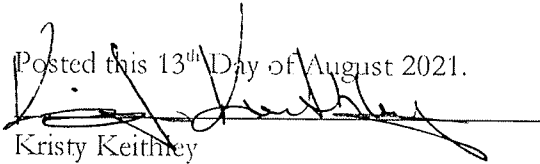


## NOTICE OF MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT A REGULAR MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF CLEVER, MISSOURI WILL BE HELD AT THE CLEVER CITY HALL, 304 S CLARKE AVE, CLEVER, MISSOURI ON AUGUST 17, 2021, AT 6:30PM TO CONSIDER AND ACT UPON THE MATTERS ON THE FOLLOWING TENTATIVE AGENDA AND SUCH MATTERS AS MAY BE PRESENTED AT THE MEETING AND DETERMINED TO BE APPROPRIATE FOR DISCUSSION AT THE TIME:

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE
2. MINUTES: July 20, 2021
3. FINANCIALS
  - a. Revenue - Admin: \$80,288.15 St: \$13,103.37 Crt \$4,866.48 Water \$59,500.34 Sewer \$29,571.48 Expenditures - Admin: \$106,251.52 St: \$1,325.12 Crt \$1,961.50 Water \$40,080.43 Sewer \$24,543.18
  - b. ARPA Funding
4. WATER/WASTEWATER
  - a. Ronnie Keithley – Water Report
  - b. Bert Bond – Wastewater Report
5. COURT
  - a. Written
  - b. Relinquishing Municipal Court over the Christian County
6. STREETS/PARKS/GROUNDS
  - a. Bill 20-2021 Ordinance 543: Amending Schedule II -Stop Signs
  - b. Bill 23-2021 Ordinance 546: Amending Section 320.030 Schedule I: Speed Limits
7. PLANNING AND ZONING
8. POLICE
9. ADMINISTRATION
  - a. Bill 19-2021 Ordinance 542: Amending Article XIII: Tobacco, Alternative Nicotine, Vapor
  - b. Bill 21-2021 Ordinance 544: Amending Chapter 205: Animal Regulations
  - c. Bill 22-2021 Ordinance 545: Amending Section 605.200 Garage Sales Within the City
  - d. Discussion on chickens and honeybees (allowing in residential areas)
  - e. Discussion on Code Enforcement (until position is filled)

Posted this 13<sup>th</sup> Day of August 2021.

  
Kristy Keithley

# MINUTES

Mayor Maisel called the regular meeting to order at 6:30 pm with the reciting of the Pledge of Allegiance. Aldermen present: Priebe, Larson, Schmidt, and McPhail. Refer to sign in sheet for all others present.

#### MINUTES

McPhail made the motion to approve the minutes of June 15, 2021. Schmidt 2<sup>nd</sup> the motion passed with 4 ayes.

#### FINANCIALS

Schmidt made the motion to approve the financials as presented: Revenue - Admin: \$99,773.57 St: \$11,591.77 Crt \$2,125.50 Water \$76,202.38 Sewer \$39,448.44 Expenditures - Admin: \$43,281.87 St: \$11,318.27 Crt \$2,564.50 Water \$37,767.22 Sewer \$15,572.18. Larson 2<sup>nd</sup> the motion and motion passed with 4 ayes.

McPhail made the motion for the first reading of Bill 14-2021 Ordinance 537 by title: Adopting the 2020-2021 Final Budget with copies available to the public. Priebe 2<sup>nd</sup> the meeting and passed by roll call: Priebe – Aye, Larson – Aye, Schmidt – Aye, McPhail– Aye.

Priebe made the motion for the 2<sup>nd</sup> reading and final passage of Bill 14-2021 Ordinance 537 by title: Adopting the 2020-2021 Final Budget with copies available to the public. Larson 2<sup>nd</sup> the meeting and passed by roll call: Priebe – Aye, Larson – Aye, Schmidt – Aye, McPhail– Aye.

#### WATER/WWTP

Mr. Keithley submitted a written report. Mr. Keithley informed the Board that the utility rate study performed by Missouri Rural Water has been completed. It was stated in their report that comparatively Clever is below the average, which is \$75.00 for 5000 gallons of water and \$75.00 for 5000 gallons of sewer. The study does show that we are sustaining financially with our current rates.

Mr. Bond submitted a written report.

McPhail made the motion to approve the Directors Report. Larson 2<sup>nd</sup> the motion and passed with 4 ayes.

Schmidt made the motion to approve the Adjustment Report of \$10.96. Priebe 2<sup>nd</sup> the motion and passed with 4 ayes.

COURT – written.

#### STREET/PARKS/GROUNDS

Mr. Keithley submitted a written report.

June 21 & 22 the Board held public hearings to discuss the address changes for Loyal, Nola, Meadowbrook, and Chrysler. Concerns came up before the meeting that Alderman McPhail and Alderman Schmidt presented to the Board. This concern was based on the change from Lane to Street and with the directional of east. It was explained that standards on street naming have evolved and keeping Lane does not conform with the Clever's road plans. A lane would be more of a dead in whereas a street would have an outlet on both ends.

Priebe made the motion for the 1<sup>st</sup> reading of Bill 18-2021 Ordinance 541 by title: An Ordinance Assigning New Numerical to all the Residences Located on Loyal, Nola, West Meadowbrook, West Chrysler, All within the City of Clever, Missouri with copies available to the public. Larson 2<sup>nd</sup> the motion and passed by roll call: Priebe – Aye, Larson – Aye, Schmidt – Aye, McPhail – Aye.

