



## AGENDA

### City Council Meeting Municipal Court Building, 540 Civic Blvd December 12, 2023 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  
Brian Fields, Ward III  
Clint Gerlek, Ward IV

#### Call Meeting to Order

#### Opening Prayer

#### Pledge of Allegiance

#### Swearing In of Appointed Official

#### Citizen Participation

#### Consent Agenda

- [1.](#) Approve the November 14, 2023 City Council Minutes.
- [2.](#) Approve the November 16, 2023 City Council Workshop Minutes.
- [3.](#) Approve the Vendor List.
- [4.](#) 23-R-67 A Resolution of the City Council Appointing New Authorized Signers for the Municipal Court Account with Arvest Bank.

#### Board, Commission, and Committee Schedule

Board of Adjustment Meeting	January 4, 2024
Planning and Zoning Meeting	January 8, 2024
City Council Meeting	January 9, 2024
City Council Meeting	January 23, 2024

#### Old Business and Tabled Items

- [5.](#) 23-53 An Ordinance of the City Council Approving the Final Plat of the Harper Ridge Phase 1 Subdivision. **(Tabled from 11/14/23)**
- [6.](#) 23-58 An Ordinance of the City Council Approving Amendment of the Zoning Classification of Approximately 0.81 Acres of Real Property Located at 445 US Highway 60 East, from Local Commercial (C-1) to General Commercial (C-2).
- [7.](#) 23-59 An Ordinance of the City Council Approving Amendment of the Zoning Classification of Approximately 40.46 Acres of Real Property Located at 7217 West Farm Road 182, from Agricultural (AG) to Medium-Density Single-Family Residential (R1-M).
- [8.](#) 23-60 An Ordinance of the City Council Approving the Final Plat of The Woods Subdivision.
- [9.](#) 23-61 An Ordinance of the City Council Approving the Final Plat of Greenfield Estates Subdivision.

#### New Business (First Reading of Ordinances)

- [10.](#) 23-62 An Ordinance of the City Council Approving the Final Plat of the Stone Creek Falls Phase Two Subdivision.
- [11.](#) 23-63 An Ordinance of the City Council Calling an Election on the Question of Whether to Impose an Additional Three Percent Sales Tax on Tangible Personal Property Retail Sales of Adult Use

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.**

(Non-Medical) Marijuana Sold Within the City, Pursuant to Article XIV, Section 2.6(5) of the Missouri Constitution; Calling an Election to be Held on April 2, 2024 on the Proposed Sales Tax; and Authorizing and Directing the City Clerk to Give Notice to the County Clerk of Said Election.

[12.](#)23-64 An Ordinance of the City Council Proposing Amendments to the City Charter Pertaining to the Appointment, Term and Minimum Qualifications and Duties of the City Attorney; Calling an Election to be Held on April 2, 2024 on the Proposed Amendments; Authorizing and Directing the City Clerk to Give Notice to the County Clerk of Said Election, and Providing for Enactment of the Proposed Amendments if Approved.

[13.](#)23-65 An Ordinance of the City Council Proposing an Amendment to The City Charter Establishing a Schedule for the Election of Councilmembers to Staggered Four-Year Terms at the General Municipal Election Held on Even Years; Calling an Election to be Held on April 2, 2024 on the Proposed Amendment; Authorizing and Directing the City Clerk to Give Notice to the County Clerk of Said Election, and Providing for Enactment of the Proposed Amendment if Approved.

[14.](#)23-66 An Ordinance of the City Council Proposing an Amendment to The City Charter to Clarify the Procedure for Filling Vacancies in the City Council; Calling an Election to be Held on April 2, 2024 on the Proposed Amendment; Authorizing and Directing the City Clerk to Give Notice to the County Clerk of Said Election, and Providing for Enactment of the Proposed Amendment if Approved.

[15.](#)23-67 An Ordinance of the City Council Proposing an Amendment to the City Charter Establishing Procedures for the Passage of Ordinances in a Single Open Meeting of the City Council and Allowing for the Second Reading of Ordinances to Occur as Part of the Consent Agenda for an Open Council Meeting; Calling an Election to be Held on April 2, 2024 on the Proposed Amendment; Authorizing and Directing the City Clerk to Give Notice to the County Clerk of Said Election, and Providing for Enactment of the Proposed Amendment if Approved.

[16.](#)23-68 An Ordinance of the City Council Proposing an Amendment to the City Charter to Include Capital Planning in the Annual Budget Process; Calling an Election to be Held on April 2, 2024 on the Proposed Amendment; Authorizing and Directing the City Clerk to Give Notice to the County Clerk of Said Election, and Providing for Enactment of the Proposed Amendment if Approved.

[17.](#)23-69 An Ordinance of the City Council Proposing an Amendment to the City Charter by Repealing Section 10.3 Pertaining to Temporary Permitting for Public Utilities; Calling an Election to be Held on April 2, 2024 on the Proposed Amendment; Authorizing and Directing the City Clerk to Give Notice to the County Clerk of Said Election, and Providing for Enactment of the Proposed Amendment if Approved.

#### **Other Business (Resolutions)**

[18.](#)23-R-68 A Resolution of the City Council Authorizing Execution of a Memorandum of Understanding with the Southwest Missouri Joint Municipal Water Utility Commission Regarding Reallocation of Stockton Lake Surface Water for Use as Public Water Supply.

[19.](#)23-R-69 A Resolution of the City Council Authorizing the BUILDS Department to Purchase a Combination Sewer Cleaning Truck, a Trailer Jetter, and a Street Sweeper from Armor Equipment at Bid Pricing Provided to the Missouri Department of Transportation through Sourcewell.



[20.](#)23-R-70 A Resolution of the City Council Authorizing the Application to the Missouri Department of Natural Resources' State Infrastructure Program for \$25 Million for the Purposes of Capital Improvements to the Wastewater System.

[21.](#)23-R-71 A Resolution of the City Council Awarding the Bid to Supply Certain Furniture, Fixtures, and Equipment for the Republic Aquatic Park to Resort Contract Furnishings.

[22.](#)23-R-72 A Resolution of the City Council Expressing Support for the Proposed U.S. Bicycle Route 251 through the City Between Springfield and Northwest Arkansas and Requesting Designation of the Route as an Official U.S. Bike Route Recognized by the American Association of State Highway and Transportation Officials.

[23.](#)23-R-73 A Resolution of the City Council Authorizing the City Administrator to Execute a Memorandum of Understanding with Drury Properties Inc. for Right of Way Access at U.S. Highway 60 and Farm Road 107 as Part of the New Republic Intermediate School Project.

### **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.
4. RSMo 610.021.12 Any documents related to a negotiated contract until a contract is executed, or all proposals are rejected.
5. RSMo 610.021.13 Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment. Closed session. Closed vote. Closed record.

### **Adjournment**



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

**MINUTES**  
**City Council Meeting**  
**Municipal Court Building, 540 Civic Blvd**  
**November 14, 2023 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 6:00 p.m. Council Members present included Eric Franklin, Garry Wilson, Eric Gerke, Brian Fields, Justin Neal, Chris Updike, and Clint Gerlek. Others in attendance were: City Administrator David Cameron, Assistant City Administrator/Parks and Recreation Director Jared Keeling, City Attorney Megan McCullough, Police Chief Brian Sells, Fire Chief Duane Compton, Finance Director Bob Ford, Assistant City Administrator-Community Development Andrew Nelson, City Clerk Laura Burbridge, Assistant Parks and Recreation Director Jennafer Mayfield, IT Director Chris Crosby, Police Major Jamie Burks, Planning Manager Karen Haynes, Chief of Staff Lisa Addington, Associate Planner Patrick Ruiz, Aquatics Administrator/Recreation Coordinator Emma Dulin, Recreation Superintendent Garrett Cline, and Data and Security Supervisor Michael Sallee.

**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 6:00 p.m. No one came forward so Mayor Russell closed citizen participation at 6:01 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-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion Carried.

1. Approve November 7, 2023 City Council Minutes.
2. Approve November 2, 2023 City Council Budget Workshop Minutes.
3. 23-R-61 A Resolution of the City Council Approving the Selected Health-Related Benefits Providers of Plans to be Offered to Qualified Employees for 2024.
4. 23-R-62 A Resolution of the City Council Awarding the Bid for Water Line Materials for the New Intermediate School to Springfield Winwater Works.

**Board, Commission, and Committee Schedule**

City Council Workshop at Noon	November 16, 2023
Planning & Zoning Meeting	December 4, 2023
Board of Adjustment Meeting	December 7, 2023-Cancelled
City Council Meeting	December 12, 2023
City Council Meeting	January 9, 2023

## Old Business and Tabled Items

**5. 23-52 An Ordinance of the City Council Approving Execution of a Deferred Infrastructure Developer Agreement with Bester Properties, LLC.**

Motion was made by Council Member Fields and seconded by Council Member Neal to have the second reading of Bill 23-52 by title only. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion Carried. Karen Haynes was available to answer questions. Council Member Wilson motioned for the passage of Bill 23-52. Council Member Neal seconded. A roll call vote was taken digitally. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion carried.

**6. 23-53 An Ordinance of the City Council Approving the Final Plat of the Harper Ridge Phase 1 Subdivision.**

Motion was made by Council Member Neal and seconded by Council Member Wilson to table Bill 23-53 until December 12, 2023. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion Carried.

**7. 23-54 An Ordinance of the City Council Approving the Final Plat of the Hankins Farm Planned Development District.**

Motion was made by Council Member Gerke and seconded by Council Member Franklin to have the second reading of Bill 23-54 by title only. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion Carried. Karen Haynes was available to answer questions. Council Member Updike motioned for the passage of Bill 23-54. Council Member Franklin seconded. A roll call vote was taken digitally. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion carried.

**8. 23-55 An Ordinance of the City Council Authorizing Amendment of the Lease Agreement between the City and City Utilities of Springfield, Missouri for the Trunked Radio Systems Tower located in Republic, Missouri.**

Motion was made by Council Member Neal and seconded by Council Member Wilson to have the second reading of Bill 23-55 by title only. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion Carried. Duane Compton was available to answer questions. Council Member Updike motioned for the passage of Bill 23-55. Council Member Franklin seconded. A roll call vote was taken digitally. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion carried.

**9. A Public Hearing of the City Council Appropriating from the Revenue of the City of Republic, Missouri, Expenditures in Accordance with the Fiscal Year 2024 Budget of the City of Republic, Missouri, and Providing for Adjustments Thereto.**

Mayor Russell opened the public hearing at 6:07 p.m. No one came forward so Mayor Russell closed the public hearing at 6:07 p.m.

**10. 23-56 An Ordinance of the City Council Appropriating from the Revenue of the City of Republic, Missouri, Expenditures in Accordance with the Fiscal Year 2024 Budget of the City of Republic, Missouri, and Providing for Adjustments Thereto.**

Motion was made by Council Member Updike and seconded by Council Member Franklin to have the second reading of Bill 23-56 by title only. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion Carried. Bob Ford was available to answer

questions. Council Member Updike motioned for the passage of Bill 23-56. Council Member Gerke seconded. A roll call vote was taken digitally. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion carried.

- 11. 23-57 An Ordinance of the City Council Amending Title VIII, Fees, Chapter 805, Sections 805.010 ("Credit Card Processing Fee"), 805.030 ("Alcoholic Beverages"), 805.040 ("Animals"), 805.050 ("Buildings And Zoning"), 805.060 ("Business"), 805.070 ("Fire Protection And Prevention"), 805.080 ("Parks And Recreation Fees"), 805.090 ("Special Event Fees"), and 805.100 ("Utility Administration") of the Municipal Code of the City of Republic, Missouri.**

Motion was made by Council Member Fields and seconded by Council Member Updike to have the second reading of Bill 23-57 by title only. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion Carried. Jared Keeling and Andrew Nelson were available to answer questions. Council Member Updike motioned for the passage of Bill 23-57. Council Member Neal seconded. A roll call vote was taken digitally. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion carried.

- 12. 23-R-60 A Resolution of the City Council Appointing a Council Member for Ward II.-Tabled from November 7, 2023.**

Motion was made by Council Member Wilson and seconded by Council Member Updike to take up Resolution 23-R-60. Mayor Russell presented his recommendation of appointment to Council. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion Carried.

#### **New Business (First Reading of Ordinances)**

- 13. 23-58 An Ordinance of the City Council Approving Amendment of the Zoning Classification of Approximately 0.81 Acres of Real Property Located at 445 US Highway 60 East, from Local Commercial (C-1) to General Commercial (C-2).**

Motion was made by Council Member Neal and seconded by Council Member Updike to have the first reading of Bill 23-58 by title only. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion Carried. Patrick Ruiz gave an overview of the bill. Mayor Russell reminded Council this is a first read and to get with staff with questions prior to the next meeting.

- 14. 23-59 An Ordinance of the City Council Approving Amendment of the Zoning Classification of Approximately 40.46 Acres of Real Property Located at 7217 West Farm Road 182, from Agricultural (AG) to Medium-Density Single-Family Residential (R1-M).**

Motion was made by Council Member Wilson and seconded by Council Member Updike to have the first reading of Bill 23-59 by title only. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion Carried. Patrick Ruiz gave an overview of the bill. Mayor Russell reminded Council this is a first read and to get with staff with questions prior to the next meeting.

- 15. 23-60 An Ordinance of the City Council Approving the Final Plat of The Woods Subdivision.**

Motion was made by Council Member Fields and seconded by Council Member Updike to have the first reading of Bill 23-60 by title only. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion Carried. Karen Haynes gave an overview of the bill. Mayor

Russell reminded Council this is a first read and to get with staff with questions prior to the next meeting.

**16.23-61 An Ordinance of the City Council Approving the Final Plat of Greenfield Estates Subdivision.**

Motion was made by Council Member Updike and seconded by Council Member Franklin to have the first reading of Bill 23-61 by title only. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion Carried. Karen Haynes gave an overview of the bill. Mayor Russell reminded Council this is a first read and to get with staff with questions prior to the next meeting.

**Other Business (Resolutions)**

**17.23-R-63 A Resolution of the City Council Awarding the Bid for Cleaning, Inspection and As Needed Remediation of Identified Sanitary Sewer Areas to Hydro-Klean LLC.**

Motion was made by Council Member Franklin and seconded by Council Member Updike to take up Resolution 23-R-63. Andrew Nelson presented the Resolution and answered questions of Council. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion Carried.

**18.23-R-64 A Resolution of the City Council to Review, Amend, and Approve the Five-Year Capital Program for 2024 through 2028.**

Motion was made by Council Member Wilson and seconded by Council Member Franklin to take up Resolution 23-R-64. Bob Ford presented the Resolution and answered questions of Council. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion Carried.

**19.23-R-65 A Resolution of the City Council Authorizing the City Administrator to Enter into an Agreement with Ozarks Coca-Cola/Dr. Pepper Bottling Company to be the Exclusive Beverage Provider for Events and Related Activities Hosted or Presented by the City's Parks and Recreation Department.**

Motion was made by Council Member Fields and seconded by Council Member Franklin to take up Resolution 23-R-65. Garrett Cline presented the Resolution and answered questions of Council. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion Carried.

**20.23-R-66 A Resolution of the City Council Approving a Preliminary Plat for Olde Savannah Phase 3C, A Residential Subdivision Consisting of Approximately 5.02 Acres Located at 6354 South Farm Road 89.**

Motion was made by Council Member Franklin and seconded by Council Member Updike to take up Resolution 23-R-66. Patrick Ruiz presented the Resolution and answered questions of Council. The vote was 7 Aye-Fields, Franklin, Gerke, Gerlek, Neal, Updike, and Wilson. 0 Nay. Motion Carried.

**Reports from Staff**

City Administrator David Cameron thanked Bob Ford for his work on the budget and commended Bob, Jake, Jared, and all the staff involved for getting us through the budget presentations and approval in 3 weeks plus Capital Plan. Mr. Cameron noted this is the best budget process he has experienced in his entire tenure, noting Questica can bring more information ahead.

City Administrator David Cameron announced we will have a work session Thursday regarding a proposed recreational marijuana tax and Charter amendments. Mr. Cameron noted several of his questions were not included in 2019 due to the number of questions already presented. Mr. Cameron added he looks forward to discussing those proposed amendments.

City Administrator David Cameron thanked Terry Mooneyham for being here, adding she approached Council and asked to wait to demolish the old Public Works building and to donate the building to the Historical Society. Mr. Nelson met and spoke with them to give them a tour with a liability waiver signed. They were able to determine that salvaging the building is not feasible. They are now requesting that the city donate the land to the Historical Society after demolition. Mr. Cameron announced we will be proceeding with the demo, although the water line to City Hall runs beneath that building, so there are still logistics to work out. Mr. Cameron added we will try to salvage anything valuable for the Historical Society.

City Administrator David Cameron reported that on Saturday he attended the Ruck and Run to celebrate veterans, adding that Josh Matthews leads the event. Mr. Cameron noted this is something he would encourage people to promote, acknowledging it is great to support their work for veterans. Mr. Cameron added he would love for us to dig deeper to help promote this event more in the future.

City Administrator David Cameron reported that a week ago on Monday, he and Andrew Nelson traveled to Jefferson City to discuss the MM expansion. Mr. Cameron noted we spearheaded that project on behalf of MoDOT, which started at 3 lanes, with MoDOT later asking to expand the project to 6 lanes. We raised funds from other entities towards the project. Mr. Cameron noted due to inflation, it has ballooned to \$16 million and we would have to cover \$6 million in additional costs. Mr. Cameron noted we would be leveraging all our transportation funding for several years. Mr. Cameron noted partnering shouldn't cost the residents 20-25 years of other work. Mr. Cameron added we will work to encourage legislators and representatives but we will remove ourselves from the situation if necessary. Mr. Cameron referenced the history of this is in his former administrator reports.

City Administrator David Cameron wished everyone a Happy Thanksgiving and thanked Council and staff for their service. Mr. Cameron acknowledged Laura Burbridge and Megan McCullough for the great job on the work done for Thursday's Charter discussion.

Council Member Franklin echoed Mr. Cameron on Veteran's Day, adding on Friday he got to enjoy a Veteran's Day program at the High School with the choir performing and the Junior ROTC and FFA club served them a meal. Mr. Franklin added he got to sit down to speak to those veterans who were able to attend. Mr. Franklin also noted that Owen Park now has a free library and thanked the Wilder family for their work to add to the park, noting it was hard work. Mr. Franklin noted on Saturday he had the terrific opportunity to spend the day with Corporal Dove and appreciated having the opportunity to do a ride along to see the response from Fire and Police. Mr. Franklin noted it gave him great perspective and thanked Corporal Dove, Chief Sells, and all first responders. Mr. Franklin reported on Thursday he attended a MML meeting for economic due diligence and was happy to see Karen Haynes and Chris Tabor there. Mr. Franklin also thanked them for providing Planning and Zoning 101 at the last Planning and Zoning meeting, noting it is great information and if anyone needs better understanding, he recommended watching. Mr. Franklin noted he looks forward to the next episode.

Council Member Gerlek noted that Mr. Cameron left off from his report that Mr. Cameron was in the Biz 417 top 100 people. Mr. Gerlek noted he had a couple staffers attend the Ruck and Run and they noted they loved it and it is a great event that will grow bigger. Mr. Gerlek commented to Terry Mooneyham that the Historical Society needs to put a sandwich shop in their future building.

## Adjournment



Mayor Russell adjourned the meeting at 6:52 p.m.

ATTEST:

\_\_\_\_\_  
Laura Burbridge, City Clerk

\_\_\_\_\_  
Matt Russell, Mayor

DRAFT



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

**MINUTES**  
**City Council Workshop**  
**Municipal Court Building, 540 Civic Blvd**  
**November 16, 2023 at 12:00 PM**

**Call Meeting to Order**

The work session meeting of the City Council of the City of Republic, Greene County, Missouri, was called to order by Mayor Matt Russell at 12:00 p.m. Council Members present included Eric Franklin, Garry Wilson, Chris Updike, Brian Fields, Justin Neal, and Clint Gerlek. Others in attendance were: City Administrator David Cameron, Assistant City Administrator Andrew Nelson, City Attorney Megan McCullough, Chief of Staff Lisa Addington, Police Chief Brian Sells, Police Major Jamie Burks, Assistant Parks and Recreation Director Jennafer Mayfield, Fire Chief Duane Compton, Assistant City Administrator/Parks and Recreation Director Jared Keeling, Principal Planner Chris Tabor, Associate Planner Patrick Ruiz, Data and Security Supervisor Michael Sallee, City Clerk Laura Burbridge, Finance Director Bob Ford, and IT Director Chris Crosby.

**Presentations and Discussions**

**1. Discussion on proposed questions for the April 2024 ballot.**

City Clerk Laura Burbridge and City Attorney Megan McCullough presented six proposed Charter amendments and a proposed 3% adult-use marijuana tax to Council and answered questions. Staff invited any Council Members who were able to stay to ask any questions on the items. Mayor Russell adjourned the presentation session at 12:55 p.m. Mayor Russell and Council Member Gerlek left the meeting at 12:55 as scheduled. All other members remained for the question and answer session.

**Adjournment**

The question and answer session adjourned at 1:27 p.m.

ATTEST:

\_\_\_\_\_  
Laura Burbridge, City Clerk

\_\_\_\_\_  
Matt Russell, Mayor



City of Republic

Item 3.

# Vendor Audit Report

For Date Range 11/01/2023 - 11/30/2023

Vendor	Added	Added User	Deleted	Deleted User
08191 - David Cummins	11/01/2023	SHERRI WOODS		
08192 - Natalie Kendrick	11/01/2023	SHERRI WOODS		
08193 - Aqua-Aerobic Systems Inc	11/01/2023	SHERRI WOODS		
08194 - Falcon Steel Inc	11/06/2023	SHERRI WOODS	11/08/2023	SHERRI WOODS
08195 - Falcon Steel Inc	11/08/2023	SHERRI WOODS		
08196 - Capital City Oil Inc	11/15/2023	SHERRI WOODS		
08197 - Patriot Signs and Apparel	11/15/2023	SHERRI WOODS		
08198 - Tube Pro Inc	11/15/2023	SHERRI WOODS		
08199 - Deborah K Ray	11/28/2023	SHERRI WOODS		
08200 - Joseph DeMasi	11/28/2023	SHERRI WOODS		
08201 - Rickie Long	11/28/2023	SHERRI WOODS		
08202 - Ryan Edney	11/28/2023	SHERRI WOODS		
08203 - Kole Kelley	11/28/2023	SHERRI WOODS		

Vendor Count: (13)



## AGENDA ITEM ANALYSIS

Project/Issue Name: 23-R-67 A Resolution of the City Council Appointing New Authorized Signers for the Municipal Court Account with Arvest Bank.

Submitted By: Robert J. Ford

Date: December 12, 2023

### Issue Statement

To appoint check signers for the City of Republic Municipal Court Bank Account with Arvest Bank.

### Discussion and/or Analysis

#### Municipal Court Bank Account

The City of Republic needs two approved check signers for the Municipal Court Bank Account with Arvest Bank. Current approved signers are:

Benjamin McBride	Judge
Penny Mayes	Municipal Court Clerk

From a process perspective, currently Judge McBride is the primary signer and Penny Mayes is the back-up signer. However, Penny Mayes will be retiring effective December 15, 2023. Therefore, effective December 12, 2023, Penny Mayes will be removed as a signer on the Municipal Court Bank Account with Arvest Bank and the following individuals will be appointed as signers to the Municipal Court Bank Account with Arvest Bank:

Benjamin McBride	Judge
Kymberly Winkler	Municipal Court Clerk

The process will not change in that Judge McBride will remain the primary signer and Kymberly Winkler will become the back-up signer.

### Recommended Action

Staff requests approval of the recommended check signers for the City of Republic Municipal Court Bank Account with Arvest Bank.

**A RESOLUTION OF THE CITY COUNCIL APPOINTING NEW AUTHORIZED SIGNERS FOR THE MUNICIPAL COURT ACCOUNT WITH ARVEST BANK**

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

**WHEREAS**, in Bill 20-06, Council approved an intergovernmental agreement (“Agreement”) with the Office of State Courts Administrator (“OSCA”) for the implementation of the Show-Me-Courts Court Automation Software (“SMC Software”); and

**WHEREAS**, pursuant to the Agreement and as required by OSCA, the Republic Municipal Court is required to have a separate bank account with/from the City through which it may process receipts utilizing the SMC Software (“Municipal Court Account”); and

**WHEREAS**, pursuant to the Agreement and as required by OSCA, the Republic Municipal Court, through the Presiding Judge and Court Clerk, is responsible for the management and reconciliation of the Municipal Court Account; and

**WHEREAS**, the City has contracted with Arvest Bank for its banking service needs, and has opened certain accounts with Arvest Bank, one of which is the Municipal Court Account, which can be drawn upon by designated individuals with the authorization to do so on behalf of the City; and

**WHEREAS**, pursuant to the Agreement and as required by OSCA, the City must designate the specific individuals who will have authorization to draw upon the above-referenced accounts on behalf of the City (“Authorized Signers”); and

**WHEREAS**, the City has previously designated the Municipal Judge, Benjamin McBride, and the Municipal Court Clerk, Penny Mayes, as the individuals authorized to draw upon the Municipal Court Account on behalf of the City; and

**WHEREAS**, the Council may, at any time, remove, add or otherwise change the Authorized Signers, as it deems appropriate and/or necessary; and

**WHEREAS**, due to Ms. Mayes’ retirement from her role as the Municipal Court Clerk, effective December 15, 2023, and the hiring of Kymberly Winkler as the new Municipal Court Clerk, Council finds it appropriate and necessary to remove Ms. Mayes as an Authorized Signer on the Municipal Court Account and to add Ms. Winkler as an Authorized Signer on the Municipal Court Account, effective as of December 12, 2023.

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

**Section 1:** Arvest Bank is hereby requested, authorized, and directed to honor checks, drafts, or other orders of payment of money drawn in City’s name, including those payable to the individual order of any person or persons whose name or names

appear thereon as signer or signers thereof, when bearing or purporting to bear the signatures of the following:

Benjamin McBride	Presiding Judge
Kymerly Winkler	Municipal Court Clerk

**Section 2:** The whereas clauses are hereby specifically incorporated herein by reference.

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

**Section 4:** This Resolution supersedes all previous resolutions pertaining to the authorized signers on/for any municipal court account held by the City at Arvest Bank.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Republic, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Matt Russell, Mayor

**Attest:**

\_\_\_\_\_  
Laura Burbridge, City Clerk

**Approved as to Form:**

  
\_\_\_\_\_

Megan McCullough, City Attorney

**Final Passage and Vote:**





## **AGENDA ITEM ANALYSIS**

**Project/Issue Name:** 23-53 An Ordinance of the City Council Approving the Final Plat of Harper Ridge Phase 1 Subdivision.

**Submitted By:** Chris Tabor, BUILDS Department Principal Planner

**Date:** December 12, 2023

### **Issue Statement**

The City of Republic's BUILDS Department received an Application from Bester Properties, LLC for the Final Plat of Harper Ridge Phase 1. This site was previously approved as part of Emerald Valley Phase 2 on October 26, 2021.

### **Discussion and/or Analysis**

The Final Plat of Harper Ridge Phase 1 will legally divide approximately ten point seventeen (10.17) acres of land into twenty-five (25) Medium-Density Single-Family Residential lots. The Final Plat will also convey the dedication of associated Right-of-Way, Utility, and Stormwater Easements to the City. The Final Plat includes approximately 2,435 linear feet of new street and 1,846 linear feet of new sidewalk.

The Final Plat of Harper Ridge Phase 1 conforms to the Preliminary Plat of Emerald Valley Phase 2, as approved by City Council on October 26, 2021.

City Staff has reviewed the Final Plat and has determined that it substantially conforms to the requirements of the Approved Development Plan, in addition to the requirements of the City Code Chapter 410 Subdivision Regulations, and Article V Major Subdivision-Final Plat.

### **Recommended Action**

Staff recommends approval of Harper Ridge Phase 1.

**AN ORDINANCE OF THE CITY COUNCIL APPROVING THE FINAL PLAT OF THE  
HARPER RIDGE PHASE 1 SUBDIVISION**

**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 October 26, 2021, via Resolution 21-R-49, the Council approved the Preliminary Plat for Phase 2 of the Emerald Valley Subdivision (renamed to Harper Ridge Phase 1 Subdivision); and

**WHEREAS**, on or about October 1, 2023, Bester Properties, LLC (“Applicant”) submitted an application to the BUILDS Department for review and approval of the Final Plat of Harper Ridge Phase 1 Subdivision (“Harper Ridge Phase 1 Subdivision”); and

**WHEREAS**, the BUILDS Department has reviewed the Applicant’s proposed Final Plat for the Harper Ridge Phase 1 Subdivision and has determined it substantially conforms to the requirements of the approved Development Plan, the requirements of applicable City Code provisions including, but not necessarily limited to, Chapter 410 Subdivision Regulations, Article 410-V Major Subdivision--Final Plat.

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

- Section 1:** That all conditions imposed by the Planning and Zoning Commission and the City Council relating to the acceptance and approval of the Harper Ridge Phase 1 Subdivision have been met.
- Section 2:** That the Final Plat of the Harper Ridge Phase 1 Subdivision (“Attachment 1”), expressly incorporated herein at length, is hereby approved in all respects.
- Section 3:** That the approval of the Final Plat of the Harper Ridge Phase 1 Subdivision is contingent upon the same being recorded within sixty (60) days after the approval certificate is signed and sealed under the hand of the City Clerk.
- Section 4:** That neither the construction of structures nor the sale of lots in Harper Ridge Phase 1 Subdivision shall commence until the Final Plat of the Harper Ridge Phase 1 Subdivision has been duly approved and recorded as required by law.
- Section 5:** The whereas clauses are hereby specifically incorporated herein by reference.
- Section 6:** 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 7:** 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 \_\_\_\_\_, 2023.

**Attest:**

\_\_\_\_\_  
Matt Russell, Mayor

\_\_\_\_\_  
Laura Burbridge, City Clerk

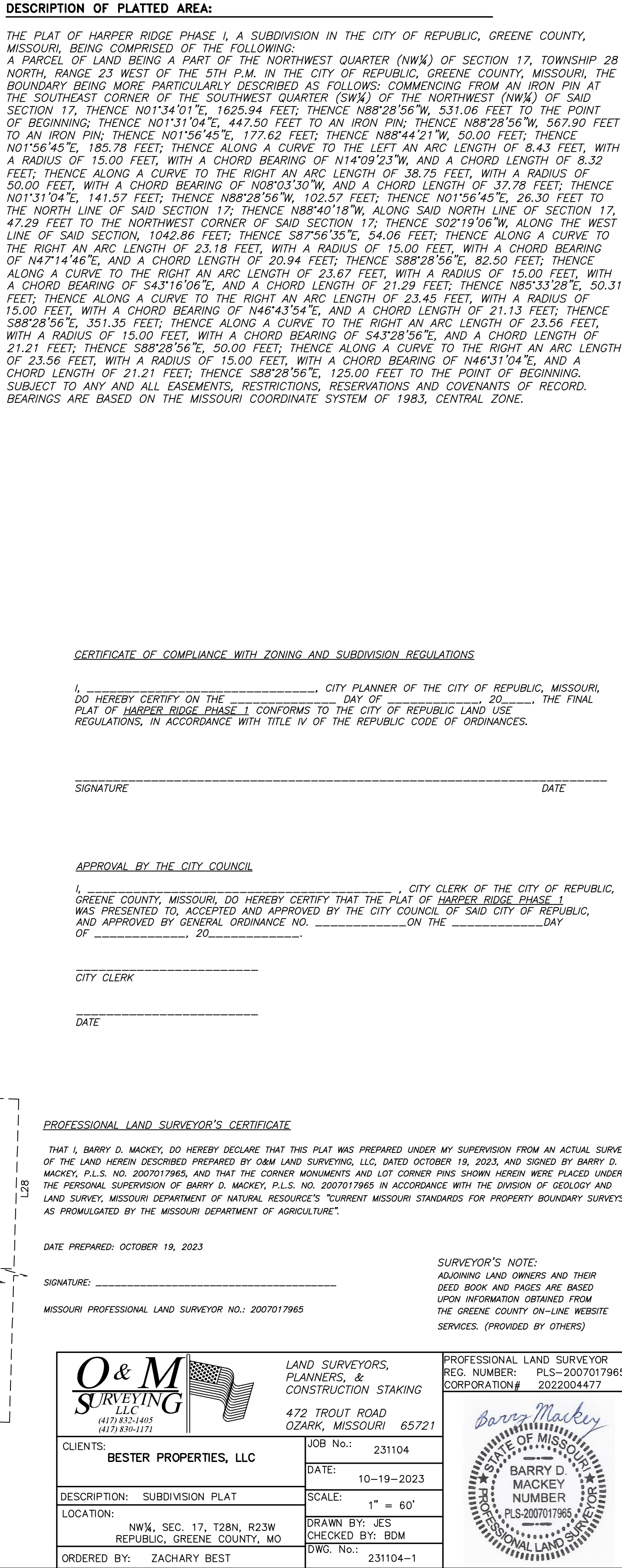
**Approved as to Form:**

  
\_\_\_\_\_

Megan McCullough, City Attorney

**Final Passage and Vote:**









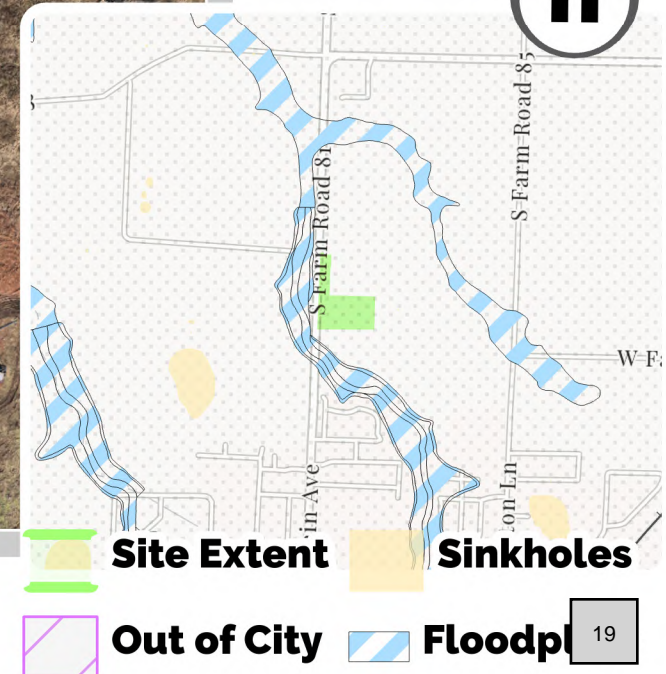
**Owner/Applicant**  
BESTER PROPERTIES LLC

**ADDRESS**  
S FARM ROAD 81

**ZONING**  
R1-M | REQUESTED: N/A

**WARD**  
2

**ACREAGE**  
10.17



# HARPER RIDGE PHASE 1

## SUBD-FNL 23-006 | FINAL PLAT



## AGENDA ITEM ANALYSIS

Project/Issue Name: 23-58 An Ordinance of the City Council Approving Amendment of the Zoning Classification of Approximately 0.81 Acres of Real Property Located at 445 US Highway 60 East, from Local Commercial (C-1) to General Commercial (C-2).

Submitted By: Patrick Ruiz, Associate Planner

Date: December 12, 2023

### Issue Statement

Timothy Guillot has applied on behalf of the property owner, Clayron LP, to change the Zoning Classification of approximately 0.81 acres of property located at 445 US Hwy 60 E from Local Commercial (C-1) to General Commercial (C-2).

### Discussion and/or Analysis

The property subject to this Rezoning Application consists of approximately 0.81 acres of land located at 445 US HWY 60 E; the property is currently the site of a vacant commercial building. The subject Rezone application is moving concurrently with additional elements of a project that consists of an Administrative Minor Subdivision combining two lots and a New Commercial Building Permit.

The Minor Subdivision would include the combination of two lots which comprises the subject property, 445 US Hwy 60 E, and the lot to the southwest, 411 US Hwy 60 E. As currently zoned the lot combination would create a split zoned lot of C-2 General Commercial and C-1 Local Commercial.

The New Commercial Building Permit consists of the demolition of two existing buildings on 411/445 US Hwy 60 E and construction of a New Building with the anchor tenant space as a dental office. The commercial building will also have additional units for infill of retail and office space.

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 residential and 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**.

- **Goal:** Recognize potential infill sites as opportunities for development, while mitigating impacts to adjacent, established properties.



- **Objective:** Support the development of vacant parcels as opportunities for densification that is harmonious with surrounding development.
- **Goal:** Support redevelopment of areas along the US-60 corridor to accommodate commercial uses and improved functionality.
  - **Objective:** Encourage higher intensity of uses of large, underdeveloped parcels fronting onto or located near US Hwy 60.

The Rezoning of this parcel is consistent with the City's Adopted Plans.

#### **Compatibility with Surrounding Land Uses**

The subject property is adjacent to General Commercial (C-2) zoned parcels bordering the west and east property lines. To the north, across the Right-of-Way, are two parcels zoned Medium Density Single-Family Residential (R1-M).

The General Commercial (C-2) Zoning District is intended to allow less restrictive retail and service-related businesses. The subject property fronts US Hwy 60, which operates as a commercial corridor within the city. The general land uses of the area are commercial in nature and such rezone would be compatible and harmonious with adjacent properties.

#### **Capacity to Serve Potential Development and Land Use**

##### **Municipal Water and Sewer Service:**

The development of the property will utilize existing connecting lateral lines to municipal water and sewer mains located near the property.

The water system, named Lift Stations, and Wastewater Treatment Facility currently have capacity to serve the intended use.

##### **Transportation:**

The property will have access from the existing drive currently present on US Hwy 60. A Traffic Impact Study (TIS) was not required for the Rezoning Application, due to the fact that the size of the property is under the one (1) acre threshold of requiring such study. The waiving of the TIS is in line with City policy.

**Floodplain:** The subject parcel **does not** contain any areas of Special Flood Hazard Area (Floodplain).

**Sinkholes:** The subject property **does not** contain an identified sinkhole.

#### **Recommended Action**

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

**AN ORDINANCE OF THE CITY COUNCIL APPROVING AMENDMENT OF THE ZONING CLASSIFICATION OF APPROXIMATELY 0.81 ACRES OF REAL PROPERTY LOCATED AT 445 US HIGHWAY 60 EAST, FROM LOCAL COMMERCIAL (C-1) TO GENERAL COMMERCIAL (C-2)**

**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**, Clayron LP (“Applicant”) submitted an application (“Application”) to the City’s BUILDS Department for an amendment to the Zoning Code and Official Zoning Map to rezone certain real property consisting of approximately 0.81 acres, located at 445 US Highway 60 East (“the Property”), from Local Commercial (C-1) to General Commercial (C-2), and

**WHEREAS**, the City submitted the Application to the Planning and Zoning Commission (“PZ Commission”) and set a public hearing on the application for November 13, 2023; and

**WHEREAS**, on October 25, 2023, pursuant to Republic Municipal Code § 405.980, the City published notice of the time and date for the public hearing on the Application in the *Greene County Commonwealth*, a newspaper of general circulation in the City, such notice being at least fifteen (15) days before the public hearing; and

**WHEREAS**, pursuant to Republic Municipal Code § 405.980, the City gave notice of the public hearing on the Application to the record owners of all properties located within 185 feet of the Property, consistent with the information shown by the Greene County Assessor’s Office; and

**WHEREAS**, the PZ Commission conducted the public hearing on November 13, 2023, at which all interested persons and entities were afforded the opportunity to present evidence or statement, and after which the PZ Commission rendered written findings of fact and submitted those along with its recommendations to the Council; and

**WHEREAS**, the PZ Commission, by a vote of 6 Ayes to 0 Nays, recommended approval of the Application; and

**WHEREAS**, the Application was submitted to the City Council for first read at its regular meeting on November 14, 2023, and for second read at its regular meeting on December 12, 2023, after which the Council voted to approve the Application 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 to reflect the rezoning of the real property consisting of approximately 0.81 acres, located at 445 US Highway 60 East in Republic, Missouri, more fully described in the legal description herein below, from Local Commercial (C-1) to General Commercial (C-2):

COMMENCING AT A POINT 381 FEET NORTH AND 24 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF

SECTION TWENTY (20), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23), SAID POINT BEING ON THE EAST LINE OF HAMPTON STREET; THENCE NORTH ALONG SAID STREET LINE A DISTANCE OF 198.6 FEET; THENCE EAST AND PARALLEL TO THE SOUTH LINE OF MILL STREET A DISTANCE OF 99.6 FEET; THENCE NORTHEASTERLY AND MAKING AN ANGLE OF 11°02' TO THE LEFT FROM THE LAST DESCRIBED COURSE A DISTANCE OF 84 FEET TO A POINT 160 FEET SOUTH OF THE SOUTH LINE OF MILL STREET; THENCE EAST AND PARALLEL TO MILL STREET A DISTANCE OF 167 FEET; THENCE NORTH 160 FEET TO MILL STREET FOR A POINT OF BEGINNING; THENCE EAST AND ALONG THE SOUTH LINE OF MILL STREET A DISTANCE OF 245.65 FEET; THENCE SOUTHEASTERLY A DISTANCE OF 42.01 FEET TO A POINT 11.5 FEET SOUTH OF THE SOUTH LINE OF MILL STREET AND 660 FEET OF THE WEST LINE OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION TWENTY (20); THENCE SOUTH A DISTANCE 185.5 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 60; THENCE SOUTHWESTERLY AND ALONG SAID RIGHT-OF-WAY 42.05 FEET TO THE CENTER OF A DRIVE; THENCE NORTHWESTERLY 334.60 FEET TO THE POINT OF BEGINNING, ALL IN THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION TWENTY (20) TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23), IN THE CITY OF REPUBLIC, GREENE COUNTY, MISSOURI, EXCEPT ANY PART TAKEN OR USED FOR ROADS.

