, or which contains any waste which **CONTRACTOR** has not agreed to collect under this **CONTRACT**. All waste within cans must be bagged.

14. LAWS TO BE OBSERVED

The Contractor shall, at all times, observe and comply with all Federal and State laws, local laws, ordinances, orders, decrees and regulations now existing or enacted subsequent to the execution of the Contract which, in any manner, affects the prosecution of the work, at no additional cost to its customers in the City.

The Contractor and his surety shall indemnify and save harmless the City and all of its officers, representatives, agents, and employees against any claim or liability arising from, or based upon the violation of any such law, ordinance, regulation, order, or decree.

The Contractor shall procure all permits and licenses; shall pay all charges and fees; and shall give all notices necessary and incidental to the due and lawful prosecution of the work.

15. TERMINATION.

Either party may terminate this **CONTRACT** upon the breach of the other party, if the non-breaching party has given written notice of the violation(s) and the violation(s) continues for sixty (60) days after such notice. Provided, however, that neither party shall have

liabilities for any default of its obligations and this **CONTRACT** may not be terminated as a result of causes beyond its reasonable control such as change in government regulation, strike or labor action, extraordinary weather conditions, etc.

16. INSURANCE

The Contractor shall provide and maintain at all times during the term of this Contract all insurance required under this paragraph and provide the City with Certificates of Insurance verifying that the policy or policies are in full force and effect and that the same will not be altered, amended, or terminated without thirty (30) days prior written notice having been given to the City; and such insurance has been approved by the City. Said insurance shall specifically name the City of Fayette as an **additional named** insured party under said policies, and said insurance shall be carried in a firm or corporation **that** has been duly licensed or permitted to carry on such business in the State of Missouri.

Worker's Compensation Insurance – Statutory amount.

Liability Insurance – Minimum limits as follows:

Comprehensive General Liability Insurance for bodily injury and property damage combined single limit: \$1,000,000 each occurrence, and \$2,000,000 aggregate.

Auto and Truck Liability Insurance covering all owned, hired, and non-owned vehicles for bodily injury and property damage: \$1,000,000 each occurrence and \$2,000,000 aggregate.

17. INDEMNITY

Indemnification of City Against Liability – The Contractor shall indemnify and save harmless the City of Fayette, its officers, agents and employees, from all suits, including attorneys' fees and cost of litigation, actions, loss, damage, expense, cost or claims of any character or any nature arising out of any act or omission of the Contractor in the performance of work under this Agreement.

18. SUPERVISION

- a. The Contractor shall have a supervisor in charge of operations who shall visit or be available to the City each day that pickups take place for the purpose of receiving information on complaints which shall be corrected promptly and on the same day, unless more time is allowed by the City Administrator or his or her designee. The supervisor will also be required to have contact with all vehicles providing service to the City.
- b. The City Administrator or his or her designee shall be the City's representative in seeing that all contract obligations are complied with.

19. MISSED PICKUPS

In the event that any residential customer's trash is not picked up, the Contractor shall promptly

arrange to have the trash picked up.

20. LITTER OR SPILLAGE

- a. The Contractor shall not litter the streets or yards in the process of making collections, but the Contractor shall not be required to collect any Waste Material that has not been placed in approved containers or in a manner herein provided.
- b. During hauling, all Waste Material shall be contained, tied, or enclosed so that leaking, spillage, or blowing is minimized.
- c. In the event of spillage by the Contractor, the Contractor shall be required to immediately clean up the litter caused by the spillage.
- d. Garbage that has been scattered by wind, animals, or vandals will be the responsibility of the residents. Whenever the Contractor encounters spillage caused by such factors the Contractor shall promptly report the same to the City. Spillage not so reported shall be deemed to be caused by the Contractor and the Contractor shall be responsible for cleaning up the same.
- e. Although Commercial Waste is not covered by this Contract, the Contractor will abide by this section regarding spillage whenever providing commercial services.

21. **CONTRACTOR's** fees shall be adjusted to offset the financial impact on **CONTRACTOR** facilities or operations hereunder, of increased cost and expenses resulting from any changes in applicable laws or regulations resulting from judicial, legislative, or regulatory actions.

DATED as of this 10th day of June, 2024.

City of Fayette

Judy Thompson, City Clerk

By: _____



Greg Stidham, Mayor
117 S. Main Street
Fayette, MO 65248
mdimond@cityoffayette.com 660-248-2214

Attest



RTS Waste Services LLC

By: _



Name:

Title: member

PO Box 147 Marshall Mo 65340 (Mailing)

26308 Quartz Ave.

Slater Mo 65349

alex@rtswaste.net

660-784-2474

CITY OF FAYETTE, MISSOURI

BILL NO. 2024-05

ORD NO.

