

BILL NO. 116

ORDINANCE NO. 116

AN ORDINANCE PROVIDING FOR AND DIRECTING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF PORTAGE DES SIOUX, ST. CHARLES COUNTY, MISSOURI, AT A SPECIAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, THE 3RD DAY OF OCTOBER, 1978, OF A PROPOSITION FOR THE INCURRING OF INDEBTEDNESS AND THE ISSUANCE OF BONDS OF SAID CITY FOR THE PURPOSE OF IMPROVING AND EXTENDING THE SEWERAGE SYSTEM OF SAID CITY.

WHEREAS, the Board of Aldermen of the City of Portage Des Sioux does now find and determine that it has become necessary to improve and extend the sewerage system of said City; and

WHEREAS, upon due investigation, the Board of Aldermen of said City does now find and determine that the estimated cost of improving and extending the sewerage system of said City is at least Eighty-five Thousand Dollars (\$85,000); and

WHEREAS, the said City of Portage Des Sioux is authorized, under the Constitution and Laws of the State of Missouri, by vote of two-thirds (2/3) of the qualified electors thereof voting thereon, to incur an indebtedness for the aforesaid purpose, provided the amount of such indebtedness, when added to all outstanding indebtedness of the said City, shall not exceed any limit prescribed by the Constitution and Laws of the State of Missouri; and

WHEREAS, the value of taxable, tangible property in said City, as shown by the assessment for state and county purposes made as of January 1, 1977, being the last completed assessment prior to the date of the election hereinafter provided for, was as follows:

Real estate.....	\$ 766,650
Tangible personal property.....	\$ 139,110
Merchants and manufacturers.....	\$ 9,180
Locally-assessed utilities' properties.....	\$ 11,110
State-assessed utilities' properties.....	\$ 277,371

TOTAL.....\$1,203,424;

and

WHEREAS, the said City of Portage Des Sioux, on the date of the election hereinafter provided for, will have no outstanding indebtedness of any kind or

1-116

character, other than current bills for the payment of which funds will be on hand in the City Treasury and an issue of Waterworks System Revenue Bonds of said City, dated April 1, 1967, as to which no legal debt limit exists; and

WHEREAS, the amount of indebtedness proposed to be incurred under the proposition hereinafter set forth will not exceed any constitutional or statutory limit; and

WHEREAS, the Board of Aldermen of said City does now find and determine that it would be advisable to direct the submission of the proposition hereinafter set forth at a special election to be held on Tuesday, the 3rd day of October, 1978:

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

SECTION 1. That, at a special election to be held in the City of Portage Des Sioux, Missouri, on Tuesday, the 3rd day of October, 1978, there shall be submitted to the qualified electors of said City the following proposition, to-wit:

PROPOSITION

Proposition to issue the bonds of the City of Portage Des Sioux, St. Charles County, Missouri, to the amount of Eighty-five Thousand Dollars (\$85,000) for the purpose of improving and extending the sewerage system of said City.

SECTION 2. That the qualified electors of the City residing in the several election precincts located within said City shall vote at the polling places enumerated in the "NOTICE OF SPECIAL BOND ELECTION" as hereinafter set forth in Sections 6 and 9 of this Ordinance; that the polls of said election shall be opened at the hour of six o'clock in the morning, Central Daylight Saving Time, on said date and shall be kept open until the hour of 7:00 o'clock in the afternoon, Central Daylight Saving Time, on said date; that no person shall be permitted to vote in said election unless he or she is duly registered and unless his or her name thereby appears in the County record and the precinct record for the County and precinct in which he or she resides; and that no person shall be eligible to vote unless he or she shall have registered before 5:00 P.M., Central Daylight Saving Time, on Wednesday, the 6th day of September, 1978.

SECTION 3. That the County Clerk of St. Charles County, Missouri, shall conduct the election herein provided for and shall serve as the election authority for said election, and the said County Clerk shall perform the duties required of him as election authority for said election under the provisions of Senate Substitute for House Bill No. 101 of the First Regular Session of the 79th General Assembly of the State of Missouri, as amended.

