

BILL NO. 2021-01

ORDINANCE NO. _____

INTRODUCED BY _____

AN ORDINANCE CALLING FOR AN ELECTION TO BE HELD ON THE APRIL 6, 2021 MUNICIPAL ELECTION DAY FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF THE CITY OF HERMANN, MISSOURI A PROPOSAL TO TRANSFER OWNERSHIP OF CERTAIN 69KV ELECTRIC LINES TO CENTRAL ELECTRIC POWER COOPERATIVE.

WHEREAS, the City of Hermann (“City”) currently owns the 69kV high voltage electric lines extending 2.52 miles from the Hermann Missouri River bridge (“Bridge”) Group Operated Air Break (“GOAB”) west to structure/substation 103 located near Highway 100 and 1.61 miles from the Bridge GOAB south to the City of Hermann’s No. 3 substation (hereinafter “69kV Lines”); and

WHEREAS, the City does not have the necessary equipment to repair, maintain or replace the 69kV lines and is required to pay others to do so; and

WHEREAS, the City has experienced, and anticipates that it will continue to experience significant repair and maintenance costs with respect to the 69kV Lines; and

WHEREAS, the Board of Aldermen desires to eliminate future maintenance costs with respect to the 69kV Lines; and

WHEREAS, Central Electric Power Cooperative (“Central Electric”) has agreed to assume ownership of the 69kV Lines and to also assume all maintenance and repair responsibilities with respect thereto; and

WHEREAS, the City is willing to transfer ownership of the 69kV Lines to Central Electric; and

WHEREAS, RSMo. §88.770 provides that the Board of Aldermen of any city which owns electric plants or facilities may sell, convey, incur, lease, abolish or otherwise dispose of such public utilities owned by the city, including electric light systems, electric distribution systems or *transmission lines* when ratified by two-thirds of the voters voting on the question; and

WHEREAS, to comply with RSMo. §88.770, the Board of Aldermen desires to propose to the Hermann voters that the 69kV Lines be transferred to Central Electric; and

WHEREAS, the Board of Aldermen has determined that putting the issue of the transfer of the 69kV Lines to the voters at the April 6, 2021 election would serve a legitimate public purpose and is in the best interests of the citizens of the City of Hermann, Missouri.

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

SECTION ONE: The Board of Aldermen finds it necessary and hereby declares its intent to transfer the 69Kv Lines to Central Electric.

SECTION TWO: A special election is hereby ordered to be held in the City on the General Municipal Election day, April 6, 2021 on the following proposition:

PROPOSITION E

Shall the City of Hermann, Missouri transfer ownership of the 69kV electric transmission lines extending 2.52 miles from the Hermann Missouri River bridge Group Operated Air Break west to structure/substation 103 located near Highway 100 and 1.61 miles from the Bridge Group Operated Air Break south to the City of Hermann’s No. 3 substation to Central Electric Power Cooperative per the agreement between the City of Hermann, Missouri and Central Electric Power Cooperative dated _____, 2021 requiring all future maintenance and repair costs to be paid by Central Electric?

SECTION THREE: The Form of Notice Election showing said question, a copy of which is attached hereto and made a part hereof, is hereby approved.

SECTION FOUR: The City Clerk is authorized and directed to notify the County Clerk of Gasconade County, Missouri of the passage of this ordinance no later than 5 p.m. on Tuesday, January 26, 2021 and to include in said notification all of the terms and provisions required by Missouri law.

SECTION FIVE: This Ordinance shall be in full force and effect from and after its passage and approval.

First Reading: January 11, 2021

Second Reading: _____

VOTE:

Name	First Reading			Second Reading		
	Aye	Nay	Abs	Aye	Nay	Abs
Alderman David Faerber						
Alderman Rick Owsley						
Alderman Jim Schirmer						
Alderman Susan Lenger						

Passed and approved this ____ day of _____, 2021.

Bruce Cox, Mayor

PATRICIA HEANEY, City Clerk

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