**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 above are 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 \_\_\_\_\_, 2023.

**Attest:**

\_\_\_\_\_  
Matt Russell, Mayor

\_\_\_\_\_  
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:**





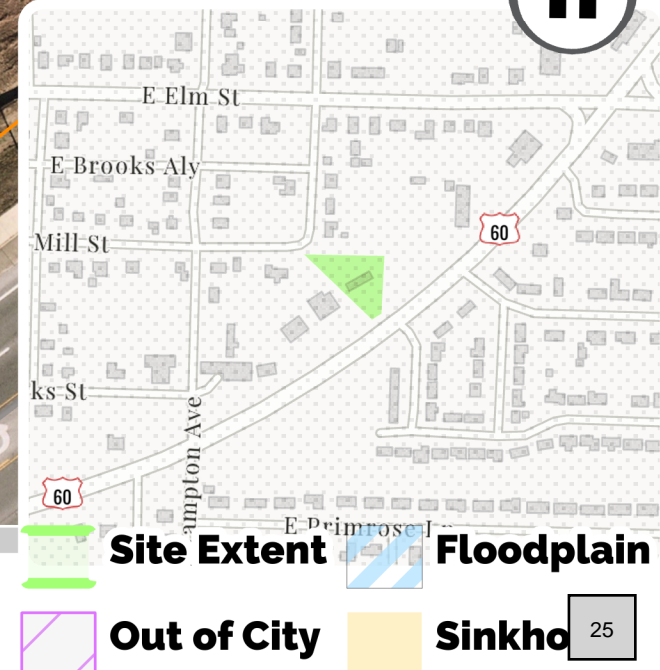
**Owner/Applicant**  
CLAYRON LP

**ADDRESS**  
445 US Hwy 60 E

**ZONING**  
C-1 | REQUESTED: C-2

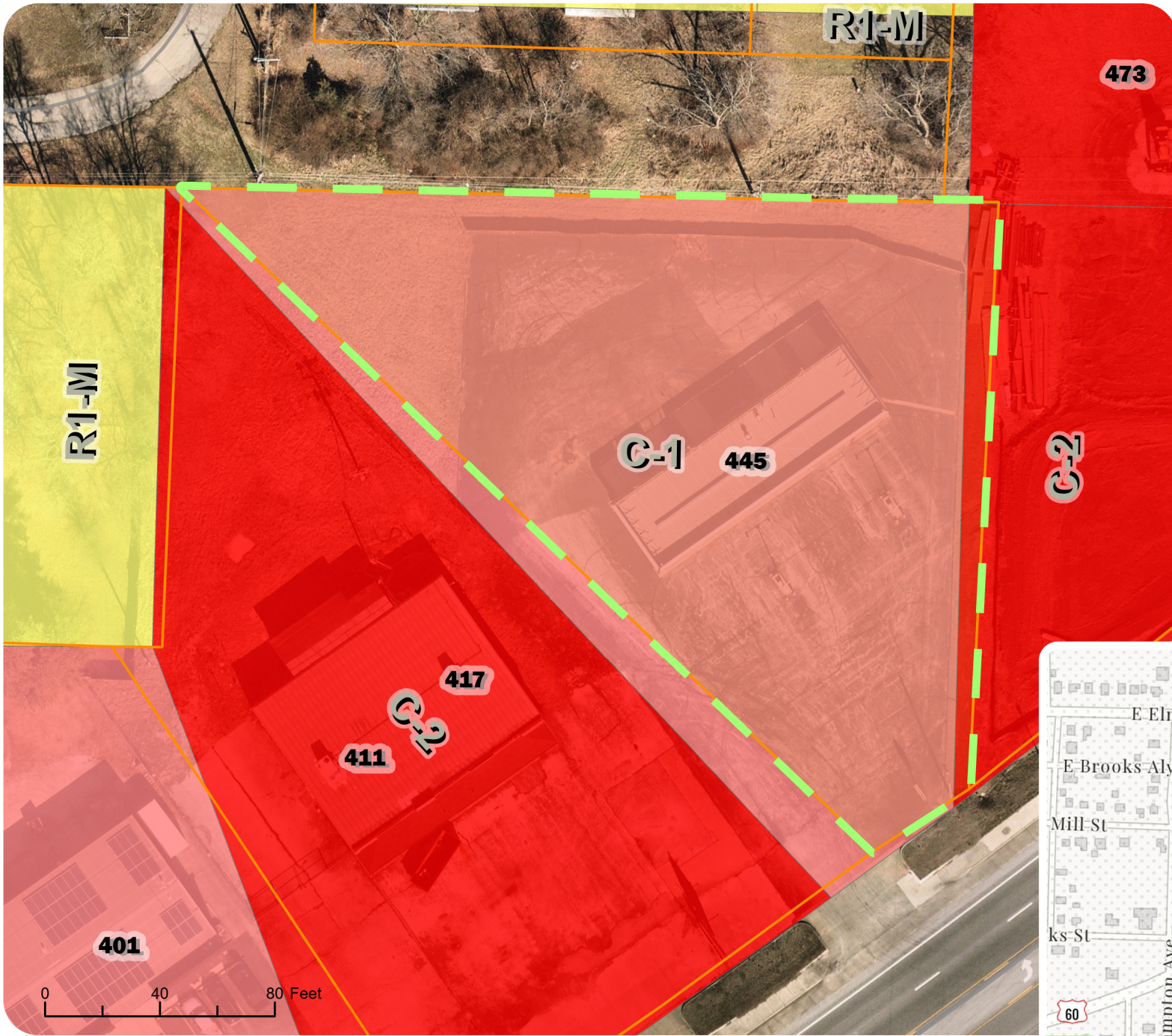
**WARD**  
WARD 2

**ACREAGE**  
0.81



**REZN 23-008 445 US HWY 60 E**  
**REZN 23-008 | REZONE**





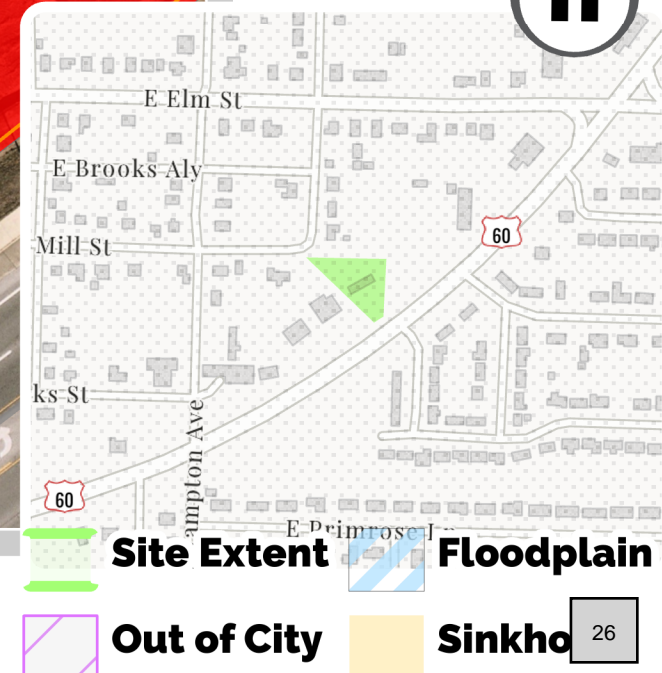
**Owner/Applicant**  
CLAYRON LP

**ADDRESS**  
445 US Hwy 60 E

**ZONING**  
C-1 | REQUESTED: C-2

**WARD**  
WARD 2

**ACREAGE**  
0.81



**REZN 23-008 445 US HWY 60 E**  
**REZN 23-008 | REZONE**



# Findings of Fact

Date of Hearing:

11/13/2023

Time:

6:00

Type of Application:

Rezone

Name of Applicant:

445 US Hwy 60 E (REZN 23-008)

Location:

City Council Chambers

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

Conforming to the City's adopted Land Use Plan

☒ Yes

☐ No

Conforming to the City's adopted Transportation Plan

☒ Yes

☐ No

Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.)

☒ Yes

☐ No

Compatible with surrounding land uses

☒ Yes

☐ No

Able to be adequately served by municipal infrastructure

☒ Yes

☐ No

Aligned with the purposes of RSMo. 89.040

☒ Yes

☐ No

Statement of Relevant Facts Found:

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

☒ Approval

☐ Denial

Commissioner Name:

Jeffrey A. [Signature]

Commissioner Signature:

[Signature]

Date:

11/13/2023

# Findings of Fact

Date of Hearing:

11/13/2023

Time:

6:00

Type of Application:

Rezone

Name of Applicant:

445 US Hwy 60 E (REZN 23-008)

Location:

City Council Chambers

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

Conforming to the City's adopted Land Use Plan

☒ Yes

☐ No

Conforming to the City's adopted Transportation Plan

☒ Yes

☐ No

Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.)

☒ Yes

☐ No

Compatible with surrounding land uses

☒ Yes

☐ No

Able to be adequately served by municipal infrastructure

☒ Yes

☐ No

Aligned with the purposes of RSMo. 89.040

☒ Yes

☐ No

Statement of Relevant Facts Found:

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

☒ Approval

☐ Denial

Commissioner Name:

CYNTHIA HYDER

Commissioner Signature:

C. Hyder

Date:

11/13/23

# Findings of Fact

Date of Hearing:

11/13/2023

Time:

6:00

Type of Application:

Rezone

Name of Applicant:

445 US Hwy 60 E (REZN 23-008)

Location:

City Council Chambers

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

Conforming to the City's adopted Land Use Plan



Yes



No

Conforming to the City's adopted Transportation Plan



Yes



No

Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.)



Yes



No

Compatible with surrounding land uses



Yes



No

Able to be adequately served by municipal infrastructure



Yes



No

Aligned with the purposes of RSMo. 89.040



Yes



No

Statement of Relevant Facts Found:

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



Approval



Denial

Commissioner Name:

Darran Campbell

Commissioner Signature:

Darran Campbell

Date:

11-13-23



# Findings of Fact

Date of Hearing:

11/13/2023

Time:

6:00

Type of Application:

Rezone

Name of Applicant:

445 US Hwy 60 E (REZN 23-008)

Location:

City Council Chambers

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

Conforming to the City's adopted Land Use Plan ☒ Yes ☐ No

Conforming to the City's adopted Transportation Plan ☒ Yes ☐ No

Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) ☒ Yes ☐ No

Compatible with surrounding land uses ☒ Yes ☐ No

Able to be adequately served by municipal infrastructure ☒ Yes ☐ No

Aligned with the purposes of RSMo. 89.040 ☒ Yes ☐ No

## Statement of Relevant Facts Found:

0.81 acres C1 → C2  
Vacant Building @ 445 Demo of 411 + 417 + 445  
Commercial Building anchored by a dental office  
C-2 to west water + sewer onsite w/ capacity  
C-2 to east TIS not required  
R1-M to north

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

☒ Approval ☐ Denial

Commissioner Name:

Brian Debrauer

Commissioner Signature:

Brian Debrauer

Date:

11-13-23

# Findings of Fact

Date of Hearing:

11/13/2023

Time:

6:00

Type of Application:

Rezone

Name of Applicant:

445 US Hwy 60 E (REZN 23-008)

Location:

City Council Chambers

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

Conforming to the City's adopted Land Use Plan

☒ Yes

☐ No

Conforming to the City's adopted Transportation Plan

☒ Yes

☐ No

Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.)

☒ Yes

☐ No

Compatible with surrounding land uses

☒ Yes

☐ No

Able to be adequately served by municipal infrastructure

☒ Yes

☐ No

Aligned with the purposes of RSMo. 89.040

☒ Yes

☐ No

Statement of Relevant Facts Found:

Applicant/Engineer present.  
Stan Hoffmann - Sewer overflow question? Traffic questions

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

☒ Approval

☐ Denial

Commissioner Name:

John Alexander

Commissioner Signature:

[Signature]

Date:

11/13/23



# Findings of Fact

Date of Hearing:

11/13/2023

Time:

6:00

Type of Application:

Rezone

Name of Applicant:

445 US Hwy 60 E (REZN 23-008)

Location:

City Council Chambers

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

Conforming to the City's adopted Land Use Plan ☒ Yes ☐ No

Conforming to the City's adopted Transportation Plan ☒ Yes ☐ No

Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.) ☒ Yes ☐ No

Compatible with surrounding land uses ☒ Yes ☐ No

Able to be adequately served by municipal infrastructure ☒ Yes ☐ No

Aligned with the purposes of RSMo. 89.040 ☒ Yes ☐ No

Statement of Relevant Facts Found:

Conforms to ordinances/requirements of Code

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

☒ Approval ☐ Denial

Commissioner Name:

RAUSM ELLIS III

Commissioner Signature:

Rausm Ellis III

Date:

11/13/23

## AGENDA ITEM ANALYSIS

Project/Issue Name: 23-59 An Ordinance of the City Council Approving Amendment of the Zoning Classification of Approximately 40.46 Acres of Real Property Located at 7217 West Farm Road 182, from Agricultural (AG) to Medium-Density Single-Family Residential (R1-M).

Submitted By: Chris Tabor, BUILDS Department Principal Planner

Date: December 12, 2023

### Issue Statement

David Messner and Jim Henderson have applied to change the Zoning Classification of approximately 40.456 acres of property located at 7217 W FR 182 from Agricultural (AG) to Medium-Density Single-Family Residential (R1-M).

### Discussion and/or Analysis

The property subject to this Rezoning Application consists of approximately 40.456 acres of land located at 7217 W FR 182; the property is currently the site of three residential dwelling units of varying configurations and age.

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 residential and 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**.

- **Community and Development Goal 1:** Support market conditions to develop a greater variety of residential and commercial options.
  - **Objective 1A:** Support a variety of housing developments and styles to ensure a range of options are available.
- **Infrastructure Coordination Goal 1:** Support new development that is well-connected to the existing community.
  - **Objective 1B:** Promote development aligning with current adopted plans of the City.

The Rezoning of this parcel is consistent with City's Adopted Plans.



### **Compatibility with Surrounding Land Uses**

The subject property is a newly annexed property that came into the City zoned Agricultural (AG).

It is adjacent to:

- Properties in Century Place 2<sup>nd</sup> Addition subdivision zoned Medium-Density Single-Family Residential (R1-M) to the north;
- Greene County property zoned Agriculture (A-1) to the east;
- Greene County property zoned Agriculture (A-1) across Farm Road 182 to the south;
- Properties in the 1<sup>st</sup> Phase of Iron Gate Subdivision and Destiny Church property zoned Medium-Density Single-Family Residential (R1-M) to the west

The requested zoning district, Medium-Density Single-Family Residential (R1-M) is consistent with use of adjacent property.

### **Capacity to Serve Potential Development and Land Use**

#### **Municipal Water and Sewer Service:**

City Water and Sewer systems have are prepared to serve this property if the application is approved.

The property has two separate gravity sewer mains onsite. A 15" main runs north-south on the east side of the property. A 10" main is present on the southwest corner of the site.

Effluent would travel through gravity lines to the Shuyler Creek Lift Station before being pumped to the Wastewater Treatment Facility.

Water is in proximity to the site from two points. A 6" water main is present along Ark Ave and terminates at the northern property line of the site. A second 6" water main approaches from the west running along Clearview Dr.

The water system, named Lift Stations, and Wastewater Treatment Facility currently have capacity to serve the intended use.

#### **Transportation:**

The City has requested a Traffic Impact Study (TIS), which is pending. Development of the property will require meeting the improvements as recommended by the TIS and as determined necessary by City Staff.

**Floodplain:** The subject parcel **does not** contain any areas of Special Flood Hazard Area (Floodplain).

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

### **Recommended Action**

Staff considers the **proposed Zoning Map Amendment (Rezoning)** to be generally consistent with the **goals and objectives of the Comprehensive Plan**, consistent with the **trend of development in the vicinity of the site, compatible with surrounding land uses, and able to be adequately served by**





**municipal facilities.** Based upon this analysis (performed without the benefit of evidence and testimony of a public hearing), **Staff recommends the approval of this application.**

**AN ORDINANCE OF THE CITY COUNCIL APPROVING AMENDMENT OF THE ZONING CLASSIFICATION OF APPROXIMATELY 40.46 ACRES OF REAL PROPERTY LOCATED AT 7217 WEST FARM ROAD 182, FROM AGRICULTURAL (AG) TO MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL (R1-M)**

**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**, Jim Henderson and David Messner (“Applicants”) submitted an application (“Application”) to the City’s BUILDS Department for an amendment to the Zoning Code and Official Zoning Map to rezone certain real property consisting of approximately 40.46 acres, located at 7217 West Farm Road 182 (“the Property”), from Agricultural (AG) to Medium Density Single-Family Residential (R1-M), and

**WHEREAS**, the City submitted the Application to the Planning and Zoning Commission (“PZ Commission”) and set a public hearing on the application for November 13, 2023; and

**WHEREAS**, on October 25, 2023, pursuant to Republic Municipal Code § 405.980, the City published notice of the time and date for the public hearing on the Application in the *Greene County Commonwealth*, a newspaper of general circulation in the City, such notice being at least fifteen (15) days before the public hearing; and

**WHEREAS**, pursuant to Republic Municipal Code § 405.980, the City gave notice of the public hearing on the Application to the record owners of all properties located within 185 feet of the Property, consistent with the information shown by the Greene County Assessor’s Office; and

**WHEREAS**, the PZ Commission conducted the public hearing on November 13, 2023, at which all interested persons and entities were afforded the opportunity to present evidence or statement, and after which the PZ Commission rendered written findings of fact and submitted those along with its recommendations to the Council; and

**WHEREAS**, the PZ Commission, by a vote of 6 Ayes to 0 Nays, recommended approval of the Application; and

**WHEREAS**, the Application was submitted to the City Council for first read at its regular meeting on November 14, 2023, and for second read at its regular meeting on December 12, 2023, after which the Council voted to approve the Application 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 to reflect the rezoning of the real property consisting of approximately 40.46 acres, located at 7217 West Farm Road 182 in Republic, Missouri, more fully described in the legal description herein below, from Agricultural (AG) to Medium Density Single-Family Residential (R1-M):

A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 28 NORTH, RANGE 23 WEST, GREENE COUNTY, MISSOURI, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22; THENCE SOUTH 02°00'28" WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER A DISTANCE OF 1,328.71 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH 88°07'17" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER A DISTANCE OF 1,328.67 FEET; THENCE NORTH 02°07'58" EAST A DISTANCE OF 1,327.56 FEET TO THE SOUTH LINE OF CENTURY PLACE 2ND ADDITION, AS RECORDED IN PLAT BOOK XX PAGE 14; THENCE SOUTH 88°06'42" EAST ALONG SAID SOUTH LINE A DISTANCE OF 660.60 FEET; THENCE SOUTH 88°13'52" EAST ALONG THE SOUTH LINE OF HIGHLAND MEADOWS PHASE 1 AS RECORDED IN PLAT BOOK YY PAGE 36 A DISTANCE OF 665.17 FEET TO THE POINT OF BEGINNING, AND CONTAINING 40.456 ACRES OF LAND, MORE OR LESS, SUBJECT TO EASEMENTS AND/OR RIGHTS OF WAY.

- 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 above are 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 \_\_\_\_\_, 2023.

**Attest:**

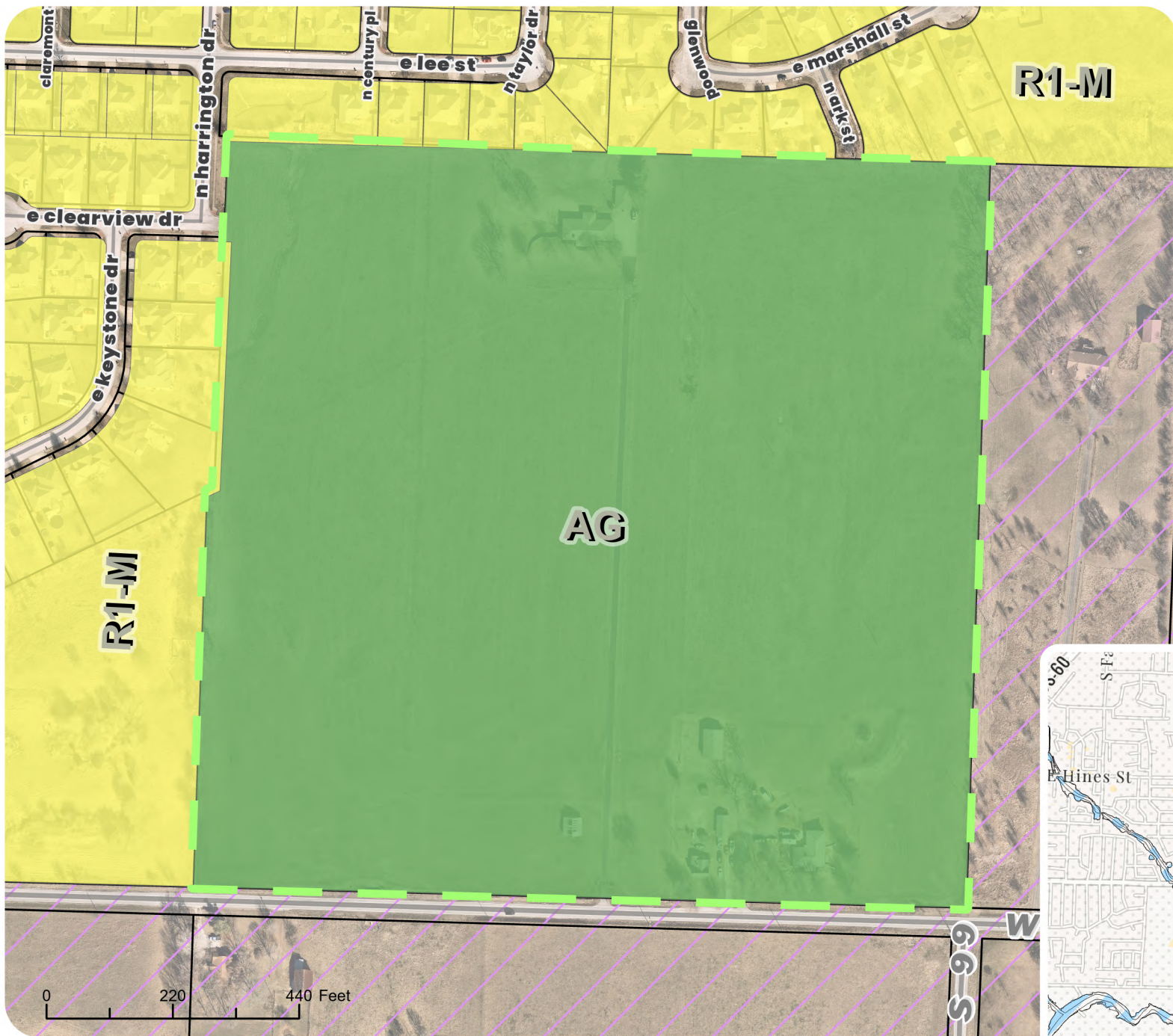
\_\_\_\_\_  
Matt Russell, Mayor

\_\_\_\_\_  
Laura Burbridge, City Clerk

**Approved as to Form:**

  
\_\_\_\_\_  
Megan McCullough, City Attorney

**Final Passage and Vote:**



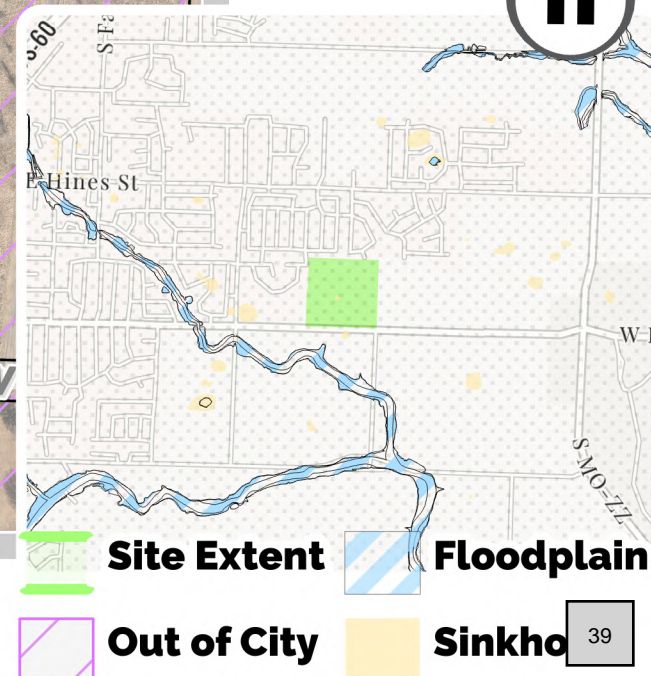
**Owner/Applicant**  
Henderson, Jim E

**ADDRESS**  
7217 W Farm Road 182

**ZONING**  
AGRICULTURAL (AG) |  
REQUESTED: R1-M

**WARD**  
1

**ACREAGE**  
40.456

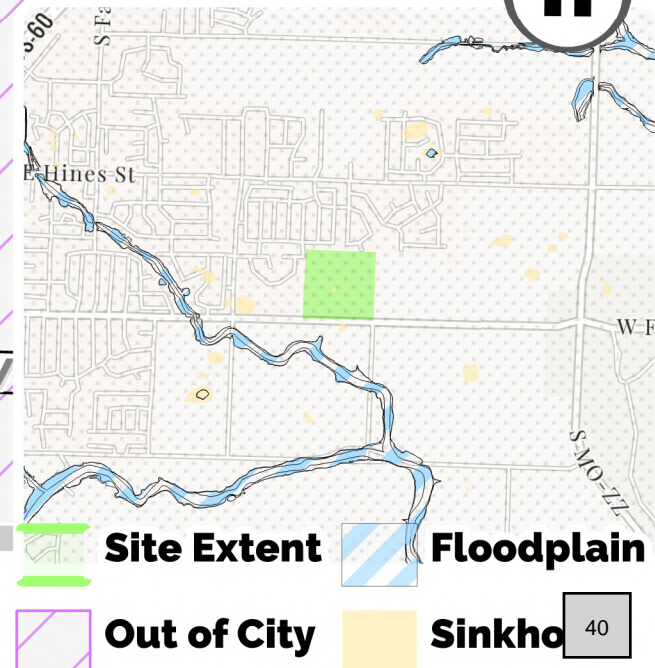


**7217 WEST FARM ROAD 182**  
**REZN 23-007 | REZONE**





**ACREAGE**  
**40.456**



7217 WEST FARM ROAD 182  
REZN 23-007 | REZONE

# Findings of Fact

Date of Hearing:

11/13/2023

Time:

6:00

Type of Application:

Rezoning

Name of Applicant:

7217 W Farm Road 182 (REZN 23-007)

Location:

City Council Chambers

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

Conforming to the City's adopted Land Use Plan

☒ Yes

☐ No

Conforming to the City's adopted Transportation Plan

☒ Yes

☐ No

Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.)

☒ Yes

☐ No

Compatible with surrounding land uses

☒ Yes

☐ No

Able to be adequately served by municipal infrastructure

☒ Yes

☐ No

Aligned with the purposes of RSMo. 89.040

☒ Yes

☐ No

Statement of Relevant Facts Found:

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

☒ Approval

☐ Denial

Commissioner Name:

Jeff Davis

Commissioner Signature:

Date:

11/13/2023

# Findings of Fact

Date of Hearing:

11/13/2023

Time:

6:00

Type of Application:

Rezone

Name of Applicant:

7217 W Farm Road 182 (REZN 23-007)

Location:

City Council Chambers

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

Conforming to the City's adopted Land Use Plan

☒ Yes

☐ No

Conforming to the City's adopted Transportation Plan

☒ Yes

☐ No

Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.)

☒ Yes

☐ No

Compatible with surrounding land uses

☒ Yes

☐ No

Able to be adequately served by municipal infrastructure

☒ Yes

☐ No

Aligned with the purposes of RSMo. 89.040

☒ Yes

☐ No

Statement of Relevant Facts Found:

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

☒ Approval

☐ Denial

Commissioner Name:

CYNTHIA HYDER

Commissioner Signature:

C. Hyder

Date:

11/13/23



# Findings of Fact

Date of Hearing:

11/13/2023

Time:

6:00

Type of Application:

Rezone

Name of Applicant:

7217 W Farm Road 182 (REZN 23-007)

Location:

City Council Chambers

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

Conforming to the City's adopted Land Use Plan

☒ Yes

☐ No

Conforming to the City's adopted Transportation Plan

☒ Yes

☐ No

Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.)

☒ Yes

☐ No

Compatible with surrounding land uses

☒ Yes

☐ No

Able to be adequately served by municipal infrastructure

☒ Yes

☐ No

Aligned with the purposes of RSMo. 89.040

☒ Yes

☐ No

Statement of Relevant Facts Found:

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

☒

Approval

☐

Denial

Commissioner Name:

Darran Campbell

Commissioner Signature:

Darran Campbell

Date:

11-13-23

# Findings of Fact

Date of Hearing:

11/13/2023

Time:

6:00

Type of Application:

Rezone

Name of Applicant:

7217 W Farm Road 182 (REZN 23-007)

Location:

City Council Chambers

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

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

## Statement of Relevant Facts Found:

240 acres AG → RI-M  
RI-M north A1 east A1 south RI-M west  
Water sewer onsite with capacity  
TIS pending  
No flood or sinkholes identified  
7003 concerns about water runoff from development and trespassers  
PM peak traffic @  
60 veh in peak  
30 veh out hour  
traffic

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

☒ Approval ☐ Denial

Commissioner Name:

Brian D. Doherty

Commissioner Signature:

Brian D. Doherty

Date:

11-13-23



# Findings of Fact

Date of Hearing:

11/13/2023

Time:

6:00

Type of Application:

Rezone

Name of Applicant:

7217 W Farm Road 182 (REZN 23-007)

Location:

City Council Chambers

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

Conforming to the City's adopted Land Use Plan

☒ Yes

☐ No

Conforming to the City's adopted Transportation Plan

☒ Yes

☐ No

Conforming to other adopted plans of the City (i.e. water, wastewater, parks, etc.)

☒ Yes

☐ No

Compatible with surrounding land uses

☒ Yes

☐ No

Able to be adequately served by municipal infrastructure

☒ Yes

☐ No

Aligned with the purposes of RSMo. 89.040

☒ Yes

☐ No

## Statement of Relevant Facts Found:

Newly annexed, consistent with development to the N + W.  
David Messner (applicant) present.  
Traffic Engineer doing assessment present. +60 in, +38 cars at peak  
George Caning (lives in development to the north) - traffic concerns? Home value?  
Mitchell Gardner (lives to the East) - water concerns, neighbor children on the land

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

☒ Approval

☐ Denial

Commissioner Name:

John Alexander

Commissioner Signature:

[Signature]

Date:

11/13/2023

# Findings of Fact

Date of Hearing:

11/13/2023

Time:

6:00

Type of Application:

Rezone

Name of Applicant:

7217 W Farm Road 182 (REZN 23-007)

Location:

City Council Chambers

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

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

## Statement of Relevant Facts Found:

Proposed rezone property is consistent with surrounding developed property.

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

☒ Approval

☐ Denial

Commissioner Name:

RANDY ELLIS

Commissioner Signature:

Randy Ellis

Date:

11/13/23



## **AGENDA ITEM ANALYSIS**

**Project/Issue Name:** 23-60 An Ordinance of the City Council Approving the Final Plat of The Woods.

**Submitted By:** Chris Tabor, BUILDS Department Principal Planner

**Date:** December 12, 2023

### **Issue Statement**

The City of Republic's BUILDS Department received an Application from Blake Cantrell Real Estate LLC for the Final Plat of The Woods PDD. The Development Plan for this site was previously approved as The Woods Planned Development District on June 22, 2021.

### **Discussion and/or Analysis**

The Final Plat of The Woods will legally divide approximately nine point nine-eight (9.98) acres of land into twenty-nine (29) Single-Family Residential lots meeting the requirements of the Development Plan for the PDD. The Final Plat will also convey the dedication of associated Right-of-Way, Utility, and Stormwater Easements to the City. The Final Plat includes approximately 2,362 linear feet of new street and an estimated 2,553 linear feet of sidewalk to be constructed in conjunction with the construction of new homes.

The Final Plat of The Woods conforms to the Development Plan for The Woods PDD as approved by City Council.

City Staff has reviewed the Final Plat and has determined that it substantially conforms to the requirements of the Approved Development Plan, in addition to the requirements of the City Code Chapter 410 Subdivision Regulations, and Article V Major Subdivision-Final Plat.

### **Recommended Action**

Staff recommends approval of the Final Plat of The Woods Planned Development District.



**AN ORDINANCE OF THE CITY COUNCIL APPROVING THE FINAL PLAT OF THE WOODS SUBDIVISION**

**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 June 22, 2021, via Ordinance 21-44, the Council approved the Planned Development District for The Woods Subdivision; and

**WHEREAS**, on or about October 26, 2023, Blake Cantrell and Blake Cantrell Real Estate, LLC ("Applicants") submitted an application to the BUILDS Department for review and approval of the Final Plat of The Woods Subdivision; and

**WHEREAS**, the BUILDS Department has reviewed the Applicants' proposed Final Plat for The Woods Subdivision and has determined it substantially conforms to the requirements of the approved Development Plan, the requirements of applicable City Code provisions including, but not necessarily limited to, Chapter 410 Subdivision Regulations, Article 410-V Major Subdivision--Final Plat.

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

- Section 1:** That all conditions imposed by the Planning and Zoning Commission and the City Council relating to the acceptance and approval of The Woods Subdivision have been met.
- Section 2:** That the Final Plat of The Woods Subdivision ("Attachment 1"), expressly incorporated herein at length, is hereby approved in all respects.
- Section 3:** That the approval of the Final Plat of The Woods Subdivision is contingent upon the same being recorded within sixty (60) days after the approval certificate is signed and sealed under the hand of the City Clerk.
- Section 4:** That neither the construction of structures nor the sale of lots in The Woods Subdivision shall commence until the Final Plat of The Woods Subdivision has been duly approved and recorded as required by law.
- Section 5:** The whereas clauses are hereby specifically incorporated herein by reference.
- Section 6:** 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 7:** 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 \_\_\_\_\_, 2023.

**Attest:**

---

Matt Russell, Mayor

---

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:**



## GRID NORTH

NOTE: ALL BEARINGS ARE BASED ON GPS OBSERVATIONS IN THIS PROJECT MO CENTRAL ZONE

## LEGEND

● = FOUND EXISTING IRON PIN OR PIPE.  
○ = SET IRON PIN (PLS-2007017965 CAP)  
(D) = DEED (M) = MEASURED  
U.E. = UTILITY EASEMENT

## PLAT NOTES:

1. TOTAL AREA = 434,888.2± SQ.FT. (9.98 AC±)
2. TOTAL NUMBER OF LOTS = 29
3. SMALLEST LOTS: LOTS 11,14,15,17,18,19 & 28 ALL CONTAIN 8,000.0± SQ.FT.
4. LARGEST LOT: LOT 22 13,522.2± SQ.FT.
5. THIS PROPERTY DOES NOT LAY WITHIN A FLOOD HAZARD ZONE ACCORDING TO FEMA FLOOD INSURANCE MAP, PANEL NUMBER 29077C0426E, EFFECTIVE DATE DECEMBER 17, 2010
6. HORIZONTAL AND VERTICAL DATUM BASED ON THE MISSOURI GEOGRAPHIC REFERENCE SYSTEM MONUMENT "GR-50"
7. RECORD SOURCE OF TITLE: BK. 2021, PG. 042148-21; BK. 2021, PG. 028159-21
8. CLASS OF PROPERTY = URBAN
9. PERMANENT MONUMENT LOT CORNERS ARE A 5/8" REBAR, 24" IN LENGTH WITH AN ALUMINUM CAP STAMPED "2007017965", ALL OTHER LOT CORNERS (SEMI-PERMANENT) ARE A 1/2" REBAR, 18" IN LENGTH WITH A PLASTIC CAP STAMPED "2007017965" UNLESS OTHERWISE NOTED.
10. ALL LOT CORNERS SHALL BE SET WITHIN 90 DAYS AFTER THE DATE OF RECORDING OF THIS PLAT
11. CURRENT PROPERTY ZONING: THE WOODS (PDD APPROVAL: ORD. 21-44, APPROVED JUNE 22, 2021)
12. UNLESS SHOWN OTHERWISE, THE MINIMUM BUILDING SETBACKS ARE AS FOLLOWS: FRONT: 20' - SIDE: 6' - REAR: 25' - SIDE YARD W/ STREET FRONTAGE: 15' BASED ON CITY OF REPUBLIC REQUIREMENTS FOR PDD.
13. NO STRUCTURES ARE TO BE BUILT BETWEEN THE RIGHT OF WAY LINE AND BUILDING SETBACK LINE.
14. BUILDINGS SHALL BE A MINIMUM OF TWELVE (12) FEET APART PER THE APPROVED DEVELOPMENT PLAN.
15. MAINTENANCE OF ANY AREA REFERRED TO, OR AS SHOWN AS COMMON AREA SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.

## CERTIFICATE OF OWNERSHIP &amp; DEDICATION:

AS OWNER I HAVE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED, AND ALL ACCESS RIGHTS RESERVED AND DEDICATED AS REPRESENTED ON THE PLAT.

OWNER AND/OR SUBDIVIDER:

DATE

## ACKNOWLEDGMENT

STATE OF MISSOURI )  
SS  
COUNTY OF GREENE )

ON THIS DAY OF 2023, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED \_\_\_\_\_, LLC., TO ME PERSONALLY KNOWN TO BE THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT MY OFFICE IN SAID COUNTY AND STATE AND DAY AND YEAR LAST WRITTEN ABOVE.

NOTARY PUBLIC

MY COMMISSION EXPIRES

CERTIFICATE OF APPROVAL BY THE  
COMMUNITY DEVELOPMENT DEPARTMENT

IN ACCORDANCE WITH THE PROVISIONS AS SET FORTH IN THE SUBDIVISION REGULATIONS OF REPUBLIC, MISSOURI, I \_\_\_\_\_ DO HEREBY CERTIFY THAT ON THE DAY OF 2023, THE COMMUNITY DEVELOPMENT DEPARTMENT APPROVED THE REQUEST FOR MINOR SUBDIVISION FOR \_\_\_\_\_

ANY FURTHER SUBDIVISION OF THE ABOVE DESCRIBED LAND OR MODIFICATIONS OF THE LAND DESCRIPTION(S) WILL REQUIRE REAPPROVAL IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF REPUBLIC, MISSOURI.

COMMUNITY DEVELOPMENT DEPARTMENT

DATE

CERTIFICATE OF COMPLIANCE  
WITH ZONING & SUBDIVISION REGULATIONS:

I, \_\_\_\_\_, CITY PLANNER OF THE CITY OF REPUBLIC, MISSOURI, DO HEREBY CERTIFY ON THE DAY OF 2023, THAT THE FINAL PLAT OF "THE WOODS" CONFORMS TO THE CITY OF REPUBLIC LAND USE REGULATIONS, IN ACCORDANCE WITH TITLE IV OF THE REPUBLIC CODE OF ORDINANCES.

SIGNATURE:

DATE:

## CERTIFICATE OF TAXES PAID

THERE ARE NO UNPAID TAXES DUE AND PAYABLE AT THE TIME OF PLAT APPROVAL AND NO UNPAID SPECIAL ASSESSMENTS, WHETHER OR NOT DUE AND PAYABLE AT THE TIME OF PLAT APPROVAL ON ANY OF THE LANDS INCLUDED IN THIS PLAT, AND ALL OUTSTANDING TAXES AND SPECIAL ASSESSMENTS HAVE BEEN PAID ON ALL PROPERTY DEDICATED TO PUBLIC USE.