SECTION 4. That the County Clerk of St. Charles County, Missouri, as election authority for the election herein provided for, shall give the notice of said election required of him by law, shall appoint the election judges for each polling place at which said election is to be held, and shall supply all ballot boxes, ballots, tally sheets, precinct registers, and other supplies necessary for the conduct of said election.

SECTION 5. That the ballots to be used at said special election shall be in substantially the following form, to-wit:

OFFICIAL BALLOT

SPECIAL BOND ELECTION

CITY OF PORTAGE DES SIOUX,
ST. CHARLES COUNTY, MISSOURI

Tuesday, the 3rd day of October, 1978

Instructions to Voters:

To vote in favor of the proposition submitted upon this ballot, place a cross (x) mark in the square opposite the word "YES"; and, to vote against the proposition submitted upon this ballot, place a cross (x) mark in the square opposite the word "NO".

PROPOSITION

Shall the following be adopted:

Proposition to issue the bonds of the City of		
Portage Des Sioux, St. Charles County, Missouri,	YES	
to the amount of Eighty-five Thousand Dollars		
(\$85,000) for the purpose of improving and ex-	NO	
tending the sewerage system of said City?		
		

Absentee ballots shall be in the form above set forth except that the caption shall read "OFFICIAL ABSENTEE BALLOT" in lieu of "OFFICIAL BALLOT".

SECTION 6. That the City Clerk be and is hereby authorized and directed to give notice of the submission of the aforesaid proposition at the aforesaid election by publication in the St. Peters Courier-Post, a newspaper printed and published in St. Charles County, Missouri, and of general circulation therein, there being no newspaper printed and published in the City of Portage Des Sioux. The said notice shall be published in said newspaper once a week for at least three (3) consecutive weeks. The first publication of said notice shall be made at least twenty-one (21) days before the date of said election, and the last publication shall be made within two (2) weeks of the date of said election. The said notice to be so published shall be in substantially the following form, to-wit:

NOTICE OF SPECIAL BOND ELECTION

CITY OF PORTAGE DES SIOUX,
ST. CHARLES COUNTY, MISSOURI

NOTICE is hereby given that at a special election to be held in the City of Portage Des Sioux, St. Charles County, Missouri, on

Tuesday, the 3rd day of October, 1978,

there will be submitted to the qualified electors of said City the following proposition, to-wit:

PROPOSITION

Proposition to issue the bonds of the City of Portage Des Sioux, St. Charles County, Missouri, to the amount of Eighty-five Thousand Dollars (\$85,000) for the purpose of improving and extending the sewerage system of said City.

Qualified electors of the City residing in the election precinct located within the said City and within Portage Township shall vote at the following polling places, respectively, established for said precinct as follows:

<u>Precinct</u>	<u>City Ward</u>	<u>Polling Place</u>
Portage Des Sioux #5	One	Vacant Store Northwest Corner, Church and Lesieur Streets
Portage Des Sioux #5	Two	Fire Hall Southeast Corner, Church and Lesieur Streets

The polls of said election at the places above indicated will be opened at the hour of six o'clock in the morning, Central Daylight Saving Time, and will remain open until the hour of seven o'clock in the evening, Central Daylight Saving Time, on the aforesaid date. Except for absentee ballots cast by persons in Federal service, no person shall be allowed to vote whose name does not appear in the precinct register without the express sanction of the election authority, and, in order to vote in said election, a person must be registered no later than 5:00 P.M., Central Daylight Saving Time, on Wednesday, the 6th day of September, 1978.

Given under my hand the the corporate seal of the City of Portage Des Sioux, Missouri, this _____ day of _____, 1978.

