

**BILL NO. XXXX**

**ORDINANCE NO. XXXX**

**AN RESOLUTION APPROVING A CONTRACT WITH MERRY MONTH MAYPOLE COMPANY LLC. FOR A NEW MAYPOLE AND ACTIONS RELATED THERETO.**

**WHEREAS**, the residents of Camelot have rightly come to expect that the city's parks and recreation department will usher in the Spring season with a robust program of traditional Merry Month of May festivities, including, but not limited to, a suitable pole upon which colorful interlacing cloth streamers may be manipulated by those maidens eligible to participate in the ceremony; and

**WHEREAS**, the pole previously use for such purposes was damaged in the unfortunate events and fire that broke out last year when some young revelers were disqualified for allegedly failing to meet the maidenhood qualification; and

**WHEREAS**, the city prepared and advertised specifications for a new, fire resistant, modern pole and the bid submitted by Merry Month Maypole Company, LLC was found to be the lowest and best bid that satisfied the required specifications;

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

Section 1. The Board of Aldermen approves on behalf of the City an agreement with Merry Month Maypole Company, LLC. for acquisition and installation in Camelot Park of a pole suitable for eligible maidens to interlace colorful cloth streamers as specified in the related specifications and bid in substantial conformity with the terms shown on Exhibit A attached hereto and incorporated herein by this reference as if set out here in full, together with such changes therein as shall be approved by the officers of the City executing same which are consistent with the provisions and intent of this legislation and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The Mayor, City Manager and other appropriate City officials are hereby authorized to execute the Agreement and such additional documents and take any and all actions necessary, desirable, convenient or prudent in order to carry out the intent of this legislation.

Section 2. This Ordinance shall be in full force and effect from and after the date of its passage by the Board of Aldermen and approval according to law.

**Commented [K01]:** As pointed out elsewhere in this presentation, only certain types of contracts are *required* to be approved by contract. But there is no prohibition against using ordinances to approve all contracts. However, many cities approve other routine contracts by resolution in order to expedite and simplify approval (such as by a consent agenda that approves multiple "housekeeping" matters with a single vote). While there is statutory authority for mayors of 3rd class cities to veto certain resolutions (involving "expenditures of revenues of the city" (Sec. 77.280, RSMo.)), attorneys for charter cities with mayoral veto authority and 4th class cities may wish to consider adopting city code provisions establishing mayoral veto and legislative override procedures in order to put contract approval ordinances and resolutions on an equal footing vis-a-vis mayoral prerogatives.

**Commented [K02]:** This language avoids going back to the legislative body if there are non-substantive language changes as the parties, insurers, bonding agencies, lenders, etc. finalize execution documents.

**Commented [K03]:** This is limiting language defining the limits of the administrative discretion delegated by the highlighted phrase, above and assures the legislative body that the administrative officials will not go overboard

**Commented [K04]:** This sort of language is intended to also approve ancillary documents related to the contract such as, for instance, bonding documents, prevailing wage materials, subordination agreements, insurance agreements, etc.

**PASSED BY THE BOARD OF ALDERMEN THIS \_\_\_\_ DAY OF \_\_\_\_\_  
2023.**

\_\_\_\_\_  
Presiding Officer

ATTEST:

\_\_\_\_\_  
City Clerk

**APPROVED BY THE MAYOR THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

\_\_\_\_\_  
Arthur D. Lancelot, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