PARCEL No# 1715200263 AND 1715200316

COUNTY COLLECTION OFFICIAL

DATE:

## APPROVAL BY THE CITY COUNCIL:

I, \_\_\_\_\_, CITY CLERK OF THE CITY OF REPUBLIC, GREENE COUNTY, MISSOURI, DO HEREBY CERTIFY THAT THE PLAT OF "THE WOODS" WAS PRESENTED TO, ACCEPTED AND APPROVED BY THE CITY COUNCIL OF SAID CITY OF REPUBLIC, AND APPROVED BY GENERAL ORDINANCE No. \_\_\_\_\_ ON THE DAY OF 2023.

CITY CLERK

DATE:

## THE WOODS

A P.D.D. LOCATED IN THE SW¼ NW¼ OF SEC. 15, T28N, R23W  
REPUBLIC, GREENE COUNTY, MISSOURI.

OWNER/DEVELOPER:  
BLAKE CANTRELL REAL ESTATE, LLC  
811 U.S. HIGHWAY 60 ROAD  
REPUBLIC, MO 65738

0 40 80 120  
SCALE: 1" = 40'



## DESCRIPTION:

SOURCE OF TITLE: BK. 2021, PG. 028159-21

A PARCEL OF LAND BEING A PART OF THE SOUTHWEST QUARTER (SW¼) OF THE NORTHWEST QUARTER (NW¼) OF SECTION 15, TOWNSHIP 28 NORTH, RANGE 23 WEST OF THE 5TH P.M. IN THE CITY OF REPUBLIC, GREENE COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING FROM AN EXISTING 5/8 INCH REBAR LS 2334 AT THE WEST 1/4 CORNER OF SAID SECTION 15, THENCE S88°26'18"E, ALONG THE SOUTH LINE OF SAID SW¼ OF THE NW¼, 331.72 FEET TO AN EXISTING 1/2 INCH REBAR LS 2334; THENCE S88°01'33"E, ALONG SAID SOUTH LINE OF THE SW¼ OF THE NW¼, 331.82 FEET TO AN EXISTING IRON PIN FOR THE POINT OF BEGINNING; THENCE S88°14'51"E, CONTINUING ALONG SAID SOUTH LINE, 165.88 FEET; THENCE N01°44'05"E, 1324.35 FEET TO AN EXISTING 1/2 INCH REBAR LS 2334 ON THE NORTH LINE OF SAID SW¼ OF THE NW¼; THENCE N88°18'40"W, ALONG SAID NORTH LINE, 166.63 FEET TO AN EXISTING 1/2 INCH REBAR LS 2334; THENCE N88°27'36"W, CONTINUING ALONG SAID NORTH LINE, 333.33 FEET TO AN EXISTING 1/2 INCH REBAR LS 2334; THENCE S01°38'48"W, 665.96 FEET TO AN IRON PIN; THENCE S88°28'04"E, 332.61 FEET TO AN IRON PIN; THENCE S01°41'44"W, 658.25 FEET TO THE POINT OF BEGINNING. SUBJECT TO THAT PART TAKEN, DEEDED OR USED FOR ROAD, STREET OR HIGHWAY PURPOSES ACROSS THE SOUTH SIDE THEREOF. ALSO, SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND COVENANTS OF RECORD. BEARINGS ARE BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

## SURVEYOR'S NOTE:

ADJOINING LAND OWNERS AND THEIR DEED BOOK AND PAGES ARE BASED UPON INFORMATION OBTAINED FROM THE GREENE COUNTY ON-LINE WEBSITE SERVICES. (PROVIDED BY OTHERS)

## DECLARATION BY SURVEYOR

I HEREBY DECLARE TO BLAKE CANTRELL REAL ESTATE, LLC., THAT THE INFORMATION CONTAINED HEREON IS BASED UPON AN ACTUAL SURVEY OF THE LAND DESCRIBED HEREIN, WHICH WAS PERFORMED TO THE BEST OF MY KNOWLEDGE AND BELIEF, IN ACCORDANCE WITH THE JOINT STANDARDS FOR PROPERTY SURVEYS AS PUBLISHED BY THE MISSOURI DEPARTMENT OF AGRICULTURE AND THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS DATED JUNE 30, 2017 AND BASED ON INFORMATION PROVIDED BY THE CLIENT.

MONUMENTS AND PINS SHOWN AS SET WERE PLACED UNDER MY REVIEW AND SUPERVISION.

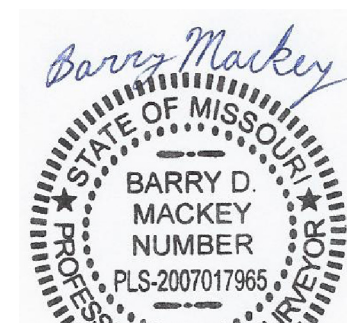
PHYSICAL EVIDENCE OF IMPROVEMENTS IS SHOWN FROM INFORMATION TAKEN BY VISUAL INSPECTION OF THE PREMISES. EASEMENTS SHOWN ARE THOSE WRITTEN, PROVIDED, OR DISCOVERED AND MAY NOT BE ALL INCLUSIVE.

APPARENT OWNERSHIPS AS SHOWN ARE BASED UPON INFORMATION PROVIDED BY OTHERS AND DO NOT REPRESENT AN OPINION AS TO TITLE.

THIS PLAT OF SURVEY IS AN INSTRUMENT OF SERVICE AND IS NOT TO BE USED BY ANYONE OTHER THAN THOSE TO WHOM IT HAS BEEN CERTIFIED UNLESS IT HAS BEEN UPDATED AND RE-CERTIFIED BY THE UNDERSIGNED.

TYPE OF SURVEY: URBAN

<b>O &amp; M SURVEYING</b> (417) 852-1405 (417) 850-1171		LAND SURVEYORS, PLANNERS, & CONSTRUCTION STAKING 472 TROUT ROAD OZARK, MISSOURI 65721	PROFESSIONAL LAND SURVEYOR REG. NUMBER: PLS-2007017965 CORPORATION No. #2022004477
CLIENT:	BLAKE CANTRELL REAL ESTATE, LLC		JOB No.: 22151
DESCRIPTION:	MAJOR SUBDIVISION SURVEY		DATE: 10-20-2023
LOCATION:	SW¼ NW¼, SEC. 15, T28N, R23W REPUBLIC, GREENE COUNTY, MO		SCALE: 1" = 40'
ORDERED BY:	CLIENT		DRAWN BY: JES CHECKED BY: BDM DWG. No.: 22151-1 SHEET #1 OF 2





## GRID NORTH

NOTE: ALL BEARINGS ARE BASED ON  
GPS OBSERVATIONS IN THIS PROJECT  
MO CENTRAL ZONE

## LEGEND

- = FOUND EXISTING IRON PIN OR PIPE.  
○ = SET IRON PIN (PLS-2007017965 CAP)  
(D) = DEED (M) = MEASURED  
— x — x — x — EXISTING FENCE.

LOCATION SKETCH  
NW¼ SEC 15, T28N, R23W  
1"=1000'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	100.00'	35.06'	34.88'	N09°06'45"W	20°05'08"
C2	25.00'	36.85'	33.60'	N23°04'16"E	84°27'10"
C3	472.71'	60.16'	60.12'	S66°54'12"W	7°13'23"
C4	297.00'	61.21'	61.10'	S66°36'39"W	11°48'27"
C5	210.00'	0.92'	0.92'	N46°13'17"E	0°15'07"
C6	210.00'	36.40'	35.56'	S59°23'55"W	26°18'09"
C7	540.00'	8.85'	8.85'	N72°10'49"E	0°56'20"
C8	540.00'	72.68'	72.62'	N67°51'19"E	7°42'40"
C9	25.00'	38.62'	34.89'	S71°44'50"E	88°30'21"
C10	75.00'	38.15'	37.74'	S12°52'26"E	29°08'28"
C11	25.00'	39.13'	35.26'	S46°29'10"W	89°40'45"
C12	75.00'	26.24'	26.11'	S81°18'04"W	20°02'56"
C13	75.00'	50.00'	49.08'	S52°10'47"W	38°11'38"
C14	75.00'	41.03'	40.52'	N17°24'32"E	31°20'52"
C15	75.00'	57.71'	56.30'	N20°18'38"W	44°05'27"
C16	75.00'	60.35'	58.73'	S65°24'29"E	46°06'14"
C17	25.00'	21.03'	20.41'	S64°21'54"E	48°11'23"
C18	50.00'	14.74'	14.68'	N48°42'50"W	16°53'14"
C19	50.00'	53.91'	51.34'	S88°02'46"E	61°46'37"
C20	50.00'	50.00'	47.84'	N32°25'04"E	57°17'45"
C21	50.00'	43.91'	42.51'	N21°23'12"W	50°18'46"
C22	25.00'	21.03'	20.41'	S22°26'53"E	48°11'23"
C23	25.00'	21.03'	20.41'	S25°44'30"W	48°11'23"
C24	50.00'	64.12'	59.81'	N13°03'58"E	73°28'26"
C25	50.00'	50.77'	48.62'	S52°43'35"E	58°10'41"
C26	50.00'	64.83'	60.38'	S61°02'27"W	74°17'14"
C27	50.00'	61.44'	57.65'	N11°18'23"W	70°24'26"
C28	25.00'	21.01'	20.40'	S22°26'54"E	48°09'24"
C29	25.00'	39.22'	35.32'	S46°35'36"W	89°53'36"
C30	25.00'	39.32'	35.39'	N43°24'25"W	90°06'22"
C31	125.00'	62.72'	62.06'	N17°43'59"W	28°44'53"
C32	25.00'	22.25'	21.53'	N01°36'05"W	51°00'01"
C33	25.00'	17.08'	16.75'	N43°28'29"E	39°09'06"
C34	25.00'	39.22'	35.32'	N46°35'36"E	89°53'36"
C35	25.00'	20.12'	19.58'	N65°24'29"W	46°06'14"
C36	25.00'	19.24'	18.77'	S20°18'38"E	44°05'27"
C37	25.00'	39.18'	35.30'	N46°38'15"E	89°48'19"
C38	25.00'	39.32'	35.39'	S43°24'23"E	90°06'23"
C39	390.00'	5.95'	5.95'	S62°36'48"W	0°52'28"
C40	390.00'	16.85'	16.85'	N60°56'17"E	2°28'32"
C41	100.00'	1.34'	1.34'	N01°18'47"E	0°45'55"
C42	15.00'	26.43'	23.14'	S68°27'58"E	100°59'01"
C43	50.00'	15.43'	15.37'	S07°08'38"E	17°40'41"

## SURVEYOR'S NOTE:

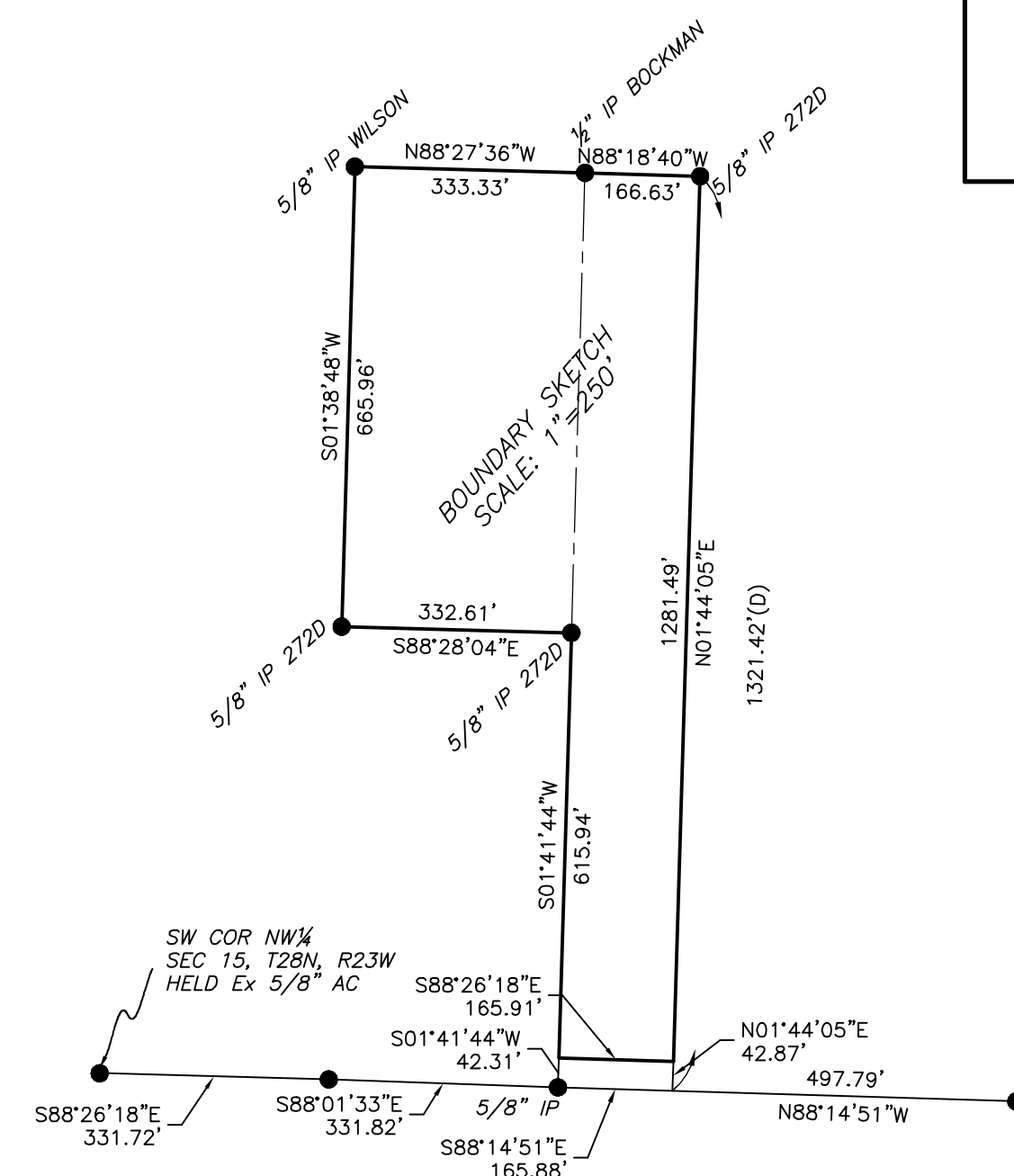
ADJOINING LAND OWNERS AND THEIR DEED  
BOOK AND PAGES ARE BASED UPON  
INFORMATION OBTAINED FROM THE GREENE  
COUNTY ON-LINE WEBSITE SERVICES.  
(PROVIDED BY OTHERS)

## THE WOODS

A P.D.D. LOCATED IN THE SW¼ NW¼ OF SEC. 15, T28N, R23W  
REPUBLIC, GREENE COUNTY, MISSOURI.

OWNER/DEVELOPER:  
BLAKE CANTRELL REAL ESTATE, LLC  
811 U.S. HIGHWAY 60 ROAD  
REPUBLIC, MO 65738

0 40 80 120  
SCALE: 1" = 40'





**Owner/Applicant**  
Blake Cantrell Real Estate, LLC

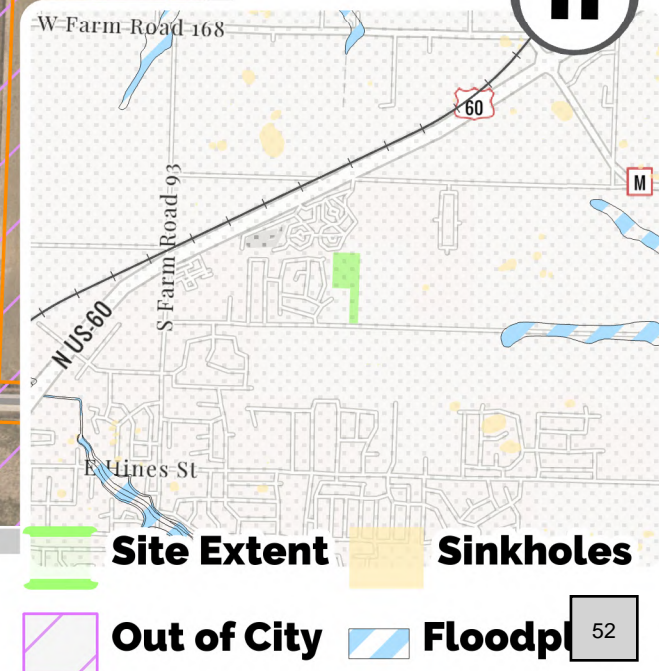
**ADDRESS**  
W FARM ROAD 174

**ZONING**  
THE WOODS PDD | REQUESTED:  
N/A

**WARD**  
1

**ACREAGE**  
9.98

**TOTAL LOTS**  
29



**THE WOODS**  
**SUBD-FNL 23-007 | FINAL PLAT**





## **AGENDA ITEM ANALYSIS**

**Project/Issue Name:** 23-61 An Ordinance of the City Council Approving the Final Plat of Greenfield Estates Subdivision.

**Submitted By:** Chris Tabor, BUILDS Department Principal Planner

**Date:** December 12, 2023

### **Issue Statement**

The City of Republic's BUILDS Department received an Application from Enterprise Developments LLC for the Final Plat of Greenfield Estates. The Preliminary Plat for Greenfield Estates was approved by City Council on May 16, 2023.

### **Discussion and/or Analysis**

The Final Plat of Greenfield Estates will legally divide approximately twenty-three point four-eight (23.48) acres of land into eighty (80) lots zoned High-Density Single-Family Residential (R1-H). The Final Plat will also convey the dedication of associated Right-of-Way, Utility, and Stormwater Easements to the City. The Final Plat includes approximately 5,036 linear feet of new street and 5,462 linear feet of new sidewalk.

City Staff has reviewed the Final Plat for Greenfield Estates and has determined that it substantially conforms to the requirements of the Approved Preliminary Plat, in addition to the requirements of the City Code Chapter 410 Subdivision Regulations, and Article V Major Subdivision-Final Plat.

### **Recommended Action**

Staff recommends approval of the Final Plat of Greenfield Estates Subdivision.

**AN ORDINANCE OF THE CITY COUNCIL APPROVING THE FINAL PLAT OF  
GREENFIELD ESTATES SUBDIVISION**

**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 September 15, 2020, via Resolution 20-R-34, City Council approved the Preliminary Plat for Greenfield Estates Subdivision; and

**WHEREAS**, following such approval, construction of the Greenfield Estates Subdivision was not completed within the required time frame, resulting in expiration of the approval; and

**WHEREAS**, on or about May 16, 2023, via Resolution 23-R-30, the Council approved of a second version of the Preliminary Plat for Greenfield Estates Subdivision; and

**WHEREAS**, on or about November 7, 2023, Enterprise Developments, LLC (“Applicant”) submitted an application to the BUILDS Department for review and approval of the Final Plat of the Greenfield Estates Subdivision; and

**WHEREAS**, the BUILDS Department has reviewed the Applicant’s proposed Final Plat for Greenfield Estates Subdivision and has determined it substantially conforms to the requirements of the approved Development Plan, the requirements of applicable City Code provisions including, but not necessarily limited to, Chapter 410 Subdivision Regulations, Article 410-V Major Subdivision--Final Plat.

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

- Section 1:** That all conditions imposed by the Planning and Zoning Commission and the City Council relating to the acceptance and approval of Greenfield Estates Subdivision have been met.
- Section 2:** That the Final Plat of Greenfield Estates Subdivision (“Attachment 1”), expressly incorporated herein at length, is hereby approved in all respects.
- Section 3:** That the approval of the Final Plat of Greenfield Estates Subdivision is contingent upon the same being recorded within sixty (60) days after the approval certificate is signed and sealed under the hand of the City Clerk.
- Section 4:** That neither the construction of structures nor the sale of lots in Greenfield Estates Subdivision shall commence until the Final Plat of Greenfield Estates Subdivision has been duly approved and recorded as required by law.
- Section 5:** The whereas clauses are hereby specifically incorporated herein by reference.
- Section 6:** 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 7:** 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 \_\_\_\_\_, 2023.

**Attest:**

\_\_\_\_\_  
Matt Russell, Mayor

\_\_\_\_\_  
Laura Burbridge, City Clerk

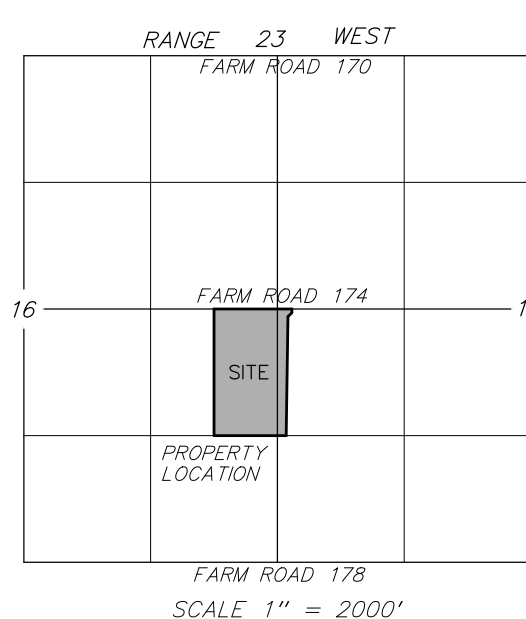
**Approved as to Form:**

  
\_\_\_\_\_

Megan McCullough, City Attorney

**Final Passage and Vote:**





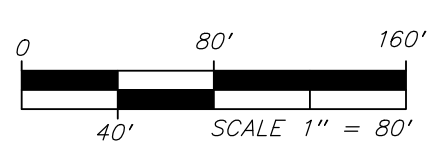
LINE	BEARING	DISTANCE
L-12	S 88°14'24" E	140.45'
L-13	S 01°45'36" W	39.35'
L-14	S 46°56'41" W	57.01'
L-15	N 88°11'36" W	88.36'

## BASIS OF BEARINGS

GRID NORTH  
MISSOURI COORDINATE  
SYSTEM OF 1983  
CENTRAL ZONE

## BENCHMARK

MISSOURI GEOGRAPHIC  
REFERENCE SYSTEM  
MONUMENT F-5  
ELEVATION 1291.09  
VERTICAL DATUM  
NAVD 1988



RICK WILSON  
BOOK 2019  
PAGE 029236-19

ISAAC A ROBERTS  
KERI ROBERTS  
BOOK 2015  
PAGE 021293-15

RANDY RICHESIN  
BOOK 2017  
PAGE 046677-17

## CURVE DATA

#	Radius	Delta	Length	Chord	Tangent	Chord Bearing
1	15.00'	89°05' 55"	23.33'	21.05'	14.77'	N 46°56' 41" E
2	15.00'	32°12' 15"	8.43'	4.33'	7.22'	S 72°24' 14" E
3	50.00'	75°14' 55"	65.67'	61.05'	38.54'	S 86°04' 26" W
4	15.00'	32°12' 15"	8.43'	4.33'	7.22'	N 14°10' 18" W
5	15.00'	89°33' 48"	23.45'	21.13'	14.89'	N 46°42' 44" E
6	15.00'	90°54' 05"	23.80'	21.38'	15.24'	N 43°03' 19" W
7	15.00'	89°05' 55"	23.33'	21.05'	14.77'	N 46°56' 41" E
8	15.00'	90°26' 12"	23.68'	21.29'	15.11'	S 43°17' 16" E
9	15.00'	89°33' 48"	23.45'	21.13'	14.89'	S 46°42' 44" W
10	15.00'	89°33' 48"	23.45'	21.13'	14.89'	S 46°42' 44" W
11	15.00'	90°26' 12"	23.68'	21.29'	15.11'	S 43°17' 16" E
12	15.00'	89°05' 55"	23.33'	21.05'	14.77'	N 46°56' 41" E
13	15.00'	90°54' 05"	23.80'	21.38'	15.24'	N 43°03' 19" W
14	15.00'	90°54' 05"	23.80'	21.38'	15.24'	N 43°03' 19" W
15	15.00'	89°05' 55"	23.33'	21.05'	14.77'	N 46°56' 41" E
16	15.00'	90°26' 12"	23.68'	21.29'	15.11'	S 43°17' 16" E
17	15.00'	89°33' 48"	23.45'	21.13'	14.89'	S 46°42' 44" W
18	15.00'	90°54' 05"	23.80'	21.38'	15.24'	N 43°03' 19" W
19	15.00'	89°33' 48"	23.45'	21.13'	14.89'	S 46°42' 44" W
20	15.00'	90°26' 12"	23.68'	21.29'	15.11'	S 43°17' 16" E
21	15.00'	89°05' 55"	23.33'	21.05'	14.77'	N 46°56' 41" E
22	15.00'	90°54' 05"	23.80'	21.38'	15.24'	N 43°03' 19" W
23	50.00'	78°43' 24"	68.70'	63.42'	41.01'	S 09°05' 17" W

## LOT AREAS

1	8233 sq.ft. (0.18901 acres)
2	7100 sq.ft. (0.16299 acres)
3	7100 sq.ft. (0.16299 acres)
4	7100 sq.ft. (0.16299 acres)
5	7100 sq.ft. (0.16299 acres)
6	7100 sq.ft. (0.16299 acres)
7	7100 sq.ft. (0.16299 acres)
8	11895 sq.ft. (0.27307 acres)
9	12118 sq.ft. (0.27819 acres)
10	7145 sq.ft. (0.16403 acres)
11	7000 sq.ft. (0.16070 acres)
12	7000 sq.ft. (0.16070 acres)
13	7000 sq.ft. (0.16070 acres)
14	7000 sq.ft. (0.16070 acres)
15	7000 sq.ft. (0.16070 acres)
16	7000 sq.ft. (0.16070 acres)
17	7000 sq.ft. (0.16070 acres)
18	7000 sq.ft. (0.16070 acres)
19	7000 sq.ft. (0.16070 acres)
20	7000 sq.ft. (0.16070 acres)
21	7000 sq.ft. (0.16070 acres)
22	8414 sq.ft. (0.19317 acres)
23	9946 sq.ft. (0.22832 acres)
24	12188 sq.ft. (0.27979 acres)
25	8375 sq.ft. (0.19226 acres)
26	7261 sq.ft. (0.16669 acres)
27	7261 sq.ft. (0.16669 acres)
28	7261 sq.ft. (0.16669 acres)
29	7261 sq.ft. (0.16669 acres)
30	7261 sq.ft. (0.16669 acres)
31	8489 sq.ft. (0.19488 acres)
32	8414 sq.ft. (0.19317 acres)
33	7261 sq.ft. (0.16669 acres)
34	7261 sq.ft. (0.16669 acres)
35	7261 sq.ft. (0.16669 acres)
36	7261 sq.ft. (0.16669 acres)
37	7261 sq.ft. (0.16669 acres)
38	8529 sq.ft. (0.19579 acres)
39	8375 sq.ft. (0.19226 acres)
40	7301 sq.ft. (0.16762 acres)
41	7301 sq.ft. (0.16762 acres)
42	7301 sq.ft. (0.16762 acres)
43	7301 sq.ft. (0.16762 acres)
44	7301 sq.ft. (0.16762 acres)
45	8489 sq.ft. (0.19488 acres)
46	8414 sq.ft. (0.19317 acres)
47	7301 sq.ft. (0.16762 acres)
48	7301 sq.ft. (0.16762 acres)
49	7301 sq.ft. (0.16762 acres)
50	7301 sq.ft. (0.16762 acres)
51	7301 sq.ft. (0.16762 acres)
52	8529 sq.ft. (0.19579 acres)
53	8375 sq.ft. (0.19226 acres)
54	7342 sq.ft. (0.16855 acres)
55	7342 sq.ft. (0.16855 acres)
56	7342 sq.ft. (0.16855 acres)
57	7342 sq.ft. (0.16855 acres)
58	7342 sq.ft. (0.16855 acres)
59	8489 sq.ft. (0.19488 acres)
60	8414 sq.ft. (0.19317 acres)
61	7342 sq.ft. (0.16855 acres)
62	7342 sq.ft. (0.16855 acres)
63	7342 sq.ft. (0.16855 acres)
64	7342 sq.ft. (0.16855 acres)
65	7342 sq.ft. (0.16855 acres)
66	8529 sq.ft. (0.19579 acres)
67	8768 sq.ft. (0.20129 acres)
68	7419 sq.ft. (0.17033 acres)
69	7300 sq.ft. (0.16758 acres)
70	7300 sq.ft. (0.16758 acres)
71	7300 sq.ft. (0.16758 acres)
72	7300 sq.ft. (0.16758 acres)
73	8389 sq.ft. (0.19258 acres)
74	8314 sq.ft. (0.19087 acres)
75	7300 sq.ft. (0.16758 acres)
76	7300 sq.ft. (0.16758 acres)
77	7300 sq.ft. (0.16758 acres)
78	7300 sq.ft. (0.16758 acres)
79	7419 sq.ft. (0.17033 acres)
80	8922 sq.ft. (0.20482 acres)

STATE PLANE COORDINATES  
(GIVEN IN FEET)

Corner	Northing	Easting
A	474,377.87	1,365,414.44
B	474,373.56	1,365,554.82
C	474,334.23	1,365,553.61
D	474,295.31	1,365,511.96
E	473,043.64	1,365,459.60
F	473,046.43	1,365,371.28
G	473,064.17	1,364,699.20
H	474,395.35	1,364,744.07

LOT 1  
WILSON'S CREEK VILLAS  
PLAT BOOK AAA PAGE 880

LOT 3  
WILSON'S CREEK VILLAS  
PLAT BOOK AAA PAGE 880

LOT 4  
WILSON'S CREEK VILLAS  
PLAT BOOK AAA PAGE 880

LOT 5  
WILSON'S CREEK VILLAS  
PLAT BOOK AAA PAGE 880

ROGER BYRNS  
BOOK 2005  
PAGE 067227-05

JAMES OSBORNE  
BOOK 2022  
PAGE 050005-22

LEONARD HAND  
BOOK 2837  
PAGE 0905

RANKIN ACRES  
LEONARD 10  
BOOK 2844  
PAGE 2561

CLIFF HERNDON  
BOOK 2012  
PAGE 11776-12

JAMES A SHULL  
BOOK 2007  
PAGE 056497-07

FINAL PLAT  
GREENFIELD ESTATES

A PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 16 AND  
A PART OF THE NW 1/4 OF THE SW 1/4 OF SECTION 15  
TOWNSHIP 28 NORTH, RANGE 23 WEST  
REPUBLIC, GREENE COUNTY, MISSOURI

## OWNER

Mike Cronkhite  
Enterprise Developments, LLC  
1526 S Enterprise Avenue  
Springfield, MO 65804  
mike@cronkhitehomes.com  
(417)766-3431

## PROPERTY DESCRIPTION

BOOK 2023 PAGE 013461-23

BEGINNING AT AN EXISTING SURVEY MONUMENT (5/8" IRON REBAR WITH ALUMINUM CAPPED "LS 2334") MARKING THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 28, RANGE 23, GREENE COUNTY, MISSOURI; THENCE ALONG THE NORTH LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 28, RANGE 23, SOUTH 88°14'24" EAST, A DISTANCE OF 140.45 FEET TO A SURVEY MONUMENT SET (5/8" IRON REBAR CAPPED "LS-2670"); THENCE SOUTH 01°45'36" WEST, A DISTANCE OF 39.35 FEET TO A SURVEY MONUMENT SET (5/8" IRON REBAR CAPPED "LS-2670") AT A POINT BEING 40.00 FEET SOUTH OF THE CENTERLINE OF FARM ROAD 174 AS IT NOW EXISTS; THENCE SOUTH 46°56'41" WEST, A DISTANCE OF 57.01 FEET TO A SURVEY MONUMENT SET (5/8" IRON REBAR CAPPED "LS 1126") MARKING THE SOUTHEAST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 16; THENCE NORTH 88°29'18" WEST, A DISTANCE OF 672.32 FEET TO AN EXISTING SURVEY MONUMENT (5/8" IRON REBAR CAPPED "LS 1126") ON THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE ALONG SAID SOUTH LINE, NORTH 88°11'36" WEST, A DISTANCE OF 88.36 FEET TO AN EXISTING SURVEY MONUMENT (5/8" IRON REBAR CAPPED "LS 1126") MARKING THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 16; THENCE NORTH 88°29'18" WEST, A DISTANCE OF 672.32 FEET TO AN EXISTING SURVEY MONUMENT (5/8" IRON REBAR CAPPED "LS 1126") ON THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE ALONG THE WEST LINE OF SAID EAST HALF, NORTH 01°55'50" EAST, A DISTANCE OF 1331.94 FEET TO AN EXISTING SURVEY MONUMENT (RAILROAD SPIKE) ON THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER SECTION 16; THENCE ALONG SAID NORTH LINE, SOUTH 88°30'22" EAST, A DISTANCE OF 670.60 FEET TO THE POINT OF BEGINNING, CONTAINING 23.48 ACRES, BEARINGS LISTED ARE BASED ON MISSOURI STATE PLANE, CENTRAL ZONE, NAD83 (2011), SUBJECT TO ANY EASEMENTS OF RECORD, EXCEPT ANY PART THEREOF TAKEN OR USED FOR ROAD OR HIGHWAY PURPOSES.

## LINE DIMENSIONS FOR EASEMENTS

LINE	BEARING	DISTANCE
L-1	N 01°55' 50" E	28.69'
L-2	S 88°04' 10" E	15.00'
L-3	N 01°55' 50" E	24.67'
L-4	N 46°42' 44" E	31.07'
L-5	N 43°17' 16" W	31.16'
L-6	N 46°42' 44" E	31.07'
L-7	S 43°17' 16" E	31.16'

## SITE INFORMATION

Total Area = 23.48 Acres

Total Number Of Lots - 80

Area in Lots 617634.30 sq.ft. (14.17893 acres)

Average Lot Size = 7,720.43 Square Feet

Area in Common Area 74562.50 sq.ft. (1.71172 acres)

Area in Street Right of Way 330619.84 sq.ft. ( 7.58999 acres)

Density = 3.41 Lots/Acre

Zoning = RI-H High Density Single-Family Residential District

Source of Title BOOK 2023 PAGE 013461-23

This Property Does Not Lie Withing A Flood Hazard Area As Determined By The Flood Insurance Rate Map Number 29077 C 0314 E Dated 12-17-2010.

No fences, plantings or obstructions other than mailboxes permitted within the limits of any right of way or drainage easement.

No structures are to be built between the right of way line and building setback line.

Minimum Building Setbacks:

Front - 25 Feet  
Rear - 25 Feet  
Side - 6 Feet  
Side Adjacent to Street - 15 Feet

There is A 10' Utility Easement Adjacent To All Street Right Of Way And Along The Rear Of All Lots.

No Direct Access Permitted From Any Lot To Farm Road 174.

Proposed Street Right of Way Widths:  
Bailey Avenue = 80 feet  
All other Streets = 50 Feet

Centerline bearings of streets are the same as adjacent lot lines.

Lot corners are 18" - 5/8" iron pins with plastic caps (GPS-2010000563)

Permanent monuments are 24" - 5/8" iron pins with 2" diameter aluminum caps.

5' Wide Sidewalk On One Side Of Street.  
Bailey Avenue - West Side  
Labrador Avenue - West Side  
Timber Oak Street - North Side  
Terrier Street - North Side  
Shepard Street - North Side  
Spaniel Street - South Side  
Beagle Street - North Side

## ADDITIONAL NOTES

MINIMUM FINISHED FLOOR ELEVATIONS SHALL BE ESTABLISHED FOR LOT 23 AT 1282.00. (ONE FOOT ABOVE THE ADJACENT DETENTION OVERFLOW ELEVATION)

OWNERSHIP AND MAINTENANCE OF OPEN SPACE/COMMON AREAS AND DRAINAGE/DETENTION EASEMENT SHALL BE ESTABLISHED THROUGH A HOMEOWNERS ASSOCIATION. MAINTENANCE OF ANY DRAINAGE EASEMENT THAT IS CONTAINED WITHIN A PLATED LOT SHALL BE THE RESPONSIBILITY OF THE LOT OWNER.

## CERTIFICATE OF OWNERSHIP AND DEDICATION

AS OWNER, I, MIKE CRONKHITE, MEMBER OF ENTERPRISE DEVELOPMENTS, LLC HAVE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED, AND ALL ACCESS RIGHTS RESERVED AND DEDICATED AS REPRESENTED ON THE PLAT. HEREBY DEDICATE, GRANT AND CONVEY THE RIGHT-OF-WAY AND EASEMENTS SHOWN HEREON TO THE CITY OF REPUBLIC. I FURTHER CERTIFY THAT THERE ARE NO SUITS, ACTIONS, LIENS, OR TRUSTS ON THE PROPERTY CONVEYED HEREIN, AND WARRANT GENERALLY AND SPECIALLY THE PROPERTY CONVEYED FOR PUBLIC USE AND WILL EXECUTE SUCH FURTHER ASSURANCES AS MAY BE REQUIRED.

MIKE CRONKHITE, MEMBER

## ACKNOWLEDGEMENT

STATE OF MISSOURI  
COUNTY OF GREENE SS.

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023, BEFORE ME PERSONALLY APPEARED MIKE CRONKHITE, MEMBER OF ENTERPRISE DEVELOPMENTS, LLC, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

IN WITNESS WHEREOF I HAVE SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT MY OFFICE IN \_\_\_\_\_ COUNTY, MISSOURI, THE FIRST DAY WRITTEN ABOVE.

NOTARY PUBLIC:

PRINT NAME: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

## CERTIFICATE OF APPROVAL BY THE CITY COUNCIL

I, \_\_\_\_\_, City Clerk of the City of Republic, Greene County, Missouri, do hereby certify that the plat of Greenfield Estates was prepared under my supervision and approved by the City Council of said City of Republic, and approved by General Ordinance No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

City Clerk

Date

## CERTIFICATE OF COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS

I, \_\_\_\_\_, City Planner of the City of Republic, Missouri, do hereby certify on the \_\_\_\_\_ day of \_\_\_\_\_, 2023 the final plat of Greenfield Estates conforms to the City of Republic Land Use Regulations, in accordance with Title IV of the Republic Code of Ordinances.

City Planner

Date

## CERTIFICATE OF SURVEY AND ACCURACY

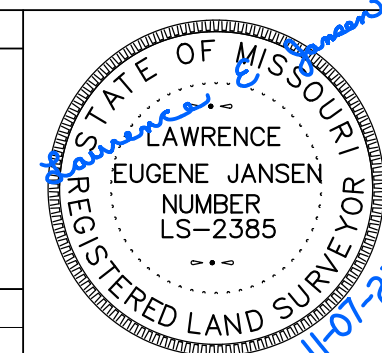
KNOWN ALL MEN BY THESE PRESENTS THAT I, LAWRENCE E. JANSEN, DO HEREBY DECARE THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED, AND THAT THE CORNER MONUMENTS AND LOT CORNER PINS SHOWN HEREON WERE PLACED UNDER THE PERSONAL SUPERVISION OF LAWRENCE E. JANSEN LS 2385 IN ACCORDANCE WITH THE MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS, AND IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF REPUBLIC, MISSOURI.