City Clerk, City of Portage Des Sioux,
Missouri

(SEAL)

SECTION 7. That, in order to comply with the provisions of Section 6.010, Senate Substitute for House Bill No. 101 of the First Regular Session of the 79th General Assembly of the State of Missouri, the City Clerk be and the said Clerk is hereby directed to transmit to the County Clerk of St. Charles County, Missouri, who shall serve as the election authority for the election herein provided for, a notice in substantially the following form, to-wit:

Honorable Joseph A. Haake
County Clerk
County Administration Building
118 North Second Street
St. Charles, Missouri 63301

RE: CITY OF PORTAGE DES SIOUX,
ST. CHARLES COUNTY, MISSOURI
SPECIAL BOND ELECTION
OCTOBER 3, 1978

Dear Mr. Haake:

This is to notify you that the Board of Aldermen of the City of Portage Des Sioux, St. Charles County, Missouri, on the 7th day of August, 1978, did call a special bond election to be held on Tuesday, the 3rd day of October, 1978. So that you may be informed as to the question to be submitted to the qualified electors in said election, I am enclosing herewith the following:

1. A certified copy of Ordinance No. 116 of said City passed and approved on August 7, 1978, which said Ordinance calls and provides for the holding of said special election;
2. A suggested form for the notice which you are required to give pursuant to the provisions of paragraph 2 of Section 6.015 of Senate Substitute for House Bill No. 101 of the First Regular Session of the 79th General Assembly of the State of Missouri, as amended; and
3. A suggested form for the notice which you are required to give pursuant to the provisions of Section 6.025 (if you do not elect to give the notice contemplated by Section 6.020) of the said Senate Substitute for House Bill No. 101.

Your attention is called to the fact that Section 5 of the ordinance calling and providing for the holding of the said election specifies the form of the ballot to be used at said election.

The notice referred to in paragraph 2, above, should be published in The Wentzville Union on the 13th, 20th, and 27th days of September, 1978, and in the St. Peters Courier-Post on the 18th and 25th days of September, 1978, and the notice referred to in paragraph 3, above, should be published in the St. Peters Courier-Post on the 2nd day of October, 1978.

Very truly yours,

City Clerk, City of Portage Des Sioux,
St. Charles County, Missouri

7-116

Said notice and the enclosures mentioned therein shall be so transmitted by said City Clerk so as to be received by the County Clerk not later than 5:00 P.M., Central Daylight Saving Time, on Tuesday, the 22nd day of August, 1978.

SECTION 8, That the form of notice mentioned in paragraph 2 of the notice provided for in Section 7 hereinabove shall be in substantially the following form, to-wit:

NOTICE OF SPECIAL BOND ELECTION

CITY OF PORTAGE DES SIOUX
ST. CHARLES COUNTY, MISSOURI

Notice is hereby given to the qualified electors of the City of Portage Des Sioux, St. Charles County, Missouri, that the Board of Aldermen of said City has called a special election to be held in said City on

Tuesday, the 3rd day of October, 1978,

commencing at six o'clock in the morning and closing at seven o'clock in the afternoon on said date.

The ballots to be used at said special election shall be in substantially the following form, to-wit:

OFFICIAL BALLOT

SPECIAL BOND ELECTION

CITY OF PORTAGE DES SIOUX
ST. CHARLES COUNTY, MISSOURI

Tuesday, the 3rd day of October, 1978

Instructions to Voters:

To vote in favor of the proposition submitted upon this ballot, place a cross (x) mark in the square opposite the word "YES"; and, to vote against the proposition submitted upon this ballot, place a cross (x) mark in the square opposite the word "NO".

PROPOSITION

Shall the following be adopted:

Proposition to issue the bonds of the City of		
Portage Des Sioux, St. Charles County, Missouri,	YES	. . .
to the amount of Eighty-five Thousand Dollars		
(\$85,000) for the purpose of improving and ex-	NO	
tending the sewerage system of said City?		. . .
		

The qualified electors of the City residing in the election precincts located within the said City shall vote at the polling places, respectively, established for said precincts as those places shall be listed in a notice to be published by me in the St. Peters Courier-Post on the 2nd day of October, 1978.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office this _____ day of _____, 1978.