**AN ORDINANCE OF THE CITY OF FAYETTE, MISSOURI
AMENDING THE CITY CODE BY ADDING ONE NEW CHAPTER
REGARDING ADULT ENTERTAINMENT.**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FAYETTE, MISSOURI, AS FOLLOWS:

SECTION ONE: The City Code is hereby amended by adding one new chapter regarding Adult Entertainment, to read as follows:

CHAPTER 625 ADULT ENTERTAINMENT BUSINESSES.

Article I. IN GENERAL

Section 625.010 Definitions.

For the purposes of this Chapter and unless the context plainly requires otherwise, the following definitions are adopted:

- A. Adult business means any business enterprise:
1. That has as a regular and substantial business purpose the sale, display or rental of goods that are designed for use in connection with "specified sexual activities," or that emphasize matters depicting, describing or relating to "specified sexual activities" or "specified anatomical areas"; or
 2. That has one of the following as a regular and substantial business purposes:
 - a. The providing of entertainment where the emphasis is on performances, live or otherwise, that depict, portray, exhibit or display "specified anatomical areas" or "specified sexual activities," or
 - b. The providing of services that provide "specified sexual activities" or "specified anatomical areas" ancillary to other pursuits, or allow participation in "specified sexual activities" ancillary to other pursuits.

3. The definition of "adult business" also includes, but is not limited to, any and all of the following, as defined herein:
 - a. Businesses that offer the following described goods for sale or rent:
 - i. Adult retail establishments means an establishment that as a regular and substantial business purpose, offers for sale or rent, any one or more of the following: instruments, devices, gifts or more of the following: instruments, devices, gifts or paraphernalia which are designed for use in connection with "specified sexual activities" or clothing that graphically depicts "specified anatomical areas" or any of the materials sold or rented in an adult bookstore as defined herein.
 - ii. Adult bookstore means an establishment that as a regular and substantial business purpose, offers for sale or rent, books, magazines, periodicals or other printed matter, photographs, slides, films or videotapes, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas."
 - iii. Adult news rack means any coin or card-operated device that offers for sale by dispensing printed material, which is distinguished or characterized by its emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas."
 - iv. Adult newsstand means a freestanding structure, vehicle or booth which as a regular and substantial business purpose, offers for sale, books, magazines, periodicals or other printed matter, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas."
 - b. Businesses that provide the following entertainment:
 - i. Adult entertainment business means any enterprise to which the public, patrons or members are invited or admitted, and where providing "adult entertainment" as defined herein, is a regular and substantial portion of its business.
 - ii. Adult motion picture theater means an establishment containing a room with seats facing a screen or projection areas, where a regular and substantial portion of its business is the exhibition to customers of films, videotapes, or motion pictures which are intended to provide sexual stimulation or sexual gratification to the customers and which are distinguished by or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas."
 - iii. Adult theater means an establishment located in an enclosed building where a regular and substantial portion of its business is

providing the live performance of activities relating to "specified sexual activities" or exhibition of "specified anatomical areas" or live performers, for observation by customers and patrons.

- iv. Adult entertainment cabaret means an establishment where a regular and substantial portion of its business is providing adult entertainment which features strippers, go-go dancers, or live performances; or material which is primarily characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
- v. Adult entertainment studio (includes the terms rap studio, exotic dance studio, sensitivity studio or encounter studio) means an establishment whose premises is physically arranged as to provide booths, cubicles, rooms, compartments or stalls separate from the common areas of the premises, and where a regular and substantial portion of its business is providing entertainment which features materials or live performances characterized by an emphasis on or features materials relating to "specified sexual activities" or the exhibition of "specified anatomical areas."
- vi. Adult encounter parlor means an establishment where a regular and substantial portion of its business is the provision of premises where customers congregate, associate, or consort with employees and/or performers or private contractors who display "specified anatomical areas" in the presence of such customers, with the intent of providing sexual gratification or stimulation to such customers.
- vii. Body painting studio means an establishment where a regular and substantial portion of its business is the maintaining, operating, or offering for compensation the applying of paint or other substance to or on the human body by any means of application, technique or process when the subject's body is displaying for the customers view "specified anatomical areas."

c. Businesses that provide the following described services:

- i. Bath house means an enterprise where a regular and substantial portion of its business is offering baths with other persons present who are nude or displaying "specified anatomical areas."
- ii. Adult motel means an enterprise where a regular and substantial portion of its business is offering public accommodations for consideration for the purpose of viewing closed circuit television transmissions, films, motions pictures, video cassettes, slides or other photographic reproductions which are distinguished or characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas" and rents room accommodations for less than six hours at a time.

