



AGENDA
City Council Meeting
Municipal Court Building, 540 Civic Blvd
March 05, 2024 at 6:00 PM

Matt Russell, Mayor
Eric Gerke, Ward I
Garry Wilson, Ward II
Christopher Updike, Ward III
Justin Neal, Ward IV

Eric Franklin, Ward I
Darran Campbell, Ward II
Brian Fields, Ward III
Clint Gerlek, Ward IV

Call Meeting to Order

Opening Prayer

Pledge of Allegiance

Mayor's Announcements

1. Appoint Van Bridges to the Planning and Zoning Commission with a term ending on July 19, 2025.

Citizen Participation

Consent Agenda

2. Approve the February 20, 2024 City Council Minutes.
3. 24-R-09 A Resolution of the City Council Authorizing the Police Department to Apply for Two (2) Reimbursable 2024-2025 Missouri Highway Safety Program Traffic Safety Grants.

Board, Commission, and Committee Schedule

Board of Adjustment Meeting	March 7, 2024
Planning & Zoning Meeting	March 11, 2024
City Council Meeting	March 19, 2024
City Council Meeting	April 2, 2024

Old Business and Tabled Items-None

New Business (First Reading of Ordinances)

4. 24-09 An Ordinance of the City Council Amending Title II ("Public Health, Safety And Welfare"), Chapter 215 ("Offenses"), Article 215-XII ("Offenses Concerning Minors"), Section 215.2000 ("Use Of Alcoholic Beverages And/Or Controlled Substances By Minors At Open Parties Prohibited-Penalties-Person In Control Of Premises Liable"), of the Municipal Code of the City of Republic, Missouri.
5. 24-10 An Ordinance of the City Council Approving the Annexation of Approximately 25 Acres of Property Located Near 1100 North Main Avenue and Adjacent Right-of-Way.
6. 24-11 An Ordinance of the City Council Amending Title I, Chapter 130 ("Municipal Court"), Article 130-I ("Municipal Court General Provisions"), Article 130-II ("Court Costs and Fees"), Sections 130.080 ("Report To City Council"), 130.180 ("Jailing Of Defendants"), 130.250 ("Court Costs"), and 130.280 ("Installment Payment Of Fine"), of the Municipal Code of the City of Republic, Missouri.

Other Business (Resolutions)

7. 24-R-10 A Resolution of the City Council Authorizing Payment to Missouri Rural Services Workers' Compensation Insurance Trust for Coverage for 2024-2025.

Reports from Staff

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 417-732-3101 at least three days prior to the scheduled meeting. **All meetings are recorded for public viewing.**



CERTIFICATE OF APPOINTMENT

to

Planning and Zoning Commission

Van Bridges

By The Republic City Council

Date of Appointment:

March 5, 2024-July 19, 2025

Matt Russell
Mayor



MINUTES

City Council Meeting Municipal Court Building, 540 Civic Blvd February 20, 2024 at 6:00 PM

- Matt Russell, Mayor**
- Eric Gerke, Ward I
- Garry Wilson, Ward II
- Christopher Updike, Ward III
- Justin Neal, Ward IV
- Eric Franklin, Ward I
- Darran Campbell, Ward II
- Brian Fields, Ward III
- Clint Gerlek, Ward IV

Call Meeting to Order

The regular session meeting of the City Council of the City of Republic, Greene County, Missouri, was called to order by Mayor Matt Russell at 6:00 p.m. Council Members present included Eric Franklin, Garry Wilson, Eric Gerke, Darran Campbell, Brian Fields, Justin Neal, and Clint Gerlek. Others in attendance were: City Administrator David Cameron, Assistant City Administrator Andrew Nelson, Chief of Staff Lisa Addington, City Attorney Megan McCullough, Assistant BUILDS Administrator Karen Haynes, Fire Chief Duane Compton, Police Chief Brian Sells, Assistant Parks and Recreation Director Jennafer Mayfield, Assistant City Administrator/Parks and Recreation Director Jared Keeling, Recreation Superintendent Garrett Cline, City Clerk Laura Burbridge, Finance Director Bob Ford, Data and Security Supervisor Michael Sallee, and IT Director Chris Crosby.

Opening Prayer

Opening prayer was led by City Administrator David Cameron.

Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Matt Russell.

Citizen Participation

Mayor Russell opened citizen participation at 6:01 p.m. Chris Brown, 7534 W US Highway 60 #145 spoke regarding the city becoming a monarch butterfly sanctuary. Mayor Russell closed citizen participation at 6:02 p.m.

Consent Agenda

Motion was made by Council Member Wilson and seconded by Council Member Franklin to approve the consent agenda. The vote was 7 Aye-Campbell, Fields, Franklin, Gerke, Gerlek, Neal, and Wilson. 0 Nay. Motion Carried.

1. Approve the February 6, 2024 City Council Minutes.
2. Approve the February 6, 2024 City Council Work Session Minutes.
3. Approve Vendor List.

Board, Commission, and Committee Schedule

City Council Meeting	March 5, 2024
Board of Adjustment Meeting	March 7, 2024
Planning & Zoning Meeting	March 11, 2024
City Council Meeting	March 19, 2024

Public Hearings

4. **A Public Hearing of the City Council Regarding Amending Title VIII, Chapter 805, Section 805.100 ("Utility Administration") of the Municipal Code of the City of Republic, Missouri.**

Mayor Russell opened the public hearing at 6:03 p.m. Andrew Nelson provided an overview of this item as well as the facility plan information. No one came forward so Mayor Russell closed the public hearing at 6:30 p.m.

5. A Public Hearing of the City Council Regarding for Comments on the Wastewater Treatment Facility Plan for Expansion and the Potential Impacts Thereof.

Mayor Russell opened the public hearing at 6:30 p.m. Tana Pulles, 1036 S. Cumberland Ave., asked if the compliance is based on quality or also output volume, and asked where it flows. Andrew Nelson responded that it addresses both output quality and capacity. He also confirmed it flows to the Dry Sac, which leads to Stockton Lake. Mayor Russell closed the public hearing at 6:32 p.m.

Old Business and Tabled Items

6. 24-07 An Ordinance of the City Council Authorizing Execution of a Third Supplement STP-Urban Program Agreement with the Missouri Highways and Transportation Commission for Additional Extension of the Shuyler Creek Trail.

Motion was made by Council Member Gerke and seconded by Council Member Fields to have the second reading of Bill 24-07 by title only. The vote was 7 Aye-Campbell, Fields, Franklin, Gerke, Gerlek, Neal, and Wilson. 0 Nay. Motion Carried. Andrew Nelson was available to answer questions. Council Member Wilson motioned for the passage of Bill 24-07. Council Member Wilson seconded. A roll call vote was taken digitally. The vote was 7 Aye-Campbell, Fields, Franklin, Gerke, Gerlek, Neal, and Wilson. 0 Nay. Motion carried.

7. 24-08 An Ordinance of the City Council Amending Title VIII, Chapter 805, Section 805.100 (“Utility Administration”) of the Municipal Code of the City of Republic, Missouri.

Motion was made by Council Member Campbell and seconded by Council Member Wilson to have the second reading of Bill 24-08 by title only. The vote was 7 Aye-Campbell, Fields, Franklin, Gerke, Gerlek, Neal, and Wilson. 0 Nay. Motion Carried. Andrew Nelson was available to answer questions. Council Member Fields motioned for the passage of Bill 24-08. Council Member Wilson seconded. A roll call vote was taken digitally. The vote was 7 Aye-Campbell, Fields, Franklin, Gerke, Gerlek, Neal, and Wilson. 0 Nay. Motion carried.