McPhail made the motion for the 2<sup>nd</sup> reading and final passage of Bill 18-2021 Ordinance 541 by title: An Ordinance Assigning New Numerical to all the Residences Located on Loyal, Nola, West Meadowbrook, West Chrysler, All within the City of Clever, Missouri with copies available to the public. Larson 2<sup>nd</sup> the motion and passed by roll call: Priebe – Aye, Larson – Aye, Schmidt – Aye, McPhail – Aye.

#### PLANNING AND ZONING

Priebe made the motion for the 1<sup>st</sup> reading of Bill 15-2021 Ordinance 538 by title: An Ordinance of the City of Clever, Missouri, Accepting and Approving the Annexation and Replat Request of Orchid Addition in the City of Clever, with copies available to the public. Schmidt 2<sup>nd</sup> the motion and passed by roll call: Priebe – Aye, Larson – Aye, Schmidt – Aye, McPhail – Aye.

Schmidt made the motion for the 2<sup>nd</sup> reading and final passage of Bill 15-2021 Ordinance 538 by title: An Ordinance of the City of Clever, Missouri, Accepting and Approving the Annexation and Replat Request of Orchid Addition in the City of Clever, with copies available to the public. Larson 2<sup>nd</sup> the motion and passed by roll call: Priebe – Aye, Larson – Aye, Schmidt – Aye, McPhail – Aye.

McPhail made the motion for the 1<sup>st</sup> reading of Bill 16-2021 Ordinance 539 by title: An Ordinance of the City of Clever, Missouri Accepting and Approving the Lot Split Request of 322 E Drive within the City of Clever, with copies available to the public. Priebe 2<sup>nd</sup> the motion and passed by roll call: Priebe – Aye, Larson – Aye, Schmidt – Aye, McPhail – Aye.

Priebe made the motion for the 2<sup>nd</sup> reading and final passage of Bill 16-2021 Ordinance 539 by title: An Ordinance of the City of Clever, Missouri Accepting and Approving the Lot Split Request of 322 E Drive within the City of Clever, with copies available to the public. McPhail 2<sup>nd</sup> the motion and passed by roll call: Priebe – Aye, Larson – Aye, Schmidt – Aye, McPhail – Aye.

Priebe made the motion for the 1<sup>st</sup> reading of Bill 17-2021 Ordinance 540 by title: An Ordinance of the City of Clever, Missouri Accepting and Approving the Preliminary Plat Request for South Fork Estates as a Subdivision of Land with a Zoning of R1c Single Family Residential within the City Limits of the City of Clever, with copies available to the public. McPhail 2<sup>nd</sup> the motion and passed by roll call: Priebe – Aye, Larson – Aye, Schmidt – Aye, McPhail – Aye.

McPhail made the motion for the 2<sup>nd</sup> reading and final passage of Bill 17-2021 Ordinance 540 by title: An Ordinance of the City of Clever, Missouri Accepting and Approving the Preliminary Plat Request for South Fork Estates as a Subdivision of Land with a Zoning of R1c Single Family Residential within the City Limits of the City of Clever, with copies available to the public. Schmidt 2<sup>nd</sup> the motion and passed by roll call: Priebe – Aye, Larson – Aye, Schmidt – Aye, McPhail – Aye.

#### POLICE

Written quarterly report was submitted with verbal review by Mrs. Robertson.

Mayor Maisel informed the Board that Trekk completed the traffic study that was done through a MoDot grant. This study was for the area around the elementary school and how to handle the traffic issues. The new design for pick up and drop off is working to alleviate some of the problems. Trekk has some other items that may help: Upgrading signage, adding a crosswalk at Maple and Brown, and change the speed limit on Snowdrop to 30 mph.

Clerk is to work with City Attorney to get a speed limit ordinance for Snowdrop and an ordinance to allow the school authority to close Public Ave for school buses in the morning and afternoons.

#### ADMIN

Alderman Schmidt submitted Bill 19-2021 that will amend Title II Health and Public Safety: Article XII – Offenses concerning tobacco, alternative nicotine products, or vapor products. Discussion was held on this ordinance and its clarity with state and federal laws. Discussion on if it would or could be enforced and prosecuted within the city.

Priebe made the motion to send Bill 19-2021 to the City Attorney for review. Larson 2<sup>nd</sup> the motion and passed with 4 ayes.

Discussion was held on the step-up program and continuing to partner with ShowMe Christian County. Andrea Sitzes, President & CEO of ShowMe Christian County along with Mayor Clint Ellingsworth of Highlandville were present to inform and answer any questions. Mrs. Sitzes explained what SMCC does and what they have done for Clever to date. Mayor Ellingsworth informed the Board how SMCC is helping Highlandville obtain a sales tax bases business to their city who otherwise was not going to have the resources and funding mechanisms to do so. It was asked on why the increase and where that money would be going. Mrs. Sitzes stated that the regular budget has been met and so this extra income would be going to marketing to draw businesses to Christian County.

Priebe made the motion to approve the Step-Up program pledge form and go from \$2,500 to \$5,000.00 for 5 years with ShowMe Christian County. McPhail 2<sup>nd</sup> the motion and passed with 4 ayes.

Clerk informed the Board that it is time to bid out all professional services.

McPhail made the motion to allow the Clerk to bid out all applicable contract services. Larson 2<sup>nd</sup> the motion and passed with 4 ayes.

Board has discussion on the current dog licensing application and process. Board would like to repeal and amend this ordinance to go back to the way it was only to have a picture of the animal. Board would also like to see the garage sale ordinance repealed and amended to back the way it was but to make the city wide exempt.

