

AN ORDINANCE GRANTING ASSIGNMENT OF THE FRANCHISE TO OPERATE A NATURAL GAS DISTRIBUTION PLANT AND SYSTEM IN OSBORN, MISSOURI FROM MISSOURI GAS ENERGY, A DIVISION OF SOUTHERN UNION COMPANY, A DELAWARE CORPORATION, TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION.

BE IT ORDAINED BY THE CITY COUNCIL [Board of Aldermen/Village Trustees] OF THE CITY OF OSBORN, MISSOURI.

WHEREAS, in an ordinance numbered 2006-258, dated October 11, 2006, the City of Osborn granted to Missouri Gas Energy, a division of Southern Union Company, and its successors and assigns a franchise to operate a natural gas distribution system for a period of (20) twenty years; and,

WHEREAS, on December 14<sup>th</sup>, 2012, Southern Union Company entered into a Purchase and Sale Agreement whereby Southern Union Company sold its Missouri Gas Energy division assets to Laclede Gas Company; and,

WHEREAS, the Missouri Public Service Commission approved the transfer and sale of Southern Union Company's Missouri Gas Energy assets to Laclede Gas Company in an order made effective July 31, 2013; and,

WHEREAS, the purchase and sale of Southern Union Company's Missouri Gas Energy assets to Laclede Gas Company [will be] [was] effective on September 1, 2013.

BE IT RESOLVED, that the City Council [Board of Aldermen/Village Trustees] of the City of Osborn hereby acknowledges the assignment of the franchise from Missouri Gas Energy, a division of Southern Union Company to Laclede Gas Company, effective as of September 1, 2013; and

BE IT FURTHER RESOLVED that the remaining provisions of said franchise will continue in full force and effect.

PASSED THIS 11<sup>th</sup> DAY OF September, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED THIS 11<sup>th</sup> DAY OF SEPTEMBER, 2013.

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Mayor

**AN ORDINANCE OF THE CITY OF OSBORN, MISSOURI SETTING FORTH  
POLICIES AS TO PUBLIC ADDRESSES TO THE CITY COUNCIL RELATING TO  
EXISTING AGENDA ITEMS.**

Be it ordained by the Board of Alderman of the City of Osborn, Missouri that:

**SECTION 1: ADDRESSING THE BOARD**

1. All remarks shall be presented to the City Council as a whole and not to any individual member thereof. This is a procedural requirement and is not intended to limit the content of any remarks.
2. No person other than members of the City Council, city staff and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the City Council, without the permission of the Presiding Officer.
3. No question may be asked of a Council member or a member of the City staff without the permission of the Presiding Officer.

**SECTION 2: TIME LIMIT**

Each speaker shall be limited to three (3) minutes time period for each topic unless given additional time by the Presiding Officer. Persons directly involved with a proposed ordinance may be granted more time.

**SECTION 3: CONDUCT**

1. Each person addressing the City Council shall maintain a civil attitude and decorum. Loud or boisterous conduct will not be tolerated or allowed.
2. Repetitive, irrelevant or abusive remarks from the public or matters not concerning the City's business may be closed off at any time by the Presiding Officer or by the majority vote of the Council members present.
3. The Presiding Officer at each meeting of the City Council shall have the responsibility to rule out of order any person violating these rules and may direct such individual to conduct him or herself in a manner that complies with these

rules of conduct. Any failure to abide by the order of the Presiding Officer may result in forfeiture of the remaining time allocated for the address, or in extreme cases, removal from the Council chambers.

4. Any Council member may request a ruling on whether any individual appearing before the Council is out of order and the Council may, by majority vote, direct that an individual who is out of order be ordered to cease his presentation and be seated or be ejected from the Council chambers.

**SECTION 4:**

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

THIS ORDINANCE IS PASSED AND APPROVED THIS 13th DAY OF FEBRUARY 2013.

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NORMAN BAUMGARDEN, MAYOR PRO TEM

ATTEST:

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JODY BARLOW, CITY CLERK

**BILL NO. 2013-02**

**ORDINANCE NO. 2013-02**

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**AN ORDINANCE FOR THE CITY OF OSBORN, CLINTON AND  
DEKALB COUNTIES, MISSOURI APPROVING BUDGET  
ADJUSTMENT NUMBER 1 FOR THE BUDGET YEAR OF  
APRIL 1, 2012 TO MARCH 31, 2013.**

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**WHERE AS**, RSMo 67.030 authorized the governing body to revise budget limits as the need arises.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSBORN, MISSOURI THAT:** the limits for revenues and expenses of various City funds will be adjusted as per the attached appropriation schedule.

