



REPUBLIC
MISSOURI

AMENDED AGENDA

City Council Meeting

Municipal Court Building, 540 Civic Blvd

January 04, 2022 at 6:00 PM

Matt Russell, Mayor
Eric Gerke, Ward I
Garry Wilson, Ward II
Christopher Updike, Ward III
Jennifer Mitchell, Ward IV

Eric Franklin, Ward I
Gerry Pool, Ward II
Shane Grooms, Ward III
Jim Deichman, Ward IV

Call Meeting to Order

Opening Prayer

Pledge of Allegiance to the United States Flag

Citizen Participation

Consent Agenda

- [1.](#) Approve December 14, 2021 City Council Minutes.
- [2.](#) As As per RSMo. 109.230(4), City records that are on file in the City Clerk's office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's office.
- [3.](#) Approve Vendor List.

Board, Commission, and Committee Schedule

Board of Adjustment Meeting	January 6, 2022
Planning and Zoning Meeting	January 10, 2022
City Council Meeting	January 18, 2022
City Council Meeting	February 1, 2022

Old Business and Tabled Items

- [4.](#) 21-78 An Ordinance of the City Council of the City of Republic, Missouri, Amending the Zoning Code and Official Map by Changing the Classification of Approximately 14.04 Acres, From Planned Development District (PDD) to General Commercial (C-2), Located at the 600 Block of West Civic Boulevard.
- [5.](#) 21-79 An Ordinance of the City Council of the City of Republic, Missouri, Approving Amending the Zoning Code and Official Map by Changing the Classification of Approximately 0.46 Acres from Medium-Density Single Family (R1-M) to Heavy Manufacturing (M-2), Located at the 1200 Block of South State Highway MM.
- [6.](#) 21-80 An Ordinance of the City Council of the City of Republic, Missouri, Approving Amending the Zoning Code and Official Map by Changing the Classification of Approximately 0.69 Acres from Medium-Density Single Family (R1-M) to Heavy Manufacturing (M-2), Located at 1249 South State Highway MM.
- [7.](#) 21-81 An Ordinance of the City Council of the City of Republic, Missouri, Approving Amending the Zoning Code and Official Map by Changing the Classification of Approximately 1.22 Acres from Medium-Density Single Family (R1-M) to Heavy Manufacturing (M-2), Located at 1235 South State Highway MM.

New Business (First Reading of Ordinances)

- [8.](#) A Public Hearing of the City Council Regarding Approving the Annexation of Approximately 17.52 Acres Located at the 6400 Block of South Farm Road 89 and Adjacent Right-of-Way.

[9.](#) 22-01 An Ordinance of the City Council Approving the Annexation of Approximately 17.52 Acres Located at the 6400 Block of South Farm Road 89 and Adjacent Right-of-Way.

[10.](#)22-02 An Ordinance of the City Council, Authorizing the Execution of an Intergovernmental Agreement Between the City of Republic, Missouri, and the City of Springfield, Missouri, for the Acquisition of “Pictometry” Providing a More Accurate Geographical Information System.

Other Business (Resolutions)

[11.](#)22-R-01 A Resolution of the City Council Approving an Agreement for As-Needed Land Use Services for a Period of Two Years.

Reports from Staff

Executive Session: *No further action, other than announcing adjournment by the Mayor, shall take place after an Executive Session that is scheduled as the last matter on the Agenda unless otherwise stated on the Agenda or as allowed per RSMo. 610.02.*

1. RSMo 610.021.1 Pending and/or potential litigation. Closed session. Closed vote. Closed record.
2. RSMo 610.021.2 Real estate acquisition. Closed session. Closed vote. Closed record.
3. RSMo 610.021.3 Hiring, firing, promotion, or disciplining personnel. Closed session. Closed vote. Closed record.

Adjournment

Individuals addressing the Council are asked to step to the microphone and clearly state their name and address before speaking. In accordance with ADA guidelines, if you need special accommodations to attend any city meeting, please notify the City Clerk’s Office at 732-3101 at least three days prior to the scheduled meeting. **All meetings are recorded for public viewing.**



REPUBLIC
MISSOURI

MINUTES

City Council Meeting
City Council Chambers, 540 Civic Boulevard
December 14, 2021 at 6:00 PM

Matt Russell, Mayor
Eric Gerke, Ward I
Garry Wilson, Ward II
Christopher Updike, Ward III
Jennifer Mitchell, Ward IV

Eric Franklin, Ward I
Gerry Pool, Ward II
Shane Grooms, Ward III
Jim Deichman, Ward IV

Call Meeting to Order

The regular session meeting of the City Council of the City of Republic, Greene County, Missouri, was called to order by Mayor Matt Russell at 6:00 p.m. Council Members present included Jim Deichman, Eric Franklin, Garry Wilson, Gerry Pool, Eric Gerke, Chris Updike, Shane Grooms, and Jennifer Mitchell. Others in attendance were: City Administrator David Cameron, Interim City Attorney Damon Phillips, Assistant Parks and Recreation Director Jennafer Mayfield, Information Systems Director Chris Crosby, Police Chief Brian Sells, Finance Director Meghin Cook, Chief of Staff Lisa Addington, BUILDS Administrator Andrew Nelson, Assistant BUILDS Administrator Karen Haynes, Assistant City Administrator/Parks and Recreation Director Jared Keeling, Fire Chief Duane Compton, Principal Planner Chris Tabor, and City Clerk Laura Burbridge.

Opening Prayer

Opening prayer was led by City Administrator David Cameron.

Pledge of Allegiance to the United States Flag

The Pledge of Allegiance was led by Mayor Matt Russell.

Mayor's Announcements

Mayor Russell announced his intent to appoint John Alexander to complete the term of Eric Pederson, who has resigned. The vote was 8 Aye-Deichman, Franklin, Gerke, Grooms, Mitchell, Pool, Updike, and Wilson. 0 Nay. Motion Carried.

Citizen Participation

Mayor Matt Russell opened citizen participation at 6:00 p.m.

Michael Lacobee, 7052 W. Farm Rd. 182, spoke regarding his concerns of Shuyler Trail.

Lisa Roller, 6618 W. Farm Rd. 182, spoke regarding her concerns of Shuyler Trail going through the front yard of her family-owned farm and requested it be moved to Hines Street.

Carrie Sanders, 6695 W. Farm Rd. 186, spoke regarding her concerns of Shuyler Trail and shared she thought this went away a few years ago. Ms. Sanders spoke about concerns of pedestrians crossing at Farm Road 99.

Bobby Dimery, 101 N. Matteson Ave, spoke against Shuyler Trail requesting a compromise be found to reduce the impact to the landowners as the most recent drawing impacts homeowners more than the initial drawing.

Mayor Russell closed citizen participation at 6:17 p.m.

Consent Agenda

Motion was made by Council Member Deichman and seconded by Council Member Pool to approve the consent agenda. The vote was 8 Aye-Deichman, Franklin, Gerke, Grooms, Mitchell, Pool, Updike, and Wilson. 0 Nay. Motion Carried.

1. Approve November 30, 2021 City Council Minutes.

2. As per RSMo. 109.230(4), City records that are on file in the City Clerk's office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's office.
3. 21-R-61 A Resolution of the City Council of the City of Republic, Missouri, Awarding the Bid for Waterline Materials.

Board, Commission, and Committee Schedule

City Council Meeting	January 4, 2022
Board of Adjustment Meeting	January 6, 2022
Planning and Zoning Meeting	January 10, 2022
City Council Meeting	January 18, 2022

Old Business and Tabled Items

4. **21-74 An Ordinance of the City Council of the City of Republic, Missouri, Amending Title VIII, Fees, Chapter 805, Fee Schedule.**

Motion was made by Council Member Grooms and seconded by Council Member Mitchell to have the second reading of Bill 21-74 by title only. The vote was 8 Aye-Deichman, Franklin, Gerke, Grooms, Updike, Pool, Wilson, and Mitchell. 0 Nay. Motion Carried. Karen Haynes provided an update to Council. Council Member Grooms motioned to amend Bill 21-74, by adding an 'Architectural Review' fee that requires 'Direct Reimbursement of Consultant for Third-Party Architectural Review and a \$50/Hour fee for Internal Architectural Plan Reviews,' which internal review 'may be offered subject to availability,' and to make the 'water impact' section list a fee of \$250 for 5/8- or 3/4-inch lines, and to make the 'sewer impact' section list fees of \$850 for 5/8- or 3/4-inch lines, and \$2,000 for 1-inch lines, and \$5,000 for 2-inch lines. Council Member Deichman seconded. The vote was 8 Aye-Deichman, Franklin, Gerke, Grooms, Updike, Mitchell, Pool, and Wilson. Council Member Pool motioned to approve Bill 21-74. Council Member Deichman seconded. The vote was 8 Aye-Deichman, Franklin, Gerke, Grooms, Mitchell, Pool, Updike, and Wilson. 0 Nay. Motion Carried.

5. **21-75 An Ordinance of the City Council of the City of Republic, Missouri, Approving the Annexation of Approximately 2 Acres Located on South Farm Road 101 Between East US Highway 60 and West Republic Road and Adjacent Right-of-Way.**

Motion was made by Council Member Mitchell and seconded by Council Member Franklin to have the second reading of Bill 21-75 by title only. The vote was 8 Aye-Deichman, Franklin, Gerke, Grooms, Mitchell, Pool, Updike, and Wilson. 0 Nay. Motion Carried. Karen Haynes was available to answer any questions from Council. Council Member Pool motioned for the passage of Bill 21-75. Council Member Franklin seconded. A roll call vote was taken digitally. The vote was 8 Aye-Deichman, Franklin, Gerke, Grooms, Mitchell, Pool, Updike, and Wilson. 0 Nay. Motion Carried.

6. **21-76 An Ordinance of the City Council of the City of Republic, Missouri, Approving the Annexation of Approximately 10.20 Acres Located at 7294 West Farm Road 144 and Adjacent Right-of-Way.**

Motion was made by Council Member Wilson and seconded by Council Member Franklin to have the second reading of Bill 21-76 by title only. The vote was 8 Aye-Deichman, Franklin, Gerke, Grooms, Mitchell, Pool, Updike, and Wilson. 0 Nay. Motion Carried. Karen Haynes was available to answer any questions from Council. Council Member Grooms motioned for the passage of Bill 21-76. Council Member Pool seconded. A roll call vote was taken digitally. The vote was 8 Aye-

Deichman, Franklin, Gerke, Grooms, Mitchell, Pool, Updike, and Wilson. 0 Nay. Motion Carried.

7. 21-77 An Ordinance of the City Council of the City of Republic, Missouri, Amending the Employee Handbook.

Motion was made by Council Member Deichman and seconded by Council Member Pool to have the second reading of Bill 21-77 by title only. The vote was 8 Aye-Deichman, Franklin, Gerke, Grooms, Mitchell, Pool, Updike, and Wilson. 0 Nay. Motion Carried. Lisa Addington was available to answer any questions from Council. Council Member Deichman motioned for the passage of Bill 21-77. Council Member Mitchell seconded. A roll call vote was taken digitally. The vote was 8 Aye-Deichman, Franklin, Gerke, Grooms, Mitchell, Pool, Updike, and Wilson. 0 Nay. Motion Carried.

New Business (First Reading of Ordinances)

8. 21-78 An Ordinance of the City Council of the City of Republic, Missouri, Amending the Zoning Code and Official Map by Changing the Classification of Approximately 14.04 Acres, From Planned Development District (PDD) to General Commercial (C-2), Located at the 600 Block of West Civic Boulevard.

Motion was made by Council Member Pool and seconded by Council Member Wilson to have the first reading of Bill 21-78 by title only. The vote was 8 Aye-Deichman, Franklin, Gerke, Groom, Mitchell, Pool, Updike, and Wilson. 0 Nay. Motion Carried. Chris Tabor provided an overview of the bill. Mayor Russell reminded Council this is a first read and to get with staff prior to the next meeting with any questions.

9. 21-79 An Ordinance of the City Council of the City of Republic, Missouri, Approving Amending the Zoning Code and Official Map by Changing the Classification of Approximately 0.46 Acres from Medium-Density Single Family (R1-M) to Heavy Manufacturing (M-2), Located at the 1200 Block of South State Highway MM.

Motion was made by Council Member Gerke and seconded by Council Member Grooms to have the first reading of Bill 21-79 by title only. The vote was 8 Aye-Deichman, Franklin, Gerke, Groom, Mitchell, Pool, Updike, and Wilson. 0 Nay. Motion Carried. Chris Tabor provided an overview of the bill. Mayor Russell reminded Council this is a first read and to get with staff prior to the next meeting with any questions.

10. 21-80 An Ordinance of the City Council of the City of Republic, Missouri, Approving Amending the Zoning Code and Official Map by Changing the Classification of Approximately 0.69 Acres from Medium-Density Single Family (R1-M) to Heavy Manufacturing (M-2), Located at 1249 South State Highway MM.

Motion was made by Council Member Pool and seconded by Council Member Deichman to have the first reading of Bill 21-80 by title only. The vote was 8 Aye-Deichman, Franklin, Gerke, Groom, Mitchell, Pool, Updike, and Wilson. 0 Nay. Motion Carried. Chris Tabor provided an overview of the bill. Mayor Russell reminded Council this is a first read and to get with staff prior to the next meeting with any questions.

11. 21-81 An Ordinance of the City Council of the City of Republic, Missouri, Approving Amending the Zoning Code and Official Map by Changing the Classification of Approximately 1.22 Acres from Medium-Density Single Family (R1-M) to Heavy Manufacturing (M-2), Located at 1235 South State Highway MM.

Motion was made by Council Member Deichman and seconded by Council Member Franklin to have the first reading of Bill 21-81 by title only. The vote was 8 Aye-Deichman, Franklin, Gerke, Groom, Mitchell, Pool, Updike, and Wilson. 0 Nay. Motion Carried. Chris Tabor provided an overview of the bill. Mayor Russell reminded Council this is a first read and to get with staff prior to the next meeting with any questions.

Other Business (Resolutions)

12.21-R-62 A Resolution of the City Council of the City of Republic, Missouri, Approving a List of Qualified Architectural Firms for As-Needed Use In 2022.

Motion was made by Council Member Deichman and seconded by Council Member Franklin to approve Resolution 21-R-62. David Cameron provided an overview of the Resolution. The vote was 8 Aye-Deichman, Franklin, Gerke, Groom, Mitchell, Pool, Updike, and Wilson. 0 Nay. Motion Carried.

Reports from Staff

City Administrator David Cameron expressed his appreciation for the people coming to talk about the trail. Mr. Cameron clarified regarding the BUILDS building, we are doing a construction manager at risk where the contractor designs the building for us with their architect. This provides it to us for a set price. Mr. Cameron clarified we do issue grading permits without plans so developers can move forward with projects and the risk is on the developer to begin grading in advance of approved plans.

City Administrator David Cameron announced Garrett Brickner has been with us 4 years as an engineer in training and has now passed his Professional Engineering test. Mr. Cameron reported we now have two full time PE's on staff. Mr. Cameron praised Mr. Bricker for his growth, hard work, determination, and passion for his job.

City Administrator David Cameron thanked Jennafer and Jared for the great job Parks and the Chamber did in partnering with the Christmas on Main Street group. Mr. Cameron reported he had a scheduling conflict but heard it was a great event. Mr. Cameron expressed his appreciation for Parks focusing on the connection pillar and seeing where they were to where they are now is great. Mr. Cameron shared the feedback from the event was wonderful. Mr. Cameron pointed out the energy in the community is extraordinary. Mr. Cameron thanked Jared and Jennafer for their vision with Pumpkin Daze and the 150 Year Anniversary and acknowledged that what they are doing in programming brings the community together.

City Administrator David Cameron thanked everyone for a great 2021. Mr. Cameron reminded everyone that public safety was the priority of 2021. Mr. Cameron noted improved processes and a huge year. Mr. Cameron shared we still have a lot of challenges coming in 2022. Mr. Cameron advised to rest up and have a Merry Christmas and Happy New Year. Mr. Cameron thanked staff, the community, Mayor Russell, and the Council Members.

City Administrator David Cameron congratulated Council Member Mitchell for not killing Macy for posting the video of her dancing.

Council Member Franklin echoed what David said. Mr. Franklin said 2021 was a record breaking year and the best year in Republic. Mr. Franklin thanked everyone including David, staff, Council Members, Mayor Russell, and the Planning and Zoning Commissioners for making this a great place. Mr. Franklin reported he was at the Saturday event with the tree lighting and shared it was intense to see the crowd there. Mr. Franklin shared his appreciation for all the city does for us. Mr. Franklin wished everyone a Merry Christmas and Happy New Year.

Council Member Mitchell shared she would love to discuss the trail as she would like to figure it out. Mr. Cameron reported we submitted for a grant and Greene County's in-kind match is to do the right-of-way acquisition for us. They have an easement agent that works on behalf of the county. The grant requires public meeting, but the project has already been commissioned. We must have a meeting, take public comment, and go back to discuss how you would shift it. Based on some of the comments, the trail has already moved across the road. It was realigned with the road to meet the objective of the Regional Trail Plan that was adopted as an overall transportation system plan. This is why we do comprehensive plans to prepare owners for future planning. These special funds came available 3 years ago. The plan would have to be modified on a regional level to adjust it. Mayor Russell shared he met with Andrew twice on this. Nothing is happening tomorrow or next week. 2023 would be the likely start. We don't know if the people tonight will be affected and the plans are with the engineering firm now. The speakers tonight want to be sure we are all paying attention.

