



Matt Russell, Mayor/Ward III
Brandon Self, Ward I
Garry Wilson, Ward II
Christopher Updike, Ward III
Jennifer Mitchell, Ward IV

Eric Franklin, Ward I
Gerry Pool, Ward II
Jim Deichman, Ward IV

AGENDA
City Council Meeting
Community Center, 711 E. Miller Road
March 23, 2021 at 6:00 PM

Call Meeting to Order

Opening Prayer

Pledge of Allegiance to the United States Flag

Citizen Participation

Consent Agenda

- [1.](#) Approve February 16, 2021 City Council Minutes.
- [2.](#) Approve February 25, 2021 City Council Meeting Minutes.
- [3.](#) Approve February 25, 2021 City Council Work Session Minutes.
- [4.](#) 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.
- [5.](#) Approve Utility Billing Adjustments.
- [6.](#) Approve Vendor List.

Board, Commission, and Committee Schedule

Board of Adjustment Meeting	April 1, 2021
City Council Meeting	April 6, 2021
Planning & Zoning Meeting	April 12, 2021
City Council Meeting	April 20, 2021

Old Business and Tabled Items

- [7.](#) 21-11 An Ordinance of the City Council of the City of Republic, Missouri, Authorizing an Intergovernmental Agreement with the Missouri Highways and Transportation Commission for the Blueprint for Safer Roadways Program.

New Business (First Reading of Ordinances)

- [8.](#) 21-12 An Ordinance of the City Council of the City of Republic, Missouri, Calling an Election on the Question of Imposing a City Sales Tax to Fund Public Safety; Designating the Time for Holding Said Election; and Authorizing and Directing the City Clerk to Give Notice to the County Clerks of Said Election.
- [9.](#) 21-13 An Ordinance of the City Council of the City of Republic, Missouri, Amending the Municipal Code of the City of Republic, Missouri, by Amending Title IV, Land Use, Chapter 405, Zoning Regulations, Article I, In General, and Article III, Zoning Districts – Use and Regulations, Regarding Definitions and C-1 and C-2 Zoning.
- [10.](#) 21-14 An Ordinance of the City Council of the City of Republic, Missouri, Amending the Municipal Code of the City of Republic, Missouri, by Amending Title IV, Land Use, Chapter 405, Zoning Regulations, Article IV, A Planned Development District, Regarding Planned Development Districts.

[11.21-15](#) An Ordinance of the City Council of the City of Republic, Missouri, Amending the Municipal Code of the City of Republic, Missouri, by Amending Title IV, Land Use, Chapter 415, Sign Regulations, Regarding Signs.

[12.21-16](#) 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 8.44 Acres from Agricultural (AG) and General Commercial (C-3) to General Commercial (C-2), Located at the Southeast Corner of State Highway MM and West Farm Road 148.

[13.21-17](#) An Ordinance of the City Council of the City of Republic, Missouri, Authorizing the City Administrator to Enter into an Agreement with Berry Tractor and Equipment for the Purchase of a 2018 Komatsu Excavator and a 2016 Komatsu Dozer and Further Authorizing the City Administrator to Execute the Necessary Documents to Obtain Financing on Said Equipment from Bank of Missouri.

[14.21-18](#) An Ordinance of the City Council of the City of Republic, Missouri, Amending Title I, Government Code, Chapter 110, Administration Policies, Article II, Purchasing and Surplus Property and Adopting a New Policy Entitled City of Republic's Purchasing Policy and Procedures.

[15.21-19](#) An Ordinance of the City Council of the City of Republic, Missouri, Amending the Employee Handbook.

Other Business (Resolutions)

[16.21-R-08](#) A Resolution of the City Council of the City of Republic, Missouri, Authorizing Payment for the City's Workers' Compensation Insurance for 2021-2022.

[17.21-R-09](#) A Resolution of the City Council of the City of Republic, Missouri, Designating the Municipal Prosecutor and Authorizing the City Administrator to Enter into an Agreement for Prosecution Services.

Finance Report

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 tape recorded for public viewing.**



Matt Russell, Mayor/Ward III
Brandon Self, Ward I
Garry Wilson, Ward II
Christopher Updike, Ward III
Jennifer Mitchell, Ward IV

Eric Franklin, Ward I
Gerry Pool, Ward II
Jim Deichman, Ward IV

MINUTES
City Council Meeting
Online Zoom Meeting
February 16, 2021 at 6:00 PM

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 6:03 p.m. via an online Zoom meeting. Council Members present and on camera included Christopher Updike, Jim Deichman, Eric Franklin, Garry Wilson, Matt Russell, and Jennifer Mitchell. Council Member Pool participated by phone on mute, therefore no votes were counted from Council Member Pool. Others in attendance were: City Administrator David Cameron, Assistant City Administrator Lisa Addington, Finance Director Debbie Parks, Police Lieutenant Jamie Burks, City Attorney Scott Ison, Planning Manager Karen Haynes, Fire Chief Duane Compton, Assistant City Administrator Jared Keeling, BUILDS Administrator Andrew Nelson, Engineering Manager Garrett Brickner, Public Information Officer Mike Landis, Sergeant Frank Schreiber, Information Systems Director Josh Jones, 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.

Citizen Participation

Mayor Russell opened citizen participation at 6:00 p.m. No one came forward so Mayor Russell closed citizen participation at 6:06 p.m.

Consent Agenda

Motion was made by Council Member Franklin and seconded by Council Member Updike to approve the consent agenda. The vote was 6 Aye-Deichman, Franklin, Wilson, Russell, Updike, and Mitchell. 0 Nay. Motion Carried.

1. Approve February 2, 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. Approve Vendor List.
4. Approve Utility Billing Adjustments.

Board, Commission, and Committee Schedule

City Council Meeting	March 2, 2021
Board of Adjustment Meeting	March 4, 2021
Planning & Zoning Meeting	March 8, 2021
City Council Meeting	March 16, 2021



Old Business and Tabled Items

5. **20-59 An Ordinance of the City Council of the City of Republic, Missouri, Approving the Annexation of Approximately 15.52 Acres, Located in the 7300 Block of West Farm Road 170 and Adjacent Right-of-Way.**

Mayor Russell announced that the applicant has requested to withdraw this application.

6. **21-10 An Ordinance of the City Council of the City of Republic, Missouri, Authorizing the City Administrator to Enter into an Infrastructure Development Agreement with Turner Residential Holding, LLC for Infrastructure for Phase 1 of the Oak Hills Residential Subdivision.**

Motion was made by Council Member Mitchell and seconded by Council Member Wilson to have the second reading of Bill 21-10 by title only. The vote was 6 Aye-Russell, Deichman, Mitchell, Franklin, Updike, and Wilson. 0 Nay. Motion Carried. Karen Haynes was available to answer any questions from Council. Council Member Franklin motioned for the passage of Bill 21-10. Council Member Deichman seconded. A roll call vote was taken digitally. The vote was 6 Aye-Franklin, Wilson, Mitchell, Updike, Russell, and Deichman. 0 Nay. Motion Carried.

New Business (First Reading of Ordinances)

7. **21-11 An Ordinance of the City Council of the City of Republic, Missouri, Authorizing an Intergovernmental Agreement with the Missouri Highways and Transportation Commission for the Blueprint for Safer Roadways Program.**

Council Member Updike motioned for the first reading of Bill 21-11 by title only. Council Member Mitchell seconded. The vote was 6 Aye-Deichman, Franklin, Mitchell, Russell, Updike, and Wilson. 0 Nay. Motion Carried. Sergeant Frank Schreiber provided an overview of the bill. Mayor Russell reminded Council that this was a first read and to get with Sgt. Schreiber with any questions prior to the next meeting.

Other Business (Resolutions)

8. **21-R-05 A Resolution of the City Council of the City of Republic, Missouri, Authorizing the Police Department to Apply for and Accept Two Reimbursable, 2021-2022 Missouri Highway Safety Program for Traffic Safety and Enforcement Grants.**

Motion was made by Council Member Deichman and seconded by Council Member Wilson to approve Resolution 21-R-05. Lieutenant Jamie Burks provided an overview of the Resolution. The vote was 6 Aye-Deichman, Franklin, Mitchell, Russell, Updike, and Wilson. 0 Nay. Motion Carried.

9. **21-R-06 A Resolution of the City Council of the City of Republic, Missouri, Authorizing a Letter to the Missouri Department of Natural Resources for the Purpose of Requesting a Voluntary Referral to Develop an Abatement Order on Consent for Compliance of the Wastewater Treatment System.**

Motion was made by Council Member Updike and seconded by Council Member Franklin to approve Resolution 21-R-06. Andrew Nelson provided an overview of the Resolution. The vote was 6 Aye-Deichman, Franklin, Mitchell, Russell, Updike, and Wilson. 0 Nay. Motion Carried.

Reports from Staff

City Administrator David Cameron gave Mayor Russell kudos to his job running his first zoom meeting. Mr. Cameron stated that if anything came from the pandemic, it made these meetings continue to move forward, rather than be canceled. Mr. Cameron thanked Council for being able to participate via Zoom.

City Administrator David Cameron shared his appreciation for our employees. Mr. Cameron added he has never seen -15 degrees and staff has worked very hard through this weather. Officers and firefighters have worked accidents, there have been falls, we have had water main breaks, Public Works staff has been out around the clock doing snow removal, staff has been salting City properties, and we have had frozen mains and lines in our facilities. Mr. Cameron informed Council that the Public Works crew finished the development agreement with Convoy of Hope last week during the ice storm. Mr. Cameron expressed that he is amazed at the commitment and dedication of our employees. Mr. Cameron said people will say we need more salt and need to get to streets, but staff is working around the clock and we are doing our best to get to those areas. These are conditions we are not used to. Mr. Cameron added we also had a Lift Station overflow this afternoon and crews immediately responded.

City Administrator David Cameron reminded Council that next Thursday will be the City Council Work Session from 8:30-12. Mr. Cameron shared he is looking forward to discussing the needs of the community moving forward.

City Administrator David Cameron thanked Council for the opportunity to speak to a couple groups. Mr. Cameron shared he appreciated the Mayor and his wife Crystal attending and participating in the Rotary meeting. Mr. Cameron added that Mayor Russell's wife has a doctorate and is an attorney as well. Mr. Cameron thanked Council Member Franklin for the invite to the Pachyderm Club, mentioning it was freezing but still had a great turnout. Mr. Cameron reported that when doing these presentations about our community, he shares one of our strengths is the alignment from the Mayor and Council Members and how we are able to maneuver. Mr. Cameron added that Council gives us a tremendous amount of space to do our job. Mr. Cameron acknowledged we work together and appreciate your respect for each other. Mr. Cameron shared he looks forward to healthy conversations about where we go from here.

Mr. Cameron thanked Council for the opportunity to serve and thanked staff.

Council Member Franklin thanked Mr. Cameron and Mike Landis for speaking. Mr. Franklin added it was great to hear the challenges and good things and felt the presentation was well received. Mr. Franklin thanked our first responders and Public Works for keeping us safe. Mr. Franklin acknowledged it has been a terribly long week already. Mr. Franklin spoke on the great job of staff completing the waterline, adding that on a good day, it can be a difficult job, much less in the last week. Mr. Franklin shared staff is making Republic proud. Mr. Franklin added he is looking forward to the workshop and hopes everyone stays safe and warm.

Mayor Russell commented that Mr. Cameron does not appreciate pats on the back. Mayor Russell stated that it is a huge advantage Republic has by having David go out and represent us. Mayor Russell added that when Mr. Cameron rolls into a Springfield crowd and tells Springfield what is up with Republic, "he does it with class, finesse, and zero doubt". Mayor Russell noted that he and his wife are trained communicators and after his presentation, she commented that Mr. Cameron really got the message out there. Mayor Russell added that Mr. Cameron was told he had 35 minutes initially, only to find out he had to delivered it in 20 minutes. Mayor Russell acknowledged we are lucky to have Mr. Cameron in front of that group or any group.

Council Member Franklin seconded Mayor Russell's comments as he left his meeting 2 hours after it ended due to talking to everyone who was excited about what was going on in Republic.

Mayor Russell thanked everyone for being here, everyone for being careful out there, and thanked the employees for their hard work.

Adjournment

Mayor Russell adjourned the meeting at 6:27 p.m.

ATTEST:

Laura Burbridge, City Clerk

Matt Russell, Mayor

DRAFT



Matt Russell, Mayor/Ward III
Brandon Self, Ward I
Garry Wilson, Ward II
Christopher Updike, Ward III
Jennifer Mitchell, Ward IV
Eric Franklin, Ward I
Gerry Pool, Ward II
Jim Deichman, Ward IV

MINUTES
City Council Meeting
Community Center, 711 E. Miller Road
February 25, 2021 at 10:00 AM

Call Meeting to Order

The special session meeting of the City Council of the City of Republic, Greene County, Missouri, was called to order by Mayor Matt Russell at 10:00 a.m. at the Republic Community Center. Council Members present included Christopher Updike, Jim Deichman, Eric Franklin, Gerry Pool, Brandon Self, Matt Russell, and Jennifer Mitchell. Others in attendance were: City Administrator David Cameron, Chief of Staff/Human Resources Director Lisa Addington, Senior HR Generalist Melissa Wallen, HR Generalist Rachel Reich-Graef, Finance Director Debbie Parks, Finance Officer Meghin Cook, Police Chief Brian Sells, Police Lieutenant Jamie Burks, City Attorney Scott Ison, Planning Manager Karen Haynes, Fire Chief Duane Compton, Deputy Fire Chief Lynn Hollandworth, Assistant City Administrator/Parks and Recreation Director Jared Keeling, Assistant Parks and Recreation Director Jennafer Mayfield, BUILDS Administrator Andrew Nelson, Engineering Manager Garrett Brickner, Public Information Officer Mike Landis, and IT Technician Michael Sallee.

Other Business (Resolutions)

- 1. **21-07 A Resolution of the City Council of the City of Republic, Missouri, Authorizing the Repair to the Submersible Pump that Powers the Flowrider Surfing Simulator at the Republic Aquatic Center.**

Motion was made by Council Member Deichman and seconded by Council Member Updike to approve Resolution 21-R-07. Jared Keeling provided an overview of the Resolution. The vote was 7 Aye-Deichman, Franklin, Mitchell, Pool, Russell, Self, and Updike. 0 Nay. Motion Carried.

Adjournment

Mayor Russell adjourned the meeting at 10:04 a.m.

ATTEST:

Laura Burbridge, City Clerk

Matt Russell, Mayor



- Matt Russell, Mayor/Ward III
- Brandon Self, Ward I
- Garry Wilson, Ward II
- Christopher Updike, Ward III
- Jennifer Mitchell, Ward IV
- Eric Franklin, Ward I
- Gerry Pool, Ward II
- Jim Deichman, Ward IV

MINUTES
City Council Work Session
Community Center, 711 E. Miller Rd.
February 25, 2021 at 10:00 AM

Call Meeting to Order

The work session of the City Council of the City of Republic, Greene County, Missouri, was called to order by Mayor Matt Russell at 10:04 a.m. at the Republic Community Center. Council Members present included Christopher Updike, Jim Deichman, Eric Franklin, Gerry Pool, Brandon Self, Matt Russell, and Jennifer Mitchell. Others in attendance were: City Administrator David Cameron, Chief of Staff/Human Resources Director Lisa Addington, Senior HR Generalist Melissa Wallen, HR Generalist Rachel Reich-Graef, Finance Director Debbie Parks, Finance Officer Meghin Cook, Police Chief Brian Sells, Police Lieutenant Jamie Burks, City Attorney Scott Ison, Planning Manager Karen Haynes, Fire Chief Duane Compton, Deputy Fire Chief Lynn Hollandworth, Assistant City Administrator/Parks and Recreation Director Jared Keeling, Assistant Parks and Recreation Director Jennafer Mayfield, BUILDS Administrator Andrew Nelson, Engineering Manager Garrett Brickner, Public Information Officer Mike Landis, and IT Technician Michael Sallee.

Session 1 - Administrative Priorities

City Administrator David Cameron welcomed everyone to the work session and gave an overview of the agenda.

Council Member Garry Wilson arrived at 10:08 a.m.

Mayor Russell welcomed everyone and discussed the public safety priorities. Mayor Russell encouraged Council Members to participate in the discussion today and in the future.

City Administrator David Cameron discussed the budget and debt of the City.

City Administrator David Cameron gave an overview of the administrative priorities.

City Administrator David Cameron gave an overview of public safety and their priorities.

Session 2 – Community Needs

- Public Safety

City Administrator David Cameron gave an overview of public safety and their priorities.

- Transportation

City Administrator David Cameron discussed the transportation needs of the City.

Session 3 - Funding Options

City Administrator David Cameron presented potential funding mechanisms. Mr. Cameron engaged in a discussion with Council Members on the funding, both current and future, and priorities.

Session 4 - Community Development Update

BUILDS Administrator Andrew Nelson discussed the current state of development in the City.

Adjournment

Mayor Russell adjourned the meeting at 1:46 p.m.

ATTEST:

Laura Burbridge, City Clerk

Matt Russell, Mayor

DRAFT



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 007 Accounts Payable Records	Accounts Payable	2001	Completion of audit
028.006 Ballot Preparation Records 028.010 Certificate of Ballots 028.013 Certification of Election Results to Political Subdivisions 028.018 Election Notices	Election Materials	1996-1997	22 months
GS 045 Bonds, Public Officials and Employees	Surety Bond for Treasurer	1990	Retain 6 years after expiration
0030 Landfill Fee Records	Landfill Fee Records	All years prior to 1980	3 years
0003 Annexation Records	Annexation Records	1972-1975, 1966	6 years after recorded in minutes
028.006 Ballot Preparation Records 028.010 Certificate of Ballots 028.013 Certification of Election Results to Political Subdivisions 028.018 Election Notices	Annexation Election	1973-1974	22 months
0707 Bonds Issued	Bonds/COP's	1981	10 years after final maturity;



Record Destruction Request Form

			Rejected Proposals, 5 years
0039 Petitions	Petitions regarding Fluoride Treatment in water	1977	5 years



Utility Billing Adjustments

Date	Customer	Overread/Leak	Leak In	Water Gallons Adjusted	Amount Adjusted	Sewer Gallons Adjusted	Amount Adjusted
1/6/2021	Pinewood Park Bldg C	Leak		27250	97.01	27250	258.06
1/7/2021	Luke & Hannah Harding	Leak	Toilet Flapper	4967	17.68	4967	47.03
1/7/2021	Kuper & Penny Kreul	Leak	Toilet Flapper	3550	12.64	0	0
1/11/2021	Trinity & Lindsey Ellison	Leak	Shower Valve	1450	5.16	1450	13.73
1/22/2021	Stephanie Edwards	Leak	Service Line	3480	12.39	6960	65.91
1/22/2021	Tom Mayes	Leak	Toilet Flapper	850	3.03	850	8.05
1/22/2021	Diversified Metalworking	Leak	Toilet	7847	27.93	7847	74.31
1/22/2021	Jill Juneau	Leak	Outside Faucet	2879	10.25	5757	54.52
1/22/2021	Brandon Creamer	Leak	Toilet Flapper	930	3.31	930	8.81
1/22/2021	Robert & Joanna Irvine	Leak	Outside Faucet	1384	4.93	2767	26.2
1/22/2021	Robin & Dale Boucher	Leak	Service Line	6002	21.37	12003	113.67



Vendor Audit Report

For the City of Republic

Date Range: 02/01/2021-02/28/2021

Vendor No. & Name	Added	Added User
07317 - MO Municipal & Associate Circuit Judges Asoc.	2/8/2021	Rachel Reich-Graef
07318 - Preferred Resource Network, Inc.	2/8/2021	Rachel Reich-Graef
07319 - McMaster-Carr Supply Company	2/12/2021	Meghin Cook
07321 - Blodgett Industries, LLC	2/12/2021	Meghin Cook
07329 - McReynolds Auto, Diesel & Customs LLC	02/18/2021	Meghin Cook
07330 - Cook & Riley, LLC	02/19/2021	Meghin Cook
07331 - Missouri Municipal & Associate Circuit Judges Association	02/24/2021	Meghin Cook
07333 - Consolidated Admin Services LLC	02/24/2021	Meghin Cook
07334 - Tri-Tech Forensics, Inc.	02/24/2021	Meghin Cook
07335 - Missouri Police Chiefs Association	02/24/2021	Meghin Cook



AGENDA ITEM ANALYSIS

Project/Issue Name: 21-11 An Ordinance of the City Council of the City of Republic, Missouri, Authorizing an Intergovernmental Agreement with the Missouri Highways and Transportation Commission for the Blueprint for Safer Roadways Program.

Submitted By: Lt. Jamie Burks

Date: March 23, 2021

Issue Statement

The Republic Police Department is requesting authorization to accept the 2021 Missouri Highways and Transportation Commission Blueprint for Safer Roadways Program Agreement.

Discussion and/or Analysis

The Missouri Highways and Transportation Commission has authorized State Road Funds to be used to support regional Blueprint for Roadway Safety activities. The purpose of this Agreement is to grant the use of such State Road Funds to the City of Republic Police Department for the following:

Two (2) Stalker Duel DSR Dash Mounted Radar Units totaling \$5,848.00 to be awarded for this State bid item. With the units, the goal of this project is: (a) to increase enforcement on targeted crash corridors. (b) Reduce the number of fatality and injury collisions within our jurisdiction. (c) Lidar is a good speed prevention measure. (d) Reduce court time with more guilty pleas/verdicts. (e) Use for major crash investigations.

Recommended Action

Staff recommends approval.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE BLUEPRINT FOR SAFER ROADWAYS PROGRAM

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 Missouri Highways and Transportation Commission (herein called "MoDOT") has proposed an Intergovernmental Agreement with the City for the Blueprint for Roadway Safety Program (herein called the "Grant"); and

WHEREAS, the Grant is a reimbursement grant for the City's Police Department to purchase two Stalker Dual DSR dash mounted radar units for a reimbursement amount not to exceed \$5,848.00; and

WHEREAS, the Council finds this Agreement is in the best interest of the City as it will result in considerable savings to the City and increase safety and security for our community.

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

- Section 1. Mayor Matt Russell is authorized to execute, on behalf of the City, an Intergovernmental Agreement with MoDOT for the Grant, said Agreement to be substantially in the form and content of the document attached hereto and incorporated herein.
- Section 2. The whereas clauses are hereby specifically incorporated herein by reference.
- Section 3. 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 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 _____ 2021.

Matt Russell, Mayor

BILL NO. 21-11

ORDINANCE NO. 21-

Attest:

Laura Burbridge, City Clerk

Approved as to Form:  Digitally signed by Scott Ison
Date: 2021.02.11 09:52:10
-06'00' _____, Scott Ison, City Attorney

Final Passage and Vote: _____

CCO Form: HS02
Approved: 01/05 (BDG)
Revised: 03/17 (AR)
Modified:

Award name/number: BPC-SW-8U-Z
Award year: 2021

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
BLUEPRINT FOR SAFER ROADWAYS PROGRAM AGREEMENT**

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the

City of Republic Police Department, a municipal corporation in the State of Missouri (hereinafter, "City"); OR

County of _____, (hereinafter referred to as "County"); OR

Department of _____, a department within the executive branch of the government of the State of Missouri (hereinafter, "Department"); OR

_____, a recognized vendor with the State of Missouri (hereinafter, "Vendor")

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) PURPOSE: The Commission has authorized State Road Funds to be used to support regional Blueprint for Roadway Safety activities. The purpose of this Agreement is to grant the use of such State Road Funds to the City.

(2) ACTIVITY: The State Road Funds, which are the subject of this Agreement, will support the following activity to further Missouri's Blueprint for Roadway Safety:

Radar (2 Stalker Duals).

(3) INDEMNIFICATION:

(A) To the extent allowed or imposed by law, the City shall defend, indemnify and hold harmless the Commission, including its members and the Missouri Department of Transportation (MoDOT or Department) employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the City's wrongful or negligent performance of its obligations under this Agreement.

(B) The City will require any contractor procured by the City to work under this Agreement:

(1) To obtain a no cost permit from the Commission's district engineer prior to working on the Commission's right-of-way, which shall be signed by an

authorized contractor representative (a permit from the Commission's district engineer will not be required for work outside of the Commission's right-of-way); and

(2) To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the Commission, and MoDOT, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo. The City shall cause insurer to increase the insurance amounts in accordance with those published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

(4) AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representatives of the City and the Commission.

(5) COMMISSION REPRESENTATIVE: This Commission's District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(6) NONDISCRIMINATION CLAUSE: The City shall also comply with all state and federal statutes applicable to the City relating to nondiscrimination, including, but not limited to, Chapter 213, RSMo; Title VI and Title VII of the Civil Rights Act of 1964 as amended (42 U.S.C. Sections 2000d and 2000e, *et seq.*); and with any provision of the "Americans with Disabilities Act" (42 U.S.C. Section 12101, *et seq.*).

(7) ASSIGNMENT: The City shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(8) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The City shall comply with all local, state and federal laws and regulations relating to the performance of this Agreement.

(9) CANCELLATION: The Commission may cancel this Agreement at any time for a material breach of contractual obligations or for convenience by providing the City with written notice of cancellation. Should the Commission exercise its right to cancel the contract for such reasons, cancellation will become effective upon the date specified in the notice of cancellation sent to the City.

(10) ACCESS TO RECORDS: The City and its Contractors must maintain all records relating to this Agreement, including but not limited to invoices, payrolls, etc.

These records must be available at no charge to the Commission and/or their designees or representatives during the period of this Agreement and any extension, and for a period of three (3) years after the date on which the City receives reimbursement of their final invoice from the Commission.

(11) REIMBURSEMENT: With regard to work under this Agreement, the City agrees that funds to implement Blueprint activities shall only be available for reimbursement of eligible costs which have been incurred by City. The City shall supply to the Commission copies of all bid information; purchase orders; invoices; and name, date, hours worked, and rate of pay (on Program Agreements that include salaries). Any costs incurred by City prior to authorization and notification to proceed from the Commission are **not** reimbursable costs. The Commission shall not be responsible for any costs associated with the activity herein unless specifically identified in this Agreement or subsequent written amendments. The Commission shall not provide more than **Five thousand eight hundred forty eight** dollars (\$5,848.00) for this Blueprint safety project.

(12) USE OF FUNDS: Any employee of City whose salary or wages are paid in whole or in part with federal funds is prohibited from participating in certain partisan political activities, including, but not limited to, being a candidate for elective office pursuant to Title 5 United States Code (hereinafter, "U.S.C."), Sections 1501-1508. If an employee of City participates in activities prohibited by the Hatch Act, City shall no longer pay that employee's salary or wages with federal funds unless the requirements of 5 U.S.C. Sections 1501-1508 are not applicable to that employee pursuant to 5 U.S.C. Section 1502(c).

(13) INSPECTION OF IMPROVEMENTS AND RECORDS: The City shall assure that representatives of the Commission shall have the privilege of inspecting and reviewing the work being performed per this Agreement. The City shall also maintain all financial documents, reports, papers and other evidence pertaining to costs incurred in connection with this Program Agreement, and make such materials readily available for review at reasonable times and at no charge during this Agreement period and for three (3) years from the date of final payment under this Agreement, for inspection by the Commission or any authorized representatives of the State of Missouri; copies shall be furnished, upon request, to authorized representatives of the Commission or State.