These schedules are attached hereto and incorporated herein by this reference and are hereby approved and adopted.

**PASSED** by the Board of Aldermen and **APPROVED** by the Mayor this 10<sup>th</sup> day of April 2013.

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Mayor, Jennifer Burwell

Attest: \_\_\_\_\_  
City Clerk, Jody Barlow

**BILL NO. 2013-03**

**ORDINANCE NO. 2013-03**

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**AN ORDINANCE ADOPTING PROPOSED BUDGET FOR THE  
FISCAL YEAR 2013-2014.**

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**WHERE AS**, adoption of the proposed Budget for the Fiscal Year 2013-2014; and

**WHERE AS**, authorization of expenditures from general uncommitted tax funds of the City in accordance with the budget so adopted

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSBORN, MISSOURI THAT:**

**SECTION 1.** This ordinance shall be in full force and effect for Fiscal Year April 01, 2013 – March 31, 2014 after its passage and approval.

**PASSED** by the Board of Aldermen and **APPROVED** by the Mayor this 13<sup>th</sup> day of March, 2013.

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Mayor, Jennifer Burwell

Attest: \_\_\_\_\_  
City Clerk, Jody Barlow

The following resolution was adopted by the City of Osborn on June 12, 2013.

Resolution No. \_\_\_\_\_

**A RESOLUTION OF INTENT TO PARTICIPATE IN NATURAL HAZARD MITIGATION, AND TO WORK TOWARD BECOMING A SAFER COMMUNITY.**

WHEREAS, the City of Osborn recognizes that no community is immune from natural hazards whether it be tornado/severe thunderstorm, flood, severe winter weather, drought, heat-wave, earthquake, dam failure, or wildfire, and recognizes the importance of enhancing its ability to withstand natural hazards as well as the importance of reducing the human suffering, property damage, interruption of public services and economic losses caused by those hazards; and

WHEREAS, the City of Osborn may have previously pursued measures such as building codes, fire codes, floodplain management regulations, zoning ordinance, and storm-water management regulations to minimize the impact of natural hazards; and

WHEREAS, the Federal Emergency Management Agency and the State Emergency Management Agency have developed a natural hazard mitigation program that assists communities in their efforts to become Disaster-Resistant Communities which are sustainable communities after a natural disaster that focus, not just on disaster relief, but also on recovery and reconstruction that brings the community to at least pre-disaster conditions in an accelerated, orderly, and preplanned manner; and

WHEREAS, by participating in the Natural Hazards Mitigation program, the City of Osborn will be eligible to apply for post-disaster mitigation funds; and

WHEREAS, the City of Osborn desires to commit to working with government partners and community partners to implement the Natural Hazards Mitigation Plan; and

WHEREAS, the City of Osborn will implement pertinent precepts of the mitigation plan by incorporation into other community plans and mechanisms where appropriate; and

WHEREAS, the City of Osborn will participate in the evaluation and review of the Plan after a disaster as well as complete mandated five-year update submitted to the State Emergency Management Agency and the Federal Emergency Management Agency for review and approval; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF OSBORN AS FOLLOWS:**

The City of Osborn hereby adopts the Dekalb County Multi-Jurisdictional Natural Hazard Mitigation Plan attached hereto for the purpose of building a safe community by reducing natural hazard vulnerability.

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Mayor

Date

**Bill No.: 2013-07**

**Ordinance No.: 2013-07**

**An Ordinance approving the Public Tax Levy Rate for 2013.**

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF OSBORN, MISSOURI THAT:

The levy for the year 2013 shall be in the sum of 0.7484 (seventy-five) cents per one hundred dollar valuation. The Levy proceeds going to the general fund.

**PASSED, SIGNED, AND APPROVED THIS 27<sup>th</sup> DAY OF AUGUST, 2013.**

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Scott Bowman, Mayor

Attest:

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Jody Barlow, City Clerk



**BILL NO. 2013-06**

**ORDINANCE NO. 2013-06**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A TRASH CONTRACT BETWEEN THE CITY OF OSBORN, MISSOURI AND R&W CONTAINER LLC.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OSBORN, MISSOURI, THAT:**

**SECTION 1.** The agreement attached hereto as Exhibit “A” and incorporated herein by reference is approved as a contractual obligation of the City of Osborn, Missouri.