With the uprise in Covid-19 cases the Board is wanting to put a policy in place to amend the sick policy to allow for time off for the pandemic.

McPhail made the motion to temporarily amend the City's sick leave policy written after the City of Battlefield model to expire January 31, 2022. Priebe 2<sup>nd</sup> the motion and passed with 4 ayes.

Mayor Maisel informed the Board that it was brought to her attention that a citizen was upset because they were told the restrooms within city hall are not open to the public. This was done when all the security

upgrades were made. There is no point for the security if anyone is allowed in and out of the building. Alderman McPhail stated that his opinion is that only official business needs to be conducted passed the front office. Alderman Priebe was worried about the backroom and restrooms would not be treated appropriately with people back there unattended. Board is of the consensus that only city related business is allowed through the front entry way and no public restrooms.

Aldermen McPhail informed the Board that he would like to attend the MML Conference in September. This is an informative conference and would like to City to cover the hotel and conference fee with already budgeted training expenses.

Priebe made the motion to take a 10–15-minute break. McPhail 2<sup>nd</sup> the motion and passed with 4 ayes.

Priebe made the motion to enter executive session pursuant to section 610.021.3(Personnel) of the revised statutes of the state of Missouri. McPhail 2<sup>nd</sup> the motion and passed by roll call vote: Priebe – Aye, Larson – Aye, Schmidt – Aye, McPhail – Aye.

Entered back into regular session at 9:40pm. Priebe made the motion to adjourn. McPhail 2<sup>nd</sup> the motion and passed with 4 ayes.

Respectfully Submitted,

Date Approved:\_\_\_\_\_

\_\_\_\_\_  
Melissa Lansdown – Deputy City Clerk

\_\_\_\_\_  
Dale Maisel – Mayor

WATER/

WWTP

**CSE**  
**CLEAN STREAM ENTERPRISE LLC**  
**Bert Bond**  
102 E. Brown Clever Mo. 65631  
Phone 417-693-3590  
bond8x11@yahoo.com

August 13, 2021

**AUGUST SEWER REPORT**

Clever Council,

We ran a total of 5,960,000 gallons thru the plant in July, with an average daily flow of 165,000 gallons and a one day peak flow of 184,000 gallons.

The new UV bulbs and racks came in and have been installed bringing the UV system up to 100%

Clarifier number 2 is back in service without the sweeper arm. Since drawings of the arm cannot be acquired due to the age of the clarifiers the arm off of clarifier number 1 will be removed and used for a pattern to be manufactured from a local source. But we will be able to use both of the clarifiers in the mean time.

The last back ordered check valve from Smith and Loveless came in for the influent lift station and all the new gate valves and check valves have been installed in the station. The pumps have been removed and the re wiring can begin now that the leaking into the dry well has been stopped.

The second pump for the Hwy 14 lift station has been returned and re installed by Fluid Equipment. While they were here doing a warranty check on the hoist we purchased last year to be able to pull pumps more safely and efficiently we had them go through the controls as a preventative maintenance measure and they found all to be in good working order. By having them do the control checks while they were already on site reduced the cost from 1800.00 dollars to under 400.00 dollars. They find a check valve that is sticking and we are looking into the most cost effective way to rebuild or replace the check valves in the station since the current ones are almost twenty years old.

I had a brief meeting with Andy Novinger of Anderson Engineering concerning the capacity of hwy 14 and Kings Gate lift stations due to more development and Dozer has met with Brandon of Anderson Engineering more than once on the same subject. And Dozer and I are developing our plan to be prepared for the increased flow to these two stations.

Any question or concerns contact me anytime at 693-3590.

Bert Bond.



# Director's Report

## DISTRIBUTION EFFICIENCY SUMMARY

	Gallons	Percent
Water Supplied to System	5,939,500	100.0%
Water Sold to Customers	4,947,830	83.3%
Utility Use (fire, flushing)	400,000	6.7%
Water Lost	-591,670	10.0%
Average Use Per Account	4,295	
Accounts Using Water	1,152	

	WATER	TRASH	PRIMACY	RES SALES	BUSINESS S	SEWER
Charges	\$24,844.28	\$14,735.60	\$443.26	\$393.51	\$60.88	\$26,628.22
Count	1152	1059	1148	1090	36	1139
Average	\$21.57	\$13.91	\$0.39	\$0.36	\$1.69	\$23.38

# CITY OF CLEVER ADJUSTMENT REPORT

07/26/21 10:01 AM

Page 1

Account	Billing Name	Date	Charge Name	Amount	Comment	Type
01-00002630-00-0	EMERSON, DANIEL	07/23/21		\$4.05	DEP OVERAGE TRANS TO NEW ADD	Adjustment
00-00001141-01-2	EMERSON, DANIEL	07/23/21		(\$4.05)	DEP OVERAGE TRANS TO NEW ADD	Adjustment
01-00001940-00-5	JOHNSTON, JOHNATHAN	07/15/21	NSF AMOUNT	\$62.10	ACH NSF	Adjustment
01-00001940-00-5	JOHNSTON, JOHNATHAN	07/15/21	NSF CHARGE	\$27.50		Adjustment
01-00001849-00-7	YANKANA, ALVIN & HALE	07/09/21	NSF CHARGE	\$27.50		Adjustment
01-00001849-00-7	YANKANA, ALVIN & HALE	07/09/21	NSF AMOUNT	\$71.04	ECHECK NSF	Adjustment
00-00002649-00-1	SHIRLEY, KYLE	07/01/21		(\$22.96)	DEP OVERAGE	Adjustment
01-00004401-00-6	NEWELL, DANNY & SHER	07/01/21		\$100.88	DEP OVERAGE TRANSFERED	Adjustment
00-00001378-02-5	NEWELL, DANNY & SHER	07/01/21		(\$100.88)	DEP OVERAGE TRANS TO NEW ADD	Adjustment
00-00002563-01-7	WATSON, JEREMY	07/02/21		(\$63.19)	dep overage	Adjustment
01-00001861-00-5	HARRIS, RICHELLE	07/02/21	NSF CHARGE	\$27.50		Adjustment
01-00001861-00-5	HARRIS, RICHELLE	07/02/21	NSF AMOUNT	\$74.42	NSF CHARGE BACK	Adjustment
00-00003006-03-2	MOULDER, JASON	06/29/21		(\$3.53)	dep overage	Adjustment
00-00001910-00-5	BURLEY, DAVID & KATHE	06/28/21		(\$10.56)	DEP OVERRAGE	Adjustment
				\$189.82		