(14) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(15) FINAL AUDIT: The Commission may, in its sole discretion, perform a final audit of project costs. The City shall refund any overpayments as determined by the final audit.

(16) SOLE BENEFICIARY: This Agreement is made for the sole benefit of the parties hereto and nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the City.

(17) AUTHORITY TO EXECUTE: The signers of this Agreement warrant that

they are acting officially and properly on behalf of their respective institutions and have been duly authorized, directed and empowered to execute this Agreement.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City this ____ day of _____, 20____.

Executed by the Commission this ____ day of _____, 20____.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

REPUBLIC POLICE DEPARTMENT

By _____

Title: District Engineer

Title _____

By _____

Title _____

By _____

Title _____

ATTEST:

By _____

Title _____

Approved as to Form:

Title _____

Ordinance No _____

*Note: If agency is a County with a county commission form of government, 3 signatures are required.



AGENDA ITEM ANALYSIS

Project/Issue Name: 21-12 An Ordinance of the City Council of the City of Republic, Missouri, Calling an Election on the Question of Imposing a City Sales Tax to Fund Public Safety; Designating the Time for Holding Said Election; and Authorizing and Directing the City Clerk to Give Notice to the County Clerks of Said Election.

Submitted By: David Cameron, City Administrator

Date: March 23, 2021

Issue Statement

Consideration of an Ordinance calling for a vote regarding a sales tax to fund public safety.

Discussion and/or Analysis

In 1981, the citizens of Republic voted upon themselves a 1% General Fund Sales Tax that served in addition to Real Property Tax and Personal Property Taxes. In 1986, the community voted to “trade-off” Personal Property tax in lieu of a new half percent Street Improvement Tax. In 2005, the City of Republic consolidated with the Village of Brookline and doubled the geographic area of the City to 24.57 square miles. Since 1981, Republic’s population has increased from 4,485 to approximately 18,000 and the City continues to grow and expand while the demand for City services, specifically for public safety, is greater than ever before.

The current City of Republic 1% General Fund Sales Tax funds the operations of twelve (12) different divisions/departments in addition to making the annual payments on long term debt for the construction of Fire Station 1 and the remodel of Fire Station 2. As per RSMO 94.510, cities in Missouri are allowed up to 2% in General Fund Sales Tax to fund general operations.

The City of Republic is unique in that it does not collect personal property tax or collect revenues in real property tax to fund the Fire Department. Further, our Fire Department is the only department in our area, other than Springfield, that does not operate under a Fire District with a designated funding source through a property tax levy and real property tax. The City of Springfield utilizes a level property tax provision and other provisions to assist with Public Safety funding, whereas our community has no assistance from personal property taxes. Therefore, our current 1% sales tax carries more liabilities than any other city in our region.

Below is a summary of the current challenges the City of Republic is facing in public safety (Republic Police Department and Republic Fire Department) personnel and funding:



Republic Police Department

Staffing Summary

- The City of Republic currently employs 24 full-time police officers when fully staffed.
- The International Association of Chiefs of Police recommends 2 full-time officers per 1,000 residents for a city of our size.
- Given the current estimated population of Republic is +/- 18,000, industry standard would mean a total of 36 full-time police officers is recommended.
- The City of Republic is proposing to add 12 full-time police officers to address the shortage per industry standard.

RPD Quick Facts

- No new police officers have been added to our team since 2006.
- Eliminated two (2) positions in 2020 to address regional pay deficiency.
- In comparison regionally, the City of Ozark (population – 19,400) employs 37 full-time police officers and the City of Nixa (population – 22,515) employs 42 full-time police officers.
- Between January 1-March 4, 2021, the Republic Police Department has been “blacked out” a total of 38 hours that has been accounted for and numerous other short-term instances of 20 minutes or less that haven’t been officially reported.
- Retirement benefit amongst the lowest in the region.
- Subsidized out of Street Department budget in the amount of \$600,000 due to allowable language in State Motor Fuel Tax & State Motor Sales Tax.
- Detectives currently working 50% higher caseloads than the preferred number. Total person crimes at 87 and total property crimes at 85.
- Below is a sampling of when there have been only 2 or 3 officers on duty:
 - December 2020: 3 Officer Shifts – 25; 2 Officer Shifts – 3
 - January 2021: 3 Officer Shifts – 24; 2 Officer Shifts – 15
 - February 2021: 3 Officer Shifts – 16; 2 Officer Shifts – 4



Republic Fire Department

Staffing Summary

- The City of Republic currently employs 20 full-time fire fighters when fully staffed.
- The National Fire Protection Association recommends 15 fire fighters respond to a common residential structural fire. The Republic Fire Department typically responds with 6 and relies upon auto aid and mutual aid from neighboring departments.
- The City of Republic is proposing to add 14 full-time fire fighters to address the shortage per industry standard.

RFD Quick Facts

- No new fire fighters have been added to our team since 2007.
- Eliminated one (1) position in 2020 to address regional pay deficiency.
- In comparison regionally, the City of Ozark employs 30 full-time fire fighters and the City of Nixa employs 33 full-time fire fighters.
- Since January 1, 2021, the Republic Fire Department has been “blacked out” on 27 separate occasions totaling varying from time durations of 4 minutes to 3.5 hours.
- Retirement benefit amongst the lowest in the region.
- The City of Republic doesn’t have a dedicated property tax for fire protection similar to other cities in our region.

Since arriving in Republic in July 2016, City Administration has been focused on improving processes and relationships in an effort to build trust. We have made significant changes to cut costs in order to operate in a lean, efficient and effective manner. It is my position that the City is currently operating in our community’s best financial interest without unnecessary waste or costs. However, now after having adequate time to review and make organizational adjustments, we believe it necessary to approach our citizens for an additional funding mechanism for public safety to meet the needs of our growing Republic community.

Recommended Action

Staff recommends approval. The sales tax amount of 3/4¢ and the 25-year sunset have been inserted in the Ordinance as a starting point for the discussion and can be amended by members of City Council at their choosing.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, CALLING AN ELECTION ON THE QUESTION OF IMPOSING A CITY SALES TAX TO FUND PUBLIC SAFETY; DESIGNATING THE TIME FOR HOLDING SAID ELECTION; AND AUTHORIZING AND DIRECTING THE CITY CLERK TO GIVE NOTICE TO THE COUNTY CLERKS OF SAID ELECTION

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 is authorized under the provisions of the Missouri Constitution and Sections 94.500 through 94.550 RSMo., the City Sales Tax Act, to impose a general city sales tax as long as it does not result in a combined rate of sales taxes adopted under Section 94.510 in excess of two percent (2%); and

WHEREAS, in 1981, the voters of the City of Republic did approve a one percent (1%) city sales tax (herein called the “Original Sales Tax”), and the original sales tax shall remain in full effect regardless of the provisions of this Ordinance including the outcome of the vote contemplated herein; and

WHEREAS, the City has experienced significant growth since the Original Sales Tax was approved in 1981. In 1981, the population of the City was listed as 4,485 residents, and according to the latest census estimate from 2019, the City’s population is approximately 16,938 residents; and

WHEREAS, if this city sales tax is approved, the City plans on adding an additional 26 public safety employees to include 14 firefighters, 12 police officers; and

WHEREAS, since 1986, the City has not and does not collect any personal property taxes from the citizens of Republic. Were the City to collect a personal property sales tax, it would be paid by property owners in Republic whereas a sales tax is also paid by those purchasing items in Republic; and

WHEREAS, the City is the only city in Greene and Christian County, other than the City of Springfield, that has its own fire department as opposed to a fire protection district. A fire protection district is commonly funded by a real estate tax levy which is paid by the property owners in the district. The average fire protection district tax levy in Greene and Christian County is approximately .5231; and

WHEREAS, in 2013, the voters of the City of Republic did approve a one-eighth of one percent (1/8%) sales tax for the operation of the City’s Fire Department (herein called the “Fire Sales Tax”) and the Fire Sales Tax shall remain in full effect regardless of the provisions of this Ordinance including the outcome of the vote contemplated herein; and

WHEREAS, the impact of a three-fourths of one percent (3/4%) sales tax will add \$0.75 to a \$100.00 retail purchase; and

WHEREAS, a proposed sales tax cannot become effective unless approved by a majority of the qualified voters at a municipal election; and

WHEREAS, the City Council of the City of Republic, Missouri, has determined it is necessary to authorize an additional three-fourths of one percent (3/4%) city sales tax to fund public safety.

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

Section 1. An election is hereby ordered to be held in the City of Republic, Missouri, pursuant to Section 94.510, et. seq. RSMo., on August 3, 2021, to the qualified voters of the City of Republic. The following question shall be in substantially the following form:

QUESTION

Shall the City of Republic, Missouri, impose a city sales tax of three-fourths of one percent (3/4%) to fund public safety, such tax to terminate automatically 25-years after the imposition thereof?

YES
NO

INSTRUCTIONS TO VOTERS: If you are in favor of the question, place an X in the box opposite "YES." If you are opposed to the question, place an X in the box opposite "NO."

Section 2. The City Clerk is hereby authorized and directed to conduct said election in a manner consistent with the provisions of Chapter 115 of the Revised Statutes of Missouri.

Section 3. The form of the notice of said election and ballot, to be in substantially the same form, a copy of which is attached hereto and made a part hereof, is hereby approved.

Section 4. A certified copy of this Ordinance shall be filed with the County Clerk of Greene County, Missouri, and the County Clerk of Christian County, Missouri, by the City Clerk no later than 5:00 p.m. on May 25, 2021.

Section 5. If the city sales tax is approved by a majority of the votes cast by the qualified voters voting thereon, then the City Clerk shall within ten days forward to the Director of Revenue of the State of Missouri by United States registered or certified mail, a certified copy of this Ordinance with a map clearly showing the boundaries of the City and said sales tax shall become effective no later than the first day of the second calendar quarter after the Department of Revenue receives notification of the rate change, and shall be levied, collected and distributed in the manner provided by the City Sales Tax Act.

BILL NO. 21-12

ORDINANCE NO.

Section 6. If the proposed city sales tax is not approved by a majority of the votes cast by the qualified voters voting thereon, then this Ordinance shall be of no effect, and the of three-fourths of one percent (3/4%) sales tax proposed herein shall not be effective, however, the failure of this proposition to receive the requisite majority vote shall have no effect on the Original Sales Tax or Fire Sales Tax. Nothing herein is intended to be nor shall be deemed as an abolition of the Original Sales Tax, Fire Sales Tax, or any other tax levied by the City.

Section 7. The Greene County Clerk and Christian County Clerk are hereby authorized to conduct said election in a manner consistent with the provisions of Chapter 115 of the Revised Statutes of Missouri and designate the polling places for the qualified voters of the City.

Section 8. The Mayor, the City Clerk, and other officers and representatives of the City are hereby authorized and directed to take such other action as may be necessary to carry out the purpose and intent of this Ordinance.

Section 9. The whereas clauses are hereby specifically incorporated herein by reference.

Section 10. 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 11. This Ordinance shall be in full force and effect from its date of passage.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this _____ day of _____ 2021.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

Approved as to Form: _____, Scott Ison City Attorney

Final Passage and Vote: _____

NOTICE OF ELECTION

REPUBLIC, MISSOURI

Notice is hereby given to the qualified voters of the City of Republic, Missouri, that pursuant to an Ordinance duly adopted, the City Council of the City of Republic, Missouri, has called an election to be held in the City on August 3, 2021, commencing at 6:00 a.m. and closing at 7:00 p.m., for the purpose of submitting to the qualified voters of the City the question contained in the following sample ballot:

**OFFICIAL BALLOT
ELECTION
REPUBLIC, MISSOURI
August 3, 2021**

PROPOSITION S

Shall the City of Republic, Missouri, impose a city sales tax of three-fourths of one percent (3/4%) to fund public safety, such tax to terminate automatically 25-years after the imposition thereof?

YES
NO

INSTRUCTIONS TO VOTERS: If you are in favor of the question, place an X in the box opposite "YES." If you are opposed to the question, place an X in the box opposite "NO."

A full and complete copy of Ordinance No. 21-12, submitting the above question to the electorate is on file in the office of the City Clerk of the City of Republic, Missouri where the same is open for inspection and copying during normal business hours.

The election will be held at the following polling places in the City:

To be determined by the County Clerk of the respective jurisdiction.



AGENDA ITEM ANALYSIS

Project/Issue Name: 21-13 An Ordinance of the City Council of the City of Republic, Missouri, Amending the Municipal Code of the City of Republic, Missouri, by Amending Title IV, Land Use, Chapter 405, Zoning Regulations, Article I, In General, and Article III, Zoning Districts – Use and Regulations, Regarding Definitions and C-1 and C-2 Zoning.

Submitted By: Karen Haynes, Planning Manager, BUILDS Department

Date: March 23, 2021

Issue Statement

Consideration to approve Amendments to Sections 405.020 Definitions, 405.150 C-1 Local Commercial District Regulations, and C-2 General Commercial District Regulations

Discussion and/or Analysis

The City of Republic is requesting Amendments to Sections 405.020 Definitions, 405.150 C-1 Local Commercial District Regulations, and C-2 General Commercial District Regulations to provide additional clarity to the language of the Zoning Ordinance and to facilitate growth in the City of Republic:

Section 405.020 Definitions:

Added Definitions:

- **Convenience Store:** Any building or structure used for the dispensing, sale or offering for sale at retail of any automobile fuels, which may include retail sales, not to include any type of automobile related service or repair.
- **Pergola:** An outdoor accessory structure consisting of vertical posts or pillars and supporting cross-beams and without walls, forming a shaded walkway, passageway, or sitting area, not attached to another structure.

Revised Definitions:

- **Filling Station:** Any building, structure or land used for the dispensing, sale or offering for sale at retail of any automobile fuels, ~~and~~ **The sale of** oils or accessories, including lubrication of automobiles and replacement ~~and~~ **and** installation of minor parts and accessories, but not including major repair work such as motor replacement, body and fender repair or ~~spray~~ painting.
- **Perimeter Landscaping:** A ~~five (5)~~ **six (6)** foot greenspace strip which surrounds the entire ~~property~~ **premise**, not including where a landscaped street buffer is required.

- **Premise:** Any ~~tract of~~ land, consisting of one (1) or more lots or tracts of land, under single or multiple ownership, which operates as a functional unit. When developed, a premise shall also possess one (1) or more of the following criteria:
 1. Shared parking.
 2. Common management.
 3. Common identification.
 4. Common access.
 5. Shared circulation.

Section 405.150 C-1 Local Commercial District Regulations:

- **Section 405.150.B.6:** Convenience store, ~~filling stations.~~
 - Removed Filling Stations as a Permitted Use; an Amendment to the C-2 District Regulations is proposing Filling Stations as a Permitted Use
- **Section 405.150.B.16:** Residential uses provided such uses are located above the first floor or behind non-residential uses in a single attached mixed-use building, so as to create a continuous non-residential facade, on the first-floor level along all street frontages.
 - Clarified residential uses are to be located only in a Mixed-Use Building
- **Section 405.150.B.20:** Veterinarian, dog grooming, boarding, pet daycare, or similar place of animal care, provided that only treatment or care be given to animals kept within the building ~~or office.~~ No outside cages, kennels, fences, equipment, materials, or accessories to the business shall be stored outside or used on the premises etc. associated with livestock or other large animals shall be stored on the premises.
 - Added pet daycare.
 - Clarified the use only allows for utilizing a building and does not include any exterior uses related to the treatment or care of animals.
 - Article VIII Special Use Regulations allows for Veterinarian and similar animal care facilities to obtain a Special Use Permit in the C-2 and M Zoning Districts, which could include utilizing outside areas for the business.

Section 405.160 C-2 General Commercial District Regulations:

- **Section 405.160.B.23: Filling Stations.**
 - Added Filling Stations as a Permitted Use

Recommended Action

Staff recommends the approval of the referenced Amendments.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI,
AMENDING THE MUNICIPAL CODE OF THE CITY OF REPUBLIC, MISSOURI, BY
AMENDING TITLE IV, LAND USE, CHAPTER 405, ZONING REGULATIONS, ARTICLE I,
IN GENERAL, AND ARTICLE III, ZONING DISTRICTS - USE AND REGULATIONS,
REGARDING DEFINITIONS AND C-1 AND C-2 ZONING**

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 has recognized the need to continually review and revise Land Use Regulations as the City continues to grow and develop; and

WHEREAS, the BUILDS Department did, thereafter, submit revisions to the Planning and Zoning Commission which did set March 8, 2021, as the date a Public Hearing would be held on such application and proposed revisions; and

WHEREAS, notice of the time and date of Public Hearing was given by publication on February 10, 2021, in The Greene County Commonwealth, a newspaper of general circulation in the City of Republic, such notice being at least 15 days before the date set for the Public Hearing; and

WHEREAS, a Public Hearing was conducted by the Planning and Zoning Commission on March 8, 2021; and

WHEREAS, on March 8, 2021, the Planning and Zoning Commission, by a vote of 5 Ayes to 0 Nays, recommended the approval to revise Land Use Regulations dealing with definitions, C-1, and C-2 zoning, and thereafter, submitted the same, together with its recommendations, to the City Council; and

WHEREAS, the revisions to the Land Use Regulations dealing with definitions, C-1, and C-2 zoning was submitted to the City Council at its regular meeting on March 23, 2021, after which the City Council did proceed to vote to approve the revisions.

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

Section 1. Title IV, "Land Use," Chapter 405, "Zoning Regulations," Article I, "In General" is hereby amended by amending Section 405.020, "Definitions" to read as follows:

Section 405.020 Definitions.

A. For the purposes of this Chapter, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include

the plural and the plural the singular; the word "building" shall include the word "structure" and the word "shall" is mandatory and not directory.

- B. For the purpose of this Chapter, certain terms and words are to be used and interpreted as defined below:

AGRICULTURAL PROCESSING

The initial processing of crop-based agricultural products that is reasonably required to take place in close proximity to the site where such products are produced. Typical uses include grain mills.

AGRICULTURAL SALES AND SERVICE

A use primarily engaged in the sale or rental of farm tools and implements, feed and grain, tack, animal care products, and farm supplies. This definition excludes the sale of large implements, such as tractors and combines, but includes food sales and farm machinery repair services that are accessory to the principal use.

AGRICULTURE, GENERAL

The use of land for the production of livestock, dairy products, poultry or poultry products.

AGRICULTURE, LIMITED

The use of land for the production of row crops, field crops, tree crops or timber.

ALLEY

All property dedicated or intended for public or private street purposes or subject to public easements therefore, and less than sixteen (16) feet in width from property line to property line.

BASEMENT

That enclosed part of a building having at least two (2) feet of its height below the average grade of the adjoining ground.

BERM

An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.

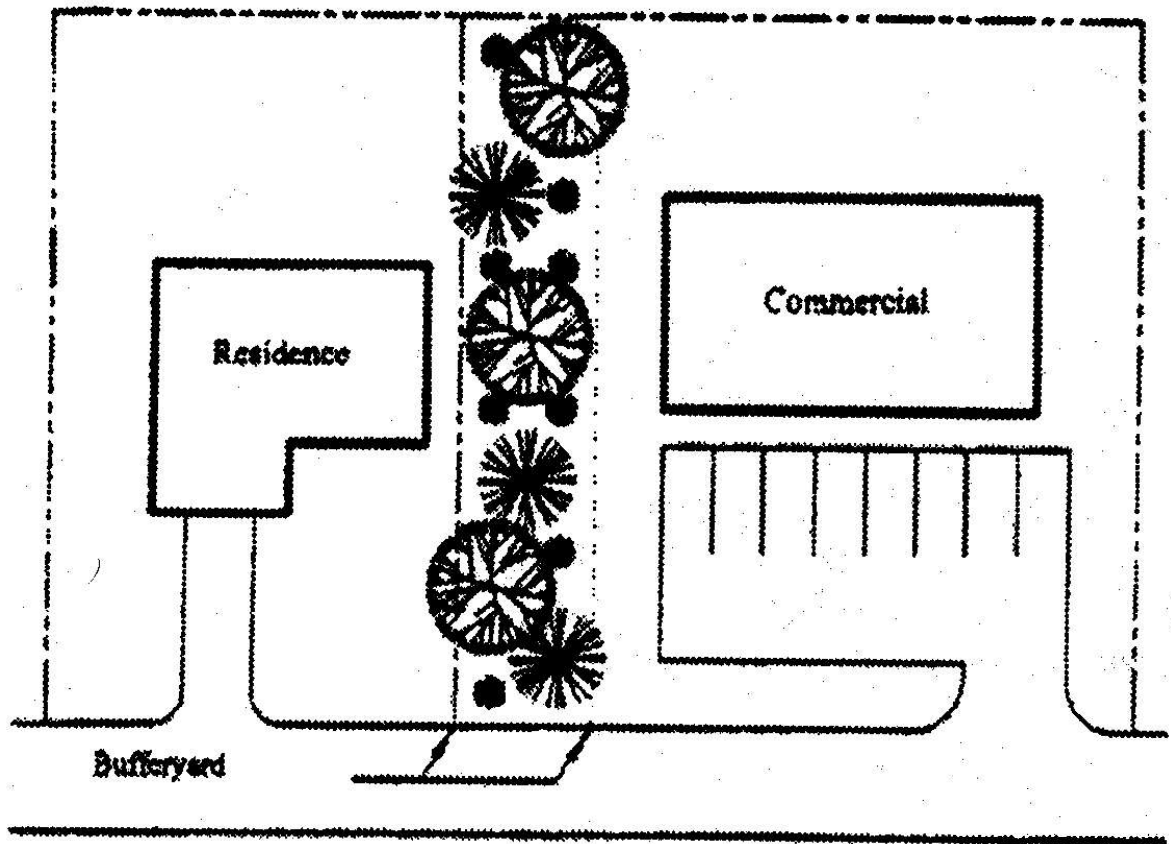
BOARDING HOUSE or LODGING HOUSE

A building, other than a hotel or apartment hotel, where, for compensation and by pre-arrangement for definite periods, lodging, meals, or lodging and meals are provided for three (3) or more persons, but not exceeding twenty (20) persons.

BUFFER

Land area typically containing trees, shrubs and other plants, berms, fences, or walls and used to visibly separate one (1) use from another or to block noise, lights or other

nuisances.



BUILDING

Any structure having a roof supported by columns or walls for the shelter or enclosure of persons or property.

BUILDING, HEIGHT OF

The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip, and gambrel roofs.

BULK PLANE

A theoretical plane beginning at a lot line, or other locations as set forth in the Code and rising over an acute slope determined by an acute angle measured up from the horizontal point. The bulk plane defines the relationship between the height of a structure and the structure's setback from the lot line.

CARPORT

A structure open on at least two (2) sides used for the purpose of providing vehicular

protection. Carports shall not be located within side or front yard setbacks.

CLINIC

An establishment where patients are not lodged overnight but are admitted for examination and treatment by a group of physicians or dentists practicing medicine together.

CO-LOCATION

Locating wireless communications equipment for more than one (1) provider at a single communications facility.

CONIFER

Evergreen trees and shrubs that bear both seeds and pollen on dry scales arranged as a cone.

CONVENIENCE STORE

Any building or structure used for the dispensing, sale or offering for sale at retail of any automobile fuels, which may include retail sales, not to include any type of automobile related service or repair.

CULTIVATED LANDSCAPE AREA

Planted areas that are frequently maintained by mowing, irrigating, pruning, fertilizing, etc.

DAY CARE

1. FAMILY DAY CARE HOME: A family home, occupied by the day care provider, in which family-like care is given to six (6) children or less, not related to the provider, for any part of the twenty-four (24) hour day. The maximum number of children under two (2) years of age shall be three (3).
2. GROUP DAY CARE HOME: A family home, occupied by the day care provider, in which family-like care is given to seven (7) but not more than ten (10) children, not related to the provider, for any part of the twenty-four (24) hour day. The maximum number of children under two (2) years of age shall be two (2) unless there is a full-time adult assistant, in which case the maximum number of children under two (2) years shall be four (4).

DAY CARE CENTER

Is either:

1. A family home where more than ten (10) children are cared for, not related to the provider, for any part of the twenty-four (24) hour day, or
2. A building other than a family home in which more than four (4) children are cared for, not related to the provider, for any part of the twenty-four (24) hour day.

DECIDUOUS

A plant with foliage that is shed annually.

DISTRICT

A section or sections in the City of Republic within which the zoning regulations are uniform.

DROPLINE

A vertical line extending from the outermost branches of a tree to the ground.

DWELLING

A building or portion thereof designed or used exclusively for residential occupancy, but not including home trailers, mobile homes, hotels, motels, boarding houses and lodging houses, tourist courts or tourist homes.

DWELLING, MULTIPLE

A building designed for or occupied exclusively by more than two (2) families.

DWELLING, SINGLE-FAMILY

A building designed for or occupied exclusively by one (1) family.

DWELLING, TWO-FAMILY

A building designed for or occupied exclusively by two (2) families.

ECOSYSTEM

A characteristic assemblage of plant and animal life within a specific physical environment, and all interactions among species, and between species and their environment.

ENTITY

A natural person, corporation, professional corporation, non-profit corporation, cooperative corporation, unincorporated association, business trust, limited liability company, general or limited partnership, limited liability partnership, joint venture, or any other legal entity.

EVERGREEN

A plant with foliage that persists and remains green year-round.

EXTERIOR STRUCTURAL ALTERATION

Any change in the supporting members of a building or structure such as bearing walls or partitions, columns, beams or girders that is visible from the exterior of a building or structure or any substantial change in the roof or in exterior walls of a building or structure.

FAMILY

The following living arrangements shall constitute a family for the purposes of this

Chapter:

1. One (1) or more persons related by blood, marriage, adoption or custodial relationship living as a single housekeeping unit; or
2. Three (3) or less unrelated persons living as a single housekeeping unit; or
3. Two (2) unrelated persons, plus their biological, adopted or foster children or other minors for whom they have legally established custodial responsibility, living as a single housekeeping unit.

FILLING STATION

Any building, structure or land used for the dispensing, sale or offering for sale at retail of any automobile fuels, **The sale of** oils or accessories, including lubrication of automobiles and replacement ~~or~~ **and** installation of minor parts and accessories, but not including major repair work such as motor replacement, body and fender repair or ~~spray~~ painting.

FLOOR AREA

The square feet of floor space within the outside line of walls and including the total of all space on all floors of a building. It does include porches, garages, or space in a basement or cellar when said basement or cellar space is used for storage or incidental uses.

FRONTAGE

The distance along a street line from one (1) intersecting street to another or from one (1) intersecting street to the end of a dead-end street.

FURNISH

To issue, sell, give, provide, lend, mail, deliver, transfer, circulate, disseminate, present, exhibit or otherwise provide.

GARAGE, PRIVATE

A detached building or portion of a main building housing the automobiles of the occupants of the premises.

GARAGE, PUBLIC

A building or portion thereof, other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling, storing or parking motor-driven vehicles. The term "repairing" shall not include an automotive body repair shop nor the rebuilding, dismantling or storage of wrecked or junked vehicles.

GARAGE, STORAGE

A building or portion thereof designed or used exclusively for term storage by pre-arrangement of motor-driven vehicles, as distinguished from daily storage furnished

transients, and at which motor fuels and oils are not sold, and motor-driven vehicles are not equipped, repaired, hired or sold.