New Business (First Reading of Ordinances)-None

Other Business (Resolutions)

8. 24-R-07 A Resolution of the City Council Authorizing the City’s Application to the Missouri Department of Natural Resources’ State Revolving Fund (SRF) for Funding to be used toward Required Capital Improvements to the Wastewater System.

Motion was made by Council Member Neal and seconded by Council Member Franklin to take up Resolution 24-R-07. Andrew Nelson presented the Resolution and answered questions of Council. The vote was 7 Aye-Campbell, Fields, Franklin, Gerke, Gerlek, Neal, and Wilson. 0 Nay. Motion Carried.

9. 24-R-08 A Resolution of the City Council Authorizing the Execution of Amendment 1 to the Phase 2 Contract Price Amendment for the Wastewater Treatment Facility Expansion Project and Issuance of a Corresponding Limited Notice to Proceed.

Motion was made by Council Member Campbell and seconded by Council Member Neal to take up Resolution 24-R-08. Andrew Nelson presented the Resolution and answered questions of Council. The vote was 7 Aye-Campbell, Fields, Franklin, Gerke, Gerlek, Neal, and Wilson. 0 Nay. Motion Carried.

Reports from Staff

City Administrator David Cameron thanked Allie, Bryan, and Jason from Burns and McDonnell, the team that helped lead and navigate our process for the wastewater treatment facility updates. Mr. Cameron noted they have been incredible to work with and their reputation has been helpful in Jefferson City towards obtaining the additional funding. Mr. Cameron noted back to when Mayor Russell asked what kept him up at night and his answer was the wastewater issues. Mr. Cameron added to see where we are now, we are in a good place now. Mr. Cameron noted there is continued incentive to go to Jefferson City to seek additional funding with the new Legislative Session.

City Administrator David Cameron thanked Jared Keeling, Jennafer Mayfield, Garrett Cline, and the Parks team for being rock stars. Mr. Cameron noted we go through rough patches and hard days, but he supports and appreciates them. To Andrew Nelson, he noted he is proud of him for learning all the jargon and presenting the information well.

Council Member Gerlek noted his thought process for tonight's vote gave him clarity on why but when Andrew put on the presentation, he noted this started in 1994. Mr. Gerlek noted every administration and Council since then kept passing it down and we are the generation who said no more, we will not do this to our children. Mr. Gerlek acknowledged he gets bummed out every time he opens his bill but is proud that this Council and our generation stopped the pattern of passing the buck so his kids will not have to deal with it. Mr. Gerlek thanked everyone for the work to save the citizens and hopes we can obtain more funding.

Mayor Russell encouraged everyone to enjoy the weather.

Adjournment

Mayor Russell adjourned the meeting at 6:43 p.m.

ATTEST:

Laura Burbridge, City Clerk

Matt Russell, Mayor



AGENDA ITEM ANALYSIS

Project/Issue Name: 24-R-09 A Resolution of the City Council Authorizing the Police Department to Apply for Two (2) Reimbursable 2024-2025 Missouri Highway Safety Program Traffic Safety Grants.

Submitted By: Jamie Burks, Police Major

Date: March 5, 2024

Issue Statement

The Republic Police Department is requesting authorization to apply for two (2) reimbursable Missouri Highway Safety Program Grants of 2024-2025 that provide funding directly to law enforcement agencies having primary law enforcement authority to increase their focus on Traffic Safety and Sobriety Checkpoints/DWI Enforcement.

Discussion and/or Analysis

The Republic Police Department will work in cooperation with the Missouri Highway Safety Division to address Traffic Safety through two grants:

- “Hazardous Driving Enforcement & Education”: \$8,000.00; Including: Personnel overtime costs.
- “Sobriety Checkpoints/DWI Enforcement”: \$10,000.00; Including: Personnel overtime costs.

The total requested for the two grants will be \$18,000. If approved, the monies would be available for overtime enforcement beginning October 1, 2024 through September 30, 2025; aimed at targeting hazardous vehicle violations in high volume vehicle collision locations and DWI driving throughout Republic.

Recommended Action

Staff recommends approval.

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE POLICE DEPARTMENT TO APPLY FOR TWO (2) REIMBURSABLE 2024-2025 MISSOURI HIGHWAY SAFETY PROGRAM TRAFFIC SAFETY GRANTS

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

WHEREAS, the Republic Police Department desires to apply for two (2) reimbursable Missouri Highway Safety Program Grants for the years 2024-2025 dealing with Hazardous Driving Enforcement Education and Sobriety Checkpoints/DWI Enforcement; and

WHEREAS, if awarded, the City could receive up to \$18,000 in funds that would be used toward the Police Department’s enforcement efforts in reducing hazardous driving, enforcing DWI restrictions through tools such as sobriety checkpoints and providing other related education; and

WHEREAS, the City Council finds that participating in these grant opportunities will result in beneficial savings to the City while improving safety and security for the City’s citizens and guests.

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

- Section 1.** The Republic Police Department is authorized to apply for two (2) reimbursable Missouri Highway Safety Program Grants for the years 2024-2025 for the purpose of funding Hazardous Driving Enforcement, Sobriety Checkpoints/DWI Enforcement capabilities, and related Education.
- Section 2.** The City Administrator, or his designee(s), on behalf of the City, is authorized to take all other reasonable, necessary steps to implement this Resolution.
- Section 3.** The whereas clauses are specifically incorporated herein by reference.
- Section 4.** This Resolution shall take effect after 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 _____, 2024.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

Approved as to Form:

A handwritten signature in blue ink, appearing to read 'M. McCullough', is written over a horizontal line.

Megan McCullough, City Attorney

Final Passage and Vote:



AGENDA ITEM ANALYSIS

Project/Issue Name: 24-09 An Ordinance of the City Council Amending Title II (“Public Health, Safety And Welfare”), Chapter 215 (“Offenses”), Article 215-XII (“Offenses Concerning Minors”), Section 215.2000 (“Use Of Alcoholic Beverages And/Or Controlled Substances By Minors At Open Parties Prohibited-Penalties-Person In Control Of Premises Liable”), of the Municipal Code of the City of Republic, Missouri.

Submitted By: Megan McCullough, City Attorney

Date: March 5, 2024

Issue Statement

Amending the Republic Municipal Code provisions concerning (1) Minors in possession of or consuming alcohol or marijuana and (2) liability for adult persons in control of premises where minors are in possession of or consuming alcohol or marijuana.

Discussion and/or Analysis

The code provisions prohibiting minors from possessing or consuming alcohol were previously located in Chapter 600, which contains the business and occupation provisions of the City Code, primarily overseen and regulated by the BUILDS Department. When Chapter 600 was last amended, the section relating to prosecution of minors in possession of alcohol (formerly Rep. Mun. Code § 600.060) was removed, with the intent that it be relocated to Chapter 200, which generally contains the offenses/prosecution provisions of the Code.

The City Attorney recommends adding the restrictions on minors possessing or consuming alcohol to the existing code provision prohibiting adult persons in control of premises from allowing minors to consume or possess alcohol at “open parties” on the premises (Rep. Mun. Code § 215.2000), as those restrictions all relate to the same/similar subject matter. In doing so, the City Attorney recommends including new verbiage to recognize current caselaw, reference updated state statutes, reference section-specific definitions, and include the same restrictions as to minors in possession of or consuming marijuana.

Last, the City Attorney recommends changes to the current code provision prohibiting adult persons in control of premises to allow minors to consume or possess alcohol at “open parties” on the premises (Rep. Mun. Code § 215.2000) to include: (1) some verbiage to clarify the scope and intent of the provision, and (2) a similar prohibition against minors consuming or possessing marijuana or marijuana accessories under the same circumstances.