Council Member Wilson asked if the amount of land would be 28-60 feet. Mr. Cameron reported they go off the center line of the street when measuring the 60 feet. That would be potentially 48 feet if there isn't already an easement. Mr. Cameron reported that for at least 3 properties, the trail has moved across the street. The intent of the public meeting is to discuss the layout. People are allowed to come speak and it appears the message may have come across as if we didn't hear them. There is always a way to negotiate getting easement, we don't just say "hey tough". You know going into those meetings the people coming aren't happy about the situation. This is not a common occurrence here to go through this process but will be more prevalent in the future with expanding highways. We have most of the right-of-way on MM secured now. We are a growing community with a lot going on.

Council Member Gerke asked Mr. Cameron to clarify where the grant is coming from. Mr. Cameron shared the grant is federal funding received through the Ozark Transportation Organization, which requires following a procurement model.

Council Member Updike asked if there would be a second public hearing. Mr. Cameron shared we will have to reveal the changes and final project. Mr. Cameron shared it will be after the first of the year before we have an answer or alternatives.

Council Member Pool requested the City Clerk to step forward. Mayor Russell presented a card to the City Clerk expressing appreciation for her work.

Council Member Grooms echoed that the Christmas Parade and Main Street activities were spectacular. Mr. Grooms shared it rivaled if not exceeded any previous Pumpkin Daze attendance.

Mayor Russell shared he has had a lot of conversations with the people speaking against the trail and there are still a lot of questions. Mayor Russell reminded everyone that the city is taking it seriously and he welcomes them to come back. Mayor Russell thanked Damon Phillips for coming in when we needed a city attorney without hesitation. Mayor Russell expressed his appreciation for his professionalism and friendship. Mayor Russell wished everyone a Merry Christmas.

Adjournment

Mayor Russell adjourned the meeting at 7:01 p.m.

ATTEST:

Laura Burbridge, City Clerk

Matt Russell, Mayor



Record Destruction Request Form

MISSOURI RETENTION MANUAL CODE	NAME/DATE OF RECORDS TO BE DISPOSED	DATE(S) OF DOCUMENTS	RETENTION TIME NEEDED FOR RECORD
GS 049 Request and Complaint Files	Citizen Requests for Service	2018	3 years
GS 066 Public Information Requests and Documentation	Public Information Requests	2018	3 years
GS 055 Bid Records	Bid Documentation	2016	5 years accepted; 3 years not accepted
GS 022 Public Notice Records	Posted agendas	2018	3 years
GS 085 Meeting Records (internal agency staff/committee)	Internal meeting records	2018	3 years
GS 062 Employment Recruitment and Selection Records	Postings and unsuccessful candidates	2018	Retain announcement records, position description, and test and rating records 3 years; unsolicited applications and resumes 6 months if not returned to the solicitor;



Record Destruction Request Form

			unsuccessful applications, background checks and other records 1 year after position filled or recruitment canceled.
GS 012 Correspondence - General	All non-policy correspondence	2020	1 year
GS 012.1 Correspondence - Transitory	Correspondence	2020-2021	None
GS 016 Telecommunications Log	UB call log	2020	1 year
GS 022 Public Notice Records	Affidavits of publication, notice of meetings, zoning notices	2018	3 years
GS 050 Permits and Licenses	Business Licenses	2019	2 years after expiration
GS 065 Participant Registration and Attendance Records	Parks and Recreation Programs/Events	2018	3 years
0102 Animal Control Cards	Records documenting the history of every animal received at the shelter	2018	2 years
0104 Investigation Logs and Reports	Chronological record of investigations of incidents and	2019	2 years



Record Destruction Request Form

	cases handled by animal control officers		
0217 Building Code Inspection and Enforcement File	Inspections, enforcement	2016	5 years or 5 years after defect corrected
1302 Laboratory Reports: Sewage, Water, Etc.	Testing results	2016	5 years
1303 State and Federal Compliance Reports: Wastewater Treatment Plant	Filed reports	2016	5 years
1304 Sewage Treatment Monitoring Reports	Lab results and monitoring	2016	5 years
1323 Backflow Prevention Testing Records	Documents tests to check for water contamination	2016	5 years
1401 Event Files	Records relating to the leasing of municipal facilities to various groups	2016	5 years after cancellation or expiration of lease
1403/1404 Facility Event and Recreation Program Scheduling and Reservation File	Reservation and Scheduling records	2016	5 years
GS 020 Work Orders	Maintenance requests; Service requests; Service report; Application for Services	2018	3 years
GS 037 News Releases	May include news releases announcing routine events or	2019	2 years



Record Destruction Request Form

	actions carried out within the scope of existing policies.		
GS 038 Scrapbooks, Photographs and Clippings	Photos	2021	Retain as Needed
GS 076 Administrative Reports	Administrative Reports Internal	2007-2019	Completion of Audit
GS 032 Employee Benefit Records	Records may include but are not limited to: plan selection and application forms, enrollment records, contribution and deduction summaries, personal data records, authorizations, beneficiary information, year-end leave balance reports, and related documentation.	2017	Retain other records 3 years after employee separation or eligibility expired.



Vendor	Added	Added User	Deleted	Deleted User
07554 - 1Smartlife, LLC	11/05/2021	SHERRI WOODS		
07555 - Westbury Gardens LLC	11/05/2021	SHERRI WOODS	11/05/2021	SHERRI WOODS
07557 - Dinges Partners Group LLC	11/08/2021	SHERRI WOODS		
07558 - HDMS LLC	11/17/2021	Meghin Cook		
07559 - Street Decor, Inc	11/17/2021	Meghin Cook		
07560 - Spec-Tech Industrial Electric	11/23/2021	SHERRI WOODS		
07561 - Jake Wilburn	12/02/2021	SHERRI WOODS		
07562 - Accurate Excavating of SW MO, Inc	12/02/2021	SHERRI WOODS		
07563 - Ricardo Morales	12/07/2021	SHERRI WOODS		
07564 - Amanda B Burks	12/07/2021	SHERRI WOODS		
07565 - Mattison S Garbee	12/07/2021	SHERRI WOODS		
07567 - Carolyn Rost	12/07/2021	SHERRI WOODS		
07568 - Elisabeth G Creech	12/07/2021	SHERRI WOODS		
07569 - Lisa W Littlejohn	12/07/2021	SHERRI WOODS		
07570 - Emelia G Hansen	12/07/2021	SHERRI WOODS		
07571 - Kailea M Mooney	12/07/2021	SHERRI WOODS		
07572 - Timothy Lewis	12/07/2021	SHERRI WOODS		
07573 - Rebekah M Price	12/07/2021	SHERRI WOODS		
07574 - Darin R Points	12/07/2021	SHERRI WOODS		
07575 - Randy J Knight	12/07/2021	SHERRI WOODS		
07576 - Leonardo Casillas Cortez	12/07/2021	SHERRI WOODS		
07577 - Dawn Marie Myers	12/07/2021	SHERRI WOODS		
07578 - Corey L Rackers	12/07/2021	SHERRI WOODS		
07579 - Nya A Day	12/07/2021	SHERRI WOODS		
07580 - William G Schmidt	12/07/2021	SHERRI WOODS		
07581 - Christina V Lamore	12/07/2021	SHERRI WOODS		
07582 - Daniel Kotov	12/07/2021	SHERRI WOODS		
07583 - Bradley Youngmen	12/07/2021	SHERRI WOODS		
07584 - Judy A Hakanson	12/07/2021	SHERRI WOODS		
07585 - Joshua C Robertson	12/07/2021	SHERRI WOODS		
07586 - Amahra L Cole	12/07/2021	SHERRI WOODS		
07587 - Dawn Michelle Allen	12/07/2021	SHERRI WOODS		
07588 - Dre C Sitton	12/07/2021	SHERRI WOODS		
07589 - Ronnie D Shepard	12/07/2021	SHERRI WOODS		
07590 - Cortney Nichol Braughton	12/07/2021	SHERRI WOODS		
07591 - McKinely R Woods	12/07/2021	SHERRI WOODS		
07592 - Tylar J Hall	12/07/2021	SHERRI WOODS		
07593 - Marshal L Kemp	12/07/2021	SHERRI WOODS		
07594 - Alyssa N Hanson	12/07/2021	SHERRI WOODS		
07595 - Ashley N Stecker	12/07/2021	SHERRI WOODS		
07596 - Seth Jones	12/07/2021	SHERRI WOODS		
07597 - Tracy J Wilson	12/07/2021	SHERRI WOODS		
07598 - Halie M Meyer	12/07/2021	SHERRI WOODS		
07599 - Deserick W Bremer	12/07/2021	SHERRI WOODS		
07600 - Josiah A Peacock	12/07/2021	SHERRI WOODS		
07601 - Heidi Ann Johnson	12/07/2021	SHERRI WOODS		
07602 - Blaise U Seraiah	12/07/2021	SHERRI WOODS		
07603 - Jaden W Hicks	12/07/2021	SHERRI WOODS		
07604 - Mackenzie L Watson	12/07/2021	SHERRI WOODS		
07605 - Michael Angelo Typaldos	12/07/2021	SHERRI WOODS		
07606 - Rodrick C Johnson	12/07/2021	SHERRI WOODS		
07607 - Laveta K Lugenbell	12/07/2021	SHERRI WOODS		
07608 - Perry L Jones	12/07/2021	SHERRI WOODS		
07609 - Dallas Jarred Wright	12/07/2021	SHERRI WOODS		

Vendor	Added	Added User	Deleted	Deleted User
07610 - Edward J Gathright	12/07/2021	SHERRI WOODS		
07611 - Troy Davis	12/07/2021	SHERRI WOODS		
07612 - Noah L Ramsey	12/07/2021	SHERRI WOODS		
07613 - Kaitlyn Marie Willis	12/07/2021	SHERRI WOODS		
07614 - Dalton Cade Eutsler	12/07/2021	SHERRI WOODS		
07615 - Dustin D Heumader	12/07/2021	SHERRI WOODS		
07616 - Jessica K Marquez	12/07/2021	SHERRI WOODS		
07617 - Chanda R McCrary	12/07/2021	SHERRI WOODS		
07618 - Michael D Miller	12/07/2021	SHERRI WOODS		
07619 - Trevor R Porter	12/07/2021	SHERRI WOODS		
07620 - Trevor Ward Daniel	12/07/2021	SHERRI WOODS		
07621 - Chelsi L King	12/07/2021	SHERRI WOODS		
07622 - William Cody Loonsfoot	12/07/2021	SHERRI WOODS		
07623 - Marlee Montgomery	12/07/2021	SHERRI WOODS		
07624 - Joshua Alik Thompson	12/07/2021	SHERRI WOODS		
07625 - Tara Dawn Shoemaker	12/07/2021	SHERRI WOODS		
07626 - Sofia Minaca	12/07/2021	SHERRI WOODS		
07627 - Eriana Kay Alexander	12/07/2021	SHERRI WOODS		
07628 - Brea N Benedict	12/07/2021	SHERRI WOODS		
07629 - Brittney D Cross	12/07/2021	SHERRI WOODS		
07630 - Aspen R Clements	12/07/2021	SHERRI WOODS		
07631 - Hannah Elizabeth Rusch-JOnes	12/07/2021	SHERRI WOODS		
07632 - Alexis Marie Gale	12/07/2021	SHERRI WOODS		
07633 - Kincade M Christman	12/07/2021	SHERRI WOODS		
07634 - Caleb Mitchell Roussel	12/07/2021	SHERRI WOODS		
07635 - Victor Ruiz-Hernandez	12/07/2021	SHERRI WOODS		
07636 - Todd J Sylvester	12/07/2021	SHERRI WOODS		
07637 - James Anthony Malicoat	12/07/2021	SHERRI WOODS		
07638 - Shawn Daniel Wilkerson	12/07/2021	SHERRI WOODS		
07639 - Michael Eugene Daniels	12/07/2021	SHERRI WOODS		
07640 - Jacob Robert Logan	12/07/2021	SHERRI WOODS		
07641 - Paula D Willard	12/07/2021	SHERRI WOODS		
07642 - Zachary I Goodman	12/07/2021	SHERRI WOODS		
07643 - Gregoria Ajtun-Garcia	12/07/2021	SHERRI WOODS		
07644 - Levi Craig Lawson	12/07/2021	SHERRI WOODS		
07645 - Chirag K Patel	12/07/2021	SHERRI WOODS		
07646 - Charles K McFall	12/07/2021	SHERRI WOODS		
07647 - Mary E Gomez	12/07/2021	SHERRI WOODS		
07648 - Lakin Marie Waggoner	12/07/2021	SHERRI WOODS		
07649 - Jaime H Moreno	12/07/2021	SHERRI WOODS		
07650 - Eric S Whitten	12/07/2021	SHERRI WOODS		
07651 - Bailee Jewell Allen	12/07/2021	SHERRI WOODS		
07652 - Adam Paul Carter	12/07/2021	SHERRI WOODS		
07653 - Tiffany Elizabeth Peters	12/07/2021	SHERRI WOODS		
07654 - Shawn Kyle Berry	12/07/2021	SHERRI WOODS		
07655 - Carli Dawn Wycuff	12/07/2021	SHERRI WOODS		
07656 - Jeneen Deolinda Hockersmith	12/07/2021	SHERRI WOODS		
07657 - Austin J Skidmore	12/07/2021	SHERRI WOODS		
07658 - Steven S Flatt	12/07/2021	SHERRI WOODS		
07659 - Marion Eileen Simmons	12/07/2021	SHERRI WOODS		
07660 - Richard L Bodenhamer	12/07/2021	SHERRI WOODS		
07661 - Joshua J Baker	12/07/2021	SHERRI WOODS		
07662 - Myra Kaye Bridges	12/07/2021	SHERRI WOODS		
07663 - Christopher Small	12/07/2021	SHERRI WOODS		
07664 - Colby S Stowell	12/07/2021	SHERRI WOODS		
07665 - David N Tate	12/07/2021	SHERRI WOODS		
07666 - Micah A Cunningham	12/07/2021	SHERRI WOODS		
07667 - Skylar G Schmidt	12/07/2021	SHERRI WOODS		
07668 - Jason Matthew Newberry	12/07/2021	SHERRI WOODS		
07669 - Devin Oneal Trice	12/07/2021	SHERRI WOODS		
07670 - Bobbie L Dodson	12/07/2021	SHERRI WOODS		
07671 - James William Solomon	12/07/2021	SHERRI WOODS		