- B. Adult entertainment means any live exhibition, performance, display or dance of any type, including but not limited to, talking singing, reading, listening, posing, serving food or beverages, soliciting for the sale of food, beverages or entertainment, pantomiming, modeling, removal of clothing, or any service offered for amusement on a premises where such exhibition, performance, display or dance is intended to seek to arouse or excite the sexual desires of the entertainer, other entertainers or patrons, or if the entertainment involves a person who is nude or in such attire, costume or clothing as to expose to view any portion of the human genitals, pubic region, vulva, pubic hair, buttocks, female breast or breasts below a point immediately above the top of the areola or nipple or the human male genitals in a discernibly erect state, even if completely and opaquely covered.
- C. Adult entertainment business means any premises to which the public, patrons or members are invited or admitted and wherein an entertainer provides adult entertainment to a member of the public, a patron, or a member.
- D. Code Enforcement officer shall mean a person appointed by the Mayor as such, or in the absence thereof the Director of Public works.
- E. Contagious and communicable diseases means those diseases which are set out in the Code of State Regulations established by the State of Missouri.
- F. Employee means any and all persons, including managers, entertainers and independent contractors, who work in or at or render any services directly related to, the operation of an adult entertainment business.
- G. Entertainer means any person who provides adult entertainment within an adult entertainment premises as defined in this section, whether or not a fee is charged or accepted for entertainment.
- H. Manager means any person who manages, directs, administers, or is in charge of the affairs and/or conduct of any portion of any activity involving adult entertainment occurring at any adult entertainment premises.
- I. Operator means any person operating, conducting or maintaining an adult entertainment business.
- J. Person means any individual, partnership, corporation, trust, incorporated or unincorporated association, marital community, joint venture, governmental entity, or other entity or group of persons however organized.
- K. Public place means any area generally visible to public view and includes streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, and automobiles whether moving or not.
- L. Premises means any place of business of an adult business which shall include the entire lot and building occupied by the adult business and any other property owned, leased or controlled by the adult business including any parking areas adjacent to the business which are regularly utilized by employees, entertainers, servers, managers or customers of such business.
- M. Server means any person who serves food or drink at an adult entertainment business.

N. Specified anatomical areas means:

1. Uncovered or exposed human genitals, pubic region or pubic hair; or buttock; or female breast or breasts below a point immediately above the top of the areola encircling the nipple, or any combination of the foregoing; or
2. Human male genitals in a discernibly erect state, even if completely and opaquely covered.

O. Specified sexual activities means sexual conduct, being actual or simulated, acts of human masturbation; sexual intercourse; or physical contact, in an act of apparent sexual stimulation or gratification, with a person's clothed or unclothed genitals, pubic area, buttocks, or the breast of a female; or any sadomasochistic abuse or acts including animals or any latent objects in a act or apparent sexual stimulation or gratification.

P. Substantial business purpose means:

1. 33 percent or more of the gross floor space, is devoted to that purpose; or
2. 33 percent or more of the retail floor space is devoted to that purpose; or
3. 33 percent or more of the gross sales of the business are derived from that purpose.

Section 625.020 License required for adult businesses and adult entertainment businesses.

- A. It shall be unlawful for any person to operate or maintain an adult business or adult entertainment business in the City unless the owner, operator or lessee thereof has obtained an adult entertainment business license from the City, or to operate such business after such license has been revoked or suspended by the City.
- B. It is unlawful for any entertainer, employee or manager to knowingly perform any work, service or entertainment directly related to the operation of an unlicensed adult entertainment business.
- C. It shall be prima facie evidence that any adult entertainment business that fails to have posted, in the manner required by this Chapter, an adult entertainment business license, has not obtained such a license. In addition, it shall be prima facie evidence that any entertainer, employee or manager who performs any service or entertainment in an adult entertainment business in which an adult entertainment license is not posted, in the manner required by this section had knowledge that such business was not licensed.
- D. Any business enterprise that sells or rents goods that are designed for use in connection with "specified sexual activities," or that emphasize matters depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" and that excluded minors by virtue of age from all or any part of the business premises shall be deemed to have consented to periodic entry into and inspection of the business premises by appropriate city officials and inspection by those officials of only those business records necessary for the limited purpose of determining whether such business enterprise is an "adult business" as defined in this chapter. This entry and inspection shall take place during hours when such

adult business is open to the public unless otherwise requested by the adult business, and shall not unreasonably interfere with the conduct of such business.

Section 625.030 License required for managers, servers and entertainers.

It is unlawful for any person to work as an entertainer, server or manager at an adult entertainment business without first obtaining a license to do so from the City, or to work as an entertainer, server or manager at an adult entertainment business after such person's license to do so has been revoked or suspended.

Section 625.040 License, classification and fees.

- A. The license year for all fees required under this chapter shall be from each July 1 through June 30. The application for a license shall be accompanied by payment in full of the fee stated in this section by certified or cashier's check or money order; and no application shall be considered complete until such fee is paid.
- B. All licenses shall be issued for a specific location and shall be non-refundable and non-transferable.
- C. The classification of licenses and fees for each shall be as follows:
 - 1. Adult entertainment business license fee is \$500.00 per year;
 - 2. Adult entertainment manager's license fee is \$20.00 per year;
 - 3. Adult entertainer's license fee is \$20.00 per year;
 - 4. Adult entertainment server's license fee is \$20.00 per year.