Recommended Action

Staff recommends approval.

AN ORDINANCE OF THE CITY COUNCIL AMENDING TITLE II (“PUBLIC HEALTH, SAFETY AND WELFARE”), CHAPTER 215 (“OFFENSES”), ARTICLE 215-XII (“OFFENSES CONCERNING MINORS”), SECTION 215.2000 (“USE OF ALCOHOLIC BEVERAGES AND/OR CONTROLLED SUBSTANCES BY MINORS AT OPEN PARTIES PROHIBITED-PENALTIES-PERSON IN CONTROL OF PREMISES LIABLE”), OF THE MUNICIPAL CODE OF THE CITY OF REPUBLIC, MISSOURI

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

WHEREAS, the City has recognized the need to continually review and revise the City Municipal Code to ensure conformity with governing state and/or federal law, enhance clarity, and eliminate ambiguity in its language, as well as to meet the evolving demands and/or needs of the City’s citizens when such demands and/or needs are warranted and in accord with the City’s mission, vision and values, and in the best interests of the City and its citizenship body as a whole; and

WHEREAS, the City has identified a need to amend the existing provisions of the Republic Municipal Code in regard to offenses concerning minors in possession of or consuming alcohol or other illegal substances.

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

Section 1: Title II (“Public Health, Safety And Welfare”), Chapter 215 (“Offenses”), Article 215-VII (“Offenses Concerning Minors”), Section 215.2000 (“Use Of Alcoholic Beverages And/Or Controlled Substances By Minors At Open Parties Prohibited-Penalties-Person In Control Of Premises Liable”), of the Municipal Code of the City of Republic, Missouri, is hereby **amended** to read as follows:

215.2000 Use Of Alcoholic Beverages And/Or Controlled Substances By Minors At Open Parties Prohibited -- Penalties -- Person In Control Of Premises Liable

A. As used in this Section the hereinafter terms are defined as follows:

ALCOHOLIC BEVERAGE

Any beverage containing alcohol, the consumption, purchase or possession of which by a person under the age of twenty-one (21) years is prohibited by the laws of the State of Missouri.

CONTROLLED SUBSTANCE

Any substance, the possession or distribution of which is prohibited by the provisions of Chapter 195 of the Revised Statutes of the State of Missouri.

MINOR

A person under the age of twenty-one (21) years.

OPEN PARTY

A gathering of ~~any number of two or more people~~ persons on the premises of a person in control thereof, **who do not reside on such premises and are not immediate family members of the person in control of the premises,** with the exception of persons of the immediate household of such person in control, where alcoholic beverages are made available for consumption ~~on the premises.~~

PERSON IN CONTROL

One who has a possessory right to any premises, whether individual or joint, and regardless of whether such possessory right is the result of ownership, oral or written lease, rental agreement, license agreement, or authority from one who otherwise exercises control over such premises.

PREMISES

Any realty, with or without improvements thereon, occupied or unoccupied, located within the corporate limits of the City, including residences, open fields, vacant lots, apartments, condominiums, motel rooms, hotel rooms, business structures, meeting rooms, dwelling units of any kind or any place of assembly or structure which may be used as a gathering place for social or business functions.

MARIJUANA

means Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana.

MARIJUANA ACCESSORIES

Means any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing marijuana into the human body.

~~B. No person in control of any premises shall allow an open party to take place on or about such premises if any such person in control knows, or should know, that alcoholic beverages or controlled substances will be consumed, used, ingested or possessed by a minor attending such open party.~~

B. Persons in Control of Premises Where Minors are Present. Any person in control of a premises who knowingly allows a minor to consume or possess alcoholic beverages, marijuana, or marijuana accessories on such premises, or who knowingly fails to stop a minor from consuming or possessing alcoholic beverage(s), marijuana, or marijuana accessories on such premises, unless the person in control of the premises is the minor’s parent or legal guardian, shall be guilty of violation of this Section and subject to the penalties set forth herein.

- ~~C. Any person convicted of violating the provisions of this Section shall be sentenced to a term of imprisonment for up to one hundred eighty (180) days or a fine of up to one thousand dollars (\$1,000.00), or both such imprisonment and fine.~~
- C. Open Parties Where Minors are Present. Any person in control of a premises who knowingly allows an open party to take place at the premises and who knows, or reasonably should know, that a minor on the premises is either consuming or in possession of alcoholic beverage(s), marijuana, or marijuana accessories on such premises, shall be guilty of violation of this Section and subject to the penalties set forth herein.**
- D. Minors in Possession of Alcoholic Beverages or Visibly Intoxicated. Except as otherwise provided for herein, any minor who purchases, attempts to purchase, or possesses any alcoholic beverage, or who is visibly intoxicated or in an intoxicated condition, as defined in Section 577.001, RSMo., or who has a detectable blood alcohol content of two one-hundredths of one percent (.02%) or more by weight of alcohol in such person's blood, shall be guilty of violation of this Section and subject to the penalties set forth herein.**
- 1. The provisions of this subsection shall not apply to a person who is eighteen (18) years of age or older and enrolled in an accredited college, university or other culinary institution which requires said person to taste, but not consume or imbibe, an alcoholic beverage for instructional purposes as part of the curriculum of the accredited college, university or other culinary institution.**
- E. For purposes of prosecution under this Section, a manufacturer-sealed container stating that the contents include intoxicating liquor need not be opened, nor must the contents inside be tested, to confirm the presence of intoxicating liquor in such container. The alleged violator may defend against prosecution under this Section based upon claim that no intoxicating liquor was present in such container, but the burden of proof shall fall solely upon the alleged violator presenting such defense to prove the absence of intoxicating liquor in the container.**
- F. Any person convicted of violating the provisions of this Section shall be sentenced to a term of imprisonment for up to one hundred eighty (180) days or a fine of up to one thousand dollars (\$1,000.00), or both.**

EXPLANATION: Matter shown above in **bold-face/underlined font** (except for Chapter title(s)) is added language. Matter shown above in ~~strike through font~~ is deleted language.

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 City Administrator or his/her 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.

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 _____, 2024.

Attest:

Matt Russell, Mayor

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote:



AGENDA ITEM ANALYSIS

Project/Issue Name: 24-10 An Ordinance of the City Council Approving the Annexation of Approximately 25 Acres of Property Located Near 1100 North Main Avenue and Adjacent Right-of-Way.

Submitted By: Chris Tabor, BUILDS Department Principal Planner

Date: March 5, 2024

Issue Statement

The BUILDS Department received a Voluntary Annexation Application from Enterprise Developments LLC for the Annexation of approximately twenty-five (25) acres of land located near the 1100 Block of North Main Street and Adjacent Right-of-Way.

Discussion and/or Analysis

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

Both sanitary sewer and water are available in multiple spots approaching the property from the south. The subject parcel is compact and contiguous with the city limits of the City of Republic, as the subject parcel is surrounded by properties located in the City in all directions.

The Annexation, if approved by City Council, will effectively zone the subject parcel as Agricultural (AG), as the property has a current Greene County Zoning Designation of Agricultural (A-1), in accordance with City Code Section 435.010.B, which requires all annexed properties to be classified in the zoning district corresponding to Greene County’s zoning designation.