Vendor	Added	Added User	Deleted	Deleted User
07672 - Christopher Scott Cole	12/07/2021	SHERRI WOODS		
07673 - Chrystal D Daugherty	12/07/2021	SHERRI WOODS		
07674 - Dominick Edward Baldwin	12/07/2021	SHERRI WOODS		
07675 - Mark Robert Ross	12/07/2021	SHERRI WOODS		
07676 - Allison Ann Liccardi	12/08/2021	Verniquia Foster		
07677 - Charles Leo Wilson	12/08/2021	Verniquia Foster		
07678 - Sean R. Green	12/08/2021	Verniquia Foster		
07679 - James Dean Ryan	12/08/2021	Verniquia Foster		
07680 - Anthony R Sloan	12/08/2021	Verniquia Foster		
07682 - Rayne L Browning	12/08/2021	Verniquia Foster		
07683 - GT Distributors	12/08/2021	SHERRI WOODS		
07684 - Ozark Trails Council Inc	12/08/2021	SHERRI WOODS		
07685 - Joshua E Carlson	12/08/2021	Verniquia Foster		
07686 - Savanna Marie Rosa	12/08/2021	Verniquia Foster		
07687 - TPA Investment Enterprises	12/08/2021	SHERRI WOODS		
07688 - William Shane Bain	12/08/2021	Verniquia Foster		
07689 - Cortney C. Colvard	12/08/2021	Verniquia Foster		
07690 - Sierra Marie Brown	12/08/2021	Verniquia Foster		
07691 - Jeremiah J Rosa	12/08/2021	Verniquia Foster		
07692 - Jose Salgado	12/08/2021	Verniquia Foster		
07693 - Jordan Grant Butterfield	12/08/2021	Verniquia Foster		
07694 - Kylie E Stepp	12/08/2021	Verniquia Foster		
07695 - Jack M Pendergrass	12/08/2021	Verniquia Foster		
07696 - Clay Douglas Grisham	12/08/2021	Verniquia Foster		
07697 - Matthew R Benton	12/08/2021	Verniquia Foster		
07698 - Kyle A Massengill	12/08/2021	Verniquia Foster		
07699 - Kyle Gavin	12/08/2021	Verniquia Foster		
07700 - Tanner Ray Matney	12/08/2021	Verniquia Foster		
07701 - Sara M Longwell	12/08/2021	Verniquia Foster		
07702 - Annette L Ahart	12/08/2021	Verniquia Foster		
07703 - Steven M Lane	12/08/2021	Verniquia Foster		
07704 - Kristie L Boehne	12/08/2021	Verniquia Foster		
07705 - Ryan Horton	12/08/2021	Verniquia Foster		
07706 - Emma R Collings	12/08/2021	Verniquia Foster		
07707 - Briana Nicole Stephens	12/08/2021	Verniquia Foster		
07708 - Leah M Diaz	12/08/2021	Verniquia Foster		
07709 - Cassandra J Goodman	12/08/2021	Verniquia Foster		
07710 - Bobbie J Herrera	12/08/2021	Verniquia Foster		
07711 - Dylan C Tindle	12/08/2021	Verniquia Foster		
07712 - Shirley M Jacobsen	12/08/2021	Verniquia Foster		
07713 - London C Stotts	12/08/2021	Verniquia Foster		
07714 - Jess Willard Cypret	12/08/2021	Verniquia Foster		
07715 - Mitchell Cameron Brooks	12/08/2021	Verniquia Foster		
07716 - Katelynn Carmen Bieberitz	12/08/2021	Verniquia Foster		
07717 - Morgan Peeters	12/08/2021	Verniquia Foster		
07718 - Russell Dale Hogan	12/08/2021	Verniquia Foster		
07719 - Christopher J Petrie	12/08/2021	Verniquia Foster		
07720 - Dustin James King	12/08/2021	Verniquia Foster		
07721 - Tyler Zan Haynes	12/09/2021	Verniquia Foster		
07723 - Kaylynn N Stubblefield	12/09/2021	Verniquia Foster		
07724 - REDEC LLC	12/09/2021	SHERRI WOODS		
07725 - Thomas Cole Buxton	12/09/2021	Verniquia Foster		
07726 - Christopher J Groesbeck	12/09/2021	Verniquia Foster		
07727 - Bawi Z Thang	12/09/2021	Verniquia Foster		
07728 - Timi Alanna Poole	12/09/2021	Verniquia Foster		
07729 - Brandon Scott Arnett	12/09/2021	Verniquia Foster		
07730 - Jeffrey S Miller	12/09/2021	Verniquia Foster		
07731 - Julie L Andsager	12/09/2021	Verniquia Foster		
07732 - Andrew L Michalak	12/09/2021	Verniquia Foster		
07733 - Joshua G Pittser	12/09/2021	Verniquia Foster		
07734 - Brandon Ray Tillman	12/09/2021	Verniquia Foster		
07735 - Trisha Leeann Johnson	12/09/2021	Verniquia Foster		

Vendor	Added	Added User	Deleted	Deleted User
07736 - Trent Arron Huffman	12/09/2021	Verniquia Foster		
07737 - Keith Anthony Hall	12/09/2021	Verniquia Foster		
07738 - Wendy Chantell Mcatee	12/09/2021	Verniquia Foster		
07739 - Annie N Webb	12/09/2021	Verniquia Foster		
07740 - Michael Ryan Arnold	12/09/2021	Verniquia Foster		
07741 - Brandon Walker palmer	12/09/2021	Verniquia Foster		
07742 - Jennifer Sue Haege	12/09/2021	Verniquia Foster		
07743 - Joey A Rippee	12/09/2021	Verniquia Foster		
07744 - Eric Joseph Blankenau	12/09/2021	Verniquia Foster		
07745 - Rhonda K Thomas	12/09/2021	Verniquia Foster		
07746 - Justin S Sekscinski	12/09/2021	Verniquia Foster		
07747 - Jason Cole Cottrell	12/09/2021	Verniquia Foster		
07748 - Sherry Lynn Harvill	12/09/2021	Verniquia Foster		
07749 - Travis Matthew Sutherland	12/09/2021	Verniquia Foster		
07750 - Shylah K Brisco	12/09/2021	Verniquia Foster		
07751 - Stephanie Michelle Smith	12/09/2021	Verniquia Foster		
07752 - Joshua P Gray	12/09/2021	Verniquia Foster		
07753 - Zachary Ethan Mcintosh	12/09/2021	Verniquia Foster		
07754 - Lawrence B Williams	12/09/2021	Verniquia Foster		
07755 - Jennifer Lynn Pintar	12/09/2021	Verniquia Foster		
07756 - Cody Glen Adkins	12/09/2021	Verniquia Foster		
07757 - Bruce Allen Marks	12/09/2021	Verniquia Foster		
07758 - James G McDaniel	12/09/2021	Verniquia Foster		
07759 - Steven Daniel Bingham	12/09/2021	Verniquia Foster		
07760 - Ross K Davis	12/09/2021	Verniquia Foster		
07761 - Dane Ray Hoggatt	12/09/2021	Verniquia Foster		
07762 - James Levi Cromer	12/09/2021	Verniquia Foster		
07763 - Janice M Severns	12/09/2021	Verniquia Foster		
07766 - Joshua David Fultz	12/09/2021	Verniquia Foster		
07767 - Melissa Lucille Webb	12/09/2021	Verniquia Foster		
07768 - Austin Lee Allen	12/09/2021	Verniquia Foster		
07769 - Michael Antonio Covino	12/09/2021	Verniquia Foster		
07770 - Larry Caudle	12/15/2021	SHERRI WOODS		
07771 - Buddy's Auto Mall LLC	12/16/2021	SHERRI WOODS		
07772 - Curators of The University of Missouri	12/16/2021	SHERRI WOODS		
07773 - CFLR Auto LLC	12/16/2021	SHERRI WOODS		
07774 - BJS Trophy Shop	12/20/2021	SHERRI WOODS		
07775 - Kenneth McDowell	12/21/2021	SHERRI WOODS		
07776 - Stephanie Shea	12/21/2021	SHERRI WOODS		
07777 - Frazier Underground LLC	12/27/2021	SHERRI WOODS		
8947 - Members Only LLC				

Vendor Count: (219)



AGENDA ITEM ANALYSIS

Project/Issue Name: 21-78 An Ordinance of the City Council of the City of Republic, Missouri, Amending the Zoning Code and Official Map by Changing the Classification of Approximately 14.04 Acres, From Planned Development District (PDD) to General Commercial (C-2), Located at the 600 Block of West Civic Boulevard.

Submitted By: Chris Tabor, Principal Planner, BUILDS Department

Date: January 4, 2022

Issue Statement

Wilmoth Oil Co, LLC has applied to change the Zoning Classification of approximately **14.04 acres** of property situated at the termination of West Civic Boulevard from Planned Development District (PDD) to **General Commercial (C-2)**.

Discussion and/or Analysis

The property subject to this Rezoning Application is currently vacant. The Applicant has expressed their intent to develop on the property.

The property is currently zoned as part of the greater Frisco Square Planned Development District. Existing uses allowed on the property include Local Commercial (C-1), High-Density Single Family Residential (R1-H) and Multi-Family (R3), as well as a small portion of Agricultural (AG) – all of which are referenced in the Frisco Square Development Plan.

The following paragraphs contain brief analyses of present site conditions as well as the proposal's relationship to **adopted plans of the City**.

Consistency with the Comprehensive Plan

The City's Comprehensive Plan generally encourages the expansion of commercial development through proactive Rezoning of land at appropriate locations. Appropriate locations are described generally throughout the Plan, with regard to the **relationship of land at particular locations to infrastructure capable of supporting various intensities and densities of uses**.

- **Section:** Coordinate with Infrastructure
 - **Goal 1:** Support new development that is well-connected to the existing community.
 - **Objective 1B:** Promote development aligning with current adopted plans of the City. The intensity of uses should match the capacity of infrastructure to serve.

- **Goal 2:** Recognize potential infill sites as opportunities for development, while mitigating impacts to adjacent established properties.
 - **Objective 1A:** Support the development of vacant parcels as opportunities for densification that is harmonious with surrounding development.

The rezone of this parcel is in line with area development. City water and sanitary sewer will be required for development of the parcel.

The general trend in the vicinity of the subject property, off US Highway 60, is development and redevelopment of commercial properties of low to middling intensity.

Compatibility with Surrounding Land Uses

The subject property is surrounded by the Frisco Square Planned Development District to the northeast (across Illinois Ave.), General Commercial (C-2) to the northwest, and Medium-Density Single Family Residential (R1-M) to the south. The single-family properties consist of twelve lots in Lakeside Estates (1st and 2nd Additions).

The land uses permitted in the General Commercial (C-2) Zoning District include high intensity commercial uses; as well as the lower intensity commercial uses found in the Local Commercial (C-1) zoning district.

Capacity to Serve Potential Development and Land Use

Municipal Water and Sewer Service:

The parcel has access to a 10" water main running along the property on the south side of W Frisco Blvd. Alternatively, a 10" water main runs on the far (east) side of S Illinois Ave.

The subject parcel is in proximity to an 8" sanitary sewer main that runs along property lines to the east and south. Sewer would flow to the Woodland Park Lift Station, Lift Station 2, and then to the Wastewater Treatment Plant.

Transportation:

The parcel is expected to utilize access to S Illinois Ave.

No Traffic Impact Study (TIS) was required with this rezone due to reduction in trip generation the rezone represents when compared to the existing allowable uses provided for by the Frisco Square Planned Development District.

Floodplain: The subject parcel **does not** contain a Special Flood Hazard Area (SFHA/Floodplain).

Sinkholes: The subject property **does not** contain any identified sinkholes.



Recommended Action

Staff considers the **proposed Zoning Map Amendment (Rezoning)** to be generally consistent with the **goals and objectives of the Comprehensive Plan**, consistent with the **trend of development in the vicinity of the site, compatible with surrounding land uses, and able to be adequately served by municipal facilities**. Based upon this analysis (performed without the benefit of evidence and testimony of a public hearing), **Staff recommends the approval of this application.**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AMENDING THE ZONING CODE AND OFFICIAL MAP BY CHANGING THE CLASSIFICATION OF APPROXIMATELY 14.04 ACRES FROM PLANNED DEVELOPMENT DISTRICT (PDD) TO GENERAL COMMERCIAL (C-2), LOCATED AT THE 600 BLOCK OF WEST CIVIC BOULEVARD

WHEREAS, the City of Republic, Missouri, (“City” or “Republic”) is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

WHEREAS, an application for an amendment to the Zoning Code and Official Zoning Map to rezone real estate located at the 600 Block of West Civic Boulevard, and comprising approximately 14.04 acres from Planned Development District (PDD) to General Commercial (C-2), was submitted to the City’s BUILDS Department by Wilmoth Oil Company LLC (“Applicant”); and

WHEREAS, the City did thereafter submit said application to the Planning and Zoning Commission, which did set December 6, 2021, as the date a public hearing would be held on such application and proposed amendment; and

WHEREAS, a notice of the time and date of the public hearing was given by publication on November 17, 2021, in the Greene County Commonwealth, a newspaper of general circulation in the City, such notice being at least fifteen (15) days before the date set for the public hearing; and

WHEREAS, the City gave notice of such public hearing to the record owners of all properties within the area proposed to be rezoned and within 185 feet of the property proposed to be rezoned; and

WHEREAS, a public hearing was conducted by the Planning and Zoning Commission on December 6, 2021, after which the Commission rendered written findings of fact on the proposed amendment and rezoning and, thereafter, submitted the same, together with its recommendations, to the Council; and

WHEREAS, the Planning and Zoning commission, by a vote of 5 Ayes to 0 Nay, recommended the approval of such application for rezoning; and

WHEREAS, the application for rezoning and to amend the Zoning Code and Official Zoning Map was submitted to the City Council at its regular meeting on January 4, 2021, after which the City Council did proceed to vote to rezone such property and amend the Zoning Code accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:

Section 1: The Zoning Code and Official Zoning Map are hereby amended insofar as the same relates to a certain tract of realty located at the 600 Block of West Civic Boulevard, and comprising approximately fourteen acres and four hundredths of an acre from Planned Development District (PDD) to General Commercial (C-2), such tract being more fully described as follows:

ALL OF TRACT 2 OF THE MINOR SUBDIVISION OF COX-DAVIS SUBDIVISION FILED IN RECORD BOOK 2021, AT PAGE 037510-21, IN THE RECORDER'S OFFICE, GREENE COUNTY, MISSOURI, LOCATED IN SECTION THIRTY (30), TOWNSHIP TWENTY-EIGHT (28) NORTH, RANGE TWENTY-THREE (23) WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EXISTING MONUMENT AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 30: THENCE, N87°34'46"W, ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 30.24 FEET TO A SET 1/2" IRON PIN WITH A CAP STAMPED "WLS LSC 370", SAID POINT.

BEING ON THE APPARENT WEST RIGHT-OF-WAY LINE OF ILLINOIS AVENUE, AND THE POINT OF THE BEGINNING; THENCE CONTINUING N87°34' 46" W, ALONG SAID SOUTH LINE, SAID LINE ALSO BEING THE NORTH LINE OF LAKESIDE ESTATES ADDITION, AND LAKESIDE ESTATES SECOND ADDITION, BOTH BEING RECORDED SUBDIVISIONS IN THE CITY REPUBLIC, GREENE COUNTY, MISSOURI, A DISTANCE OF 1294.30 FEET TO AN EXISTING STONE, SAID POINT BEING THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID NORTHWEST 1/4 ; THENCE N87°25'23"W, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID NORTHWEST 1/4 , A DISTANCE OF 144.66 FEET TO AN EXISTING 5/8" IRON PIN WITH A CAP STAMPED "LS241D", SAID POINT BEING ON THE PROPOSED SOUTHERLY RIGHT-OF-WAY LINE OF FRISCO BOULEVARD; THENCE, ALONG SAID PROPOSED SOUTHERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING TWO (2) DESCRIBED COURSES; THENCE, N49°17'04" E, A DISTANCE OF 1135.37 FEET, TO A SET 1/2" IRON PIN WITH A CAP STAMPED "WLS LSC 370", AND A POINT OF CURVATURE TO THE RIGHT; THENCE, ALONG SAID CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 19.00 FEET, AND ARC DISTANCE OF 29.82 FEET A CENTRAL ANGLE OF 89°56'18", ALONG A CHORD BEARING S85°44'44"E, A CHORD DISTANCE OF 26.86 FEET TO A SET 1/2" IRON PIN WITH A CAP STAMPED "WLS LSC 370" ON THE APPARENT WEST RIGHT-OF-WAY LINE OF ILLINOIS AVENUE; THENCE, ALONG SAID APPARENT WEST RIGHT-OF-WAY LINE FOR THE FOLLOWING SEVEN(7) DESCRIBED COURSES; THENCE, S40°46'35" E, A DISTANCE OF 361.29 FEET TO A SET 1/2" IRON PINE WITH A CAP STAMPED "WLC LSC 370", AND A POINT OF CURVATURE TO THE RIGHT; THENCE, ALONG SAID CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 19.00 FEET, AN ARC DISTANCE OF 29.85 FEET, A CENTRAL ANGLE OF 89°59'59", ALONG A CHORD BEARING S04°13'35"W, A CHORD DISTANCE OF 26.87 FEET, TO A SET 1/2" IRON PIN WITH A CAP STAMPED "WLS LSC 370": THENCE, S40°46'35" E, A DISTANCE OF 50.00 FEET TO A SET 1/2" IRON PIN WITH A CAP STAMPED "WLC LSC 370", AND A POINT OF NON-TANGENT CURVATURE TO THE RIGHT; THENCE, ALONG SAID NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 19.00 FEET; AN ARC DISTANCE OF 29.85 FEET, A

CENTRAL ANGLE OF 90°00'53", ALONG A CHORD BEARING S85°47'01"E, A CHORD DISTANCE OF 26.87 FEET TO A SET 1/2" IRON PIN WITH A CAP STAMPED "WLS LSC 370"; THENCE S40°46'35"E, A DISTANCE OF 295.70 FEET TO A SET 1/2" IRON PIN WITH A CAP STAMPED "WLS LSC 370", AND A POINT OF CURVATURE TO THE RIGHT; THENCE, ALONG SAID CURVE TO THE RIGHT, SAID CURVE HAVING A RADUS OF 270.00 FEET, AN ARC DISTANCE OF 200.98 FEET, A CENTRAL ANGLE OF 42°38'57", ALONG CHORD BEARING S19°27'10"E, A CHORD DISTANCE OF 196.37 FEET; THENCE, S01°52'19"W, A DISTANCE OF 50.49 FEET TO THE POINT OF BEGINNING.

Section 2: In all other aspects other than those herein amended, modified, or changed, the Zoning Code and Official Zoning Map shall remain the same and continue in full force and effect.

Section 3: The whereas clauses are hereby specifically incorporated herein by reference.

Section 4: This Ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this _____ day of _____, 20____.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

DocuSigned by:
Damon Phillips
11F90D87116B4F4...

