

AN ORDINANCE OF THE CITY OF OSAGE BEACH, RELATING TO MEETINGS RECORDS AND VOTES, CREATING A STANDARD FOR CONFIDENTIAL INFORMATION THAT DIRECTLY COMPLIES WITH MISSOURI LAW AT SECTION 610.021 OF THE REVISED STATUTES OF MISSOURI BY ESTABLISHING A NEW SECTION 117.020 B OF THE CODE OF ORDINANCES

WHEREAS, the open and efficient operation of city government is a matter of primary importance to the Board of Aldermen; and

WHEREAS, Missouri statutes specifically limit and delineate those matters that should be open records and those matters that should be held as closed records, and

WHEREAS, the Board of Aldermen determines in this ordinance that it is critical to set out the Board's intent that the City follow state law and that those records permitted to closed under Missouri law are closed:

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

Section 1. That a new sub Section 117.020 B of the Osage Beach Code of Ordinances be and is hereby adopted and shall read as follows:

**SECTION 117.0020 Meetings Records and Votes to be Public Exceptions**

B. Reservation of Closed Records. Pursuant to the power granted to a public body in Section 610.021 of the Revised Statutes of Missouri, all records meetings and votes referenced in Section 117.020 A of this Code of Ordinances are hereby designated as closed records meetings or votes. All such records are subject to any disclosure required by state statute, legal process or ordered by a duly adopted ordinance of the Board of Aldermen.

Section 2. Severability

The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 3. Repeal of Ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous

to its repeal shall be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 4. That this Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME: October 24, 2019

READ SECOND TIME: November 7, 2019

I hereby certify that the above Ordinance No. 19.71 was duly passed on November 7, 2019 by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: 6 Nays: 0 Abstentions: 0 Absent: 0

This Ordinance is hereby transmitted to the Mayor for his signature.

Nov. 7, 2019  
Date

Tara Berreth  
Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker  
Edward B. Rucker, City Attorney

I hereby APPROVE Ordinance No. 19.71.

John Olivarri  
John Olivarri, Mayor

Nov. 7, 2019  
Date

ATTEST:

Tara Berreth  
Tara Berreth, City Clerk