County Clerk and Election Authority
St. Charles County, Missouri

(SEAL)

8-116.

SECTION 9. That the form of notice mentioned in paragraph 3 of the notice provided for in Section 7 hereinabove shall be in substantially the following form, to-wit:

NOTICE OF SPECIAL BOND ELECTION

CITY OF PORTAGE DES SIOUX
ST. CHARLES COUNTY, MISSOURI

Notice is hereby given to the qualified electors of the City of Portage Des Sioux, St. Charles County, Missouri, that the Board of Aldermen of said City has called a special election to be held in said City on

Tuesday, the 3rd day of October, 1978,

commencing at six o'clock in the morning and closing at seven o'clock in the afternoon on said date.

Qualified electors of the City residing in the election precinct located within the said City and within Portage Township shall vote at the following polling places, respectively, established for said precinct as follows:

<u>Precinct</u>	<u>City Ward</u>	<u>Polling Place</u>
Portage Des Sioux #5	One	Vacant Store Northwest Corner, Church and Lesieur
Portage Des Sioux #5	Two	Fire Hall Southeast Corner, Church and Lesieur

The ballots to be used at said special election shall be in substantially the following form, to-wit:

OFFICIAL BALLOT

SPECIAL BOND ELECTION

CITY OF PORTAGE DES SIOUX
ST. CHARLES COUNTY, MISSOURI

Tuesday, the 3rd day of October, 1978

Instructions to Voters:

To vote in favor of the proposition submitted upon this ballot, place a cross (x) mark in the square opposite the word "YES"; and, to vote against the proposition submitted upon this ballot, place a cross (x) mark in the square opposite the word "NO".

9-116

PROPOSITION

Shall the following be adopted:

Proposition to issue the bonds of the City of	
Portage Des Sioux, St. Charles County, Missouri,	YES . . .
to the amount of Eighty-five Thousand Dollars	
(\$85,000) for the purpose of improving and ex-	NO
tending the sewerage system of said City?	

Except for absentee ballots cast by persons in Federal service, no person shall be allowed to vote whose name does not appear in the precinct register without the express sanction of the election authority, and, in order to vote in said election, a person must have been registered no later than 5:00 P.M., Central Daylight Saving Time, on Wednesday, the 6th day of September, 1978.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office this _____ day of _____, 1978.

County Clerk and Election Authority
St. Charles County, Missouri

(SEAL)

SECTION 10. That this Ordinance shall be in force and take effect from and after its passage and approval.

Read three (3) times and passed this 7th day of August, 1978.

George R. Combs
Mayor and President of the
Board of Aldermen

Attest:
Patricia A. Buschert
City Clerk

Approved this 7th day of August, 1978.

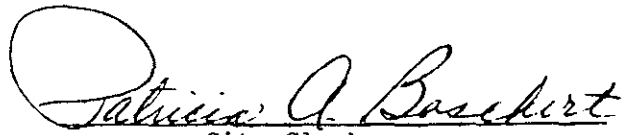
George R. Combs
Mayor

Attest:
Patricia A. Buschert
City Clerk

STATE OF MISSOURI)
) ss.
COUNTY OF ST. CHARLES)

I, PATRICIA A. BOSCHERT, City Clerk within and for the City of Portage Des Sioux, in the County of St. Charles, State of Missouri, do hereby certify that the foregoing pages constitute a true and correct copy of Ordinance No. 116 of said City, as passed by the Board of Aldermen on the 7th day of August, 1978, and approved by the Mayor on the 7th day of August, 1978, as fully as the same appears and remains of record in my office in the Book of Ordinances of the City of Portage Des Sioux, Missouri, at ~~pages~~ of Aug to 7, 1978, inclusive.

IN TESTIMONY WHEREOF, I have hereunto set my hand and and affixed the seal of the City of Portage Des Sioux, Missouri, at my office in said City, this 17 day of August, 1978.


City Clerk

(SEAL)