Section 625.050 License limited to one identifiable type of adult use.

All adult business licenses shall be issued for only one adult business use per premises which shall be listed on the application. More than one adult business use shall not be allowed on a premises. Any change in the type of adult use shall invalidate the adult business license.

Section 625.060 License application.

- A. Adult business license. All persons desiring to secure a license to operate an adult entertainment business under the provisions of this chapter shall make a notarized application with the City Clerk. All applications shall be submitted in the name of the person proposing to conduct or operate the adult entertainment business. All applications shall be submitted on a form supplied by the City Clerk and shall require the following information:
 - 1. The name, residence address, home telephone number, occupation, date and place of birth and social security number of the applicant.
 - 2. The name of the adult entertainment business, a description of the adult entertainment to be performed on the licensed premises, and the name of the owner of the premises where the adult entertainment business will be located.
 - 3. The names, residence addresses, social security numbers and dates of births of all partners, if the applicant is a partnership; and if the applicant is a corporation, the same

information for all corporate officers and directors and stockholders who own more than ten percent or greater interest in the corporation.

4. The residence addresses of the applicant, or of all partners, or of all corporate officers and directors for the five years immediately prior to the date of application.
5. A description of the adult business history of the applicant, or of the partnership and all partners, or of the corporation and all corporate officers and directors.
6. A statement from the applicant, or from all partners, or from all such corporate officers and directors, whether any such person or entity, in previously operating in this or another city, county or state, has had a business license of any type revoked or suspended, and if so, the reason therefor, and the activity or occupation subjected to such action, suspension or revocation:
7. A statement of the business, occupation or employment of the applicant, or of all partners, or of all corporate officers and directors for the three years immediately preceding the date of the application.
8. A statement from the applicant, or from each partner, or from each corporate officer and director, that each such person has not been convicted of, released from confinement for conviction of, or diverted from prosecution on:
 - a. A felony criminal act within five years immediately preceding the application or
 - b. A misdemeanor criminal act within two years immediately preceding the application, where such felony or misdemeanor criminal act involved sexual offenses, prostitution, promotion of prostitution, sexual abuse of a child, pornography or related offenses as defined in the Missouri Criminal Code or involved controlled substances or illegal drugs or narcotics offenses as defined in the Missouri Controlled Substances Act or other statutes of the State of Missouri or ordinances of the City.

The statement shall also indicate that the applicant, each partner of each corporate officer and director has not been convicted or a municipal ordinance violation or diverted from prosecution on a municipal ordinance violation, within two years immediately preceding the application where such municipal ordinance violation involved sexual offenses, indecent exposure, prostitution or sale of controlled substances or illegal drugs or narcotics.
9. On applications requesting a license to operate a bathhouse or body painting studio, the applicant shall provide for each person working on the premises a health certificate from a duly licensed Missouri physician stating that within 90 days prior thereto, the applicant and all other persons working on the premises have been examined and found free of any contagious or communicable disease as defined herein.
10. A full set of fingerprints and a photograph, to be taken by the police department, of the applicant, or of all partners if the applicant is a partnership, or of all corporate officers and directors if the applicant is a corporation.
11. If the applicant is a corporation, a current certificate of registration issued by the Missouri Secretary of State.

12. A statement signed under oath that the applicant has personal knowledge of the information contained in the application and that the information contained therein is true and correct and that the applicant has read the provisions of this chapter regulating adult entertainment businesses.

Failure to provide the information and documentation required by this subsection shall constitute an incomplete application which shall not be processed.

B. Manager, server or entertainer's license. All persons desiring to secure a license under the provisions of this chapter to be an adult entertainment manager, server or entertainer shall make a notarized application to the City Clerk. All applications shall be submitted in the name of the person proposing to be an adult entertainment manager, server or entertainer. All applications shall be submitted on a form supplied by the City Clerk and shall require the following information:

1. The applicant's name, home address, home telephone number, date and place of birth, social security number, and any stage names or nicknames used in entertaining or at the business.
2. The name and address of each adult entertainment business where the applicant intends to work as a manager, server or entertainer, and an "intent to hire" statement from an adult entertainment business that is licensed, or that has applied for a license, under the provisions of this chapter, indicating the adult business intends to hire the applicant to manage, serve or entertain on the premises. Failure to provide an "intent to hire" statement shall not invalidate the application.
3. A statement from the applicant, that the applicant has not been convicted of, released from confinement for conviction of, or diverted from prosecution on:
 - a. A felony criminal act within five years immediately preceding the application, or
 - b. A misdemeanor criminal act within two years immediately preceding the application, where such felony or misdemeanor criminal act involved sexual offenses, prostitution, promotion of prostitution, sexual abuse of a child, pornography or related offenses as defined in the Missouri Criminal Code, or involved controlled substances or illegal drugs or narcotics offenses as defined in the Missouri Controlled Substances Act or other statutes or ordinances.