Lawrence E. Jansen  
LAWRENCE E. JANSEN PLS 2385

11-07-23  
DATE

CLASS OF SURVEY "URBAN"  
Permanent monuments  
S/B Setback Line  
U/E Utility Easement  
D/E DRAINAGE EASEMENT

Job No.: 2008-003  
Date: 11-07-2023



**GLOBAL**  
PRECISION SURVEYING, L.L.C.  
P.O. BOX 790, REPUBLIC, MO 65738  
PHONE (417) 883-0300 FAX (417) 883-0335  
CERTIFICATE OF AUTHORITY  
NUMBER LS-2010000563



**Owner/Applicant**  
Enterprise Developments, LLC

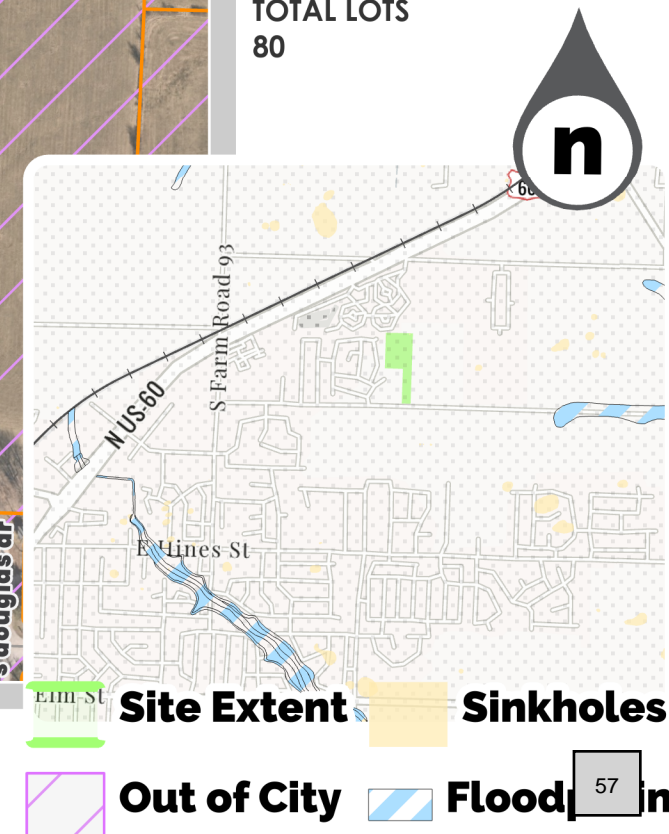
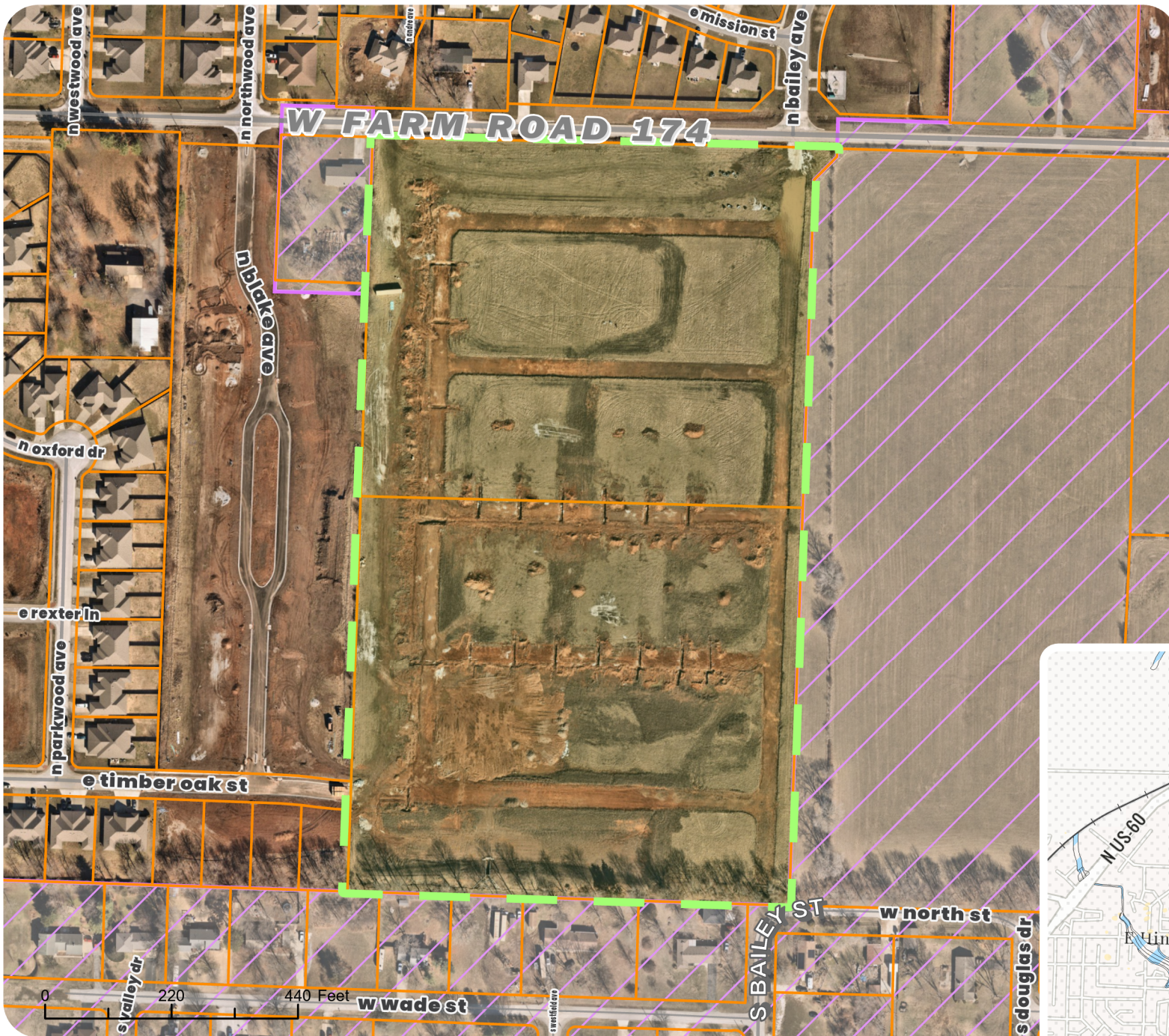
**ADDRESS**  
W FARM ROAD 174

**ZONING**  
R1-H | REQUESTED: N/A

**WARD**  
1

**ACREAGE**  
23.48

**TOTAL LOTS**  
80



**FINAL PLAT**  
**SUBD-FNL 23-008 | FINAL PLAT**





## **AGENDA ITEM ANALYSIS**

**Project/Issue Name:** 23-62 An Ordinance of the City Council Approving the Final Plat of Stone Creek Falls Phase Two Subdivision.

**Submitted By:** Chris Tabor, BUILDS Department Principal Planner

**Date:** December 12, 2023

### **Issue Statement**

The City of Republic's BUILDS Department received an Application from Stone Creek Development LLC for the Final Plat of Stone Creek Falls Phase 2. The Development Plan for Stone Creek Falls was originally approved by City Council on August 3, 2021. The Development Plan was later amended and received approval from City Council on April 11, 2023.

### **Discussion and/or Analysis**

The Final Plat of Stone Creek Falls Phase 2 will legally divide approximately twenty-eight point four-nine (28.49) acres of land into five (5) lots zoned Stone Creek Falls PDD (amended) to be used for multifamily residential. The Final Plat will also convey the dedication of associated Right-of-Way, Utility, and Stormwater Easements to the City. The Final Plat includes approximately 1,300 linear feet of new street and 2,561 linear feet of new sidewalk.

City Staff has reviewed the Final Plat for Stone Creek Falls Phase 2 and has determined that it substantially conforms to the requirements of the Approved Preliminary Plat, in addition to the requirements of the City Code Chapter 410 Subdivision Regulations, and Article V Major Subdivision-Final Plat.

### **Recommended Action**

Staff recommends approval of the Final Plat of Stone Creek Falls Phase 2 subdivision.

**AN ORDINANCE OF THE CITY COUNCIL APPROVING THE FINAL PLAT OF  
THE STONE CREEK FALLS PHASE TWO SUBDIVISION**

**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 August 3, 2021, the City Council approved of the Planned Development District for the Stone Creek Falls Planned Development District (PDD) in Bill No. 21-54; and

**WHEREAS**, following passage of Bill No. 21-54, the City received an application from the property owner, Stone Creek Development LLC (“Owner”), to modify the maximum building height allowed under the Development Plan from three (3) stories to four (4) stories; and

**WHEREAS**, on March 13, 2023, following review of the application and a public hearing, the Planning and Zoning Commission recommended approval of the Owner’s requested amendment; and

**WHEREAS**, a on April 11, 2023, the City Council approved of the amended Planned Development District for the Stone Creek Falls Planned Development District (PDD) in Ordinance 23-13; and

**WHEREAS**, the Owner recently submitted an application to the BUILDS Department for review and approval of the Final Plat of Phase 2 of the amended Stone Creek Falls Planned Development District (“Stone Creek Falls Phase 2”); and

**WHEREAS**, the BUILDS Department has reviewed the Owner’s proposed Final Plat of Stone Creek Falls Phase 2 and has determined it substantially conforms to the requirements of the Development Plan, the requirements of the City Code Chapter 410 Subdivision Regulations, and Article V Major Subdivision-Final Plat.

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

- Section 1:** That all conditions imposed by the Planning and Zoning Commission and the City Council relating to the acceptance and approval of Stone Creek Falls Phase 2 have been met.
- Section 2:** That the Final Plat of Stone Creek Falls Phase 2, attached and incorporated herein as “Attachment 1”, is hereby approved in all respects.
- Section 3:** That the approval of the Final Plat of Stone Creek Falls Phase 2 is contingent upon the same being recorded within sixty (60) days after the approval certificate is signed and sealed under the hand of the City Clerk.
- Section 4:** That neither the construction of structures nor the sale of lots in the Stone Creek Falls Phase 2 shall commence until the Final Plat of Stone Creek Falls Phase 2 has been approved and recorded.
- Section 5:** The whereas clauses are hereby specifically incorporated herein by reference.

**Section 6:** 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 7:** 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 \_\_\_\_\_, 2023.

**Attest:**

\_\_\_\_\_  
Matt Russell, Mayor

\_\_\_\_\_  
Laura Burbridge, City Clerk

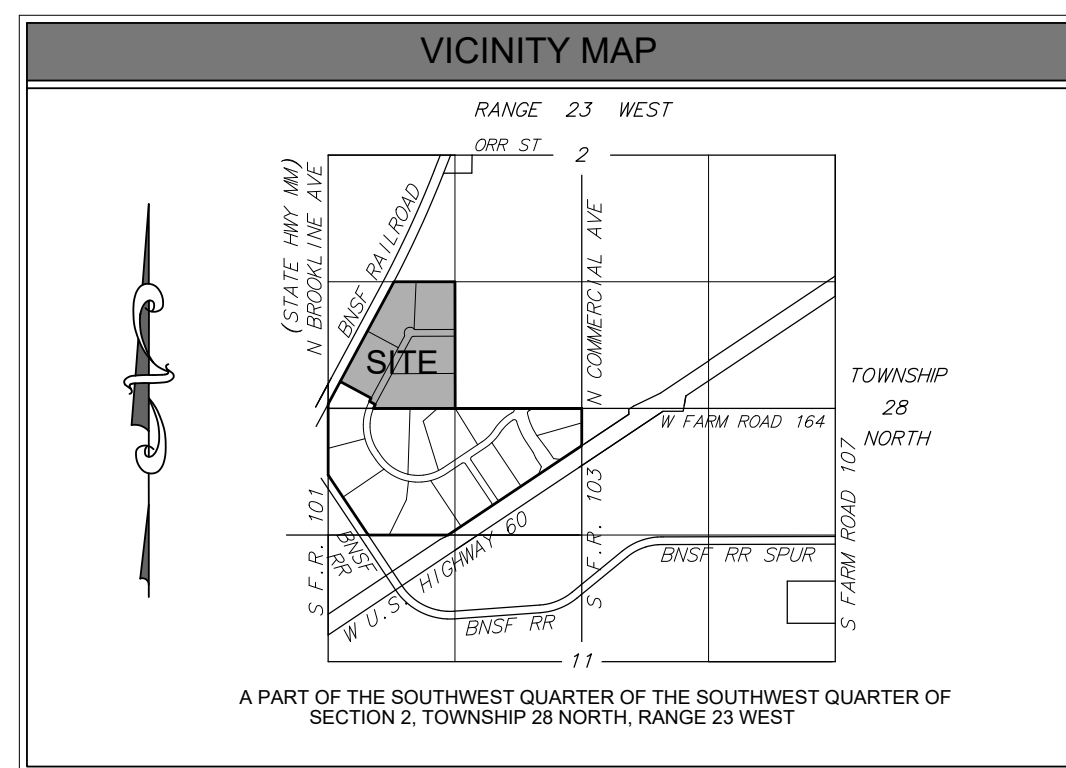
**Approved as to Form:**

  
\_\_\_\_\_

Megan McCullough, City Attorney

**Final Passage and Vote:**





0 100' 200'  
50'  
SCALE 1" = 100'

**OWNER**  
STONE CREEK DEVELOPMENT LLC  
331 SOQUEL AVE STE 100  
SANTA CRUZ CA 95062

**DEVELOPER**  
SEAN P. COATNEY  
3030 W KINGSLEY ST APT D102  
SPRINGFIELD MO 65807

FINAL PLAT  
**STONE CREEK FALLS PHASE TWO**  
A PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 11  
A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2  
TOWNSHIP 28 NORTH, RANGE 23 WEST  
CITY OF REPUBLIC, GREENE COUNTY, MISSOURI

**BASIS OF BEARINGS**

BEARINGS ARE BASED UPON GRID NORTH,  
MISSOURI COORDINATE OF 1983, CENTRAL ZONE  
MISSOURI GEOGRAPHIC REFERENCE SYSTEM CONTROL  
MONUMENTS GR-50 & GR-50A.

**BENCHMARK**

MISSOURI GEOGRAPHIC REFERENCE SYSTEM MONUMENT GR-50  
STANDARD DNR DISK SET IN 12" CONCRETE POST  
EAST ROW LINE ROUTE 22  
ELEVATION= 1227.69 NAVD 1988

**DEVELOPMENT NOTES**

Total Area = 28.49 Acres  
Total Number Of Lots = 5  
Current Zoning = "Stone Creek Falls PDD"  
Planned Development Zoning District  
Source of Title Book 2021 Page 045610-21  
Planned Development District  
Approval April 11, 2023.

This Property Does Not Lie Withing A Flood  
Hazard Area As Determined By The Flood  
Insurance Rate Map Number 29077 C 0318 E  
Dated 12-17-2010.

Multi-Family Apartment Lots 12-16  
Density = 24 Units/Acre  
Area of Largest Lot = 6.30 Acres (Lot 16)  
Area of Smallest Lot = 5.00 Acres  
(Lot 12, 13, & 15)

Building Setbacks:  
Front, Rear and Sides — 15 Feet  
(EXCEPT AS SHOWN)  
Maximum Building Height — 4 Story

Centerline bearings of streets are the  
same as adjacent lot lines.

Lot corners are 18" - 5/8" iron pins  
with plastic caps (GPS-2010000563)

Permanent monuments are 24" - 5/8" iron  
pins with 2" diameter aluminum caps.

The City of Republic is not responsible to build,  
improve, maintain, or otherwise service the ingress  
and egress way, driveway, drainage improvements,  
common areas, lakes, trails, and other appurtenances.  
Maintenance of all common areas and detention basin  
will be provided by a property owners association

**STATE PLANE COORDINATES**  
(GIVEN IN FEET)

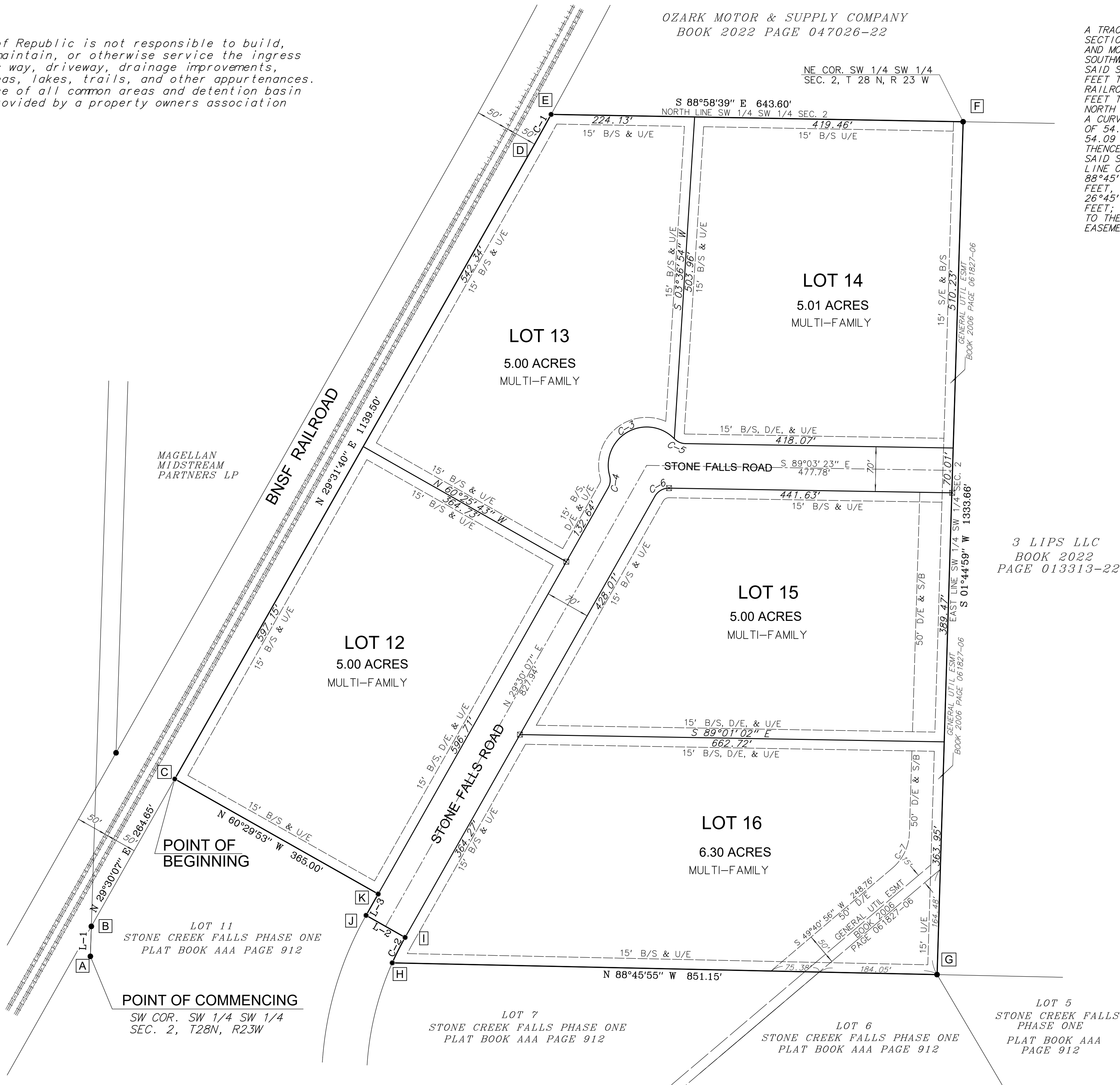
CORNER	NORTHING	EASTING
A	482,204.28	1,370,995.97
B	482,251.16	1,370,997.47
C	482,481.50	1,371,127.80
D	483,473.00	1,371,689.39
E	483,520.30	1,371,715.62
F	483,508.82	1,372,359.11
G	482,175.78	1,372,318.39
H	482,194.12	1,371,467.45
I	482,233.88	1,371,487.49
J	482,268.35	1,371,426.57
K	482,301.76	1,371,445.47

**COURSE TABLE**

L-1	N 01°49'35" E	46.90'
L-2	N 60°29'53" W	70.00'
L-3	N 29°30'07" E	38.38'

**CURVE DATA**

#	Radius	Delta	Length	Chord	Tangent	Chord Bearing
1	11509.19'	00°16' 09"	54.09'	54.09'	27.04'	N 29°00' 09" E
2	465.00'	05°29' 19"	44.54'	44.53'	22.29'	N 26°45' 27" E
3	60.00'	15°38' 24"	158.80'	116.34'	237.47'	S 60°13' 22" W
4	25.00'	45°05' 57"	19.68'	19.17'	10.38'	N 08°57' 08" E
5	25.00'	45°05' 57"	19.68'	19.17'	10.38'	S 66°30' 24" E
6	25.00'	61°26' 30"	26.81'	14.86'	14.86'	S 60°13' 22" W
7	75.00'	47°55' 57"	62.74'	60.93'	33.34'	N 25°42' 58" E



**PROPERTY DESCRIPTION**

A TRACT OF LAND, BEING A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 28 NORTH, RANGE 23 WEST, CITY OF REPUBLIC, GREENE COUNTY, MISSOURI, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2; THENCE ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2 NORTH 01°49' 35" EAST, 46.90 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF BURLINGTON NORTHERN SANTA FE RAILROAD; THENCE ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE NORTH 29°30' 07" EAST, 264.65 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE NORTH 29°31' 40" EAST, 1139.50 FEET; THENCE ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,509.19 FEET, A DELTA OF 00°16' 09", AN ARC LENGTH OF 54.09 FEET, AND A CHORD WHICH BEARS NORTH 29°00' 09" EAST HAVING A CHORD DISTANCE OF 54.09 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 88°58' 39" EAST ALONG SAID NORTH LINE 643.60 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 01°44' 59" WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER 1333.66 FEET; THENCE NORTH 88°45' 55" WEST, 851.15 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 465.00 FEET, A DELTA OF 05°29' 19", AN ARC LENGTH OF 44.54 FEET, AND A CHORD WHICH BEARS NORTH 26°45' 27" EAST HAVING A CHORD DISTANCE OF 44.53 FEET; THENCE NORTH 60°29' 53" WEST, 70.00 FEET; THENCE NORTH 29°30' 07" EAST, 38.38 FEET; THENCE NORTH 60°29' 53" WEST, 365.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 28.49 ACRES OF LAND, MORE OR LESS, SUBJECT TO EASEMENTS AND/OR RIGHTS OF WAY.

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

AS OWNER, I, SEAN COATNEY, MEMBER OF STONE CREEK DEVELOPMENT, LLC, HAVE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED, AND ALL ACCESS RIGHTS RESERVED AND DEDICATED AS REPRESENTED ON THE PLAT. WE HEREBY DEDICATE, GRANT AND CONVEY THE RIGHT-OF-WAY AND EASEMENTS SHOWN HEREON TO THE PUBLIC. FURTHERMORE, I CERTIFY THAT THERE ARE NO SUITS, ACTIONS, LIENS, OR TRUSTS ON THE PROPERTY CONVEYED HEREIN, AND WARRANT GENERALLY AND SPECIALLY THE PROPERTY CONVEYED FOR PUBLIC USE AND WILL EXECUTE SUCH FURTHER ASSURANCES AS MAY BE REQUIRED.

SEAN COATNEY, MEMBER

**ACKNOWLEDGEMENT**

STATE OF MISSOURI  
COUNTY OF GREENE SS.

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023, BEFORE ME PERSONALLY APPEARED SEAN COATNEY, MEMBER OF STONE CREEK DEVELOPMENT LLC, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

IN WITNESS WHEREOF I HAVE SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT MY OFFICE IN \_\_\_\_\_ COUNTY, MISSOURI, THE FIRST DAY WRITTEN ABOVE.

NOTARY PUBLIC: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

**CERTIFICATE OF APPROVAL BY THE CITY COUNCIL**

I, \_\_\_\_\_, City Clerk of the City of Republic, Greene County, Missouri, do hereby certify that the plat of STONE CREEK FALLS PHASE TWO was presented to, accepted and approved by the City Council of said City of Republic, and approved by General Ordinance No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

City Clerk \_\_\_\_\_ Date \_\_\_\_\_

**CERTIFICATE OF COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS**

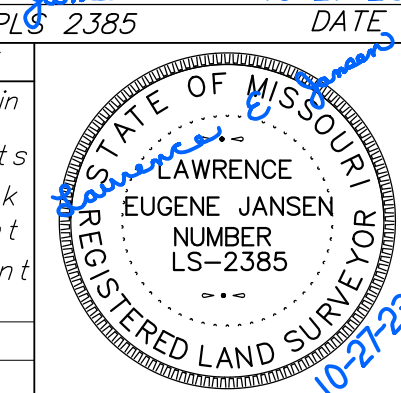
I, \_\_\_\_\_, City Planner of the City of Republic, Missouri, do hereby certify on the \_\_\_\_\_ day of \_\_\_\_\_, 2023 the final plat of STONE CREEK FALLS PHASE TWO conforms to the City of Republic Land Use Regulations, in accordance with Title IV of the Republic Code of Ordinances.

City Planner \_\_\_\_\_ Date \_\_\_\_\_

KNOWN ALL MEN BY THESE PRESENTS THAT I, LAWRENCE E. JANSEN, DO HEREBY DECLARE THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED, AND THAT THE CORNER MONUMENTS AND LOT CORNER PINS SHOWN HEREON WERE PLACED UNDER THE PERSONAL SUPERVISION OF LAWRENCE E. JANSEN LS 2385 IN ACCORDANCE WITH THE MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS, AND IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF REPUBLIC, MISSOURI.

Lawrence E. Jansen 10-27-23  
LAWRENCE E. JANSEN PLS 2385 DATE

CLASS "URBAN" SURVEY  
EIP ● -- Existing Iron Pin  
SIP ○ -- Set Iron Pin  
☒ Permanent monuments  
B/S-- Building Setback  
U/E-- Utility Easement  
D/E-- Drainage Easement  
--X--X-- Fence Line  
Job No.: 2103-041  
Date: 10-27-2023



**GLOBAL**  
PRECISION SURVEYING, L.L.C.  
P.O. BOX 790, REPUBLIC, MO 65738  
PHONE (417) 883-0300 FAX (417) 883-0335  
CERTIFICATE OF AUTHORITY  
NUMBER LS-2010000563



**Owner/Applicant**  
Stone Creek Development  
LLC

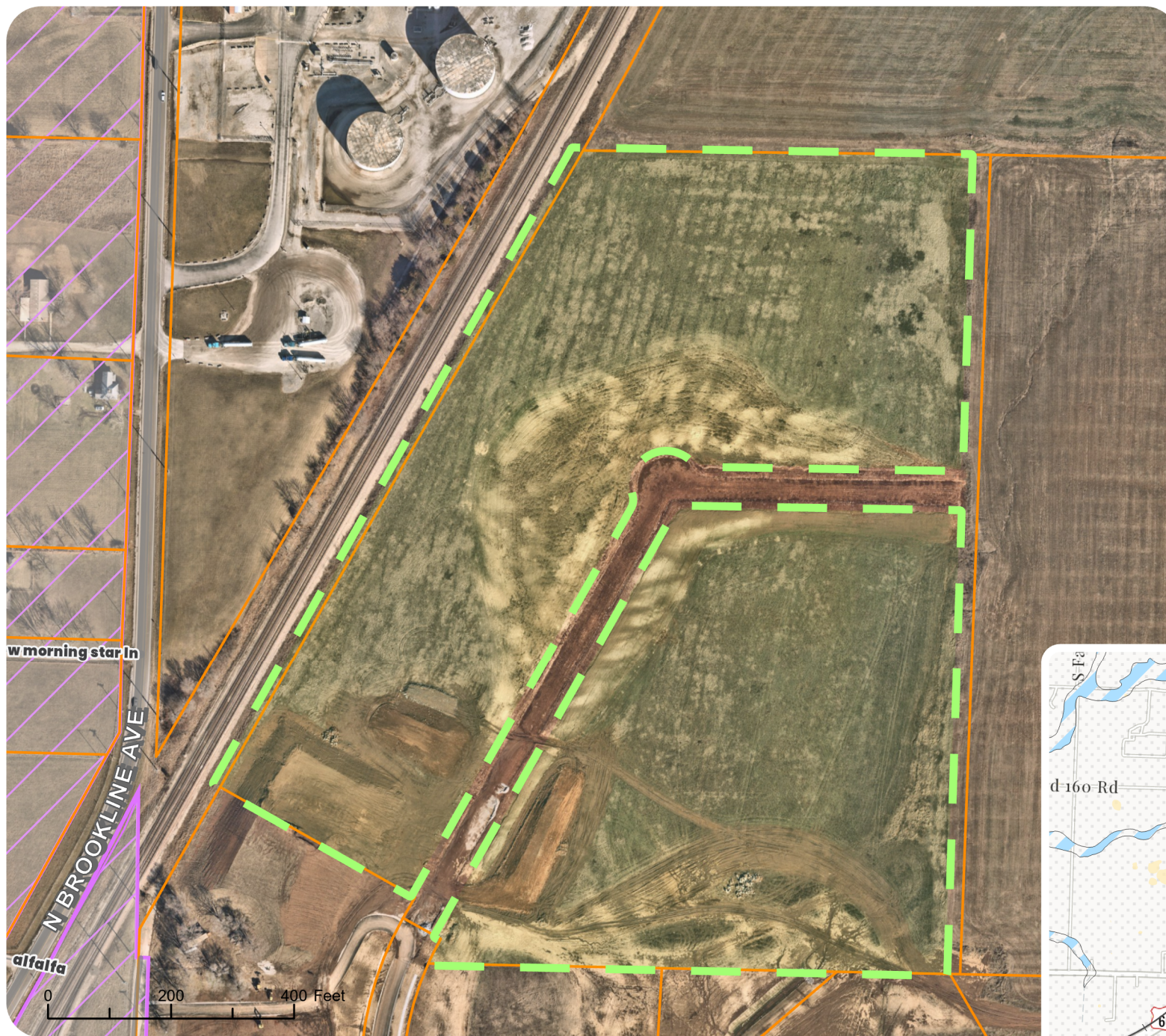
**ADDRESS**  
3456 South Farm Road  
101

**ZONING**  
PDD | REQUESTED: NA

**WARD**  
2

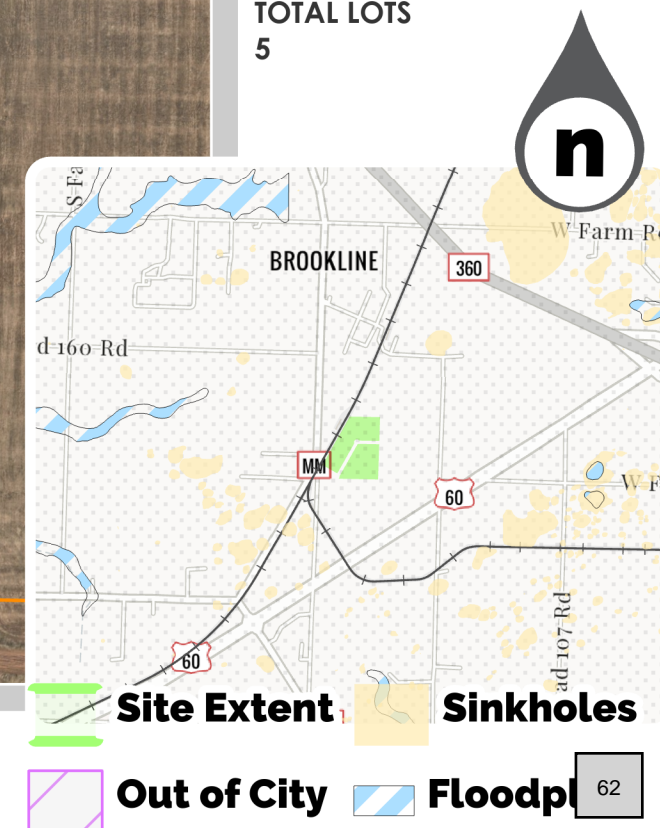
**ACREAGE**  
28.49

**TOTAL LOTS**  
5



# STONE CREEK FALLS PHASE 2

## SUBD-FNL 23-009 | FINAL PLAT







## AGENDA ITEM ANALYSIS

Project/Issue Name: 23-63 An Ordinance of the City Council Calling an Election on the Question of Whether to Impose an Additional Three Percent Sales Tax on Tangible Personal Property Retail Sales of Adult Use (Non-Medical) Marijuana Sold Within the City, Pursuant to Article XIV, Section 2.6(5) of the Missouri Constitution; Calling an Election to be Held on April 2, 2024 on the Proposed Sales Tax; and Authorizing and Directing the City Clerk to Give Notice to the County Clerk of Said Election.

Submitted By: Laura Burbridge, City Clerk  
Megan McCullough, City Attorney

Date: December 12, 2023

### Issue Statement

To call an election proposing a sales tax on adult use marijuana to the voters of Republic.

### Discussion and/or Analysis

#### **Proposition G: SHALL THE CITY OF REPUBLIC, MISSOURI, IMPOSE AN ADDITIONAL SALES TAX OF THREE PERCENT (3%) ON THE RETAIL SALE OF ADULT USE MARIJUANA?**

Amendment 3 passed on November 8, 2022, legalizing adult use (recreational) marijuana. This amendment allowed for up to 3% sales tax for adult use (recreational) marijuana. This tax would not apply to medical marijuana as prescribed by a physician.

#### **Amendment 3 language:**

(5) Pursuant to Article III, section 49 of this Constitution, the governing body of any local government is authorized to impose, by ordinance or order, an additional sales tax in an amount not to exceed three percent on all tangible personal property retail sales of adult use marijuana sold in such political subdivision. The tax authorized by this paragraph shall be in addition to any and all other tangible personal property retail sales taxes allowed by law, except that no ordinance or order imposing a tangible personal property retail sales tax under the provisions of this paragraph shall be effective unless the governing body of the political subdivision submits to the voters of the political subdivision, at a municipal, county or state general, primary or special election, a proposal to authorize the governing body of the political subdivision to impose a tax. Any additional local retail sales tax shall be collected pursuant to general laws for the collection of local sales taxes.

Since that passage, 187 municipalities have passed this sales tax, which only impacts those people purchasing adult use marijuana. The nearest city with a dispensary is Springfield, who has passed this tax. Joplin has also passed a sales tax. Nixa has not passed a sales tax to date. With the limited number of dispensaries, we are collecting this tax from citizens residing in the county and numerous neighboring





cities who do not have a dispensary. This sales tax would not impact all citizens, just those purchasing adult-use marijuana.

The sales tax would go to the general fund to be utilized for projects as needed. One year of this sales tax could generate enough funding to pave a mile of streets or purchase 3 police vehicles. Another potential use of the funds that would greatly benefit citizens is to contribute to the funding of the wastewater treatment plant updates, which are required by the State of Missouri. While it could not meet the funding needs for this project, all funds help reduce the impact of the expansion to the citizens of Republic and could help reduce sewer rate increases that would be needed to help fund this project.

Currently, the State of Missouri collects additional taxes for medical marijuana at 4% and adult use marijuana at 6%. The State of Missouri is of the lowest taxed states for adult use marijuana in the country with most collecting 10-15% and one as high as 37%. If passed, our 3% would still keep us below the state marijuana tax in other states.

MEDICAL USE	
Total Current Sales Tax Rate	
State of Missouri (General)	4.225%
Greene County	1.750%
City of Republic	3.125%
State of Missouri (Article XIV)	4.000%
<b>TOTAL CURRENT SALES TAX RATE</b>	<b>13.100%</b>

ADULT RECREATIONAL USE	
Total Current Sales Tax Rate	
State of Missouri (General)	4.225%
Greene County	1.750%
City of Republic	3.125%
State of Missouri (Article XIV)	6.00%
<b>TOTAL CURRENT SALES TAX RATE</b>	<b>15.100%</b>

*The proposed additional 3% City of Republic sales tax would apply to Adult Recreational Use only.  
The new total sales tax rates, if passed, would be as follows:*

MEDICAL USE TOTAL SALES TAX RATE	
No Change	<b>13.100%</b>

ADULT RECREATIONAL USE SALES TAX RATE	
If Passed, Adds 3%	<b>18.100%</b>

#### Recommended Action

Staff recommends approval.

**AN ORDINANCE OF THE CITY COUNCIL CALLING AN ELECTION ON THE QUESTION OF WHETHER TO IMPOSE AN ADDITIONAL THREE PERCENT SALES TAX ON TANGIBLE PERSONAL PROPERTY RETAIL SALES OF ADULT USE (NON-MEDICAL) MARIJUANA SOLD WITHIN THE CITY, PURSUANT TO ARTICLE XIV, SECTION 2.6(5) OF THE MISSOURI CONSTITUTION; CALLING AN ELECTION TO BE HELD ON APRIL 2, 2024 ON THE PROPOSED SALES TAX; AND AUTHORIZING AND DIRECTING THE CITY CLERK TO GIVE NOTICE TO THE COUNTY CLERK OF SAID ELECTION**

**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**, amendments to Article XIV of the Missouri Constitution were approved by the voters on November 8, 2022 to remove state prohibitions on the purchase, possession, consumption, use, delivery, manufacture, and sale of marijuana for personal use for adults over the age of twenty-one (21); and

**WHEREAS**, the newly enacted Article XIV, Section 2.6(5) of the Missouri Constitution authorizes the City to impose, by ordinance, an additional sales tax in amount not to exceed three percent (3%) on all tangible personal property retail sales of adult use marijuana sold in the City, if approved by the qualified voters of the City; and

**WHEREAS**, if passed, the additional sales tax of 3% (the “Marijuana Sales Tax”) would not apply to the sale of medical marijuana; and

**WHEREAS**, the City anticipates utilizing the revenue generated from the Marijuana Sales Tax for improving public safety, providing support or other resources relating to public health, mental wellness, citizen education, and other community needs and services impacted by the Constitutional amendment as well as other general funding purposes; and

**WHEREAS**, the Council finds it in the best interests of the City to call an election to be held impose a sales tax of three percent on all retail sales of adult use (non-medical) marijuana sold within the City, and to submit the same to the qualified voters of the City at the general municipal election to be held on April 2, 2024.

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

**Section 1:** Pursuant to Article XIV, Section 2.6(5) of the Missouri Constitution, as amended, and other applicable law, an election is hereby ordered to be held in the City of Republic, Missouri, on April 2, 2024, by and amongst the qualified voters of the City of Republic, Missouri on the question of whether to impose an additional three percent (3%) sales tax on the retail sale of adult use (non-medical) marijuana sold within the City. The question presented shall be in substantially and materially the following form:

**PROPOSITION G**

**SHALL THE CITY OF REPUBLIC, MISSOURI, IMPOSE AN ADDITIONAL SALES TAX OF THREE PERCENT (3%) ON THE RETAIL SALE OF ADULT USE (NON-MEDICAL) MARIJUANA?**

☐ YES

☐ NO

**INSTRUCTIONS TO VOTERS:** If you are in favor of Proposition G, shown above, place an "X" in the box to the immediate left of "YES". If you are opposed to Proposition G, shown above, place an "X" in the box to the immediate left of "NO".

**The additional sales tax of three percent (3%), if passed, will be imposed on all adult use (non-medical) marijuana sales made within the City which are subject to taxation under Section 115.121.3 of the Revised Statutes of Missouri, as amended, and will be in addition to all other sales taxes allowed by law.**

- Section 2:** The City Clerk is hereby authorized and directed to notify the County Clerk of Greene County, Missouri, and the County Clerk of Christian County, Missouri, of the adoption of this Ordinance by sending a certified copy hereof as soon as practicable, but in no event later than 5:00 p.m. on the tenth Tuesday prior to April 2, 2024, and to include in said notification all terms and provisions required by Chapter 115 of the Revised Statutes of Missouri, and other applicable law.
- Section 3:** The Greene County Clerk and Christian County Clerk are hereby authorized and directed to conduct said election in a manner consistent with the provisions of Chapter 115 of the Revised Statutes of Missouri, including but not limited to the designation of polling places for the qualified voters of the City.
- Section 4:** The election shall be held and conducted, and the results thereof canvassed and returned, in all respects in accordance with the laws of the State of Missouri and the Charter and Ordinances of the City of Republic, Missouri.
- Section 5:** The whereas clauses are hereby specifically incorporated herein by reference.
- Section 6:** 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 7:** 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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
Matt Russell, Mayor



**Attest:**

---

Laura Burbridge, City Clerk

**Approved as to Form:**



---

Megan McCullough, 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 April 2, 2024, commencing at 6:00 o'clock 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  
SALES TAX ELECTION  
REPUBLIC, MISSOURI**

**APRIL 2, 2024**

**SHALL THE CITY OF REPUBLIC, MISSOURI, IMPOSE AN ADDITIONAL SALES TAX OF THREE PERCENT (3%) ON THE RETAIL SALE OF ADULT USE (NON-MEDICAL) MARIJUANA?**

☐ YES

☐ NO

**INSTRUCTIONS TO VOTERS:** If you are in favor of Proposition G, shown above, place an "X" in the box to the immediate left of "YES". If you are opposed to Proposition G, shown above, place an "X" in the box to the immediate left of "NO".

The additional sales tax of three percent (3%), if passed, will be imposed on all adult use (non-medical) marijuana sales made within the City which are subject to taxation under Section 115.121.3 of the Revised Statutes of Missouri, as amended, and will be in addition to all other sales taxes allowed by law.

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: 23-64 An Ordinance of the City Council Proposing Amendments to the City Charter Pertaining to the Appointment, Term and Minimum Qualifications and Duties of the City Attorney; Calling an Election to be Held on April 2, 2024 on the Proposed Amendments; Authorizing and Directing the City Clerk to Give Notice to the County Clerk of Said Election, and Providing for Enactment of the Proposed Amendments if Approved.

Submitted By: Laura Burbridge, City Clerk  
Megan McCullough, City Attorney

Date: December 12, 2023

### Issue Statement

To call an election proposing a charter amendment to the voters of Republic.

### Discussion and/or Analysis

**Question 1: Shall the Charter of the City of Republic, Section 4.4(g), be amended, and new Section 6.3 be added, to reassign the duty to appoint the City Attorney from the Mayor to the City Administrator, set forth minimum qualifications and duties of the City Attorney, and set forth the term of employment for the City Attorney?**

This question is intended to recognize the City Attorney as the official director of the City's Legal Department, set forth minimum qualifications and duties of the City Attorney, set forth the term of employment for the City Attorney and specify appointment of the City Attorney by the City Administrator. The Charter currently reads:

#### **4.4 Powers and Duties; Mayor**

(g) Appointive Officers. The Mayor, with the advice and consent of majority of the entire Council, shall have power to appoint a City Administrator, City Attorney, and Municipal Judge. The Mayor and Council may employ special counsel to represent the City, either in a case of a vacancy in the office of City Attorney or to assist the City Attorney, and pay reasonable compensation therefore.

Proposed changes to the Charter:

#### **4.4 Powers and Duties; Mayor**

[...]

(g) Appointive Officers. The Mayor, with the advice and consent of majority of the entire Council, shall have power to appoint a City Administrator, ~~City Attorney,~~ and Municipal Judge. The Mayor and Council may employ special counsel to represent the City, either in a case of a vacancy in the office of City Attorney or to assist the City Attorney, and pay reasonable compensation therefore.