GRADE

The average level of the finished surface of the ground for buildings more than five (5) feet from a street line. For buildings closer than five (5) feet to a street line, the grade is the sidewalk elevation at the center of the building. If there is more than one (1) street, an average sidewalk elevation is to be used. If there is no sidewalk, the City Engineer shall establish the sidewalk grade.

GROUND COVER

Plants, other than turf grass, normally reaching an average maximum height of not more than twenty-four (24) inches at maturity.

GROUP HOME

Any home in which eight (8) or fewer unrelated mentally or physically handicapped person reside and may include two (2) additional persons acting as house parents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons residing in the home.

GUYED TOWERS

A communication tower that is supported, in whole or in part, by guy wires and ground anchors.

HEDGE

A landscape barrier consisting of a continuous, dense planting of shrubs.

HOME OCCUPATION

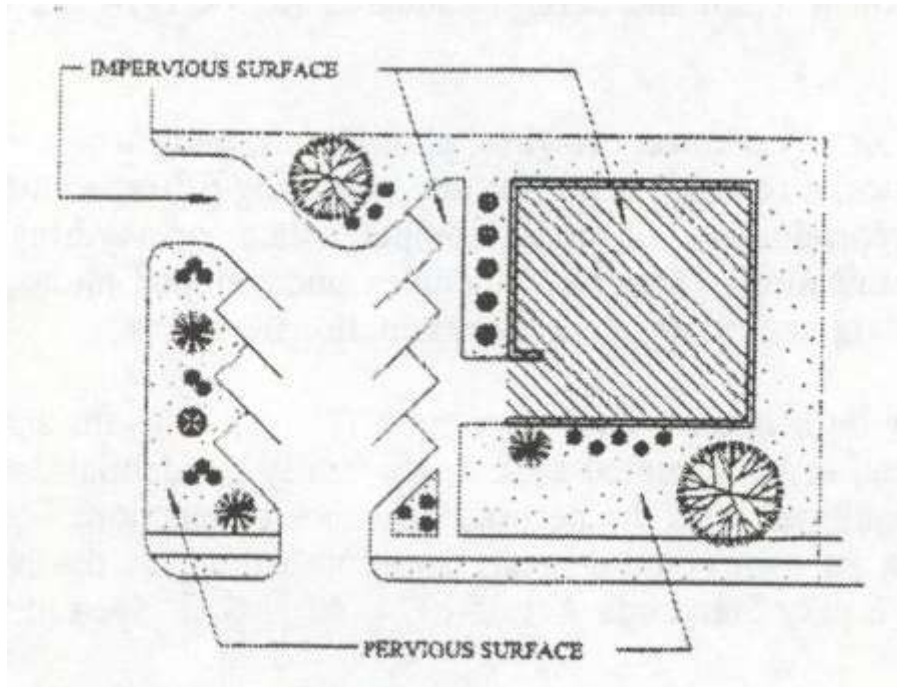
Any occupation or activity which is clearly incidental and secondary to the use of the premises for dwelling purposes and which is carried on wholly within a main building or accessory building by a member(s) of a family residing on the premises.

HOTEL

A building in which lodging, or boarding and lodging are provided and offered to the public for compensation, and in which ingress and egress to and from all rooms are made through an inside lobby or office supervised by a person in charge at all times. As such, it is open to the public in contradistinction to a boarding house, lodging house, or an apartment house which are herein separately defined.

IMPERVIOUS, PERVIOUS SURFACE

Any part of a lot that is covered by buildings, structures, parking areas, driveways and any other surfaces which reduce or prevent absorption of stormwater, likewise, a pervious surface is any surface that allows for the absorption of stormwater.

**INSTITUTION**

A non-profit establishment for public use.

IRRIGATION SYSTEM

A permanent, artificial watering system designed to transport and distribute water to plants.

LATTICE TOWER

A guyed or self-supporting three (3) or four (4) sided, open, steel frame structure used to support telecommunications equipment.

LOADING SPACE

A space within the main building or on the same lot, providing for the standing, loading or unloading of trucks, having a minimum dimension of twelve (12) feet by thirty-five (35) feet and a vertical clearance of at least fourteen (14) feet.

LODGING HOUSE or ROOMING HOUSE

Same as "Boarding House."

LOT

A parcel of land occupied or intended for occupancy by a use permitted in this Chapter, including one (1) main building together with its accessory buildings, the open spaces and parking spaces required by the ordinance, and having its principal frontage upon a street or upon an officially approved place.

LOT OF RECORD

A lot which is part of a subdivision, the map of which has been recorded in the office

of the Recorder of Deeds of the County of Greene, Missouri, or a parcel of land, the deed of which was recorded in the office of the Recorder of Deeds prior to the adoption of this Chapter.

LOT, CORNER

A lot abutting upon two (2) or more streets at their intersection.

LOT, DOUBLE FRONTAGE

A lot having a frontage on two (2) non-intersecting streets as distinguished from a corner lot.

MANUFACTURED HOMES

Factory-built structures; transportable in one (1) or more sections which are twenty-four (24) feet or more in width and forty-two (42) feet or more in length when assembled; designed to be occupied as a permanent single-family residential dwelling; not constructed or equipped with a permanent hitch or other device intended for the purpose of moving the structure from one place to another, other than for moving to a permanent site from the factory or distributor; has no permanently attached wheels or axles; installed on a permanent foundation; equipped with the necessary service connections; designed, manufactured, and certified to conform to the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401).

MARIJUANA or MARIHUANA

Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. "Marijuana" or "Marihuana" do not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent (3/10 of 1%) on a dry weight basis, or commodities or products manufactured from industrial hemp.

MARIJUANA-INFUSED PRODUCTS

Products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates.

MATERIAL

Anything printed or written, or any picture, drawing, photograph, motion picture film, videotape or videotape production, or pictorial representation, or any recording or transcription, or any mechanical, chemical, or electrical reproduction, or stored computer data, or anything which is or may be used as a means of communication. "Material" includes undeveloped photographs, molds, printing plates, stored computer data and other latent representational objects.

MEDICAL MARIJUANA CULTIVATION FACILITY

A facility licensed by the Department of Health and Senior Services or its successor agency to acquire, cultivate, process, store, transport, and sell marijuana to a medical marijuana dispensary facility, medical marijuana testing facility, or to a medical marijuana-infused products manufacturing facility.

MEDICAL MARIJUANA DISPENSARY FACILITY

A facility licensed by the Department of Health and Senior Services, to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in the Article XIV Missouri Constitution to a qualifying patient, a primary caregiver, another medical marijuana dispensary facility, a medical marijuana testing facility, or a medical marijuana-infused products manufacturing facility.

MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY

A facility licensed by the Department of Health and Senior Services, to acquire, store, manufacture, transport, and sell marijuana-infused products to a medical marijuana dispensary facility, a medical marijuana testing facility, or to another medical marijuana-infused products manufacturing facility.

MEDICAL MARIJUANA TESTING FACILITY

A facility certified by the Department of Health and Senior Services, to acquire, test, certify, and transport marijuana.

MEDICAL USE

The production, possession, delivery, distribution, transportation, or administration of marijuana or a marijuana-infused product, or drug paraphernalia used to administer marijuana or a marijuana-infused product, for the benefit of a qualifying patient to mitigate the symptoms or effects of the patient's qualifying medical condition.

MOBILE HOME

Transportable, factory-built homes more than eight (8) feet in width and more than thirty-six (36) feet in length; designed to be occupied as a single-family residential dwelling; not placed on a permanent foundation; equipped with the necessary service connections; designed and manufactured to be transportable on its own running gear; and conforming to the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401).

MODULAR HOME

Factory-built, transportable dwelling unit designed to be used by itself or to be incorporated with similar units at a point of use into a modular structure to be used for single-family housing, bearing the seal of the Missouri Public Service Commission indicating compliance with the State of Missouri Standards and

Regulations for Modular Homes.

MONOPOLE TOWER

A communication tower constructed without the use of guy wires and ground anchors and consisting of only a single pole (also known as self-supporting tower).

MOTEL

A building in which lodging or boarding and lodging are provided and offered to the public for compensation. As such, it is open to the public in contradistinction to a boarding house, a lodging house or an apartment house which are herein separately defined.

MULCH

Non-living organic and synthetic materials customarily used in landscaping design to retard erosion and retain moisture.

NON-CONFORMING USE

The use of land or a building, or portion thereof, which use does not conform with the use regulations of the district in which it is situated.

OPEN SPACE

Open space shall be interpreted to mean:

1. All areas of natural plant communities or area replanted with vegetation after construction, such as revegetated natural areas; tree, shrub, hedge or ground cover planting areas; and lawns; and
2. Other areas allowed to be counted as open space as per the City of Republic Zoning and Design Code.

ORNAMENTAL TREE

A deciduous tree planted primarily for its ornamental value or for screening purposes.

OVERNIGHT SHELTER

A facility providing temporary lodging on a daily basis, with or without meals, for primarily indigent, needy, homeless or transient persons.

PARKING AREA

That portion of the vehicle accommodation area set aside for the parking of one (1) vehicle.

PARKING SPACE

A surfaced area, enclosed in the main building or in an accessory building, or unenclosed, having an area of not less than one hundred eighty (180) square feet exclusive of driveways, permanently reserved for the temporary storage of one (1)

automobile and connected with a street or alley by a surfaced driveway which affords satisfactory ingress and egress for automobiles.

PERFORMANCE

Any play, motion picture film, videotape, dance or exhibition performed before an audience of one (1) or more.

PERGOLA

An outdoor accessory structure consisting of vertical posts or pillars and supporting cross-beams and without walls, forming a shaded walkway, passageway, or sitting area, not attached to another structure.

PERIMETER, LANDSCAPING

A ~~five (5)~~ **six (6)** foot greenspace strip which surrounds the entire ~~property~~ **premise**, not including where a landscaped street buffer is required.

PERVIOUS SURFACE

See "Impervious Surface."

PLANT COMMUNITY

A natural association of plants that are dominated by one (1) or more prominent species, or a characteristic physical attribute.

PLANT SPECIES - PROHIBITED

Those plant species which are demonstrably detrimental to native plants, native wildlife, ecosystems, or human health, safety and welfare.

PORTABLE BUILDING

A subordinate building less than two hundred (200) square feet, the use of which is incidental to that of the main building, dwelling or premises, which is not erected on a permanent foundation. Portable buildings shall be constructed, erected and located in a manner that provides a convenient means of relocation.

PREMISE

Any ~~tract of~~ land, consisting of one (1) or more lots **or tracts of land**, under single or multiple ownership, which operates as a functional unit. When developed, a premise shall also possess one (1) or more of the following criteria:

1. Shared parking.
2. Common management.
3. Common identification.
4. Common access.

5. Shared circulation.

PRESERVE AREAS

Vegetative areas required to be preserved by law.

PROMOTE

To manufacture, issue, sell, provide, mail, deliver, transfer, transmute, publish, distribute, circulate, disseminate, present, exhibit, or advertise, or to offer or agree to do the same, by any means including a computer.

SCREEN

A method of reducing the impact of noise and unsightly visual intrusions with less offensive or more harmonious elements, such as plants, berms, fences, walls or any appropriate combination thereof.

SETBACK

The minimum distance required between the property line and a point of the structure nearest the property line.

SETBACK, SIDE STREET

The minimum distance required between a point of the structure nearest the right-of-way line of a street located on the side of the structure.

SEXUALLY ORIENTED BUSINESS

An adult bookstore or adult video store, an adult cabaret, an adult motion picture theater, a semi-nude model studio, or a sexual encounter center as further defined by reference to the definition of those terms as now or hereafter defined in Section 573.528, RSMo., or as may be adopted in the City Code in a manner not inconsistent with Section 573.528, RSMo.

SHADE TREE

A deciduous tree planted primarily for its high crown of foliage or overhead canopy.

SHRUB

A self-supporting woody perennial plant of low-level woody, perennials plant of low to medium height characterized by multiple stems and branches continuous from the base, usually not more than ten (10) feet in height at its maturity.

STORAGE, PERSONAL OR SELF STORAGE

A building or group of buildings, commonly referred to as mini-storage, consisting of individual, small, self-contained units that are available on a rental basis for the storage of business and household goods or contractor's supplies.

STORY

That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it; or, if there be no floor above it,

then the space between such floor and the ceiling next above it.

STORY, HALF

A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use. A half story containing independent apartments or living quarters shall be counted as a full story.

STREET

All property dedicated or intended for public or private street purposes or subject to public easements therefore and more than sixteen (16) feet in width from property line to property line.

STREET LINE

A dividing line between a lot and a contiguous street.

STRUCTURAL ALTERATIONS

Any change, except those required by law or ordinance, which would prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams or girders, not including openings in bearing walls as permitted by other ordinances.

STRUCTURE

Anything constructed or erected, the use of which requires more or less ground.

STRUCTURES, ACCESSORY

A structure that:

1. Is subordinate to and serves a principal structure,
2. Is subordinate in area, extent or purpose to the principal structure,
3. Contributes to the comfort, convenience or necessity of the occupants, business or industry in the principal structure,
4. Is located on the same lot as the structure.

TOWER or COMMUNICATION TOWER

Any structure that is designed and constructed for the purpose of supporting one (1) or more antennas; including lattice towers, guy towers or monopole towers. This definition also includes any structure in which supporting the antenna array is not the primary purpose of the structure such as a water tower or utility pole. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. This term is not intended to describe buildings or other structures that have been

constructed primarily for a purpose other than supporting one (1) or more antennas, despite the fact that such structure may currently, or in the future, actually support one (1) or more antennas, not to exceed ten (10) feet above the apex of the roof in residentially zoned districts such as: satellite dishes, television antennas and radio antennas.

TRAILER OR MOBILE HOME

A vehicle used for living purposes and standing or designed to stand on wheels or rigid supports.

TRAILER PARK

An area where one (1) or more trailers can be or are intended to be parked, designed or intended to be used as living facilities for one (1) or more families.

TREE

Any self-supporting woody perennial plant which has a trunk diameter of two (2) inches or more and which normally attains an overall height of at least fifteen (15) feet at maturity, usually with one (1) main stem or trunk and many branches. It may appear to have several stems or trunks as in several varieties of oak.

UNDERSTORY

Assemblages of natural low-level woody, herbaceous, and ground cover species which exist in the area below the canopy of trees.

USE

The purpose for which land or a building is arranged, designed or intended, or for which either land or building is or may be occupied or maintained.

VEGETATION, NATIVE

Any plant species with a geographic distribution indigenous to all or part of the State of Missouri. Plant species which have been introduced by man are not native vegetation.

VEHICLE ACCOMMODATION AREA

A lot that is used by vehicles for access, circulation, parking, loading and unloading. It comprises the total of circulation areas, loading and unloading areas and parking areas.

VIABLE

When referring to a tree, shrub, or other type of plant, is a plant that, in the judgment of the City Planner, is capable of sustaining its own life processes, unaided by man, for a reasonable period of time.

WHOLESALE PROMOTE

To manufacture, issue, sell, provide, mail, deliver, transfer, transmute, publish,

distribute, circulate, disseminate, or to offer or agree to do the same for purposes of resale or redistribution.

WOODLANDS, EXISTING

Existing trees and shrubs of a number, size and species that accomplish the same general function as new plantings.

XERISCAPE

Landscape methods which conserve water through the use of drought-tolerant plants and planting techniques.

YARD

An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

YARD, FRONT

A yard extending across the front of a lot and being the minimum horizontal distance between the right-of-way or property line and the main building or any projections thereof other than the projections of the usual uncovered steps, unenclosed balconies or unenclosed porches. On corner lots, multi-frontage lots, or where the front yard is otherwise unclear, the determination of the location of the front yard shall be made by the Director of Community Development or their designee.

YARD, REAR

A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projections thereof other than the projections of uncovered steps, unenclosed balconies or unenclosed porches.

YARD, SIDE

A yard between the main building and the side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of the main buildings or any projections thereof.

Section 2. Title IV, "Land Use," Chapter 405, "Zoning Regulations," Article III, "Zoning Districts - Use and Regulations" is hereby amended by amending the Sections below to read as follows:

Section 405.150 "C-1" Local Commercial District Regulations.

- A. *Purpose.* The intent of the "C-1" Commercial District is to permit retail and service related business with a compatible location adjacent to similar uses.
- B. *Uses Permitted.*
1. Automobile parts and accessory stores when entirely enclosed within the building.
 2. Accessory building or use.
 3. Bar or tavern, provided that the premises of which is located not less than five hundred from the boundary of any R district, a church or similar place of worship or a public school.
 4. Bowling alley; dance halls; video game arcades; billiard parlors; roller-skating; ice-skating; or movie theaters, excluding drive-in theaters.
 5. Churches or other places of worship, including parish houses, Sunday schools and temporary outdoor revivals, on a minimum of two (2) acres of land, to provide sufficient land area for off-street parking, bufferyards and proper site design to lessen impact on adjoining residential neighborhoods. The requirements of Article VI and X regarding parking, loading, landscaping, and open space shall be required. Overnight shelters shall not be permitted.
 6. Convenience store, ~~filling stations.~~
 7. Day-care center.
 8. General retail businesses including pawn shops and second-hand stores; pet stores; print shops and photocopying establishments; restaurants including drive-in, pick-up, and drive-up facilities; doughnut shops; package liquor; book; tobacco; furniture; appliance; drug; grocery; flower; jewelry; clothing.
 9. Government buildings and associated uses.
 10. Medical marijuana dispensary facility as defined in Article XIV Section 1 of the Missouri Constitution and by the Missouri Department of Health and Senior Services (or its successor) with a valid license issued by the

Missouri Department of Health and Senior Services (or its successor) and complying with the rules and regulations of the Missouri Department of Health and Senior Services and City ordinances.

11. Motel, Hotel, Inn or related place of lodging.
12. Off-street parking lot.
13. Office or office buildings including health clinics, medical doctors and dental offices; hospitals; banks; financial institutions including automatic teller machines and drive-thru facilities; accountants; real-estate; engineering; architecture and other professional service offices.
14. Personal service establishments including beauty parlors; barbershops; custom tailoring; dry cleaning and laundry pick-up; shoe repair; self-service laundromats; express or mailing offices; hearing aid and eye glass shops.
15. Private schools and studios for art, dance, drama, music or photography and private and publicly funded schools, preschools and daycare facilities.
16. Residential uses provided such uses are located above the first floor or behind non-residential uses **in a single attached mixed-use building**, so as to create a continuous non-residential facade, on the first-floor level along all street frontages.
17. Temporary or seasonal tents or trailers pertaining to the sale of Christmas trees, pumpkins, plants, flowers, fruits and vegetables. The sale of merchandise from traveling vendors under tents or other temporary facilities are not permitted except by issuance of a special use permit.

Temporary facilities shall not be permitted beyond a three (3) month period per year, unless permitted as a permanent structure.

18. Temporary, portable food and drink carts or stands, etc. not to include the use of tables or dining areas for the public. Temporary facilities shall not be permitted beyond a three (3) month period per year and shall further be subject to the issuance of a building permit for such uses.
19. Undertaking establishments.
20. Veterinarian, dog grooming, boarding, **pet daycare**, or similar place of animal care, provided that only treatment **or care** be given to animals kept

within the building ~~or office~~. No outside cages, kennels, fences, equipment, materials, **or accessories to the business shall be stored outside or used on the premises etc. associated with livestock or other large animals shall be stored on the premises.**

- C. *Height And Area Regulations.* The height and area regulations set forth in Article V shall be observed.
- D. *Design Standards.*
 - 1. *Parking and loading requirements.* Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in Article VI.
 - 2. *Landscaping and open space regulations.* Landscaping and open space regulations shall be provided in accordance with the requirements for specific uses set forth in Article X.
 - 3. *Screening and bufferyard requirements.* Screening and bufferyard requirements shall be provided in accordance with the requirements for specific uses set forth in Article XI.
 - 4. *Sign regulations.* Sign regulations shall be provided in accordance with the requirements for specific uses set forth in Chapter 415.
 - 5. *Additional district provisions.* Additional provisions relating to exterior lighting, accessory buildings, stormwater regulations and access are provided in Article VII.

Section 405.160 "C-2" General Commercial District Regulations.

- A. *Purpose.* The intent of the "C-2" Commercial District is to permit less restrictive commercial and service related business with a compatible location adjacent to similar uses, which are separated from residential uses restricted.
- B. *Uses Permitted.*
 - 1. Any use permitted in the "C-1" Commercial District, without restriction as to number of employees or location.
 - 2. Automotive sales and service including body work; painting; frame alignment; restoration or reconstruction, excluding the storage of

wrecked or scrap vehicles; parts and other partially dismantled cars and trucks.

3. Automotive, moving and equipment rental.
4. Boat and marine sales and service.
5. Lumberyard, building and construction material sales, hardware and home improvement stores.
6. Camper trailers, recreation vehicles sales, rental and service.
7. Campgrounds and recreational vehicle parks.
8. Churches or other places of worship, including parish houses, Sunday schools and temporary outdoor revivals, on a minimum of two (2) acres of land, to provide sufficient land area for off-street parking, bufferyards and proper site design to lessen impact on adjoining residential neighborhoods. The requirements of Article VI and X regarding parking, loading, landscaping, and open space shall be required. Overnight shelters shall not be permitted.
9. Commercial amusement centers including drive-in theaters; baseball, softball and soccer fields or complexes; miniature golf; archery ranges; batting cages; driving ranges; but not including go-cart or other motorized vehicle tracks.
10. Recycling collection centers.
11. Landscaping, plant nurseries, lawn and garden equipment sales and service.
12. Boat, vehicle or self-storage facilities.
13. Swimming pool sales and displays.
14. Truck stops including fueling; sales; and service of commercial freight hauling vehicles.
15. Commercial contracting offices including plumbing; electrical; heating and air conditioning; general carpentry; cabinetry; siding and soffit; guttering; roofing; concrete finishing and forming; general masonry; except uses which require the outside storage of materials associated with manufacturing related uses.

16. Radio; cable; television; or other broadcasting studios.
17. Rental and service of commercial moving vehicles; including trailers, towing equipment, construction and landscaping equipment.
18. Car wash, quick lube or place of express auto service.
19. General automotive repair establishments, excluding auto-body and painting establishments.
20. Hardware and home improvement stores, excluding the outside storage of lumber, block and associated aggregate products.
21. Farm equipment and supplies, implement sales and service, livestock and animal feed.
22. Pre-manufactured storage buildings and accessory structures display and sales.
- 23. Filling stations.**
 - C. *Height And Area Regulations.* The height and area regulations set forth in Article V shall be observed.
 - D. *Design Standards.*
 1. *Parking and loading requirements.* Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in Article VI.
 2. *Landscaping and open space regulations.* Landscaping and open space regulations shall be provided in accordance with the requirements for specific uses set forth in Article X.
 3. *Screening and bufferyard requirements.* Screening and bufferyard requirements shall be provided in accordance with the requirements for specific uses set forth in Article XI.
 4. *Sign regulations.* Sign regulations shall be provided in accordance with the requirements for specific uses set forth in Chapter 415.
 5. *Additional district provisions.* Additional provisions relating to exterior lighting, accessory buildings, stormwater regulations and access are provided in Article VII.

EXPLANATION – Matter in **bold-face** type in the above is added language. Matter in ~~striketrough~~ in the above is deleted.

Section 3. All other Sections of the Municipal Code of the City of Republic, Missouri, not specifically referenced in this Ordinance shall remain unmodified and in full force and effect.

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 _____ day of _____ 2021.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

Approved as to Form:  Digitally signed by Scott Ison
Date: 2021.03.18 10:27:52
-05'00' _____, Scott Ison, City Attorney

Final Passage and Vote: _____



AGENDA ITEM ANALYSIS

Project/Issue Name: 21-14 An Ordinance of the City Council of the City of Republic, Missouri, Amending the Municipal Code of the City of Republic, Missouri, by Amending Title IV, Land Use, Chapter 405, Zoning Regulations, Article IV, A Planned Development District, Regarding Planned Development Districts.

Submitted By: Karen Haynes, Planning Manager, BUILDS Department

Date: March 23, 2021

Issue Statement

Consideration to approve Amendments to Article IV A Planned Development District.

Discussion and/or Analysis

The City of Republic is requesting Amendments to Article IV A Planned Development District (PDD) to provide additional clarity to the language of the PDD Ordinance and to facilitate growth in the City of Republic.

Section 405.210 Purpose and Intent

The purpose of the planned development regulations is to allow for **mixed-use**, unconventional, **or and** innovative arrangements of land uses and public facilities that, but for the provisions of these regulations, would otherwise be difficult to develop under the conventional land use and development regulations of the City. ~~It is not the intent of these regulations to provide for or facilitate the circumvention of the conventional regulations for development for the sake of mere convenience or in any other way that does not provide for a demonstrable public benefit based on the findings of the City's Planning and Zoning Commission and City Council.~~

Section 405.220 Applicability:

- B.1. The proposed development plan shall involve a diverse mixture or variation of land uses or densities, ~~which cannot be accomplished by following the requirements set forth for conventional development and which contains aspects of development beyond mere convenience that necessitate use of a planned development.~~
- B.3. The proposed development plan shall involve design elements that promote the City of Republic's Comprehensive Plan **and other adopted plans of the City.**



Section 405.240 Development Plans:

A.5. Identification Of Other Amenities. The proposed development plan shall identify the general location and type of other planned amenities ~~intended to serve the public interest~~, a sense of community, and/or the purpose of this Article.

~~B.2. Promotion of the public interest and a sense of community.~~

~~3.2.~~ Conformity with the adopted Comprehensive Plan and other adopted plans of the City of Republic.

~~4.3.~~ The ability of the available or planned infrastructure to provide adequate service to the proposed development.

~~5.4.~~ The estimated impact of the proposed development on surrounding properties based on facts found pertaining to the purpose and intent of this Article.

~~6.5.~~ A reliable and valid estimate of the costs and benefits of the proposed development upon the community.

~~7.6.~~ The duly authorized partnership of the public and private sectors for mutual benefit.

Section 405.250 Infrastructure Design and Construction

B.5. Conformity to the applicable minimum requirements of the City of Republic's Municipal Code of Ordinances ~~or and~~ other adopted codes or laws of the City, State, or Federal governments.

Recommended Action

Staff recommends the approval of the referenced Amendments.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI,
AMENDING THE MUNICIPAL CODE OF THE CITY OF REPUBLIC, MISSOURI, BY
AMENDING TITLE IV, LAND USE, CHAPTER 405, ZONING REGULATIONS, ARTICLE
IV, A PLANNED DEVELOPMENT DISTRICT, REGARDING PLANNED DEVELOPMENT
DISTRICTS**

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 has recognized the need to continually review and revise Land Use Regulations regarding Planned Development Districts as the City continues to grow and develop; and

WHEREAS, the BUILDS Department did, thereafter, submit revisions to the Planning and Zoning Commission which did set March 8, 2021, as the date a Public Hearing would be held on such application and proposed revisions; and

WHEREAS, notice of the time and date of Public Hearing was given by publication on February 10, 2021, in The Greene County Commonwealth, a newspaper of general circulation in the City of Republic, such notice being at least 15 days before the date set for the Public Hearing; and

WHEREAS, a Public Hearing was conducted by the Planning and Zoning Commission on March 8, 2021; and

WHEREAS, on March 8, 2021, the Planning and Zoning Commission, by a vote of 5 Ayes to 0 Nays, recommended the approval to revise Land Use Regulations regarding Planned Development Districts and thereafter, submitted the same, together with its recommendations, to the City Council; and

WHEREAS, the revisions to the Land Use Regulations regarding Planned Development Districts was submitted to the City Council at its regular meeting on March 23, 2021, after which the City Council did proceed to vote to approve the revisions.

