

AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF IRONTON A PROPOSITION AUTHORIZING A FRANCHISE AGREEMENT WITH MISSOURI-AMERICAN WATER COMPANY

WHEREAS, on November 8, 2022, the voters of the City approved the sales of the City's water and wastewater systems to Missouri-American Water Company ("Missouri-American"); and

WHEREAS, following completion of the sale of the water and wastewater systems to Missouri-American, the City and Missouri-American expect that the Missouri-American will provide water and wastewater service to the City; and

WHEREAS, cities and water utility companies commonly enter into franchise agreements relating to the provision of water and sewer service and any initial contract for such services is subject to voter approval; and

WHEREAS, the City wishes to place a proposition in the general municipal election to be held on April 2, 2024 in the City to consider authorization;

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

Section 1. The following proposition shall be placed on the ballot for the general municipal election to be held in the City on Tuesday, April 2, 2024:

PROPOSITION A

Shall the City of Ironton, Missouri, be authorized to enter into a franchise agreement with Missouri-American Water Company to provide water and sewerage services to the City for a period not to exceed twenty (20) years?

Section 2. The form of the Notice of Election for the election, a copy of which is attached hereto as **Exhibit A** and made a part hereof, is hereby approved.

Section 3. The City Clerk is hereby authorized and directed to notify the Clerk of the County Commission of Iron County, Missouri, of the adoption of this Ordinance no later than 5:00 p.m. on January 23, 2024, and to include in said notification the terms and provisions required by Chapter 115 of the Revised Statutes of Missouri.

Section 4. If any clause, word, paragraph, section or other part or portion of this Ordinance is held to be invalid, illegal or unconstitutional for any reason, the Board of Aldermen hereby declares it would nevertheless have enacted the remaining portions thereof and such remaining portions shall remain in full force and effect.

Section 5. The City shall, and the officials, agents and employees of the City are hereby authorized to, take such further action, and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance and to carry out, comply with and perform the duties of the City hereunder; provided, however, that further approval of the Board of

Aldermen shall be required to approve the form of purchase agreement conveying the City's water and wastewater systems to Missouri-American.

Section 6. This Ordinance shall take effect and be in full force from and after its passage by the Board of Aldermen and approval by the Mayor.


PASSED by the Board of Aldermen and **APPROVED** by the Mayor this 22nd day of January, 2024.


Mayor of the City of Ironton, MO

Mayor

(SEAL)

ATTEST:



City Clerk