12/8/2021

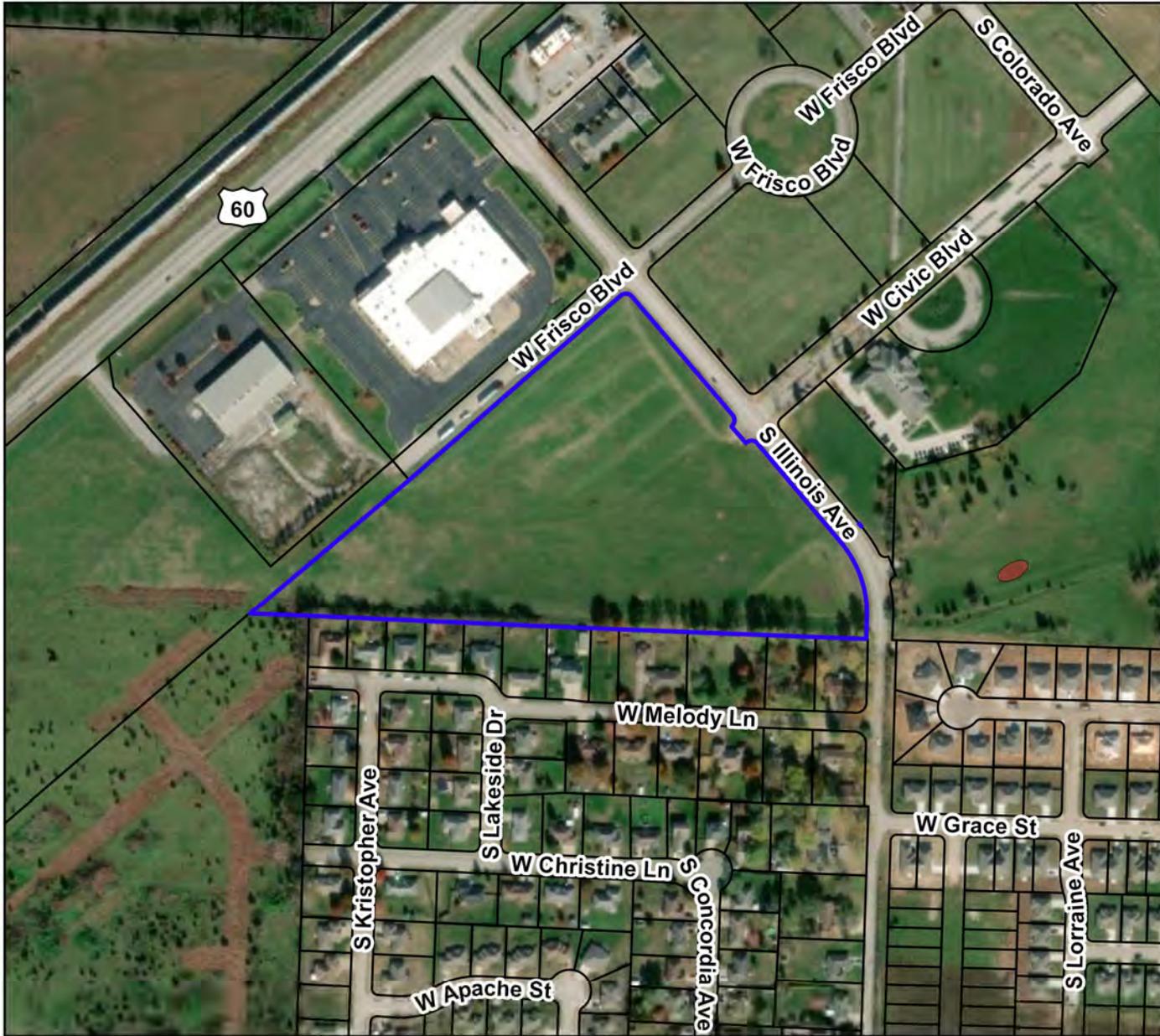
Approved as to Form: _____

Final Passage and Vote: _____

REZN 21-014: Wilmoth Oil Company LLC

Item 4.

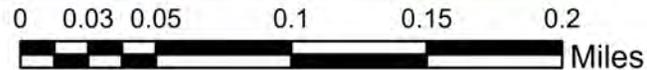
Vicinity Map



Legend

- Parcels
- Sinkhole
- Floodplain
- Wilmoth_Oil_Property

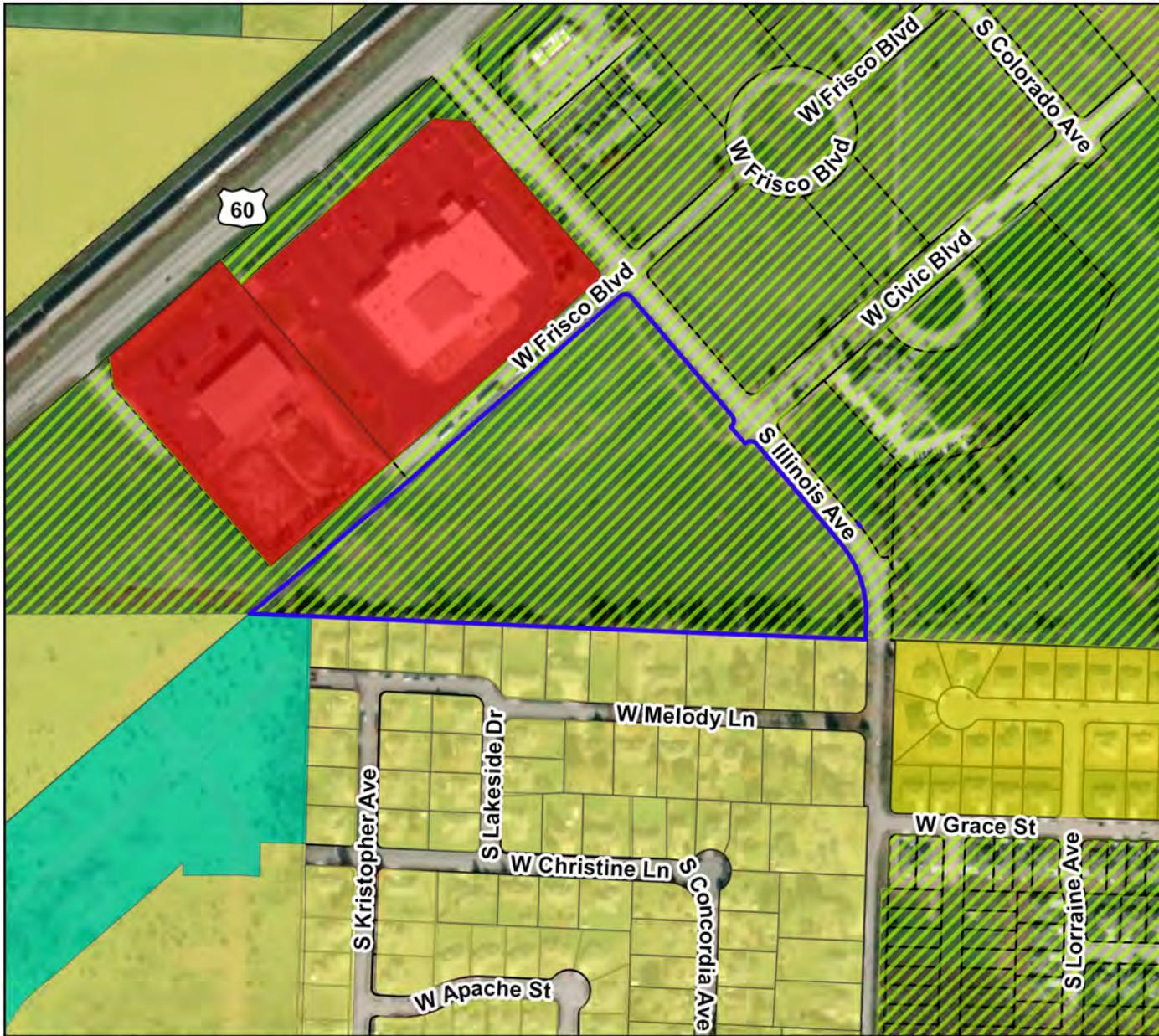
Parcel Owner: Wilmoth Oil Company LLC
Parcel Address: 600 Block of W Civic Ave
Area: 14.04 Acres
Existing Zoning: Planned Development District (PDD)
Requested Zoning: General Commercial (C-2)



REZN 21-014: Wilmoth Oil Company LLC

Item 4.

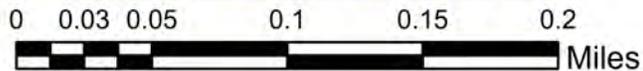
Zoning Map



Legend

- Parcels
- Zoning**
- AG Agricultural
- C-1 Commercial
- C-2 General Commercial
- C-3 General Commercial
- M-1 Light Manufacturing
- M-2 Heavy Manufacturing
- PDD Planned Development
- R1-L Single Family Low Density
- R1-M Single Family Medium Density
- R1-H Single Family High Density
- R1-Z Zero Lot Line Residential
- R-2 Two-family Residential
- R-3 Multi-family Residential
- Wilmoth_Oil_Property

Parcel Owner: Wilmoth Oil Company LLC
 Parcel Address: 600 Block of W Civic Ave
 Area: 14.04 Acres
 Existing Zoning: Planned Development District (PDD)
 Requested Zoning: General Commercial (C-2)





Findings of Fact

Date of Hearing:

12/06/2021

Time:

6:00PM

Type of Application:

Rezone

Name of Applicant:

Wilmoth Oil Company LLC (REZN 21-014)

Location:

City Council Chambers

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

Based on these findings, I have concluded to recommend the application to the City Council for:

Approval Denial

Commissioner Name:

Darren Campbell

Commissioner Signature:

Darren Campbell

Date:

12-6-21



Findings of Fact

Date of Hearing:

Time:

Type of Application:

12/06/2021

6:00PM

Rezone

Name of Applicant:

Location:

Wilmoth Oil Company LLC (REZN 21-014)

City Council Chambers

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

Based on these findings, I have concluded to recommend the application to the City Council for:

Approval Denial

Commissioner Name:

Commissioner Signature:

Date:

CYNTHIA HYDER

C. Hyder

12/6/2021



Findings of Fact

Date of Hearing: Time: Type of Application:

Name of Applicant: Location:

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

Appropriate to rezone.

Based on these findings, I have concluded to Approval Denial recommend the application to the City Council for:

Commissioner Name: Commissioner Signature: Date:



Findings of Fact

Date of Hearing: Time: Type of Application:

Name of Applicant: Location:

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

*Wants to develop storage unit facilities
 400-500 storage units
 6-12 months to get started
 - Property was a PDS in the land use plan*

Based on these findings, I have concluded to recommend the application to the City Council for: Approval Denial

Commissioner Name: Commissioner Signature: Date:



Findings of Fact

Date of Hearing:

Time:

Type of Application:

12/06/2021

6:00PM

Rezone

Name of Applicant:

Location:

Wilmoth Oil Company LLC (REZN 21-014)

City Council Chambers

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

Adjacent to other C-2 property
 Consistent with zoning trends for development

Storage Facility
 3-400 units
 Some climate controlled
 Gated + Land scaped

Based on these findings, I have concluded to recommend the application to the City Council for:

Approval Denial

Commissioner Name:

Commissioner Signature:

Date:

Brian Doubrava

12-6-21



AGENDA ITEM ANALYSIS

Project/Issue Name: 21-79 An Ordinance of the City Council of the City of Republic, Missouri, Approving Amending the Zoning Code and Official Map by Changing the Classification of Approximately 0.46 Acres from Medium-Density Single Family (R1-M) to Heavy Manufacturing (M-2), Located at the 1200 Block of South State Highway MM.

Submitted By: Chris Tabor, Principal Planner, BUILDS Department

Date: January 4, 2022

Issue Statement

Monett Apartments, LLC has applied to change the Zoning Classification of approximately **0.46 acres** of property located at the 1200 Block of South State Highway MM from Medium-Density Single Family Residential (R1-M) to **Heavy Manufacturing (M-2)**.

Discussion and/or Analysis

The property subject to this Rezoning Application is currently vacant. The Applicant has expressed their intent to develop on the property.

The following paragraphs contain brief analyses of present site conditions as well as the proposal's relationship to **adopted plans of the City**.

Consistency with the Comprehensive Plan

The City's Comprehensive Plan generally encourages the expansion of commercial development through proactive Rezoning of land at appropriate locations. Appropriate locations are described generally throughout the Plan, with regard to the **relationship of land at particular locations to infrastructure capable of supporting various intensities and densities of uses**.

- **Section:** Coordinate with Infrastructure
 - **Goal 1:** Support new development that is well-connected to the existing community.
 - **Objective 1B:** Promote development aligning with current adopted plans of the City. The intensity of uses should match the capacity of infrastructure to serve.
 - **Goal 3:** Encourage the redevelopment and integration of the former Brookline area.
 - **Objective 3B:** Support the development of an industrial/commercial center where infrastructure and transportation exist.

The rezone of this parcel is in line with City and regional planned improvements along the State Highway MM corridor. City water and sanitary sewer will be required for development of the parcel, which will



increase opportunities for access by adjacent parcels. Certain traffic improvements will be required in accordance with Traffic Impact Study results.

The general trend in the vicinity of the subject property, along State Highway MM, is new construction and redevelopment of industrial and commercial projects of high to middling intensity.

Compatibility with Surrounding Land Uses

The subject property is surrounded by Medium Density Single Family Residential (R1-M) to the north Heavy Manufacturing (M-2) on the south, and west, and Agricultural (AG) across State Highway MM to the east.

The land uses permitted in the Heavy Manufacturing (M-2) Zoning District include industrial and manufacturing uses of high intensity, as well as uses listed under Local Commercial (C-1), General Commercial (C-2 and C-3), and Light Manufacturing (M-1).

Capacity to Serve Potential Development and Land Use

The Applicant plans to work with surrounding development to provide utilities and transportation collectively. The following passages describe the improvements as intended to serve the larger whole.

Municipal Water and Sewer Service:

The parcel is in proximity to a 12” water main serving Murphy Tractor on the south side of Farm Road 144. Development of the property will require the looping of water from its current location to serve the subject parcel.

Due to topography, the property is unable to gravity to an existing lift station. Instead, a new lift station will be constructed to serve the development. Sanitary sewer will then flow from the new lift station to the Brookline North Lift Station, Brookline South Lift Station, McElhane Lift Station, and Schuyler Creek Lift Station; it is will then be pumped from Schuyler Creek to the Wastewater Treatment Facility. The water system, named Lift Stations, and Wastewater Treatment Facility currently have capacity to serve the Applicant’s intended use.

Transportation:

The development will include a public street with access on Farm Road 144 and State Highway MM. A Traffic Impact Study (TIS) was required for the Rezoning Application. The Study Area of the TIS encompassed this and surrounding property in its evaluation since all parcels will utilize the same access points created by the new road – one at Farm Road 144 and one on State Highway MM.

The following recommendations resulted from the TIS:

- Intersection of State Highway MM and new public road
 - Designated northbound left and southbound right turn lane at State Highway MM and the new road.



- Eastbound left and right turning movements are separated out into individual lanes.
- Intersection of State Highway MM and Farm Road 144
 - Designated northbound left turn lane.

Floodplain: The subject parcel **does not** contain a Special Flood Hazard Area (SFHA/Floodplain).

Sinkholes: The subject property **does not** contain any identified sinkholes.

Recommended Action

Staff considers the **proposed Zoning Map Amendment (Rezoning)** to be generally consistent with the **goals and objectives of the Comprehensive Plan**, consistent with the **trend of development in the vicinity of the site, compatible with surrounding land uses, and able to be adequately served by municipal facilities**. Based upon this analysis (performed without the benefit of evidence and testimony of a public hearing), **Staff recommends the approval of this application.**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, APPROVING AMENDING THE ZONING CODE AND OFFICIAL MAP BY CHANGING THE CLASSIFICATION OF APPROXIMATELY 0.46 ACRES FROM MEDIUM-DENSITY SINGLE FAMILY (R1-M) TO HEAVY MANUFACTURING (M-2), LOCATED AT THE 1200 BLOCK OF SOUTH STATE HIGHWAY MM

WHEREAS, the City of Republic, Missouri, (“City” or “Republic”) is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

WHEREAS, an application for an amendment to the Zoning Code and Official Zoning Map to rezone real estate located at the 1200 block of South State Highway MM, and comprising approximately 0.46 acres from Medium-Density Single Family (R1-M) to Heavy Manufacturing (M-2), was submitted to the City’s BUILDS Department by Monett Apartments LLC (“Applicant”); and

WHEREAS, the City did thereafter submit said application to the Planning and Zoning Commission, which did set December 6, 2021, as the date a public hearing would be held on such application and proposed amendment; and

WHEREAS, a notice of the time and date of the public hearing was given by publication on November 17, 2021, in the Greene County Commonwealth, a newspaper of general circulation in the City, such notice being at least fifteen (15) days before the date set for the public hearing; and

WHEREAS, the City gave notice of such public hearing to the record owners of all properties within the area proposed to be rezoned and within 185 feet of the property proposed to be rezoned; and

WHEREAS, a public hearing was conducted by the Planning and Zoning Commission on December 6, 2021, after which the Commission rendered written findings of fact on the proposed amendment and rezoning and, thereafter, submitted the same, together with its recommendations, to the Council; and

WHEREAS, the Planning and Zoning commission, by a vote of 5 Ayes to 0 Nay, recommended the approval of such application for rezoning; and

WHEREAS, the application for rezoning and to amend the Zoning Code and Official Zoning Map was submitted to the City Council at its regular meeting on January 4, 2021, after which the City Council did proceed to vote to rezone such property and amend the Zoning Code accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:

Section 1: The Zoning Code and Official Zoning Map are hereby amended insofar as the same relates to a certain tract of realty located at the 1200 Block of South State Highway MM, and comprising approximately forty-six one-hundredths of an acre from Medium-Density Single Family (R1-M) to Heavy Manufacturing (M-2), such tract being more fully described as follows:

BEGINNING 417 FEET SOUTH AND 30 FEET WEST OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-NINE(29) NORTH, RANGE TWENTY-THREE (23) WEST, THENCE WEST 200 FEET, THENCE SOUTH 100 FEET, THENCE EAST 200 FEET, THENCE NORTH 100 FEET TO THE POINT OF BEGINNING, IN GREEN COUNTY, MISSOURI, EXCEPT ANY PART THEREOF DEEDED, TAKEN OR USED FOR ROAD PURPOSES.