The statement shall also indicate that the applicant has not been convicted of a municipal ordinance violation or diverted from prosecution on a municipal ordinance violation, within two years immediately preceding the application where such municipal ordinance violation involved sexual offenses, indecent exposure, prostitution or sale of controlled substances or illegal drugs or narcotics.

4. A full set of fingerprints and a photograph, to be taken by the police department, of the applicant.
5. The applicant shall present documentation to the City Clerk that the applicant has attained the age of 18 years at the time the application is submitted. Any of the following shall be accepted as documentation of age:
 - a. A valid motor vehicle operator's license issued by any state, bearing this applicant's photograph and date of birth;

- b. A state-issued identification card bearing the applicant's photograph and date of birth;
- c. An official and valid passport issued by the United States of America;
- d. An immigration card issued by the United States of America;
- e. Any other form of picture identification issued by a governmental entity that is deemed reliable by the City Clerk; or
- f. Any other form of identification deemed reliable by the City Clerk.

Failure to provide the information required by this subsection shall constitute an incomplete application and shall not be processed.

C. Facilities necessary. No adult business license to conduct a bathhouse or body painting studio shall be issued unless an inspection by the Code Enforcement Officer reveals that the premises the applicant intends to conduct business from complies with each of the following minimum requirements:

- 1. The walls shall be clean and painted with washable, mold-resistant paint in all rooms where water or steam baths are given. Floors shall be free from any accumulation of dust, dirt, or refuse. All equipment used in the business's operation shall be maintained in a clean and sanitary condition. Towels, linen and items for personal use of operators and patrons shall be clean and freshly laundered. Towels, cloths, and sheets shall not be used for more than one patron. Heavy, white paper may be substituted for sheets provided that such paper is changed for every patron. No service or practice shall be carried on within any cubicle, room, booth, or any area within any permitted establishment which is fitted with a door capable of being locked.
- 2. Toilet facilities shall be provided in convenient locations. When five or more employees and patrons of different sexes are on the premises at the same time, separate toilet facilities shall be provided. A single water closet per sex shall be provided for each 20 or more employees or patrons of that sex on the premises at any one time. Urinals may be substituted for water closets after one water closet has been provided. Toilets shall be designated as to the sex accommodated therein.
- 3. Lavatories or wash basins provided with both hot and cold running water shall be installed in either the toilet room or a vestibule. Lavatories or wash basins shall be provided with soap in a dispenser and with sanitary towels.

The Code Enforcement Officer or a representative, shall certify that the proposed business establishment complies with all of the requirements of this section and shall give or send such certification to the City Clerk. Provided, however, that nothing contained herein shall be construed to eliminate other requirements of statute or ordinance concerning the maintenance of premises, nor to preclude authorized inspection thereof. The appropriate City official may recommend the issuance of a license contingent upon the compliance with any requirements in this section.

D. Application processing. Upon receipt of a complete application for an adult entertainment or an adult entertainment manager, server or entertainer license, the City Clerk shall immediately transmit one copy of the application to the Police Department for investigation

of the application. In addition, the City Clerk shall transmit a copy of the application to the Code Enforcement Officer.

It shall be the duty of the Police Chief or a designee to investigate such application to determine whether the information contained in the application is accurate and whether the applicant is qualified to be issued the license applied for. The Police Chief shall report the results of the investigation to the City Clerk not later than ten working days from the date the application is received by the City Clerk.

It shall be the duty of the Code Enforcement Officer to determine whether the structure where the adult entertainment business will be conducted complies with the requirements and meets the standards of the applicable health, zoning, building code, fire and property maintenance ordinances of the City. The Code Enforcement Officer, shall report the results of the investigation to the City Clerk not later than ten working days from the date the application is received by the City Clerk.

Upon receipt of the reports from the Police Chief and Code Enforcement Officer, the City Clerk shall either issue or deny the license, provided the license application for an adult business, manager, server or entertainer license shall be approved or disapproved within 45 days from the date of filing of a completed application with the City Clerk.

Section 625.070 Examination of application, issuance of license, disapproval.

- A. If the application for an adult entertainment business or an adult entertainment business manager, server or entertainer is in proper form and accompanied by the appropriate license fee, the City Clerk shall examine the application, and after such examination, the City Clerk shall, if the applicant is qualified, approve a license as provided for by law, provided a license shall not be approved to any person ineligible under section 625.090.
- B. The records of the City Clerk shall show the action taken on the application, and if the license is granted, the City Clerk shall direct the issuance of the proper license. The license shall state that it is not transferable to other persons and the calendar year for which it is issued. The license shall be kept posted in a conspicuous place in the place of business that is licensed or where the licensee is working.
- C. If an application for a license is disapproved, the applicant shall be immediately notified by registered or certified mail to the applicant's last known address, and the notification shall state the basis for such disapproval. Any applicant aggrieved by the disapproval of a license application may seek judicial review in a manner provided by law.

