

BILL NO. 2019-16

ORDINANCE NO. 370

AN ORDINANCE CALLING FOR AN ELECTION IN THE CITY OF HALLSVILLE, MISSOURI TO BE HELD ON NOVEMBER 5, 2019 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY A PROPOSITION TO SELL CERTAIN ASSESTS ASSOCIATED WITH THE CITY’S WASTEWATER SYSTEM TO MISSOURI AMERICAN WATER

WHEREAS, Section 88.770 of the Revised Statutes of Missouri sets forth a procedure for small utilities to sell its public wastewater (sewer) utility assets which may be owned by the city; and

WHEREAS, the sale of the wastewater (sewer) utility is expected to benefit the City of Hallsville by eliminating environmental liability and obligations, among other reasons; and

WHEREAS, the Board of Aldermen believes it is in the best interests of the City of Hallsville and its residents to take all steps necessary to authorize and complete the sale of the City’s wastewater (sewer) utility, if approved by the qualified voters;

NOW THEREFORE, BE IT ORDAINED by the Board of Aldermen of the City of Hallsville, Missouri, as follows:

SECTION 1: The Board of Aldermen of the City of Hallsville, Missouri, hereby calls for an election to be held in said city on Tuesday, the 5th of November, 2019, for the purpose of submitting to the voters of said city the proposition contained in the following Notice of Election and Sample Ballot:

NOTICE OF ELECTION

Notice is hereby given to the qualified voters of the City of Hallsville, Missouri, that the Board of Aldermen of said city has called an election to be held in said city on the 5th day of November, 2019, from and between the hours of 6:00 A. M. and 7:00 P. M. on said date to vote on the proposition contained in the following sample ballot:

**SAMPLE BALLOT
CITY OF HALLSVILLE, COUNTY OF BOONE
STATE OF MISSOURI
TUESDAY, NOVEMBER 5, 2019**

PROPOSITION 1

Shall the wastewater (sewer) utility owned by the City of Hallsville, Missouri, be sold?

YES []
NO []

Instructions to voters: If you are in favor of the proposition, darken the oval opposite the word “YES”. If you are opposed to the proposition, darken the oval opposite the word “NO”.

SECTION 2: If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the City may negotiate a contract with Missouri American Water for a price of not less than \$2,000,000.00 (Two Million Dollars) cash and a capital commitment of \$3,300,000.00 (Three Million Three Hundred Thousand Dollars) over 5 (five) years, including terms that provide for future service, maintenance, capital improvements and other terms and conditions. Failure to successfully negotiate a contract for sale shall render this ordinance and the election held pursuant to this ordinance null and void.

SECTION 3: The City Clerk is directed to notify the County Clerk of Boone County, Missouri, of the adoption of this Ordinance no later than 5:00 P.M. on August 27, 2019, and to include in the notification all of the terms and provisions required by the Comprehensive Election Act, Chapter 115 of the Revised Statutes of Missouri, as amended, and do all things called for by law in connection with the holding of said election.


SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and Board of Aldermen.

READ TWO TIMES AND PASSED THIS 26th DAY OF AUGUST, 2019.



Logan Carter, Mayor

ATTEST:



Kenyetta Ridgway-Sample City Administrator

1st reading: 8-26-19 3-1

2nd reading: 8-26-19 3-1