Section 2: In all other aspects other than those herein amended, modified, or changed, the Zoning Code and Official Zoning Map shall remain the same and continue in full force and effect.

Section 3: The whereas clauses are hereby specifically incorporated herein by reference.

Section 4: This Ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this _____ day of _____, 20____.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

DocuSigned by:
Damon Phillips
11F90D87116B4F4...

12/8/2021

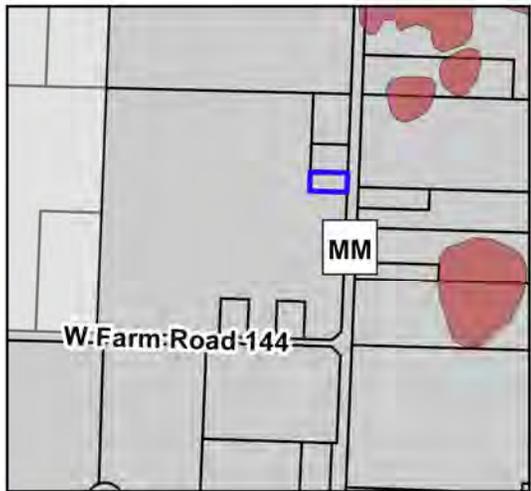
Approved as to Form: _____

Final Passage and Vote: _____

REZN 21-015: Monett Apartments LLC

Item 5.

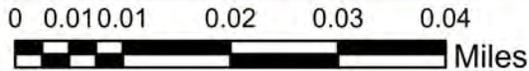
Vicinity Map



Legend

-  Monett Apartments Property
-  Parcels
-  Sinkhole
-  Floodplain

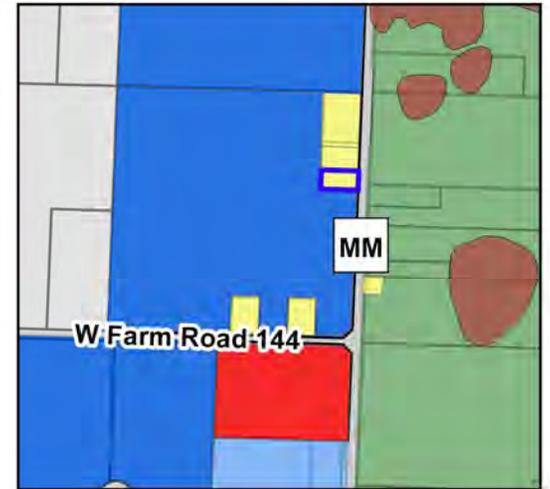
Parcel Owner: Monett Apartments LLC
Parcel Address: 1200 Block of South State Highway MM
Area: 0.46 Acres
Existing Zoning: Medium-Density Single Family Residential (R1-M)
Requested Zoning: Heavy Manufacturing (M-2)



REZN 21-015: Monett Apartments LLC

Item 5.

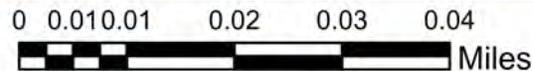
Zoning Map



Legend

- Monett Apartments Property
- Parcels
- Zoning**
- AG Agricultural
- C-1 Commercial
- C-2 General Commercial
- C-3 General Commercial
- M-1 Light Manufacturing
- M-2 Heavy Manufacturing
- PDD Planned Development
- R1-L Single Family Low Density
- R1-M Single Family Medium Density
- R1-H Single Family High Density
- R1-Z Zero Lot Line Residential
- R-2 Two-family Residential
- R-3 Multi-family Residential
- Sinkhole
- Floodplain

Parcel Owner: Monett Apartments LLC
Parcel Address: 1200 Block of South State Highway MM
Area: 0.46 Acres
Existing Zoning: Medium-Density Single Family Residential (R1-M)
Requested Zoning: Heavy Manufacturing (M-2)





Findings of Fact

Date of Hearing:

Time:

Type of Application:

12/06/2021

6:00PM

Rezoning

Name of Applicant:

Location:

Monett Apts (REZN 21-015)

City Council Chambers

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

Based on these findings, I have concluded to recommend the application to the City Council for:

Approval Denial

Commissioner Name:

Commissioner Signature:

Date:

Darran Campbell

Darran Campbell

12-21-21



Findings of Fact

Date of Hearing:

Time:

Type of Application:

12/06/2021

6:00PM

Rezone

Name of Applicant:

Location:

Monett Apts (REZN 21-015)

City Council Chambers

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

[Empty box for Statement of Relevant Facts Found]

Based on these findings, I have concluded to recommend the application to the City Council for:

- Approval
- Denial

Commissioner Name:

Commissioner Signature:

Date:

CYNTHIA HYDER

C. Hyder

12/6/2021



Findings of Fact

Date of Hearing:

Time:

Type of Application:

12/06/2021

6:00PM

Rezoning

Name of Applicant:

Location:

Monett Apts (REZN 21-015)

City Council Chambers

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

Appropriate Rezoning

Based on these findings, I have concluded to recommend the application to the City Council for:

Approval Denial

Commissioner Name:

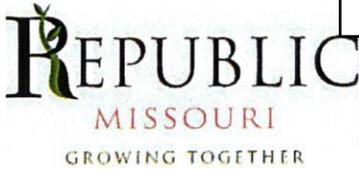
Commissioner Signature:

Date:

RAWSON A ELLIS III

RAWSON A ELLIS III

12/06/21



Findings of Fact

Date of Hearing: Time: Type of Application:

Name of Applicant: Location:

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

- New lift station will be constructed to serve development
 - No stoplights, just turn off lanes will be developed

Based on these findings, I have concluded to recommend the application to the City Council for: Approval Denial

Commissioner Name: Commissioner Signature: Date:



Findings of Fact

Date of Hearing:

Time:

Type of Application:

12/06/2021

6:00PM

Rezone

Name of Applicant:

Location:

Monett Apts (REZN 21-015)

City Council Chambers

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

Consistent w/ surrounding zoning + use planning

Based on these findings, I have concluded to recommend the application to the City Council for:

Approval Denial

Commissioner Name:

Commissioner Signature:

Date:

Ricard Doubrava

[Signature]

12-6-21

AGENDA ITEM ANALYSIS

Project/Issue Name: 21-80 An Ordinance of the City Council of the City of Republic, Missouri, Approving Amending the Zoning Code and Official Map by Changing the Classification of Approximately 0.69 Acres from Medium-Density Single Family (R1-M) to Heavy Manufacturing (M-2), Located at 1249 South State Highway MM.

Submitted By: Chris Tabor, Principal Planner, BUILDS Department

Date: January 4, 2022

Issue Statement

Monett Apartments, LLC has applied to change the Zoning Classification of approximately **0.69 acres** of property located at 1249 South State Highway MM from Medium-Density Single Family Residential (R1-M) to **Heavy Manufacturing (M-2)**.

Discussion and/or Analysis

The property subject to this Rezoning Application has a single-family home. The Applicant has expressed their intent to develop on the property.

The following paragraphs contain brief analyses of present site conditions as well as the proposal's relationship to **adopted plans of the City**.

Consistency with the Comprehensive Plan

The City's Comprehensive Plan generally encourages the expansion of commercial development through proactive Rezoning of land at appropriate locations. Appropriate locations are described generally throughout the Plan, with regard to the **relationship of land at particular locations to infrastructure capable of supporting various intensities and densities of uses**.

- **Section:** Coordinate with Infrastructure
 - **Goal 1:** Support new development that is well-connected to the existing community.
 - **Objective 1B:** Promote development aligning with current adopted plans of the City. The intensity of uses should match the capacity of infrastructure to serve.
 - **Goal 3:** Encourage the redevelopment and integration of the former Brookline area.
 - **Objective 3B:** Support the development of an industrial/commercial center where infrastructure and transportation exist.

The rezone of this parcel is in line with City and regional planned improvements along the State Highway MM corridor. City water and sanitary sewer will be required for development of the parcel, which will increase opportunities for access by adjacent parcels. Certain traffic improvements will be required in accordance with Traffic Impact Study results.

The general trend in the vicinity of the subject property, along State Highway MM, is new construction and redevelopment of industrial and commercial projects of high to middling intensity.

Compatibility with Surrounding Land Uses

The subject property is surrounded by Medium Density Single Family Residential (R1-M) to the north and south, Heavy Manufacturing (M-2) on the west, and Agricultural (AG) across State Highway MM to the east.

The land uses permitted in the Heavy Manufacturing (M-2) Zoning District include industrial and manufacturing uses of high intensity, as well as uses listed under Local Commercial (C-1), General Commercial (C-2 and C-3), and Light Manufacturing (M-1).

Capacity to Serve Potential Development and Land Use

The Applicant plans to work with surrounding development to provide utilities and transportation collectively. The following passages describe the improvements as intended to serve the larger whole.

Municipal Water and Sewer Service:

The parcel is in proximity to a 12" water main serving Murphy Tractor on the south side of Farm Road 144. Development of the property will require the looping of water from its current location to serve the subject parcel.

Due to topography, the property is unable to gravity to an existing lift station. Instead, a new lift station will be constructed to serve the development. Sanitary sewer will then flow from the new lift station to the Brookline North Lift Station, Brookline South Lift Station, McElhane Lift Station, and Schuyler Creek Lift Station; it is will then be pumped from Schuyler Creek to the Wastewater Treatment Facility. The water system, named Lift Stations, and Wastewater Treatment Facility currently have capacity to serve the Applicant's intended use.

Transportation:

The development will include a public street with access on Farm Road 144 and State Highway MM. A Traffic Impact Study (TIS) was required for the Rezoning Application. The Study Area of the TIS encompassed this and adjacent parcels in its evaluation since they will utilize the same access points created by the new road – one at Farm Road 144 and one on State Highway MM.

The following recommendations resulted from the TIS:

- Intersection of State Highway MM and new public road



- Designated northbound left and southbound right turn lane at State Highway MM and the new road.
- Eastbound left and right turning movements are separated out into individual lanes.
- Intersection of State Highway MM and Farm Road 144
 - Designated northbound left turn lane.

Floodplain: The subject parcel **does not** contain a Special Flood Hazard Area (SFHA/Floodplain).

Sinkholes: The subject property **does not** contain any identified sinkholes.

Recommended Action

Staff considers the **proposed Zoning Map Amendment (Rezoning)** to be generally consistent with the **goals and objectives of the Comprehensive Plan**, consistent with the **trend of development in the vicinity of the site, compatible with surrounding land uses, and able to be adequately served by municipal facilities**. Based upon this analysis (performed without the benefit of evidence and testimony of a public hearing), **Staff recommends the approval of this application.**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, APPROVING AMENDING THE ZONING CODE AND OFFICIAL MAP BY CHANGING THE CLASSIFICATION OF APPROXIMATELY 0.69 ACRES FROM MEDIUM-DENSITY SINGLE FAMILY (R1-M) TO HEAVY MANUFACTURING (M-2), LOCATED AT 1249 SOUTH STATE HIGHWAY MM

WHEREAS, the City of Republic, Missouri, (“City” or “Republic”) is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

WHEREAS, an application for an amendment to the Zoning Code and Official Zoning Map to rezone real estate located at 1249 South State Highway MM, and comprising approximately 0.69 acres from Medium-Density Single Family (R1-M) to Heavy Manufacturing (M-2), was submitted to the City’s BUILDS Department by Monett Apartments LLC (“Applicant”); and

WHEREAS, the City did thereafter submit said application to the Planning and Zoning Commission, which did set December 6, 2021, as the date a public hearing would be held on such application and proposed amendment; and

WHEREAS, a notice of the time and date of the public hearing was given by publication on November 17, 2021, in the Greene County Commonwealth, a newspaper of general circulation in the City, such notice being at least fifteen (15) days before the date set for the public hearing; and

WHEREAS, the City gave notice of such public hearing to the record owners of all properties within the area proposed to be rezoned and within 185 feet of the property proposed to be rezoned; and

WHEREAS, a public hearing was conducted by the Planning and Zoning Commission on December 6, 2021, after which the Commission rendered written findings of fact on the proposed amendment and rezoning and, thereafter, submitted the same, together with its recommendations, to the Council; and

WHEREAS, the Planning and Zoning commission, by a vote of 5 Ayes to 0 Nay, recommended the approval of such application for rezoning; and

WHEREAS, the application for rezoning and to amend the Zoning Code and Official Zoning Map was submitted to the City Council at its regular meeting on January 4, 2021, after which the City Council did proceed to vote to rezone such property and amend the Zoning Code accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:

Section 1: The Zoning Code and Official Zoning Map are hereby amended insofar as the same relates to a certain tract of realty located at 1249 South State Highway MM, and

comprising approximately sixty-nine one-hundredths of an acre from Medium-Density Single Family (R1-M) to Heavy Manufacturing (M-2), such tract being more fully described as follows:

BEGINNING 267 FEET SOUTH AND 30 FEET WEST OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-NINE (29) NORTH, RANGE TWENTY-THREE (23) WEST, THENCE WEST 200 FEET, THENCE SOUTH 150 FEET, THENCE EAST 200 FEET THENCE NORTH 150 FEET TO THE POINT OF BEGINNING, IN GREEN COUNTY, MISSOURI EXCEPT ANY PART THEREOF DEEDED, TAKEN OR USED FOR ROAD PURPOSES.

Section 2: In all other aspects other than those herein amended, modified, or changed, the Zoning Code and Official Zoning Map shall remain the same and continue in full force and effect.

Section 3: The whereas clauses are hereby specifically incorporated herein by reference.

Section 4: This Ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this _____ day of _____, 20____.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

DocuSigned by:
Damon Phillips
11F90D87116B4F4...

12/8/2021

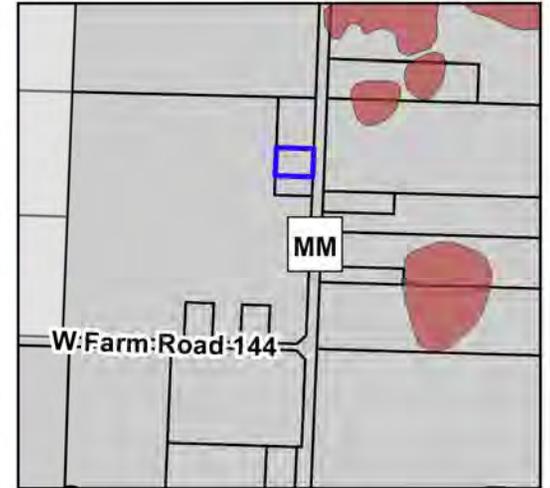
Approved as to Form: _____

Final Passage and Vote: _____

REZN 21-016: Monett Apartments LLC

Item 6.