**SECTION 2.** The Mayor and the City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Osborn, Missouri, and to affix the municipal seal thereto and attest the same.

**SECTION 3.** The contract shall be in effect for a period beginning January 01, 2014 and terminating December 31, 2015.

**PASSED, APPROVED and ADOPTED** by the City Council of the City of Osborn, Missouri, this 14<sup>TH</sup> day of August, 2013.

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Mayor, Scott Bowman

(seal)  
ATTEST:

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City Clerk, Jody Barlow

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**AN ORDINANCE AMENDING ARTICLE IV SECTION 3 OF ORDINANCE 198 – SEWERAGE SYSTEM; OF THE CODE OF ORDINANCES OF THE CITY OF OSBORN, MISSOURI BY ESTABLISHING WASTEWATER RATES TO BE CHARGED BY THE CITY OF OSBORN, TO RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL WASTEWATER CUSTOMERS.**

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**WHERE AS**, the City operates and maintains wastewater treatment works for the provision of a municipal wastewater system; and

**WHERE AS**, the City must pay the operation and maintenance expenses associated with said wastewater treatment system and must charge the users of such treatment works accordingly; and

**WHERE AS**, the board of Alderman have determined and declared it to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the City to collect charges for all users of the City’s sewer system; and

**WHERE AS**, the proceeds derived from such charges will be used for the purpose of operating and maintaining said sewer system;

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

**SECTION 1. Sewer rates established.**

(a.) The following rates and charges for the use and services of the sewerage system of the City based on the amount of water billed, are hereby, established for meter readings taken at the regular scheduled time during the month of May 2013 until otherwise voted by the Board of Aldermen of the City of Osborn. The City will review the user charge system at least every year and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of Operation and Maintenance. The City of Osborn shall have and receive, each month, as compensation for sewer services as follows:

MONTHLY SEWER RATE SCHEDULE  
RESIDENTAL, COMMERCIAL, AND INDUSTRIAL  
Beginning May 2013

<u>VOLUME OF WATER USED</u>	<u>RATES TO BE CHARGED</u>
0 to 1,000 gallons	\$ 19.50
1,001 to 2,000 gallons	\$ 5.90 per 1,000 gallons
2,001 to 5,000 gallons	\$ 5.90 per 1,000 gallons
5,001 to 10,000 gallons	\$ 5.90 per 1,000 gallons
10,001 to 20,000 gallons	\$ 5.90 per 1,000 gallons
20,001 to 100,000 gallons	\$ 5.90 per 1,000 gallons
100,001 and over gallons	\$ 5.90 per 1,000 gallons

**SECTION 2. Charge for sewerage service only; or where water is not metered.**

Whenever any charge for a sewerage service is made to any lot, parcel of land, or premises which is not supplied with water, or where there is no water meter, the monthly charge shall be \$ 39.02 for all residential customers as determined by the City.

**SECTION 3.** Ordinance 2011-05, adopted on April 12, 2011, is hereby repealed.

**SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 5.** The forgoing changes are the only modifications or amendments of Ordinance 198, intended by this action of the board of Aldermen and in all other respects Ordinance 198 shall remain in full force and effect as enacted and heretofore amended.

**SECTION 6.** This Ordinance shall be in full force and effect from and after the date of passage and approval.

**PASSED** by the Board of Aldermen and **APPROVED** by the Mayor this 10<sup>th</sup> day of April, 2013.

\_\_\_\_\_  
Jennifer Burwell, Mayor

Attest: \_\_\_\_\_  
Jody Barlow, City Clerk

ORDINANCE – AGREEMENT FOR VIDEO INSPECTION

BILL NO 2013-05

ORDINANCE NO 2013-05

AN ORDINANCE AUTHORIZING THE CITY OF OSBORN, MISSOURI TO EMPLOY A VIDEO INSPECTION COMPANY TO VIDEO THE SEWER LINES.

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF OSBORN, MISSOURI, AS FOLLOWS:

The Mayor of the City of Osborn is hereby authorized to execute and enter on behalf of the Board of Alderman an Agreement for Video Inspection with Visu Sewer of Missouri to provide video testing of sewer lines for the City of Osborn, Missouri. The compensation to be paid to such company is set out in the Agreement.

PASSED by the Board of Alderman of the City of Osborn, Missouri this 30<sup>th</sup> day of May, 2013.

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Mayor

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City Clerk