CITY OF CLEVER  
AGED ACCOUNTS

07/26/21 9:58 AM

Page 1

Account	Full Billing Name	3 Per Overdue	Full Property Address
00-00000550-00-0	MCCORD, LARRY	\$41.76	507 WILLARD
00-00001785-00-7	BRUCE, RANDALL & JENNIFER	\$16.10	406 LYNN DRIVE
00-00002827-01-0	NOE, REGINA & JAMES	\$79.35	111 W NOLA
00-00002299-01-1	BODENHAMER, KYLE	\$33.08	709 W LAKE
00-00002770-04-0	BRIZENDINE, AMANDA	\$14.07	227 EAGLE CIRCLE
01-00000233-00-7	WILLIAMS, LUCINDA	\$45.57	101 W BROWN
		\$229.93	

COURT

## MUNICIPAL DIVISION SUMMARY REPORTING FORM

*Refer to instructions for directions and term definitions. Complete a report each month even if there has not been any court activity.*

<b><u>I. COURT INFORMATION</u></b>		Municipality: Clever Municipal		Reporting Period: Jul 1, 2021 - Jul 31, 2021	
Mailing Address: 304 SOUTH CLARK AVENUE, PO BOX 52, CLEVER, MO 65631					
Physical Address: 304 SOUTH CLARK AVENUE, PO BOX 52, CLEVER, MO 65631				County: Christian County	
				Circuit: 38	
Telephone Number: (417)7432544			Fax Number:		
Prepared by: KRISTY KEITHLEY			E-mail Address:		
Municipal Judge:					
<b><u>II. MONTHLY CASELOAD INFORMATION</u></b>				Alcohol & Drug Related Traffic	Other Traffic
A. Cases (citations/informations) pending at start of month				4	128
B. Cases (citations/informations) filed				0	27
C. Cases (citations/informations) disposed					
1. jury trial (Springfield, Jefferson County, and St. Louis County only)				0	0
2. court/bench trial - GUILTY				0	0
3. court/bench trial - NOT GUILTY				0	0
4. plea of GUILTY in court				0	22
5. Violations Bureau Citations (i.e. written plea of guilty) and bond forfeiture by court order (as payment of fines/costs)				0	2
6. dismissed by court				0	0
7. <i>nolle prosequi</i>				0	7
8. certified for jury trial (not heard in Municipal Division)				0	0
<b>9. TOTAL CASE DISPOSITIONS</b>				0	31
D. Cases (citations/informations) pending at end of month [pending caseload = (A+B)-C9]				4	124
E. Trial de Novo and/or appeal applications filed				0	0
<b><u>III. WARRANT INFORMATION</u></b> (pre- & post-disposition)				<b><u>IV. PARKING TICKETS</u></b>	
1. # Issued during reporting period		9		1. # Issued during period	
2. # Served/withdrawn during reporting period		3		<input type="checkbox"/> Court staff does not process parking tickets	
3. # Outstanding at end of reporting period		90			

## MUNICIPAL DIVISION SUMMARY REPORTING FORM

<b>COURT INFORMATION</b>	Municipality: Clever Municipal	Reporting Period: Jul 1, 2021 - Jul 31, 2021
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### **V. DISBURSEMENTS**

<b>Excess Revenue (minor traffic and municipal ordinance violations, subject to the excess revenue percentage limitation)</b>		<b>Other Disbursements:</b> Enter below additional surcharges and/or fees not listed above. Designate if subject to the excess revenue percentage limitation. Examples include, but are not limited to, arrest costs, witness fees, and board bill/jail costs.	
Fines - Excess Revenue	\$1,426.00	Court Automation	\$119.00
Clerk Fee - Excess Revenue	\$176.00	<b>Total Other Disbursements</b>	\$119.00
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Excess Revenue	\$5.92	<b>Total Disbursements of Costs, Fees, Surcharges and Bonds Forfeited</b>	\$1,961.50
Bond forfeitures (paid to city) - Excess Revenue	\$0.00	<b>Bond Refunds</b>	\$0.00
<b>Total Excess Revenue</b>	\$1,607.92	<b>Total Disbursements</b>	\$1,961.50
<b>Other Revenue (non-minor traffic and ordinance violations, not subject to the excess revenue percentage limitation)</b>			
Fines - Other	\$0.00		
Clerk Fee - Other	\$11.00		
Judicial Education Fund (JEF) <input type="checkbox"/> Court does not retain funds for JEF	\$17.00		
Peace Officer Standards and Training (POST) Commission surcharge	\$17.00		
Crime Victims Compensation (CVC) Fund surcharge - Paid to State	\$121.21		
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Other	\$0.37		
Law Enforcement Training (LET) Fund surcharge	\$34.00		
Domestic Violence Shelter surcharge	\$0.00		
Inmate Prisoner Detainee Security Fund surcharge	\$34.00		
Sheriffs' Retirement Fund (SRF) surcharge	\$0.00		
Restitution	\$0.00		
Parking ticket revenue (including penalties)	\$0.00		
Bond forfeitures (paid to city) - Other	\$0.00		
<b>Total Other Revenue</b>	\$234.58		