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

Section 1. Title IV, "Land Use," Chapter 405, "Zoning Regulations," Article IV, "A Planned Development District" is hereby amended by amending the Sections below to read as follows:

Section 405.210 Purpose And Intent.

The purpose of the planned development regulations is to allow for **mixed-use**, unconventional, ~~or and~~ innovative arrangements of land uses and public facilities that, but for the provisions of these regulations, would otherwise be difficult to develop under the conventional land use and development regulations of the City. ~~It is not the intent of these regulations to provide for or facilitate the circumvention of the conventional regulations for development for the sake of mere convenience or in any other way that does not provide for a demonstrable public benefit based on the findings of the City's Planning and Zoning Commission and City Council.~~

Section 405.220 Applicability.

- A. Eligibility To Submit An Application For A Planned Development. An application for a Planned Development shall be submitted by the legal owner(s) of the real property subject to the application, or by a duly authorized representative of such owner, or by an individual or organization with a legitimate contractual interest in the purchase of the subject real property.
- B. Eligibility Requirements For Planned Developments – Generally. A proposal for a Planned Development shall demonstrate substantial congruence with each of the following conditions in order to be considered eligible for approval.
1. The proposed development plan shall involve a diverse mixture or variation of land uses or densities, ~~which cannot be accomplished by following the requirements set forth for conventional development and which contains aspects of development beyond mere convenience that necessitate use of a planned development.~~
 2. The proposed development plan shall involve the provision of all infrastructure deemed necessary to adequately serve the potential development.
 3. The proposed development plan shall involve design elements that promote the City of Republic's Comprehensive Plan **and other adopted plans of the City**.
 4. The proposed development plan shall involve design elements intended to lessen congestion in the streets; to secure safety from fire, panic and

other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to preserve features of historical significance; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

Section 405.240 Development Plans.

- A. Minimum Requirements. Development plans accompanying an application for a new Planned Development District will be reviewed by City staff in order to verify satisfaction of the following minimum requirements prior to being forwarded to the Planning and Zoning Commission for consideration:
1. Identification Of Permitted Land Uses. All land uses to be permitted within the Planned Development shall be identified in sufficient detail with regard to density, intensity, and location of the use. In this context, "sufficient detail" means a description of the permitted land use so as to explicitly limit the use of land in a way that is meaningful for the purposes of making determinations as to whether the particular land in question may be used for a specific purpose. Overly vague or ambiguous land use descriptions that evade predictability and certainty as to what sorts of land uses may be permitted shall not be allowed.
 2. Identification Of Circulation Elements. The proposed development plan shall articulate a plan for the circulation of vehicle and pedestrian traffic throughout the development. The circulation plan shall include sufficient detail with regard to the general location of these elements as well as their capacities and connections to existing facilities of the same or similar purpose.
 3. Identification Of Utility Sources. The proposed development plan shall accurately identify the location of proposed sources and any necessary extension or expansion of utilities to serve the identified land uses. It is not the intent of this provision to require the specific design or engineering of the extension or expansion of these utilities, rather it is merely to ensure that the necessary services are available and of adequate capacity, either presently or as a result of planned expansion, to serve the proposed development.
 4. Identification Of Transitional Elements. The proposed development plan

shall identify the general location and type of transitional elements between dissimilar or normally incompatible land uses. These transitional elements may include screens, bufferyards, or other architectural features that serve to lessen the visual, auditory, and olfactory impacts of land uses having significant differences in intensity.

5. Identification Of Other Amenities. The proposed development plan shall identify the general location and type of other planned amenities ~~intended to serve the public interest~~, a sense of community, and/or the purpose of this Article.
- B. Evaluation Criteria. The development plans proposed for any Planned Development shall be evaluated by the City staff, the Planning and Zoning Commission, and the City Council with regard to the following criteria:
 1. Satisfaction of the purpose and intent of this Article.
 2. ~~Promotion of the public interest and a sense of community.~~
 3. Conformity with the adopted Comprehensive Plan and other adopted plans of the City of Republic.
 4. The ability of the available or planned infrastructure to provide adequate service to the proposed development.
 5. The estimated impact of the proposed development on surrounding properties based on facts found pertaining to the purpose and intent of this Article.
 6. A reliable and valid estimate of the costs and benefits of the proposed development upon the community.
 7. The duly authorized partnership of the public and private sectors for mutual benefit.
- C. Rights/Privileges Conferred Upon Development Plan Approval. The approval of a Planned Development District by ordinance of the City Council of the City of Republic shall confer upon the applicant and any successive owners of the real property the conditional right to develop the land in accordance with the approved development plan.

Section 405.250 Infrastructure Design And Construction.

- A. Procedure. The design, review, and permitting of the construction of the infrastructure planned for the development shall proceed according to the provisions of Chapter 410 of the City of Republic's Municipal Code of Ordinances.
- B. Evaluation Criteria. Permits for land disturbance or construction of any improvements to the real property shall ~~be~~ not be issued except upon a determination by the Community Development Department that the designs are in substantial conformity to the approved development plan. Substantial conformity shall be determined according to the following criteria:
1. Conformity to the arrangement and type of land uses articulated by the approved development plan.
 2. Conformity to the circulation plan articulated by the approved development plan.
 3. Conformity to the Standards and Specifications for Public Improvements.
 4. Conformity to the transitional elements articulated by the approved development plan.
 5. Conformity to the applicable minimum requirements of the City of Republic's Municipal Code of Ordinances ~~or~~ **and** other adopted codes or laws of the City, State, or Federal governments.
 6. Conformity to any other amenities or design elements articulated by the approved development plan.

If the Community Development Department determines the design of the development to not be in substantial conformity, the Community Development Director and/or their designee shall transmit such findings, in writing, to the applicant along with a statement of the specific areas found to be in non-conformity. A determination of non-conformity may be appealed to the Board of Adjustment pursuant to the provisions of Article XII of Chapter 405 of the City of Republic's Municipal Code of Ordinances.

- C. Amendments To The Plan. Minor amendments to the development plan shall be submitted for staff review and approval. If staff determines that the changes are a substantial change to the development plan then the matter may be referred to Council to approve, amend or deny the

proposed changes. Amendments to the approved development plan may be forward to the Planning and Zoning Commission and City Council according to the same procedure for original adoption.

EXPLANATION – Matter in **bold-face** type in the above is added language. Matter in ~~striketrough~~ in the above is deleted.

Section 2. All other Sections of the Municipal Code of the City of Republic, Missouri, not specifically referenced in this Ordinance shall remain unmodified and in full force and effect.

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

Section 4. 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 5. 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 _____ 2021.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

Approved as to Form:  Digitally signed by Scott Ison
Date: 2021.03.18 10:09:56
-05'00' _____, Scott Ison, City Attorney

Final Passage and Vote: _____

AGENDA ITEM ANALYSIS

Project/Issue Name: 21-15 An Ordinance of the City Council of the City of Republic, Missouri, Amending the Municipal Code of the City of Republic, Missouri, by Amending Title IV, Land Use, Chapter 415, Sign Regulations, Regarding Signs.

Submitted By: Chris Tabor, Principal Planner, BUILDS Department

Date: March 23, 2021

Issue Statement

Consideration to approve Amendments to Chapter 415 Sign Regulations

Discussion and/or Analysis

The City of Republic is requesting Amendments to Chapter 415 Sign Regulations in order to provide a more comprehensive ordinance that clarifies City rules and regulations while placing the community in a better position to receive and respond to the needs of new businesses.

Please note that many of the changes made by this amendment are covered only generally by reference in the following section, "Housekeeping Items." More substantial changes, as well as all changes to Section 415.020 Definitions, have been noted separately by their designated sections.

Section 415 Housekeeping Items

- A number of the alterations made throughout the ordinance concern the need to modernize language, correct existing errors, or clarify meaning.

Section 415.020 Definitions

Added Definitions

- **Animated/Animation:** Refers to the employment of physical motion, the illusion of motion, or light or color changes created through mechanical or electrical means.

Revised Definitions

- **Attached Sign (Sign, Wall):** Any sign substantially and permanently attached to, applied on, structurally connected to, painted on, engraved on, etched on, or supported by any part of a building's wall, awning, canopy, marquee, parapet, sunshield, ~~window~~, door or similar item. **Such a sign may not extend beyond any further than eighteen (18) inches from the connected structure nor extend beyond the edge of the wall to which it is attached.**



- Business Area:** Any district designated under Chapter 405 of the Republic City Code for office, commercial or industrial use, **including Planned Development Districts whose development plans contain districts with similar purpose(s).**
- City Building Inspector:** The City ~~Building~~ Inspector of the City of Republic, Missouri, or his/her designated representative of the Community Development Department.
- Directional Sign:** A ~~pole~~ **freestanding** or monument sign, located on private property, which directs vehicular traffic. The sign may display arrows, words or other symbols to indicate the direction of the facilities. No goods or services for sale may be listed.
- Effective Area:** The surface area enclosed by the minimum imaginary arrangement of three-dimensional geometric figures ~~or combination of contiguous rectangles, composed of vertical and horizontal lines~~ which fully contain all ~~extremities~~ extreme limits of the copy on a the sign. ~~This rectangle, or combination of contiguous rectangles, is to be calculated from an orthographic projection of the sign viewed horizontally. The viewpoint for an orthographic projection shall be rotated horizontally around the sign to give the largest rectangle. For flat signs, this viewpoint is opposite a corner. If elements of the sign are movable or flexible, as a flag or string of lights, the measurement shall be taken when the elements are fully extended and parallel to the plane of view. The sign seen from this viewpoint is then enclosed within the smallest plane of view. The sign seen from this viewpoint is then enclosed within the smallest rectangle, or combination of contiguous rectangles, which fully contains the sign. The area of the rectangle, or combination of contiguous rectangles, is the "effective area" of the sign. A combination of contiguous rectangles may be used with more than one (1) surface containing copy.~~
- Flags:** A construction of fabric, plastic or paper depicting through symbols, characters, design or letters a nation, or political subdivision ~~or business~~ when hung, without frame, from a ~~staff~~ or pole.
- Setback:** The horizontal distance between the curb-property line and a vertical projection from that portion of the sign nearest the curb-property line.
- Sign, Freestanding:** A type of detached sign which is supported by one (1) or more uprights, poles or braces affixed to the ground, not attached to the principal building or structure. The bottom of the sign face shall be no closer than eight (8) feet from the ground below the sign except where alternative height and distance of signage from grade have been specified.
- Sign, Monument:** A type of detached sign supported by the ground, not attached to the principal building or structure, where the bottom edge of the sign is on or in the ground.
- Sign, Projecting:** Any sign which is attached to and projects more than eighteen (18) inches from a surface or building face.



Section 415.030 Exempt Signs

- Exempt Signs
 - **415.030.A** – Removed the following exemptions
 - Banner Signs
 - Directional Signs
 - **415.030.A.10.g** – Clarified language to match its intention that each sign may be four square feet.
 - Attached incidental sign, which pertains to goods, products, services or facilities that are available on the premises where the sign is located, but only tangentially related to the main activities or purpose of the business, not exceeding ~~a total of~~ four (4) square feet in effective area per business.
 - **415.030.A.12** – Added specifications for Menu board signs to
 - Clarified that such signs may be for the service of walk-up customers
 - Set restrictions on number of menu board signs based on walk-up service windows and drive thru lanes
 - 1 per each.
 - Clarified size allowance for menu board signs that facilitate double-faced signage
 - Maximum of 60 Sq Ft per side

Section 415.080 For Signs in Business Areas

- **415.080.B – General Provisions**
 - Commercial signs may not locate within 25 feet of a non-business area
- **415.080.B – Detached Signs**
 - Maximum height changed from 25 feet to 40 feet. This amendment is designed to provide more options to businesses desiring greater visibility in a growing marketplace
 - Prohibits signs from encroaching upon an easement

Section 415.110 Directional Signs

- New guidelines provide clarification on the purpose of directional signage, allowable height and area, and how such signs interact with the greater sign ordinance.

Recommended Action

Staff recommends the approval of the referenced Amendments.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI,
AMENDING THE MUNICIPAL CODE OF THE CITY OF REPUBLIC, MISSOURI, BY
AMENDING TITLE IV, LAND USE, CHAPTER 415, SIGN REGULATIONS, REGARDING
SIGNS**

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 has recognized the need to continually review and revise Land Use Regulations regarding Signs as the City continues to grow and develop; and

WHEREAS, the BUILDS Department did, thereafter, submit revisions to the Planning and Zoning Commission which did set March 8, 2021, as the date a Public Hearing would be held on such application and proposed revisions; and

WHEREAS, notice of the time and date of Public Hearing was given by publication on February 10, 2021, in The Greene County Commonwealth, a newspaper of general circulation in the City of Republic, such notice being at least 15 days before the date set for the Public Hearing; and

WHEREAS, a Public Hearing was conducted by the Planning and Zoning Commission on March 8, 2021; and

WHEREAS, on March 8, 2021, the Planning and Zoning Commission, by a vote of 5 Ayes to 0 Nays, recommended the approval to revise Land Use Regulations regarding Signs and thereafter, submitted the same, together with its recommendations, to the City Council; and

WHEREAS, the revisions to the Land Use Regulations regarding Signs was submitted to the City Council at its regular meeting on March 23, 2021, after which the City Council did proceed to vote to approve the revisions.

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

Section 1. Title IV, "Land Use," Chapter 415, "Sign Regulations," is hereby amended by amending the Sections below to read as follows:

Section 415.020 Definitions.

As used in this Chapter, the following words, terms and phrases shall have the meanings respectively ascribed to them by this Section:

ANIMATED/ANIMATION

Refers to the employment of physical motion, the illusion of motion, or light or color changes created through mechanical or electrical means.

ATTACHED SIGN (SIGN, WALL)

Any sign substantially and permanently attached to, applied on, structurally connected to, painted on, engraved on, etched on, or supported by any part of a building's wall, awning, canopy, marquee, parapet, sunshield, ~~window~~, door or similar item. **Such a sign may not extend beyond any further than eighteen (18) inches from the connected structure nor extend beyond the edge of the wall to which it is attached.**

ATTENTION ATTRACTING DEVICES

Any animated, mechanical or stuffed item designed to promote, advertise, demonstrate or call attention to any commercial, office, retail or service business or activity.

BANNER

A sign made of fabric or any other non-rigid material with no enclosing framework.

BUILDING CODE

The Building Code of the City of Republic, Missouri, together with any related Code(s) adopted by the City, and any regulations adopted in conformance therewith.

BUSINESS AREA

Any district designated under Chapter 405 of the Republic City Code for office, commercial or industrial use-, **including within the boundaries of areas of similar purpose as they are delineated within Planned Development Districts.**

~~CITY BUILDING~~ INSPECTOR

The City ~~Building~~ Inspector of the City of Republic, Missouri, or his/her designated representative of the Community Development Department.

COMMERCIAL

Relating to the sale of goods or services.

COPY

The letters, figures, characters, representations, pictures or wording on a sign, including any identification, description, symbol, trademark, object, design logo, illustration or device illuminated or non-illuminated which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem or painting designed to advertise, communicate, identify or convey information.

DIRECTIONAL SIGN

A ~~pole~~ **freestanding** or monument sign, located on private property, which directs

vehicular traffic. The sign may display arrows, words or other symbols to indicate the direction of the facilities. No goods or services for sale may be listed.

EFFECTIVE AREA

The **surface** area enclosed by the minimum imaginary **arrangement of three-dimensional geometric figures** ~~or combination of contiguous rectangles, composed of vertical and horizontal lines which fully contain all extremities~~ **extreme limits of the copy on a** the sign. ~~This rectangle, or combination of contiguous rectangles, is to be calculated from an orthographic projection of the sign viewed horizontally. The viewpoint for an orthographic projection shall be rotated horizontally around the sign to give the largest rectangle. For flat signs, this viewpoint is opposite a corner. If elements of the sign are movable or flexible, as a flag or string of lights, the measurement shall be taken when the elements are fully extended and parallel to the plane of view. The sign seen from this viewpoint is then enclosed within the smallest plane of view. The sign seen from this viewpoint is then enclosed within the smallest rectangle, or combination of contiguous rectangles, which fully contains the sign. The area of the rectangle, or combination of contiguous rectangles, is the "effective area" of the sign.~~ A combination of contiguous rectangles may be used with more than one ~~(1) surface containing copy.~~

ERECT

Attach, alter, build, construct, reconstruct, enlarge or move.

FLAGS

A construction of fabric, plastic or paper depicting through symbols, characters, design or letters **of a nation or** political subdivision ~~or business~~ when hung, without frame, from a ~~staff or pole.~~

FLASHING LIGHT

A continuously intermittent light or sequential light; but not including animation or lighting changes which change the copy of a sign.

FRONTAGE, BUILDING

The wall of the building that faces the street abutting the property. If the building is located on a corner at an angle facing two (2) streets, the frontage shall be the wall of the building which faces the street with the highest average daily traffic count.

IDEOLOGICAL AND NON-COMMERCIAL SIGN

A sign which does not name or advertise a product, service or business but only expresses a viewpoint, non-commercial message, opinion or idea. This includes commemorative plaques, historic markers, holiday decorations, political signs, political or fraternal flags or emblems, or protective signs which are commonly associated with safeguarding the permitted uses of a premises including, but not limited to "vicious dog", "no trespassing", "neighborhood watch" and "authorized

parking only".

LOT

A parcel of land under one (1) ownership designated as a separate and distinct tract and identified by a tract or lot number or symbol in a duly approved subdivision plat of record.

MENU BOARD

An on-premise sign utilized by the public patronizing a drive-through business as to a bill of fare or other products or services.

NON-BUSINESS AREA

Any area within a residential zoning district, including areas therein where legal non-residential uses are present.

NON-COMMERCIAL

Relating to a public service, religion, charity, idea or similar item.

OFF-PREMISES SIGN

A sign structure advertising an establishment, merchandise, service or entertainment which is not sold, produced, manufactured or furnished at the property on which said sign is located, e.g. "billboards", "outdoor advertising" or "off-site sign".

ON-PREMISES SIGN

A sign which pertains to the use of the premises on which it is located and maintained.

PERMANENT SIGN

Any wall or monument sign or other sign which is intended remain displayed.

PERSON

Any individual, corporation, association, firm, partnership, institution or other legal entity, singular or plural.

PREMISES

Any tract of land, consisting of one (1) or more lots, under single or multiple ownership, which operates as a functional unit. When developed, a premises shall also possess one (1) or more of the following criteria:

1. Shared parking.
2. Common management.
3. Common identification.
4. Common access.

5. Shared circulation.

SETBACK

The horizontal distance between the ~~curb~~**property** line and a vertical projection from that portion of the sign nearest the ~~curb~~**property** line.

SIGN

Any object principally designed to convey a message, including sign structure and decorative cover. Examples of signs include, but are not limited to: message boards, changeable copy boards, pennants, flags, billboards, and streamers.

SIGN, DETACHED

A sign not attached to or painted on a building, but which is permanently affixed to the ground, otherwise known as a monument or freestanding sign. A sign attached to a flat surface such as a fence or a wall not a part of a building shall be considered a detached sign.

SIGN, FREESTANDING

A **type of detached** sign which is supported by one (1) or more uprights, poles or braces affixed to the ground, not attached to the principal building or structure. The bottom of the sign face shall be no closer than eight (8) feet from the ground **below the sign except where alternative height and distance of signage from grade have been specified.**

SIGN, MONUMENT

A **type of detached** sign supported by the ground, not attached to the principal building or structure, where the bottom edge of the sign is on or in the ground.

SIGN, PROJECTING

Any sign which is attached to and projects **more than eighteen (18) inches** from a surface or building face.

SIGN, ROOF

Any sign erected upon, against or directly above a roof.

SIGN STRUCTURE

Any structure which supports, has supported, or is designed to support a sign, including any decorative cover, exclusive of any copy.

SIGN, WALL

Any sign in a parallel plane to and attached, installed, painted, engraved or etched upon a structure's wall, awning, canopy, marquee, parapet, sunshield, window, door or similar item.

STP URBAN SYSTEM

Surface Transportation Program (Urban System) is a network of roads and highways

that qualify for Federal aid under the Inter-modal Surface Transportation Efficiency Act.

STREET GRADE

The highest altitude of the street vertically under any portion of the sign or its supports.

USE

The purpose for which a building, lot, sign or other structure is arranged, intended, designed, occupied or maintained.

Section 415.030 Exempt Signs.

A. The following signs shall not require the issuance of a sign permit but must be in conformance with all other sign regulations and the Building Code. These signs are allowed in addition to all other signs allowed under this Chapter.

1. *Address numbers.*

a. Address numbers for each residential building and business address numbers not exceeding one (1) square foot in effective areas per character, and one (1) name plate not exceeding two (2) square feet in effective area per dwelling unit or business. All address numbers and name plates shall be attached signs, except as follows:

b. If a building is more than one hundred (100) feet from the street, its address numbers may be detached.

2. ~~*Banner signs.* One (1) banner sign per business premises, which is not over thirty-six (36) square feet in effective area.~~

3. ~~*Directional signs.* Detached on-premises directional signs which do not exceed five (5) square feet in effective area. Any logo, business name, product, or service identification, or other advertising shall not exceed twenty percent (20%) of the effective area. No part of the sign shall exceed four (4) feet in height above street grade or four (4) feet in height above the lowest level of the ground under the sign if elevation of premises at sign location is more than twelve (12) inches above street grade, excluding berms or other landscaping features.~~

42. *Election signs.* Any sign erected for an election campaign, provided that said sign is removed ten (10) days after election is final.

53. *Flags.* Flags of any nation, State or political subdivision provided:

- a. If the flag is flown from a flagpole, such flagpole shall be a minimum of four (4) times the length of the flag but shall not exceed over sixty (60) feet in height from finished grade.
- ~~64.~~ *Government sign.* Any sign erected or maintained by or for any agency of government pursuant to and in discharge of any governmental function or required or authorized by law, ordinance or governmental regulations; or any sign erected in cooperation with the City or other government agency for the purpose of promoting the City or community.
- ~~75.~~ *Holiday decorations.* Holiday decorations in season.
- ~~86.~~ *Internal signs.* Any on-premises sign, the copy of which cannot be viewed from a street right-of-way or adjoining property.
- ~~97.~~ *Neighborhood identification sign.* A detached sign, masonry wall, landscaping or other similar material or features which are combined to form a display for neighborhood or tract identification, provided that the legend of such display shall consist of only the neighborhood, tract name or historic district.
- ~~108.~~ *Real estate sale, lease and construction signs.* One (1) detached or attached non-illuminated temporary on-premise and/or off-premise sign each pertaining to the construction, sale or lease of real estate. Such sign shall not exceed thirty-two (32) square feet in effective area in business areas and not to exceed four (4) square feet in effective area in non-business areas. One (1) additional sign shall be permitted in both business and non-business areas if the premises on which they are located either has at least two hundred fifty (250) feet of frontage, contains more than five (5) acres, or has frontage on more than one (1) street. All such signs shall be removed within seven (7) days after the closing of the sale or lease.
- ~~119.~~ *Vehicular signs.* Any sign permanently attached to a motor vehicle which is traveling or lawfully parked where the primary purpose of such parking is not the display of any sign. This definition shall not include signs in transit to a site of permanent use.
- ~~1210.~~ *Miscellaneous exempt signs.*
- a. A sign located on machinery or equipment which is necessary or customary to the business, including such devices as gasoline pumps or vending machines, which does not increase the size of the surface area or alter the shape of the machine or equipment.
- b. Private street or road name signs.

- c. "No trespassing", "no dumping", "no loitering" and like signs not exceeding one (1) square foot.
- d. Signs warning the public of the existence of danger, but containing no advertising material, to be removed upon subsidence of the danger for which warning is being given and not exceeding one (1) square foot in effective area.
- e. A sign on facilities located in City parks which provides information that is incidental to a sponsored activity such as scoreboards, time clocks, benches or signs in concession stands.
- f. A detached or attached temporary sign not exceeding thirty-two (32) square feet in background area advertising drives or events of a civic, philanthropic, educational, religious, political or similar nature, provided that said sign is posted only during said drive or event for no more than sixty (60) days per year and is removed within twenty-four (24) hours after an event.
- g. Attached incidental sign, which pertains to goods, products, services or facilities that are available on the premises where the sign is located, but only tangentially related to the main activities or purpose of the business, not exceeding a total of four (4) square feet in effective area per business.

~~1311.~~ *Personal property sales, moving sales, garage sales or yard sales signs.* Posting of such signs shall not be permitted more than one (1) day prior to the sale and must be removed by the last day of the sale. Posting of such signs shall be permitted on public property, including right-of-way, and shall be further governed by Sections 415.050 and 415.060.

~~1412.~~ *Menu board signs in drive thru facilities.*

- a. ~~Shall be located at the rear fifty percent (50%) of the principal building; and~~ **Shall be allowed in a business area at a rate of:**
 - i. **One menu board per drive thru lane.**
 - ii. **One menu board per ordering window not serving a drive thru lane.**
- b. ~~Shall have a sign envelope that does not exceed sixty (60) square feet in area~~ **on any one side containing copy;** and
- c. Shall be limited to internally lit indirect lighting

Section 415.040 Exempt Operations.

- A. The following operations shall not require the issuance of a sign permit:
1. Changing of the copy describing products or services on an existing permitted sign which is specifically designed for the use of manually or automatically changeable copy including billboard panels and posters; but not including changes in the **materials**, structure, size, placement or location of the sign.
 2. Maintenance, including repainting, refurbishing, cleaning or other normal repair of a sign not involving structural changes.

Section 415.060 Prohibited Signs.

- A. The following signs are prohibited, which:
- ~~1. Concern unlawful activity;~~
 - ~~21.~~ Operate or employ any motion picture projection in conjunction with any advertisements;
 - ~~32.~~ Employ any searchlights, strobe lights, balloons or similar attention ~~getting~~ **attracting** devices;
 - ~~43.~~ May be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or road equipment vehicle by reason of their size, location, movement, content, coloring, or manner of illumination;
 - ~~54.~~ Hide from the view of those to whom the device is directed, any traffic or street sign or signal or similar device;
 - ~~65.~~ Are temporary, except as specifically allowed in this Code;
 - ~~76.~~ Signs other than those specifically allowed by Section 415.030(10) that are capable of being carried, wheeled or moved from one location to another;
 - ~~87.~~ Signs which are attached to any tree, fence, branch, another sign or utility pole except warning signs issued and properly posted by the utility company.

Section 415.070 Temporary Banners.