## Article VI Administrative Organization, ~~And Personnel System~~ And City Attorney

### 6.1 Administrative Organization

- (a) *Departments, Authorities And Offices.* Existing departments, agencies, authorities and offices shall be continued as constituted on the effective date of this Charter, or any amendment hereto, until thereafter changed pursuant to this Charter or by ordinance.
- (b) *Committees, Boards And Commissions.* Existing committees, boards and commissions shall be continued as constituted on the effective date of this Charter, or any amendment hereto, until thereafter changed pursuant to this Charter or by ordinance.

### 6.2 Personnel System

The Council shall adopt by ordinance a personnel code providing a comprehensive personnel system for City officers and employees. The personnel code shall provide that all appointments and promotion of City officers and employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence. The personnel code shall authorize the City Administrator to promulgate regulations dealing with personnel matters. The personnel code and any regulations promulgated pursuant thereto shall be consistent with this Charter.

### 6.3 City Attorney

- (a) *Appointment, Duties.* There shall be a City Attorney, appointed by the City Administrator, to serve as the chief legal advisor to the Mayor, Council, City Administrator, and all City departments, to represent the City in legal proceedings in which it is a party or otherwise interested, and to serve as director of the City's Legal Department, which shall be continued as constituted on the effective date of this Charter, or any amendment hereto, until thereafter changed pursuant to this Charter or by ordinance.
- (b) *Qualifications.* The City Attorney shall have been licensed to practice law in the State of Missouri and in good standing with the Missouri Bar for at least three (3) years prior to appointment and shall have been actively engaged in the general practice of law during the three (3) year period immediately prior to appointment.
- (c) *Term.* The City Attorney shall serve for an indefinite term pursuant to a contract to be renewed each year at the discretion of the City Administrator.

This amendment would NOT impact the incumbent City Attorney's employment as:

- *Section 13.1 Personnel System* – “An employee holding a City position at the time this Charter, or at the time the Charter is amended, takes full effect, who was serving in that same or a comparable position at the time of its adoption, shall not be subject to competitive tests as a condition of continuance in the same position but in all other respects shall be subject to the personnel system established pursuant to Section 6.2, Personnel System.”
- *Section 13.5 Continuance of Contracts...* “All contracts entered into by the City or for its benefit prior to the taking effect of this Charter, or any amendment hereto, shall continue in full force and effect....”

### Recommended Action

Staff recommends approval.

**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 April 2, 2024, 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****April 2, 2024****QUESTION I**

Shall the Charter of the City of Republic, Section 4.4(g), be amended, and new Section 6.3 be added, to reassign the duty to appoint the City Attorney from the Mayor to the City Administrator, set forth minimum qualifications and duties of the City Attorney, and set forth the term of employment for the City Attorney?

YES [    ]

NO [    ]

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

A full and complete copy of Ordinance No. 23-64, submitting the above questions to the electorate, including a full and complete copy of the proposed amendments to the City Charter, 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.

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

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

**AN ORDINANCE OF THE CITY COUNCIL PROPOSING AMENDMENTS TO THE CITY CHARTER PERTAINING TO THE APPOINTMENT, TERM AND MINIMUM QUALIFICATIONS AND DUTIES OF THE CITY ATTORNEY; CALLING AN ELECTION TO BE HELD ON APRIL 2, 2024 ON THE PROPOSED AMENDMENTS; AUTHORIZING AND DIRECTING THE CITY CLERK TO GIVE NOTICE TO THE COUNTY CLERK OF SAID ELECTION, AND PROVIDING FOR ENACTMENT OF THE PROPOSED AMENDMENTS IF APPROVED**

**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 April 3, 2007, pursuant to Section 19, Article VI of the Missouri Constitution of 1945 and Section 82.010 of the Revised Statutes of Missouri, the citizens of Republic voted to establish a home rule charter (the "Charter") to serve as the City's central document and constitution; and

**WHEREAS**, Article XII, Section 12.7, of the Charter allows the City Council to propose amendments to the Charter and sets forth the requirements for proposing such amendments; and

**WHEREAS**, pursuant to Article XII, Section 12.7, of the Charter, the City Council desires to submit the proposed amendment contained herein below to the qualified voters of the City.

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

**Section 1.** Pursuant to Article XII, Section 12.7 of the City Charter, the City Council hereby proposes an amendment to Article IV of the City Charter to reassign the duty to appoint the City Attorney from the Mayor to the City Administrator, and to Article VI of the City Charter to define the minimum qualifications and duties of the City Attorney and set the term of employment for the City Attorney.

In accord with the above, the question herein below shall be placed on the ballot and submitted to the qualified voters of the City of Republic, Missouri at the General Municipal Election to be held on April 2, 2024. The question presented shall be in substantially and materially the following form:

**QUESTION 1**

**Shall the Charter of the City of Republic, Section 4.4(g), be amended, and new Section 6.3 be added, to reassign the duty to appoint the City Attorney from the Mayor to the City Administrator, set forth minimum qualifications and duties of the City Attorney, and set forth the term of employment for the City Attorney?**

YES [    ]

NO [    ]



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

**Section 2.** The amendment to Article IV of the City Charter, proposed in Section 1 of this Ordinance, shall read as follows:

*(Note: Language shown in **bold, underlined** text is to be added. Language shown in ~~stricken~~ text is to be removed.)*

#### **4.4 Powers And Duties; Mayor**

The Mayor shall have the following powers and duties:

- (a) Council Meetings. The Mayor shall preside at meetings of the Council, but the Mayor shall have the right to vote only in case of a tie. The Mayor may call special meetings of the Council as provided in Section 3.10(a), Meetings.
- (b) State Of The City. The Mayor shall at least annually, during the first quarter of the City's fiscal year, present to the Council information as to the affairs of the City and any recommendations of the Mayor.
- (c) Veto. An ordinance or resolution adopted by the Council shall be presented to the Mayor for the Mayor's approval. The Mayor shall either sign the same or, within ten days of receipt of the ordinance or resolution, return it with a written statement of the Mayor's reasons for disapproval. Ordinances or resolutions vetoed by the Mayor shall be considered at the next regular meeting of the Council, and the Council may pass the ordinance or resolution over the veto by an affirmative vote of two-thirds of the entire Council. If any ordinance or resolution be neither signed nor returned by the Mayor within ten days of approval by the Council, the same shall be deemed approved by the Mayor as if the Mayor had signed it and shall become law without his signature.
- (d) Execution Of Laws. The Mayor shall see that all laws, provisions of this Charter and acts of the Council are faithfully executed.
- (e) Execution Of Documents. The Mayor shall sign all ordinances, resolutions, proclamations, grants and executive orders. Except as otherwise provided by the Council, the Mayor shall sign on behalf of the City all instruments conveying and/or releasing an interest in real property, all agreements and contracts between the City and other governmental entities and all Council policies. [Ord. No. 18-49, 1-8-2019]
- (f) Appointments. The Mayor, with the advice and consent of a majority of the Council, shall appoint all members of committees, authorities, boards and commissions, except as otherwise provided by law or this Charter. Ad hoc committees established by the Mayor shall not be subject to this Section and shall have no official power of the City for any purpose.
- (g) Appointive Officers. The Mayor, with the advice and consent of majority of the entire Council, shall have power to appoint a City Administrator, ~~City Attorney~~, and Municipal Judge. The Mayor and Council may employ special counsel to represent the City, either in a case of a vacancy in the office of City Attorney or to assist the City Attorney, and pay reasonable compensation therefore.

- (h) Removal Of Appointive Officers. The Mayor, with the consent of a majority of the entire Council, may remove from office any appointive officer authorized under paragraph (g) at will, and any such appointive officer may be so removed by a two-thirds vote of the entire Council, independently of the Mayor's approval or recommendation. The Council may pass ordinances regulating the manner of removals.
- (i) Administrative Policy Matters. The Mayor shall have the responsibility of discussing with the City Administrator any and all policy matters; however, the Mayor shall not interfere with day-to-day administration of City affairs.
- (j) Remit Fines And Forfeitures And Grant Reprieves And Pardons. The Mayor shall have the power to remit fines and forfeitures and to grant reprieves and pardons for offenses arising under the ordinances of the City. Notice of such action shall be made public at the next regular Council meeting.
- (k) Review City Administrator. The Mayor shall preside as Chair of the Council's annual performance review of the City Administrator.
- (l) Other Duties. The Mayor shall exercise such other powers and perform such other duties as may be prescribed by this Charter, by ordinance or by law.

**Section 3.** The amendment to Article VI of the City Charter, proposed in Section 1 of this Ordinance, shall read as follows:

*(Note: Language shown in **bold, underlined** text is to be added. Language shown in ~~stricken~~ text is to be removed.)*

**Article VI Administrative Organization, ~~And Personnel System And City Attorney~~**

**6.1 Administrative Organization**

- (a) *Departments, Authorities And Offices.* Existing departments, agencies, authorities and offices shall be continued as constituted on the effective date of this Charter, or any amendment hereto, until thereafter changed pursuant to this Charter or by ordinance.
- (b) *Committees, Boards And Commissions.* Existing committees, boards and commissions shall be continued as constituted on the effective date of this Charter, or any amendment hereto, until thereafter changed pursuant to this Charter or by ordinance.

**6.2 Personnel System**

The Council shall adopt by ordinance a personnel code providing a comprehensive personnel system for City officers and employees. The personnel code shall provide that all appointments and promotion of City officers and employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence. The personnel code shall authorize the City Administrator to promulgate regulations dealing with personnel matters. The personnel code and any regulations promulgated pursuant thereto shall be consistent with this Charter.

**6.3 City Attorney**

- (a) **Appointment, Duties.** There shall be a City Attorney, appointed by the City Administrator, to serve as the chief legal advisor to the Mayor, Council, City Administrator, and all City departments, to represent the City in legal proceedings in which it is a party or otherwise interested, and to serve as director of the City's Legal Department, which shall be continued as constituted on the effective date of this Charter, or any amendment hereto, until thereafter changed pursuant to this Charter or by ordinance.
- (b) **Qualifications.** The City Attorney shall have been licensed to practice law in the State of Missouri and in good standing with the Missouri Bar for at least three (3) years prior to appointment and shall have been actively engaged in the general practice of law during the three (3) year period immediately prior to appointment.
- (c) **Term.** The City Attorney shall serve for an indefinite term pursuant to a contract to be renewed each year at the discretion of the City Administrator.

- Section 4.** The City Clerk is hereby authorized and directed to notify the County Clerk of Greene County, Missouri, and the County Clerk of Christian County, Missouri, of the adoption of this Ordinance by sending a certified copy hereof as soon as practicable, but in no event later than 5:00 p.m. on the tenth Tuesday prior to April 2, 2024, and to include in said notification all terms and provisions required by Chapter 115 of the Revised Statutes of Missouri, and other applicable law.
- Section 5.** The Greene County Clerk and Christian County Clerk are hereby authorized and directed to conduct said election in a manner consistent with the provisions of Chapter 115 of the Revised Statutes of Missouri, including but not limited to the designation of polling places for the qualified voters of the City.
- Section 6.** If, upon certification by the Greene County Clerk and Christian County Clerk, the proposed amendment is approved by the affirmative vote of qualified electors voting thereon in accord with Section 12.7 of the City Charter, the City Charter shall be amended as approved, and such amendment shall become part of the Charter at the time of such approval.
- Section 7.** The City Clerk is hereby authorized to take all necessary and appropriate action to effect the intent and purpose of this Ordinance including but not limited to the codification of the amendment if approved by the electors.
- Section 8:** The whereas clauses are hereby specifically incorporated herein by reference.
- Section 9:** 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 10:** 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 January 2024.

---

Matt Russell, Mayor

**Attest:**

---

Laura Burbridge, City Clerk

**Approved as to Form:**

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

Megan McCullough, City Attorney

**Final Passage and Vote:**



## AGENDA ITEM ANALYSIS

Project/Issue Name: 23-65 An Ordinance of the City Council Proposing an Amendment to The City Charter Establishing a Schedule for the Election of Councilmembers to Staggered Four-Year Terms at the General Municipal Election Held on Even Years; Calling an Election to be Held on April 2, 2024 on the Proposed Amendment; Authorizing and Directing the City Clerk to Give Notice to the County Clerk of Said Election, and Providing for Enactment of the Proposed Amendment if Approved.

Submitted By: Laura Burbridge, City Clerk  
Megan McCullough, City Attorney

Date: December 12, 2023

### Issue Statement

To call an election proposing a charter amendment to the voters of Republic.

### Discussion and/or Analysis

**QUESTION 2: Shall the Charter of the City of Republic, Sections 3.2(c), 14.2(a) and 14.2(b), be amended to establish a schedule for the election of Councilmembers to staggered four-year terms at the General Municipal Election to be held on even years?**

This question would correct the stagger implemented in 2019 that created back-to-back elections, followed by two years without an election. The only change would be to hold the elections on even years to create a consistent and balanced election schedule and allow for any appointed seats to be brought to an election within 2 years of the appointment. **The Charter currently reads:**

#### [3.2 Composition, Qualifications, Election And Terms](#)

[ . . . ]

(c) Election And Terms. Councilmembers from each Ward shall be elected to serve staggered four-year terms. At each regular municipal election, Councilmembers shall be elected to fill the offices of those whose terms expire.

#### 14.2 Election Of City Officials

- (a) Incumbents. All officials elected on April 2, 2019, shall serve the term to which they were elected. All officials elected prior to April 2, 2019, who would continue in office shall continue in office for the duration of the term to which they were elected.
- (b) City Council. At the municipal election in April of 2020, Councilmembers elected to fill offices with expiring terms from all Wards shall serve four-year terms. At the municipal election in April of



2021, Councilmembers elected to fill offices with expiring terms from all Wards shall serve four-year terms. At each regular municipal election thereafter, Councilmembers shall be elected to fill the offices of those whose terms expire and shall serve full four-year terms. It is the intent of this provision to establish the required staggered terms as set forth in this Charter.

- (c) Mayor. At the municipal election in April of 2020 and every fourth year thereafter, the Mayor shall be elected to serve a full four-year term.

**Proposed changes to the Charter:**

**3.2 Composition, Qualifications, Election And Terms**

[ . . . ]

- (c) Election And Terms. Councilmembers from each Ward shall be elected to serve staggered four-year terms with elections held on even years. At each regular municipal election, Councilmembers shall be elected to fill the offices of those whose terms expire.

**14.2 Election Of City Officials**

- ~~(a) Incumbents. All officials elected on April 2, 2019, shall serve the term to which they were elected. All officials elected prior to April 2, 2019, who would continue in office shall continue in office for the duration of the term to which they were elected.~~
- (b) City Council. ~~At the municipal election in April of 2020, Councilmembers elected to fill offices with expiring terms from all Wards shall serve four year terms. At the municipal election in April of 2021, Councilmembers elected to fill offices with expiring terms from all Wards shall serve four-year terms.~~ At the municipal election in April of 2024, Councilmembers elected to fill offices with expiring terms from all Wards shall serve four-year terms. At the municipal election in April of 2025, Councilmembers elected to fill offices with expiring terms from all Wards shall serve one-year terms. At the municipal election in April of 2026, Councilmembers elected to fill offices with expiring terms from all Wards shall serve four-year terms. At each regular municipal election thereafter, Councilmembers shall be elected to fill the offices of those whose terms expire and shall serve full four-year terms. It is the intent of this provision to establish the required staggered terms as set forth in this Charter.

To implement this stagger, the following seats (shown based on Council Member currently holding seat) have been grouped as Group A and Group B to demonstrate the implementation of the elections:

GROUP A (seats):

CM Franklin - Ward 1  
CM Wilson – Ward 2  
CM Updike – Ward 3  
CM Neal – Ward 4  
Mayor Matt Russell

GROUP B (seats):

CM Gerke - Ward 1  
CM Vacant – Ward 2  
CM Fields – Ward 3  
CM Gerlek – Ward 4





*NOTE: The names of current Councilmembers appear for demonstration purposes only and ease of review; the inclusion of their names does not indicate or suggest that such Councilmember will be running for re-election or for the specific seat.*

The seats would be up for election as follows:

- 2024 Election:
  - Group A-expiring 2024: 4-year terms
  - Group B-seat expiring 2025 but appointed members: 1-year terms
- 2025 Election: Group B-election for another 1-year term to get to even year
- 2026 Election: Group B-election for 4-year term
- 2028 Election: Group A-election for 4-year term

All elections following the 2025 Election would be on schedule as proposed.

**Recommended Action**

Staff recommends approval.

**AN ORDINANCE OF THE CITY COUNCIL PROPOSING AN AMENDMENT TO THE CITY CHARTER ESTABLISHING A SCHEDULE FOR THE ELECTION OF COUNCILMEMBERS TO STAGGERED FOUR-YEAR TERMS AT THE GENERAL MUNICIPAL ELECTION HELD ON EVEN YEARS; CALLING AN ELECTION TO BE HELD ON APRIL 2, 2024 ON THE PROPOSED AMENDMENT; AUTHORIZING AND DIRECTING THE CITY CLERK TO GIVE NOTICE TO THE COUNTY CLERK OF SAID ELECTION, AND PROVIDING FOR ENACTMENT OF THE PROPOSED AMENDMENT IF APPROVED**

**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 April 3, 2007, pursuant to Section 19, Article VI of the Missouri Constitution of 1945 and Section 82.010 of the Revised Statutes of Missouri, the citizens of Republic voted to establish a home rule charter (the "Charter") to serve as the City's central document and constitution; and

**WHEREAS**, Article XII, Section 12.7, of the Charter allows the City Council to propose amendments to the Charter and sets forth the requirements for proposing such amendments; and

**WHEREAS**, pursuant to Article XII, Section 12.7, of the Charter, the City Council desires to submit the proposed amendment contained herein below to the qualified voters of the City.

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

**Section 1.** Pursuant to Article XII, Section 12.7 of the City Charter, the City Council hereby proposes an amendment to Article III of the City Charter to establish a schedule on which City Councilmembers shall be elected to staggered four-year terms, at the General Municipal Election to be held on even years.

In accord with the above, the question herein below shall be placed on the ballot and submitted to the qualified voters of the City of Republic, Missouri at the General Municipal Election to be held on April 2, 2024. The question presented shall be in substantially and materially the following form:

**QUESTION 2**

**Shall the Charter of the City of Republic, Sections 3.2(c), 14.2(a) and 14.2(b), be amended to establish a schedule for the election of Councilmembers to staggered four-year terms at the General Municipal Election to be held on even years?**

YES [    ]

NO [    ]

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

**Section 2.** The amendment to Section 3.2(c) of the City Charter, proposed in Section 1 of this Ordinance, shall read as follows:

*(Note: Language shown in **bold, underlined** text is to be added. Language shown in ~~stricken~~ text is to be removed.)*

### **3.2 Composition, Qualifications, Election And Terms**

- (a) *Election By Wards.* There shall be a City Council of eight members with two from each Ward elected by the qualified voters of their respective Wards, as provided in Article **VIII**.
- (b) *Qualifications.* A Councilmember shall be a citizen of the United States and shall have been a resident of the City for one year at the time of filing for office and a qualified voter of the City. A Councilmember shall be a resident of the Ward for which the person is seeking office at the time of filing for office and shall be registered to vote in that Ward and shall remain a resident and qualified voter of the Ward during the time of service as an elected official of the City.
- (c) *Election And Terms.* Councilmembers from each Ward shall be elected to serve staggered four-year terms **with elections on even years**. At each regular municipal election, Councilmembers shall be elected to fill the offices of those whose terms expire.

**Section 3.** The amendment to Sections 14.2(a) and 14.2(b) of the City Charter, proposed in Section 1 of this Ordinance, shall read as follows:

*(Note: Language shown in **bold, underlined** text is to be added. Language shown in ~~stricken~~ text is to be removed.)*

### **14.2 Election Of City Officials**

- (a) ~~Incumbents. All officials elected on April 2, 2019, shall serve the term to which they were elected. All officials elected prior to April 2, 2019, who would continue in office shall continue in office for the duration of the term to which they were elected.~~
- (b) *City Council.* ~~At the municipal election in April of 2020, Councilmembers elected to fill offices with expiring terms from all Wards shall serve four-year terms. At the municipal election in April of 2021, Councilmembers elected to fill offices with expiring terms from all Wards shall serve four-year terms.~~ **At the municipal election in April of 2024, Councilmembers elected to fill offices with expiring terms from all Wards shall serve four-year terms. At the municipal election in April of 2025, Councilmembers elected to fill offices with expiring terms from all Wards shall serve one-year terms. At**



**the municipal election in April of 2026, Councilmembers elected to fill offices with expiring terms from all Wards shall serve four-year terms.** At each regular municipal election thereafter, Councilmembers shall be elected to fill the offices of those whose terms expire and shall serve full four-year terms. It is the intent of this provision to establish the required staggered terms as set forth in this Charter.

(c) Mayor. At the municipal election in April of 2020 and every fourth year thereafter, the Mayor shall be elected to serve a full four-year term.

**Section 4.** The City Clerk is hereby authorized and directed to notify the County Clerk of Greene County, Missouri, and the County Clerk of Christian County, Missouri, of the adoption of this Ordinance by sending a certified copy hereof as soon as practicable, but in no event later than 5:00 p.m. on the tenth Tuesday prior to April 2, 2024, and to include in said notification all terms and provisions required by Chapter 115 of the Revised Statutes of Missouri, and other applicable law.

**Section 5.** The Greene County Clerk and Christian County Clerk are hereby authorized and directed to conduct said election in a manner consistent with the provisions of Chapter 115 of the Revised Statutes of Missouri, including but not limited to the designation of polling places for the qualified voters of the City.

**Section 6.** If, upon certification by the Greene County Clerk and Christian County Clerk, the proposed amendment is approved by the affirmative vote of qualified electors voting thereon in accord with Section 12.7 of the City Charter, the City Charter shall be amended as approved, and such amendment shall become part of the Charter at the time of such approval.

**Section 7.** The City Clerk is hereby authorized to take all necessary and appropriate action to effect the intent and purpose of this Ordinance including but not limited to the codification of the amendment if approved by the electors.

**Section 8:** The whereas clauses are hereby specifically incorporated herein by reference.

**Section 9:** 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 10:** 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 January 2024.

---

Matt Russell, Mayor

**Attest:**

---

Laura Burbridge, City Clerk

**Approved as to Form:**



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Megan McCullough, 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 April 2, 2024, 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****April 2, 2024****QUESTION 2**

Shall the Charter of the City of Republic, Sections 3.2(c), 14.2(a) and 14.2(b), be amended to establish a schedule for the election of Councilmembers to staggered four-year terms at the General Municipal Election to be held on even years?

YES [    ]

NO [    ]

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

A full and complete copy of Ordinance No. 23-65, submitting the above questions to the electorate, including a full and complete copy of the proposed amendments to the City Charter, 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.

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: 23-66 An Ordinance of the City Council Proposing an Amendment to The City Charter to Clarify the Procedure for Filling Vacancies in the City Council; Calling an Election to be Held on April 2, 2024 on the Proposed Amendment; Authorizing and Directing the City Clerk to Give Notice to the County Clerk of Said Election, and Providing for Enactment of the Proposed Amendment if Approved.

Submitted By: Laura Burbridge, City Clerk  
Megan McCullough, City Attorney

Date: December 12, 2023

### Issue Statement

To call an election proposing a charter amendment to the voters of Republic.

### Discussion and/or Analysis

**QUESTION 3: Shall the Charter of the City of Republic, Section 3.6(c), be amended to clarify that a vacancy in the Council shall be filled for the remainder of the unexpired term, if any, at the next regular municipal election with expiring Council seats on the ballot?**

This question would clarify the term of any Mayoral appointment moving forward and is written as the current Charter language is interpreted by legal counsel. This would not change the current procedure but would make it clear to Council and the public. **The Charter currently reads:**

#### 3.6 Vacancies; Forfeiture Of Office; Filling Of Vacancies

- (a) Vacancies. The office of a Councilmember shall become vacant upon the member's death, resignation, recall or removal from office in any manner authorized by law or this Charter, or upon forfeiture of their office.
- (b) Forfeiture Of Office. A Councilmember shall forfeit office if:
  - (1) At any time during the Councilmember's term of office the Councilmember lacks any qualification for the office prescribed by this Charter or by law.
  - (2) If the Councilmember violates any prohibition of this Charter or is convicted of a crime involving moral turpitude.
  - (3) If the Councilmember either defaults in taxes to the City or fails to attend three consecutive regular meetings of the Council without being excused by the Council.
  - (4) If the Councilmember willfully violates the requirements of Section 12.1, Personal Financial Interest.
- (c) Filling Of Vacancies. A vacancy in the Council shall be filled for the remainder of the unexpired term, if any, at the next regular municipal election, but the Mayor with the advice and consent of the Council by a majority vote of all its remaining members shall fill the vacancy with a qualified



person, as defined in Section 3.2(b), Qualifications, until the person elected to serve the remainder of the unexpired term takes office.

### 3.6 Vacancies; Forfeiture Of Office; Filling Of Vacancies

- (d) Filling Of Vacancies. A vacancy in the Council shall be filled for the remainder of the unexpired term, if any, at the next regular municipal election *with expiring Council seats on the ballot*, but the Mayor with the advice and consent of the Council by a majority vote of all its remaining members shall fill the vacancy with a qualified person, as defined in Section 3.2(b), Qualifications, until the person elected to serve the remainder of the unexpired term takes office.

#### Recommended Action

Staff recommends approval.

**AN ORDINANCE OF THE CITY COUNCIL PROPOSING AN AMENDMENT TO THE CITY CHARTER TO CLARIFY THE PROCEDURE FOR FILLING VACANCIES IN THE CITY COUNCIL; CALLING AN ELECTION TO BE HELD ON APRIL 2, 2024 ON THE PROPOSED AMENDMENT; AUTHORIZING AND DIRECTING THE CITY CLERK TO GIVE NOTICE TO THE COUNTY CLERK OF SAID ELECTION, AND PROVIDING FOR ENACTMENT OF THE PROPOSED AMENDMENT IF APPROVED**

**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 April 3, 2007, pursuant to Section 19, Article VI of the Missouri Constitution of 1945 and Section 82.010 of the Revised Statutes of Missouri, the citizens of Republic voted to establish a home rule charter (the "Charter") to serve as the City's central document and constitution; and

**WHEREAS**, Article XII, Section 12.7, of the Charter allows the City Council to propose amendments to the Charter and sets forth the requirements for proposing such amendments; and

**WHEREAS**, pursuant to Article XII, Section 12.7, of the Charter, the City Council desires to submit the proposed amendment contained herein below to the qualified voters of the City.

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

**Section 1.** Pursuant to Article XII, Section 12.7 of the City Charter, the City Council hereby proposes an amendment to Article III of the City Charter, clarifying that vacancies in the City Council shall be filled for the remainder of their respective unexpired terms, if any, at the next regular municipal election with expiring Council seats on the ballot.

In accord with the above, the question herein below shall be placed on the ballot and submitted to the qualified voters of the City of Republic, Missouri at the General Municipal Election to be held on April 2, 2024. The question presented shall be in substantially and materially the following form:

**QUESTION 3**

**Shall the Charter of the City of Republic, Section 3.6(c), be amended to clarify that a vacancy in the Council shall be filled for the remainder of the unexpired term, if any, at the next regular municipal election with expiring Council seats on the ballot?**

YES [     ]

NO [     ]



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

**Section 2.** The amendment to Section 3.6(c) of the City Charter, proposed in Section 1 of this Ordinance, shall read as follows:

*(Note: Language shown in **bold, underlined** text is to be added. Language shown in ~~stricken~~ text is to be removed.)*

**3.6 Vacancies; Forfeiture Of Office; Filling Of Vacancies**

- (a) Vacancies. The office of a Councilmember shall become vacant upon the member's death, resignation, recall or removal from office in any manner authorized by law or this Charter, or upon forfeiture of their office.
- (b) Forfeiture Of Office. A Councilmember shall forfeit office if:
  - (1) At any time during the Councilmember's term of office the Councilmember lacks any qualification for the office prescribed by this Charter or by law.
  - (2) If the Councilmember violates any prohibition of this Charter or is convicted of a crime involving moral turpitude.
  - (3) If the Councilmember either defaults in taxes to the City or fails to attend three consecutive regular meetings of the Council without being excused by the Council.
  - (4) If the Councilmember willfully violates the requirements of Section **12.1**, Personal Financial Interest.
- (c) Filling Of Vacancies. A vacancy in the Council shall be filled for the remainder of the unexpired term, if any, at the next regular municipal election **with expiring Council seats on the ballot,** but the Mayor with the advice and consent of the Council by a majority vote of all its remaining members shall fill the vacancy with a qualified person, as defined in Section **3.2(b)**, Qualifications, until the person elected to serve the remainder of the unexpired term takes office.

**Section 3.** The City Clerk is hereby authorized and directed to notify the County Clerk of Greene County, Missouri, and the County Clerk of Christian County, Missouri, of the adoption of this Ordinance by sending a certified copy hereof as soon as practicable, but in no event later than 5:00 p.m. on the tenth Tuesday prior to April 2, 2024, and to include in said notification all terms and provisions required by Chapter 115 of the Revised Statutes of Missouri, and other applicable law.

**Section 4.** The Greene County Clerk and Christian County Clerk are hereby authorized and directed to conduct said election in a manner consistent with the provisions of Chapter 115 of the Revised Statutes of Missouri, including but not limited to the designation of polling places for the qualified voters of the City.

- Section 5.** If, upon certification by the Greene County Clerk and Christian County Clerk, the proposed amendment is approved by the affirmative vote of qualified electors voting thereon in accord with Section 12.7 of the City Charter, the City Charter shall be amended as approved, and such amendment shall become part of the Charter at the time of such approval.
- Section 6.** The City Clerk is hereby authorized to take all necessary and appropriate action to effect the intent and purpose of this Ordinance including but not limited to the codification of the amendment if approved by the electors.
- 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 January 2024.

Attest:

\_\_\_\_\_  
Matt Russell, Mayor

\_\_\_\_\_  
Laura Burbridge, City Clerk

Approved as to Form:

\_\_\_\_\_  


Megan McCullough, 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 April 2, 2024, 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****April 2, 2024****QUESTION 3**

Shall the Charter of the City of Republic, Section 3.6(c), be amended to clarify that a vacancy in the Council shall be filled for the remainder of the unexpired term, if any, at the next regular municipal election with expiring Council seats on the ballot?

YES [    ]

NO [    ]

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

A full and complete copy of Ordinance No. 23-66, submitting the above questions to the electorate, including a full and complete copy of the proposed amendments to the City Charter, 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.

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: 23-67 An Ordinance of the City Council Proposing an Amendment to the City Charter Establishing Procedures for the Passage of Ordinances in a Single Open Meeting of the City Council and Allowing for the Second Reading of Ordinances to Occur as Part of the Consent Agenda for an Open Council Meeting; Calling an Election to be Held on April 2, 2024 on the Proposed Amendment; Authorizing and Directing the City Clerk to Give Notice to the County Clerk of Said Election, and Providing for Enactment of the Proposed Amendment if Approved.

Submitted By: Laura Burbridge, City Clerk  
Megan McCullough, City Attorney

Date: December 12, 2023

### Issue Statement

To call an election proposing a charter amendment to the voters of Republic.

### Discussion and/or Analysis

**QUESTION 4: Shall the Charter of the City of Republic, Sections 3.10(f) and 3.10(g), be amended to establish requirements and procedures for the first and second reading of ordinances by title during a single open Council meeting, and for an ordinance to be voted upon for final passage as part of the consent agenda at an open Council meeting?**

This question would allow first and second reads on certain unopposed bills in the same meeting, if approved by a unanimous vote of Council. This would also allow the second reading of certain unopposed bills in the Consent Agenda with the printing of the title satisfying the requirement for the second reading of the title. This process has been used in Joplin and Springfield for many years successfully. **The Charter currently reads:**

#### **3.10 Legislative Proceedings**

(f) Procedure. Except in the case of emergency ordinances, every proposed ordinance shall be read by title in open Council meeting two times before final passage, and at least one week shall elapse between introduction and final passage. A copy of each proposed ordinance shall be provided for each Councilmember at the time of its introduction, and at least three copies shall be provided for public inspection in the office of the City Clerk, and made available in electronic format until it is finally adopted or fails to be adopted. Persons interested in a proposed ordinance shall be given an opportunity to be heard before the Council in accordance with such rules and regulations as the Council may adopt. If the Council adopts an amendment to a proposed ordinance that constitutes a change in substance, any member of the Council may require that the proposed ordinance, as amended, be placed on file for public inspection in the office of City Clerk for an additional one week before final passage. In the absence of such a request, the Council may consider the amended ordinance at the same meeting.



(g) Emergency Ordinances. An ordinance may be passed as an emergency measure on the day of its introduction if it contains a declaration describing in clear and specific terms the facts and reasons constituting the emergency and receives the vote of two-thirds of the entire Council. An ordinance granting, reviewing or extending a franchise shall not be passed as an emergency ordinance.

Proposed changes to the Charter:

### 3.10 Legislative Proceedings

(f) Procedure. Except in the case of emergency ordinances as provided for in Section 3.10(g), every proposed ordinance shall be read by title in open Council meeting two times before final passage, ~~and at least one week shall elapse between introduction and final passage.~~ The second reading of a proposed ordinance may occur during the same meeting at which it was introduced if the Council, by affirmative vote of all Councilmembers present, approves of the second reading at the same meeting of its introduction. In the event a proposed ordinance has been read by title a first time in an open Council meeting that concludes prior to its second reading, such ordinance may be voted upon for final passage as part of the consent agenda at the next open Council meeting, provided the title of such proposed ordinance is read in that open Council meeting prior to approval of the consent agenda.

A copy of each proposed ordinance shall be provided for each Councilmember at the time of its introduction, and at least three copies shall be provided for public inspection in the office of the City Clerk, and made available in electronic format until it is finally adopted or fails to be adopted. Prior to passage, persons interested in a proposed ordinance shall be given an opportunity to be heard before the Council in accordance with such rules and regulations as the Council may adopt. If the Council adopts an amendment to a proposed ordinance that constitutes a change in substance, any member of the Council may require that the proposed ordinance, as amended, be placed on file for public inspection in the office of City Clerk for an additional one week before final passage. In the absence of such a request, the Council may consider the amended ordinance at the same meeting.

(g) Emergency Ordinances. An ordinance may be passed as an emergency measure on the day of its introduction after being read by title in open Council meeting only one time if it contains a declaration describing in clear and specific terms the facts and reasons constituting the emergency and receives the vote of two-thirds of the entire Council. An ordinance granting, reviewing or extending a franchise shall not be passed as an emergency ordinance.

There are several protections for Council and citizens that would be implemented for these changes.

1. The first and second reading of a title in the same meeting would require a unanimous vote of Council; otherwise, it would revert to having the second reading at the next scheduled meeting. The request for both readings in one meeting would be noted on the agenda, allowing citizens to reach out to Council if they have concern about the bill, and citizens would still be granted the opportunity to speak for or against a bill prior to the second reading.
2. For second readings on the Consent Agenda, Council and citizens would be able to request the bill be removed from the Consent Agenda for discussion up until the vote on the Consent Agenda. This request would be presented to Council for a vote to remove it and discuss the item separately.



3. For second readings on the Consent Agenda, Council Members who wish to vote against a specific item may voice that opposition at the time of voting without requiring the item to be removed from the Consent Agenda.

**Recommended Action**

Staff recommends approval.

**AN ORDINANCE OF THE CITY COUNCIL PROPOSING AMENDMENTS TO THE CITY CHARTER ESTABLISHING PROCEDURES AND REQUIREMENTS FOR THE PASSAGE OF ORDINANCES IN A SINGLE OPEN COUNCIL MEETING OR AS PART OF THE CONSENT AGENDA FOR OPEN COUNCIL MEETING; CALLING AN ELECTION TO BE HELD ON APRIL 2, 2024 ON THE PROPOSED AMENDMENT; AUTHORIZING AND DIRECTING THE CITY CLERK TO GIVE NOTICE TO THE COUNTY CLERK OF SAID ELECTION, AND PROVIDING FOR ENACTMENT OF THE PROPOSED AMENDMENT IF APPROVED**

**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 April 3, 2007, pursuant to Section 19, Article VI of the Missouri Constitution of 1945 and Section 82.010 of the Revised Statutes of Missouri, the citizens of Republic voted to establish a home rule charter (the "Charter") to serve as the City's central document and constitution; and

**WHEREAS**, Article XII, Section 12.7, of the Charter allows the City Council to propose amendments to the Charter and sets forth the requirements for proposing such amendments; and

**WHEREAS**, pursuant to Article XII, Section 12.7, of the Charter, the City Council desires to submit the proposed amendment contained herein below to the qualified voters of the City.

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

**Section 1.** Pursuant to Article XII, Section 12.7 of the City Charter, the City Council hereby proposes an amendment to Article III of the City Charter to allow for the first and second reading of ordinances by title to occur at a single open Council meeting, if approved by affirmative vote of all Councilmembers present at such meeting, and to set forth terms under which an ordinance may be voted upon for final passage as part of the consent agenda at an open Council meeting.

In accord with the above, the question herein below shall be placed on the ballot and submitted to the qualified voters of the City of Republic, Missouri at the General Municipal Election to be held on April 2, 2024. The question presented shall be in substantially and materially the following form:

**QUESTION 4**

**Shall the Charter of the City of Republic, Sections 3.10(f) and 3.10(g), be amended to establish requirements and procedures for the first and second reading of ordinances by title during a single open Council meeting, and for final passage of an ordinance as part of the consent agenda at an open Council meeting?**

YES [    ]

NO [    ]

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

**Section 2.** The amendment to Article III of the City Charter, proposed in Section 1 of this Ordinance, shall read as follows:

(Note: Language shown in **bold, underlined** text is to be added. Language shown in ~~stricken~~ text is to be removed.)

### **3.10 Legislative Proceedings**

(f) Procedure. Except in the case of emergency ordinances **as provided for in Section 3.10(g)**, every proposed ordinance shall be read by title in open Council meeting two times before final passage, ~~and at least one week shall elapse between introduction and final passage.~~ **The second reading of a proposed ordinance may occur during the same meeting at which it was introduced if the Council, by affirmative vote of all Councilmembers present, approves of the second reading at the same meeting of its introduction. In the event a proposed ordinance has been read by title a first time in an open Council meeting that concludes prior to its second reading, such ordinance may be voted upon for final passage as part of the consent agenda at the next open Council meeting, provided the title of such proposed ordinance is read in that open Council meeting prior to approval of the consent agenda.**

A copy of each proposed ordinance shall be provided for each Councilmember at the time of its introduction, and at least three copies shall be provided for public inspection in the office of the City Clerk, and made available in electronic format until it is finally adopted or fails to be adopted. **Prior to passage**, persons interested in a proposed ordinance shall be given an opportunity to be heard before the Council in accordance with such rules and regulations as the Council may adopt. If the Council adopts an amendment to a proposed ordinance that constitutes a change in substance, any member of the Council may require that the proposed ordinance, as amended, be placed on file for public inspection in the office of City Clerk for an additional one week before final passage. In the absence of such a request, the Council may consider the amended ordinance at the same meeting.

(g) Emergency Ordinances. An ordinance may be passed as an emergency measure on the day of its introduction **after being read by title in open Council meeting only one time** if it contains a declaration describing in clear and specific terms the facts and reasons constituting the emergency and receives the vote of two-thirds of the entire Council. An ordinance granting, reviewing or extending a franchise shall not be passed as an emergency ordinance.



- Section 3.** The City Clerk is hereby authorized and directed to notify the County Clerk of Greene County, Missouri, and the County Clerk of Christian County, Missouri, of the adoption of this Ordinance by sending a certified copy hereof as soon as practicable, but in no event later than 5:00 p.m. on the tenth Tuesday prior to April 2, 2024, and to include in said notification all terms and provisions required by Chapter 115 of the Revised Statutes of Missouri, and other applicable law.
- Section 4.** The Greene County Clerk and Christian County Clerk are hereby authorized and directed to conduct said election in a manner consistent with the provisions of Chapter 115 of the Revised Statutes of Missouri, including but not limited to the designation of polling places for the qualified voters of the City.
- Section 5.** If, upon certification by the Greene County Clerk and Christian County Clerk, the proposed amendment is approved by the affirmative vote of qualified electors voting thereon in accord with Section 12.7 of the City Charter, the City Charter shall be amended as approved, and such amendment shall become part of the Charter at the time of such approval.
- Section 6.** The City Clerk is hereby authorized to take all necessary and appropriate action to effect the intent and purpose of this Ordinance including but not limited to the codification of the amendment if approved by the electors.
- 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 January 2024.

---

Matt Russell, Mayor

**Attest:**

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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:**

**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 April 2, 2024, 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****April 2, 2024****QUESTION 4**

Shall the Charter of the City of Republic, Sections 3.10(f) and 3.10(g), be amended to establish requirements and procedures for the first and second reading of ordinances by title during a single open Council meeting, and for final passage of an ordinance as part of the consent agenda at an open Council meeting?

