

Bill Number: 23-055

Ordinance Number: 3985

AN ORDINANCE AUTHORIZING THE CITY COUNSELOR TO INITIATE CONDEMNATION PROCEEDING TO SECURE A COMMUNICATION EASEMENT ON AN EXISTING ELECTRIC/SEWER EASEMENT TO PLACE WI-FI ON PRESENT ELECTRIC POLES FOR CONNECTION TO THE NEW WWTF

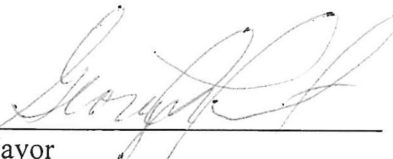
Be it ordained by the Board of Aldermen of the City of St. Robert as follows:

- SECTION 1.** The City is presently constructing a new wastewater treatment facility (WWTF) with a proposed opening date of November of 2023.
- SECTION 2.** The Board of Aldermen specifically finds that the completion of the WWTF is necessary for the health and welfare of the citizens of the City of St. Robert.
- SECTION 3.** The Board of Aldermen finds there is in existence a current electric/sewer easement to the new WWTF upon which a Wi-Fi communication easement could be established to the WWTF by attachment to existing electric poles on the existing easement.
- SECTION 4.** The Board of Aldermen finds that officials at Cable America have determined that the language contained in the current electric/sewer easement is insufficient to establish a communications easement down the existing easement.
- SECTION 5.** The Board of Aldermen finds that City Counselor, Tyce Smith, has been obtaining voluntary easements from the necessary property owners.
- SECTION 6.** The Board of Aldermen finds that one landowner, by written communication, has informed the Mayor that she will not voluntarily convey the needed easement.
- SECTION 7.** The Board of Aldermen finds that at least two other landowners have not signed and one landowner is expected to sign after a requested language change in the easement has been made.
- SECTION 8.** A legislative decision is made by the Board of Aldermen to authorize the City Counselor to initiate a condemnation action to secure the communication easement on the existing electric/sewer easement.
- SECTION 9.** The Mayor is authorized to authorize the expenditure of funds that are necessary to compensate any landowners for the needed easement.
- SECTION 10.** The City Counselor is authorized such monies as are necessary to pursue the condemnation action.

SECTION 11. The Board of Aldermen specifically finds that the communication easement is necessary to the health and welfare of the citizens of the City of St. Robert.

SECTION 12. This ordinance shall be in full force and effect from and after its passage and approval.

READ THREE TIMES AND PASSED AND APPROVED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. ROBERT, MISSOURI ON SEPTEMBER 19, 2023.



Mayor

Attest:



City Clerk *admin*