Recommended Action

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

AN ORDINANCE OF THE CITY COUNCIL APPROVING THE ANNEXATION OF APPROXIMATELY 25 ACRES OF PROPERTY LOCATED NEAR 1100 NORTH MAIN AVENUE AND ADJACENT RIGHT-OF-WAY

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

WHEREAS, on or about January 19, 2024, the City’s BUILDS Department received a voluntary petition (“Application”) for the annexation of approximately 25 acres of land located near the 1100 Block of North Main Avenue with an adjacent right-of-way (“Realty”); and

WHEREAS, the Realty is adjacent and contiguous to the present corporate limits of the City; and

WHEREAS, the City submitted the Application to the City Council for a public hearing to be held on March 5, 2024, no less than fourteen (14) days nor more than sixty (60) days after receipt of the Application; and

WHEREAS, on or about February 21, 2024, the City published notice of the time and date for the public hearing in the *Greene County Commonwealth*, a newspaper of general circulation in the City, such notice being at least seven (7) days before the date set for the public hearing; and

WHEREAS, on March 5, 2024, the Council conducted the public hearing, at which all interested persons and entities were afforded the opportunity to present evidence or statements and to otherwise be heard on the matter; and

WHEREAS, no written objections to the proposed annexation were filed with the Council within fourteen (14) days after the date of the public hearing; and

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

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

Section 1: The Realty, more fully described herein below, is hereby annexed into and made a part of the City of Republic, Missouri, and its boundaries are hereby extended to include the same:

ALL THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 28, RANGE 23, GREENE COUNTY, MISSOURI. EXCEPT THAT PART RECORDED IN DEED BOOK 2275 AT PAGE 1690, AND BEING DESCRIBED AS FOLLOWS; THE NORTH 672 FEET OF THE EAST 648.2 FEET OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 28, RANGE 23. ALSO EXCEPT ALL OF THE EAST 330 FEET OF ALL THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 18 LYING SOUTH OF CONTINGENT WITH AND ADJACENT TO THE NORTH 672 FEET OF THE

SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 18. ALL BEING IN GREENE COUNTY, MISSOURI.

Section 2: The City Clerk is hereby directed to cause three certified copies of this Ordinance to be filed with the Greene County Clerk’s office and one original copy to be recorded by the Recorder of Deeds.

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

Section 4: The WHEREAS clauses above are 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 _____, 2024.

Attest:

Matt Russell, Mayor

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote:

Owner/Applicant
Enterprise Development LLC

ADDRESS
1100 Block of N Main

ZONING
AGRICULTURE (A-1) |
REQUESTED: AGRICULTURAL (AG)

PIN
1718100005

WARD
2

ACREAGE: 25



Site Extent **Sinkholes**

Out of City **Floodpl**

ANNX 24-001
ANNX 24-001 | ANNEXATION

AGENDA ITEM ANALYSIS

Project/Issue Name: 24-11 An Ordinance of the City Council Amending Title I, Chapter 130 (“Municipal Court”), Article 130-I (“Municipal Court General Provisions”), Article 130-II (“Court Costs and Fees”), Sections 130.080 (“Report To City Council”), 130.180 (“Jailing Of Defendants”), 130.250 (“Court Costs”), and 130.280 (“Installment Payment Of Fine”), of the Municipal Code of the City of Republic, Missouri

Submitted By: Megan McCullough, City Attorney

Date: March 5, 2024

Issue Statement

Amending the Municipal Code provisions pertaining to the City’s Municipal Court operations consistent with the suggested corrective action items noted in the report of the Office of State Courts Administrator (OSCA) following OSCA’s review of the Municipal Court.

Discussion and/or Analysis

The Office of State Courts Administrator (“OSCA”) routinely conducts reviews of courts across the State of Missouri to evaluate the courts’ compliance with Supreme Court Rules, Court Operating Rules, Missouri Statutes and other state and local reporting requirements. In August of 2023, OSCA performed a review of the Republic Municipal Court. The City received a report from OSCA in December 2023, containing OSCA’s findings from that review, along with certain suggested action items for the City to consider or make.

While OSCA’s report notes the Municipal Court is generally in compliance with current laws, rules and regulations, the report includes a small number of non-compliance observations that warrant corrective action by the City. The City Attorney suggests amending the Code consistent with the findings in OSCA’s report to ensure that the Code (and corresponding operations of the Municipal Court) are compliant with all current laws, rules and regulations governing Municipal Court operations.

The following changes are proposed accordingly:

1. Changes to the caseload reporting from the Municipal Court to the City Clerk and City Council to reflect current requirements under state law. As an administrative matter, this report can be included within the Administrator’s Report.
2. Repeal of the term allowing the City to collect tax/costs for jailing of defendants.
3. Changes to the term pertaining to service charges, witness fees, and/or jail costs within the calculation of court costs to remove jail costs or other costs associated with apprehension and confinement of defendants, as those are no longer permitted costs under state law.
4. Repeal of the Sheriff’s Retirement Fund surcharge (not currently collected).



5. Changes to the judicial obligations when adjudicating cases for defendants unable to pay fines and costs upon conviction to reflect current court operating rules.

Recommended Action

Staff recommends approval.

AN ORDINANCE OF THE CITY COUNCIL AMENDING TITLE I (“GOVERNMENT CODE”), CHAPTER 130 (“MUNICIPAL COURT”), ARTICLE 130-I (“MUNICIPAL COURT GENERAL PROVISIONS”) AND ARTICLE 130-II (“COURT COSTS AND FEES”), SECTIONS 130.080 (“REPORT TO CITY COUNCIL”), 130.180 (“JAILING OF DEFENDANTS”), 130.250 (“COURT COSTS”), AND 130.280 (“INSTALLMENT PAYMENT OF FINE”), OF THE MUNICIPAL CODE OF THE CITY OF REPUBLIC, MISSOURI

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

WHEREAS, the Office of State Courts Administrator (“OSCA”) routinely conducts reviews of courts across the State of Missouri to evaluate the courts’ compliance with Supreme Court Rules, Court Operating Rules, Missouri Statutes and other state and local reporting requirements; and

WHEREAS, OSCA recently provided the City with a report containing the findings from its most recent review of the Republic Municipal Division (“Municipal Court”); and

WHEREAS, while OSCA’s report notes the Municipal Court is generally in compliance with current laws, rules and regulations, the report includes a small number of non-compliance observations that warrant corrective action by the City; and

WHEREAS, the City now seeks to amend certain existing provisions of the Republic Municipal Code, consistent with the findings and corresponding corrective actions suggested in OSCA’s report, to ensure it is compliant with the current laws, rules and regulations governing Municipal Court operations; and

WHEREAS, the Council finds it in the best interest of the City, and its citizens, to ensure complete compliance with current laws, rules and regulations, and therefore finds it appropriate to approve and adopt the amendments to the Republic Municipal Code identified herein below.

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

Section 1: Title I (“Government Code”), Chapter 130 (“Municipal Court”), Article 130-I (“Municipal Court General Provisions”), Section 130.080 (“Report to City Council”) of the Municipal Code of the City of Republic, Missouri, is hereby **amended** to read as follows:

130.080 Report To City Council

~~The Municipal Judge shall cause to be prepared within the first (1st) ten (10) days of every month a report indicating the following:~~

~~A list of all cases heard and tried before the Court during the preceding month, giving in each case the name of the defendant, the fine imposed if any, the amount of cost, the names of the defendants committed and in the cases where there was an application for trial de novo, respectively. The same shall be prepared under oath by the Municipal Court Clerk or the Municipal Judge. This report will be filed with~~

~~the City Clerk, who shall thereafter forward the same to the City Council of the City for examination at its first (1st) session thereafter. The Municipal Court shall, within the ten (10) days after the first (1st) of the month, pay to the Municipal Treasurer the full amount of all fines collected during the preceding months, if they have not previously been paid.~~

On or before the fifteenth (15th) day of each month, the Municipal Court shall submit a copy of the monthly case load summary report required by Supreme Court Operating Rule 4.28 for the preceding month to the City Clerk, who shall then provide a copy of the same to the City Council for examination at its first regular meeting thereafter.