YES [ ☐ ]NO [ ☐ ]

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

A full and complete copy of Ordinance No. 23-67, submitting the above questions to the electorate, including a full and complete copy of the proposed amendments to the City Charter, 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.

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: 23-68 An Ordinance of the City Council Proposing an Amendment to the City Charter to Include Capital Planning in the Annual Budget Process; Calling an Election to be Held on April 2, 2024 on the Proposed Amendment; Authorizing and Directing the City Clerk to Give Notice to the County Clerk of Said Election, and Providing for Enactment of the Proposed Amendment if Approved.

Submitted By: Laura Burbridge, City Clerk  
Megan McCullough, City Attorney

Date: December 12, 2023

### Issue Statement

To call an election proposing a charter amendment to the voters of Republic.

### Discussion and/or Analysis

**QUESTION 5: Shall the Charter of the City of Republic, Section 7.6, be repealed and a new subsection 7.3(f) be added to make capital planning part of the annual budget?**

This question would remove the requirement to provide a Capital Improvement Plan to be approved by Council annually via Resolution and instead, add it to the annual budget process for large projects. Currently, this plan is time-consuming for staff with little to no fruit gained in the process. The proposed change would allow for funding planning for the larger projects in addition to the regular planning of projected project timelines. The specific requirements for what would be included can be specified in the Financial Policies of the city, which may be amended by Ordinance as needed to properly meet the planning needs of the city. **The Charter currently reads:**

#### 7.6 Council Action On Capital Program

1. *Submission To Council.* The City Administrator shall prepare and submit to the Mayor and Council a five year capital program prior to the final date for submission of the budget. The Council by resolution shall adopt the capital program with or without amendment on or before the last day of the month of the current fiscal year.
2. *Contents.* The capital program shall include:
  1. A clear general summary of its contents.
  2. A list of all capital improvements that are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements.
  3. Cost estimates, method of financing and recommended time schedules for each such improvement.
  4. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.



- This was intended to serve as a guide for planning; however, much of the plan isn't followed and such planning should be part of the annual budget process and not an additional plan.
- This requires a lot of staff time, which does not produce a ROI worth the time investment.
- Capital Improvement Committee was dissolved in 2019 after staff and committee members identified a lack of value in the process.

**The proposed changes are as follows:**

**7.3 Budget**

The budget shall provide a complete financial plan of all City funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the City Administrator deems desirable or the Council may require. In no event shall the total proposed expenditures exceed the estimated revenues to be received plus any unencumbered cash reserves estimated to be on hand at the beginning of the budget year.

The annual budget shall present a complete financial plan for the ensuing fiscal year and shall include at least the following information:

- (a) A budget message describing the important features of the budget and major changes from the preceding year;
- (b) Estimated revenues to be received from all sources for the budget year, with a comparative statement of actual or estimated revenues for the two years next preceding, itemized by year, fund and source; [Ord. No. 18-49, 1-8-2019]
- (c) Proposed expenditures for each department, office, commission and other classification of the budget year, together with a comparative statement of actual or estimated expenditures for the two years next proceeding, itemized by year, fund, activity and object; [Ord. No. 18-49, 1-8-2019]
- (d) The amount required for the payment of interest, amortization and redemption charges on the debt of the City; and
- (e) A general budget summary.
- (f) **A 5-year Capital outlook of planned or projected large projects.**

**7.6 Council Action On Capital Program**

- ~~3.—*Submission To Council.* The City Administrator shall prepare and submit to the Mayor and Council a five year capital program prior to the final date for submission of the budget. The Council by resolution shall adopt the capital program with or without amendment on or before the last day of the month of the current fiscal year.~~
- ~~4.—*Contents.* The capital program shall include:~~
  - ~~1.—A clear general summary of its contents.~~
  - ~~2.—A list of all capital improvements that are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements.~~
  - ~~3.—Cost estimates, method of financing and recommended time schedules for each such improvement.~~
  - ~~4.—The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.~~

**Recommended Action**

Staff recommends approval.

**AN ORDINANCE OF THE CITY COUNCIL PROPOSING AN AMENDMENT TO THE CITY CHARTER TO INCLUDE CAPITAL PLANNING IN THE ANNUAL BUDGET PROCESS; CALLING AN ELECTION TO BE HELD ON APRIL 2, 2024 ON THE PROPOSED AMENDMENT; AUTHORIZING AND DIRECTING THE CITY CLERK TO GIVE NOTICE TO THE COUNTY CLERK OF SAID ELECTION, AND PROVIDING FOR ENACTMENT OF THE PROPOSED AMENDMENT IF APPROVED**

**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 April 3, 2007, pursuant to Section 19, Article VI of the Missouri Constitution of 1945 and Section 82.010 of the Revised Statutes of Missouri, the citizens of Republic voted to establish a home rule charter (the "Charter") to serve as the City's central document and constitution; and

**WHEREAS**, Article XII, Section 12.7, of the Charter allows the City Council to propose amendments to the Charter and sets forth the requirements for proposing such amendments; and

**WHEREAS**, pursuant to Article XII, Section 12.7, of the Charter, the City Council desires to submit the proposed amendment contained herein below to the qualified voters of the City.

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

**Section 1.** Pursuant to Article XII, Section 12.7 of the City Charter, the City Council hereby proposes an amendment to Article VII of the City Charter to remove the Council Action On Capital Program and add capital outlook planning to the annual budget process.

In accord with the above, the question herein below shall be placed on the ballot and submitted to the qualified voters of the City of Republic, Missouri at the General Municipal Election to be held on April 2, 2024. The question presented shall be in substantially and materially the following form:

**QUESTION 5**

**Shall the Charter of the City of Republic, Section 7.6, be repealed and a new subsection 7.3(f) be added to make capital planning part of the annual budget?**

YES [    ]

NO [    ]

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

**Section 2.** The amendment to Section 7.6 of the City Charter, proposed in Section 1 of this Ordinance, shall read as follows:

(Note: Language shown in **bold, underlined** text is to be added. Language shown in ~~stricken~~ text is to be removed.)

**7.6 Council Action On Capital Program**

- (a) ~~Submission To Council.~~ The City Administrator shall prepare and submit to the Mayor and Council a five year capital program prior to the final date for submission of the budget. The Council by resolution shall adopt the capital program with or without amendment on or before the last day of the month of the current fiscal year.
- (b) ~~Contents.~~ The capital program shall include:
- (1) ~~A clear general summary of its contents.~~
  - (2) ~~A list of all capital improvements that are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements.~~
  - (3) ~~Cost estimates, method of financing and recommended time schedules for each such improvement.~~
  - (4) ~~The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.~~

**Section 3.** The amendment to Section 7.3 of the City Charter by adding subsection 7.3(f), proposed in Section 1 of this Ordinance, shall read as follows:

(Note: Language shown in **bold, underlined** text is to be added. Language shown in ~~stricken~~ text is to be removed.)

**7.3 Budget**

The budget shall provide a complete financial plan of all City funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the City Administrator deems desirable or the Council may require. In no event shall the total proposed expenditures exceed the estimated revenues to be received plus any unencumbered cash reserves estimated to be on hand at the beginning of the budget year.

The annual budget shall present a complete financial plan for the ensuing fiscal year and shall include at least the following information:

- (a) A budget message describing the important features of the budget and major changes from the preceding year;
- (b) Estimated revenues to be received from all sources for the budget year, with a comparative statement of actual or estimated revenues for the two years next preceding, itemized by year, fund and source; [Ord. No. 18-49, 1-8-2019]
- (c) Proposed expenditures for each department, office, commission and other classification of the budget year, together with a comparative statement of actual or estimated expenditures for the two years next preceding, itemized by year, fund, activity and object; [Ord. No. 18-49, 1-8-2019]
- (d) The amount required for the payment of interest, amortization and redemption

charges on the debt of the City; and

(e) A general budget summary.

(f) **A five-year Capital outlook of planned or projected large projects.**

**Section 4.** The City Clerk is hereby authorized and directed to notify the County Clerk of Greene County, Missouri, and the County Clerk of Christian County, Missouri, of the adoption of this Ordinance by sending a certified copy hereof as soon as practicable, but in no event later than 5:00 p.m. on the tenth Tuesday prior to April 2, 2024, and to include in said notification all terms and provisions required by Chapter 115 of the Revised Statutes of Missouri, and other applicable law.

**Section 5.** The Greene County Clerk and Christian County Clerk are hereby authorized and directed to conduct said election in a manner consistent with the provisions of Chapter 115 of the Revised Statutes of Missouri, including but not limited to the designation of polling places for the qualified voters of the City.

**Section 6.** If, upon certification by the Greene County Clerk and Christian County Clerk, the proposed amendment is approved by the affirmative vote of qualified electors voting thereon in accord with Section 12.7 of the City Charter, the City Charter shall be amended as approved, and such amendment shall become part of the Charter at the time of such approval.

**Section 7.** The City Clerk is hereby authorized to take all necessary and appropriate action to effect the intent and purpose of this Ordinance including but not limited to the codification of the amendment if approved by the electors.

**Section 8:** The whereas clauses are hereby specifically incorporated herein by reference.

**Section 9:** 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 10:** 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 January 2024.

**Attest:**

\_\_\_\_\_  
Matt Russell, Mayor

\_\_\_\_\_  
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:**

**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 April 2, 2024, 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****April 2, 2024****QUESTION 5**

Shall the Charter of the City of Republic, Section 7.6, be repealed and a new subsection 7.3(f) be added to make capital planning part of the annual budget?

YES [ ☐ ]NO [ ☐ ]

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

A full and complete copy of Ordinance No. 23-68, submitting the above questions to the electorate, including a full and complete copy of the proposed amendments to the City Charter, 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.

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: 23-69 An Ordinance of the City Council Proposing an Amendment to the City Charter by Repealing Section 10.3 Pertaining to Temporary Permitting for Public Utilities; Calling an Election to be Held on April 2, 2024 on the Proposed Amendment; Authorizing and Directing the City Clerk to Give Notice to the County Clerk of Said Election, and Providing for Enactment of the Proposed Amendment if Approved.

Submitted By: Laura Burbridge, City Clerk  
Megan McCullough, City Attorney

Date: December 12, 2023

### Issue Statement

To call an election proposing a charter amendment to the voters of Republic.

### Discussion and/or Analysis

**QUESTION 6: “Shall the Charter of the City of Republic, Section 10.3, be repealed to remove temporary right of way access and permitting for public utilities by ordinance and to allow for such permitting to be administratively managed in accord with the Republic Municipal Code?”**

This question would remove the section from the Charter-which has not been utilized since its adoption in 2019. The Right of Way permitting process is procedural and staff utilize the recently amended Chapter 515 Municipal Code provisions for the requirements and procedures. **The Charter currently reads:**

#### 10.3 Temporary Permits

Temporary permits for the operation of public services utilizing public streets, alleys, bridges, easements, rights-of-way and public places for a period not to exceed two (2) years may be granted by the Council by ordinance without public hearing. Such permit shall be subject to amendment, alteration or revocation at any time at the will of the Council, whether so provided in the ordinance or not. Any permit granted hereunder shall in no event be construed to be a franchise or an extension or amendment of a franchise.

- Repeal the entire section-allow for ROW permitting to be done administratively by BUILDS.

#### Proposed Change:

#### **10.3 Temporary Permits**

~~Temporary permits for the operation of public services utilizing public streets, alleys, bridges, easements, rights-of-way and public places for a period not to exceed two (2) years may be granted by the Council by ordinance without public hearing. Such permit shall be subject to amendment, alteration or revocation at any time at the will of the Council, whether so provided in the ordinance or not. Any permit granted hereunder shall in no event be construed to be a franchise or an extension or amendment of a franchise.~~



The recently amended 515 code changes are live on our website and can be found at:  
[https://republic.municipalcodeonline.com/book?type=ordinances#name=Chapter 515 Rights-Of-Way Management](https://republic.municipalcodeonline.com/book?type=ordinances#name=Chapter_515_Rights-Of-Way_Management)

**Recommended Action**

Staff recommends approval.



**AN ORDINANCE OF THE CITY COUNCIL PROPOSING AN AMENDMENT TO THE CITY CHARTER BY  
REPEALING SECTION 10.3 PERTAINING TO TEMPORARY PERMITTING FOR PUBLIC UTILITIES; CALLING  
AN ELECTION TO BE HELD ON APRIL 2, 2024 ON THE PROPOSED AMENDMENT; AUTHORIZING AND  
DIRECTING THE CITY CLERK TO GIVE NOTICE TO THE COUNTY CLERK OF SAID ELECTION, AND  
PROVIDING FOR ENACTMENT OF THE PROPOSED AMENDMENT IF APPROVED**

**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 April 3, 2007, pursuant to Section 19, Article VI of the Missouri Constitution of 1945 and Section 82.010 of the Revised Statutes of Missouri, the citizens of Republic voted to establish a home rule charter (the “Charter”) to serve as the City’s central document and constitution; and

**WHEREAS**, Article XII, Section 12.7, of the Charter allows the City Council to propose amendments to the Charter and sets forth the requirements for proposing such amendments; and

**WHEREAS**, pursuant to Article XII, Section 12.7, of the Charter, the City Council desires to submit the proposed amendment contained herein below to the qualified voters of the City.

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

**Section 1.** Pursuant to Article XII, Section 12.7 of the City Charter, the City Council hereby proposes an amendment to Article X of the City Charter by repealing Section 10.3 regarding temporary permitting for public utilities.

In accord with the above, the question herein below shall be placed on the ballot and submitted to the qualified voters of the City of Republic, Missouri at the General Municipal Election to be held on April 2, 2024. The question presented shall be in substantially and materially the following form:

**QUESTION 6**

**Shall the Charter of the City of Republic, Section 10.3, be repealed to allow for the administrative management of temporary permits issued for the operation of public utilities in accord with Republic Municipal Code?**

YES [    ]

NO [    ]

**INSTRUCTIONS TO VOTERS:** If you are in favor of the question, select the box opposite “YES”. If you are opposed to the question, select the box opposite “NO”.

**Section 2.** The amendment to Section 10.3 of the City Charter, proposed in Section 1 of this Ordinance, shall read as follows:

(Note: Language shown in **bold, underlined** text is to be added. Language shown in ~~stricken~~ text is to be removed.)

**10.3 Temporary Permits**

~~Temporary permits for the operation of public services utilizing public streets, alleys, bridges, easements, rights-of-way and public places for a period not to exceed two (2) years may be granted by the Council by ordinance without public hearing. Such permit shall be subject to amendment, alteration or revocation at any time at the will of the Council, whether so provided in the ordinance or not. Any permit granted hereunder shall in no event be construed to be a franchise or an extension or amendment of a franchise.~~

**Section 3.** The City Clerk is hereby authorized and directed to notify the County Clerk of Greene County, Missouri, and the County Clerk of Christian County, Missouri, of the adoption of this Ordinance by sending a certified copy hereof as soon as practicable, but in no event later than 5:00 p.m. on the tenth Tuesday prior to April 2, 2024, and to include in said notification all terms and provisions required by Chapter 115 of the Revised Statutes of Missouri, and other applicable law.

**Section 4.** The Greene County Clerk and Christian County Clerk are hereby authorized and directed to conduct said election in a manner consistent with the provisions of Chapter 115 of the Revised Statutes of Missouri, including but not limited to the designation of polling places for the qualified voters of the City.

**Section 5.** If, upon certification by the Greene County Clerk and Christian County Clerk, the proposed amendment is approved by the affirmative vote of qualified electors voting thereon in accord with Section 12.7 of the City Charter, the City Charter shall be amended as approved, and such amendment shall become part of the Charter at the time of such approval.

**Section 6.** The City Clerk is hereby authorized to take all necessary and appropriate action to effect the intent and purpose of this Ordinance including but not limited to the codification of the amendment if approved by the electors.

**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 January 2024.

---

Matt Russell, Mayor

**Attest:**

---

Laura Burbridge, City Clerk

**Approved as to Form:**



---

Megan McCullough, 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 April 2, 2024, 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****April 2, 2024****QUESTION 6**

Shall the Charter of the City of Republic, Section 10.3, be repealed to allow for the administrative management of temporary permits issued for the operation of public utilities in accord with Republic Municipal Code?

YES [    ]

NO [    ]

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

A full and complete copy of Ordinance No. 23-69, submitting the above questions to the electorate, including a full and complete copy of the proposed amendments to the City Charter, 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.

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: 23-R-68 A Resolution of the City Council Authorizing Execution of a Memorandum of Understanding with the Southwest Missouri Joint Municipal Water Utility Commission Regarding Reallocation of Stockton Lake Surface Water for Use as Public Water Supply.

Submitted By: Andrew Nelson, Assistant City Administrator

Date: December 12, 2023

### **Issue Statement**

Memorandum of Understanding for the purpose of beginning contract negotiations and participation in the reallocation of surface water from Stockton Lake for use as public water supply.

### **Discussion and/or Analysis**

The City has been a member of the Southwest Missouri Water coalition for about 7 years. This coalition consists of 16 entities representing roughly 850,000 people. As part of the City's master planning effort for the Water utility this has been identified as a potential supplement to the City's groundwater wells. Raw water would be received via a pipeline from Stockton Lake and delivered to communities from Stockton all the way to Joplin. Although this project is already 20 years in the making and likely many years from construction participants must be in from the point of allocation of water which may be years in advance of receiving the water. If the City was to opt out once the allocations are set, there is no possibility of receiving the water after the fact. Regardless of the Republic's participation the pipeline will be coming through the community to serve the other communities in the coalition. The City has tentatively. The City consumes approximately 500 million gallons per year with an average day demand of approximately 1.5 million gallons. For the purposes of this project the City has asked tentatively asked future allocation of 2.5 million gallons.

### **Recommended Action**

Staff recommends approval.

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE SOUTHWEST MISSOURI JOINT MUNICIPAL WATER UTILITY COMMISSION REGARDING REALLOCATION OF STOCKTON LAKE SURFACE WATER FOR USE AS PUBLIC WATER SUPPLY**

**WHEREAS**, the City of Republic, Missouri, (“City” and/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 purpose of the Southwest Missouri Joint Municipal Water Utility Commission (“Water Commission”) is to develop water supply sources and related facilities required to meet the needs of the contracting members and citizens they serve, in the most economical and feasible manner; and

**WHEREAS**, the Water Commission has been collaborating with the U.S. Army Corps of Engineers (“Corps”) to secure a “storage contract” authorizing the Commission and its members to use storage in that project for water supply purposes; and

**WHEREAS**, the Water Commission anticipates the Storage Contract will procure permanent rights to utilize 92,250 acre-feet of space in Stockton Lake to store water for municipal and industrial water supply purposes; and

**WHEREAS**, the storage space in Stockton Lake could potentially supplement the City’s groundwater wells, allowing water to be received from Stockton Lake and delivered to the City through planned pipeline that will extend from Stockton Lake all the way to Joplin; and

**WHEREAS**, City staff seek the Council’s approval to execute a Memorandum of Understanding (“MOU”) with the Commission in order to convey its intent to participate and receive the water when the pipeline is constructed and to request an allocation of 2.5 million gallons from the source; and

**WHEREAS**, the proposed MOU does not bind the City to any monetary contribution or obligation, but merely serves as the City’s commitment to the Commission of its intent to participate in the pipeline distribution once constructed.

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

- Section 1.** The City Administrator and/or his designee, on behalf of the City, is authorized to enter into a Memorandum of Understanding with the Southwest Missouri Joint Municipal Water Utility Commission setting forth the City’s agreement to negotiate and participate in the reallocation of surface water from Stockton Lake for potential use as public water supply, to be in substantially the same form as that attached hereto as “Attachment 1”.
- 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 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 \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Matt Russell, Mayor

**Attest:**

\_\_\_\_\_  
Laura Burbidge, City Clerk

**Approved as to Form:**

  
\_\_\_\_\_

Megan McCullough, City Attorney

**Final Passage and Vote:**

## MEMORANDUM OF UNDERSTANDING

This **Memorandum of Understanding** (“MOU”) is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by and between the City of Republic, Missouri, a municipal corporation and Charter City located in Greene County, Missouri, being duly organized and existing under the laws of the State of Missouri (“City”), and the Southwest Missouri Joint Municipal Water Commission (“JMUC” and/or “the Commission”), regarding the reallocation of surface water from Stockton Lake for potential use as public water utility. The City and JMUC are referred to together herein as “the Parties.”

### **WITNESSETH:**

**WHEREAS**, JMUC is a Joint Municipal Utility Commission formed under the Joint Municipal Utility Commission Act, Section 393.700 *et seq.* of the Revised Statutes of Missouri; and

**WHEREAS**, City is a member of JMUC; and

**WHEREAS**, JMUC was created to develop water supply projects for Southwest Missouri to meet projected future needs for User and other members; and

**WHEREAS**, JMUC has been working with the U.S. Army Corps of Engineers (“Corps”) for many years to secure a “storage contract” that would authorize JMUC and its members to use certain waterways and bodies of water for water supply/utility purposes;

**WHEREAS**, JMUC reasonably believes that the Corps’ leadership will sign a Record of Decision authorizing execution of the storage contract referenced herein above; and

**WHEREAS**, JMUC anticipates the storage contract will grant permanent right to utilize 92,250 acre-feet of storage space in Stockton Lake to store water for municipal and industrial water supply purposes; a storage volume that is expected to provide a safe yield of approximately 38 million gallons per day (“mgd”); and

**WHEREAS**, JMUC further anticipates the storage contract will obligate JMUC to make annual payments to the Corps of approximately \$2.5 million, annual payments to cover “operations and maintenance costs” and occasional payments for “repair, rehabilitation, and maintenance costs,” as needed; and

**WHEREAS**, before executing any contract with the Corps, JMUC must have agreements in place with participating members in order to ensure available funding to pay the aforementioned costs; and

**WHEREAS**, JMUC anticipates entering into “pass-through” subcontracts with its members to suballocate a portion of JMUC’s storage space to the respective members in exchange for an agreement to pay a portion of JMUC’s costs; and

**WHEREAS**, to finalize the subcontracts and advance its negotiations with the Corps, JMUC must have information regarding the anticipated amount of storage each of its members is prepared to take, even if the storage volumes that will be contracted to each member may change; and

**WHEREAS**, JMUC has requested that each of its members make a non-binding commitment to enter into a subcontract as referenced above, for a specific volume of storage at a specific price; and



**WHEREAS**, while the requested commitment in this MOU is explicitly non-binding, the City understands that JMUC will rely on the MOU for planning purposes and that any departure from it could jeopardize JMUC's ultimate ability to secure any contract with the Corps.

**NOW, THEREFORE**, in consideration of the mutual promises, conditions, and agreements set forth herein, JMUC and City mutually agree as follows:

1. **Consideration.** On terms to be agreed upon in the City's subcontract as referenced herein above, the City anticipates contracting for \_\_\_\_\_ acre-feet of storage space, which amounts to \_\_\_\_\_% of the total storage space available to JMUC and is expected to provide a safe yield of approximately 2.5 million gallons per day on an average annual basis.

**A.** In exchange for the storage rights specified in this paragraph above, the City anticipates paying \_\_\_\_\_% of JMUC's annual costs in addition to other costs specified by the Draft Subcontract, which are estimated to be approximately \$\_\_\_\_\_ per year.

**B.** The term shall commence as of the date on which all Parties have signed this MOU and shall continue until either of the Parties terminates this MOU through written notice provided to the non-terminating Party at least thirty (30) days in advance of such termination.

2. **Non-Binding.** This MOU, including all promises, obligations, duties and rights set forth herein, is non-binding upon the Parties and shall not, in any way, bind either of the Parties to the promises, obligations, duties and rights set forth herein, but rather, is merely entered into as a show of good faith by the Parties of their mutual intentions to negotiate and work toward an agreeable subcontract and corresponding participation in the project.

3. **Public Entity Immunity.** The City preserves all immunities, sovereign, governmental and otherwise, recognized by law. Nothing in this MOU or any transactions under this MOU shall be construed or deemed in any way as a waiver by the City of sovereign immunity or governmental immunity recognized under common law, state law, ordinances, regulations, the Missouri Constitution, or the United States Constitution, including but not limited to § 537.600 RSMo., *et seq.*

4. **Law and Venue.** This MOU shall be governed by the laws of the State of Missouri. Any lawsuit, claim, or other action filed by or against one or both of the Parties to this MOU relating in any way to the interpretation of this MOU or to the exercise of rights and/or duties under this MOU, shall have proper venue solely in the Circuit Court of Greene County, Missouri.

5. **Severability.** A determination by a court of competent jurisdiction or other authoritative decision-making body that any clause, sentence, paragraph, section, or part of this MOU is unconstitutional, invalid or otherwise unenforceable shall not affect in any way the validity or enforceability of the remaining clauses, sentences, paragraphs, sections or parts of this MOU.

*[The remainder of this page is intentionally left blank. Signatures appear on the following page, number 3 of 3]*

**CITY OF REPUBLIC, MISSOURI**

**SOUTHWEST MISSOURI JOINT MUNICIPAL  
WATER COMMISSION**

By: \_\_\_\_\_  
David Cameron, City Administrator

By: \_\_\_\_\_  
Roddy Rogers, Executive Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Laura Burbridge, City Clerk

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Megan McCullough, City Attorney

Date: \_\_\_\_\_

## **AGENDA ITEM ANALYSIS**

**Project/Issue Name:** 23-R-69 A Resolution of the City Council Authorizing the BUILDS Department to Purchase a Combination Sewer Cleaning Truck, a Trailer Jetter, and a Street Sweeper from Armor Equipment at Bid Pricing Provided to the Missouri Department of Transportation through Sourcewell.

**Submitted By:** Andrew Nelson, Asst. City Administrator – Community Development

**Date:** December 12, 2023

### **Issue Statement**

The BUILDS Department is requesting use of funds for the purchase of three new pieces of equipment – a combo truck, a trailer jetter, and a street sweeper.

### **Discussion and/or Analysis**

The current street sweeper owned by the City of Republic is in critical disrepair and is often inoperable. This has caused the BUILDS Department to fall behind on regular street cleaning which could in turn cause unwanted runoff into our stormwater system. It has also caused streets to look generally rundown by allowing grass and weeds to grow in the cracks and seams of streets. The purchase of a new street sweeper will assist the BUILDS Department in their efforts to keep the streets clean and visually appealing.

Our current trailer jetter is also in disrepair and we spend many hours (and dollars) trying to keep it operable so it can be used for emergent needs. The purchase of a new trailer jetter will increase efficiency and offer peace of mind for our staff, where they will know that it will work when they need it.

The purchase of a combo truck (sewer cleaner) has been discussed for several years now but we believe now is the time to act. As our city continues to grow and our efforts for infrastructure maintenance increase, it's more important now more than ever that we take better care of our infrastructure. The combo truck would allow for regular cleaning of all sewer and water mains, would assist in I&I reduction, and would be efficient in various projects such as utility locates and repairs, street sign installations, and precise excavation.

Purchasing all three pieces at the same time will result in a discount of almost \$40,000, bringing the total (with freight) to \$927,688.07. The wastewater fund has a restricted cash account that was set aside over several years for the sole purpose of purchase and replacement of capital equipment and will cover the costs of the Combo truck and jetter. The Street fund will be utilized to purchase the streetsweeper. The equipment will not arrive until late 2024 and the 2024 budget will be amended to reflect these purchases.

### **Recommended Action**

Staff recommends approval.

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE BUILDS DEPARTMENT TO PURCHASE A COMBINATION SEWER CLEANING TRUCK, A TRAILER JETTER, AND A STREET SWEEPER FROM ARMOR EQUIPMENT AT BID PRICING PROVIDED TO THE MISSOURI DEPARTMENT OF TRANSPORTATION THROUGH SOURCEWELL**

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

**WHEREAS**, the BUILDS Department desires to purchase three new pieces of equipment including a street sweeper, a trailer jetter, and a combination sewer cleaning truck, all of which are vital to the daily operations of the BUILDS Department; and

**WHEREAS**, Sourcewell is a cooperative purchasing provider that helps to streamline the procurement process for governmental clients by developing bidding documents such as requests for proposal or invitations for bids that meet or exceed local requirements; and

**WHEREAS**, Sourcewell is additionally utilized by municipalities all over the country to assist with identifying the most competitive pricing available in accord with the identified requests or specifications of the municipality; and

**WHEREAS**, through Sourcewell, the City has identified the most competitive pricing for all three of the pieces of equipment needed, which, if purchased together simultaneously, would allow the City to purchase the equipment at government bid pricing provided to the Missouri Department of Transportation;

**WHEREAS**, the City is able to purchase the identified pieces of equipment at the government bid price from Armor Equipment, which will result in savings for the City of approximately \$40,000; and

**WHEREAS**, upon review of the materials provided and presentation by City staff, the Council finds it is in the best interest of the City to purchase the combination sewer cleaning truck, trailer jetter, and street sweeper from Armor Equipment at the pricing shown on the quote provided to the City, totaling approximately \$927,689 (including freight).

**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 purchase a combination sewer cleaning truck, trailer jetter, and street sweeper from Armor Equipment at the pricing shown on the quote provided to the City, attached hereto as “Attachment 1” and incorporated herein by reference, in an amount not to exceed \$928,000 (including freight) without additional approval by Council.
- Section 2.** The City Administrator, or his designee, 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 \_\_\_\_\_, 2023.

**Attest:**

\_\_\_\_\_  
Matt Russell, Mayor

\_\_\_\_\_  
Laura Burbridge, City Clerk

**Approved as to Form:**

  
\_\_\_\_\_  
Megan McCullough, City Attorney

**Final Passage and Vote:**



# QUOTATION

Name  
Republic, MO  
Address  
4221 S Wilson Creek Blvd  
City, State, ZIP  
Republic, Missouri 65738

FOB

Delivery Date  
Pending Order Date

Date  
10/13/23

Quote Valid until 12/15/2023

Contact  
Mike

Telephone  
417-860-7327

Fax

Quantity	Description	Each	Total
1	<b>TYMCO 600 REGENERATIVE STREET SWEEPER</b> Options:  Stainless Steel Hopper, Stainless Hopper Screen, 8" Hand Hose, Dual Gutter Brooms w/ Tilt, Aux Hydraulics, Hopper Drain, Sweeper Deluge, Rubber Lined Blower, Abrasion Resistant Package, Wash Down System, Auto-Sweep-Interrupt, Curtain Lifter, Pick-up Head Water Injection System. AOD Washdown Pump, Dump Switch In Cab, Gutter Broom Tilt(RH), Variable Speed Gutterbrooms  Mounted on: 2025 Freightliner M2 31,000 GVWR Options: Battery Disconnect Switch, Air Horn, 12" Parabolic Mirror Heads, LED Arrow Stick	\$319,925.00	\$319,925.00
1	<b>Package Discount *When purchased with 900 ECO and 747 ECO</b> <b>MODOT CONTRACT # IFB60522CO02421</b>	(\$9,900.00)	(\$9,900.00)
1	<b>SEWER EQUIPMENT OF AMERICA 900 ECO COMBINATION SEWER CLEANER</b>	\$536,863.98	\$536,863.98
1	SEE ATTACHED QUOTE FOR FULL OPTION BREAKDOWN		
1	<b>Sourcewell Discount 3% - Sourcewell Contract #101221-SCA</b>	(\$12,260.91)	(\$12,260.91)
1	<b>Package Discount *When purchased with TYMCO 600 and 747 ECO</b>	(\$9,800.00)	(\$9,800.00)
1	<b>SEWER EQUIPMENT OF AMERICA 747 ECO TRAILER JETTER</b>	\$103,933.00	\$103,933.00
1	SEE ATTACHED QUOTE FOR FULL OPTION BREAKDOWN		
1	<b>Sourcewell Discount 3% - Sourcewell Contract #101221-SCA</b>	(\$3,073.00)	(\$3,073.00)
1	<b>Package Discount *When purchased with 900 ECO and TYMCO 600</b>	(\$4,500.00)	(\$4,500.00)
1	Sourcewell Discount(if sourcewell is used)		
See Attached Information for full breakdown of options for 900ECO and 747 ECO			

Quoted by: John Krejci Jr.

Approved by:

Accepted by:

Sub Total	\$921,188.07
Freight	\$6,500.00
Sales Tax	NOT APP
<b>TOTAL</b>	<b>\$927,688.07</b>



## **AGENDA ITEM ANALYSIS**

Project/Issue Name: 23-R-70 A Resolution of the City Council Authorizing the Application to the Missouri Department of Natural Resources' State Infrastructure Program for \$25 Million for the Purposes of Capital Improvements to the Wastewater System.

Submitted By: Andrew Nelson, Assistant City Administrator

Date: December 12, 2023

### **Issue Statement**

Completion of this application is required for the receipt of funds appropriated by the State Legislature in the FY 2023/2024 state budget.

### **Discussion and/or Analysis**

The Staff worked in late 2022 and 2023 to secure additional state funding for the wastewater capital projects. The overall project need is approximately \$150M and to date the City has secured \$45M in debt/obligation bonds, \$25M in ARPA funds and this Resolution would allow for an additional \$25M of funds to be received that was appropriated by the legislature and approved by the governor in June of 2023.

### **Recommended Action**

Staff recommends approval.

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE APPLICATION TO THE MISSOURI  
DEPARTMENT OF NATURAL RESOURCES' STATE INFRASTRUCTURE PROGRAM FOR \$25 MILLION FOR  
THE PURPOSES OF CAPITAL IMPROVEMENTS TO THE WASTEWATER SYSTEM**

**WHEREAS**, the City of Republic, Missouri, ("City" and/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 currently under an Abatement Order on Consent with the Missouri Department of Natural Resources, requiring the City to bring into compliance its wastewater treatment system ("WWTS") by a date certain; and

**WHEREAS**, various capital improvements are necessary for the City to reach the required compliance and the estimated cost of those improvements totals greater than \$150 million; and

**WHEREAS**, certain grant funds and state infrastructure programs that help to offset the direct cost of the improvements to the City's taxpayers are available to the City; and

**WHEREAS**, in order for the City to use the funds that were appropriated by the state legislature for the capital improvements to the WWTS, the City is required to submit an application to the Missouri Department of Natural Resources' State Infrastructure Program for \$25 million, and provide a match; and

**WHEREAS**, the City has secured the required matching funds and wishes to proceed with submission of the application; and

**WHEREAS**, based upon presentation by City staff and review of all pertinent materials submitted, the Council believes it is in the City's best interest to submit an application to the Missouri Department of Natural Resources' State Infrastructure Program for \$25 million, to be used toward the capital improvements required for the new WWTS.

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

- Section 1.** The City Administrator and/or his designee, on behalf of the City, is authorized to submit an application to the Missouri Department of Natural Resources State Infrastructure Program, regarding capital improvements to the wastewater system, to be in substantially the same form as that attached hereto as "Attachment 1".
- 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 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 \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Matt Russell, Mayor

**Attest:**

\_\_\_\_\_  
Laura Burbridge, City Clerk

**Approved as to Form:**

  
\_\_\_\_\_

Megan McCullough, City Attorney

**Final Passage and Vote:**



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF ENVIRONMENTAL QUALITY  
FINANCIAL ASSISTANCE CENTER  
**STATE INFRASTRUCTURE PROGRAM APPLICATION**

Item 20.

### 1. APPLICANT/CONTINUING AUTHORITY

☒ Incorporated Municipality    ☐ Public Water or Sewer District    ☐ Other: \_\_\_\_\_

NAME OF APPLICANT/CONTINUING AUTHORITY

City of Republic Missouri

TELEPHONE NUMBER WITH AREA CODE

417-732-3405

FAX NUMBER WITH AREA CODE

MAILING ADDRESS

213 North Main Avenue

EMAIL ADDRESS

anelson@republicmo.com

CITY

Republic

STATE

MO

ZIPCODE + FOUR

65738

COUNTY

Greene

### 2. AUTHORIZED REPRESENTATIVE/APPLICATION CONTACT

AUTHORIZED REPRESENTATIVE NAME

Andrew Nelson

TITLE

Assistant City Administrator

EMAIL ADDRESS

anelson@republicmo.com

TELEPHONE NUMBER WITH AREA CODE

417-732-3405

☐ Attach a completed Resolution of Governing Body of Applicant form.

NAME OF PERSON TO CONTACT ABOUT THIS APPLICATION (IF DIFFERENT FROM AUTHORIZED REPRESENTATIVE)

TITLE

EMAIL ADDRESS

TELEPHONE NUMBER WITH AREA CODE

OPTIONAL QUESTIONS REGARDING MILITARY SERVICE (§42.390 RSMo. 2021)

- a) Have you or an immediate family member ever served in the U.S. Armed Forces?    ☒ Yes    ☐ No  
b) If yes, would you like information about military-related services in Missouri?    ☐ Yes    ☒ No

### 3. ARCHITECTURAL AND ENGINEERING CONSULTANT

HAS THE APPLICANT PROCURED ENGINEERING SERVICES?

☒ Yes (attach procurement documentation and complete section)    ☐ No (skip to Section 6)

CONSULTING FIRM'S NAME

Burns and McDonnell

PROJECT CONSULTANT'S NAME

Allison White

PROJECT CONSULTANT'S TITLE

Department Manager

MAILING ADDRESS

425 S Woods Mill Rd, Ste 300

EMAIL ADDRESS

alwhite@burnsmcd.com

CITY

Chesterfield

STATE

MO

ZIP CODE + FOUR

63017

TELEPHONE NUMBER WITH AREA CODE

314-328-5431

FAX NUMBER WITH AREA CODE

### 4. FACILITY INFORMATION

LIST ALL MISSOURI STATE OPERATING PERMIT NUMBER(S) OF WATER OR WASTEWATER FACILITIES THAT ARE OR WILL BE AFFECTED BY THIS PROJECT, INCLUDING THOSE RECEIVING WASTEWATER IF THE CONTINUING AUTHORITY IS A SATELLITE SYSTEM:

MO-0022098

MO-

MO-

LIST ALL OTHER PERMIT NUMBER(S) OR AUTHORIZATIONS RELATED TO THIS PROJECT, IF KNOWN:

### 5. PROJECT DESCRIPTION

DESCRIBE THE MAJOR COMPONENTS OF THE PROJECT, ATTACH MAPS OR DRAWINGS SHOWING THE PROJECT LOCATION (SUBMIT ENGINEERING REPORT OR FACILITY PLAN, IF REQUIRED).

Capital Expansion to Republic WWTP

Design-Build (See Instructions)    ☒ Yes    ☐ No

**6. ESTIMATED PROJECT COST**

Date of Cost Estimate: 11/1/2023			
Engineering (Planning and Design)	\$10,230,300	Construction	\$126,824,350
Engineering (Construction Phase)	\$ N/A-within construction total	Equipment	\$0
Engineering (Inspection)	\$0	Other Costs (specify_____)	\$
Land and Easements	\$0	Contingencies (estimate 10%)	\$ within total above
<b>Subtotal Estimated Project Costs</b>	\$137054650	<b>Match, if required</b>	\$25,000,000
<b>Total Estimated Project Costs</b>	\$137054650	<b>Funding Request</b>	\$25,000,000

**7. ESTIMATED PROJECT SCHEDULE**

<b>Milestone (attach compliance schedule, if applicable)</b>	<b>Anticipated Date</b>
A. Antidegradation Report (any new, expanded or upgraded wastewater treatment)	Complete
B. Engineering Report and Facility Plan complete	1/1/2024
C. All other funding is secured	6/1/2024
D. Engineering Plans and Specifications complete	1/1/2024
E. Construction start date	5/1/2024
F. Project completion date	12/31/2026

**8. CERTIFICATION:**

The authorized representative certifies that the information submitted in this application is true and correct to the best of their knowledge and that they are authorized to sign and submit this application. The applicant agrees, if a grant is awarded on the basis of this application, to comply with all applicable terms, conditions, and procedures of the Department of Natural Resources; the applicable rules and regulations of the State of Missouri; and the terms and conditions of the grant agreement.

SIGNATURE OF AUTHORIZED REPRESENTATIVE

DATE

**17. PREPARER'S NAME AND SIGNATURE (IF APPLICABLE)**

SIGNATURE OF PREPARER

DATE

NAME AND TITLE (PRINT OR TYPE)

TELEPHONE NUMBER WITH AREA CODE

EMAIL (PREFERRED) OR MAIL COMPLETED APPLICATION TO:

Missouri Department of Natural Resources

Financial Assistance Center

P.O. Box 176

Jefferson City, MO 65102-0176

800-361-4827 or 573-751-1192

[fac@dnr.mo.gov](mailto:fac@dnr.mo.gov)

## STATE INFRASTRUCTURE PROGRAM APPLICATION INSTRUCTIONS

**Application Deadline:** Highly encourage applications to be submitted as soon as possible. Funding must be spent by June 30, 2025. Funding assistance is subject to state requirements. Applicants should contact the Missouri Department of Natural Resources' Financial Assistance Center prior to completing and submitting an application at [fac@dnr.mo.gov](mailto:fac@dnr.mo.gov), 573-751-1192, or toll free at 800-361-4827.