STREETS

PARKS

GROUND

**AN ORDINANCE AMENDING SCHEDULE II OF THE TRAFFIC  
CODE BY AUTHORIZING THE PLACEMENT OF STOP SIGNS AT  
THE INTERSECTIONS OF CERTAIN DESIGNATED CITY STREETS**

An Ordinance of the City of Clever, Missouri to amend Title III: Schedule II Stop Signs, accepting and approving all changes relating to placement of stop signs at the intersections of certain designated city streets.

**WHEREAS:** Sections 335.020 and 335.030 of the Code of Ordinances authorize the placement of stop signs at intersecting City through streets and at such other intersections of City streets where the Chief of Police determines a hazard exists; and,

**WHEREAS:** The Chief of Police has determined that stop signs should be placed at the intersections of such City streets to control traffic flow and prevent hazardous driving conditions;

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

**Section I:** That Schedule II of the Traffic Code of the City of Clever is amended by adding the following Table as intersection where one-way stop signs are to be placed and installed:

**Maple Street, northbound at Sugar Lane**

**Section II:** The driver of a vehicle shall stop at the above location where stop signs are posted.

**Section III:** Except as herein amended, altered, or modified, Table I of Schedule II of the Traffic Code of the City, and all subsections, subdivisions and subparagraphs thereof, shall remain in full force and effect.

**Section IV:** This ordinance shall be in full force and effect from and after its date of passage and approval by the Board of Alderman.

**FIRST READING BY TITLE WITH COPIES AVAILABLE TO THE PUBLIC HELD ON THIS  
17<sup>th</sup> DAY OF AUGUST, 2021.**

Alderman PRIEBE  
Alderman LARSON  
Alderman SCHMIDT  
Alderman MCPHAIL

Aye	Nay
_____	_____
_____	_____
_____	_____
_____	_____



**SECOND READING BY TITLE WITH COPIES AVAILABLE TO THE PUBLIC AND FINAL  
PASSAGE HERE ON THIS 17<sup>TH</sup> DAY OF AUGUST, 2021.**

	Aye	Nay
Alderman PRIEBE	_____	_____
Alderman LARSON	_____	_____
Alderman SCHMIDT	_____	_____
Alderman MCPHAIL	_____	_____

Date Approved\_\_\_\_\_

(SEAL)

\_\_\_\_\_  
DALE MAISEL, Mayor

Attest:

\_\_\_\_\_  
KRISTY KEITHLEY, City Clerk

**AN ORDINANCE AMENDING SECTION 320.030 AND SCHEDULE I OF THE CITY OF  
CLEVER CODE BOOK.**

An Ordinance of the City of Clever, County of Christian, State of Missouri to amend Section 320.030 and Schedule I, accepting and approving all changes relating to the City's speed limits for residential areas.

**BE IT ORDAINED BY THE CITY COUNCIL OF AND FOR THE CITY OF CLEVER,  
COUNTY OF CHRISTIAN, STATE OF MISSOURI, AS FOLLOWS:**

**SECTION I:** All ordinances or parts of ordinances in conflicts with this ordinance are hereby amended or repealed.

**SECTION II:** No person shall drive or operate a motor vehicle (except emergency vehicles on emergency runs) or any other conveyance on any street, boulevard, thoroughfare or public way in the City at any time at a rate of speed in excess of twenty (20) miles per hour except as a greater or lesser speed is hereinafter specifically provided for with respect to certain streets, boulevards, thoroughfares, areas, public ways or parts thereof as specified in Schedule I hereof. (Ord. No. 102 §7-24, 1-11-82)

**SECTION III:**

**SCHEDULE I. SPEED LIMITS**

In accordance with the provisions of Chapter 320, and when signs are erected giving notice thereof, it shall be unlawful for any person to drive a vehicle at a speed in excess of the speeds listed below on the streets as designated.

**Table I-A. General Speed Limits**

<i>Street</i>	<i>Speed Limit</i>
<b>Street</b>	<b>Speed Limit</b>
Snowdrop Ave	
Between State Highway 14 (Veterans Blvd) and K Hill Rd	30 mph
Elm Street:	
Between State Highway 14 and Drive Street	30 mph
Highway 14:	
From Thyme Road to East City Limit	55 mph
From Cherokee Trail to West City Limit	55 mph
From Thyme Road to Cherokee Trail	45 mph
Public Street:	
From Hart Street to Grant Street	30 mph
Route K:	
Between Little Street and Hart Street	25 mph

**Table I-B. School Speed Zones**

The areas or portions of the streets or public ways hereinafter set forth shall be considered to be

within the boundaries of a school zone and from 06:30 AM to 08:30 AM, and then again from 13:00 (1:00 PM) to 16:00 (4:00 PM) of those days when any classes are held or scheduled in the Clever Public School; it shall be unlawful for any person to drive or operate a motor vehicle within the hereinafter designated boundaries of such school zone at a rate of speed in excess of twenty (20) miles per hour:

**Location:**

Brown Street – Snow Drop Avenue to Clarke Avenue  
 Carpenter Street – Public Avenue to Clarke Avenue  
 Old Wire Road/Inman Street – Westgate Drive to Clarke Avenue  
 Hayes Avenue – Walnut Avenue to Public Avenue  
 Walnut Avenue – Inman Street to dead end  
 Public Avenue – Little Avenue to Hart Street  
 Mitchell Avenue – Brown Street to Hart Street  
 Maple Street – Brown Street to Sugar Lane  
 Inmon Avenue – Brown Street to dead end  
 Westgate Drive – Old Wire Road to dead end  
 Union Hill Street – Westgate Drive to dead end  
 State Highway 14 – Elm Avenue to Mop Road

**SECTION IV:** This ordinance shall be in full force and effect upon passage.

**FIRST READING BY TITLE WITH COPIES AVAILABLE TO THE PUBLIC HELD ON THIS  
17<sup>TH</sup> DAY OF AUGUST 2021.**

	Aye	Nay
Alderman PRIEBE	_____	_____
Alderman LARSON	_____	_____
Alderman SCHMIDT	_____	_____
Alderman MCPHAIL	_____	_____

**SECOND READING AND FINAL PASSAGE BY TITLE WITH COPIES AVAILABLE TO THE  
 PUBLIC AND FINAL PASSAGE HERE ON THIS 17<sup>TH</sup> DAY OF AUGUST 2021.**

	Aye	Nay
Alderman PRIEBE	_____	_____
Alderman LARSON	_____	_____
Alderman SCHMIDT	_____	_____
Alderman MCPHAIL	_____	_____

(SEAL)

Date Approved \_\_\_\_\_

Attest:

\_\_\_\_\_  
 DALE MAISEL, Mayor

\_\_\_\_\_  
 KRISTY KEITHLEY, City Clerk

PLANNING  
&  
ZONING

POLICE

**ADMIN**

**AN ORDINANCE OF THE CITY OF CLEVER, MISSOURI, AMENDING TITLE II HEALTH  
AND PUBLIC SAFETY; ARTICLE XIII**

An Ordinance of the City of Clever, County of Christian, State of Missouri to amend Article XIII: Offenses  
Concerning Tobacco, Alternative Nicotine Products or Vapor Products.

**WHEREAS:** The Federal Food, Drug, and Cosmetic Act of 1938, 21 U.S.C. §§ 387f (2019) establishes the minimum standards for the sale of tobacco products.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF AND FOR THE  
CITY OF CLEVER, COUNTY OF CHRISTIAN, STATE OF MISSOURI, AS FOLLOWS:**

**SECTION I:** All parts of Article XIII in conflict with this ordinance are hereby amended.

**SECTION II: DEFINITIONS.**

For purposes of this Article, the following definitions shall apply:

**MINOR** — A person under the age of twenty-one (21).

**SECTION III: NO TOBACCO SALES TO MINORS — ALTERNATIVE NICOTINE PRODUCTS, VAPOR  
PRODUCTS AND NICOTINE LIQUID CONTAINERS — SALE TO MINORS PROHIBITED.**

- A. Any person or entity who sells tobacco products, alternative nicotine products, or vapor products shall deny the sale of such tobacco products to any person who is less than twenty-one (21) years of age.
- C. Alternative nicotine products and vapor products shall only be sold to persons twenty-one (21) years of age or older, shall be subject to local and State sales tax, but shall not be otherwise taxed or regulated as tobacco products.

**SECTION IV: UNLAWFUL TO SELL OR DISTRIBUTE TOBACCO PRODUCTS, ALTERNATIVE NICOTINE  
PRODUCTS OR VAPOR PRODUCTS TO MINORS — VENDING MACHINE REQUIREMENTS.**

- A. It shall be unlawful for any person to sell, provide or distribute tobacco products, alternative nicotine products or vapor products to persons under twenty-one (21) years of age.
- B. All vending machines that dispense tobacco products, alternative nicotine products or vapor products shall be located within the unobstructed line of sight and under the direct supervision of an adult responsible for preventing persons less than twenty-one (21) years of age from purchasing any tobacco product, alternative nicotine product or vapor product from such machine or shall be equipped with a lock-out device to prevent the machines from being operated until the person responsible for monitoring sales from the machines disables the lock. Such locking device shall be of a design that prevents it from being left in an unlocked condition and which will allow only a single sale when activated. A locking device shall not be required on machines that are located in areas where persons less than twenty-one (21) years of age are not permitted or prohibited by law. An owner of an

establishment whose vending machine is not in compliance with the provisions of this Subsection shall be subject to the penalties contained in Subsection (D) of this Section. A determination of non-compliance may be made by a local law enforcement agency or the Division of Alcohol and Tobacco Control. Nothing in this Section shall apply to a vending machine if located in a factory, private club, or other location not generally accessible to the general public.

- C. A person cited for selling, providing, or distributing any tobacco product, alternative nicotine product or vapor product to any individual less than twenty-one (21) years of age in violation of Subsection (A), (B) or (C) of this Section shall conclusively be presumed to have reasonably relied on proof of age of the purchaser or recipient, and such person shall not be found guilty of such violation if such person raises and proves as an affirmative defense that such individual presented a driver's license or other government-issued photo identification purporting to establish that such individual was twenty-one (21) years of age or older.

**SECTION V: MINORS PROHIBITED FROM PURCHASE OR POSSESSION OF TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS OR VAPOR PRODUCTS — MISREPRESENTATION OF AGE.**

- A. No person less than twenty-one (21) years of age shall purchase, attempt to purchase or possess cigarettes, tobacco products, alternative nicotine products or vapor products unless such person is an employee of a seller of cigarettes, tobacco products, alternative nicotine products or vapor products and is in such possession to affect a sale in the course of employment or an employee of the Division of Alcohol and Tobacco Control for enforcement purposes pursuant to Subsection (5) of Section 407.934, RSMo.
- B. Any person less than twenty-one (21) years of age shall not misrepresent his/her age to purchase cigarettes, tobacco products, alternative nicotine products or vapor products.