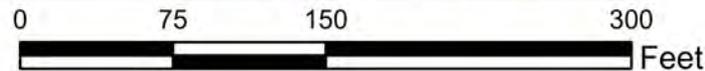
Vicinity Map



Legend

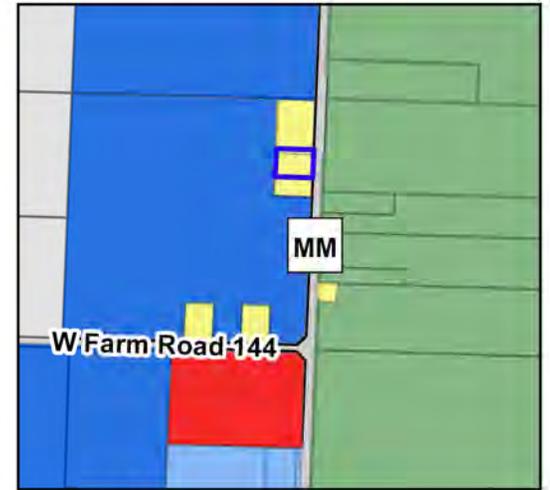
-  Monett Apartments Property
-  Parcels
-  Sinkhole
-  Floodplain

Parcel Owner: Monett Apartments LLC
Parcel Address: 1249 South State Highway MM
Area: 0.69 Acres
Existing Zoning: Medium-Density Single Family Residential (R1-M)
Requested Zoning: Heavy Manufacturing (M-2)



REZN 21-016: Monett Apartments LLC

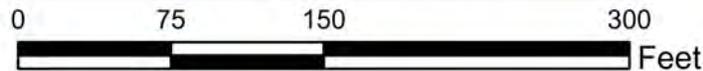
Zoning Map



Legend

- Monett Apartments Property
- Parcels
- Zoning**
- AG Agricultural
- C-1 Commercial
- C-2 General Commercial
- C-3 General Commercial
- M-1 Light Manufacturing
- M-2 Heavy Manufacturing
- PDD Planned Development
- R1-L Single Family Low Density
- R1-M Single Family Medium Density
- R1-H Single Family High Density
- R1-Z Zero Lot Line Residential
- R-2 Two-family Residential
- R-3 Multi-family Residential

Parcel Owner: Monett Apartments LLC
Parcel Address: 1249 South State Highway MM
Area: 0.69 Acres
Existing Zoning: Medium-Density Single Family Residential (R1-M)
Requested Zoning: Heavy Manufacturing (M-2)





Findings of Fact

Date of Hearing:

Time:

Type of Application:

12/06/2021

6:00PM

Rezone

Name of Applicant:

Location:

Monett Apts (REZN 21-016)

City Council Chambers

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

Based on these findings, I have concluded to recommend the application to the City Council for:

Approval Denial

Commissioner Name:

Commissioner Signature:

Date:

Darran Campbell

Darran Campbell

12-6-21



Findings of Fact

Date of Hearing:

12/06/2021

Time:

6:00PM

Type of Application:

Rezone

Name of Applicant:

Monett Apts (REZN 21-016)

Location:

City Council Chambers

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

Based on these findings, I have concluded to recommend the application to the City Council for:

- Approval
- Denial

Commissioner Name:

CYNTHIA HYDER

Commissioner Signature:

C. Hyder

Date:

12/6/2021



Findings of Fact

Date of Hearing:

Time:

Type of Application:

12/06/2021

6:00PM

Rezone

Name of Applicant:

Location:

Monett Apts (REZN 21-016)

City Council Chambers

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

Based on these findings, I have concluded to recommend the application to the City Council for:

Approval Denial

Commissioner Name:

Commissioner Signature:

Date:

RAWSON A. ELLIS, III

Rawson A. Ellis, III

12/06/21



Findings of Fact

Date of Hearing:

Time:

Type of Application:

12/06/2021

6:00PM

Rezoning

Name of Applicant:

Location:

Monett Apts (REZN 21-016)

City Council Chambers

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

Same facts as (REZN 21-015)

Based on these findings, I have concluded to recommend the application to the City Council for:

Approval Denial

Commissioner Name:

Commissioner Signature:

Date:

Keron Hays

12/6/21



Findings of Fact

Date of Hearing: Time: Type of Application:

Name of Applicant: Location:

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

Consistent w/ surrounding zoning + development

Based on these findings, I have concluded to recommend the application to the City Council for: Approval Denial

Commissioner Name: Commissioner Signature: Date:



AGENDA ITEM ANALYSIS

Project/Issue Name: 21-81 An Ordinance of the City Council of the City of Republic, Missouri, Approving Amending the Zoning Code and Official Map by Changing the Classification of Approximately 1.22 Acres from Medium-Density Single Family (R1-M) to Heavy Manufacturing (M-2), Located at 1235 South State Highway MM.

Submitted By: Chris Tabor, Principal Planner, BUILDS Department

Date: January 4, 2022

Issue Statement

Monett Apartments, LLC has applied to change the Zoning Classification of approximately **1.22 acres** of property located at 1235 South State Highway MM from Medium-Density Single Family Residential (R1-M) to **Heavy Manufacturing (M-2)**.

Discussion and/or Analysis

The property subject to this Rezoning Application has a single-family home. The Applicant has expressed their intent to develop on the property.

The following paragraphs contain brief analyses of present site conditions as well as the proposal's relationship to **adopted plans of the City**.

Consistency with the Comprehensive Plan

The City's Comprehensive Plan generally encourages the expansion of commercial development through proactive Rezoning of land at appropriate locations. Appropriate locations are described generally throughout the Plan, with regard to the **relationship of land at particular locations to infrastructure capable of supporting various intensities and densities of uses**.

- **Section:** Coordinate with Infrastructure
 - **Goal 1:** Support new development that is well-connected to the existing community.
 - **Objective 1B:** Promote development aligning with current adopted plans of the City. The intensity of uses should match the capacity of infrastructure to serve.
 - **Goal 3:** Encourage the redevelopment and integration of the former Brookline area.
 - **Objective 3B:** Support the development of an industrial/commercial center where infrastructure and transportation exist.

The rezone of this parcel is in line with City and regional planned improvements along the State Highway MM corridor. City water and sanitary sewer will be required for development of the parcel, which will increase opportunities for access by adjacent parcels. Certain traffic improvements will be required in accordance with Traffic Impact Study results.

The general trend in the vicinity of the subject property, along State Highway MM, is new construction and redevelopment of industrial and commercial projects of high to middling intensity.

Compatibility with Surrounding Land Uses

The subject property is surrounded by Heavy Manufacturing (M-2) on the north and west, Medium Density Single Family Residential (R1-M) to the south and Agricultural (AG) across State Highway MM to the east.

The land uses permitted in the Heavy Manufacturing (M-2) Zoning District include industrial and manufacturing uses of high intensity, as well as uses listed under Local Commercial (C-1), General Commercial (C-2 and C-3), and Light Manufacturing (M-1).

Capacity to Serve Potential Development and Land Use

The Applicant plans to work with surrounding development to provide utilities and transportation collectively. The following passages describe the improvements as intended to serve the larger whole.

Municipal Water and Sewer Service:

The parcel is in proximity to a 12" water main serving Murphy Tractor on the south side of Farm Road 144. Development of the property will require the looping of water from its current location to serve the subject parcel.

Due to topography, the property is unable to gravity to an existing lift station. Instead, a new lift station will be constructed to serve the development. Sanitary sewer will then flow from the new lift station to the Brookline North Lift Station, Brookline South Lift Station, McElhaney Lift Station, and Schuyler Creek Lift Station; it is will then be pumped from Schuyler Creek to the Wastewater Treatment Facility. The water system, named Lift Stations, and Wastewater Treatment Facility currently have capacity to serve the Applicant's intended use.

Transportation:

The development will include a public street with access on Farm Road 144 and State Highway MM. A Traffic Impact Study (TIS) was required for the Rezoning Application. The Study Area of the TIS encompassed this and adjacent parcels in its evaluation since these will utilize the same access points created by the new road – one at Farm Road 144 and one on State Highway MM.

The following recommendations resulted from the TIS:

- Intersection of State Highway MM and new public road



- Designated northbound left and southbound right turn lane at State Highway MM and the new road.
- Eastbound left and right turning movements are separated out into individual lanes.
- Intersection of State Highway MM and Farm Road 144
 - Designated northbound left turn lane.

Floodplain: The subject parcel **does not** contain a Special Flood Hazard Area (SFHA/Floodplain).

Sinkholes: The subject property **does not** contain any identified sinkholes.

Recommended Action

Staff considers the **proposed Zoning Map Amendment (Rezoning)** to be generally consistent with the **goals and objectives of the Comprehensive Plan**, consistent with the **trend of development in the vicinity of the site, compatible with surrounding land uses, and able to be adequately served by municipal facilities**. Based upon this analysis (performed without the benefit of evidence and testimony of a public hearing), **Staff recommends the approval of this application.**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, APPROVING AMENDING THE ZONING CODE AND OFFICIAL MAP BY CHANGING THE CLASSIFICATION OF APPROXIMATELY 1.22 ACRES FROM MEDIUM-DENSITY SINGLE FAMILY (R1-M) TO HEAVY MANUFACTURING (M-2), LOCATED AT 1235 SOUTH STATE HIGHWAY MM

WHEREAS, the City of Republic, Missouri, (“City” or “Republic”) is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

WHEREAS, an application for an amendment to the Zoning Code and Official Zoning Map to rezone real estate located at 1235 South State Highway MM, and comprising approximately 1.22 acres from Medium-Density Single Family (R1-M) to Heavy Manufacturing (M-2), was submitted to the City’s BUILDS Department by Monett Apartments LLC (“Applicant”); and

WHEREAS, the City did thereafter submit said application to the Planning and Zoning Commission, which did set December 6, 2021, as the date a public hearing would be held on such application and proposed amendment; and

WHEREAS, a notice of the time and date of the public hearing was given by publication on November 17, 2021, in the Greene County Commonwealth, a newspaper of general circulation in the City, such notice being at least fifteen (15) days before the date set for the public hearing; and

WHEREAS, the City gave notice of such public hearing to the record owners of all properties within the area proposed to be rezoned and within 185 feet of the property proposed to be rezoned; and

WHEREAS, a public hearing was conducted by the Planning and Zoning Commission on December 6, 2021, after which the Commission rendered written findings of fact on the proposed amendment and rezoning and, thereafter, submitted the same, together with its recommendations, to the Council; and

WHEREAS, the Planning and Zoning commission, by a vote of 5 Ayes to 0 Nay, recommended the approval of such application for rezoning; and

WHEREAS, the application for rezoning and to amend the Zoning Code and Official Zoning Map was submitted to the City Council at its regular meeting on January 4, 2021, after which the City Council did proceed to vote to rezone such property and amend the Zoning Code accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:

Section 1: The Zoning Code and Official Zoning Map are hereby amended insofar as the same relates to a certain tract of realty located at 1235 South State Highway MM, and

comprising approximately one acre and twenty-two hundredths of an acre from Medium-Density Single Family (R1-M) to Heavy Manufacturing (M-2), such tract being more fully described as follows:

BEGINNING ONE HUNDRED SIXTY-SEVEN (167) FEET SOUTH AND THIRTY (30) FEET WEST OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-THREE (23), THENCE WEST TWO HUNDRED (200) FEET, THENCE SOUTH ONE HUNDRED (100) FEET, THENCE EAST TWO HUNDRED (200) FEET, THENCE NORTH ONE HUNDRED (100) FEET TO BEGINNING, IN GREENE COUNTY, MISSOURI EXCEPT ANY PART THEREOF DEEDED, TAKEN OR USED FOR ROAD PURPOSES.

ALSO,
 BEGINNING 167 FEET SOUTH AND 30 FEET WEST OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-NINE (29) NORTH, RANGE TWENTY-THREE (23) WEST, THENCE WEST 200 FEET; THENCE NORTH 15 FEET; THENCE EAST 200 FEET; THENCE SOUTH 15 FEET TO THE POINT OF BEGINNING, GREEN COUNTY, MISSOURI, EXCEPT ANY PART THEREOF DEEDED, TAKEN OR USED FOR ROAD PURPOSES.

ALSO,
 BEGINNING 30 FEET WEST OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 27, TOWNSHIP 29 NORTH, RANGE 23 WEST, THENCE WEST 200 FEET; THENCE SOUTH 152 FEET, THENCE EAST 200 FEET, THENCE NORTH 152 FEET TO THE POINT OF BEGINNING, IN GREENE COUNTY, MISSOURI, EXCEPT ANY PART THEREOF DEEDED, TAKEN OR USED FOR ROAD PURPOSES.

Section 2: In all other aspects other than those herein amended, modified, or changed, the Zoning Code and Official Zoning Map shall remain the same and continue in full force and effect.

Section 3: The whereas clauses are hereby specifically incorporated herein by reference.

Section 4: This Ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this _____ day of _____, 20_.

 Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

DocuSigned by:
Damon Phillips
11F90D87116B4F4...

12/8/2021

Approved as to Form: _____

Final Passage and Vote: _____

REZN 21-017: Monett Apartments LLC

Item 7.

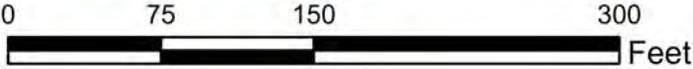
Vicinity Map



Legend

- Monett Apartments Property
- Parcels
- Sinkhole
- Floodplain

Parcel Owner: Monett Apartments LLC
Parcel Address: 1235 South State Highway MM
Area: 1.22 Acres
Existing Zoning: Medium-Density Single Family Residential (R1-M)
Requested Zoning: Heavy Manufacturing (M-2)



REZN 21-017: Monett Apartments LLC

Zoning Map

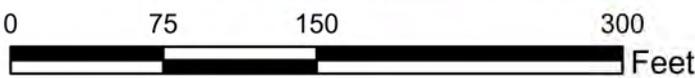
Item 7.



Legend

- Monett Apartments Property (Yellow outline)
- Parcels (Black outline)
- Zoning**
- AG Agricultural (Green)
- C-1 Commercial (Pink)
- C-2 General Commercial (Red)
- C-3 General Commercial (Dark Red)
- M-1 Light Manufacturing (Light Blue)
- M-2 Heavy Manufacturing (Dark Blue)
- PDD Planned Development (Green diagonal lines)
- R1-L Single Family Low Density (Light Orange)
- R1-M Single Family Medium Density (Yellow)
- R1-H Single Family High Density (Light Green)
- R1-Z Zero Lot Line Residential (Cyan)
- R-2 Two-family Residential (Orange)
- R-3 Multi-family Residential (Purple)

Parcel Owner: Monett Apartments LLC
Parcel Address: 1235 South State Highway MM
Area: 1.22 Acres
Existing Zoning: Medium-Density Single Family Residential (R1-M)
Requested Zoning: Heavy Manufacturing (M-2)





Findings of Fact

Date of Hearing:

12/06/2021

Time:

6:00PM

Type of Application:

Rezone

Name of Applicant:

Monett Apts (REZN 21-017)

Location:

City Council Chambers

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

Based on these findings, I have concluded to recommend the application to the City Council for:

Approval Denial

Commissioner Name:

Parran Campbell

Commissioner Signature:

Parran Campbell

Date:

12-6-21

Findings of Fact

Date of Hearing:

Time:

Type of Application:

12/06/2021

6:00PM

Rezoning

Name of Applicant:

Location:

Monett Apts (REZN 21-017)

City Council Chambers

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

[Empty box for Statement of Relevant Facts Found]

Based on these findings, I have concluded to recommend the application to the City Council for:

Approval Denial

Commissioner Name:

Commissioner Signature:

Date:

CYNTHIA HYDER

C. Hyder

12/6/2021



Findings of Fact

Date of Hearing:

Time:

Type of Application:

12/06/2021

6:00PM

Rezone

Name of Applicant:

Location:

Monett Apts (REZN 21-017)

City Council Chambers

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

Based on these findings, I have concluded to recommend the application to the City Council for:

Approval Denial

Commissioner Name:

Commissioner Signature:

Date:

Raymond A. Ellis III

[Handwritten Signature]

12/06/21



Findings of Fact

Date of Hearing:

12/06/2021

Time:

6:00PM

Type of Application:

Rezone

Name of Applicant:

Monett Apts (REZN 21-017)

Location:

City Council Chambers

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

Some facts as (REZN 21-015)

Based on these findings, I have concluded to recommend the application to the City Council for:

Approval Denial

Commissioner Name:

Kevin Hain

Commissioner Signature:

[Handwritten Signature]

Date:

12/6/21

Findings of Fact

Date of Hearing:

Time:

Type of Application:

12/06/2021

6:00PM

Rezone

Name of Applicant:

Location:

Monett Apts (REZN 21-017)

City Council Chambers

Based upon the facts presented during the course of this hearing, I have found that the application is generally:

- Conforming to the City's adopted Land Use Plan Yes No
- Conforming to the City's adopted Transportation Plan Yes No
- Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) Yes No
- Compatible with surrounding land uses Yes No
- Able to be adequately served by municipal infrastructure Yes No
- Aligned with the purposes of RSMo. 89.040 Yes No

Statement of Relevant Facts Found:

Consistent with surrounding zoning + land use

Based on these findings, I have concluded to recommend the application to the City Council for:

- Approval
- Denial

Commissioner Name:

Commissioner Signature:

Date:

Brian Dochow

[Signature]

12-6-21



AGENDA ITEM ANALYSIS

Project/Issue Name: A Public Hearing of the City Council Regarding Approving the Annexation of Approximately 17.52 Acres Located at the 6400 Block of South Farm Road 89 and Adjacent Right-of-Way.

Submitted By: Karen Haynes, BUILDS Department

Date: January 04, 2022

Issue Statement

The BUILDS Department received a Voluntary Annexation Application from Olde Savannah, LLC for the Annexation of approximately seventeen point five-two (17.52) acres of land located at the 6400 Block of South Farm Road 89 and adjacent Right-of-Way.

Discussion and/or Analysis

The property owner, Olde Savannah, LLC, has submitted a Voluntary Annexation Request for the subject parcel.

City of Republic sanitary sewer and water services are available adjacent to the property. The subject parcel is compact and contiguous with the city limits of the City of Republic, as the subject parcel is surrounded by properties located in the City to the east and north.

The Annexation, if approved by City Council, will effectively zone the subject parcel as Agricultural (AG), as the property has a current Greene County Zoning Designation of Agricultural, in accordance with City Code Section 435.010.B, which requires all annexed properties to be classified in the zoning district corresponding to Greene County’s zoning designation.

