

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING THE MEMBERSHIP OF THE CITIZENS ADVISORY COMMITTEE BY REPEALING AND REPLACING SECTIONS 111.030, 111.040, 111.050 OF THE MUNICIPAL CODE DEALING WITH THE MEMBERSHIP OF THE CITIZENS ADVISORY COMMITTEE.

WHEREAS, the Board of Aldermen desires to make efficient and direct use of the Citizens advisory committee and to improve its operation and effectiveness in advising the Board concerning issues of importance to the future of the city, and;

WHEREAS, the Board of Aldermen conclude that the changes set forth below will increased the effectiveness of the Citizens advisory committee:

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

Section 1. That Sections 111.030, 111.040, 111.050 of the Osage Beach Code of Ordinances be and are hereby repealed.

Section 2. That a new Section 111.030 of the Osage Beach Code of Ordinances be and is hereby enacted with new material set out in red and deleted material struck through to read as follows:

Section 111.030 Membership.

- A. The membership of the Osage Beach Citizen Advisory Committee shall consist of not less than ~~eight (8)~~ **nine (9)** and not more than fifteen (15) members appointed pursuant to Section **111.040**. There shall be a minimum of three (3) members from each ward.

Section 3. That a new Section 111.040 of the Osage Beach Code of Ordinances be and is hereby enacted with new material set out in red and deleted material struck through to read as follows:

Section 111.040 Terms and Appointments.

- ~~A. Members shall serve a term of two (2) years. Membership shall be divided into two (2) classes of equal size. Terms shall expire June first (1st). All members currently serving on the Osage Beach Citizen Advisory Committee as of July 1, 2011 shall continue to serve until their terms expire. The Board of Aldermen shall specify the term expiration date at the time a member is appointed. The Mayor or a member of the Board of Aldermen may submit nominations for expired terms to the City Clerk by June first (1st) for appointments as aforesaid in this Chapter. The Board of Aldermen shall approve nominees for two (2) year terms on the Advisory Committee at their first (1st) meeting in June each year, or as soon thereafter as possible. Whenever a vacancy in membership occurs, the City Clerk shall notify the Board of Aldermen of said vacant position and said vacancy may be filled for the unexpired term by appointment. The Board of Aldermen may remove any member by majority vote.~~
- A. Members shall serve a term of three (3) years. Membership shall be divided into three (3) classes of equal size. Terms shall expire June first (1st). All members currently serving on the Osage Beach Citizen Advisory Committee as of July 1, 2011 shall continue to serve until their terms expire. The Board of Aldermen shall specify the term expiration date at the time a member is appointed. The Mayor or a member of the Board of Aldermen may submit nominations for expired terms to the City Clerk by June first (1st) for appointments as aforesaid in this Chapter. The Board of Aldermen shall approve nominees for three (3) year terms on the Advisory Committee at their first (1st) meeting in June each year, or as soon thereafter as possible.**

- B. Whenever a vacancy in membership occurs, the City Clerk shall notify the Board of Aldermen of said vacant position and said vacancy may be filled for the unexpired term by appointment. The Board of Aldermen may remove any member by majority vote.
- C. When there are more individual nominations than open positions on the Citizens Advisory Committee, the Board of Aldermen shall vote by paper ballot, in the following manner; each member of the Board shall cast one vote for one person for each open position. The City Clerk shall read the results of the ballots aloud as the votes are tabulated. A nominee must receive a majority of the votes to be selected to serve. If additional rounds of balloting are necessary to fill the available vacancies, the individual with the fewest votes on the most recent round of balloting shall be removed from consideration.

Section 4. That a new Section 111.050 of the Osage Beach Code of Ordinances be and is hereby enacted with new material set out in red and deleted material struck through to read as follows:

Section 111.050 Conduct of Meetings.

- A. The committee will be guided by Robert's Rules of Order, 10th Edition, as revised, and the Missouri Open Meetings and Records Law, as amended.
- B. Meetings may be called by the Mayor, a majority of the Board of Aldermen or the City Administrator.
- C. The agenda for meetings shall be established by the Mayor, a majority of the Board of Aldermen or the City Administrator.
- D. ~~Six (6) of the members appointed to the Osage Beach Citizen Advisory Committee shall constitute a quorum, unless the number of active members is less than ten (10) members in which case a majority of the members shall constitute a quorum.~~
- D. A majority of the members appointed to the Osage Beach Citizen Advisory Committee shall constitute a quorum.
- E. The City Administrator may assign staff members to attend meetings.
- F. Meetings of the Osage Beach Citizen Advisory Committee shall be noticed and conducted in accordance with Chapter 610, RSMo.

Section 5. 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 6. 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 not 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 7. 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: July 2, 2020

READ SECOND TIME: July 16, 2020

I hereby certify that Ordinance No.20.40. was duly passed on July 16, 2020 by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: 5

Nays: 0

Abstentions: 0

Absent: 1

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

July 16, 2020
Date

Tara Berreth
Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker
Edward B. Rucker, City Attorney

I hereby approve Ordinance No.20.40.

John Olivarri
John Olivarri, Mayor

July 16, 2020
Date

Tara Berreth
Tara Berreth, City Clerk