A. *Temporary Banners Permitted.*

1. Except as otherwise exempted in Section 415.030, or provided in this Section, temporary banners may only be used in a business area.
2. ~~In non-business areas, each premises may display one (1) temporary banner not exceeding four (4) square feet in effective area for up to seven (7) consecutive days twice each calendar year.~~

B. *General Provisions.*

1. The effective area shall not exceed thirty-five (35) square feet.
2. All temporary banners shall be attached ~~banners~~ **to a permanent structure.**
3. Each business may display one (1) attached temporary banner as set forth below.

C. *Temporary Banners – Duration Of Display.*

1. A business or premises shall be allowed to display a temporary banner for not more than thirty (30) days per display period and **for a total of** not more than ninety (90) days per calendar year.
2. No temporary banner shall be displayed without obtaining a new permit before each display period.
3. In business areas, a temporary business with a valid business license and a temporary building permit may apply for and obtain a ~~special~~ **temporary sign** permit which would allow the use of a temporary banner for the period of **time outlined by the building temporary sign** permit. ~~Such a banner must be attached to a temporary or permanent structure and may not exceed thirty two (32) square feet in effective area.~~

- D. *Temporary Banners – Emergency Uses.* In the event a sign or business is substantially damaged through fire, flood, act of God, insurrection, riot or similar emergency beyond the control of the business owner or occupant, a temporary banner shall be allowed for a period of time not to exceed sixty (60) days, unless the time period is extended by the Community Development Department for a continuing hardship.

Section 415.080 Provisions For Signs in Business Areas.

- A. *General Provisions.* These provisions shall apply to all permanent signs in business areas as defined in this Chapter.
1. A sign in a business area shall ~~conform to regulations for a sign in a non-business area if the sign is within~~ **be further than** twenty-five (25) feet ~~of~~ from a non-business area.
 2. Flashing lights or animation on signs in business areas shall be placed at least ten (10) feet above street grade.
 3. Both on-premises or off-premises signs are allowed in general commercial and less restrictive zoning districts. Only on-premises signs are allowed in more restrictive districts. Off-premises detached signs shall conform to the standards for on-premises **detached** signs, with the following exceptions:
 - a. Off-premises detached signs shall maintain a minimum front yard setback of twenty-five (25) feet.
 - b. Off-premises detached signs shall maintain a maximum radius of one thousand five hundred (1,500) feet between all other off-premises detached signs. Off-premises detached signs shall maintain a maximum height of forty (40) feet and a maximum effective area of four hundred (400) square feet.
 - c. Off-premises detached signs are prohibited within one hundred twenty-five (125) feet of a non-business area.
 4. Sign regulations enforced by the Missouri Highway and Transportation Commission along the primary highway system in the City shall take precedence over any less restrictive requirements of this Chapter.
 5. ~~All heights specified in this Code shall be measured from street grade at a point perpendicular to facing street unless otherwise specified.~~
- B. *Detached Signs.* Detached signs are allowed in business areas.
1. A premises ~~fronting on a collector street with~~ **frontage along a given street** shall be allowed a detached sign with an effective area determined by adding fifty (50) square feet to a ratio of one (1) square foot of effective area per lineal foot of frontage along the ~~collector~~ **given** street.
 2. Each premises shall be allowed one (1) permanent detached on-premises or off-

premises sign. Premises with frontage on more than one (1) street shall be permitted to have one (1) additional on-premises sign per side.

3. Premises which have more than four hundred twenty-five (425) feet of frontage along a street may have one (1) additional detached sign for each additional four hundred twenty-five (425) feet of frontage or fraction thereof, provided a minimum of three hundred (300) feet of separation is maintained between signs on a given premises.
4. The maximum effective area for any detached business sign shall be three hundred (300) square feet.
5. Each detached sign shall not exceed a maximum height of ~~twenty-five (25)~~ **forty (40)** feet.
6. A minimum setback of ten (10) feet will be required from the property line for monument signs and a minimum setback of five (5) feet from the property line for freestanding signs.
7. **No portion of the sign or its supporting apparatus shall encroach upon an easement.**

C. *Attached Signs.* Attached signs are allowed in business areas in accordance with the following provisions:

1. Each business shall be allowed an attached sign. In the event the business does not front on a street, it shall be allowed signage as if it fronted on a local street. ~~The attached sign shall not extend any further than eighteen (18) inches from any part of the structure, i.e. awning, canopy, door, marquee, parapet, sunshield, wall or similar item. Attached signs do not include signs on the inside or outside of the window, which do any advertising beyond merely identifying the business and giving the times it is open, these shall be subject to total square footage limitations. An attached sign shall not extend beyond the wall edge.~~
2. The total effective area of all wall signs allowed for a business shall be calculated **in the following manner:** ~~based upon the lineal footage of each wall having frontage on a street. If the business has frontage on any street other than a local street, the effective area shall not exceed three (3) square feet per lineal foot of the wall length. If the business has frontage on a local street, the effective area shall not exceed one-half (1/2) square foot per lineal foot of the wall length.~~
 - a. **One-half (1/2) square foot will be allotted per lineal foot of the building's wall length along a local street.**
 - b. **Three (3) square feet will be allotted per lineal foot of the building's wall length**

along a street with classification of collector, secondary arterial, primary arterial, or highway.

3. A premises may have a roof sign only if it does not have a detached or projecting sign. No part of the sign shall extend beyond any wall. The methodology used to determine the effective area allowed for detached signs shall be used to calculate the effective area allowed for roof signs.
 4. A business may have a projecting sign only if it does not have a roof sign or a maximum number or allowable detached signs for that premises. Where a business frontage would allow the use of two (2) or more detached signs, a projecting sign may be substituted for one (1) of the detached signs. Projecting signs shall have a minimum clearance of ten (10) feet above the highest level of the ground under the sign at the sign's lowest point and shall not exceed twenty (20) square feet in effective area.
 5. Each premises containing more than one (1) business shall reserve one (1) detached sign to identify either the entire premises, or businesses located there, desiring to be identified, unless otherwise approved by the Community Development Department.
- D. Menu board signs shall be governed by the provisions of Section 415.030 paragraph (14).
- E. Commercial subdivision signs shall:
1. Be limited to one (1) subdivision sign per entrance.
 2. Not exceed an effective area of three hundred (300) square feet.
 3. Not exceed a height of twenty-five (25) feet.
 4. Comply with all other applicable provisions of the sign ordinance (i.e., "Intersection Clear Sight Triangle").
 5. Be limited to displaying the names of companies located in the subdivision and no advertising matter shall be allowed on the sign.
 6. Not supersede any other detached signs allowed within this Section.
 7. Be placed in a sign easement.
 8. Have a minimum setback of ten (10) feet from the property line for a monument sign and a minimum setback of five (5) feet from the property line for freestanding sign.

9. A sign permit is required for any commercial subdivision sign.
10. ~~Sign shall not be in sight triangle.~~

Section 415.090 Provisions For Signs in Non-Business Areas.

A. *Single-Family And Two-Family Residential Districts.* These provisions shall apply to all permanent signs in non-business areas:

1. Dwelling units in single-family or two-family zoning districts shall be allowed to utilize any non-business sign described in Section 415.030, Exempt Signs. Home occupations, as defined in Section 405.020, and as allowed in Article III of Chapter 405 of this Title, shall be allowed one (1) on-premises detached sign, such sign shall not exceed five (5) square feet in effective area and four (4) feet in height. ~~No off-premises signs shall be allowed other than those specifically allowed by Section 415.070, Temporary Signs.~~
2. Wall signs shall not be permitted. ~~however, this does not include signs on the inside or outside of windows except that any signs on the outside of the window, which do any advertising beyond merely identifying the business and giving the times it is open, shall not exceed five (5) square feet in effective area.~~
3. Flashing lights and animation are not allowed ~~except as seasonal decorations.~~

B. *Detached Signs.* Detached signs are allowed in non-business areas as follows:

1. Each premises containing a multi-family use or legal non-conforming use shall be allowed one (1) detached sign. Premises with more than seven hundred fifty (750) feet of frontage along a public street may have one (1) additional detached sign, provided a minimum of three hundred (300) feet of separation is maintained between signs, and a minimum setback of twenty-five (25) feet from adjacent property line is maintained for both signs.
2. A minimum front yard setback of ten (10) feet is required of all detached signs. No detached sign shall exceed thirty-two (32) square feet in effective area or eight (8) feet in height.

C. *Attached Signs.* Attached signs are allowed in non-business areas as follows:

Each premises containing a multi-family use or legal non-conforming use shall be allowed one (1) wall sign per wall, which shall ~~extend no further than eighteen (18) inches from~~

~~the wall. The sign may contain the name and logo of the establishment, business or use and nothing else. Wall signs do not include signs on the inside or outside of windows except that any signs on the outside of the window, which do any advertising beyond merely identifying the business and giving the times it is open, shall be subject to total square footage limitations. A wall sign shall not project beyond the wall edge. The total effective area of all wall signs allowed for a business shall be calculated based upon street frontage and whether or not the premises has a detached sign. Where a premises has no detached sign, the total effective area of all wall signs shall not exceed one (1) square foot per linear foot of the wall length along the street or streets upon which the business fronts. Where a premises has a detached sign, the total effective area of all wall signs shall not exceed one-half (1/2) square foot per lineal foot of the wall length along the street or streets upon which the business fronts.~~

Section 415.110 Directional Signs.

~~On premises detached directional signs in excess of five (5) square feet in effective area shall be allowed in any area, provided such signs do not name or advertise any product, service or business, and the total allowable effective area of detached signs on the premises is not exceeded. A site plan locating all detached signs, including existing and proposed directional or instructional signs, shall be required prior to issuance of a sign permit.~~

Directional signs shall:

- A. Serve to guide circulation for the premises of either vehicular or foot traffic.**
- B. Not exceed four (4) feet in height above the ground under the sign.**
- C. Adhere to the guidelines of on-premises detached signs with the following exceptions:**
 - 1. Directional signs do not count towards the total number of detached signs allowed for the premises.**
 - 2. The effective area of directional signage does not contribute to the total effective area allowed for detached signs on the premises unless:
 - a. The effective area of a given directional sign is greater than ten (10) square feet or**
 - b. Nonessential copy (such as a logo, business name, product, or service identification) occupies greater than 50% of the effective area of a given directional sign.****

Section 415.130 Sign Permits and Inspections.

- A. *Permits Required.*
1. Except as otherwise provided in this Code, it shall be unlawful for any person to erect, repair, improve, maintain, convert or manufacture any sign or cause the same to be done without first obtaining a sign permit for each such sign from the Community Development Department. In connection with the sign permit, an application fee shall be charged, upon receipt of an application for a sign permit. No sign permit shall be issued except to a person licensed to do business in the City or to a person exempt from the City licensing provisions.
 2. Every sign permit issued by the Community Development Department shall become null and void if work on the sign is not commenced within one hundred eighty (180) days from the date of such permit. If work authorized by such permit is suspended or abandoned for ninety (90) days after the work is commenced, the sign shall be considered abandoned unless a new permit shall be first obtained to proceed with the work on the sign, provided that no changes have been made in the original plans.
- B. *License.* No person shall perform any work or service for any person or for any government entity in connection with the erection, repair, improvement, maintenance, conversion or manufacture of any sign in the City, or any work or service in connection with causing any such work to be done, unless such person shall first have obtained a business license and paid the license fees provided for by the City, or shall be represented by a duly licensed person.
- C. *Application For Permit.* Application for a permit shall be made to the Community Development Department upon a form provided by the City and shall be accompanied by such information as may be required to ensure compliance with all appropriate laws and regulations of the City including, but not limited to:
1. Name, address and business license number of permit application.
 2. Name and address of owner of sign.
 3. Name and address of the owner and the occupant of the premises where the sign is located or to be located.
 4. Name and address of architect and or engineer responsible for design (see latest building code adopted by the City, as established in Chapter 500).
~~Drawings shall require a seal by an architect or an engineer when the sign is a roof sign, or the surface is twenty (20) feet or more from grade, or when the structural integrity of the sign is questioned.~~
 5. Clear and legible drawings with description showing the precise location of the sign

which is the subject of the permit and all other existing signs on the same premises or as otherwise specified by the Community Development Department.

6. Drawings showing the dimensions, construction supports, sizes, materials of the sign, and method of attachment and character of structural members to which attachment is to be made.
7. The Community Development Department shall issue a permit for work to be done on a sign when an application therefore has been properly made and the sign complies with all appropriate laws and regulations of the City.
8. **Drawings shall require a seal by an architect or an engineer when the sign is a detached sign, projecting sign, or roof sign, or as determined necessary by the Community Development Director.**
9. **Any prerequisite for drawings requiring a seal by an architect or an engineer may be waived by the Community Development Director as determined on an per case basis.**
10. **In such circumstances as those warranting the licensure of a sign by the Missouri Highway and Transportation Commission said license must be provided to the Community Development Department at the time that application is made.**

D. *Denial Or Revocation.*

1. The Community Development Department may, in writing, suspend, deny or revoke a permit issued under provisions of this Section whenever the permit is issued on the basis of a misstatement of fact, fraud or non-compliance with the Chapter.
2. When a sign permit is denied by the Community Development Department, written notice shall be given of the denial to the applicant, together with a brief written statement of the reason for the denial. Such denials shall have referenced the Section of the Sign Code or other pertinent Code used as a standard for the basis of denial.

EXPLANATION – Matter in **bold-face** type in the above is added language. Matter in ~~strikethrough~~ in the above is deleted.

Section 2. All other Sections of the Municipal Code of the City of Republic, Missouri, not specifically referenced in this Ordinance shall remain unmodified and in full force and effect.

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

Section 4. 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 5. 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 _____ 2021.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

Approved as to Form:  Digitally signed by Scott Ison
Date: 2021.03.18 10:04:53
-05'00' _____, Scott Ison, City Attorney

Final Passage and Vote: _____



AGENDA ITEM ANALYSIS

Project/Issue Name: 21-16 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 8.44 Acres from Agricultural (AG) and General Commercial (C-3) to General Commercial (C-2), Located at the Southeast Corner of State Highway MM and West Farm Road 148.

Submitted By: Karen Haynes, Planning Manager, BUILDS Department

Date: March 23, 2021

Issue Statement

P Squared Storage, LLC has applied to change the Zoning Classification of approximately **(8.44) acres** of property located at the southeast corner of State Highway MM and West Farm Road 148 from Agricultural (AG) and General Commercial (C-3) to **General Commercial (C-2)**.

Discussion and/or Analysis

The property subject to this Rezoning Application is comprised of approximately **(8.44) acres** of land located at the southeast corner of State Highway MM and West Farm Road 148; the property is currently vacant. The Applicant has expressed their intent to develop a Self-Storage Facility 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**.

The Plan more particularly describes appropriate future land uses through the depiction of a "Future Land Use Map" (FLUM). In this case, the FLUM depicts the subject property as having a Neighborhood Commercial District FLUM designation on the western portion of the parcel and High and Medium Density Residential designations on the remainder of the parcel. The City's Adopted 2005 Land Use Plan has identified the "Neighborhood Commercial" Future Land Use Map designation as a Mixed-Use area described as, "Retail and office uses; including small neighborhood shopping centers and isolated retail businesses." The High Density FLUM designation is described as, "Multi-Family Residential development of more than eight units per acre;" the Medium Density FLUM designation is described as "Two-Family

Residential development at four to seven units per acre and neighborhood compatible institutional uses.”

The 2005 Land Use Plan identifies Land Use Goals and Objectives relating to commercial development, as follows:

- **Goal:** Expand the opportunity for new commercial development in the City.
 - **Objective:** Increase the amount of land available for commercial development in the City.
 - **Policies:** Proactive consideration of Rezoning Requests where there are opportunities to provide land for commercial development.

The general trend of development in the vicinity of the subject property, along State Highway MM is industrial and commercial redevelopment.

Compatibility with Surrounding Land Uses

The subject property is surrounded by Medium Density Single Family Residential (R1-M) and Agricultural (AG) to the north, Heavy Industrial (M-2) to the west, General Commercial (C-3) and Agricultural (AG) to the south, and Agricultural (AG) to the east.

The land uses permitted in the Local Commercial (C-2) Zoning District include restaurant, retail, and self-storage.

Capacity To Serve Potential Development and Land Use

Municipal Water and Sewer Service: The parcel is in proximity to a 12” water main serving the Branco property on the east side of State Highway MM. Development of the property will require the extension of water from its current location, north to the intersection of State Highway MM and east along West Farm Road 148.

The parcel is in proximity to an 8” gravity sewer main serving the Branco property; development of the property will require an extension of the sewer to serve the development. The sanitary sewer will flow from this location to the Brookline North Lift Station, Brookline South Lift Station, McElhane Lift Station, and Shuyler Creek Lift Station; it is pumped from Shuyler Creek to the Wastewater Treatment Facility. The water system, Lift Stations, and Wastewater Treatment Facility currently have capacity to serve the Applicant’s intended use.

Transportation: A Traffic Impact Study (TIS) was not required for the Rezoning Application due to several recent Traffic Impact Studies along the State Highway MM corridor and very low traffic generated by Self-Storage Units. The City will require a TIS, with review by MODOT, for any development other than the use expressed by the Applicant.

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

Sinkholes: The subject property contains one identified sinkhole. on the southern portion of the property, extending into Branco’s property to the south. The Republic City Code requires a thirty (30) foot setback for development; a Sinkhole Analysis was previously submitted for the Branco Project.



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.**

BILL NO. 21-16

ORDINANCE NO.

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 8.44 ACRES FROM AGRICULTURAL (AG) AND GENERAL COMMERCIAL (C-3) TO GENERAL COMMERCIAL (C-2), LOCATED AT THE SOUTHEAST CORNER OF STATE HIGHWAY MM AND WEST FARM ROAD 148

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, an application for an amendment to the Zoning Code and Official Zoning Map to rezone real estate located at the Southeast Corner of State Highway MM and West Farm Road 148, and comprising approximately 8.44 Acres from Agricultural (AG) and General Commercial (C-3) to General Commercial (C-2), was submitted to the BUILDS Department Staff by P Squared Storage, LLC (hereinafter called the “Applicant”); and

WHEREAS, the BUILDS staff did thereafter submit said application to the Planning and Zoning Commission, which did set March 8, 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 February 10, 2021, in *The Greene County Commonwealth*, a newspaper of general circulation in the City, such notice being at least 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 March 8, 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 City Council; and

WHEREAS, the Planning and Zoning Commission by a vote of 5 Ayes to 0 Nays, 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 March 23, 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 Southeast Corner of State Highway MM and West Farm Road 148, and comprising approximately 8.44 Acres from Agricultural (AG) and General Commercial (C-3) to General Commercial (C-2), such tract being more fully described as follows:

A tract of land being a part of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 35, Township 29 North, Range 23 West and being more particularly described as follows: Commencing at an existing railroad spike at the Northeast Corner of said Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4); thence South 00°00'25" East, 24.99 feet to an existing 1/2" iron pin; thence North 88°04'48" West, 100.00 feet for the Point of Beginning, said point being 5.00 feet north of a 5/8" iron pin; thence South 02°09'12" West 321.81 feet to an iron pin; thence North 88°20'43" West 1046.63 feet to an iron pin; thence North 01°14'47" East 22.67 feet to an iron pin; thence North 88°20'43" West 100.00 feet to an iron pin on the east Right of way line of State Highway MM; thence North 01°14'48" East 126.98 feet to a right of way marker; thence North 05°26'05" East 114.83 feet to a right of way marker; thence North 43°42'14" East 84.30 feet to a right of way marker; thence South 88°04'48" East 1086.48 feet to the place of beginning and containing 8.44 Acres (367,808 square feet) all in Greene County, Missouri and subject to all easements and restrictions of record.

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 _____ 2021.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

BILL NO. 21-16

ORDINANCE NO.

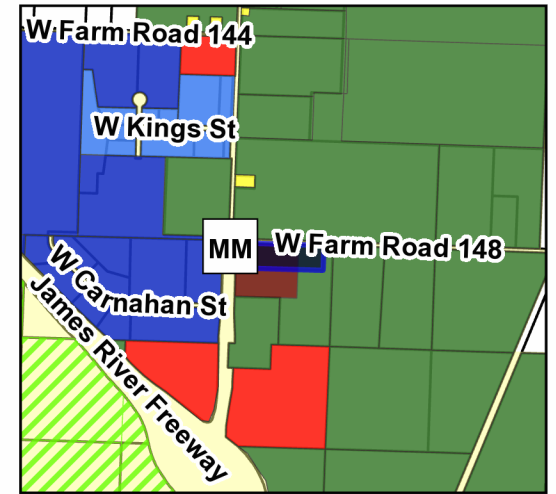
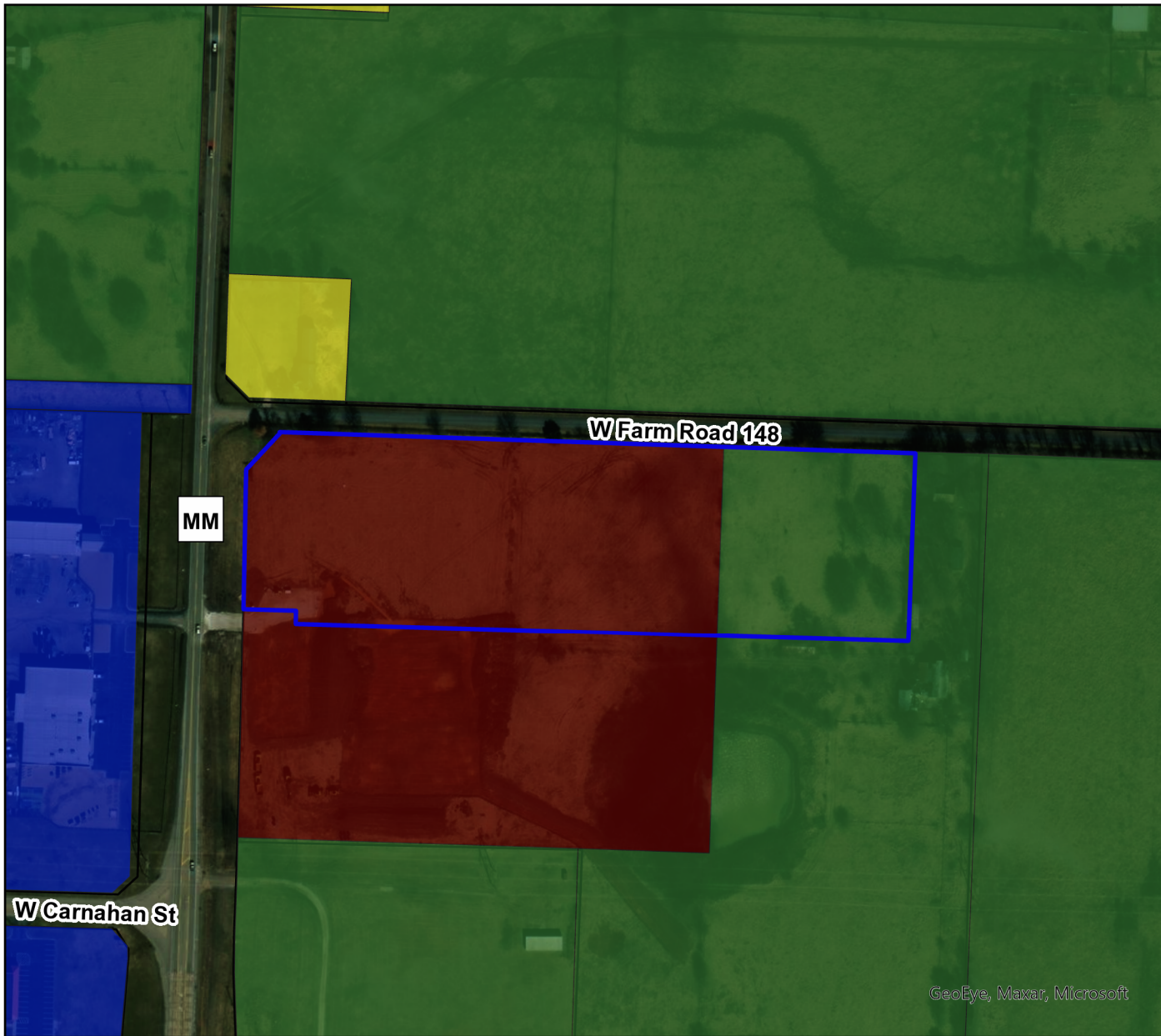
Approved as to Form:  Digitally signed by Scott Ison
Date: 2021.03.17 15:11:17
-05'00' _____, Scott Ison, City Attorney

Final Passage and Vote: _____

REZN 21-003: P Squared Storage

Zoning Map

Item 12.



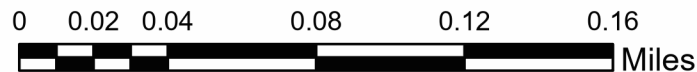
Legend

- Parcels
- REZN 21-003

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: P Squared Storage LLC
 Parcel ID: 881435200013
 Area: 8.44 Acres
 Existing Zoning: General Commercial (C-3); Agricultural (AG)
 Requested Zoning: General Commercial (C-2)
 Future Land Use Designation: Neighborhood Commercial; High Density Res.; Medium Density Res.