**SECTION VI: Required Sign Stating Violation of State Law to Sell Tobacco Products, Alternative Nicotine Products or Vapor Products to Persons Under Age 21 — Display of Sign Required, Where:**

- A. The owner of an establishment at which tobacco products, alternative nicotine products, vapor products or rolling papers are sold at retail or through vending machines shall cause to be prominently displayed in a conspicuous place at every display from which tobacco products, alternative nicotine products, vapor products are sold and on every vending machine where tobacco products, alternative nicotine products, vapor products are purchased a sign that shall:
  - 1. Contain in red lettering at least one-half (1/2) inch high on a white background the following:
    - 1. IT IS A VIOLATION OF STATE LAW FOR CIGARETTES, OTHER TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS OR VAPOR PRODUCTS TO BE SOLD OR OTHERWISE



PROVIDED TO ANY PERSON UNDER THE AGE OF TWENTY-ONE OR FOR SUCH PERSON TO PURCHASE, ATTEMPT TO PURCHASE OR POSSESS CIGARETTES, OTHER TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS OR VAPOR PRODUCTS; and

2. Include a depiction of a pack of cigarettes at least two (2) inches high defaced by a red diagonal diameter of a surrounding red circle and the words "Under 21."

**SECTION VII: PROOF OF AGE REQUIRED, WHEN DEFENSE TO ACTION FOR VIOLATION IS REASONABLE RELIANCE ON PROOF — LIABILITY.**

- A. A person or entity selling tobacco products, alternative nicotine products or vapor products or rolling papers or distributing tobacco product, alternative nicotine product or vapor product samples shall require proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that such prospective purchaser or recipient may be under the age of twenty-one (21).

**SECTION VIII:** This ordinance shall be in full force and effect from and after its date of passage and approval by the Board of Aldermen.

**FIRST READING BY TITLE WITH COPIES AVAILABLE TO THE PUBLIC HELD ON THIS 20<sup>th</sup> DAY OF JULY 2021.**

	Aye	Nay
Alderman PRIEBE	_____	_____
Alderman LARSON	_____	_____
Alderman SCHMIDT	_____	_____
Alderman MCPHAIL	_____	_____

**SECOND READING AND FINAL PASSAGE HERE ON THIS 20<sup>TH</sup> DAY OF JULY 2021.**

	Aye	Nay
Alderman PRIEBE	_____	_____
Alderman LARSON	_____	_____
Alderman SCHMIDT	_____	_____
Alderman MCPHAIL	_____	_____

Date Approved \_\_\_\_\_

\_\_\_\_\_  
DALE MAISEL, Mayor

Attest:

\_\_\_\_\_  
KRISTY KEITHLEY, City Clerk

**LARGE ANIMALS****AN ORDINANCE AMENDING CHAPTER 205: ARTICLE II: ANIMAL REGULATIONS**

An Ordinance of the City of Clever, County of Christian, State of Missouri to amend Chapter 205, accepting and approving all changes relating to the City's large animal control, regulations, keeping of livestock.

**BE IT ORDAINED BY THE CITY COUNCIL OF AND FOR THE CITY OF CLEVER,  
COUNTY OF CHRISTIAN, STATE OF MISSOURI, AS FOLLOWS:**

**SECTION I:** All ordinances or parts of ordinances in conflicts with this ordinance are hereby amended or repealed.

**SECTION II: Definitions.**

The following words, when used in this Chapter, shall have the meanings set out herein:

**DOGS** — All animals of the canine species, both male and female.

**ENCLOSURE** — A building or real estate with a properly designed fence to restrict or contain any and all animals as listed in Sections 205.180 — 205.190.

**OWNER OR KEEPER** — Any person having a right of property in a dog, or who keeps or harbors a dog, or who has it in his/her care or acts as its custodian, or who knowingly permits a dog to remain on or about any premises owned or occupied by him/her.

**RUNNING AT LARGE** — Allowing a dog to be off the private premises of the owner or keeper, or his/her agent or servant, and not on a leash or confined to the arms, motor vehicle, trailer or other conveyance of the owner or keeper, his/her agent or servant.

**SERIOUS PHYSICAL INJURY** — Physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.

**TRESPASSER** — A person upon the premises of the owner or keeper of the dog in question without license or privilege to be upon said premises.

**UNRESTRAINED DOG** — Any dog running at large or a dog on the premises of its owner or keeper but not confined to said premises by a leash, fence, structure, or other means that would prevent the dog from leaving such premises.

**VICIOUS DOG** — Any of the following dogs:

1. Any dog, whether or not running at large and whether or not unrestrained, that without provocation has bitten any person not a trespasser causing serious physical injury to that person.
2. Any unrestrained dog, whether or not running at large, that without provocation has attempted to bite any person not a trespasser which would cause serious physical injury to that person.
3. Any unrestrained dog, whether or not running at large, that without provocation has placed any person not a trespasser in apprehension of immediate serious physical injury.
4. Any dog that has killed another dog or other domestic animal without provocation.

5. Pit bull dogs.

### **SECTION III: City Registration Required**

A. Any person who keeps, harbors or owns any dog within the City shall annually register such dog with the Code Enforcement Officer or his/her designee. The registration cost for dogs shall be \$5.00. A replacement tag can be purchased at the cost of \$2.00 per registration tag.