Recommended Action

Staff believes the Annexation of the subject property is consistent with the City’s Adopted Plans and is recommending approval of the request.



AGENDA ITEM ANALYSIS

Project/Issue Name: 22-01 An Ordinance of the City Council Approving the Annexation of Approximately 17.52 Acres Located at the 6400 Block of South Farm Road 89 and Adjacent Right-of-Way.

Submitted By: Karen Haynes, BUILDS Department

Date: January 04, 2022

Issue Statement

The BUILDS Department received a Voluntary Annexation Application from Olde Savannah, LLC for the Annexation of approximately seventeen point five-two (17.52) acres of land located at the 6400 Block of South Farm Road 89 and adjacent Right-of-Way.

Discussion and/or Analysis

The property owner, Olde Savannah, LLC, has submitted a Voluntary Annexation Request for the subject parcel.

City of Republic sanitary sewer and water services are available adjacent to the property. The subject parcel is compact and contiguous with the city limits of the City of Republic, as the subject parcel is surrounded by properties located in the City to the east and north.

The Annexation, if approved by City Council, will effectively zone the subject parcel as Agricultural (AG), as the property has a current Greene County Zoning Designation of Agricultural, in accordance with City Code Section 435.010.B, which requires all annexed properties to be classified in the zoning district corresponding to Greene County’s zoning designation.

Recommended Action

Staff believes the Annexation of the subject property is consistent with the City’s Adopted Plans and is recommending approval of the request.

BILL NO. 21-76

ORDINANCE NO.

**AN ORDINANCE OF THE CITY COUNCIL APPROVING THE ANNEXATION OF APPROXIMATELY
17.52 OF LAND LOCATED AT THE 6400 BLOCK OF SOUTH FARM ROAD 89 AND ADJACENT
RIGHT-OF-WAY**

WHEREAS, the City of Republic, Missouri, (herein called the "City" or "Republic") is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

WHEREAS, a voluntary petition for the annexation of approximately 17.52 acres of land located at THE 6400 Block of South Farm Road 89 and adjacent right-of-way has been filed with the City's BUILDS Department; and

WHEREAS, the realty described in such petition is adjacent and contiguous to the present corporate limits of the City; and

WHEREAS, the Council held a public hearing on the said petition on January 04, 2022, such hearing being held not less than fourteen days nor more than sixty days after the receipt of the petition requesting annexation; and

WHEREAS, a notice of said public hearing was published December 22, 2021, in *The Greene County Commonwealth*, a newspaper of general circulation authorized to publish legal notices, such public hearing being held not less than seven days after the date of publication of such notice; and

WHEREAS, at said public hearing, all interested persons, corporations, or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

WHEREAS, no written objections to the proposed annexation were filed with the City Council within fourteen days after the date of said public hearing; and

WHEREAS, the Council finds the proposed annexation is reasonable and necessary for the City's proper development, and the City has the ability to furnish normal municipal services to the area within a reasonable time.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC AS FOLLOWS:

Section 1: The following described realty is hereby annexed into, and made a part of, the City of Republic, Missouri, and its boundaries are hereby extended to include the same:

ALL OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION TWENTY-EIGHT (28), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23) IN GREENE COUNTY, MISSOURI, EXCEPT ANY PART THEREOF DEEDED, TAKEN OR USED FOR ROAD OR HIGHWAY PURPOSES.

EXCEPT:

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION TWENTY-EIGHT (28), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23) GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT AN EXISTING IRON AT THE

SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION TWENTY-EIGHT (28); THENCE NORTH 01°33'31" EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION TWENTY-EIGHT (28) A DISTANCE OF 619.94 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°12'26" WEST A DISTANCE OF 732.29 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 640.00 FEET, A DELTA OF 39°33'24", AN ARC LENGTH OF 441.85 FEET, AND A CHORD WHICH BEARS NORTH 69°25'44" WEST HAVING A CHORD

DISTANCE OF 433.13 FEET TO A POINT ON A LINE: THENCE SOUTH 88°49'12" WEST A DISTANCE OF 36.78 FEET TO A POINT FOR CORNER; THENCE SOUTH 46°10'16" WEST A DISTANCE OF 26.30 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 360.00 FEET, A DELTA OF 44°37'18", AN ARC LENGTH OF 280.37 FEET, AND A CHORD WHICH BEARS SOUTH 23°51'37" WEST HAVING A CHORD DISTANCE OF 273.33 FEET TO A POINT OF TANGENCY; THENCE SOUTH 01°32'58" WEST A DISTANCE OF 100.00 FEET TO A POINT FOR CORNER; THENCE NORTH 88°27'02" WEST A DISTANCE OF 40.00 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION TWENTY-EIGHT (28) FOR CORNER, SAID POINT BEING NORTH 01°32'58" EAST A DISTANCE OF 400.34 FEET FROM AN EXISTING 1" BAR AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION TWENTY-EIGHT (28); THENCE NORTH 01°32'58" EAST ALONG SAID WEST LINE A DISTANCE OF 928.42 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION TWENTY-EIGHT (28) FOR CORNER; THENCE SOUTH 89°18'36" EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW1/4) A DISTANCE OF 40.00 FEET TO A POINT FOR CORNER; THENCE SOUTH 01°32'58" WEST A DISTANCE OF 56.91 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 560.00 FEET, A DELTA OF 90°45'24", AN ARC LENGTH OF 887.04 FEET, AND A CHORD WHICH BEAR SOUTH 43°49'44" EAST HAVING A CHORD DISTANCE OF 797.17 FEET TO A POINT OF TANGENCY: THENCE SOUTH 89°12'26" EAST A DISTANCE OF 733.36 FEET TO A POINT FOR CORNER; THENCE SOUTH 01°33'31" WEST A DISTANCE OF 80.01 FEET TO THE POINT OF BEGINNING; ALL IN GREENE COUNTY, MISSOURI.

Section 2. The City Clerk is hereby directed to cause three certified copies of this Ordinance to be filed with the Greene County Recorder of Deeds.

Section 3. The City Clerk is hereby directed to forward to the director of revenue of the State of Missouri by the United States registered mail or certified mail a certified copy of this Ordinance.

Section 4. The whereas clauses are hereby specifically incorporated herein by reference.

Section 5. The provisions of this Ordinance are severable, and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.

Section 6. This Ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this 18th day of January 2022.

Matt Russell, Mayor

ATTEST:

Laura Burbridge, City Clerk

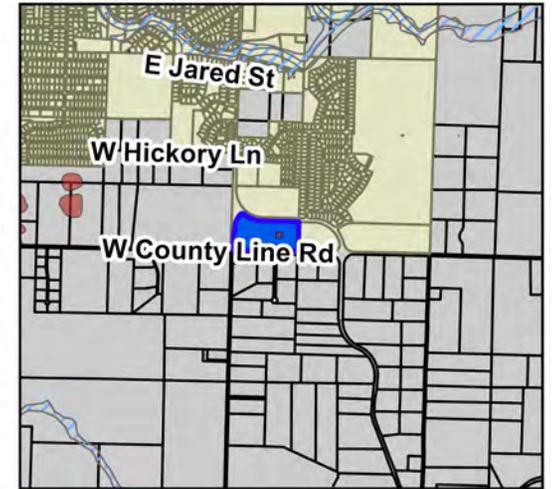
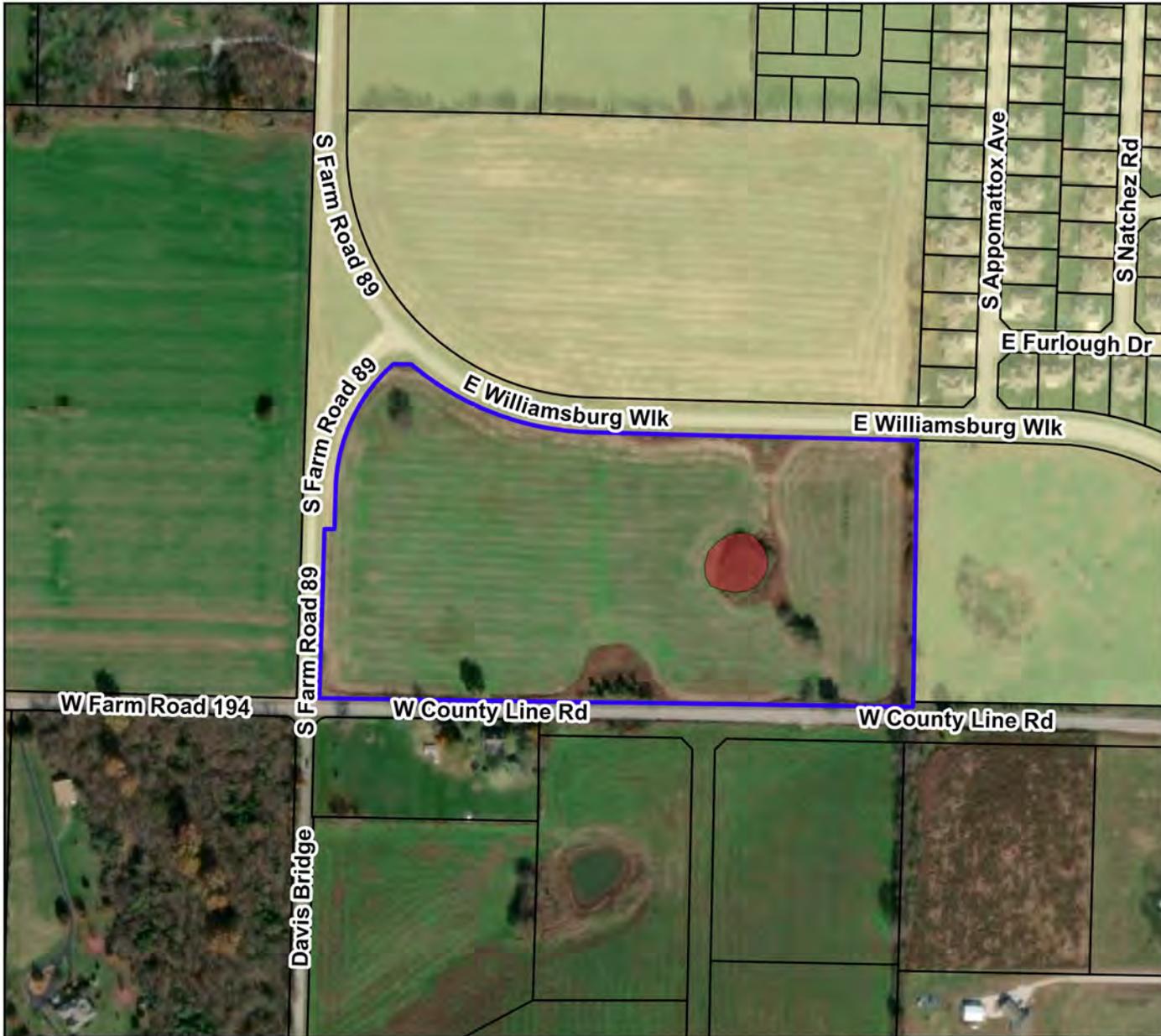
Approved as to Form: Megan E. McCullough, Megan McCullough, City Attorney

Final Passage and Vote: _____

ANNX 21-011: Olde Savannah LLC Co

Item 9.

Vicinity Map



Legend

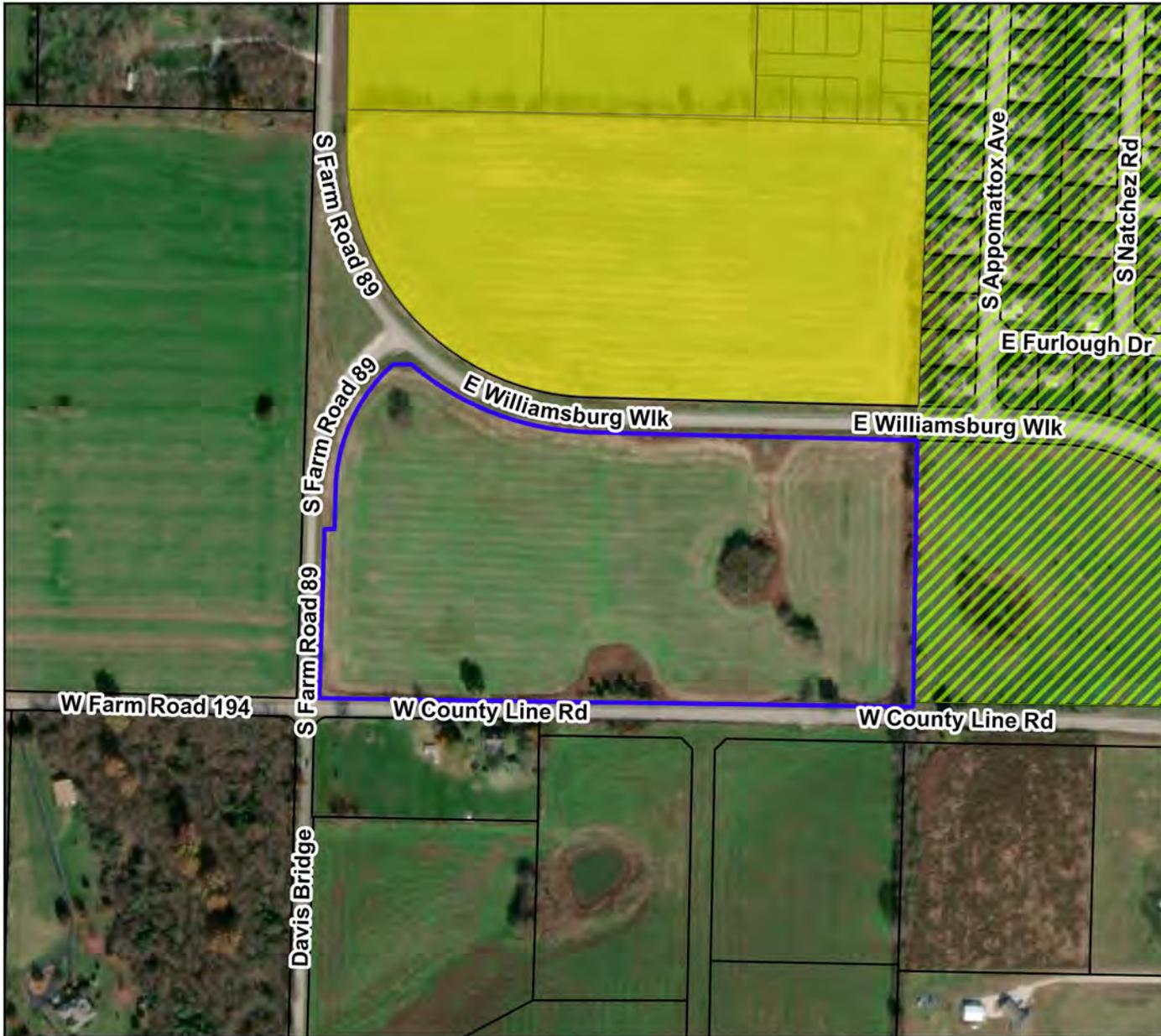
- Subject Property
- Parcels
- Republic City Limits
- Sinkhole
- Floodplain

Parcel Owner: Olde Savannah LLC Co.
Parcel Address: 6600 Block of S Farm Rd 89
Area: 15.09 Acres
Existing Zoning: Agriculture (A-1)
Zoning Upon Annexation: Agricultural (AG)



ANNX 21-011: Olde Savannah LLC Co

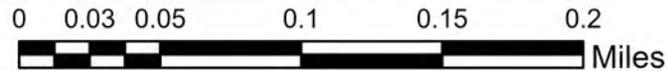
Zoning Map



Legend

- Subject Property
 - Parcels
- ### Zoning
- AG Agricultural
 - C-1 Commercial
 - C-2 General Commercial
 - C-3 General Commercial
 - M-1 Light Manufacturing
 - M-2 Heavy Manufacturing
 - PDD Planned Development
 - R1-L Single Family Low Density
 - R1-M Single Family Medium Density
 - R1-H Single Family High Density
 - R1-Z Zero Lot Line Residential
 - R-2 Two-family Residential
 - R-3 Multi-family Residential

Parcel Owner: Olde Savannah LLC Co.
 Parcel Address: 6600 Block of S Farm Rd 89
 Area: 15.09 Acres
 Existing Zoning: Agriculture (A-1)
 Zoning Upon Annexation: Agricultural (AG)





AGENDA ITEM ANALYSIS

Project/Issue Name: 22-02 An Ordinance of the City Council, Authorizing the Execution of an Intergovernmental Agreement Between the City of Republic, Missouri, and the City of Springfield, Missouri, for the Acquisition of “Pictometry” Providing a More Accurate Geographical Information System.

Submitted By: Josh Jones, GIS Manager

Date: January 4, 2022

Issue Statement

To enter into an intergovernmental agreement for the cooperative purchase of Pictometry for Greene and Christian counties.