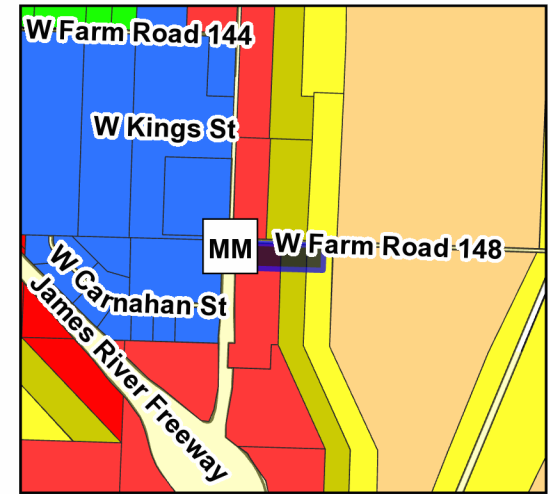
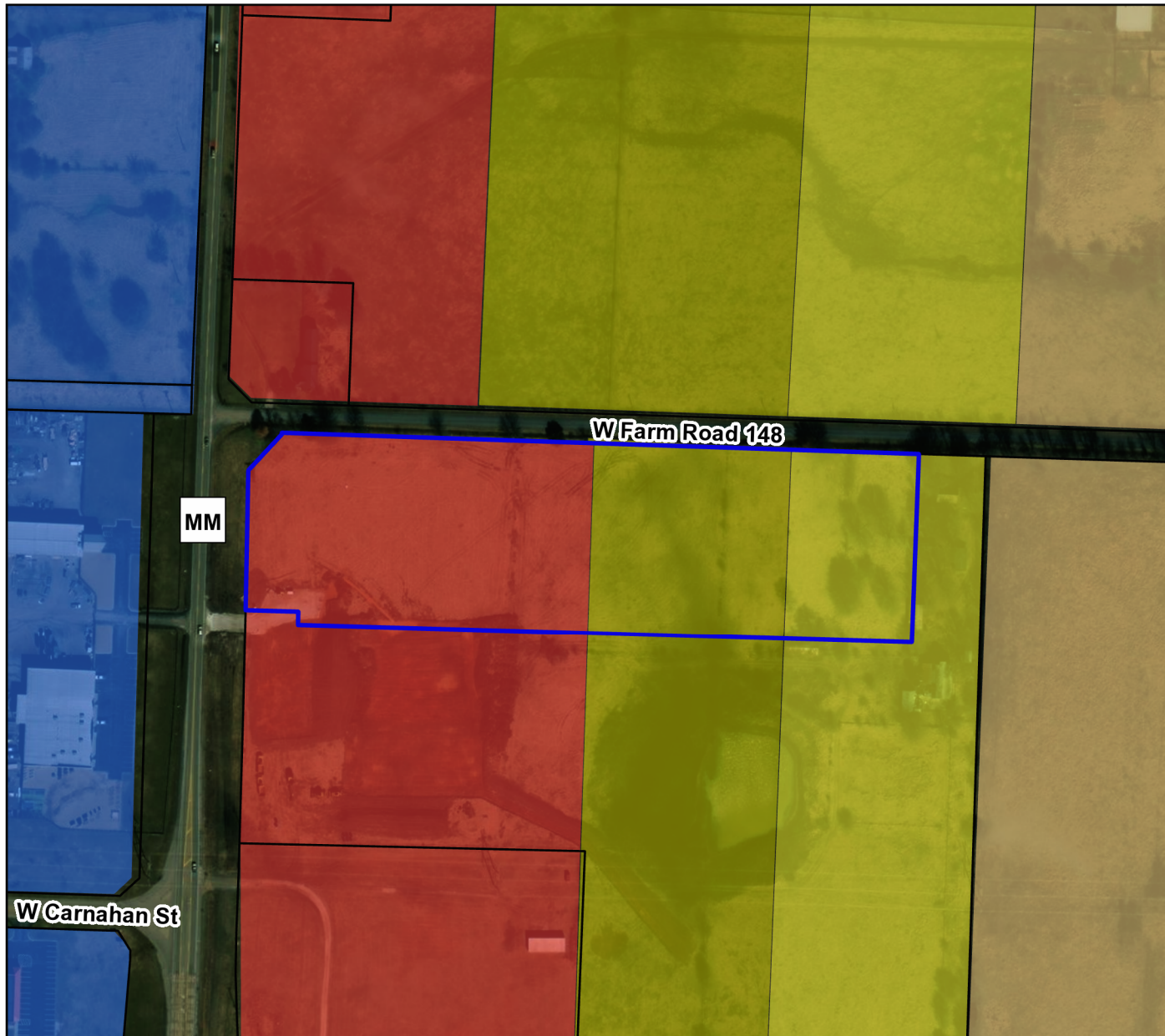
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REZN 21-003: P Squared Storage

Future Land Use Map

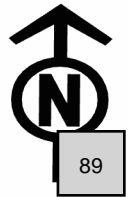
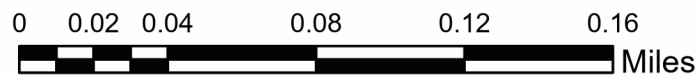
Item 12.



Legend

- Parcels
- REZN 21-003
- Future Land Use**
- Low Density Residential
- High Density Residential
- Med Density Residential
- Main Street District
- C-1
- C-2
- M-1
- M-2
- Park
- Planned Business Park
- Public Land Use
- School Land Use

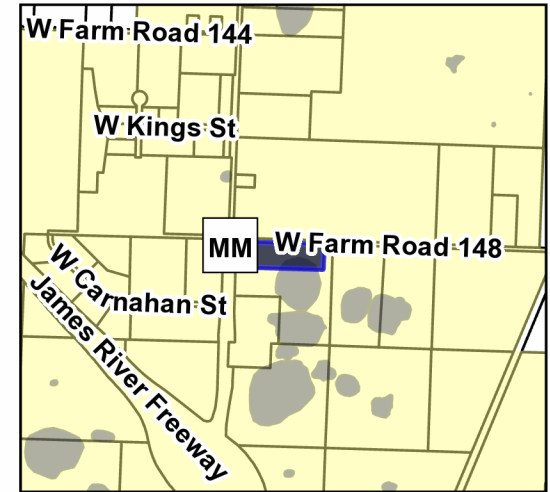
Parcel Owner: P Squared Storage LLC
 Parcel ID: 881435200013
 Area: 8.44 Acres
 Existing Zoning: General Commercial (C-3); Agricultural (AG)
 Requested Zoning: General Commercial (C-2)
 Future Land Use Designation: Neighborhood Commercial; High Density Res.; Medium Density Res.



REZN 21-003: P Squared Storage

Item 12.

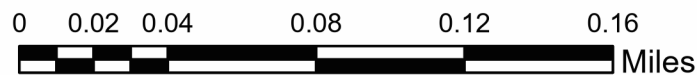
Vicinity Map



Legend

- Parcels
- REZN 21-003
- Floodplain
- Sinkhole

Parcel Owner: P Squared Storage LLC
Parcel ID: 881435200013
Area: 8.44 Acres
Existing Zoning: General Commercial (C-3); Agricultural (AG)
Requested Zoning: General Commercial (C-2)
Future Land Use Designation: Neighborhood Commercial; High Density Res.; Medium Density Res.





AGENDA ITEM ANALYSIS

Project/Issue Name: 21-17 An Ordinance of the City Council of the City of Republic, Missouri, Authorizing the City Administrator to Enter into an Agreement with Berry Tractor and Equipment for the Purchase of a 2018 Komatsu Excavator and a 2016 Komatsu Dozer and Further Authorizing the City Administrator to Execute the Necessary Documents to Obtain Financing on Said Equipment from Bank of Missouri.

Submitted By: Jason Davis, Operations Manager and Debbie Parks, Finance Director

Date: March 23, 2021

Issue Statement

The City of Republic BUILDS Department would like to purchase for 90% rental credit a 2018 Komatsu PC240LC-11 Excavator in the amount of \$135,835.00 and 2016 Komatsu D39PXi24 Dozer in the amount of \$76,230.00 from Berry Tractor for the total amount of \$212,065.00.

Discussion and/or Analysis

Introduction.

The BUILDS Department has the opportunity to purchase a 2018 Komatsu PC240LC-11 Excavator and 2016 Komatsu D39PXi24 Dozer that we are currently renting from Berry tractor and using on major projects within the City. The two pieces of equipment have been essential in accomplishing projects like, Valley Trails Phase I, Garton Business Park Phases 2-5, Water main extension for the future new Early Childhood Building for the School, OTC Water Main Extension, The new Lift Station #2, Convoy of Hope and Amazon as well as others.

Although these are used equipment, most of the work hours were put on by the City’s Utility and Street crews. The Excavator has 1394.5 hours, and the Dozer has 1289.2 hours. We have been renting this equipment for over a year and on the Excavator almost 2 years. This equipment is essential for even more future project.

Here are some comparable quotes on this equipment.

Excavator	Dozer
2018 Komatsu PC 240LC -11, \$159,000 from Komatsu Southwest in Carlsbad, NM	2016 Komatsu D39PX, \$94,000 from Komatsu America Corp. in Harrisburg PA
2021 Komatsu PC 240LC -11, \$243,314 from Berry Tractor in Springfield, MO	2016 Case 750M LT, \$83,000 from Wilson Equipment in Lexington KT
2020 John Deere 250G LC, \$272,500 from Murphy Tractor in Republic, MO	2017 CAT D3K2 XL, \$105,000 from Earthmoving in Alma AR

Discussion.

The City of Republic obtained quotes for financing from several banks, including the equipment rental company Berry Tractor.

The City received the following quotations for terms:

Bank of Missouri	1.40%	4 Years
US Bank	1.65%	3 Years (only submitted 3 year)
First State Community Bank	2.08%	4 Years
Mid Missouri Bank	2.40%	4 Years
Berry Tractor	3.25%	4 Years

The Builds Department had budgeted in the 2021 budget for the purchase of the purchase of the excavator and dozer. The amount was budgeted at \$240,000 split between the 3 PW funds (Streets, Water, Wastewater). No budget amendment is required for this item. The use of financing over a term of 4 years, allows the City to utilize cash for infrastructure and transportation improvements in 2021 & 2022. The above terms are all for bank qualified financing, meaning that the City will not issue more than \$10 million in debt in 2021. Based on the submitted term, the Finance Department recommends proceeding with the Bank of Missouri for financing. The letter of terms and amortization schedule are attached to this exhibit. There is no prepayment penalty.

As required by law, the City can demonstrate the availability of unrestricted funds in the three PW funds to cover the future year payments should there be a downturn in revenues. The unrestricted fund cash balances projected at the end of 2021 as outlined in the adopted 2021 Budget are below:

Fund	Unrestricted Balance Projected 2021 Year End
Streets	\$620,445
Water	\$423,286
Wastewater	\$349,393

Recommended Action

Staff recommends that City Council award the purchase of the 2018 Komatus PC240LC-11 Excavator in the amount of \$135,835.00 and 2016 Komatsu D39PXi24 Dozer in the amount of \$7,230.00 from Berry Tractor for the total amount of \$212,065.00.

Staff recommends that City Council allow the City Attorney and City Administrator to enter contract negotiations for financing with the Bank of Missouri for a term of three (3) years.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH BERRY TRACTOR AND EQUIPMENT FOR THE PURCHASE OF A 2018 KOMATSU EXCAVATOR AND A 2016 KOMATSU DOZER AND FURTHER AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS TO OBTAIN FINANCING ON SAID EQUIPMENT FROM BANK OF MISSOURI

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, based upon increased development in the City, the City has leased a 2018 Komatsu Excavator and a 2016 Komatsu Dozer (herein called “Equipment”) from Berry Tractor and Equipment Co.; and

WHEREAS, as development in the City has continued, and a need still exists for the Equipment, the City has negotiated with Berry Tractor and Equipment Co. to purchase the leased Equipment and receive a partial credit for fees paid by the City for the lease of the Equipment; and

WHEREAS, the City has obtained financing terms from financial institutions for the financing of this Equipment, with the lowest financing terms being obtained from The Bank of Missouri; and

WHEREAS, the Council finds the purchase of this Equipment and the accompanying financing is in the best interest of the City for the continued growth and development of the City.

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

- Section 1. The City Administrator or designee, on behalf of the City, is authorized to enter into an agreement with Berry Tractor and Equipment Co. for the purchase of a 2018 Komatsu PC240LC-11 Excavator at a price not to exceed \$135,835.00 and a 2016 Komatsu D39PXi24 Dozer at a price not to exceed \$76,230.00.
- Section 2. The City Administrator or designee, on behalf of the City, is authorized to enter into a financing agreement for the Equipment with The Bank of Missouri substantially similar to the March 10, 2021 Term Sheet attached hereto and incorporated as “Attachment 1.”
- Section 3. The City Administrator or designee, on behalf of the City, is authorized to take the necessary steps to execute 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.

BILL NO. 21-17

ORDINANCE NO.


Section 6. This Ordinance shall be in full force and effect from and after the date of 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 _____ 2021.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

Approved as to Form:  Digitally signed by Scott Ison
Date: 2021.03.17 14:38:52
-05'00' _____, Scott Ison, City Attorney

Final Passage and Vote: _____



**Term Sheet
City of Republic
March 10th, 2021**

The Bank of Missouri ("Bank") has prepared this Term Sheet to summarize proposed terms for the financing of equipment purchase. This term sheet is intended to provide you with the rates and terms we would propose to finance the loan. This letter is intended as a rate indication only and does not constitute a commitment as final loan approval is subject to our Board and/or loan committee. This discussion term sheet does not cover all details of the loan(s) proposed.

<u>Facility:</u>	Commercial Loan to finance equipment that was previously leased from Berry Tractor.
<u>Loan Amount:</u>	\$212,065.00
<u>Obligor:</u>	City of Republic
<u>Loan Term (Options):</u>	1.40% fixed for four (4) years with principal and interest payments monthly. 1.30% fixed for three (3) years with principal and interest payments monthly. 1.25% fixed for two (2) years with principal and interest payments monthly.
<u>Loan Fees:</u>	\$150 Loan fee & \$10 UCC Filing fee
<u>Collateral:</u>	2018 Komatsu PC240LC-11 Excavator 2016 Komatsu D39PXi24 Dozer
<u>Guarantors:</u>	N/A
<u>Covenants and Conditions:</u>	N/A
<u>Representations and Warranties:</u>	Those customarily found in transactions of this kind, including, but not limited to: Corporate Organization and Power, Corporate Authority, Due Execution and Delivery, Enforceability, Government Approval, Taxes, Litigation, Financial Statements, No Adverse Change, Compliance with Laws, Environmental Compliance, Full Disclosure, Official Statement, No Default.
<u>Governing Law:</u>	State of Missouri

This Term Sheet contains major conditions, covenants, and provisions. It does not purport to include all conditions, covenants, representations, warranties, events of default, and other provisions, which shall be stated in the definitive documents.

I appreciate the opportunity to provide you with this discussion term sheet. If you should have any questions, please do not hesitate to call me at (417) 732-4600 or email me at tghan@bankofmissouri.com.

Sincerely,



Trish Ghan
Commercial Loan Officer
The Bank of Missouri

Accepted by: _____ Date: _____

LOAN AMORTIZATION SCHEDULE

ENTER VALUES

Loan amount	\$212,065.00
Annual interest rate	1.40%
Loan period in years	4
Number of payments per year	12
Start date of loan	3/5/2021
Optional extra payments	\$0.00

LOAN SUMMARY

Scheduled payment	\$4,545.46
Scheduled number of payments	48
Actual number of payments	48
Total early payments	\$0.00
Total interest	\$6,116.89

LENDER NAME	BOM
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PMT NO	PAYMENT DATE	BEGINNING BALANCE	SCHEDULED PAYMENT	EXTRA PAYMENT	TOTAL PAYMENT	PRINCIPAL	INTEREST	ENDING BALANCE	CUMULATIVE INTEREST
1	3/5/2021	\$212,065.00	\$4,545.46	\$0.00	\$4,545.46	\$4,298.05	\$247.41	\$207,766.95	\$247.41
2	4/5/2021	\$207,766.95	\$4,545.46	\$0.00	\$4,545.46	\$4,303.06	\$242.39	\$203,463.89	\$489.80
3	5/5/2021	\$203,463.89	\$4,545.46	\$0.00	\$4,545.46	\$4,308.08	\$237.37	\$199,155.81	\$727.18
4	6/5/2021	\$199,155.81	\$4,545.46	\$0.00	\$4,545.46	\$4,313.11	\$232.35	\$194,842.70	\$959.53
5	7/5/2021	\$194,842.70	\$4,545.46	\$0.00	\$4,545.46	\$4,318.14	\$227.32	\$190,524.56	\$1,186.84
6	8/5/2021	\$190,524.56	\$4,545.46	\$0.00	\$4,545.46	\$4,323.18	\$222.28	\$186,201.39	\$1,409.12
7	9/5/2021	\$186,201.39	\$4,545.46	\$0.00	\$4,545.46	\$4,328.22	\$217.23	\$181,873.17	\$1,626.36
8	10/5/2021	\$181,873.17	\$4,545.46	\$0.00	\$4,545.46	\$4,333.27	\$212.19	\$177,539.89	\$1,838.54
9	11/5/2021	\$177,539.89	\$4,545.46	\$0.00	\$4,545.46	\$4,338.33	\$207.13	\$173,201.57	\$2,045.67
10	12/5/2021	\$173,201.57	\$4,545.46	\$0.00	\$4,545.46	\$4,343.39	\$202.07	\$168,858.18	\$2,247.74
11	1/5/2022	\$168,858.18	\$4,545.46	\$0.00	\$4,545.46	\$4,348.45	\$197.00	\$164,509.73	\$2,444.74
12	2/5/2022	\$164,509.73	\$4,545.46	\$0.00	\$4,545.46	\$4,353.53	\$191.93	\$160,156.20	\$2,636.67
13	3/5/2022	\$160,156.20	\$4,545.46	\$0.00	\$4,545.46	\$4,358.61	\$186.85	\$155,797.59	\$2,823.52
14	4/5/2022	\$155,797.59	\$4,545.46	\$0.00	\$4,545.46	\$4,363.69	\$181.76	\$151,433.90	\$3,005.28
15	5/5/2022	\$151,433.90	\$4,545.46	\$0.00	\$4,545.46	\$4,368.78	\$176.67	\$147,065.12	\$3,181.96
16	6/5/2022	\$147,065.12	\$4,545.46	\$0.00	\$4,545.46	\$4,373.88	\$171.58	\$142,691.24	\$3,353.53
17	7/5/2022	\$142,691.24	\$4,545.46	\$0.00	\$4,545.46	\$4,378.98	\$166.47	\$138,312.25	\$3,520.00
18	8/5/2022	\$138,312.25	\$4,545.46	\$0.00	\$4,545.46	\$4,384.09	\$161.36	\$133,928.16	\$3,681.37
19	9/5/2022	\$133,928.16	\$4,545.46	\$0.00	\$4,545.46	\$4,389.21	\$156.25	\$129,538.96	\$3,837.62
20	10/5/2022	\$129,538.96	\$4,545.46	\$0.00	\$4,545.46	\$4,394.33	\$151.13	\$125,144.63	\$3,988.75
21	11/5/2022	\$125,144.63	\$4,545.46	\$0.00	\$4,545.46	\$4,399.45	\$146.00	\$120,745.17	\$4,134.75
22	12/5/2022	\$120,745.17	\$4,545.46	\$0.00	\$4,545.46	\$4,404.59	\$140.87	\$116,340.59	\$4,275.62
23	1/5/2023	\$116,340.59	\$4,545.46	\$0.00	\$4,545.46	\$4,409.73	\$135.73	\$111,930.86	\$4,411.35
24	2/5/2023	\$111,930.86	\$4,545.46	\$0.00	\$4,545.46	\$4,414.87	\$130.59	\$107,515.99	\$4,541.94
25	3/5/2023	\$107,515.99	\$4,545.46	\$0.00	\$4,545.46	\$4,420.02	\$125.44	\$103,095.97	\$4,667.37
26	4/5/2023	\$103,095.97	\$4,545.46	\$0.00	\$4,545.46	\$4,425.18	\$120.28	\$98,670.80	\$4,787.65
27	5/5/2023	\$98,670.80	\$4,545.46	\$0.00	\$4,545.46	\$4,430.34	\$115.12	\$94,240.46	\$4,902.77
28	6/5/2023	\$94,240.46	\$4,545.46	\$0.00	\$4,545.46	\$4,435.51	\$109.95	\$89,804.95	\$5,012.71
29	7/5/2023	\$89,804.95	\$4,545.46	\$0.00	\$4,545.46	\$4,440.68	\$104.77	\$85,364.26	\$5,117.48
30	8/5/2023	\$85,364.26	\$4,545.46	\$0.00	\$4,545.46	\$4,445.86	\$99.59	\$80,918.40	\$5,217.08
31	9/5/2023	\$80,918.40	\$4,545.46	\$0.00	\$4,545.46	\$4,451.05	\$94.40	\$76,467.35	\$5,311.48
32	10/5/2023	\$76,467.35	\$4,545.46	\$0.00	\$4,545.46	\$4,456.24	\$89.21	\$72,011.10	\$5,400.69
33	11/5/2023	\$72,011.10	\$4,545.46	\$0.00	\$4,545.46	\$4,461.44	\$84.01	\$67,549.66	\$5,484.71
34	12/5/2023	\$67,549.66	\$4,545.46	\$0.00	\$4,545.46	\$4,466.65	\$78.81	\$63,083.01	\$5,563.51
35	1/5/2024	\$63,083.01	\$4,545.46	\$0.00	\$4,545.46	\$4,471.86	\$73.60	\$58,611.15	\$5,637.11
36	2/5/2024	\$58,611.15	\$4,545.46	\$0.00	\$4,545.46	\$4,477.08	\$68.38	\$54,134.08	\$5,705.49
37	3/5/2024	\$54,134.08	\$4,545.46	\$0.00	\$4,545.46	\$4,482.30	\$63.16	\$49,651.78	\$5,768.65

Item 13.

PMT NO	PAYMENT DATE	BEGINNING BALANCE	SCHEDULED PAYMENT	EXTRA PAYMENT	TOTAL PAYMENT	PRINCIPAL	INTEREST	ENDING BALANCE	CUMUL INTEREST
38	4/5/2024	\$49,651.78	\$4,545.46	\$0.00	\$4,545.46	\$4,487.53	\$57.93	\$45,164.25	\$5,826.57
39	5/5/2024	\$45,164.25	\$4,545.46	\$0.00	\$4,545.46	\$4,492.76	\$52.69	\$40,671.48	\$5,879.27
40	6/5/2024	\$40,671.48	\$4,545.46	\$0.00	\$4,545.46	\$4,498.01	\$47.45	\$36,173.48	\$5,926.72
41	7/5/2024	\$36,173.48	\$4,545.46	\$0.00	\$4,545.46	\$4,503.25	\$42.20	\$31,670.22	\$5,968.92
42	8/5/2024	\$31,670.22	\$4,545.46	\$0.00	\$4,545.46	\$4,508.51	\$36.95	\$27,161.72	\$6,005.87
43	9/5/2024	\$27,161.72	\$4,545.46	\$0.00	\$4,545.46	\$4,513.77	\$31.69	\$22,647.95	\$6,037.56
44	10/5/2024	\$22,647.95	\$4,545.46	\$0.00	\$4,545.46	\$4,519.03	\$26.42	\$18,128.92	\$6,063.98
45	11/5/2024	\$18,128.92	\$4,545.46	\$0.00	\$4,545.46	\$4,524.31	\$21.15	\$13,604.61	\$6,085.13
46	12/5/2024	\$13,604.61	\$4,545.46	\$0.00	\$4,545.46	\$4,529.58	\$15.87	\$9,075.03	\$6,101.00
47	1/5/2025	\$9,075.03	\$4,545.46	\$0.00	\$4,545.46	\$4,534.87	\$10.59	\$4,540.16	\$6,111.59
48	2/5/2025	\$4,540.16	\$4,545.46	\$0.00	\$4,540.16	\$4,534.86	\$5.30	\$0.00	\$6,116.89



AGENDA ITEM ANALYSIS

Project/Issue Name: 21-18 An Ordinance of the City Council of the City of Republic, Missouri, Amending Title I, Government Code, Chapter 110, Administration Policies, Article II, Purchasing and Surplus Property and Adopting a New Policy Entitled City of Republic’s Purchasing Policy and Procedures.

Submitted By: David Cameron, City Administrator

Date: March 23, 2021

Issue Statement

Repealing existing and ordinances and a Municipal codes sections establishing the City’s purchasing policy and enacting a new “Purchasing Policy”.

Discussion and/or Analysis

Introduction.

The City has entered a period of growth. With the growth of the City, processes are evaluated to ensure that the procedures are designed to fulfil the City’s Mission of “We will be aggressively progressive through Processes, Relationships, and Trust.”

The City is working on larger scale projects, as well as developer agreements to facilitate the growth of the City infrastructure. Sometimes there are delays that result in longer timelines or missed savings opportunities.

There is also a new City Administration structure to allow for delegation of certain tasks. The old policy did not allow for this delegation.

The last area addressed in the policy revision is better procurement methods. The old ordinance outlined formal bidding methods but left out some methods that might be better for a city on the grow.

This revised policy has been reviewed by the City’s Auding firm KPM to ensure that the intent of internal control, fair treatment of vendors, and competitive bidding are still in place.

The City’s Purchasing Manual was last revised and approved by Council in August 2017. The proposed purchasing policy changes would make it easier for City staff to perform purchasing and surplus disposal tasks efficiently by giving the City Administrator authority to create administrative procedures for smaller value items, while preserving city Council oversight and approval of larger value items.

Key Changes.

The key changes are presented below.

Changes to allow for quicker implementation of budgeted projects:

- New Formal Bid limitation –
 - \$50,000 all purchases except construction,
 - \$70,000 for construction.

 - For projects that stem from Developer Agreements, the approval for the agreement would still go to Council before work begins on the project.
 - Unbudgeted items over \$20,000 would still need to be approved by Council to be added to the budget for approval.

Changes made to allow for delegation of approval or less formal bidding:

- Added Micro Expenditure Limitation of \$5,000 and below. Current policy limitation is \$2,500. This allows no bids, quotes, or purchase requisitions. Just due diligence to purchase lowest price item. This change is designed to assist departments like Parks and Public Works who regularly purchase items locally for events or projects.
- Approvals –
 - Director Limitation raised to \$10,000
 - Finance Director approval \$10,000+
 - City Administrator or City Administrator Designee approval \$30,000+
 - Council Approval \$50,000 +, \$70,000+ for construction projects
 - This increases all the levels. Meets the intent of having internal control but allows for quicker turnaround of the purchase process.
- Added wording throughout the policy to allow a City Administrator designee for approvals. This allows the designee to review and sign when the City Administrator is unavailable.
- Changed the unbudgeted purchase reporting to \$10,000 for director notification and \$20,000 to be reported to Council.
- Identifies that the finance department is designated to carry out the day-to-day functions of purchasing. Outlines the responsible parties. This clarifies who is responsible for purchasing and purchasing related items. The City is working towards a centralized purchasing model.

Changes to allow for better bidding methods:

- Formal Bidding Methods –
 - Added in Invitation To Bid (no negotiation, lowest responsible bidder),
 - Request for Proposals (for subjective purchases without clear scope or professional services other than Architectural and Engineering),
 - Request for Information (to gather information from vendors if project scope is unknown. Prevents unfair advantages in the RFQ/IFB/RFP development).

- Geographic Preference – City of Republic preference if price difference is less than 3%. Should help with sourcing local items (printing, screen printing, and construction supplies). However, it is notated that it is prohibited for Federal Grant purchases. Currently there is no geographic preference.
- Clarifies the Split Parcel policy to allow bidding PW projects as separate purchases if they are for separate projects. Example, Developer Agreement is presented, while currently working on a road project. The expectation is that the materials can be bid according to each job, even if overlap of time frame. Not having to stop construction on the projects to go out for a formal bid because the increased amount of gravel needed. Best practices can still be followed to do bulk bidding for known amounts, but this gives an allowance for the City's economic growth and for unforeseen projects.
- Allows for electronic bidding methods and changes the advertising methods for formal bids to the City website.

Clarifies what items do not need to be bid out:

- List of Items Which Competitive Bidding is not Required –
 - Added items that are used regularly, such as utilities, insurance, fuel, travel, and short-term rentals/leases.
 - This list was expanded to take away confusion on having to go through the Purchase Requisition Process for required items.
 - Leasing short term equipment was addressed, not included in the original policy.
 - Example - administration budgets for electricity and there is one electric provider. Staff would not have to fill out a purchase requisition each month. Liability and Workers Compensation are required, and the annual renewal is budgeted for each year.

Items added for Grants:

- Names the official Grant Administrator and Grant Coordinator.
- Defines that grants should be brought to Council for approval if the grant will involve a contractual agreement (Intergovernmental Agreement or Memorandum of Understanding).

Recommended Action

Staff recommends approval.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AMENDING TITLE I, GOVERNMENT CODE, CHAPTER 110, ADMINISTRATION POLICIES, ARTICLE II, PURCHASING AND SURPLUS PROPERTY AND ADOPTING A NEW POLICY ENTITLED CITY OF REPUBLIC’S PURCHASING POLICY AND PROCEDURES

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, on August 1, 2017, in Ordinance 17-28, the City Council adopted a new purchasing policy contained in Section 110.020 of the Municipal Code of the City of Republic, Missouri; and

WHEREAS, since the current purchasing policy was adopted, the City has experienced significant growth and development which has led to necessary changes in the purchasing policy; and

WHEREAS, the Council finds this new purchasing policy and procedures is necessary for the improved efficiency of the City.