B. The Code Enforcement Officer or his/her designee shall record such information as follows:

1. The keeper's, harborer's or owner's name, address and phone number.
2. The animal's description with photograph of the animal, gender, and rabies vaccination number with expiration date. Any changes of information are to be provided to the Code Enforcement Officer by the animal owner.
3. The name, address and phone number of said animal's veterinarian.
4. A City registration number.

C. The Code Enforcement Officer or his/her designee shall also issue a City registration tag for such dog to correspond with the registration number of record.

D. City registration tag for such dog shall be affixed to the dog's collar. The collar with tag shall be worn, by the dog, at all times the dog is outside of its owner's residence. Failure to comply with this subsection may result in fines or penalties.

### **SECTION IV: Tags Not Transferable.**

All tags required by this Section shall be specific for each dog and shall not be transferable to any other dog.

### **SECTION V: Running At Large Prohibited – Impoundment**

A. It shall be unlawful for the owner or keeper of any dog to permit the same to run at large within the City of Clever at any time. Any dog found running at large without the registration tag required per Section III, shall be impounded.

### **SECTION VI: Duty To Impound**

A. Animals Impounded, When. Any dog found at large not displaying the tags required by this Article shall be impounded.

B. Holding of Impounded Animals. All dogs impounded can be kept in the custody of the City of Clever or its authorized representative, in the City impoundment facility or some other proper place, for a period of not less than one (1) week from the time of the animal's impoundment. Such animals shall be fed, watered, and shielded from the elements in a humane manner.

C. Upon Code Enforcement Officer discretion, and type of incident, animals can be released with a minimum impound of one (1) day, or a maximum of thirty (30) day time period, with cost incurred.

**SECTION VII:** This ordinance shall be in full force and effect from and after the date of its passage.

**FIRST READING BY TITLE WITH COPIES AVAILABLE TO THE PUBLIC HELD ON THIS 17<sup>TH</sup> DAY OF AUGUST 2021.**

Alderman PREIBE	_____	_____
Alderman LARSON	_____	_____
Alderman SCHMIDT	_____	_____
Alderman MCPHAIL	_____	_____
Mayor (in case of tie)	_____	_____

**SECOND READING AND FINAL PASSAGE HERE ON THIS 17<sup>TH</sup> DAY OF AUGUST, 2021.**

	Aye	Nay
Alderman PREIBE	_____	_____
Alderman LARSON	_____	_____
Alderman SCHMIDT	_____	_____
Alderman MCPHAIL	_____	_____
Mayor (in case of tie)	_____	_____

Approved Date: \_\_\_\_\_

(SEAL)

\_\_\_\_\_  
DALE MAISEL, Mayor

Attest:

\_\_\_\_\_  
KRISTY KEITHLEY, City Clerk

**AN ORDINANCE OF THE CITY OF CLEVER, MISSOURI, AMENDING TITLE VI  
BUSINESS AND OCCUPATION; SECTION 605.200 GARAGE SALES**

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE  
CITY OF CLEVER, COUNTY OF CHRISTIAN, STATE OF MISSOURI, AS FOLLOWS:**

**SECTION I: WRITTEN NOTICE OF SALE REQUIRED**

A. No person shall advertise, conduct, carry on or permit any garage, patio, yard or other similar sale upon the grounds of or within any dwelling or accessory structure to a dwelling located in a residential district without first applying for, and obtaining a temporary sales permit from the Code Enforcement Officer or his/her designee. The Code Enforcement Officer or his/her designee shall record such information as follows:

1. The name of the person holding or conducting such sale.
2. The location in which such sale is going to occur
3. The dates when such sale is to be held.

B. Signs promoting any garage, patio, yard, estate sale or other similar sale are limited to 4 signs per dwelling address. Property owner permission must be obtained prior to locating a sign offsite. Signs can be no larger than two (2) foot by two (2) foot with a maximum height of three (3) foot from ground level. Placement of signs shall not be allowed within the sight of triangle of an intersection. All signs promoting the sale must be removed immediately after the conclusion of such sale. No signs are permitted on any utility pole.

**SECTION II: LIMIT ON NUMBER OF SALES**

- A. No person shall conduct or permit more than two (2) sales of the type required to be registered on the same premises within any twelve (12) month period, nor shall any such sale continue for more than three (3) days.
- B. Exemption: Clever Chamber of Commerce City Wide Sale shall not be considered in the allotted two (2) sales allowed.

**SECTION III:** This ordinance shall be in full force and effect from and after the date of its passage.

**FIRST READING BY TITLE WITH COPIES AVAILABLE TO THE PUBLIC HELD ON THIS  
17<sup>TH</sup> DAY OF AUGUST 2021.**

Alderman PREIBE \_\_\_\_\_

Alderman LARSON \_\_\_\_\_

Alderman SCHMIDT \_\_\_\_\_

Alderman MCPHAIL \_\_\_\_\_

Mayor \_\_\_\_\_ (in case of tie) \_\_\_\_\_

SECOND READING AND FINAL PASSAGE HERE ON THIS 17<sup>TH</sup> DAY OF AUGUST, 2021.

	Aye	Nay
Alderman PREIBE	_____	_____
Alderman LARSON	_____	_____
Alderman SCHMIDT	_____	_____
Alderman MCPHAIL	_____	_____
Mayor <u>(in case of tie)</u>	_____	_____

Approved Date: \_\_\_\_\_

(SEAL)

\_\_\_\_\_  
DALE MAISEL, Mayor

Attest:

\_\_\_\_\_  
KRISTY KEITHLEY, City Clerk