EXPLANATION: Matter shown above in **bold-face/underlined font** (except for Chapter title[s]) is added language. Matter shown above in ~~striketrough font~~ is deleted language.

Section 2: Title I (“Government Code”), Chapter 130 (“Municipal Court”), Article 130-I (“Municipal Court General Provisions”), Section 130.180 (“Jailing of Defendants”) of the Municipal Code of the City of Republic, Missouri, is hereby **amended** to read as follows:

130.180 Jailing Of Defendants

If, in the opinion of the Municipal Judge, the City has no suitable and safe place of confinement, the Municipal Judge may commit the defendant to the County Jail, and it shall be the duty of the Sheriff, if space for the prisoner is available in the County Jail, upon receipt of a warrant of commitment from the Judge to receive and safely keep such prisoner until discharged by due process of law. The municipality shall pay the board of such prisoner at the same rate as may now or hereafter be allowed to such Sheriff for the keeping of such prisoner in his/her custody. ~~The same shall be taxed as cost.~~

EXPLANATION: Matter shown above in **bold-face/underlined font** (except for Chapter title[s]) is added language. Matter shown above in ~~striketrough font~~ is deleted language.

Section 3: Title I (“Government Code”), Chapter 130 (“Municipal Court”), Article 130-II (“Court Costs and Fees”), Section 130.250 (“Court Costs”) of the Municipal Code of the City of Republic, Missouri, is hereby **amended** to read as follows:

130.250 Court Costs

- A. In addition to any fine or other punishment imposed by the Court, costs, fees, charges and surcharges shall be assessed as follows:
 - 1. Twelve dollars (\$12.00) as per the provisions of Section 479.260 and Section 488.012, RSMo.
 - 2. A surcharge of two dollars (\$2.00) for violations of all municipal ordinances, such surcharge to be collected, administered and used as a law

enforcement training fee in accordance with the provisions of Section 488.5336, RSMo.

3. A surcharge of one dollar (\$1.00) for violations of all municipal ordinances, such surcharge to be collected and disbursed as provided in Section 590.178 and Section 488.5336, RSMo., for the Peace Officer Standards and Training Commission Fund.
4. A surcharge of seven dollars fifty cents (\$7.50) for the Crime Victims' Compensation Fund to be collected, administered and distributed in accordance with the provisions of Section 595.045 and 488.5339, RSMo.
- ~~5. Service charges, witness fees and/or jail costs incurred as a result of the apprehension, confinement and/or prosecution of any defendant.~~
- ~~6.~~ 5. A surcharge of two dollars (\$2.00) for violations of all municipal ordinances, such surcharge to be collected and disbursed as provided in Section 488.5026, RSMo., for installation and maintenance of a biometric verification system and expenses related to custody and housing and other expenses for prisoners.
- ~~7.~~ 6. Supreme Court Operating Rule 21.01 (a) (21) establishes a four-dollar fee for payments made by other than cash or negotiable instrument and further authorizes a Court, by local Court rule, to opt out of charging a four-dollar fee for payments made by other than cash or negotiable instrument. The Presiding Judge of the Republic Municipal Court is authorized to issue a local court rule to opt out of charging a four-dollar fee for payments made by other than cash or negotiable instrument. Unless an order is entered opting out of the fee, the fee shall be collected as other court cost.
- ~~8.~~ 7. In addition to all court fees and costs prescribed by law, a surcharge of ten dollars (\$10.00) as authorized by Section 488.2206 and Section 488.2275, RSMo. shall be assessed as a cost in each court proceeding filed in Municipal Court.
- ~~9.~~ 8. A surcharge of seven dollars (\$7.00) for the State Court Automation Fund to be collected and distributed monthly to the Missouri Department of Revenue for the credit of the Missouri Statewide Automation Fund, as provided in Section 476.055, RSMo., Section 488.012, RSMo., and Section 488.027, RSMo.
- ~~10.~~ 9. Service charges, witness fees, and other costs not expressly provided for herein incurred in connection with the prosecution of any defendant, as authorized by law.
- ~~11. A surcharge of three dollars (\$3.00) for the Sheriffs' Retirement Fund to be collected and distributed under Sections 488.010 to 488.020, RSMo., as provided under Section 57.955 and 488.024, RSMo.~~

- B. All other costs, fees, charges and surcharges shall be collected by the Municipal Court Clerk in accordance with Chapter 488, RSMo.
- C. Costs, fees, charges and surcharges shall only be assessed against, and collected from, defendants who have pled guilty or been found guilty, or who have agreed to pay the same under the terms of a valid and enforceable plea agreement, approved by the Municipal Judge. ~~in exchange for dismissal of a charge.~~

EXPLANATION: Matter shown above in **bold-face/underlined font** (except for Chapter title[s]) is added language. Matter shown above in ~~striketrough font~~ is deleted language.

Section 4: Title I (“Government Code”), Chapter 130 (“Municipal Court”), Article 130-II (“Court Costs and Fees”), Section 130.280 (“Installment Payment Of Fine”) of the Municipal Code of the City of Republic, Missouri, is hereby **amended** to read as follows:

130.280 Installment Payment Of Fine

~~When a fine is assessed for violating an ordinance, it should be within the discretion of the Judge assessing the fine to provide for the payment of a fine on an installment basis under such terms and conditions as he/she may deem appropriate.~~

When a fine, fee, or cost is assessed against a defendant convicted of violating this Code, and the defendant indicates an inability to pay such fine, fee, or cost, the Municipal Judge shall determine the defendant’s ability to pay and, if defendant is found to be unable to pay such fine, fee, or cost when due, shall order a stay of execution and either (1) provide for the payment owed by a date certain, or (2) provide for the payment owed on an installment basis under such terms and conditions as the Municipal Judge may deem appropriate, consistent with the provisions of Supreme Court Rule 37.65 and Sections 543.270, 558.004.4, and 558.006, RSMo.

EXPLANATION: Matter shown above in **bold-face/underlined font** (except for Chapter title[s]) is added language. Matter shown above in ~~striketrough font~~ is deleted language.

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 City Administrator or his/her designee, on behalf of the City, is authorized to take the necessary steps to execute this Ordinance.

Section 7: The WHEREAS clauses are hereby specifically incorporated herein by reference.

Section 8: 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 9: 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 _____, 2024.

BILL NO. 24-11

ORDINANCE NO. 24-

Attest:

Matt Russell, Mayor

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote:

**31st JUDICIAL CIRCUIT
REPUBLIC MUNICIPAL DIVISION
COURT REVIEW REPORT**

INTRODUCTION

This report was prepared following a review by the Office of State Courts Administrator (OSCA) Municipal Review unit, conducted on August 30th, 2023. The review was conducted to determine, but not limited to, compliance with Supreme Court Rules, Court Operating Rules, Missouri State Statutes, and state and local reporting requirements.

The report provides descriptions of some observations that do not comply with various laws, rules and regulations. Corrective action requirements follow each description and represent what the court can do to improve the issue described. The report is intended for management purposes and may be shared with court staff and municipal officials to assist in making appropriate changes.

The following staff assisted with the review and/or preparation of this report:

Municipal and Traffic Support Services Manager
Municipal Review Supervisor
Supreme Court Monitor

Robin Ausmus
Roberta Rothstein
Tom Barr

Municipal Division Judge Ben McBride and Municipal Division Clerks Penny Mayes and Kimberly Winkler were in attendance for this review.