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

- Section 1. The policy entitled City of Republic’s Purchasing Policy and Procedures attached hereto as Attachment 1 and incorporated herein by reference is hereby adopted.
- Section 2. Title I, “Government Code,” Chapter 110, “Administrative Policies,” Article II, “Purchasing and Surplus Property Disposal” is hereby amended by the Sections below to read as follows:

~~Section 110.020.01 Routine Expenditures.~~

~~A. The City Administrator shall have authority and responsibility for making expenditures required for public purposes, wherein the total is equal to or less than the current competitive bid requirement. The competitive bid requirement shall be twenty five thousand dollars (\$25,000.00). The City Administrator shall issue written instructions outlining procedures for compliance with this Chapter in accordance with the following minimum requirements:~~

- ~~1. Small Expenditure Limitation. Expenditures for day-to-day supplies and operational needs will be effected through utilization of prudent and practical selectivity of best price sources, per procedures provided by written administrative policy. The limitation for such expenditures~~

~~from the effective date of this ordinance through December 31, 2017, shall be five thousand dollars (\$5,000.00), and thereafter shall be adjusted annually in accordance with the All Items Consumer Price Index for Urban Consumers (CPI-U), South Region, for the preceding twelve (12) months, rounded to the nearest one thousand dollars (\$1,000.00).~~

- ~~2.—Intermediate Expenditure Limitation. All expenditures by the City for public purposes, wherein the expenditure therefor is between the small expenditure limitation and the competitive bid requirement shall be made only after solicitation of comparable written price quotations from at least three (3) separate suppliers. Expenditures of less than the competitive bid requirement from State bid sources shall be exempt from this provision.~~
- ~~3.—Expenditures In Excess Of Fifteen Thousand Dollars (\$15,000.00). Each expenditure exceeding fifteen thousand dollars (\$15,000.00) shall be specifically listed in the City Administrator's written report presented at the next regular meeting of the City Council.~~
- ~~4.—Lowest Price Quote. For all expenditures not requiring City Council approval, the City Administrator shall attempt to select the lowest price quotation. If the City Administrator does not select the lowest price quotation, he/she shall explain the reason in the City Administrator's written report presented at the next regular meeting of the City Council.~~

Section 110.020.01 Purchasing Policy and Procedures.

The City Council hereby adopts the policy entitled the City of Republic's Purchasing Policy and Procedures, on file in the City Clerk's office and incorporated herein by reference.

Section 110.020.05 Large Expenditures.

~~Where the amount of expenditure exceeds the bid limitation as established by Section 110.020.01, the City Administrator shall invite competitive sealed bids thereon by optional advertisement in any newspaper of general circulation in an area of resource which will supply the need, and by mandatory advertisement in any locally published newspaper, at least once fifteen (15) or more days prior to an established date on which no further bids shall be accepted. Other prospective bidders who may not have access to local~~

~~newspapers may be advised by mail of the specifications and solicitation for bids, although this shall not be required. Bids received pursuant to such solicitations shall be opened and read at the date and time established for such opening in the presence of the appropriate departmental director or their designee. The City Administrator shall have exclusive power to award the bid to the lowest responsive and responsible bidder, after approval of the City Council. The expenditure shall be awarded on the basis of lowest responsive and responsible bidder; provided, however, that the City Administrator may reject any and all such bids or waive non prejudicial irregularities. Except for emergencies as provided in Subsection 110.020.10(B), and change orders within the limits as provided in Subsection 110.020.10(C), no bid contract expenditure approved by the City Council shall be increased without further approval of City Council; provided, however, that the estimated total cost of unit price contracts may be exceeded without prior Council approval unless the scope of the work, or the price per unit, is increased. By written report presented at the next regular meeting of the City Council, the City Administrator shall report the amount by which any unit-price contract has exceeded the bid estimate.~~

~~Section 110.020.10 Bid Process Exemption.~~

- ~~A. Generally. In situations when there is a sole source of supply as determined by the City Administrator, the City Administrator shall by writing certify such conditions as effect such "sole source" supply, and competitive bidding requirements may be waived or modified by further resolution of the City Council.~~
- ~~B. Emergency Expenditures. Upon a failure of existing facilities, the immediate repair or replacement of which must be accomplished to avoid threat to the health, peace or safety of citizens of the City, the City Administrator with the consent of the Mayor and/or Mayor Pro Tem is authorized and responsible to effect emergency repairs by the most expeditious available means. Such instances will be exempt from the competitive bid process. The City Administrator will submit a full written report of such emergency procedures to the City Council and certify the need for effecting such procedure, justifying both method and cost in effecting emergency repair, at the next regular meeting of the Council. This procedure may be used for emergency situations described herein even if an emergency is not declared pursuant to Chapter 230, Article II of this Code.~~
- ~~C. Change Orders. Change orders that do not exceed fifteen percent (15%)~~

~~of the approved project amount and are within the spending authority of the City Administrator shall not require City Council's approval. However, all change orders over and above the amount specified by Subsection 110.020.01(A)(3) of this Code shall be reported in the City Administrator's written report presented at the next regular meeting of the City Council.~~

Section 110.020.150 Approval Of Payment.

- A. The City Administrator may approve or disapprove any bills, debts, or liabilities asserted as claims against the City for payment out of any funds appropriated for that purpose when funds on hand are adequate to pay such bills, debts or liabilities.
- B. Funds shall be deemed appropriated as follows:
 - 1. When the expenditure is specified in a budget currently approved by the City Council or is otherwise specifically approved by vote of the City Council; or
 - 2. For emergency expenditures less than thirty thousand dollars (\$30,000.00), when the payment is stated by writing of the City Administrator at a regular meeting of the City Council; provided, however, that the budget shall thereafter be amended to reflect the expense, and shall remain a balanced budget.

~~Section 110.020.20 Contracts For Professional Services.~~

- ~~A. Professional Service Procurement. Procurement for professional services, such as but not limited to engineering, architectural, and land surveying, will be selected based on qualification and not price, according to procedures provided by written administrative policy and, where applicable, State law.~~
- ~~B. When procurement for professional services does not exceed the bid limitation as established by Section 110.020.01, evaluation of qualifications and selection of the most capable firm shall be performed by the City Administrator, who may contract for the services subject to the provisions of Section 110.020.20.~~
- ~~C. When procurement for professional services exceeds the bid limitation~~

~~as established by Section 110.020.01, evaluation of qualifications and selection of the most capable firm shall be performed by the City Administrator with the approval of the City Council.~~

~~Section 110.020.30 Surplus Property Disposal Policy.~~

- ~~A. The City Administrator, or his/her duly authorized representative, may sell or exchange any municipal supplies, materials, or equipment, which have a value of ten thousand dollars (\$10,000.00) or more, as determined by the City's Finance Director, after declaration as surplus by the City Council. Such sales as are made of these surpluses shall be by competitive bidding processes including sale by auction as approved by the City Council. The City Administrator may dispose of such surplus by:

 - ~~1. Selling the items at public auction, including approved online auction sites.~~
 - ~~2. Utilizing said items for trade in.~~
 - ~~3. Disposing of the items as otherwise authorized by State law, including transfer to another governmental entity within the State.~~~~
- ~~B. The City Administrator, or his/her duly authorized representative, may declare any municipal supplies, materials, or equipment which have a value of less than ten thousand dollars (\$10,000.00), as determined by the City's Finance Director, surplus or obsolete to the needs of the City.~~
- ~~C. The procedure for disposal of surplus, worn out, or obsolete items with a value over five hundred dollars (\$500.00) yet under ten thousand dollars (\$10,000.00) shall be addressed through administrative policy.~~
- ~~D. Upon determination by the City Administrator that surplus City supplies, materials, or equipment have negligible or no value, the administrator is authorized and directed to dispose thereof through recommended industry practice, in compliance with disposal requirements.~~

Section 110.020.~~35~~**20** Capital Assets.

The Capital Asset threshold of the City shall be five thousand dollars (\$5,000.00).

Section 110.020.~~43~~**0** Inventory.

The City shall maintain an inventory of all property valued over five hundred dollars (\$500.00). Items valued over five thousand dollars (\$5,000.00) shall be capitalized in the accounting records.

EXPLANATION – Matter in **bold-face** type in the above is added language. Matter in ~~striketrough~~ in the above is deleted.

Section 3. The City Administrator is hereby authorized to adopt and amend such administrative policies as are reasonably necessary to implement the intent of this Purchasing and Procedures Policy.

Section 4. The City Administrator or designee, on behalf of the City, is authorized to take the necessary steps to execute this Ordinance.

Section 5. All other Sections of the Municipal Code of the City of Republic, Missouri, not specifically referenced in this Ordinance shall remain unmodified and in full force and effect.

Section 6. The whereas clauses are hereby specifically incorporated herein by reference.

Section 7. 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 8. This Ordinance shall be in full force and effect from and after the date of 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 _____ 2021.


Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

BILL NO. 21-18

ORDINANCE NO.

Approved as to Form:  Digitally signed by Scott Ison
Date: 2021.03.18 13:45:04
-05'00' _____, Scott Ison, City Attorney

Final Passage and Vote: _____



City of Republic’s Purchasing Policy and Procedures

Introduction

The City of Republic is a public agency that is required to establish and follow formal procurement rules established in the City Charter and City Ordinances and approved by the City Council. The primary purpose of this procurement policy (“Policy”) is to ensure that all publicly funded acquisitions are obtained through an open and competitive process and that honest and ethical procedures are consistently followed to attain best value, cost, and quality. Department Directors are entrusted with the responsibility of implementing and enforcing this Policy within their departments. Training is offered to all users of this Policy. It is the intent of this Policy to clarify and outline the purchasing procedures for routine expenditures to comply with the requirements as set forth in the City’s Charter, City Ordinances, and State Statutes.

Purchasing Agent

The City Administrator shall serve as the purchasing agent and shall supervise the purchasing of the City and shall see that the purchasing is done in accordance with the purchasing rules and procedures now in effect or later approved by the City Council.

The Purchasing Department functions are carried out by the Finance Department.

Department and Budgetary Requirements

All department directors are required to adhere to the provisions of the procedures outlined in this Policy. Failure to meet the requirement will result in additional oversight requirements whereby sign-off authority will be revoked for all purchases in excess of \$500.00 for a minimum of 3 months for the first offense. The Finance Director approval will be required for all items in excess of \$500.00. The second offense will result in disciplinary action and limited sign-off privileges for up to 1 year during which time quotes will be required for all purchases in excess of \$500.00 and Finance Director approval will be required. Additional offenses may result in a re-evaluation of the ability to perform in the capacity of Department Director and subject to further disciplinary action.

Purchasing Approval Limitations

A. Micro Expenditure Limitation.

Purchases less than or equal to \$ 5,000.00:

The purchase of routine, day-to-day supplies and operational needs, the expenditure for which is less than or equal to \$5,000.00, including freight, may be made through prudent and practical selectivity of the best price source. These purchases will require supervisor or Department Director sign-off and approval. A purchase requisition is not required.

B. Small Expenditure Limitation.

Purchases in excess of \$5,000.00, but less than or equal to \$10,000.00:

All purchases by the City, for supplies, services, apparatus, materials, equipment, or other things for public purpose, wherein the expenditure is in excess of \$5,000.00, but less than or equal to \$10,000.00, including freight, must have approval from the Department Director or designee, but only after the completion of a purchase requisition and three written or verbal quotes.

Quotes must be attached and the recommended vendor, account numbers, and other requested information must be written on the purchase requisition form.

C. Intermediate Expenditure Limitation

Purchases in excess of \$10,000.00, but less than or equal to \$30,000.00:

All purchases by the City for supplies, services, apparatus, materials, equipment, or other things for public purpose, wherein the expenditure is in excess of \$10,000.00, but less than or equal to \$30,000.00, including freight, must be approved by the Finance Director or Finance Director designee or a minimum of three department directors, but only after completion of a purchase requisition and three written quotes. Quotes must be attached with the completed purchase requisition form before approval will be considered.

A 24-hour notice, not including weekends or holidays, is required for review purposes, unless an emergency is declared and approved by the City Administrator.

D. Large Expenditure Limitation

Purchases of any item in excess of \$30,000.00, but less than or equal to \$50,000.00:

All purchases by the City for supplies, services, apparatus, materials, equipment, or other things for public purpose, wherein the expenditure is in excess of \$30,000.00, but less than or equal to \$50,000.00, including freight, or \$70,000.00 for construction projects, must be approved by the City Administrator or City Administrator designee and Finance Director or Finance Director designee, but only after completion of a purchase requisition and three written quotes. Written quotes must be attached with the completed purchase requisition form before approval will be considered.

A 24-hour notice, not including weekends or holidays, is required for review purposes, unless an emergency is declared and approved by the City Administrator.

E. Formal Bid Limitation

Purchases in excess of \$50,000.00, or \$70,000.00 for construction projects:

For all purchases in excess of \$50,000.00, or \$70,000.00 for construction projects, formal competitive bidding is required, and approval required by City Council.

Purchasing Procedures and Approval Matrix

Purchase Threshold	Purchasing Procedure	Purchasing Approval
\$5,000.00 or under	*Purchase lowest price item that meets specification. *Invoice/Receipt documentation submitted with invoice.	* Department Director Approval
\$5,001.00 - \$10,000.00	*Purchase lowest price item that meets specifications. *Invoice/Receipt documentation *Three (3) written, verbal, facsimile, or electronic quotes.	*Purchase Requisition *Department Director Approval
\$10,001.00 - \$30,000.00	*Three (3) written quotes, verbal quotes facsimile, or electronic quotes. *Purchase lowest and best priced item that meets specification. *Invoice/Receipt documentation of purchase.	*Purchase Requisition *Three (3) quotes *Department Director Approval *Finance Director Approval *Or three (3) Department Directors Approval

<p>\$30,001.00 -\$50,000.00</p>	<p>*Three (3) written quotes. *Purchase lowest and best priced item that meets specification.</p>	<p>*Purchase Requisition *Three written (3) quotes *Finance Director Approval *City Administrator or City Administrator Designee Approval *City Administrator and Finance Director need to be notified for unbudgeted purchases over \$10,000.00. *Unbudgeted purchases over \$20,000.00 must be included in City Administrator's report to City Council</p>
<p>Over \$50,000.00, or Over \$70,000.00.00 for infrastructure construction projects</p>	<p>*Sealed ITBs, RFPs or RFQs. *See formal bidding methods.</p>	<p>*Purchase Requisition *City Administrator or City Administrator Designee Approval *City Council Approval (of contract) *City Council Approval of Budget or Budget Amendment *City Administrator Signature on Contract</p>
<p>Exceptions to Formal Bidding Methods: Professional Services and leases. Purchase requisitions, approval limits, and contract requirements will still apply.</p> <p>Professional Services: A prequalification RFP may be used under \$50,000.00. An RFP or RFQ is required over \$50,000.00.</p> <p>Leases/Rental Items: Short-term rentals and leases do not need competitive quotes. If rental needs extend past 3 months, it should be evaluated to see if a purchase would be better utilized. If a long-term rental is needed, then a purchase requisition process would be followed. Short-term is defined as 3 months. Quotes would be utilized instead of competitive bidding.</p> <p>Exceptions to Purchase Requisitions: Purchases over the Formal Bid Limitation that have been approved by Council; and with contracts that have been signed by the City Administrator and Finance Director do not need a Purchase Requisition.</p>		

Non-Budgeted Items

A. Purchases of any non-budgeted items less than or equal to \$10,000.00:

Support for any non-budgeted expenditures less than or equal to \$10,000.00 must be forwarded to the Department Director and Finance Director for notification purposes

only. Non-budgeted items include all items not specifically identified during the budget process. Pursuant to Republic Municipal Code Section 135.050, no expenditure shall be made which would result in the expenditure for that fund to go above the amount authorized by Council in the budget unless the requirements of Section 135.050 are met.

- B. Purchases of any non-budgeted items in excess of \$10,000.00 but less than or equal to \$20,000.00:

Support for any non-budgeted expenditures in excess of \$10,000.00 must be forwarded to the City Administrator or City Administrator designee and Finance Director for notification purposes only. Non-budgeted items include all items not specifically identified during the budget process. Pursuant to Republic Municipal Code Section 135.050, no expenditure shall be made which would result in the expenditure for that fund to go above the amount authorized by Council in the budget unless the requirements of Section 135.050 are met.

- C. Purchase of any non-budgeted items in excess of \$20,000.00:

Any non-budgeted expenditure in excess of \$20,000.00 requires signature of the City Administrator or City Administrator Designee and shall be specifically listed in the City Administrator's written report presented at the next regular meeting of the City Council. Pursuant to Republic Municipal Code Section 135.050, no expenditure shall be made which would result in the expenditure for that fund to go above the amount authorized by Council in the budget unless the requirements of Section 135.050 are met.

Bidding Methods

Informal Bidding Methods

- A. Verbal Bids

A minimum of three verbal bids shall be received for all purchases that allow verbal bids. The Finance Director shall utilize a "verbal bid" tracking form. Formal bids shall not be required. Local qualified vendors will be given priority as outlined in the Buy Local section of this Policy. The procurement of several items of the same type at substantially the same time is a single purchase for the purpose of this section and the total cost of all such items will determine whether a formal competitive bidding procedure must be followed.

- B. Written Bids

A minimum of three written bids shall be received for all purchases that allow written

bids. The procurement of several items of the same type at substantially the same time is a single purchase for the purpose of this section and the total cost of all such items will determine whether a formal competitive bidding procedure must be followed. Email, facsimile, and letters all qualify as written bids.

C. Invitation to Bid (ITB)

Informal – Under \$50,000.00 – no public opening; written bids must be solicited if using an ITB.

Formal Bidding Methods

A. Competitive Bids

Contracts will be made only after ample competition. The City Administrator may reject any and all such bids or waive non-prejudicial irregularities.

B. Formal Solicitation Types Used by the City.

Contracts made for purchases of goods, services, or other items exceeding \$50,000.00, or \$70,000.00 for infrastructure construction projects, shall be made only after the notification to the public that bids will be received, opened, and read in public at a particular time, place, and date which provides potential vendors adequate time to submit bids.

The City will utilize the City of Republic website for notification to the public. A central bidders list will be maintained for vendor notifications. Electronic bid submissions are allowed through an e-bidding system. The City may, in addition to the above, advertisement in any newspaper of general circulation in an area of resource which will supply the need, and/or by advertisement in any locally published newspaper. All formal bidding shall set a date, time, and place for the bid opening and such bid opening shall not occur sooner than 15 calendar days after the solicitation is published.

Invitation to Bid (ITB)

- Formal - \$50,000.01 and above – public bid opening required.
- Unit price prevails in the event of pricing discrepancy.

The bid documents and specifications are definite and specific. Awards will be made to the bidder offering the lowest cost who is the most responsive to the requirements of the bid documents, without material exception, and who is responsible and capable of providing the item(s) to be purchased.

Evaluation and award are limited to cost, determination of compliance with the specifications and

conditions specified in the bid documents, and the responsibility of the bidder. Negotiations are not permitted. This method does not permit comparison of the relative specifications of competing bidders but only comparison to the specifications contained in the bid documents.

Request for Proposals (RFP)

- No public opening to preserve confidentiality until award of notice of intent to award is made.
- This method of procurement permits negotiations and discussions with competing vendors after proposals are opened; therefore, no information taken from proposals received shall be disclosed to any competing vendor until after a contract is executed or all proposals are rejected and as required by the Sunshine Law.
- The purpose is to award to the supplier that is able to provide the best value to the City, not necessarily lowest price, using numerical scoring.
- Negotiation is permitted.
- An evaluation team, ideally comprised of three to five members, evaluates using criteria disclosed in the RFP.

This method can be used whenever detailed specifications cannot be determined, whenever several methods may satisfy the City's requirements, or whenever the nature of the requirements is such that subjective evaluation of criteria other than cost is necessary. This method can be utilized when definite specifications cannot be determined in advance, when a scope of work is required which makes comparison of competing proposals relative to each other appropriate.

Subjective criteria may be used in the evaluation of competing proposals. The relative value of the evaluation criteria shall be established in the Request for Proposal documents published by the City.

Request for Information (RFI)

A Request for Information (RFI) may be used to request information on potential vendor(s) or service provider(s) to determine what products and services are available and to know the capability of the vendor/provider in terms of offerings and strengths of the company for preparing for a Request for Proposal (RFP) or Request for Qualifications (RFQ) developing strategy and/or building a database. Request for Information procedures shall be set forth by the Finance Director.

Request for Qualifications (RFQ):

This method is a qualifications-based selection process. It is NOT a bid. It is a request for firms to submit their qualifications to be considered for a project. The most qualified contractor will be selected and the fee will be negotiated. If the terms cannot be negotiated, then there is the option to move to the second or third choice. This method must be used for Professional Architectural, Engineering, and Land Surveying Services that are for construction management, feasibility studies, preliminary studies, preliminary engineering design, architectural, engineering, surveying, mapping or related services, and the process of selection must comply with the requirements for political subdivisions of RSMo Chapter 8.

Non-Responsive or Unacceptable Bids.

The City shall reject any bid or proposal which is materially non-responsive to the requirements outlined in the bid documents. The City may re-solicit bids or proposals if the bids received from a solicitation for bids or proposals are not acceptable for any reason. Such re-solicitation will not be to direct the award to a particular bidder. The City is not required to accept the low bid of any bidder that is not responsive and reserves the right to reject any bid for any reason.

Buy Local.

It is the policy and intent of the City in awarding of contracts and the purchase of goods and materials to encourage doing business with suppliers located within the City of Republic, Greene County, or Christian County. The cost difference between the lowest bidder and the local bidder should be no greater than three (3) percent.

Buy Local is prohibited on Federal Grants. The City shall follow Federal Grant guidance for procurement under a grant award.

Parcel or Split Purchase.

It is expressly forbidden to parcel or split purchases with intent of circumventing the more competitive bidding requirement. Doing so will result in disciplinary action and limited sign-off privileges for up to 1 year during which time quotes will be required for all purchases in excess of \$500.00 and Finance Director approval will be required.

This does not prohibit the City from bidding out projects individually. Since the scope of these projects may not be known at the time that other bids are prepared, the City can bid on a project basis, but will not purposely split a bid to circumvent the formal bid requirement. Bulk bids for construction materials will be utilized whenever feasible.

Bid Process Exceptions

Sole Source

In situations when there is a sole source of supply as determined by the City Administrator, or City Administrator designee, the City Administrator shall by writing certify such conditions as effect such “sole source” supply, and competitive bidding requirements may be waived or modified by further resolution of the City Council.

Emergency Expenditures

Upon a failure of existing facilities, the immediate repair or replacement of which must be accomplished to avoid threat to the health, peace or safety of citizens of the City, the City Administrator with the consent of the Mayor and or Mayor Pro Tem is authorized and responsible to effect emergency repairs by the most expeditious available means. Such instances will be

exempt from the competitive bid process. The City Administrator will submit a full written report of such emergency procedures to the City Council and certify the need for effecting such procedure, justifying both method and cost in effecting emergency repair, at the next regular meeting of the Council. This procedure may be used for emergency situations described herein even if an emergency is not declared pursuant to Chapter 230, Article II of The Municipal Code.

Change Orders

Change orders that do not exceed fifteen percent (15%) of the approved project amount and are within the spending authority of the City Administrator shall not require City Council's approval. However, all change orders over and above the formal bid limitation shall be reported in the City Administrator's written report presented at the next regular meeting of the City Council. The estimated total cost of unit-price contracts may be exceeded without prior Council approval unless the scope of the work, or the price per unit, is increased. By written report presented at the next regular meeting of the City Council, the City Administrator shall report the amount by which any unit-price contract has exceeded the bid estimate.

When Competitive Bidding is not Required

In the following cases competitive bidding is not required:

1. Insurance which has a standard premium set by the State of Missouri or which is exempted from bidding by RSMo 537.620.
2. Purchases made cooperatively with other units of government.
3. Services of individuals possessing a high degree of professional skill (sole source in nature).
4. Purchases from federal, state, or other local governmental units.
5. Contracts for printing or engraving of bonds or other evidence of indebtedness.
6. Fuel purchases.
7. Items or services for data processing when the item or service is designed to be used in connection with an existing data processing system and the City Administrator or City Administrator designee has determined that it is reasonable to require that all such items or services to be used with the existing data processing system shall be compatible in order to fix for the continuing operations and maintenance of the system.
8. Items purchased through the State of Missouri at a price deemed below that obtainable from private dealers pursuant to the procedures authorized by state-local Technical Services Act Sections 67.330 through 67.390 RSMo. and pursuant to the rules and regulations governing cooperative procurement established by the State.
9. Recurring payments such as utilities, postage, telephone, travel, mileage, principal and interest on debt, rents, payroll taxes, pension contributions, judgments and claims, and professional membership affiliation dues.
10. Sole source items as determined by the City Administrator or City Administrator Designee.
11. Items procured utilizing funds donated or granted to the City if the terms of the grant or donation agreement require the City to purchase a specific item from a specific source.

Payment and Accounting

Approval of Payment

The Finance Director may approve or disapprove any bills, debts, or liabilities asserted as claims against the City for payment out of any funds appropriated for that purpose when funds on hand are adequate to pay such bills, debts or liabilities.

Funds will be deemed appropriated as follows.

When the expenditure is specified in a budget currently approved by the City Council or is other specifically approved by vote of the City Council; or

For emergency expenditures less than twenty thousand dollars (\$20,000.00), when the payment is stated in the written City Administrator report, provided that the budget shall be amended to reflect the expense, and will remain a balance budget.

Documentation

Approved purchase requests and written quotes (if applicable) are to be attached with the related invoice when turned in for payment. If multiple invoices are subject to the same purchase request, a copy of the purchase request is to be attached with each additional invoice.

Records

All paperwork associated with a fulfilled transaction is filed and stored with Accounts Payable. All previous year records are maintained and stored in the vault as required by law until appropriate retention schedule has been met.

Grant Funding

The Department Director shall review the requirements contained in the grant to make sure all the appropriate federal, state, and local requirements can be met by the City in the application and administration of the grant. Since some grant opportunities contain provisions that are not contained in this Policy, the City Administrator shall have the authority to supplement this Policy to comply with the grant requirements. Any such supplement by the City Administrator shall be in writing.

The City shall have an official Grant Coordinator and Grant Administrator as designated in writing by the Finance Director.

The duties of the Grant Coordinator shall include, but are not limited to, collection of all grant documentation in a central location. Verify the required grant paperwork is in order. Route grant payment requests before payment to ensure compliance with the grant requirements. Maintain the official electronic files for each grant and copies of payment records.

The duties of the Grant Administrator shall include, but are not limited to, developing a grant compliance program. Review any final grant paperwork to ensure compliance with granting requirements before submission. Work with grantees in the case of audit or documentation requests. Work with fulfilling audit requirements for grant administration. Set guidance and policies for the City's grant management.

Prior to applying for a grant, the Grant Administrator will review all grant submissions. The Grant Administrator has the authority to submit grants on behalf of the City.