Discussion and/or Analysis

For many years now, the city has participated in an intergovernmental agreement along with Springfield, Nixa, Ozark, Greene County, and Christian County for the purchase of airplane captured aerial imagery of Greene and Christian County from EagleView. This agreement has been renewed every two years followed by the aerial flight that provides us with high resolution imagery published to our Web GIS environment and used by a large portion of city staff, becoming an increasingly relied upon resource for information. The contract pricing is determined by multiple factors including the number of “tiles” (1 sq mile) that fall within the districts or city limits of the entity, and then broken into rural versus urban areas, and finally, the resolution of the imagery to be processed within the tile. Republic has an incredibly favorable position in this contract due to the shared coverage areas with Christian County, Greene County, and the OTO resulting in shared cost for all of our tiles. The BUILDS department has reviewed and agreed to the cost in the included contract and recommends the approval of this agreement.

Recommended Action

Staff recommends approval.

AN ORDINANCE OF THE CITY COUNCIL, AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF REPUBLIC, MISSOURI, AND THE CITY OF SPRINGFIELD, MISSOURI, FOR THE ACQUISITION OF "PICTOMETRY" PROVIDING A MORE ACCURATE GEOGRAPHICAL INFORMATION SYSTEM

WHEREAS, the City of Republic, Missouri, (herein called the "City" or "Republic") is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized and existing under the laws of the State of Missouri; and

WHEREAS, the City of Republic desires to enter into an agreement for acquisition of "Pictometry" with the City of Springfield; and

WHEREAS, "Pictometry" is the proprietary name for an aerial photography product from Pictometry International Corporation which supplies high resolution photography of the ground surface from multiple angles; and

WHEREAS, the City Council finds that the photography provided by "Pictometry" of real property is needed in order to support a variety of very important decisions ranging from planning, zoning, real estate acquisition and appraisal, and public safety matters.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:

Section 1. That the Mayor, on behalf of the City of Republic, is authorized to enter into an agreement for acquisition of "Pictometry" said agreement to be in substantially the same form as "Attachment 1."

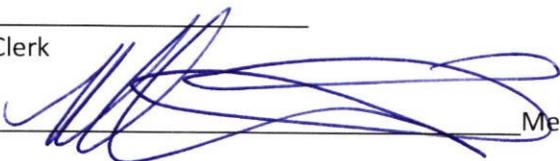
Section 2. This Ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this _____ day of _____ 2022.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

Approved as to Form:  Megan McCullough, City Attorney

Final Passage and Vote: _____

COOPERATIVE INTERGOVERNMENTAL AGREEMENT
FOR ACQUISITION OF IMAGERY
FROM PICTOMETRY
INTERNATIONAL CORPORATION

THIS AGREEMENT (“Agreement”) is made and entered into this ____ day of _____, 202_ by and between the City of Springfield, Missouri, hereinafter referred to as “City”, and the City of Republic, Missouri, hereinafter referred to as “Agency.”

WHEREAS, Section 70.220 of the Revised Statutes of Missouri provides that municipalities, counties, and other persons may contract and cooperate with each other in connection with the provision of a common service; and

WHEREAS, it is in the best interest of the citizens of City and Agency collectively to receive the benefits of a more accurate Geographical Information System by acquiring updated aerial imagery; and

WHEREAS, City and Agency desire to cooperate to acquire aerial imagery covering Greene and Christian Counties from Pictometry International Corporation (“Pictometry”); and

WHEREAS, at the request of and on behalf of Agency, City has agreed to the terms and conditions set forth herein, and has agreed to arrange for the delivery of aerial imagery from Pictometry to Agency (“Imagery”); and

WHEREAS, Agency has agreed, pursuant to the terms and conditions set forth herein, to accept the Imagery and to reimburse City for Agency’s share of total costs for the Imagery.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS HEREIN CONTAINED, CITY AND AGENCY AGREE AS FOLLOWS:

1. On behalf of Agency, City agrees to be the lead in purchasing approximately 58 tiles of aerial imagery in 2022, 2024, and 2026 pursuant to a contract between City and Pictometry (“Contract”), said Contract to substantially and materially conform to the draft attached as “Exhibit A” and incorporated by this reference, provided that the Springfield City Council lawfully appropriates funds for the purchase of such aerial imagery. By signing this Agreement, Agency acknowledges and agrees to follow all of Pictometry’s terms of use in the Contract in consideration of, and prior to, receiving and using the aerial imagery.
2. In consideration for City taking the lead, Agency agrees to reimburse City for Agency’s share of the total cost of said aerial imagery in 2022, 2024, and 2026, as set forth in the cost sharing document attached as “Exhibit B” and incorporated by this reference, at or before the time of final delivery of the imagery from Pictometry to City, provided such funds are lawfully appropriated by Agency’s governing body. Agency’s cost is estimated to be \$4,652.25. City will invoice Agency for payment of its share, and Agency agrees to pay City within 45 days of receipt of invoice.

- 3. Upon final payment from Agency, the Pictometry License shall be held jointly by City, Agency, and other entities who enter into a similar Cooperative Agreement with City for acquisition of imagery from Pictometry and make timely, final payment of their share of the total cost of the aerial imagery ("Other Entities").
- 4. In consideration of the requested Pictometry aerial imagery and monies received for same, and to the extent allowed by law, both Agency and City hereby release and hold harmless each other, and their respective Boards, Councils, agents, officers, employees, successors and assigns with respect to any and all injury, death, loss or damage to person or property, whether caused by negligence or otherwise, in any way related to use of the Pictometry imagery. Nothing contained herein shall be considered a waiver of the defenses that may be asserted either party of sovereign immunity, official immunity, and/or the public duty doctrine.
- 5. Agency, City, and Other Entities shall have co-ownership of aerial imagery received from Pictometry as outlined in the Contract and any amendments thereto.
- 6. Agency and City agree this Agreement and every question arising hereunder shall be construed or determined according to the laws of the State of Missouri. Should any part of this Agreement be litigated, venue shall be proper only in the Circuit Court of Greene County, Missouri.

SO AGREED AS OF THE DAY AND YEAR FIRST ABOVE WRITTEN.

CITY OF SPRINGFIELD, MISSOURI

AGENCY

BY: _____
Assistant City Manager or Delegate

BY: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM: _____ 12/30/21

BY: _____
City Attorney or Delegate

BY: _____
Agency Attorney

ATTEST:

BY: _____
Agency Clerk

FINANCIAL CERTIFICATION

I certify that the expenditure contemplated by this document is within the purpose of the appropriation to which it is to be charged and that there is an unencumbered balance of anticipated revenue appropriated for payment of same.

Director of Finance



AGENDA ITEM ANALYSIS

Project/Issue Name: 22-R-01 A Resolution of the City Council Approving an Agreement for As-Needed Land Use Services for a Period of Two Years.

Submitted By: Karen Haynes, Assistant BUILDS Administrator

Date: January, 2022

Issue Statement

To enter into an agreement with Lauber Municipal Law, LLC to serve as-needed for Land Use Legal Services.

Discussion and/or Analysis

The City of Republic's BUILDS Department requested qualifications for Land Use Legal Services, to serve as-needed, to assist with matters relating to planning and zoning.

The City received two responses to the Request for Qualifications (RFQ). Based upon the review of the RFQ responses, Staff believes the Lauber Municipal Law Firm is the most qualified to provide complete and comprehensive Land Use Legal Services to the City.

The BUILDS Department is recommending approval of an agreement with Lauber Municipal Law for a period up to two years, not to exceed \$50,000 a year in fees, to provide As-Needed Land Use Legal Services to the City of Republic.

Recommended Action

Staff recommends approval.

RESOLUTION NO. 22-R-01

A RESOLUTION OF THE CITY COUNCIL APPROVING AN AGREEMENT FOR AS-NEEDED LAND USE SERVICES FOR A PERIOD OF TWO YEARS

WHEREAS, the City of Republic, Missouri, (herein called the “City” or “Republic”) is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

WHEREAS, the City released a Request for Qualifications (RFQ) for Land Use Legal Services in September 2021; and

WHEREAS, a total of two firms submitted qualifications for review, each with varying qualifications; and

WHEREAS, the BUILDS Department reviewed the submittals and ranked the respondents; and

WHEREAS, the BUILDS Department chose the highest scoring firm, Lauber Municipal Law Firm, for As-Needed Land Use Legal Services for a period of two years with fees not to exceed \$50,000 a year; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:

Section 1: Based upon the RFQ’s received by the City, the Lauber Municipal Law Firm will serve on an As-Needed basis for Land Use Legal services for a period of two years with fees not to exceed \$50,000 a year.

Section 2: The City Administrator, or designed, on behalf of the City, is authorized to take the necessary steps to implement this Resolution.

Section 3: This Resolution shall become effective on and after the date of passage and approval as provided by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this _____ day of _____, 20_____.

Matt Russell, Mayor

Attest:

RESOLUTION NO. 22-R-01

Laura Burbridge, City Clerk

Approved as to Form: _____


Megan McLoughlin, City Attorney

Final Passage and Vote: _____



LAUBER MUNICIPAL LAW, LLC
Serving those who serve the public

January 4, 2022

Mr. Andrew Nelson
 BUILDS Department Director
 204 North Main Avenue
 Republic, MO 65738

Re: Land Use Attorney Legal Services

Dear Mr. Nelson:

We are excited to work with the City of Republic (the “City”) and the BUILDS department to provide land use legal services (the “Matter”). I am submitting this letter to you to serve as the written agreement for Lauber Municipal Law, LLC’s (the “Firm”) engagement to provide legal services concerning the Matter.

The City will be our client for this engagement. I will be the attorney primarily responsible for the engagement on behalf of the Firm. The scope of this engagement will be limited to the provision of consulting services for the Matter described above unless otherwise directed by you. The term of this contract will be a term of two (2) years. This contract will automatically terminate after two (2) years from effective date, with no additional notice required from either party.

The Firm’s fees for this engagement will be based upon and billed at an hourly rate, at tenth-hour increments, for purposes of this engagement for the actual time devoted to it. The hourly rate for this Matter is \$195 per hour, which is discounted from our normal special counsel rate of \$215 per hour. If we utilize non-attorney staff to assist in any matter, the applicable rate is \$75 per hour. We take seriously what we believe is our responsibility to provide legal services within the City’s budgetary resources. The hourly rate for Basic and Special Services is subject to annual adjustment as described below.

The City would not be required to utilize a minimum number of hours of Basic Services each month. In the event that such matters arise, the hourly rate for Special Matters would be \$215.00 per hour for all attorneys, except as provided below. The rate for work on Special Matters completed by our law clerk would be \$100 per hour.

Basic Services include items such as attending and providing legal advice in meetings of boards, committees and commissions; drafting and reviewing ordinances, resolutions, contracts agreements, leases, deeds and other related documents; participating in telephone calls and meetings with City staff and officials; providing legal advice on matters relating to city land use activities; providing legal advice and participating in code enforcement activities.

Special Matters which involve more technical issues that require a higher level of expertise include **only:** 1) complex litigation; 2) economic development incentive matters not otherwise reimbursed by the applicant or project (e.g., TIF, TDD, CID, NID, etc.) pursuant to a funding agreement between the City and a developer; and 3) any matter deemed a Special Matter by agreement of the City and Firm. Special matters are charged at the Firm's then-current economic development rates, which is currently \$245 per hour. **We will not conduct work on Special Matters without prior approval of the City.** Any matter that is not classified as a Special Matter is automatically considered Basic Services.

The enclosed Additional Terms of Engagement shall govern the relationship unless otherwise agreed in this engagement letter, but please note the following:

- We will not charge the City for facsimiles;
- We will not charge the City for long-distance telephone charges (including facsimiles);
- We will not charge the City for in-house photocopies which do not exceed 100 copies in a month;
- We will not bill the City for the first 30 minutes (each way) of time spent traveling between the City and our office in Lee's Summit; and
- We do not charge for regular mail.

This contract will run indefinitely but you may discharge the Firm from representing you at any time with or without cause.

If you have any questions concerning the terms of this engagement, or if you ever have a question about our charges, or their reasonableness, please contact me at your convenience to discuss the matter. Our engagement as consultant to City shall begin as soon as we receive a signed copy of this agreement (by fax, mail or hand delivery). Thank you for choosing Lauber Municipal Law, LLC, to provide these important legal services to City. We look forward to a good and productive relationship with the City.

Sincerely,

LAUBER MUNICIPAL LAW, LLC



Jennifer M. Baird

Enclosure

ACCEPTED AND AGREED:

(signature)

(date)

Name: _____

Title: _____

City of Republic, Missouri



LAUBER MUNICIPAL LAW, LLC
Serving those who serve the public

Additional Terms of Engagement

Lauber Municipal Law, LLC, appreciates the opportunity to serve you. Our goal is to provide legal services that address your legal needs effectively and efficiently through our offices in Lee's Summit and Jefferson City.

The following information explains the client service practices and billing procedures that apply to our representation of your interests (unless you have reached a different written understanding with us). I encourage you to discuss these practices with me whenever you have questions during the course of this engagement.

Provision of Legal Services. This engagement is for provision of professional legal services, and not for the provision of business, personal, accounting, technical or other advice not constituting legal services. It is agreed that the client is not relying upon counsel in this engagement for advice in areas other than professional legal services, even if such matters should be discussed in connection with the engagement.

Entire Agreement. The accompanying engagement letter together with these Additional Terms of Engagement shall constitute the entire agreement between us concerning the engagement, and shall not be modified or supplemented, except in a subsequent writing signed by the parties.

Subcontractors. From time-to-time, it may be necessary for us to engage subcontractors to assist in the provision of services to you. It is agreed that we are not authorized to engage any such subcontractors without the prior approval of the City Council.

Periodic Billings for Legal Services. Unless other arrangements have been made, it is our policy to render periodic statements for legal services on a monthly basis. We will base these periodic statements on the hourly rates set forth in the attached Engagement Letter. Statements will be due upon presentation and are to be paid no later than 30 days following the invoice date. If any statement amount remains unpaid 60 days after the invoice date, the Firm reserves the right to terminate its services, consistent with applicable Rules of Professional Conduct.

Annual Rate Adjustment. All hourly rates for legal services provided by the Firm are subject to annual adjustment, or less frequently at the sole discretion of the Firm, with written notice of at least thirty days.

Client Disbursements. Most matters require, from time to time, certain monetary advances to be made on your behalf by the Firm. Some "client disbursements" represent out-of-pocket charges that Lauber Municipal Law, LLC, advances, while others represent internal costs (including costs such as fees for service of process, court filing fees, deliveries, etc.). It is understood that while acting as your lawyers, we have the authority to use our best judgment in making such expenditures on your behalf. Unless we have made prior arrangements with you, we will send you monthly billings for client disbursements incurred during the preceding month. Substantial individual items in excess of \$250, such as expert witness fees, the costs of deposition transcripts, etc., may be billed directly to you by the vendor of such services.

File Retention. After Lauber Municipal Law, LLC's services conclude, we will, upon your request, deliver the file for this engagement to you. If you do not request the file, we will retain it for a period of six years after the matter is closed. If you do not request delivery of the file before the end of the six-year period the Firm will have no further obligation to retain the file and may, at our discretion, destroy it without further notice to you. At any point during the six-year period, you may request delivery of the file.

Disbursements and Other Charges. We also will charge you for certain expense items listed below that we provide in connection with our legal services:

Photocopying. We will not charge the City for in-house photocopies which do not exceed 100 copies in a month. If in-house photocopies exceed 100 in a month, then we reserve the right to charge \$0.12 per page (or the Firm's cost, whichever is less) but only for each page over 100 in number. If the need for an outside copying job (e.g., Kinko's) arises, we only bill the actual cost incurred for photocopying without markup.

Computer Research. We do not charge for the Firm's service agreement with Westlaw or other electronic provider of legal research resources.

Telecommunications. We do not charge for local or long-distance phone calls or facsimiles.

Mail/Messengers. We do not charge postage for regular mail; however, bulk mailings, packages and special postal services may be charged at the Firm's actual cost. Messengers are used as appropriate to assure expedited delivery. The actual cost of such messenger services is charged without markup.

Travel. We will not charge the City for travel for the first half hour (each way) from our office in Lee's Summit to/from City Hall for City business.

Internet Usage. We may be asked to use the Internet as a means for communicating about matters concerning your representation. Any such communication could be randomly intercepted and otherwise used or disclosed by anyone, including someone specifically interested in your matter or business. This could cause you to lose your confidentiality and attorney/client privilege protections. However, to facilitate your representation, you approve the use of Internet communications during your representation by us unless we are instructed otherwise.

Termination of Services. You may terminate the services of Lauber Municipal Law, LLC, at your discretion by giving me thirty (30) days written notice of termination. We retain the right to cease performing legal services and to terminate my legal representation for any reason consistent with ethical rules, including conflicts of interest or the failure to pay legal fees and expenses when due. Termination by the Firm will be effective upon thirty (30) days written notice delivered to you. The Firm's termination or your termination of services does not affect your obligation to pay legal fees and expenses incurred prior to the effective date of such termination.

Questions. One of our goals is to ensure that legal services are delivered effectively and efficiently, and that all billings are accurate and understandable. Please direct any questions about services, billing, or payment status of your account to me.