Section 625.080 Ineligibility and disqualification.

No person is eligible nor shall a license be issued to:

- A. An adult entertainment business applicant if one or more of the following conditions exist:
 - 1. The applicant's premises is located within 1,000 feet of any school, church, public park, licensed child care center or licensed child care home. Measurements shall be made in a straight line, without regard to intervening structures or objects, from

the nearest point on the property line of the applicant's enterprise to the nearest point on the property line of such school, church, public park, licensed day care center or licensed child care home;

2. The applicant's premises is located within 1,000 feet of any other adult entertainment business for which there is a license issued. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the applicant's enterprise to the nearest point on the property line of such other adult entertainment business;
 3. The applicant's premises is located within 1,000 feet of any residentially zoned property. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the applicant's business to the nearest point on the property line of the residentially zoned property.
 4. In the case of an application for an adult business license for a business use defined in subsection 625.010.A.3.b or subsection 625.010A.3.c described as adult entertainment business, adult motion picture theater, adult entertainment cabaret, adult entertainment studio, adult encounter parlor, body painting studio, bathhouse or adult motel, the applicant's premises is located within 1,000 feet of any residentially zoned property. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the applicant's business to the nearest point on the property line of the residentially zoned property;
 5. The applicant failed to supply all of the information requested on the application;
 6. The applicant gave materially false, fraudulent or untruthful information on the application;
 7. The applicant's proposed business premises does not comply with or meet the requirements of the applicable health, zoning, building code, fire and property maintenance ordinances of the City, provided, that upon a showing that the premises meets said requirements and that the applicant is otherwise qualified, the application shall be eligible for reconsideration by the City Clerk;
 8. The applicant has been convicted, released from incarceration for conviction, or diverted on any of the crimes set forth in Section 625.090 of this Chapter during the time period set forth in said section;
 9. The applicant has had an adult entertainment license revoked or suspended in this or any other city during the past five years.
 10. If the applicant is applying for a license to operate a bath house or body painting studio and has not produced a health certificate as required herein for all persons working on the premises.
- B. An applicant for an adult entertainment manager, server or entertainer if one or more of the following conditions exist:

1. The employer for whom the applicant intends to work does not have or is ineligible to receive an adult entertainment business license for any of the reasons stated in subsection (A) above;
2. The applicant has been convicted, released from incarceration for conviction, or diverted on any of the crimes set forth in section 625.090 during the time period set forth in said section;
3. The applicant failed to provide all of the information required on the application;
4. The applicant gave materially false, fraudulent or untruthful information on the application.
5. The applicant has had an adult entertainment manager, server or entertainer license revoked or suspended in this or any other city during the past five years.

Section 625.090 Standards of conduct.

The following standards of conduct shall be adhered to by all adult entertainment business licensees, their employees and all adult entertainment business managers, servers and entertainers and patrons, of adult entertainment businesses, while on or about the premises of the business:

- A. Identification cards. All or any manager, server or entertainer issued a license by the City under the provisions of this chapter shall, at all times when working in an establishment subject to the provisions of this chapter, have in their possession a valid identification card issued by the City, bearing the permit number, the employee's physical description and a photograph of such employee. Such identification cards shall be laminated to prevent alteration.
- B. Age restriction. Only persons 18 years of age or older shall be permitted on the premises of any adult entertainment business.
- C. Exterior observation and display. No adult business will be conducted in any manner that permits the observation or display of performers servers, or entertainers engaged in an erotic depiction or dance or any material or persons, caricatures, animals, or any portion thereof depicting, describing or relating to "specified sexual activities" or "specified anatomical areas", as defined herein, or any books, cards, magazines, periodicals or other printed matter, photographs, slides, films, motion pictures, or videotapes which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" from any exterior source including, but not limited to, by display, decoration, sign, show window or other opening.
- D. Nudity prohibited. No manager, employee, server, entertainer or patron in an adult business, other than a licensed bath house, shall appear nude, unclothed, in less than opaque attire or in any fashion that exposes to view any "specified anatomical area."
- E. Certain acts prohibited.
 1. No manager, employee, server or entertainer shall perform any specified sexual activities as defined herein, wear or use any device or covering exposed to view which simulates any specified anatomical area, use artificial devices or inanimate

objects to perform or depict any of the specified sexual activities as defined herein, or participate in any act of prostitution.