Grant Contractual Agreements – grant applications that require a contract agreement (IGA, MOU) with the City of Republic will be brought to Council for approval. If a grant creates liability to the City over the formal bid limitation, it needs to go to Council for approval.

Disposal of Property other than Real Property

A. Negligible or no value

Upon determination that surplus City supplies, materials, or equipment have negligible or no value, the City Administrator is authorized and directed to dispose thereof through recommended industry practice, in compliance with disposal requirements.

B. Value under \$10,000.00

The procedure for disposal of surplus, worn-out, or obsolete property with a value under \$10,000.00 shall be addressed through administrative policy.

C. Value \$10,000.00 or over

The City Administrator, or designee, may sell or exchange any municipal supplies, materials, or equipment, which have a value of \$10,000.00 or more after declaration as surplus by the City Council. The City Administrator, or his/her duly authorized representative may dispose of such surplus by:

1. As authorized by the City Council.
2. Selling the items at public auction, including approved online auction sites.
3. Competitive bidding.
4. Utilizing said items for trade-in.
5. Disposing of the items as otherwise authorized by State law, including transfer to another governmental entity within the State.

D. Determination of surplus and value

The City Administrator, or designee, may declare any municipal supplies, materials, or equipment which have a value of less than ten thousand dollars \$10,000.00, as determined by the City's Finance Director, surplus or obsolete to the needs of the City.

E. Items Purchased with Federal Funds.

When a department needs to dispose of items or equipment that were purchased with federal grant funds, disposition restrictions must be researched and resolved by the Finance Department. Special rules apply to equipment purchased with Federal Funds. The original grant guidance will outline the allowable disposal methods.

Other Purchasing Policies

Petty Cash. The Director of Finance is authorized to create petty cash funds where the funds are needed within the City. The size of the petty cash funds will be controlled by the Director of Finance. Routine purchases of items of less than \$100.00 may be made from petty cash. Exceptions to the dollar threshold can be made for the benefit of City and approval of the Finance Director. The procedures for petty cash are outlined in a separate Administrative Policy.

Purchasing Card Program. The City will utilize a credit card program to assist in the everyday purchases that might come up that require immediate payment or vendors that do not accept checks. The proper purchasing approvals are still required in advance of a purchase. (Procedures for the Purchase/Credit Card Program are outlined in a separate Administrative Policy.)

Sponsorships/Gifts. The City shall not use public funds to sponsor any event, business, or nonprofit, including advertising at community events, unless it is to provide information to the community about available services as part of the overall City communication/marketing plan. The City may pay dues to organizations that the City is required to be a member of to receive federal funding (e.g., Ozarks Transportation Organization and SMCOG) or to conduct regional business.

Gifts. The City shall not use public funds to give employees, citizens, or Council Members gifts, except plaques or trophies required for the normal function of government (e.g., recognition of citizens or employees by the Mayor/Council for outstanding actions in the community, employee retirement recognition, and recognition of Council Members at the end of their terms).

Ethics

A. General Ethical Standards

1. For Employees: Any attempt to realize personal gain through public employment by conduct inconsistent with the proper discharge of the employee's duties is a breach of ethical standards.
2. For Non-Employees: Any effort to influence any public employee to breach the standards of ethical conduct set forth in this manual is also a breach of ethical standards.

B. Employee Conflict of Interest

1. Conflict of Interest: It will be a breach of ethical standards for any employee to participate directly or indirectly in a contract for purchase or sale when the employee is aware:
 - a. The employee or any member of the employee's immediate family has a financial interest pertaining to the purchase or sale.
 - b. A business or organization in which the employee, or any member of the employee's immediate family, has a financial interest pertaining to the purchase or sale; or
 - c. Any other person, business, or organization with whom the employee or a member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the purchase or sale.
 2. Discovery of Actual or Potential Conflict of Interest: Upon discovery of an actual or potential conflict of interest, an employee shall promptly file a written statement of disqualification with the City Administrator and shall withdraw from further participation in the transaction involved.
 3. Disqualification of Business: Where an Employee has a Financial Interest: It shall be a breach of ethical standards for a business in which an employee has a financial interest knowingly to act as a principal, or as an agent for anyone other than the City.
 4. Gratuities: It shall be a breach of ethical standards for any person to offer, give, or agree to give any employee or former employee, or for any employee or former employee to solicit, demand, accept, or agree to accept from another person, a gratuity or any offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a contract requirement, specification, or purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any requirement, contract, subcontract, or any solicitation or proposal therefor.
 5. Kickback: It shall be a breach of ethical standards for any payment, gratuity, or offer of employment to be made to an employee or officer of the City by or on behalf of a contractor or subcontractor under a contract to the City, prime contractor, or higher tier subcontractor, or any person associated there within, as an inducement for the award of a subcontract or order.
 6. Confidential Information: It shall be a breach of ethical standards for any employee or former employee to knowingly use confidential information for actual or anticipated personal gain, or for the actual or anticipated personal gain of any other person.
- C. Violation of the City's ethical standards may be grounds for the City to reject a bid and the employee will be subject to disciplinary action.

Applicable State Requirements

Section 432.070 requires any contract made by the City to be in writing and dated, to be executed before any performance or payment, within the scope of the City's authority, and subscribed by the parties or their agents.

Section 105.458 prohibits any member of the governing body from providing services, selling items, renting, or leasing property to the City unless the requirements of this Section are met.

Section 376.696 requires competitive bidding at least every six years for insurance. The contract must be awarded to the lowest or best bidder. Section 537.620 allows an exception to competitive bidding on insurance if the insurance purchase is made through a pool of three or more political subdivisions.

Section 67.150 requires competitive bidding at least every three years for health insurance. The contract must be awarded to the lowest or best bidder.

Section 8.285 requires that services for architectural, engineering, and land surveying shall be based upon demonstrated competence and qualifications and at a fair and reasonable price.

Section 8.679 requires advertisement and solicitation of proposals from qualified construction managers when the City determines that a public works project should be performed with construction management services.

Article III, Section 39 of the Missouri Constitution does not allow the City to grant or authorize extra compensation to any public officer or contractor after or services have been rendered or the contract has been entered into.



AGENDA ITEM ANALYSIS

Project/Issue Name: 21-19 An Ordinance of the City Council of the City of Republic, Missouri, Amending the Employee Handbook.

Submitted By: Lisa Addington, Chief of Staff

Date: March 23, 2021

Issue Statement

Addition of new accrual maximum to Fire personnel working an average of 56 hours per week of 1080 hours.

Discussion and/or Analysis

As part of the good faith negotiations during the collective bargaining with the Republic Fire Department union, we negotiated a change to the sick leave, section 406 of the Employee Handbook for the sworn fire personnel working on an average schedule of 56 hours/week. These changes included an increase of the monthly accrual from eight (8) hours to twelve (12) hours. Additionally, we negotiated an increase to their maximum accrual accumulation amount from 720 to 1080 hours.

While the change to the monthly accrual of twelve (12) hours per month was included in the handbook revisions approved by Council on February 2, 2021, the maximum accrual accumulation was unintentionally not included. Since we negotiated in good faith, the accrual maximum should be increased to 1080 hours and included in the Employee Handbook as notated in the Collective Bargaining Agreement that passed by ordinance on February 2, 2021.

Recommended Action

Staff recommends approval of this addition.

BILL NO. 21-19

ORDINANCE NO.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI,
AMENDING THE EMPLOYEE HANDBOOK**

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, on February 2, 2021, in Ordinance 21-04, Council approved an amended Employee Handbook to serve as an Employee Handbook and Personnel Policy for the City; and

WHEREAS, a clause dealing with the maximum accrual for full-time sworn fire employees was inadvertently left out of the February 2, 2021 amendment; and

WHEREAS, the Council finds this amendment to the Employee Handbook is in the best interest of the City.

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

Section 1. The Employee Handbook, Section 406, Sick Leave Benefits, is hereby amended to read as follows:

406 SICK LEAVE BENEFITS

The sick leave policy is designed to provide full-time employees with paid time off for personal illness or injury, or the illness/injury of an immediate family member. This benefit is intended to help eligible employees maintain a stable base pay during short periods of non-occupational illness or injury.

Full-time employees accrue approximately eight (8) hours of sick leave for every full month of service. The maximum accumulation is 720 hours.

Full-time sworn fire employees working a 56-hour work-week will accrue approximately twelve (12) hours of sick leave for every full month of service. **This maximum accumulation is 1080 hours.**

If an employee is frequently absent, or out for more than three consecutive days, he or she may be required to provide their Department Director with a physician's statement confirming the illness or injury, and that he or she is released to return to work. The Department Director will forward the return-to-work slip to the Human Resource Department to be kept in the employee's medical file. If warranted, the Department Director may require a physician's statement more frequently.

Sick leave may only be used for an employee's own or an immediate family member's illness, or medical/dental appointments. Immediate family, for the purpose of sick leave, is defined as a parent, spouse or child (or guardianship) or in event the family member is residing with the employee. Any exception will require department director and/or HR approval.

Sick leave continues to accrue while an employee is on FMLA leave or other leave of absence. An employee may carryover accrued but unused sick leave from one calendar year to the next.

If an employee has been employed for the entire calendar year in a full-time position and does not use any sick leave hours within that calendar year; then the employee will be awarded sixteen (16) hours of vacation time at the beginning of the following calendar year. If the employee uses eight hours or less (or one shift or less) of sick leave within that calendar year, then the employee will be awarded eight (8) hours of vacation time at the beginning of the following year.

Upon separation from the City’s service, accrued sick leave shall not be paid.

In the event of a local, state or national disaster, (i.e. pandemic), mandated sick leave will be paid in accordance with federal/state/local regulations and/or recommendations.

EXPLANATION – Matter in **bold-face** type in the above is added language. Matter in ~~striketrough~~ in the above is deleted.

- Section 2. All other Sections of the Employee Handbook not specifically referenced in this Ordinance shall remain unmodified and in full force and effect.
- Section 3. The City Administrator is hereby authorized to adopt and amend such administrative policies as are reasonably necessary to implement the intent of the Employee Handbook.
- Section 4. 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 5. 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 _____ 2021.


Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

BILL NO. 21-19

ORDINANCE NO.

Approved as to Form:  Digitally signed by Scott Ison
Date: 2021.03.17 14:20:30
-05'00', Scott Ison, City Attorney

Final Passage and Vote: _____



AGENDA ITEM ANALYSIS

Project/Issue Name: 21-R-08 A Resolution of the City Council of the City of Republic, Missouri, Authorizing Payment for the City’s Workers’ Compensation Insurance for 2021-2022.

Submitted By: Lisa Addington, Chief of Staff

Date: 3/23/2021

Issue Statement

The City’s worker’s compensation insurance policy expires March 31, 2021. The renewal is for the period April 1, 2021 through March 31, 2022.

Discussion and/or Analysis

The renewal estimated premium from the Missouri Rural Services Workers’ Compensation Insurance Trust for 2021/2022 is \$216,666. This represents an increase in actual premium of \$35,840 from the 2020/2021 estimated premium. The increase is due to an increase in payroll as well as an increase in the experience modification from .91 to 1.04 based on the past three years. We were aware of this increase and proactively budgeted for it and this renewal does come in under budget prior to the audit premium.

Recommended Action

Comparison of calculated premiums between the two renewal periods is as follows:

	2020/2021	2021/2022	
Manual Premium(t)	\$234,052	\$261,798	(based on payroll and classification rates)
Modified Premium(2)	\$212,987	\$272,270	(manual premium @ experience mod factor)
Deviated Premium	\$170,390	\$204,202	(max discount of 25%)
Additional Charges	\$10,436	\$10,220	(2nd injury fund/ Mo premium tax/ fixed expense)
Pro Rate Premium	\$180,826	\$216,666	



A workers' compensation audit is performed annually to review the city's payroll records and claims experience. The annual premium is paid in two parts: the current estimate, as provided, is \$216,666 for 2021/2022 and the remainder to be based on and invoiced after an actual audit is performed for the 2021/2022 fiscal year.

Recommended Action

Acceptance of the workers' compensation coverage from the Missouri Rural Services Workers' Compensation Insurance Trust for 2021/2022 in the amount of \$216,666 is recommended.

RESOLUTION NO. 21-R-08

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI,
AUTHORIZING PAYMENT FOR THE CITY'S WORKERS' COMPENSATION
INSURANCE FOR 2021-2022**

WHEREAS, the City of Republic, Missouri, (herein called the "City" and "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's workers' compensation insurance policy expires on March 31, 2021; and

WHEREAS, this renewal policy will be for the period April 1, 2021, through March 31, 2022; and

WHEREAS, the renewal will be with Missouri Rural Services Workers' Compensation Insurance Trust; and

WHEREAS, the Council has the authority to authorize the renewal of the workers' compensation coverage; and

WHEREAS, the Council finds that it is in the best interest of the City to renew the City's workers' compensation insurance policy through Missouri Rural Services Workers' Compensation Insurance Trust.

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

- Section 1. The City Administrator, or designee on behalf of the City, is authorized to execute those documents necessary to accept the renewal of the workers' compensation coverage with the Missouri Rural Services Workers' Compensation Insurance Trust for 2021-2022 in the amount not to exceed \$216,666.00 plus necessary adjustments.
- Section 2. The City Administrator, or designee, on behalf of the City, is authorized to take the necessary steps to implement this Resolution.
- Section 3. The whereas clauses are hereby specifically incorporated herein by reference.
- Section 4. 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 23rd day of March 2021.


Matt Russell, Mayor

RESOLUTION NO. 21-R-08

RESOLUTION NO. 21-R-08

Attest:

Laura Burbridge, City Clerk

Approved as to Form:  Digitally signed by Scott Ison
Date: 2021.03.17 13:39:22 -05'00', Scott Ison, City Attorney

Final Passage and Vote: _____



WORKERS COMPENSATION EXPERIENCE RATING

Item 16.

Risk Name: REPUBLIC CITY OF

Risk ID: 240231956

Rating Effective Date: 04/01/2021

Production Date: 01/07/2021

State: MISSOURI

State	Wt	Exp Excess Losses	Expected Losses	Exp Prim Losses	Act Exc Losses	Ballast	Act Inc Losses	Act Prim Losses
MO	.17	199,455	291,863	92,408	128,691	64,350	284,368	155,677
(A) Wt	(B)	(C) Exp Excess Losses (D - E)	(D) Expected Losses	(E) Exp Prim Losses	(F) Act Exc Losses (H - I)	(G) Ballast	(H) Act Inc Losses	(I) Act Prim Losses
.17		199,455	291,863	92,408	128,691	64,350	246,705	118,014

	Primary Losses	Stabilizing Value	Ratable Excess	Totals	
Actual	(I) 118,014	$C * (1 - A) + G$ 229,898	$(A) * (F)$ 21,877	(J) 369,789	
Expected	(E) 92,408	$C * (1 - A) + G$ 229,898	$(A) * (C)$ 33,907	(K) 356,213	
	ARAP	FLARAP	SARAP	MAARAP	Exp Mod
Factors	1.00				(J) / (K) 1.04

REVISED RATING
 RATING REFLECTS A DECREASE OF 70% MEDICAL ONLY PRIMARY AND EXCESS LOSS DOLLARS WHERE ERA IS APPLIED.
 REVISED RATING TO INCLUDE UPDATED DATA FOR: MO, POL. #: WC72907010019, EFF.: 04/01/2019

Carrier: 35114-000 **Policy:** WC72907010020 **Eff-Date:** 04-01-2020 **Exp-Date:** 03-31-2021

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WORKERS COMPENSATION EXPERIENCE RATING

Item 16.

Risk Name: REPUBLIC CITY OF

Risk ID: 240231956

Rating Effective Date: 04/01/2021

Production Date: 01/07/2021

State: MISSOURI

24-MISSOURI

Firm ID:

Firm Name: REPUBLIC CITY OF

Carrier: 35114

Policy No. WC72907010017

Eff Date: 04/01/2017

Exp Date: 03/31/2018

Code	ELR	D-Ratio	Payroll	Expected Losses	Exp Prim Losses	Claim Data	IJ	OF	Act Inc Losses	Act Prim Losses
5506	2.63	.23	352,081	9,260	2,130	F071980	06	F	2,007	2,007
7520	1.98	.38	362,690	7,181	2,729	F261052	06	F	2,023	2,023
7580	1.76	.30	285,657	5,028	1,508	F558463	06	F	2,732	2,732
7710	2.75	.26	849,000	23,348	6,070	F280475	06	F	2,755	2,755
7711	2.75	.26	14,066	387	101	NO. 8	06	*	5,557	5,557
7720	1.92	.30	1,012,373	19,438	5,831	F108329	09	F	10,848	10,848
8601	.16	.34	76,737	123	42	F533168	09	F	34,165	18,000
8742	.18	.30	95,517	172	52					
8810	.09	.39	1,026,629	924	360					
8820	.08	.34	104,033	83	28					
8831	.89	.39	36,733	327	128					
9015	2.11	.38	63,076	1,331	506					
9063	.61	.39	441,146	2,691	1,049					
9102	1.92	.39	565,380	10,855	4,233					
9410	2.10	.39	373,246	7,838	3,057					
Policy Total:			5,658,364	Subject Premium:	200,503	Total Act Inc Losses:			60,087	

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* Total by Policy Year of all cases \$2000 or less.

D Disease Loss

X Ex-Medical Coverage

U USL&HW

C Catastrophic Loss

E Employers Liability Loss

Limited Loss



WORKERS COMPENSATION EXPERIENCE RATING

Item 16.

Risk Name: REPUBLIC CITY OF

Risk ID: 240231956

Rating Effective Date: 04/01/2021

Production Date: 01/07/2021

State: MISSOURI

24-MISSOURI

Firm ID: Firm Name: REPUBLIC CITY OF

Carrier: 35114 Policy No. WC72907010018 Eff Date: 04/01/2018 Exp Date: 03/31/2019

Code	ELR	D-Ratio	Payroll	Expected Losses	Exp Prim Losses	Claim Data	IJ	OF	Act Inc Losses	Act Prim Losses
5506	2.63	.23	354,425	9,321	2,144	F795910	05	F	1,357	1,357
7520	1.98	.38	463,598	9,179	3,488	NO. 4	06	*	1,444	1,444
7580	1.76	.30	318,164	5,600	1,680	F635468	06	F	3,003	3,003
7710	2.75	.26	935,346	25,722	6,688	F710446	06	F	3,034	3,034
7720	1.92	.30	1,019,688	19,578	5,873	F832010	06	F	10,538	10,538
8601	.16	.34	89,801	144	49	F757071	09	F	4,937	4,937
8742	.18	.30	156,816	282	85	F895811	09	F	28,636	18,000
8810	.09	.39	1,014,764	913	356	F639034	09	F	84,934	18,000
8820	.08	.34	118,928	95	32					
8831	.89	.39	50,735	452	176					
9015	2.11	.38	28,563	603	229					
9063	.61	.39	117,108	714	278					
9102	1.92	.39	1,032,553	19,825	7,732					
9410	2.10	.39	353,276	7,419	2,893					
Policy Total:			6,053,765	Subject Premium:	222,692	Total Act Inc Losses:			137,883	

24-MISSOURI

Firm ID: Firm Name: REPUBLIC CITY OF

Carrier: 35114 Policy No. WC72907010019 Eff Date: 04/01/2019 Exp Date: 03/31/2020

Code	ELR	D-Ratio	Payroll	Expected Losses	Exp Prim Losses	Claim Data	IJ	OF	Act Inc Losses	Act Prim Losses
5506	2.63	.23	351,306	9,239	2,125	J122277	06	F	2,202	2,202
7520	1.98	.38	431,776	8,549	3,249	NO. 5	06	*	2,967	2,967
7580	1.76	.30	379,647	6,682	2,005	J197208	06	F	3,806	3,806
7710	2.75	.26	943,373	25,943	6,745	J165344	06	F	5,019	5,019
7720	1.92	.30	997,056	19,143	5,743	J011165	06	F	6,719	6,719
8601	.16	.34	57,199	92	31	J009276	09	F	1,229	1,229
8742	.18	.30	191,798	345	104	J079600	09	O	11,500	11,500
8810	.09	.39	1,082,982	975	380	J160975	09	O	52,956	18,000
8820	.08	.34	132,236	106	36					
8831	.89	.39	57,379	511	199					
9102	1.92	.39	1,252,490	24,048	9,379					
9410	2.10	.39	352,224	7,397	2,885					
Policy Total:			6,229,466	Subject Premium:	237,498	Total Act Inc Losses:			86,398	

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* Total by Policy Year of all cases \$2000 or less.
C Catastrophic Loss

D Disease Loss
E Employers Liability Loss

X Ex-Medical Coverage
Limited Loss

U USL&HW

MO Rural Services Work Comp Ins Trust

P.O. Box 104268
 Jefferson City, MO 65110-4268
 Phone: (800) 726-9304

INVOICE #161760		Amount	Item 16.
		Account Number	Invoice Date
REPUBCY-01		2/9/2021	

City of Republic
Attn: Director of Finance
213 North Main
Republic, MO 65738

Remit To:
MO Rural Services Work Comp Ins Trust
P.O. Box 104268
Jefferson City, MO 65110-4268

Invoice #: 161760	Date Paid:	Check #:	Amount Paid:
WORKERS' COMP	Policy #: 7290701 MEMBER ID 683	Effective: 4/1/2021 to 4/1/2022	
Company: MO Rural Services Workers' Comp Ins Trust	Producer: Missouri Rural Services Corp.		

Item #	Trans Eff Date	Due Date	Trans	Description	Amount
558913	4/1/2021	3/20/2021	WCRN	Renewal - Workers' Comp	\$204,202.00
558914	4/1/2021	3/20/2021	EXPC	Expense Constant	\$200.00
558915	4/1/2021	3/20/2021	2NDF	2nd Injury Fund	\$10,220.00
558916	4/1/2021	3/20/2021	STAX	MO Admn/Prem Tax	\$2,044.00

RENEWAL PREMIUM DUE BY MARCH 20th TO PREVENT CANCELLATION OF COVERAGE

Total Invoice Balance: \$216,666.00



Missouri Rural Services Workers' Compensation Insurance Trust

1913 Southridge Drive, P.O. Box 104268 Jefferson City, MO 65110-4268 Telephone (573) 635-9300
 FAX (573) 635-7645

Premium Worksheet (Estimated) 2021-2022

Entity ID	683	Debbie Parks	Agency	Missouri Rural Services Corp.	
Republic, City of		(417) 732-3130		(800) 726-9304	
213 North Main		Policy Number	7290701	(573) 635-7645	
Republic MO 65738-		Risk ID	240231956	Effective Date	04/01/2021
County	Greene	Area	08	Expiration Date	04/01/2022
FEIN	44-6000250	Status	Y	Quote Date	02/02/2021
		Type	CY	Last Updated	02/02/2021

Code	Description	Rate	FT	PT	Vol	All	Payroll	Premium
5506	Street or Road Construction: Paving or Repaving	8.14	9	0	0	9	351,306	28,596
7520	Waterworks Operation & Drivers	4.49	10	0	0	10	431,776	19,387
7580	Sewage Disposal Plant Operation & Drivers	4.41	9	0	0	9	379,647	16,742
7710	Firefighters & Drivers	7.29	20	0	0	20	943,373	68,772
7711	Firefighters & Drivers-Volunteer	7.29	0	0	0	0	0	0
7720	Police Officers & Drivers	4.94	25	5	0	30	997,056	49,255
8601	Architectural or Engineering Firm	0.39	2	0	0	2	57,199	223
8742	Salespersons/Social Case Workers	0.44	3	0	0	3	191,798	844
8810	Clerical Office Employees NOC	0.19	18	11	23	52	1,082,982	2,058
8820	Attorney-All Employes & Clerical	0.19	1	0	0	1	132,236	251
8831	Hospital-Veterinary & Drivers	2.01	1	1	0	2	57,379	1,153
9015	Building or Property Management	4.81	0	0	0	0	0	0
9063	YMCA-All Employees & Clerical	1.34	0	0	0	0	0	0
9102	Park NOC-All Employees & Drivers	4.58	22	165	0	187	1,252,490	57,364
9410	Municipal, Township, County or State Employee NOC	4.87	5	4	0	9	352,224	17,153
	Totals:		125	186	23	334	6,229,466	261,798
							Manual Premium	261,798
	Experience Modification	1.04					Modified Premium	272,270
	Deviation Factor	-0.250					Deviation Amount	-68,068
							Deviated Premium	204,202
							Expense Constant	200
	2nd Injury Fund Surcharge Rate	0.05					2nd Injury Fund Surcharge	10,220
	Premium Tax Rate	0.01					Premium Tax	2,044
							Total Premium	216,666
	Pro Rate Factor	1.000					Pro Rate Premium	216,666
							Final Premium Subject to Audit	

Printed: Thursday, February 04, 2021



AGENDA ITEM ANALYSIS

Project/Issue Name: 21-R-09 A Resolution of the City Council of the City of Republic, Missouri, Designating the Municipal Prosecutor and Authorizing the City Administrator to Enter into an Agreement for Prosecution Services.

Submitted By: Jared Keeling, Assistant City Administrator

Date: March 23, 2021

Issue Statement

To enter into a contractual agreement with a local law firm to provide city prosecution services at Republic Municipal Court.

Discussion and/or Analysis

The City of Republic issued a formal Request for Proposals (RFP) for the purpose of gathering proposals from attorneys and/or law firms to provide prosecution services at Republic Municipal Court.

Two firms replied with a proposal as a result of the RFP. After scoring was conducted, Megan McCullough, and the law firm Foland, Wickens, Roper, Hofer & Crawford, P.C., was selected as the preferred attorney and firm due to their relevant and past experience and their perceived ability to provide the expected services.

The proposed contract amount shall not exceed \$85,000 for the one-year term.

Recommended Action

Staff recommends approval.

RESOLUTION NO. 21-R-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, DESIGNATING THE MUNICIPAL PROSECUTOR AND AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT FOR PROSECUTION SERVICES

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, Section 130.150 of the Municipal Code of the City of Republic, Missouri, authorizes the Council to designate a Municipal Prosecutor to prosecute violations of the City's ordinances; and

WHEREAS, the City solicited, through a request for proposals, Missouri licensed attorneys to provide prosecution services to the City; and

WHEREAS, two proposals were received by the City and after scoring, Megan McCullough was selected to provide the prosecution services.

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


- Section 1. Megan McCullough is designated as the Municipal Prosecutor for the City under Section 130.150 of the Municipal Code of the City of Republic, Missouri.
- Section 2. The City Administrator or designee, on behalf of the City, is authorized to enter into an agreement with Megan McCullough, and the law firm Foland, Wickens, Roper, Hofer & Crawford, P.C., to provide prosecution services to the City, said agreement to be in substantially the same form as Attachment 1 in an amount not to exceed \$85,000.00.
- Section 3. The whereas clauses are hereby specifically incorporated herein by reference.
- Section 4. This Resolution shall become effective 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 _____ 2021.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

Approved as to Form:  Digitally signed by Scott Ison Date: 2021.03.18 09:55:46 -05'00', Scott Ison, City Attorney

RESOLUTION NO. 21-R-09

RESOLUTION NO. 21-R-09

Final Passage and Vote: _____