**SUPREME COURT RULE 37.04 APPENDIX A
MINIMUM OPERATING STANDARDS FOR MUNICIPAL DIVISIONS
AND MUNICIPAL DIVISION JUDGES**

Minimum Operating Standard # 4: Municipal divisions and their judges shall neither assess nor collect unauthorized fines, costs, or surcharges.

A. Municipal Divisions

- Only court costs (fees, miscellaneous charges, and surcharges as defined at section 488.010, RSMo,) authorized by state statute are assessed. The OSCA bench card on municipal division court costs shall be used as a reference. Sections 479.260.1, 479.360(5), and 488.012, RSMo; COR 21.01.

Non-Compliance Observation

Municipal Ordinance 130.180 Jailing Of Defendants

If, in the opinion of the Municipal Judge, the City has no suitable and safe place of confinement, the Municipal Judge may commit the defendant to the County Jail, and it shall be the duty of the Sheriff, if space for the prisoner is available in the County Jail, upon receipt of a warrant of commitment from the Judge to receive and safely keep such prisoner until discharged by due process of law. The municipality shall pay the board of such prisoner at the same rate as may now or hereafter be allowed to such Sheriff for the keeping of such prisoner in his/her custody. The same shall be **taxed as cost**.

Municipal Ordinance 130.250 Court Costs

5. Service charges, witness fees and/or jail costs incurred as a result of the apprehension, confinement and/or prosecution of any defendant.

Corrective Action Requirement

It is suggested a review of Ordinance 130.180 and 130.250(5) be made with regard to current authority and language, specifically that which references assessing costs for the confinement of any defendant.

SC97604 State of Missouri v. George Richey, AND SC97630, State of Missouri v. John B. Wright, which held that "board bills" are not to be taxed as court costs.

Non-Compliance Observation

Municipal Ordinance 130.250 Court Costs

10. A surcharge of three dollars (\$3.00) for the Sheriffs' Retirement Fund to be collected and distributed under Sections 488.010 to 488.020, RSMo., as provided under Section 57.955 and 488.024, RSMo. [Ord. No. 20-11, 3-24-2020]

Corrective Action Requirement

The \$3 Sheriffs Retirement Fund surcharge should no longer be assessed, effective July 1, 2021. COR 21.03.

SC98484 Daven Fowler, ET Al v. Missouri Sheriffs' Retirement System.

- DPC (Dismissal on Payment of Costs) is not permitted. Section 479.353(5), RSMo, COR 21.01(c).

Non-Compliance Observation

Municipal Ordinance 130.250 Court Costs

C. Costs, fees, charges and surcharges shall only be assessed against, and collected from, defendants who have pled guilty or been found guilty, **or who have agreed to pay the same in exchange for dismissal of a charge.**

Corrective Action Requirement

It is suggested a review of Ordinance 130.250(C) be made with regard to current statutory authority and language. There is no statutory authority for dismissal of charges once costs have been paid.

COR 21.01 AMOUNT OF COSTS, FEES, MISCELLANEOUS CHARGES, AND SURCHARGES

*(c) The court clerk shall collect and disburse the above fees in a manner provided by sections 488.010 to 488.020, RSMo, and Court Operating Rule 21.02; however, **none of the above fees shall be collected** in any proceeding involving a violation of an ordinance or state law when a criminal proceeding or defendant **has been dismissed by the court** or when costs are waived or are to be paid by the state, county or municipality. This Court Operating Rule 21.01(c) shall not apply if costs are taxed to the defendant in a criminal proceeding and the state is responsible for payment of costs pursuant to section 550.020, RSMo, because the defendant has been declared indigent.*

Minimum Operating Standard # 7: Municipal divisions shall be operated in a manner that upholds the constitutional principles of separation of powers and the integrity of the judiciary as a separate and independent branch of government.

- Municipal division facility's exterior and interior signage, design, functionality, and other factors convey an appearance to the public that it is a separate and independent branch of government.

Non-Compliance Observation

The municipal division clerk and prosecuting attorney clerk share an office.

Corrective Action Requirement

It is recommended the prosecutor clerk and the municipal division personnel not share an office. The housing of the municipal prosecutor staff and the Republic Municipal Division within the same general office space does not convey the constitutional principles of separation of powers and the integrity of the judiciary as a separate and independent branch of government to the public. SCR 37.04A

Non-Compliance Observation

It is difficult to see division signage on the glass above the entrance door to the Police/Courts building.

Corrective Action Requirement

This facility's exterior signage could be improved by adding the lettering REPUBLIC MUNICIPAL DIVISION in larger lettering, at eye level, lending a clear description as to division location. Lettering could be added to the door, window, or brick wall of building.

Minimum Operating Standard # 10: Municipal divisions shall be well-managed and accountable to the law, with appropriate oversight of municipal division operations provided by the circuit court presiding judge of the judicial circuit.

◆ Generally

- The municipal division has a functional clerk’s office that handles bookkeeping and money handling obligations of the municipal division in a prudent and organized manner and in compliance with the current recommendations of the Office of State Courts Administrator and the Missouri state auditor.

Non-Compliance Observation

The municipal division’s checks are titled:

CITY OF REPUBLIC MUNICIPAL COURT

Corrective Action Requirement

It is suggested the municipal division establish all bank, investment and other court accounts in the name of “Republic Municipal Division” as recommended by the Office of State Courts Administrator.

CIC > Court Resources > Municipal Case Processing > Chapter 4, Financial Procedures > 4.5 Recommended Accounting Procedures for Municipal Divisions

◆ **Open Records and Other Recordkeeping Matters (Article I, § 14, Constitution of Missouri; Court Operating Rules 2, 4 and 8; sections 483.065, 483.075, 483.082, RSMo)**

- The municipal division maintains complete and accurate records of municipal division proceedings, including warrants outstanding, bonds posted, case files and dispositions.

Non-Compliance Observation

It was identified during the review a bond ordered refunded on June 06, 2023 had not yet been refunded.

Case # 210563706
 Republic vs. Michael Charles Williams
 Charge: Expired Plates
 Cash Bond \$500
 Bond Receipt # 2323BND14
 Dismissed By Prosec/Nolle Pros

Corrective Action Requirement

It is suggested the municipal division clerk generate, in detail, a monthly Open Items report. This report will list cases with bond money posted. These cases should be reviewed to see if the bond money can be applied to fine and costs due, or be refunded.

- The municipal division has established procedures to generate monthly reports of municipal division activity, and the municipal division submits these reports timely to OSCA and to the city in accordance with COR 4.28 and 4.29.

Non-Compliance Observation

Municipal Ordinance 130.080 Report To City Council

The Municipal Judge shall cause to be prepared within the **first (1st) ten (10) days** of every month a report indicating the following:

A list of all cases heard and tried before the court during the preceding month, **giving in each case the name of the defendant, the fine imposed if any, the amount of cost, the names of the defendants committed and, in the cases where there was an application for trial de novo**, respectively. The same shall be prepared under oath by the Municipal Court Clerk or the Municipal Judge. This report will be filed with the City Clerk, who shall thereafter forward the same to the City Council of the City for examination at its first (1st) session thereafter. The Municipal Court shall, within the ten

(10) days after the first (1st) of the month, pay to the Municipal Treasurer the full amount of all fines collected during the preceding months, if they have not previously been paid.

Corrective Action Requirement

It is suggested the division review Ordinance 130.080, specifically as it relates to COR 4.29.