2. No manager, employee, server, entertainer or patron of an adult entertainment business shall knowingly touch, fondle or caress any specified anatomical area of another person, or knowingly anatomical area of such employee, server, entertainer or patron, whether such specified anatomical areas are clothed, unclothed, covered or exposed.
 3. No manager, employee, server or entertainer of an adult entertainment business shall be visible from the exterior of the adult entertainment business while such person is unclothed or in such attire, costume or clothing as to expose to view any specified anatomical area.
 4. No adult entertainer shall solicit, demand or receive any payment or gratuity from any patron or customer for any act prohibited by this chapter and no adult entertainer shall receive any payment or gratuity from any customer for any entertainment except as follows:
 - a. While such entertainer is on the stage or platform, a customer or patron may place such payment or gratuity into a box affixed to the stage, or
 - b. While such entertainer is not on the stage or platform and is clothed so as to not expose to view any specified anatomical area, a customer or patron may either place such payment or gratuity into the entertainer's hand, or under a leg garter worn by such entertainer at least four inches below the bottom of the pubic region.
 5. No owner, operator, manager or other person in charge of the premises of an adult entertainment premises shall:
 - a. Knowingly permit alcoholic liquor or cereal malt beverages to be brought upon or consumed on the premises, (unless otherwise permitted pursuant to chapter 4, Alcoholic beverages, of the Code of the City of Fayette),
 - b. Knowingly allow or permit the sale, distribution, delivery or consumption of any controlled substance or illegal drug or narcotic on the premises,
 - c. Knowingly allow or permit any person under the age of 18 years of age to be in or upon the premises,
 - d. Knowingly allow or permit any act of prostitution or patronizing prostitution on the premises, or
 - e. Knowingly allow or permit a violation of this chapter or any other city ordinance provision or state law.
- F. Signs required. All adult entertainment business shall have conspicuously displayed in the common area at the principal entrance to the premises a sign, or which uppercase letters shall be at least two inches high, and lowercase letters at least one inch high, which shall read as follows:

THIS ADULT ENTERTAINMENT BUSINESS IS REGULATED AND
LICENSED BY THE CITY OF FAYETTE

ENTERTAINERS ARE:

*Not permitted to engage in any type of sexual conduct or prostitution on the premises or to fondle, caress or touch the breasts, pubic region, buttocks or genitals of any employee, patron or other entertainer or to permit any employee, patron or other entertainer to fondle, caress or touch the breasts, pubic region, buttocks or genitals of said entertainer.

*Not permitted to be nude, unclothed, or in less than opaque attire, costume or clothing so as to expose to view any portion of the breasts below the top of the areola, or any portion of the pubic region, buttocks and or genitals, unless upon a stage at least two feet above the customer floor and a sufficient distance from the customers to prevent the customers from touching the entertainers.

*Not permitted to demand or collect any payment or gratuity from any customer for entertainment, except as follows:

-While such entertainer is on the stage, by placing such payment or gratuity into a box affixed to the stage, or

-While such entertainer is not on the stage, by either placing such payment or gratuity into the entertainer's hand, or under the entertainer's leg garter.

CUSTOMERS ARE:

*Not permitted to be upon the stage at any time.

*Not permitted to touch, caress or fondle the breasts, pubic region, buttocks or genitals of any employee, server or entertainer or engage in solicitation for prostitution.

- G. Lighting required. The interior premises of all adult businesses shall be equipped with overhead lighting of sufficient intensity to illuminate every place to which customers are permitted access at an illumination of not less than one footcandle as measured at the floor level, and such illumination must be maintained at all times that any customer or patron is present in or on the premises.

The exterior premises of all adult business shall be equipped with overhead lighting of sufficient intensity to illuminate every place to which customers are permitted access at an illumination equivalent to not less than one footcandle in all parking areas and on the general grounds of the premises as measured at the ground level and there shall be illumination to the equivalent of not less than five footcandles as measured at the ground level at each entrance and doorway area, and such illumination must be maintained at all times that any customer or patron is present on the premises.

- H. Closed booths or room prohibited. The premises of all adult entertainment businesses shall be physically arranged in such manner that the entire interior portions of any booths, cubicles, rooms or stalls is visible from a common area of the premises. The use of video cameras to meet this requirement is not allowed. Visibility shall not be

blocked or obscured by doors, curtains, drapes or any other obstruction whatsoever. The manager shall be required to position himself/herself so as to be able to view the entire interior portion of the premises while on duty.

Only one person shall be allowed in any booth, cubicle or stall at a time. Such booths, cubicles or stalls shall be constructed out of metal or such other material that is incapable of perforation by any customer, employee, entertainer, server or manager on the premises. Other than the entryways there shall be no openings, holes, access doors or any other manner of accessibility between any booth, cubicle, room or stall and any other booth, cubicle room or stall.

- I. Ventilation and sanitation requirements. The premises of all adult entertainment businesses shall be kept in a sanitary condition. Separate dressing rooms and restrooms for men and women shall at all times be maintained and kept in a sanitary condition.
- J. Hours of operation. No adult businesses or adult entertainment businesses may be open or in use between the hours of 1:30 a.m. and 10:00 a.m. on any day other than a Sunday when the business may not be open between the hours of 1:30 a.m. and 12:00 noon.