1. **APPLICANT/CONTINUING AUTHORITY:** The applicant is the entity that will receive the grant funds, if awarded. A continuing authority is a company, business, entity, or person(s) that will be operating the facility and/or ensuring compliance with the permit requirements. A continuing authority is not, however, an entity or individual that is contractually hired by the permittee to sample or operate and maintain the system for a defined period, such as a certified operator or analytical laboratory. One can find the regulatory requirement regarding continuing authority at 10 CSR 20-6.010(2). Please visit <https://s1.sos.mo.gov/cmsimages/adrules/csr/current/10csr/10c20-6.pdf>.

A continuing authority's name must be listed exactly as it appears on the Missouri Secretary of State's (SoS's) webpage <https://bsd.sos.mo.gov/BusinessEntity/BESearch.aspx?SearchType>, unless the continuing authority is an individual(s), government, or otherwise not required to register with the SoS.

Print or type the applicant's contact information. Include a street address, if available, in addition to the mailing address.

2. **AUTHORIZED REPRESENTATIVE/APPLICATION CONTACT:** Print or type the authorized representative's contact information. If applicable, also note the name of the person to contact about this application if different from the authorized representative. The application contact should be knowledgeable about the application and available during business hours. If you would like information about military-related services in Missouri, please check the box.

Attach a completed Resolution of Governing Body of Applicant form designating the authorized representative for the applicant.

3. **ARCHITECTURAL AND ENGINEERING CONSULTANT:** Please note if the applicant procured engineering services. If yes, provide procurement documentation and print or type the consulting engineer's contact information.
4. **FACILITY INFORMATION:** List the Missouri State Operating Permit numbers for each of the facilities affected by the proposed project, including any satellite systems.

Name any other known permits or authorizations needed to complete this project.

5. **PROJECT DESCRIPTION:** Provide a brief project description and explanation of why it is necessary.

Check the box if the applicant proposes the project to be Design-Build per Section 67.5070, RSMo. A “design-build contract” shall mean any contract that furnishes architecture or engineering services and construction services either directly or through subcontracts. Notify the department early if the proposed project will be Design-Build.

6. **ESTIMATED PROJECT COSTS:** Supply the cost estimates for the project including the date of those estimates. Land acquisition, surface and subsurface easements, places to store equipment and material during construction, land needed to locate eligible projects, and land integral to the project are eligible for funding.
7. **ESTIMATED PROJECT SCHEDULE:** Provide the anticipated dates for the milestones listed. Put N/A in the space if the milestone is not applicable to the project. Attach any compliance schedules, if applicable.
8. **CERTIFICATION:** The applicant’s authorized representative must sign the application and attach any information that will enable the department to evaluate the needs. Make a copy of the completed application for your records. The department will not return incomplete applications.
9. **PREPARER’S NAME AND SIGNATURE (IF APPLICABLE):** Include the information requested for the individual who prepared this application, if different from the authorized representative or applicant

**Application Submittal:**

Submit the completed application and any attachments via email to [fac@dnr.mo.gov](mailto:fac@dnr.mo.gov) (preferred), or mail to:

Missouri Department of Natural Resources  
Financial Assistance Center  
P.O. Box 176  
Jefferson City, MO 65102-0176

**For More Information:**

Missouri Department of Natural Resources  
Financial Assistance Center  
P.O. Box 176  
Jefferson City, MO 65102-0176  
800-361-4827 or 573-751-1192  
FAX: 573-751-9396

Email: [fac@dnr.mo.gov](mailto:fac@dnr.mo.gov)

<https://dnr.mo.gov/water/business-industry-other-entities/financial-opportunities/financial-assistance-center>





## AGENDA ITEM ANALYSIS

Project/Issue Name: 23-R-71 A Resolution of the City Council Awarding the Bid to Supply Certain Furniture, Fixtures, and Equipment for the Republic Aquatic Park to Resort Contract Furnishings.

Submitted By: Garrett Cline, Recreation Superintendent (Athletics & Aquatics)

Date: December 23, 2023

### Issue Statement

A Resolution awarding the bid to Resort Contract Furnishings, as the provider of select furniture, fixtures, and equipment for the Republic Aquatic Park.

### Discussion and/or Analysis

Republic Parks & Recreation has acquired bids for the provision of lounge chairs, replacement chair slings, low top tables, and standard tables for The Rush (Republic Aquatic Park) project. Resort Contract Furnishings provided a bid matching the specific products as requested, and provided the lowest bid. Resort Contract Furnishings has been selected as the bid winner. Please see bid summary below:

Company	Bid Price
Furniture Leisure	\$80,838.16
Global Industrial	\$92,181.90
Resort Contract Furnishings	\$74,646.00
Technology International Inc.	\$105,460.00

The Republic Parks & Recreation Department has allocated \$617,000 for Furniture, Fixtures, & Equipment and a few modifications to the existing facility as part of the aquatic expansion project. The preliminary budget for the furniture listed as part of this purchase was set at \$85,585.00.

### Recommended Action

Staff is recommending approval.

**A RESOLUTION OF THE CITY COUNCIL AWARDING THE BID TO SUPPLY CERTAIN FURNITURE, FIXTURES,  
AND EQUIPMENT FOR THE REPUBLIC AQUATIC PARK TO RESORT CONTRACT FURNISHINGS**

**WHEREAS**, the City of Republic, Missouri ("City" and/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 recently published an Invitation for Bids ("IFB") wherein it solicited sealed bids for the provision of certain furnishings for the new Republic Aquatic Center; and

**WHEREAS**, the City received a total of four (4) bids in response to the IFB; and

**WHEREAS**, Resort Contract Furnishings submitted a bid matching the specific products requested under the IFB, and was the lowest bid received; and

**WHEREAS**, after hearing presentation and recommendations by City staff, the Council desires to accept the bid submitted by Resort Contract Furnishings, as it appears to demonstrate the necessary qualifications for a responsible bid and is the lowest cost to the City at an estimated total expenditure of \$74,646.00.

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

**Section 1.** The submitted bid from Resort Contract Furnishings, attached as "Exhibit 1" and expressly incorporated herein, is hereby accepted at the estimated cost(s) shown thereon.

**Section 2.** The City Administrator, and his/her designee, on behalf of the City, is authorized to take the necessary steps to execute 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 \_\_\_\_\_, 2023.

**Attest:**

\_\_\_\_\_  
Matt Russell, Mayor

\_\_\_\_\_  
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:**



## City of Republic - Invitation for Bid

**Project Name: Furnishings for Expanded Republic Aquatic Center Opening 2024**

**PROJECT DESCRIPTION:** The City of Republic ("City") is seeking bids from qualified providers to furnish the materials and/or services more fully described in this Invitation for Bid ("IFB"), below. The successful Bidder under this IFB will be expected to deliver all furnishings and other products identified below in this IFB to the expanded Republic Aquatic Center, opening in summer of 2024 and located at 711 E. Miller Road in Republic, Missouri, **by no later than May 10, 2024**. While pricing will be the primary determining factor in awarding any bid under this IFB, the City will additionally prioritize time frame for delivery, and preference will be given to Bidders able to deliver the furnishings requested herein by May 1, 2024.

**SEALED BIDS MUST BE PHYSICALLY RECEIVED AT REPUBLIC CITY HALL PRIOR TO 1:00 P.M. CST on Wednesday, November 22, 2023**. All bids received will be opened by designated City personnel at Republic City Hall on Wednesday, November 22, 2023 at 1:15 P.M. CST.

**BIDS SHOULD BE ADDRESSED AS FOLLOWS:** City of Republic  
c/o City Clerk, Laura Burbridge  
213 N. Main Avenue  
Republic, MO 65738

### IMPORTANT SUBMISSION REQUIREMENTS:

- Bids **must be submitted on the forms provided as attachments to this Invitation for Bid**.
- Bids **must be manually signed by the individual(s) authorized to legally bind the Bidder**.
- Bids **must** be submitted through one of three means: (1) by United States mail to the address shown above, (2) by hand delivery to the address shown above, or (3) through DemandStar. **Bids submitted through any other medium, including those sent by facsimile or e-mail, will be rejected.**
- Bids **must clearly identify the project name for the Invitation for Bid (shown above)** on the outside of the mailing envelope.
- Bids **received after the opening date and time shown above will be rejected**.

### IMPORTANT ITEMS TO NOTE:

- The attached Terms and Conditions are intended to be and will become part of any contract or agreement to be executed between the City and the successful Bidder(s) in connection with this IFB.
- Bids submitted in response to this IFB are expected to be presented to the Republic City Council for consideration and approval in December 2023. No notice to proceed under this IFB will be

issued unless and until approval is granted by the City Council.

**INQUIRIES:** All inquiries for information should be directed to:

Garrett Cline, Recreation Superintendent (Athletics and Aquatics)  
Parks and Recreation Department, City of Republic  
[garrettccline@republicmo.com](mailto:garrettccline@republicmo.com)  
(417) 732-3500

**IMPORTANT NOTICE REGARDING COMPETITIVE BIDDING:** It is the City's intent and desire that this IFB promotes competitive Bidding. To the extent any language, requirements, terms and/or requests contained within this IFB result in the elimination of all but one source from which a responsive and responsible Bid may be submitted, such restriction/limitation is not intended by the City, but is merely an unintentional error. In the event such error is discovered by any potential Bidder, the potential Bidder must notify the City contact listed above of the error, in writing, no later than three (3) days prior to the Bid opening day. Upon receipt of any such notice, the City will take reasonable efforts to correct the error and resubmit the IFB once corrected.



## TERMS AND CONDITIONS

01. **Contract Terms and Conditions, General Applicability:** This document entitled "Terms and Conditions" (also referred to herein as the "IFB", "Contract" and/or "Agreement") is intended to and shall in fact serve as the complete agreement of the parties executing the same. The performance of this Contract shall be governed solely by the terms and conditions set forth in this Contract and any specifications or Bid documents incorporated therein. No language contained on any invoice, shipping order, bill of lading or other document furnished by the successful Bidder(s) at any time and which may be accepted by the City, or any terms or conditions contained in such document shall be binding on the City. Changes, additions, or modifications to this Contract must be in writing and executed by all parties.
  
02. **Opening Date, Time and Location:** All Bids timely submitted in response to this Invitation for Bid ("IFB") prior to deadline date and time specified above, **will be opened at Republic City Hall, located at 213 N. Main Avenue, on Wednesday, November 22, 2023 at 1:15 p.m.** All Bidders (individually, "Bidder"; collectively, "Bidders") and/or their authorized representative(s) are permitted to attend the opening of the Bids.
  
03. **IFB Delivery Requirements:** Any Bids received after the above stated time and date will not be considered. It shall be the sole responsibility of the Bidder to have their Bid delivered to Republic City Hall for receipt on or before the due date and time indicated.
  - a. If a Bid is sent by U.S. Mail or provided via hand delivery, the Bidder shall be responsible for its timely delivery to Republic City Hall.
  - b. The City will neither open nor consider any Bid delayed by mail or for any other cause. Bids submitted after the deadline identified herein will be rejected.
  - c. Arrangements may be made for their return at the Bidder's request and expense.
  - d. Bids may be mailed to Republic City Hall and accepted if the signed Bid form and required information was mailed and received prior to the due date and time.
  - e. Bids sent by email will not be accepted.

**Sealed and Marked:** If sent by mail, one original signed Bid shall be submitted in one sealed package, clearly marked on the outside of the package with the **IFB project name clearly indicated on the outside of the mailing envelope and addressed to:**

**City of Republic**  
**C/O City Clerk, Laura Burbridge**  
**213 N. Main**  
**Republic MO 65738**

04. **Legal Name and Signature:** Bids shall clearly indicate the legal name, address, and telephone number of the Bidder (company, firm, corporation, partnership, or individual).
  - a. Bids shall be manually signed above the printed name and title of signer on the Affidavit of Compliance page.
  - b. The signer shall have the authority to bind the Bidder to the submitted Bid.

- c. Failure to properly sign the Bid form shall invalidate the Bid, and it shall not be considered for award.
- 05. **Corrections:** No erasures are permitted.
  - a. In the event a correction is necessary, in order for the City to consider the correction, the following formatting must be applied:
    - 1. A single line (strike-through) to the entered text needing correction, and
    - 2. The corrected text written above the strike-through text, and
    - 3. The signer(s) of the Bid must initial all corrections.
- 06. **Clarification and Addenda:** Bidders are expected to examine all documents attached to and/or provided by the City with this IFB, and prior to submitting any Bid in response to this IFB, make any necessary and/or reasonable inquiries of the City to ensure all such Bidders understand the entirety of the documents.
  - a. Any inquiries or suggestions concerning interpretation, clarification, or other additional information pertaining to the IFB shall be made through the listed City contact in writing (email is permitted).
  - b. The City of Republic shall not be responsible for verbal interpretations or other information given by any individual purporting to be employed by or otherwise representing the City.
  - c. The issuance of written addenda is the official method whereby interpretation, clarification, or additional information can be given.
  - d. It shall be the responsibility of each Bidder, prior to submitting their Bid, to direct any inquiries to the listed City contact.
- 07. **IFB Expenses:** There is no expressed or implied obligation for the City of Republic to reimburse responding Bidders and the City will not reimburse for any expenses incurred in preparing responses to this IFB.
- 08. **Irrevocable Offer:** Any Bid may be withdrawn up until the due date and time set for opening of the IFB. Any Bid not so withdrawn shall, upon opening, constitute an irrevocable offer for a minimum period of ninety (90) days to provide to the City the goods or services set forth in the IFB, until one or more of the Bids have been duly accepted by the City.
- 09. **Responsive and Responsible Bidder:** To be a responsive Bidder, a Bidder shall submit a Bid which conforms in all material respects to the requirements set forth in the IFB. To be a responsible Bidder, the Bidder shall have the capability in all respects to perform fully the contract requirements, and the tenacity, perseverance, experience, integrity, reliability, capacity, facilities, equipment and credit which will ensure good faith performance. The lowest responsible Bidder shall mean the Bidder who makes the lowest Bid to sell goods or services of a quality which conforms closest to the quality of goods or services set forth in the specifications or otherwise required by the City and who is known to be fit and capable to perform the Bid as made.
- 10. **Reserved Rights:** The City reserves the right to make such investigations as it deems necessary to make the determination of the Bidder's responsiveness and responsibility. Such information

may include, but shall not be limited to: current financial statement, verification of availability of equipment and personnel, and past performance records.

11. **The Right to Audit:** The Bidder agrees to furnish supporting detail as may be required by the City to support charges or invoices, to make available for audit purposes all records covering charges pertinent to the purchase, and to make appropriate adjustments in the event discrepancies are found.
  - a. The City shall have the right to audit the Bidder's records pertaining to the work/product for a period of three (3) years after final payment.
  - b. The cost of any audit conducted pursuant to this term will be paid by the City.
12. **Applicable Law:** All applicable laws and regulations of the State of Missouri and the City including the City Procurement Regulations and Procedures will apply to any resulting agreement, contract, or purchase order entered into under the terms of this IFB. Any involvement with the City Procurement shall be in accordance with the Procurement Regulations and Procedures.
13. **Right to Protest:** Appeals and remedies are provided for in the City Procurement Regulations.
  - a. Protestors shall seek resolution of their complaints initially with the City Purchasing Agent.
  - b. Any protest shall state the basis upon which the solicitation or award is contested and shall be submitted within ten (10) calendar days after such aggrieved person knew or could have reasonably been expected to know of the facts giving rise thereto.
14. **Ethical Standards Applicable:** With respect to this IFB, if any Bidder violates or is a party to a violation of the general ethical standards of the City Procurement Code or the State of Missouri Statutes, such Bidder will be disqualified from furnishing the goods or services for which the Bid is submitted and shall be further disqualified from submitting any future Bids.
15. **Collusion Absolutely Prohibited:** All Bidders offering a submission in response to this IFB hereby expressly acknowledge and certify that they have not divulged, discussed, or compared their Bid to the Bids of any other Bidder(s), and further that they have not colluded or conspired with any other Bidder or parties to this IFB, to violate the terms and conditions governing submission of responses to this IFB whatsoever. All Bidders offering a submission in response to this IFB additionally promise that:
  - a. Any prices and/or cost data submitted have been arrived at independently, without consultation, communication, or agreement for the purpose of restricting competition, as to any matter relating to such prices and/or cost data, with any other Bidder or with any competitor.
  - b. Any prices and/or cost data submitted have not knowingly been disclosed by the Bidder and will not knowingly be disclosed by the Bidder prior to the scheduled opening directly or indirectly to any other Bidder or to any competitor.
  - c. No attempt has been made or will be made by the Bidder to induce any other person or firm to submit or not to submit a Bid for the purpose of restricting competition.
  - d. The only person or persons interested in this Bid, principal or principals are named therein and that no person other than therein mentioned has any interest in this Bid or in any contract awarded under this IFB. No person or agency has been employed or retained to solicit or secure the contract awarded under this IFB upon an agreement or

understanding for a commission, percentage, brokerage, or contingent fee exempting bona fide employees or established commercial agencies maintained by the Purchaser for the purpose of doing business.

16. **Contract Forms:** Any agreement, contract, or purchase order resulting from the acceptance of a Bid shall be on forms either supplied by or approved by the City.
17. **Liability and Indemnity:**
  - a. In no event shall the City be liable to the successful Bidder for special, indirect, liquidated, incidental, or consequential damages, except those caused by the City's gross negligence or willful or wanton misconduct arising out of or in any way connected with a breach of any agreement or contract under the terms of this IFB. The maximum liability of the City shall be limited to the amount of money to be paid or received by the City under any agreement or contract awarded under the terms of this IFB.
  - b. The successful Bidder shall defend, indemnify and save harmless the City, its elected or appointed officials, agents and employees from and against any and all liability, suits, damages, costs (including attorney fees), losses, outlays, expenses, and claims, caused or allegedly caused by, or arising out of or related in any way whatsoever to (1) any agreement or contract awarded under this IFB, or (2) the work performed pursuant to such contract or agreement or any subcontract thereunder (the successful Bidder expressly acknowledging and assuming full responsibility for its subcontractors), including, but not limited to, claims for personal injuries, death, property damage, or for any other alleged damages.
  - c. The successful Bidder shall indemnify and hold the City harmless from all wages or overtime compensation due any employees in rendering services pursuant to this agreement or any subcontract, including payment of reasonable attorneys' fees and costs in the defense of any claim made under the Fair Labor Standards Act, the Missouri Prevailing Wage Law or any other federal or state law.
18. **IFB Forms, Variances, and Alternates:** Bids must be submitted on the forms attached to this IFB as provided by the City; however, additional information may be attached. Bidders must indicate any variances from the City requested specifications and/or terms and conditions, on the IFB Affidavit of Compliance. Otherwise, Bidders must fully comply with the City requested specifications and terms and conditions. Alternate Bids may or may not be considered at the sole discretion of the City Purchasing Agent.
19. **Bid Form:** All Bids must be submitted using the forms attached to this IFB. All blank spaces on the provided forms must be completed with the appropriate response.
  - a. Bidders must state the price, written in ink, for what is proposed to complete each item of the Project.
  - b. Bidders must insert the words "no Bid" in the space provided for any item for which no Bid is made.
  - c. Bidders must submit an executed Bid form, affidavit of compliance, with other requested documents.
20. **Modifications or Withdrawal of Bid:** A modification of a Bid already submitted will be

considered only if the modification is received prior to the time announced for opening of Bids, and is made in writing; executed and submitted on the same form and manner as the original Bid. Modifications submitted by telephone, fax, or email will not be considered.

21. **No Bid:** If not submitting a Bid, respond by returning the "Statement of No Bid" no later than the stated Bid opening time and date, and explain the reason in the space provided.
22. **Errors in Bids:** Bidders are expected to fully inform themselves as to the conditions, requirements, and specifications before submitting Bids; failure to do so will be at the Bidder's own risk. Applicable law and regulations do not make allowance for errors either of omission or inclusion on the part of Bidders. In case an error regarding extension of prices in the Bid, the unit price shall govern.
23. **Prices:** Bids must include both unit price and extended total.
  - a. Price must be stated in units of quantity specified in the Bidding specifications. In case of discrepancy in computing the amount of the Bid, the unit price of the Bid will govern.
  - b. All prices shall be F.O.B. destination, freight prepaid (unless otherwise stated in special conditions). FOB, as used in this IFB, shall mean that the successful Bidder, at their own expense, shall transport the equipment and/or materials and bear the risk of loss from successful Bidder's location to a specified location in the City of Republic. City shall not take title to the materials or equipment until it is delivered and accepted by City at the address specified within the City of Republic.
  - c. Each item must be Bid separately and no attempt is to be made to tie any item or items in with any other item or items.
  - d. If a Bidder offers a discount on payment terms, the discount time will be computed from the date of satisfactory delivery at place of acceptance and receipt of correct invoice at the office specified.
  - e. Payment terms shall be Net 30 if not otherwise specified.
  - f. Pre-payment terms are not acceptable.
24. **Discounts:** Any and all discounts, except cash discounts for prompt payments, must be incorporated as a reduction in the Bid price and not shown separately. The price as shown on the Bid shall be the price used in the City's determination of award(s).
25. **Descriptive Information:** All equipment, materials, and articles incorporated in the product/work covered by this IFB are to be new and of suitable grade for the purpose intended.
  - a. Brand or trade names referenced in specifications are for comparison purposes only.
  - b. Bidders may submit Bids on items manufactured by an individual/entity other than the manufacturer specified so long as an "or equal" is expressly stated.
26. **Deviations to Specifications and Requirements:** When Bidding on an "or equal," Bids must be accompanied with all descriptive information necessary for an evaluation of the proposed material or equipment such as the detailed drawings and specifications, certified operation and test data, and experience records.



- a. Failure of any Bidder to furnish the data necessary to determine whether the product is equivalent, may be cause for rejection of the specific item(s) to which it pertains.
  - b. All deviations from the specifications must be noted in detail by the Bidder on the Affidavit of Compliance form, at the time of submittal of Bid.
  - c. The absence of listed deviations at the time of submittal of the Bid will hold the Bidder strictly accountable to the specifications as written.
  - d. Any deviation from the specifications as written and accepted by the City may be grounds for rejection of the material and/or equipment when delivered.
27. **Quality Guaranty:** If any product delivered does not meet applicable specifications or otherwise fails to compare with the quality represented by the Bidder, the Bidder shall retrieve the product from the City as its own expense. The Bidder shall refund to the City any money the City has remitted to the Bidder for same. In the event the successful Bidder fails or refuses to retrieve the product and refund to the City any money previously remitted to the Bidder for such product in accord with the terms of this paragraph, the Bidder shall be responsible for the City's attorney fees and other costs it incurs in enforcing its rights under this paragraph.
28. **Quality Terms:** The City reserves the right to reject any or all materials if, in its judgment, the item reflects unsatisfactory workmanship, manufacturing, or shipping damages.
29. **Time for Delivery:** All materials ordered or otherwise required under this IFB shall be delivered when specified. **Time is therefore of the essence.** If deliveries are not made at the time agreed upon as noted in this Contract, the City reserves the right to cancel the Contract or to purchase elsewhere and hold the delaying party or parties accountable for any damages or costs sustained as a result of the delay.
30. **Acts of God:** Neither party shall be liable for delays, or defaults in the performance of this Contract due to acts of God or the public enemy, riots, strikes, fires, explosions, accidents, Governmental action of any kind or any other causes of a similar character beyond its control and without its fault or negligence.
31. **Tax-Exempt:** The Successful Bidder(s) shall not invoice the City for tax. The City is exempt from sales taxes and Federal Excise Taxes: Missouri Tax ID Number 12492990.
32. **Evaluation Criteria and Bid Awards:** Awards will be made to the Bidder whose Bid (1) meets the specifications and all other requirements of the IFB and (2) is the lowest and best Bid, considering a multitude of factors including price, delivery capabilities, ability to meet timeline expectations defined in this IFB, responsibility of the Bidder, and other relevant factors such as the Bidder's past performance history, length of service/experience pertinent to the IFB, and professional reputation in its respective industry or industries.
- a. Unless otherwise stated in the IFB, cash discounts for prompt payment of invoices will not be considered in the evaluation of prices. However, such discounts are encouraged to motivate prompt payment.
  - b. As the best interest of the City may require, the right is reserved to make awards by item, group(s) of items, all or none or a combination thereof; and to reject any and all

Bids or waive any minor or non-material irregularity or technicality in Bids received.

33. **Authorized Product Representation:** The successful Bidder(s) by virtue of submitting the name and specifications of a manufacturer's product will be required to furnish the named manufacturer's product. By virtue of submission of the stated documents, it will be presumed by the City that the Bidder(s) is legally authorized to submit and the successful Bidder(s) will be legally bound to perform according to the documents.
34. **Regulations:** It shall be the responsibility of each Bidder to assure compliance with OSHA, EPA, Federal, State of Missouri, and City rules, regulations, or other requirements, as each may apply.
  - a. **E-VERIFY COMPLIANCE REQUIREMENTS:** All contractors or subcontractors to be utilized by Bidder on contracts exceeding five thousand dollars shall, by sworn affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services and affirm that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services.
  - b. Bidders are herein informed that the work to be performed under this IFB is subject to the requirements of Section 292.675, RSMo., which requires all contractors or subcontractors perform work such to provide and require its on-site employees to complete a ten (10)hour course in construction safety and health approved by the Occupational Safety and Health Administration ("OSHA") or a similar program approved by the Missouri Department of Labor and Industrial Relations which is at least as stringent as an approved OSHA program. The training must be completed within sixty (60) days of the date work on the Project commences. On-site employees found on the worksite without documentation of the required training shall have twenty (20) days to produce such documentation.
  - c. Pursuant to Section 292.675 RSMo., the successful Bidder shall forfeit to the City as a penalty two thousand five hundred dollars (\$2,500.00), plus one hundred dollars (\$100.00) for each on-site employee employed by it, or any contractors or subcontractors hired by it, for each calendar day, or portion thereof, Such on-site employee is employed without the construction safety training required in the above paragraph.
  - d. Section 208.009 RSMo. shall apply to any contracts awarded under this Bid.
35. **Termination of Award:** In the event the City awards the Project under this IFB to a Bidder or Bidders, and such Bidder(s) fails to satisfy the requirements under this IFB, the City may immediately terminate the award and any agreement executed hereunder.
36. **Royalties and Patents:** The successful Bidder(s) shall pay all royalties and license fees for equipment or processes in conjunction with the equipment being furnished. Bidder shall defend all suits or claims for infringement of any patent right and shall hold the City harmless from loss on account or cost and attorney's fees incurred.
37. **Equal Employment Opportunity Clause:** In accordance with Title VI of the Civil Rights Act of

1964 (42 U.S.C. § 2000d / 78 Stat. 252), its implementing regulations promulgated at 34 CFR Part 100, and the corresponding regulations of the Department of Commerce promulgated at 15 CFR Part 8, the City hereby notifies all Bidders that it takes all reasonably necessary steps to affirmatively ensure that all Bidders, including minority businesses, will be afforded full opportunity to submit Bids in response to this IFB and that no Bidder will be discriminated against on the grounds of race, color, or national origin in determining the successful Bidder for award.

38. **Insurance Requirements:** For the duration of any contract awarded under this IFB, (which, for projects including any labor, means until the work is completed and accepted by the City; and which, for projects involving supply of materials only, means until the materials are delivered and accepted by the City), the successful Bidder is required to maintain certain insurance to protect it and the City against risks of loss in connection with the Project, as defined more fully below. The Successful Bidder will be required to provide the City with proof of insurance that satisfies the requirements stated below, unless otherwise specified by the City. The insurance requirements below may be modified or waived by the City at the City's sole discretion.
- a. **Workers' Compensation:** The Successful Bidder shall maintain Workers Compensation coverage for all persons it will employ or retain to perform any work in connection with a contract awarded under this IFB, and in the event the Successful Bidder will sublet or subcontract any such work, the Successful Bidder shall require the subcontractor to provide similar Workers Compensation Insurance for the subcontractor's employees, unless such employees are covered by the Successful Bidder's coverage. Workers Compensation coverage shall meet the minimum requirements set forth in Section 287.010 RSMo., et seq.
  - b. **Employers' Liability:** The Successful Bidder shall maintain Employers' Liability coverage of not less than \$1,000,000 each occurrence.
  - c. **Commercial General Liability:** The Successful Bidder shall maintain Commercial General Liability coverage for personal and advertising injury, bodily injury including accidental death, and broad-form property damage, which may arise from the performance of any contract awarded under this IFB, in an aggregate amount of no less than \$3,258,368 each occurrence and \$488,755 each person.
  - d. **Commercial Automobile Liability (*applies only to projects involving the Successful Bidder's operation of vehicles in performing the work awarded under this IFB*):** The Successful Bidder shall maintain Commercial Automobile Liability coverage of not less than \$2,000,000 each occurrence and \$1,000,000 each person for "any auto" on an occurrence basis.
39. **Nonresident/Foreign Contractors:** To the extent the successful Bidder utilizes non-resident/foreign contractors to provide services or supplies in connection with this IFB, the successful Bidder shall procure and maintain:
- a. A certificate of authority to transact business in the State of Missouri from the Secretary of State, unless exempt pursuant to the provisions of Section 351.570, RSMo.
  - b. A certificate from the Missouri Director of Revenue evidencing compliance with

the transient employer financial assurance law, unless exempt pursuant to the provisions of Section 285.230, RSMo.

40. **Bid Tabulation:** Bidders may request a copy of the City's Bid tabulation of this IFB, which shall be provided to the requesting party once such tabulation has been completed.
41. **Budgetary Constraints:** The City reserves the right to reduce or increase the quantity, retract any item from the Bid, or upon notification, terminate entire agreement without any obligations or penalty based upon availability of funds.
42. **Additional Purchases by Other Public Agencies:** By submitting a Bid in response to this IFB, the Bidder authorizes other public agencies to "Piggy-Back" or purchase equipment and/or services requested pursuant to this IFB unless otherwise noted on the Affidavit of Compliance Form attached hereto.
43. **Order of Precedence:** In the event any of the Terms and Conditions specified herein contradict or otherwise diverge from the Instructions to Bidders provided with this IFB, the Terms and Conditions shall take precedence over any conflicting instructions.
44. **Affidavit for Service Contracts:** The successful Bidder represents, in accordance with Section 285.530.2, RSMo., that it has not employed, or subcontracted with, unauthorized aliens in connection with the scope of work to be done under this IFB and agrees to provide an affidavit to the City of Republic affirming that it has not, and will not at any point in time relating to this IFB, knowingly employ, or subcontract with, any person who is an unauthorized alien.
45. **Inspection and Acceptance:** No item(s) received by the City pursuant to any agreement or contract awarded under this IFB shall be deemed accepted by the City until the City has had reasonable opportunity to inspect the item(s).
  - a. Any item(s) which are discovered to be defective, or which do not conform to any warranty of the successful Bidder and/or entity/individual who sold the item(s), upon inspection, may be returned by the City to the successful Bidder and/or entity/individual who sold the item(s) for full credit and reimbursement or replacement.
  - b. If, at a later time, any defect is discovered which was not ascertainable upon the initial inspection, the City may also return the defective item(s) to the successful Bidder and/or entity/individual who sold the item(s) for full credit and reimbursement or replacement.
  - c. The City's return of defective items shall not exclude any other legal, equitable or contractual remedies the City has under applicable Missouri or Republic law and/or any agreement or contract awarded under this IFB.
46. **Davis-Bacon Act:** If the Project under this IFB is financed, in whole or in part, from federal funds, then all work performed pursuant to any contract awarded under this IFB shall be subject to all applicable federal statutes, rules and regulations, including provisions of the Davis-Bacon Act, 40 U.S.C. § 3141 et seq., and the "Federal Labor Standards Provisions," incorporated into any agreement or contract awarded under this IFB.. Where the Missouri Prevailing Wage Law and

the Davis-Bacon Act require payment of different wages for work performed pursuant to any contract awarded under this IFB, all contractors, subcontractors and other individuals/entities hired by the successful Bidder to perform work under this IFB shall pay the greater of the wages required under either law.

47. **Jurisdiction and Venue:** This IFB and any executed agreement resulting from this IFB shall be taken and deemed to have been fully executed in the State of Missouri and governed by the laws of the State of Missouri for all purposes and intents. For any disputes that arise out of or relate in any way to this IFB or any executed agreement resulting from this IFB, venue shall lie in the Circuit Court of Greene County, Missouri. **THE PARTIES HEREBY WAIVE THEIR RIGHT TO A JURY TRIAL UNDER ANY APPLICABLE STATUTE, COMMON LAW OR FEDERAL OR STATE CONSTITUTION.**
48. **Conflict of Interest:** By participating in this IFB and/or accepting an agreement pursuant to the IFB's terms, the successful Bidder certifies that no salaried officer or employee of the City, and no member of the City Council or Mayor of the City of Republic, has a financial interest, direct or indirect, in this Agreement. Any federal regulations and applicable provisions in Section 105.450 et seq., RSMo. shall not be violated.
49. **Modifications or Changes:** The scope of the Project under this Contract shall be subject to modification or supplementation only upon the written agreement and consent of all parties hereto, via a written addendum or amendment, duly executed by the parties.
50. **Assignment Restrictions:** Neither the City nor any other party to this Contract is permitted to assign, in whole or in part, its interest under any of the Contract Documents without the prior written consent of the non-assigning party or parties.
51. **Sovereign Immunity:** In no event shall any language or requirement in this IFB or any Agreement that comes from this IFB be construed as or constitute a waiver or limitation of City's defenses with regard to sovereign immunity, governmental immunity, or official immunity under federal or state constitutions, states, and/or laws.
52. **Rights Reserved by the City:** The City of Republic reserves the right to: (1) reject any or all proposals received in response to this IFB; (2) negotiate with any qualified source of the products and/or services sought under this IFB; (3) cancel, in whole or in part, this IFB, at its sole discretion; (4) modify, suspend, or terminate any and all aspects of this IFB; (4) obtain further information from any individual or entity submitting a Bid in response to this IFB; and (5) waive any defects as to form or content of any submitted Bid(s) under this IFB. This IFB does not, in any way, obligate or otherwise require the City to award a contract, to defray any costs incurred in the preparation of a response to this request, or to procure or contract for services or products sought herein. All submissions provided to the City in response to this IFB shall become the property of the City upon receipt, and subject to the provisions of Chapter 610, RSMo., which may subject such submission to public review upon request.



**ATTACHMENT A - BID SUBMISSION FORM**  
**City of Republic, Missouri**

Item 21.

Item	Description of Furnishings to be Provided	Price	
Base Bid	<ul style="list-style-type: none"> <li>• <b>Item Brand and Name:</b> Grosfillex - Catalina Chaise <u>(with Custom Sling Color)</u> <ul style="list-style-type: none"> <li>○ <b>Quantity:</b> 140</li> <li>○ <b>Color(s):</b> White Base w/ Navy Sling. - Sling Color Code: US991056.</li> <li>○ <b>SKU Product Number:</b> US202006</li> </ul> </li> </ul>	\$ _____	
	<ul style="list-style-type: none"> <li>• <b>Item Brand and Name:</b> Grosfillex - Replacement Fabric for Chaises <ul style="list-style-type: none"> <li>○ <b>Quantity:</b> 120</li> <li>○ <b>Color:</b> Navy</li> <li>○ <b>SKU Product Number:</b> US991056</li> </ul> </li> </ul>	\$ _____	
	<ul style="list-style-type: none"> <li>• <b>Item Brand and Name:</b> Grosfillex - Java All-Weather Wicker Chaise <ul style="list-style-type: none"> <li>○ <b>Quantity:</b> 30</li> <li>○ <b>Color:</b> Bronze</li> <li>○ <b>SKU Product Number:</b> UT645237</li> </ul> </li> </ul>	\$ _____	
	<ul style="list-style-type: none"> <li>• <b>Item Brand and Name:</b> Grosfillex - Java Armchair <ul style="list-style-type: none"> <li>○ <b>Quantity:</b> 30</li> <li>○ <b>Color:</b> Bronze</li> <li>○ <b>SKU Product Number:</b> UT986037</li> </ul> </li> </ul>	\$ _____	
	<ul style="list-style-type: none"> <li>• <b>Item Brand and Name:</b> Grosfillex - Oasis 18"x18" Low Table with Cupholders <ul style="list-style-type: none"> <li>○ <b>Quantity:</b> 80</li> <li>○ <b>Color:</b> White</li> <li>○ <b>SKU Product Number:</b> 99018004</li> </ul> </li> </ul>	\$ _____	
	<ul style="list-style-type: none"> <li>• <b>Item Brand and Name:</b> Grosfillex - Bahia 16"x16" Low Table <ul style="list-style-type: none"> <li>○ <b>Quantity:</b> 15</li> <li>○ <b>Color:</b> Bronze</li> <li>○ <b>SKU Product Number:</b> CT052037</li> </ul> </li> </ul>	\$ _____	
	<ul style="list-style-type: none"> <li>• <b>Item Brand and Name:</b> Grosfillex - Sigma 34" Square Table <ul style="list-style-type: none"> <li>○ <b>Quantity:</b> 5</li> <li>○ <b>Color:</b> Fusion Bronze</li> <li>○ <b>SKU Product Number:</b> US928599</li> </ul> </li> </ul>	\$ _____	
	<ul style="list-style-type: none"> <li>• If not already included above, please specify any and all additional costs associated with the Project, including: <ul style="list-style-type: none"> <li>○ Travel Expenses</li> <li>○ Delivery/Shipping Costs</li> <li>○ Administrative costs</li> </ul> </li> </ul>	\$ _____	
	<b>ALL ITEMS LISTED ABOVE MUST BE DELIVERED BY NO LATER THAN MAY 10, 2024</b>		<b>GRAND TOTAL:</b> \$ _____

**ATTACHMENT B: BID VERIFICATION/SIGNATURE PAGE**

Item 21.

**City of Republic, Missouri**

*In compliance with this Invitation for Bid and with all terms, conditions, and specifications imposed therein, the undersigned hereby offers and agrees to furnish the goods and/or services described herein.*

<b>BID VERIFICATION/INFORMATION PAGE</b>  City of Republic, Missouri Attn: City Hall 213 N Main Street Republic, MO 65738  <b>IFB Project Name:</b> Furnishings for Expanded Republic Aquatic Center Opening 2024	<b>Legal Name of Company/Entity Submitting Bid:</b>  <hr/> <b>Business Address:</b>  <hr/> <hr/> <b>Signature:</b>  <hr/> <b>Full Name:</b>  <hr/> <b>Title:</b>  <hr/>
<b>Telephone:</b> _____ <b>Cellular:</b> _____ <b>Facsimile:</b> _____ <b>E-mail:</b> _____	<b>Dated:</b> _____ <b>Bidder's Federal ID Number:</b> _____

**NOTICE AND INSTRUCTIONS TO BIDDERS/VENDORS**  
**Regarding Sections 285.525 through 285.550 RSMo., effective January 1, 2009,**  
**and Section 292.675 RSMo., effective August 28, 2009**

Effective January 1, 2009 and pursuant to Section 285.530(1) of the Revised Statutes of Missouri, “[n]o business entity or employer shall knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the state of Missouri.”

State law additionally provides that, as a condition for the award of any contract or grant in excess of five thousand dollars by the state or by any political subdivision of the state (*e.g., the City of Republic*) to a business entity (*e.g., potential bidders in response to this IFB*), the business entity (Company) shall, by sworn affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services. Every such business entity shall sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services. See § 285.530(2), RSMo.

Section 285.530 RSMo. pertains to all solicitations for services over \$5,000, but does not apply to solicitations for goods only. If a solicitation is for a combination of services and goods, Section 285.530 RSMo. applies if the services portion of the solicitation is over \$5,000.

1. **Required Affidavit for Contracts Over \$5,000.00 (US)** – Effective 1-1-2009, the company (submitting a Bid) shall comply with the provisions of Section 285.525 through 285.550, RSMo., which require certain statements to be made under penalty of perjury pertaining to employment of unauthorized aliens. The award of any contract under this IFB is expressly contingent on the company (submitting a Bid) providing an acceptable, notarized affidavit, stating as follows:
  - a. that said company is enrolled in and participates in a federal work authorization program with respect to the employees working in connection with the contracted services; and
  - b. that said company does not knowingly employ any person who is an unauthorized alien in connection with the contracted services.

The terms used in this affidavit shall have the meaning set forth in Section 285.500 RSMo., *et seq.*

2. Additionally, Company must provide documentation evidencing current enrollment in a federal work authorization program (e.g. electronic signature page from E-Verify Program's Memo of Understanding (MOU). See attached sample.

A copy of the required affidavit is included on the following page. A digital copy of the affidavit can also be accessed and downloaded from the City of Republic's official website, URL address: <https://www.republicmo.com/DocumentCenter/View/77/Affidavit-of-Compliance-with-Section-285500-RSMO-PDF?bidId=>

The City of Republic is an E-Verify employer. The City of Republic encourages companies that are not already enrolled and participating in a federal work authorization program to do so. E-Verify is an example of a federal work authorization program. Information regarding E-Verify is available at <http://www.uscis.gov/e-verify> or by calling **888-464-4218**.