*4.29 MUNICIPAL DIVISION REPORTING TO THE MUNICIPALITY On or before the 15th of each month, the Municipal Division shall submit to the municipality a copy of the monthly case load **summary report** for the preceding month required by Court Operating Rule 4.28. This reporting requirement shall supersede and replace the reporting requirement established by section 479.080.3, RSMo.*

◆ Financial and Bookkeeping (Section 483.075.1, RSMo)

- The municipal division obtains signed payment plans from all defendants and ensures payment plans are established in the case management system in accordance with court operating rules where applicable.

Non-Compliance Observation

Municipal Ordinance 130.280 Installment Payment of Fine

When a fine is assessed for violating an ordinance, it should be within the **discretion of the Judge** assessing the fine to provide for the payment of a fine on an installment basis under such terms and conditions as he/she may deem appropriate.

Corrective Action Requirement

It is suggested to follow the recommendation outlined in Municipal Case Processing, Section 4.5 Recommended Accounting Procedures for Municipal Divisions, Uncollected Costs and Fines with regard to COR 21.06, 21.07 and 21.09. Delinquent costs that are associated to a payment plan are turned over to Debt Collection and Tax Offset.

COR 21.09 PAYMENT PLANS

*The court en banc for each circuit using the approved statewide case management system **shall establish payment plan policies and procedures**. The policies and procedures should address, at a minimum, the effective date of the plan, the minimum payment due at case disposition or prior to granting a payment plan, the minimum monthly payment to ensure the repayment time frame is reasonable, and obtaining the debtor's social security number under Court Operating Rule 4.*

Supreme Court Operating Rule 2 Public Access to Records of the Judicial Department

COR 2.02 General Policy

Policy. Records of all courts are presumed to be open to any member of the public for purposes of inspection or copying. This policy does not apply to records that are confidential pursuant to statute, court rule or order, or other law; judicial or judicial staff work product, internal electronic mail; memoranda or drafts; or appellate judicial case assignments.

(c) Redaction of Confidential Information. Unless otherwise ordered by the court, any counsel, party, or other person offering a document for filing in any court shall redact information that is confidential pursuant to statute, court rule or order, or other law. Such confidential information can include, but is not limited to:

- (1) Social security numbers, **driver's license numbers**, state identification numbers, taxpayer identification numbers, and passport numbers;
- (2) Financial institution account numbers, credit or debit card numbers, personal identification numbers, or passwords used to secure any such accounts or cards;
- (3) Names, addresses, and contact information of informants, victims, witnesses, and persons protected under restraining or protection orders;
- (4) **Dates of birth**;
- (5) Names of individuals known to be minors; and
- (6) Case numbers of confidential, expunged, or sealed records.

Non-Compliance Observation

The Republic Municipal Division website has an Outstanding Warrants page that lists defendant's date of birth and license number.

Corrective Action Requirement

It is suggested the division refer to and follow COR 2.



AGENDA ITEM ANALYSIS

Project/Issue Name: 24-R-10 A Resolution of the City Council Authorizing Payment to Missouri Rural Services Workers' Compensation Insurance Trust for Coverage for 2024-2025.

Submitted By: Lisa Addington, Chief of Staff

Date: 3/5/2024

Issue Statement

The City's worker's compensation insurance policy expires March 31, 2024. The renewal is for the period April 1, 2024 through March 31, 2025.

Discussion and/or Analysis

The renewal estimated premium from the Missouri Rural Services Workers' Compensation Insurance Trust for 2024/2025 is \$372,478. This represents an increase in actual premium of \$63,236 (21%) from the 2023/2024 estimated premium. The increase is due primarily to an increase in payroll. On a positive note, our experience modification decreased from 1.27 to 1.18 based on the past three years. While we are still in excess of actual expenses over anticipated, we are trending in the right direction.

We were aware of this increase and proactively budgeted for it.

We typically solicit quotes about every three years. We were able to obtain additional quotes from

Midwest Public Risk (MPR) = \$425,510

Missouri Employers Mutual (MEM) = \$377,428.



Recommended Action

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

	2023/2024	2024/2025	
Manual Premium(t)	\$291,068	\$377,370	(based on payroll and classification rates)
Modified Premium(2)	\$369,656	\$445,297	(manual premium @ experience mod factor)
Deviated Premium	-\$73,931	-\$89,059	(max discount of 25%)
Additional Charges	\$13,517	\$16,240	(2nd injury fund/ Mo premium tax/ fixed expense)
Pro Rate Premium	\$309,242	\$372,478	

A workers' compensation audit is performed annually to review the city's payroll records and claims experience for the prior year and we do anticipate an additional premium amount from the 2023/24 plan year.

This annual premium is paid in two parts: the current estimate, as provided, is \$372,478 for 2024/2025 and the remainder to be based on and invoiced after an actual audit is performed for the 2024/2025 fiscal year. By submitting the current payroll numbers just prior to receiving our renewal, should minimize the audited premium amount due.

Recommended Action

Acceptance of the workers' compensation coverage from the Missouri Rural Services Workers' Compensation Insurance Trust for 2024/2025 in the amount of \$372,478 is recommended.

RESOLUTION NO. 24-R-10

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING PAYMENT TO MISSOURI RURAL SERVICES WORKERS' COMPENSATION INSURANCE TRUST FOR COVERAGE FOR 2024--2025

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, 2024; and

WHEREAS, this renewal policy will be for the period April 1, 2024, through March 31, 2025; and

WHEREAS, after obtaining quotations from multiple potential providers, the City determined that Missouri Rural Services Workers' Compensation Insurance Trust was the most qualified provider with the most competitive pricing for the City's workers' compensation insurance plan for 2024/2025; and

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

WHEREAS, the Council finds 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 his designee, on behalf of the City, is authorized to execute those documents necessary to effect the renewal of the City's workers' compensation coverage with the Missouri Rural Services Workers' Compensation Insurance Trust for 2024-2025 at a cost not to exceed \$372,478.00, plus necessary adjustments.
- Section 2.** The City Administrator, or his designee, on behalf of the City, is authorized to take the necessary steps to implement this Resolution.
- Section 3.** The whereas clauses are 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 _____ day of _____, 2024.

Attest:

Matt Russell, Mayor

RESOLUTION NO. 24-R-10

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote:



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) 2024-2025

Entity ID	683	Lisa Addington		Agency
Republic, City of		(417) 732-3112		Missouri Rural Services Corp.
		PolicyNumber	7290701	(800) 726-9304
213 North Main		Risk ID	240231956	Effective Date
				4/1/2024
Republic	MO 65738-	Area	08	Expiration Date
				4/1/2025
County	Greene	Status	Y	Quote Date
				2/1/2024
FEIN	44-6000250	Type	CY	Last Updated
				2/1/2024

Code	Description	Rate	Payroll	Premium
5506	Street or Road Construction: Paving or Repaving	8.13	553,919	45,034
7520	Waterworks Operation & Drivers	3.74	602,880	22,548
7580	Sewage Disposal Plant Operation & Drivers	4.27	524,347	22,390
7710	Firefighters & Drivers	7.13	1,547,571	110,342
7711	Firefighters & Drivers-Volunteer	8.71	0	0
7720	Police Officers & Drivers	5.21	1,508,388	78,587
8601	Architectural or Engineering Firm	0.44	173,748	764
8742	Salespersons/Social Case Workers	0.48	0	0
8810	Clerical Office Employees NOC	0.22	2,421,901	5,328
8820	Attorney-All Employes & Clerical	0.22	269,823	594
8831	Hospital-Veterinary & Drivers	1.98	156,171	3,092
9015	Building or Property Management	5.25	460,409	24,171
9063	YMCA-All Employees & Clerical	1.36	652,752	8,877
9102	Park NOC-All Employees & Drivers	4.71	365,708	17,225
9410	Municipal, Township, County or State Employee NOC	5.39	712,764	38,418