Section 625.100 License—Posting or display.

- A. Every person, corporation, partnership, or association licensed under this chapter as an adult entertainment business shall post such license in a conspicuous place and manner on the adult entertainment facility premises.
- B. Every person holding an adult entertainment server, manager or entertainer license shall post his or her license in his or her work area on the adult entertainment facility premises so it shall be readily available for inspection by City authorities responsible for enforcement of this chapter.

Section 625.110 Manager on premises.

- A. A manager shall be on duty at any adult entertainment business at all times the premises is open for business. The name of the manager on duty shall be prominently posted during business hours.
- B. It shall be the responsibility of the manager to verify that any person who provides adult entertainment or works as a server within the premises possesses a current and valid adult entertainer's license or an adult entertainment servers license and that such licenses are prominently posted.
- C. It shall be the responsibility of the manager to ensure persons under the age of 18 do not enter upon the premises.

Section 625.120 Inspector and inspections.

All adult businesses shall permit representatives of the Police Department or any other City official acting in their official capacity to inspect the premises as necessary to insure the business is complying with all applicable regulations and laws.

Section 625.130 Suspension, revocation, or non-renewal—License.

Whenever the City Clerk has information that:

- A. The owner or operator of an adult business or a holder of an adult entertainment manager, server or entertainer license has violated, or knowingly allowed or permitted the violation of, any of the provisions of this chapter; or
- B. There have been recurrent violations of provisions of this chapter that have occurred under such circumstances that the owner or operator of an adult entertainment business knew or should have known that such violations were committed; or
- C. The adult business license or the manager, server or entertainer license was obtained through false statements in the application for such license, or renewal thereof; or
- D. The adult business licensee or the manager, server or entertainer licensee failed to make a complete disclosure of all information in the application for such license, or renewal thereof; or
- E. The owner or operator, or any partner, or any corporate officer or director holding an adult entertainment business license has become disqualified from having a license by a conviction as provided in section 625.090; or
- F. The holder of a manager, server or entertainer license has become disqualified from having a license by a conviction as provided in section 625.090;

Then a panel comprised of the City Clerk, Fire Chief and Code Enforcement Officer shall conduct a hearing to determine whether the license should be suspended or revoked. Based on the evidence produced at the hearing, the panel may take any of the following actions:

- 1. Suspend the license for up to 90 days.
- 2. Revoke the license for the remainder of the license year.
- 3. Place the license holder on administrative probation for a period of up to one year, on the condition that no further violations of the chapter occur and after a hearing the violation is determined to have actually occurred, the license will be revoked for the remainder of the license year.

Section 625.140 Renewal.

- A. A license may be renewed by making an application to the City Clerk on application forms provided for that purpose. Licenses shall expire on June 30 of each calendar year, and renewal applications for such licenses shall be submitted between June 15 and June 30.
- B. Upon timely application and review as provided for a new license, a license issued under the provisions of this chapter shall be renewed by issuance of a new license in the manner provided in this chapter.
- C. If the application for renewal of a license is not made during the time provided in subsection (A) of this section, the expiration of such license shall not be affected, and a new application shall be required.

Section 625.150 Judicial review—Stay of enforcement of orders.

Following the entry of an order by the City Clerk, suspending or revoking a license issued pursuant to this chapter, or disapproving the renewal application for a license, such licensee or applicant may seek judicial review in a manner provided by law. The City Clerk may stay the enforcement of such order for a period of time not to exceed 30 days pending the filing and/or final disposition of proceedings for judicial review.

Section 625.160 Penalty.

It shall be unlawful for any person to violate any of the provisions of this chapter. Upon conviction thereof, such person shall be punished by a fine not exceeding \$500.00, or be punished by incarceration for a period not to exceed 90 days, or by both such fine and incarceration. Each day's violation of, or failure, refusal or neglect to comply with, any provision of this chapter shall constitute a separate and distinct offense.

Section 625.170 Regulations.

The City Clerk shall have the power to promulgate regulations, as may be necessary and feasible for the carrying out of the duties of his/her office and which are not inconsistent with the provisions of this chapter.

Section 625.180 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The Board of Aldermen hereby declares that it would have passed this ordinance and each section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part hereof irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional.

SECTION TWO: Repeal of Conflicting Ordinances. Any ordinance or portion of an ordinance directly in conflict with the provisions of this Ordinance is hereby repealed.

SECTION THREE: Effective Date. This ordinance shall be in full force and effect from and after the date of its passage and approval and shall remain in effect for two years from the date of passage.

Dated this _____ day of _____, 2024.

Jeremy Dawson, Mayor

Attest:

Judith Thompson, City Clerk