683 Republic, City of

Amendment #
 Amended Date



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) 2024-2025

	Totals	9,950,381	377,370
		Manual Premium	377,370
Experience Modification	1.18	Modified Premium	445,297
Deviation Factor	-0.200	Deviation Amount	-89,059
		Deviated Premium	356,238
		Expense Constant	200
2nd Injury Fund Surcharge Rate	0.030	2nd Injury Fund Surcharge	10,693
Premium Tax Rate	0.015	Premium Tax	5,347
		Total Premium	372,478
Pro Rate Factor	1.000	Pro Rate Premium	372,478

Printed: Thursday, February 1, 2024

Final Premium Subject to Audit



Invoice #: **110679**
Invoice Date: **02/13/2024** Item 7.
Due Date: **03/21/2024**
Invoice Total: **\$372,478.00**

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

Please make checks payable to:
MO Rural Services Work Comp Ins Trust
P.O. Box 104268
Jefferson City, MO 65110-4268

Insured: **City Of Republic** Customer Code: **REPUBLI-01**

Policy: **7290701 MEMBER ID 68** Desc: **Renewal WC 2024** Period: **04/01/2024** to **04/01/2025**
Producer: **Accretive Insurance Solutions, Inc.**

04/01/2024	Renewal of WCTR Effective 4/1/2024	\$356,238.00
04/01/2024	WC Expense Constant	\$200.00
04/01/2024	Missouri 2nd Injury Fund	\$10,693.00
04/01/2024	Missouri State Admin/Premium Tax	\$5,347.00
Totals:		\$372,478.00

Premium due within 30 days to prevent cancellation. Thank you for your business.



WORKERS COMPENSATION EXPERIENCE RATING

Item 7.

Risk Name: REPUBLIC CITY OF

Risk ID: 240231956

Rating Effective Date: 04/01/2024

Production Date: 10/12/2023

State: MISSOURI

State	Wt	Exp Excess Losses	Expected Losses	Exp Prim Losses	Act Exc Losses	Ballast	Act Inc Losses	Act Prim Losses
MO	.20	175,206	281,894	106,688	551,146	57,730	701,014	149,868
(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
.20		175,206	281,894	106,688	324,123	57,730	461,645	137,522

	Primary Losses	Stabilizing Value	Ratable Excess	Totals	
Actual	(I) 137,522	C * (1 - A) + G 197,895	(A) * (F) 64,825	(J) 400,242	
Expected	(E) 106,688	C * (1 - A) + G 197,895	(A) * (C) 35,041	(K) 339,624	
	ARAP	FLARAP	SARAP	MAARAP	Exp Mod
Factors	1.09				(J) / (K) 1.18

RATING REFLECTS A DECREASE OF 70% MEDICAL ONLY PRIMARY AND EXCESS LOSS DOLLARS WHERE ERA IS APPLIED.

Carrier: 35114-000 **Policy:** WC72907010023 **Eff-Date:** 04-01-2023 **Exp-Date:** 04-01-2024

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WORKERS COMPENSATION EXPERIENCE RATING

Item 7.

Risk Name: REPUBLIC CITY OF

Risk ID: 240231956

Rating Effective Date: 04/01/2024

Production Date: 10/12/2023

State: MISSOURI

24-MISSOURI

Firm ID: Firm Name: REPUBLIC CITY OF

Carrier: 35114 Policy No. WC72907010020 Eff Date: 04/01/2020 Exp Date: 03/31/2021

Code	ELR	D-Ratio	Payroll	Expected Losses	Exp Prim Losses	Claim Data	IJ	OF	Act Inc Losses	Act Prim Losses
5506	2.18	.34	395,078	8,613	2,928	J514863	05	F	6,230	6,230
7520	1.54	.41	405,027	6,237	2,557	J353998	06	F	3,285	3,285
7580	1.27	.37	271,165	3,444	1,274	NO. 7	06	*	6,516	6,516
7710	2.47	.34	953,239	23,545	8,005	J286737	09	F	22,147	21,000
7720	1.62	.37	992,908	16,085	5,951	J447712	09	F	24,469	21,000
8601	.11	.34	35,957	40	14	J466053	09	O	378,523 #	21,000
8742	.12	.37	102,274	123	46					
8810	.07	.44	1,134,404	794	349					
8820	.05	.37	130,166	65	24					
8831	.74	.49	60,791	450	221					
9015	1.77	.41	97,379	1,724	707					
9063	.49	.45	300,062	1,470	662					
9102	1.44	.41	716,702	10,321	4,232					
9410	1.95	.44	471,546	9,195	4,046					
Policy Total:			6,066,698	Subject Premium:	229,653	Total Act Inc Losses:			441,170	

24-MISSOURI

Firm ID: Firm Name: REPUBLIC CITY OF

Carrier: 35114 Policy No. WC72907010021 Eff Date: 04/01/2021 Exp Date: 03/31/2022

Code	ELR	D-Ratio	Payroll	Expected Losses	Exp Prim Losses	Claim Data	IJ	OF	Act Inc Losses	Act Prim Losses
5506	2.18	.34	330,297	7,200	2,448	NO. 12	06	*	6,816	6,816
7520	1.54	.41	733,753	11,300	4,633	J855276	09	O	80,245	21,000
7580	1.27	.37	159,796	2,029	751					
7710	2.47	.34	1,024,239	25,299	8,602					
7720	1.62	.37	1,138,736	18,448	6,826					
8601	.11	.34	102,692	113	38					
8742	.12	.37	174,880	210	78					
8810	.07	.44	1,229,098	860	378					
8820	.05	.37	126,043	63	23					
8831	.74	.49	91,632	678	332					
9015	1.77	.41	236,003	4,177	1,713					
9063	.49	.45	680,458	3,334	1,500					
9102	1.44	.41	439,296	6,326	2,594					
9410	1.95	.44	613,127	11,956	5,261					
Policy Total:			7,080,050	Subject Premium:	273,829	Total Act Inc Losses:			87,061	

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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 7.

Risk Name: REPUBLIC CITY OF

Risk ID: 240231956

Rating Effective Date: 04/01/2024

Production Date: 10/12/2023

State: MISSOURI

24-MISSOURI

Firm ID:

Firm Name: REPUBLIC CITY OF

Carrier: 35114

Policy No. WC72907010022

Eff Date: 04/01/2022

Exp Date: 03/31/2023

Code	ELR	D-Ratio	Payroll	Expected Losses	Exp Prim Losses	Claim Data	IJ	OF	Act Inc Losses	Act Prim Losses
5506	2.18	.34	560,193	12,212	4,152	NO. 2	06	*	1,021	1,021
7520	1.54	.41	471,280	7,258	2,976	K250924	09	F	42,197	21,000
7580	1.27	.37	434,052	5,512	2,039	K628175	09	O	129,565	21,000
7710	2.47	.34	1,308,437	32,318	10,988					
7720	1.62	.37	1,410,236	22,846	8,453					
8601	.11	.34	164,542	181	62					
8810	.07	.44	2,246,072	1,572	692					
8820	.05	.37	238,998	119	44					
8831	.74	.49	98,601	730	358					
9015	1.77	.41	315,963	5,593	2,293					
9063	.49	.45	725,417	3,555	1,600					
9102	1.44	.41	364,399	5,247	2,151					
9410	1.95	.44	546,279	10,652	4,687					
Policy Total:			8,884,469	Subject Premium:	346,645	Total Act Inc Losses:			172,783	

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