**ATTACHMENT C: AFFIDAVIT OF COMPLIANCE WITH SECTION 285.500, RSMO. et seq.,  
FOR ALL AGREEMENTS PROVIDING SERVICES IN EXCESS OF \$5,000.00**

Item 21.

Effective 1/1/2009

STATE OF MISSOURI     )  
                                      ) ss.  
COUNTY OF GREENE    )

Before me, the undersigned Notary Public, in and for the County of \_\_\_\_\_, State of \_\_\_\_\_  
\_\_\_\_\_, personally appeared \_\_\_\_\_ (Name) who is \_\_\_\_\_  
\_\_\_\_\_ (Title) of \_\_\_\_\_ (Name of company), a (circle one) corporation,  
partnership, sole proprietorship, limited liability company, and is competent and authorized to make this affidavit, and being  
duly sworn upon oath deposes and says as follows:

- (1) that said company is enrolled in and participates in a federal work authorization program with respect to  
the employees working in connection with the contracted services; and
- (2) that said company does not knowingly employ any person who is an unauthorized alien in connection  
with the contracted services.

The terms used in this affidavit shall have the meaning set forth in Section 285.500 RSMo., *et seq.*

**Documentation of participation in a federal work authorization program is attached to this affidavit.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_



The foregoing constitutes the full agreement on this subject between the SSA, DHS (Department of Homeland Security), and the Employer.

The individuals whose signatures appear below represent that they are authorized to enter into this Memorandum of Understanding on behalf of the Employer and DHS respectively.

To be accepted as a participant in E-Verify, you should only sign the Employer's Section of the signature page. If you have any questions, contact E-Verify Operations at 888-464-4218.

**Employer, Your Company Name**

**John Doe**

Name (Please type or print)

Title

**Electronically Signed**

Signature

Date

**Verification**

**Department of Homeland Security Division**

**USCIS Verification Division**

Name (Please type or print)

Title

**Electronically Signed**

Signature

Date

**ATTACHMENT D: AFFIDAVIT OF COMPLIANCE WITH INVITATION FOR BID**  
**City of Republic, Missouri**

Item 21.

\_\_\_\_\_ We **DO NOT** take exception to the IFB Documents/Requirements.

\_\_\_\_\_ We **TAKE** exception to the IFB Documents/Requirements as follows:

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I have carefully examined the Invitation for Bid and agree to abide by all submitted pricing, delivery, terms and conditions of this IFB unless otherwise stipulated herein.

Company Name \_\_\_\_\_

By \_\_\_\_\_  
(Authorized Person's Signature)

Company Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone Number \_\_\_\_\_

Fax Number \_\_\_\_\_

Date \_\_\_\_\_

Email \_\_\_\_\_  
\_\_\_\_\_

Federal Tax ID No. \_\_\_\_\_  
\_\_\_\_\_

DBE Vendor (Yes/No): \_\_\_\_\_

Minority Owned: \_\_\_\_\_

Women Owned: \_\_\_\_\_

Veteran Owned: \_\_\_\_\_

**ADDENDA**

Offeror acknowledges receipt of the following addenda:

Addendum No. \_\_\_\_\_

Addendum No. \_\_\_\_\_

Addendum No. \_\_\_\_\_

Addendum No. \_\_\_\_\_

**ATTACHMENT E: STATEMENT OF "NO PROPOSAL" / "NO BID"**  
**City of Republic, Missouri**

Item 21.

**RETURN THIS PAGE ONLY IF YOUR COMPANY PROVIDES THE PRODUCTS/SERVICES BEING BID AND DECLINES TO DO SO.**

WE, THE UNDERSIGNED, HAVE DECLINED TO BID ON YOUR IFB FOR THE FOLLOWING REASON(S):

- \_\_\_\_\_ SPECIFICATIONS ARE TOO NARROW/INFLEXIBLE (I.E. REQUIRES ONE SPECIFIC BRAND OR MANUFACTURER). If you have selected this option, please explain in the "REMARKS" section below.
- \_\_\_\_\_ SPECIFICATIONS UNCLEAR. If you have selected this option, please explain in the "REMARKS" section below.
- \_\_\_\_\_ INSUFFICIENT TIME TO RESPOND TO INVITATION FOR BID.
- \_\_\_\_\_ OUR PRODUCT SCHEDULE WOULD NOT PERMIT US TO PERFORM.
- \_\_\_\_\_ UNABLE TO MEET SPECIFICATIONS.
- \_\_\_\_\_ UNABLE TO MEET INSURANCE REQUIREMENTS.
- \_\_\_\_\_ OTHER. If you have selected this option, please explain in the "REMARKS" section below.

REMARKS:

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COMPANY NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TITLE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

DATE: \_\_\_\_\_

# State of Missouri

## EXEMPTION FROM MISSOURI SALES AND USE TAX ON PURCHASES

Issued to:

CITY OF REPUBLIC  
213 N. MAIN AVENUE REPUBLIC, MO 65738

Missouri Tax ID Number: 12492990

Effective Date:

07/11/2002

Your application for sales/use tax exempt status has been approved, pursuant to Section 144.030.1, RSMo. This letter is issued as documentation of your exempt status.

Purchases by your Agency are not subject to sales or use tax if within the conduct of your Agency's exempt functions and activities. When purchasing with this exemption, furnishall sellers or vendors a copy of this letter. This exemptionmay not be used by individuals making personal purchases.

A contractor may purchase and pay for construction materials exemptfrom sales tax when fulfilling a contract with your Agency only if your Agency issues a project exemption certificate and thecontractor makes purchases in compliance with the provisions of Section 144.062,RSMo.

Sales by your Agency are subject to all applicable state and local sales taxes. If you engage in the business of selling tangible personal property or taxable services at retail, you must obtain a Missouri Retail Sales Tax License and collect andremit sales tax.

This is a continuing exemption subject to legislative changes and review by the Director of Revenue. If your Agency ceases to qualify as an exempt entity, this exemption will cease to bevalid. This exemption is not assignable or transferable.

It is an exemption from sales and use taxes only and is not an exemption from real or personal property tax.

Any alteration to this exemption letter renders it invalid.

If you have any questions regarding the use of this letter, pleasecontact the Division of Taxation and Collection, P.O. Box 3300, Jefferson City, MO 65105-3300, phone 573-751-2836.

**ATTACHMENT F: MISSOURI PROJECT EXEMPTION CERTIFICATE**  
**City of Republic, Missouri**

Authorization for Purchasing Construction Materials for Tax Exempt Project  
 (The Form and Content of this Exemption Certificate have been approved by the Missouri Department of Revenue)

**EXEMPT ENTITY ISSUING CERTIFICATE**

Name: City of Republic, Missouri  
 Address: 213 N. Main Avenue  
 City/State/Zip: Republic, Missouri 65738

MO Tax Exempt I.D. #: 12492990

Letter Effective Date: \_\_\_\_\_

Contract Date: \_\_\_\_\_

Certificate Expiration Date: \_\_\_\_\_

Contract #: \_\_\_\_\_

Revised Expiration Date: \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Location: \_\_\_\_\_

Project Completion Date: \_\_\_\_\_

Auth. Signature: \_\_\_\_\_

Date: \_\_\_\_\_

The Missouri exempt entity named above hereby authorizes the purchase, without sales tax, of tangible personal property to be incorporated or consumed in the construction of the project identified herein and no other, pursuant to Section 144.62, RSMo.

**PURCHASING CONTRACTOR OR SUBCONTRACTOR**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

**INSTRUCTIONS**

**EXEMPT ENTITY** - A signed copy of this certificate, along with your MO Tax Exemption Letter, must be furnished to each contractor and/or subcontractor who will be purchasing tangible personal property for use in the project. It is the exempt entity's responsibility to ensure the validity of the certificate. You must issue a certificate with a Revised Expiration Date if purchases will be required to complete the project beyond the original Project Exemption Date.

**CONTRACTOR OR SUBCONTRACTOR** - The contractor shall furnish a completed copy of this exemption certificate, along with a copy of the exempt entity's MO Tax Exemption Letter, to all subcontractors, and any contractor or subcontractor purchasing materials shall present copies of such documents to all material suppliers as authorization to purchase, on behalf of the exempt entity, all tangible personal property and materials to be incorporated or consumed in the construction of that project and no other on a tax-exempt basis. A copy of each certificate must be retained by the purchaser for a period of five years.

**MATERIAL SUPPLIER** - A completed copy of this exemption certificate, along with the MO Tax Exemption Letter of the exempt entity contracting for the project, must be obtained from the contractor or subcontractor making purchases of tangible personal property for use in the project, and retained for audit purposes. Invoices issued for such purchases must reflect the name of the exempt entity and the project number assigned by the exempt entity shown above.





## AGENDA ITEM ANALYSIS

Project/Issue Name: 23-R-72 A Resolution of the City Council Expressing Support for the Proposed U.S. Bicycle Route 251 through the City Between Springfield and Northwest Arkansas and Requesting Designation of the Route as an Official U.S. Bike Route Recognized by the American Association of State Highway and Transportation Officials.

Submitted By: Chris Tabor, BUILDS Department Principal Planner

Date: December 12, 2023

### Issue Statement

Staff is requesting City Council provides a letter of support for Alternate Bike Route 251 to Missouri Department of Transportation.

### Discussion and/or Analysis

The U.S. Bicycle Route System is a nationally recognized system for bicycle transportation and is sponsored by the American Association of State Highway and Transportation Officials (AASHTO). The program aims to create connectivity through bicycle travel routes throughout the nation. Currently, the U.S. Bicycle Route System is working through the approval process for Route 51, which is planned to connect New Orleans, Louisiana with Des Moines, Iowa.

USBR Alternative Route 251 connects Northwest Arkansas with the Springfield region and is a section of the larger USBR 51.

The Republic portion of Route 251 runs:

- West from Wilson's Creek Battlefield along Farm Road 182
- South at Lynn Avenue
- South at the intersection of Lynn Avenue and Farm Road 89
- West along County Line Road
- South on Beale Street

The expected length of the Republic portion of the route is approximately 5.34 miles.

### Recommended Action

Staff is recommending provision of a letter of support.

**A RESOLUTION OF THE CITY COUNCIL EXPRESSING SUPPORT FOR THE PROPOSED U.S. BICYCLE ROUTE 251 THROUGH THE CITY BETWEEN SPRINGFIELD AND NORTHWEST ARKANSAS AND REQUESTING DESIGNATION OF THE ROUTE AS AN OFFICIAL U.S. BIKE ROUTE RECOGNIZED BY THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS**

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

**WHEREAS**, the United States Bicycle Route System (“USBR”) is a bicycle-based transportation system sponsored by the American Association of State Highway and Transportation Officials (“AASHTO”) that aims to create publicly accessible bicycle travel routes across the country; and

**WHEREAS**, a route, identified as U.S. Bicycle Route 251 (“USBR 251”), that runs through the City from Springfield to Northwest Arkansas, has been proposed to become part of the USBR 51 system that will one day stretch from New Orleans, Louisiana all the way to Des Moines, Iowa; and

**WHEREAS**, a Missouri USBR 51 Committee, consisting of representatives of communities, counties, and Regional Planning Commissions along the USBR 251 route, as well as representatives from the Missouri Department of Transportation, the Adventure Cycling Association, and the Missouri Bicycle and Pedestrian Federation, have been working to develop the USBR 51 route in Missouri with the intent to submit it to AASHTO for formal designation as an official national bicycle route; and

**WHEREAS**, the proposed USBR 251 would provide cyclists access to points of interest within the City, including lodging, dining, and retail, all of which are necessary to support extended day-long journeys via bicycle; and

**WHEREAS**, the City recognizes and extends its support for the destination of the proposed USBR 251, as it will provide a direct connection between Greene County and Northwest Arkansas through the City, ultimately encouraging patronage of the businesses located within the City and providing recreational and travel opportunities to residents and guests alike.

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

- Section 1:** The American Association of State Highway and Transportation Officials has the full support and endorsement from the City of Republic for the designation of the proposed United States Bicycle Route 251 (USBR 251), an alternate route for USBR 51, and therefore requests that the appropriate officials nominate the route for official designation as a U.S. Bicycle Route as soon as possible.
- Section 2:** The whereas clauses are hereby specifically incorporated herein by reference.
- Section 3:** This Resolution shall become effective on and after the date of passage and approval as provided by law.

**Section 4:** This Resolution supersedes all previous resolutions pertaining to the authorized signers on/for any municipal court account held by the City at Arvest Bank.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Republic, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Matt Russell, Mayor

**Attest:**

\_\_\_\_\_  
Laura Burbridge, City Clerk

**Approved as to Form:**

  
\_\_\_\_\_

Megan McCullough, City Attorney

**Final Passage and Vote:**

# US Bike Route 51 (USBR 51) Designation





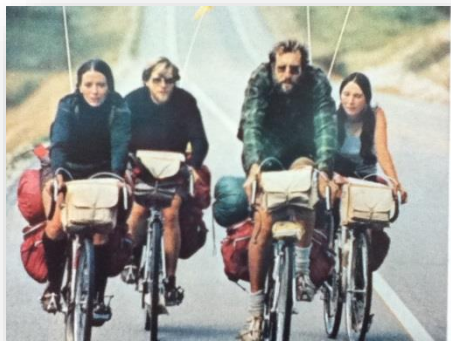


**U.S. Bicycle Route 51 is a cross-country bicycle route current under development, which will stretch from New Orleans, Louisiana to northwest Minnesota, where it will connect with US Bicycle Routes 8, 10, and 20.**

USBR in Missouri is envisioned to connect from the Razorback Trail in northwest Arkansas through Joplin, Springfield, Bolivar, Warsaw, Warrensburg, Lexington, Excelsior Springs, and Bethany, Missouri, with the northern terminus at Lamoni, IA. Many segments of USBR 51 in Missouri are currently finalized and agreed to by local jurisdictions, while others are still under discussion and subject to change.

A Missouri USBR 51 Committee, consisting of representatives of communities, counties, and Regional Planning Commissions along the route, as well as representatives from MoDOT, the Adventure Cycling Association, and the Missouri Bicycle and Pedestrian Federation, have been working to develop the USBR 51 route in Missouri and submit it to AASHTO for formal designation as an official national bicycle route.

The **United States Bicycle Route System** (abbreviated USBRS) is the national cycling route network of the United States. It consists of interstate long-distance cycling routes which connect multiple types of bicycling infrastructure; including off-road paths, bicycle lanes, and low-traffic roads. As with the U.S. Numbered Highways system for motorists, each U.S. Bicycle Route is maintained by state and local governments. The USBRS is intended to eventually traverse the entire country like similar networks that span Europe.



The USBRS was established in 1978 by the **American Association of State Highway and Transportation Officials** (AASHTO), the same body that coordinates the numbering of Interstate highways and U.S. Routes. The first two Bicycle Routes were established in 1982 and stood alone until 2011.

In 2004, the AASHTO Standing Committee on Highways convened an ad hoc Task Force *...to encourage the development of a coordinated system of U.S. bicycle routes across the country, the Task Force is charged with developing a recommended national systems-level or corridor-level plan for use in designating potential future U.S. bicycle routes.* Since then there has steady growth and interest

in the system, and as of September 2022, 18,534 miles across 33 states and the District of Columbia have received “designated” route status. The system, once fully connected, is projected to encompass over 50,000 miles (80,000 km) of bike routes.

A central purpose of the U.S. bicycle route numbering and marking system is to facilitate travel between the states over routes which have been identified as being more suitable than others for cycling. A bicycle route is any road, street, path or way which in some manner is specifically designated as being open to bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes.

Missouri has two designated U.S. Bicycle Route: USBR 76 (the TransAmerica Trail) and USBR



66 (Bicycle Route 66). Both of these national routes are well used – Bicycle Route 66 is second only to the Katy Trail as the most commonly used cross-state bicycle route in Missouri.

Once a route is officially designated as a U.S. Bicycle Route, standardized USBR wayfinding signs can be installed. USBR 76 is marked across the state with the standardized USBR wayfinding signs. Route users greatly appreciate the signs, as navigation of the route is greatly simplified. USBR 66 has not yet received wayfinding signs, but Route 66 communities are working together to develop funding to install the wayfinding signs statewide.

In addition, Missouri has three USBR corridors that can be developed: USBR 50 (the Lewis & Clark Trail), USBR 45 (the Mississippi River Trail), and USBR 51 (currently under development).

## **MISSOURI SUPPORT:**

A US Bicycle Route has a direct impact on the communities it passes through by offering planned, identified connectivity alternatives, and recreational and health opportunities. Regionally, it encourages transportation and tourism gateways such as history and agriculture trails. Statewide, a designated US Bicycle Route connects communities globally with riders who may never have visited (much less heard of) small town Missouri.

### **The work that needs to be accomplished:**

- 1) MoDOT will need letters of agreement/support from the agencies where the USBR 66 is on city and county maintained roadways, and not on State maintained roadways. Local Legislators could be of assistance by starting and supporting the conversation about the benefits of a USBR through a community/county, and encourage local agencies to be in support the effort.
- 2) The project, through MoDOT could also use some sort of State-level funding from the General Revenue, Tourism, Economic Development, or a combination of sources to fund the statewide signing package; estimated at around \$200K. MoDOT will also need to fund a rather significant inventory of replacement signs – knowing “66” on any type of signage often disappears from highway signposts. Once exact dollar estimates are known by city and county, some funds could be raised from local sources and/or private donors to help with the overall signing effort.
- 3) MoDOT, along with tourism and cycling advocates envision supportive elected-officials taking part in various ribbon cutting ceremonies to be held as signing sectors have been completed.



## ON LETTERHEAD

Patrick K. McKenna  
 Director, Missouri Department of Transportation  
 105 W. Capitol Avenue  
 Jefferson City, MO 65102

February \_\_, 2023

Subject: US Bicycle Route 51 designation

Director McKenna,

**DRAFT EXAMPLE**

The City of \_\_\_\_\_ extends its support for the designation of the proposed U.S. Bicycle Route 51 (USBR51) through our community.

We recognize that bicycle tourism is a growing niche within our regional tourism markets. Nation-wide bicycle tourism contributes \$83 billion a year to the economies of bike-friendly communities. As a community, we stand to benefit from this opportunity, plus the added health and environmental-related benefits of encouraging bicycle travel in our region.

The U.S. Bicycle Route System is a bicycle-based transportation system sponsored by the American Association of State Highway and Transportation Officials (AASHTO). The project creates publicly accessible bicycle travel routes across the country. All routes are designated through a state- and federal-level process, to build broad support for bicycling and bicycle travel in communities across the country.

The City of \_\_\_\_\_ lies along the proposed USBR51 system that one day will stretch from New Orleans, Louisiana, to Des Moines, Iowa. Access through our community will afford cyclist access to points of interest, lodging, dining, and retail necessary to support extended and day-long journeys. In a city of 1,992 residents, the proposed USBR51 will additionally provide benefits to our residents and businesses.

We endorse having the route mapped and marked as an official U.S. Bike Route, promoting bicycle tourism in our area. Therefore, the City of Anderson expresses its support for USBR51 and requests that the appropriate officials nominate the route for AASHTO designation as soon as possible.

SIGNED: \_\_\_\_\_  
 (authorized signatory)



Proposed US Bike Route 251 in Republic

Item 22.



City of Springfield, Missouri GIS

## Proposed USBR 251 Turn by Turn Route Description

Edited 10/14/2022

### Southbound USBR 251

#### City of Springfield

- Turn left on Grant Avenue from College Street (USBR 51) to Sunshine Street (1.8 miles)
- Turn right on Sunshine Street from Grant Avenue to Grant Avenue (0.1 mile)
- Turn left on Grant Avenue from Sunshine Street to Lois Street (0.4 mile)
- Turn right on Lois Street from Grant Avenue to Missouri Avenue (0.2 mile)
- Turn left on Missouri Avenue from Lois Street to Tracy Street (0.2 mile)
- Turn right on Tracy Street from Missouri Avenue to Weaver Avenue (0.1 mile)
- Turn left on Weaver Avenue from Tracy Street to Edgewood Street (0.5 mile)
- Turn right on Edgewood Street from Weaver Avenue to Fort Avenue (0.2 mile)
- Turn left on Fort Avenue from Edgewood Street to South Creek Trail (0.1 mile)
- Turn right on South Creek Trail from Fort Avenue to Marlborough Avenue Trail (2.9 miles)

#### Greene County

- Continue straight on South Creek Trail from Marlborough Avenue Trail to Battlefield Road (0.5 mile)
- Turn right on Battlefield Road (climb ramp to road level) from South Creek Trail to West Bypass / SR FF (0.4 mile)

#### City of Springfield

- Continue straight on Kauffman Road from West Bypass / SR FF to Wilson's Creek Trail (0.4 mile)
- Turn right on Wilson's Creek Trail from Kauffman Road to Rountree Road / FR 168 (1.1 mile)

#### Greene County

- Turn left on Rountree Road / FR 168 from Wilson's Creek Trail to FR 123 (0.4 mile)
- Turn right on FR 123 from FR 168 to Old Wire Road (1.2 mile)

#### City of Battlefield

- Turn right on Old Wire Road from FR 123 to Elm Street (1.2 mile)
- Turn right on Elm Street from Old Wire Road to FR 115 (0.5 mile)

#### Greene County

- Continue straight on FR 182 from FR 115 to FR 97 (3.1 mile)

#### City of Republic

- Continue straight on Elm Street from FR 97 to Lynn Avenue (1.0 mile)
- Turn left on Lynn Avenue from Elm Street to FR 89 (1.4 mile)
- Turn right on FR 89 from Lynn Avenue to County Line Road (0.2 mile)

#### Christian County

- Turn right on County Line Road from FR 89 to Beal Road (1.5 mile)
- Turn left on Beal Road from County Line Road to Terrell Creek Road (1.8 miles)
- Curve right on Terrell Creek Road from Beal Road to Pine Road (3.4 mile)

#### City of Billings

- Turn left on Pine Street from Terrill Creek Road to Howard Avenue (0.9 mile)

#### Christian County

- Continue straight on Pine Road from Howard Avenue to Zoller Road / CR 13-10 (2.3 miles)
- Turn right on Zoller Road / CR 13-10 from Pine Road to Lambeth Road (2.0 mile)
- Turn left on Lambeth Road from Zoller Road to Barnett Road (1.5 mile)
- Turn right on Barnett Road from Lambeth Road to CR 1247 (1.2 mile)

#### Lawrence County

- Continue straight on CR 2185 from CR 1247 to Dunkle Drive (0.6 mile)

#### City of Marionville

- Continue straight on Lincoln Avenue / SR ZZ from Dunkle Drive to Western Street (1.2 mile)
- Turn left on Western Street from Lincoln Avenue to Old US Highway 60 (0.9 mile)

#### Lawrence County

- Turn right on Old US Highway 60 from Western Street to Church Street / US 60 Business (3.1 miles)

#### City of Aurora

- Turn left on Church Street / US 60 Business from Old US Highway 60 to Highland Street (0.2 mile)
- Turn right on Highland Street from Church Street / US 60 Business to Oak Street (1.3 mile)
- Turn left on Oak Street from Highland Street to Springfield Street (0.2 mile)
- Turn right on Springfield Street from Oak Street to Elliot Street / SR 39 (0.1 mile)
- Turn left on Elliot Street / SR 397 from Springfield Street to Springfield Street (90 feet)
- Turn Right on Springfield Street from Elliot Street / SR 39 to Jefferson Avenue (0.1 mile)
- Turn left on Jefferson Avenue from Springfield Street to Prospect Street (0.8 mile)
- Turn right on Prospect Street from Jefferson Avenue to Carnation Avenue / CR 1180 (0.9 mile)

#### Lawrence County

- Turn left on CR 1180 from Prospect Street to FR 2000 / CR 2240 (2.0 miles)

#### Barry County

- Continue straight on FR 1180 from FR 2000 to FR 2240 (4.1 miles)
- Turn right on FR 2040 from FR 1180 to FR 1165 / Camp Bliss Road (0.6 mile)

- Turn left on FR 1165 / Camp Bliss Road from FR 2040 to FR 2070 (3.8 miles)
- Continue straight on to FR 2070 from FR 1165 to SR VV (0.5 mile)
- Turn left on SR VV from FR 2070 to SR C (0.1 mile)
- Continue straight on to SR C from SR VV to FR 1142 (0.9 mile)
- Turn left on FR 1142 from SR C to FR 1185 (0.7 mile)
- Turn left to stay on FR 1142 (gravel) from FR 1185 to FR 2110 (3.3 miles)
- Continue straight on SR U from FR 2110 to FR 1135 (0.5 mile)
- Turn left on FR 1135 from SR U to FR 2140 (2.7 miles)
- Continue straight of SR YY from FR 2140 to 18<sup>th</sup> Street / Partridge Drive (4.1 miles)

#### City of Cassville

- Continue straight on Main Street from 18<sup>th</sup> Street / Partridge Drive to Business Highway 37 (0.2 mile)
- Turn left on to Main Street from Business Highway 37 to 5<sup>th</sup> Street / SR 112 (0.7 mile)
- Turn left on 5<sup>th</sup> Street / SR 112 from Main Street to Sale Barn Road (0.1 mile)
- Turn right on Sale Barn Road from 5<sup>th</sup> Street / SR 112 to FR 1110 (0.5 mile)

#### Barry County

- Turn left on FR 1110 from Sale Barn Road to SR AA (3.1 miles)
- Turn right on SR AA from FR 1110 to FR 2225 (2.5 miles)
- Curve left on FR 1098 from SR AA at FR 2225 to FR 2230 (0.6 mile)
- Curve right on FR 2230 from FR 1098 to FR 1090 (0.7 mile)
- Curve left on FR 1090 from FR 2230 to FR 2240 (0.5 mile)
- Turn right on FR 2240 from FR 1090 to SR 37 (2.6 miles)

#### City of Washburn

- Turn left on SR 37 (high traffic volume, 45 mph) from FR 2240 to SR 90 / Pineville Road (0.2 mile)
- Turn right on SR 90 / Pineville Road from SR 37 to 15<sup>th</sup> Street (1.2 mile)

#### Barry County

- Continue straight on SR 90 from 15<sup>th</sup> Street to SR NN (4.6 miles)
- Turn left on SR NN from SR 90 to FR 2272 (2.3 miles)
- Turn right on FR 2272 from SR NN to FR 1000 (0.7 mile)
- Continue straight on to FR 1000 from FR 2272 to FR 2280 (0.9 mile)

#### McDonald County

- Continue straight on CR Sekk80 from FR 2280 to SR KK (2.6 miles)
- Turn left on SR KK from CR Sekk80 to Arkansas State Line (1.2 mile)

#### Benton County, Arkansas

- Continue straight on AR 265 from Arkansas/Missouri State Line to Gates Lane (1.1 mile)
- Turn right on Gates Lane (gravel) from AR 265 to Don McAllister Road (1.6 mile)

- Turn left on Don McAllister Road (gravel) from Gates Lane to AR 94 (0.3 mile)
- Turn left on AR 94 from Don McAllister Road to Andy Buck Road (0.4 mile)
- Turn right on Andy Buck Road (gravel) from AR 94 to Looney Road (1.2 mile)
- Turn left on Looney Road from Andy Buck Road to Commonwealth Road (0.3 mile)
- Turn right on Commonwealth Road from Looney Road to Bethnal Road / Commonwealth Road intersection (0.6 mile)

#### City of Bella Vista

- Turn left to stay on Commonwealth Road from Bethnal Road to Euston Road / Blowing Springs Greenway Trail (1.6 mile)
- Turn left on Blowing Springs Greenway Trail from Commonwealth Road to Razorback Regional Greenway Trail (3.2 miles)
- Turn left on Ozark Regional Greenway Trail to continue south on USBR 51

#### Northbound USBR 251

#### City of Bela Vista

- Turn right on Blowing Springs Greenway Trail from Razorback Regional Greenway Trail / USBR 51 to Commonwealth Road (3.2 miles)
- Turn right on Commonwealth Road from Euston Road / Blowing Springs Greenway Trail to Bethnal Road (1.6 mile)

#### Benton County

- Turn right to stay on Commonwealth Road from Bethnal Road / Commonwealth Road intersection to Looney Road (0.6 mile)
- Turn left on Looney Road from Commonwealth Road to Andy Buck Road (0.3 mile)
- Turn right on Andy Buck Road (gravel) from Looney Road to AR 94 (1.2 mile)
- Turn left on AR 94 from Andy Buck Road to Don McAllister Road to (0.4 mile)
- Bear right on Don McAllister Road (gravel) from AR 94 to Gates Lane (0.3 mile)
- Turn right on Gates Lane (gravel) from Don McAllister Road to AR 265 (1.6 mile)
- Turn left on AR 265 from Gates Lane to Missouri State Line (1.1 mile)

#### McDonald County, Missouri

- Continue straight on SR KK from Arkansas/Missouri State Line to CR Sekk80 (1.2 mile)
- Turn right on CR Sekk80 from SR KK to FR 2280 (2.6 miles)

#### Barry County

- Continue straight on FR 1000 from FR 2280 to FR 2272 (0.9 mile)
- Continue straight on to FR 2272 from FR 1000 to SR NN (0.7 mile)
- Turn left on SR NN from FR 2272 to SR 90 (2.3 miles)
- Turn right on SR 90 from SR NN to 15<sup>th</sup> Street (4.6 miles)

#### City of Washburn



- Continue straight on SR 90 / Pineville Road from 15<sup>th</sup> Street to SR 37 (1.2 mile)
- Turn left on SR 37 / Old Wire Road (high traffic volume, 45 mph) from SR 90 to FR 2240 (0.2 mile)

#### Barry County

- Turn right on FR 2240 from SR 37 to FR 1090 (2.6 miles)
- Curve left on FR 1090 from FR 2240 to FR 2230 (0.5 mile)
- Curve right on FR 2230 from FR 1090 to FR 1098 (0.7 mile)
- Curve left on FR 1098 from FR 2230 to SR AA at FR 2225 to (0.6 mile)
- Curve right on SR AA from FR 1098 at FR 2225 FR 1110 to (2.5 miles)
- Turn left on FR 1110 from SR AA to Sale Barn Road (3.1 miles)

#### City of Cassville

- Turn right on Sale Barn Road from FR 1110 to 5<sup>th</sup> Street / SR 112 (0.5 mile)
- Turn left on 5<sup>th</sup> Street / SR 112 from Sale Barn Road to Main Street (0.1 mile)
- Turn right on Main Street / Business Highway 37 from 5th Street / SR 112 to Business Highway 37 (0.7 mile)
- Turn right on Main Street / SR YY from Main Street / Business Highway 37 to 18th Street / Partridge Drive (0.2 mile)

#### Barry County

- Continue straight on SR YY from 18<sup>th</sup> Street / Partridge Drive to FR 2140 (4.1 miles)
- Continue straight on FR 1135 from SR YY at FR 2140 to SR U (2.7 miles)
- Turn right on SR U from FR 1135 to FR 2110 (0.5 mile)
- Continue straight on FR 1142 (gravel) from SR U at FR 2110 to FR 1185 (3.3 miles)
- Turn right to stay on FR 1142 from FR 1185 to SR C (0.7 mile)
- Turn right on to SR C from FR 1142 to SR VV (0.9 mile)
- Continue straight on SR VV from SR C to FR 2070 to (0.1 mile)
- Turn right on to FR 2070 from SR VV to FR 1165 (0.5 mile)
- Continue straight on FR 1165 / Camp Bliss Road from FR 2070 to FR 2040 (3.8 miles)
- Turn right on FR 2040 from FR 1165 / Camp Bliss Road to FR 1180 (0.6 mile)
- Turn left on FR 1180 from FR 2240 to FR 2000 (4.1 miles)

#### Lawrence County

- Continue straight on CR 1180 from FR 2000/ CR 2240 to Prospect Street (2.0 miles)

#### City of Aurora

- Turn right on Prospect Street from CR 1180 / Carnation Avenue to Jefferson Avenue (0.9 mile)
- Turn left on Jefferson Avenue from Prospect Street to Springfield Street (0.8 mile)
- Turn right on Springfield Street from Jefferson Avenue to Elliot Street / SR 39 (0.1 mile)
- Turn left on Elliot Avenue / SR 39 from Springfield Street to Springfield Street (90 feet)
- Turn right on Springfield Street from Elliot Street / SR 39 to Oak Street (0.1 mile)
- Turn Left on Oak Street from Springfield Street to Highland Street (0.2 mile)

- Turn right on Highland Street from Oak Street to Church Street / US 60 Business (1.3 mile)
- Turn left on Church Street / US 60 Business from Highland Street to Old US Highway 60 (0.2 mile)

#### Lawrence County

- Turn right on Old US Highway 60 from Church Street / US 60 Business to Western Street (3.1 miles)

#### City of Marionville

- Turn left on Western Avenue from Old US Highway 60 to Lincoln Avenue / SR ZZ (0.9 mile)
- Turn right on Lincoln Avenue / SR ZZ from Western Street to Dunkle Drive (1.2 mile)

#### Christian County

- Continue straight on Barnett Road from CR 1247 to Lambeth Road (1.2 mile)
- Turn left on Lambeth Road from Barnett Road to Zoller Road (1.5 mile)
- Turn right on Zoller Road / CR 13-10 from Lambeth Road to Pine Road (2.0 miles)
- Turn left on Pine Road from Zoller Road to Howard Avenue (2.0 miles)

#### City of Billings

- Continue straight on Pine Street from Howard Avenue to Terrill Creek Road (0.9 mile)

#### Christian County

- Turn right on Terrill Creek Road from Pine Street to Beale Road (3.4 miles)
- Curve left on Beal Road from Terrell Creek Road to County Line Road (1.8 miles)
- Turn right on County Line Road from Beal Road to FR 89 (1.5 mile)
- Turn left on FR 89 from County Line Road to Lynn Avenue (0.2 mile)

#### City of Republic

- Turn left on Lynn Avenue from FR 89 to Elm Street (1.4 mile)
- Turn right on Elm Street from Lynn Avenue to FR 97 (1.0 mile)

#### Greene County

- Continue straight on FR 182 from FR 97 to FR 115 (3.1 mile)

#### City of Battlefield

- Continue Straight on Elm Street from FR 115 to Old Wire Road (0.5 mile)
- Turn left on Old Wire Road from Elm Street to FR 123 (1.2 mile)

#### Greene County

- Turn left on FR 123 from Old Wire Road to FR 168 (1.2 mile)
- Turn left on FR 168 / Rountree Road to Wilson's Creek Trail (0.4 mile)

#### City of Springfield

- Turn right on Wilson's Creek Trail from FR 168 / Rountree Road to Kauffman Road (1.1 mile)
- Turn left on Kauffman Road from Wilson's Creek Trail to West Bypass / SR FF (0.4 mile)

#### Greene County

- Continue straight on Battlefield Road from West Bypass / SR FF to South Creek Trail (climb ramp to road level) (0.4 mile)
- Turn left on South Creek Trail (turn left to sidewalk and proceed down ramp to trail) from Battlefield Road to Marlborough Avenue Trail (0.5 mile)

#### City of Springfield

- Continue straight on South Creek Trail from Marlborough Avenue Trail to Fort Avenue (2.9 miles)
- Turn left on Fort Avenue from South Creek Trail to Edgewood Street (0.1 mile)
- Turn right on Edgewood Street from Fort Avenue to Weaver Avenue (0.2 mile)
- Turn left on Weaver Avenue from Edgewood Street to Tracy Street (0.5 mile)
- Turn right on Tracy Street from Weaver Avenue to Missouri Avenue (0.1 mile)
- Turn left on Missouri Avenue from Tracy Street to Lois Street (0.2 mile)
- Turn right on Lois Street from Missouri Avenue to Grant Avenue (0.2 mile)
- Turn left on Grant Avenue from Lois Street to Sunshine Street (0.4 mile)
- Turn right on Sunshine Street from Grant Avenue to Grant Avenue (0.1 mile)
- Turn left on Grant Avenue from Sunshine Street to College Street (USBR 51) (1.8 miles)
- Turn right on College Street to continue north on USBR 51



## **AGENDA ITEM ANALYSIS**

Project/Issue Name: 23-R-73 A Resolution of the City Council Authorizing the City Administrator to Execute a Memorandum of Understanding with Drury Properties Inc. for Right of Way Access at U.S. Highway 60 and Farm Road 107 as Part of the New Republic Intermediate School Project.

Submitted By: Andrew Nelson, Assistant City Administrator

Date: December 12, 2023

### **Issue Statement**

Memorandum of Understanding for the purpose of access and ROW acquisition at FR 107 as a part of the Republic Schools new 5<sup>th</sup> and 6<sup>th</sup> grade center building project.

### **Discussion and/or Analysis**

This memorandum of understanding allows for the partnership between the City, Republic Schools and Drury Properties Inc for the purposes of construction of a new public street intersection to serve as access to the new Republic 5<sup>th</sup> and 6<sup>th</sup> Grade center. The property owner is exchanging a portion of his property for additional property from Republic Schools to support the construction of the Highway 60 access road. This road is also crucial access for the Parks Sports Complex. Highway 60 will be intersected with not more than 2 future signals between James River Freeway and Highway MM so being able to secure this ROW at no direct cost to the City, School or MODOT is a tremendous benefit to the community and the future expansion plans for Highway 60.

### **Recommended Action**

Staff recommends approval.

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A  
MEMORANDUM OF UNDERSTANDING WITH DRURY PROPERTIES INC. FOR RIGHT OF WAY ACCESS AT  
U.S. HIGHWAY 60 AND FARM ROAD 107 AS PART OF THE NEW REPUBLIC INTERMEDIATE SCHOOL  
PROJECT**

**WHEREAS**, the City of Republic, Missouri, (“City” and/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**, Drury Properties, Inc. (“Drury”) currently owns approximately 2.12 acres of improved real property located near the intersection of existing Farm Road 107 and U.S. Highway 60 in Republic (the “Property”); and

**WHEREAS**, the Republic School District (“School District”) is currently planning for construction of a new school building on certain real property it owns immediately to the north of the Property; and

**WHEREAS**, in order to ensure safe and adequate access to the new school, once constructed, certain infrastructure and improvements must be made to various areas surrounding the Property, including portions of the Property itself; and

**WHEREAS**, among the improvements needed is the realignment of existing Farm Road 107 and the construction of a new intersection at the realigned Farm Road 107 and U.S. Highway 60, which will require right-of-way access to a portion of the Property; and

**WHEREAS**, the School District has agreed to convey its interest in approximately 0.86 acres of its land to Drury in exchange for Drury’s agreement to grant the City right-of-way access to the affected portion of the Property; and

**WHEREAS**, the City wishes to enter into a Memorandum of Understanding (“MOU”) with Drury to set forth the terms under which Drury will grant the City the right-of-way access in exchange for the City’s promises to provide specified access points to Drury as part of the School District’s middle school project; and

**WHEREAS**, the Council finds it in the best interest of the City to approve of the MOU with Drury, as it will help to advance the priority of ensuring safe, adequate access to and from the new intermediate school at the impacted location.

**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 enter into a Memorandum of Understanding with Drury Properties, Inc. setting forth the terms and conditions under which the parties will grant access rights and provide access points, to be in substantially the same form as that attached to this Resolution as “Attachment 1.”

**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 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 \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Matt Russell, Mayor

**Attest:**

\_\_\_\_\_  
Laura Burbridge, City Clerk

**Approved as to Form:**

  
\_\_\_\_\_

Megan McCullough, City Attorney

**Final Passage and Vote:**



**MEMORANDUM OF UNDERSTANDING**

This **Memorandum of Understanding** (“MOU” and/or “Agreement”) is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_, by and between the City of Republic, Missouri, a municipal corporation and Charter City located in Greene County, Missouri, being duly organized and existing under the laws of the State of Missouri (“City”), and Drury Properties, Inc. (“Drury” and/or “Owner”). City and Owner are referred to together herein as “the Parties.”

**WITNESSETH:**

**WHEREAS**, Drury is currently the owner of approximately 2.12 acres of improved real property located near the intersection of existing Farm Road 107 and U.S. Highway 60 in Republic, Missouri, as shown on **Exhibit A** hereto (the “Property”); and

**WHEREAS**, the Republic School District is currently planning for construction of a new school building on certain real property it owns adjacent to and north of the Property; and

**WHEREAS**, in order to ensure safe and adequate access to the new school, once constructed, certain infrastructure and other improvements must be made to various areas surrounding the Property, including portions of the Property itself; and

**WHEREAS**, among those necessary improvements is the realignment of existing Farm Road 107 and the construction of a new intersection at the realigned Farm Road 107 and U.S. Highway 60, which will require right-of-way access to a portion of the Property; and

**WHEREAS**, the School District has agreed to convey to Owner its interest in approximately 0.86 acres (37,735 square feet) of land located immediately to the north of the Property, as shown on Exhibit A), in exchange for Owner’s agreement to grant the City right-of-way access to the affected portion of the Property consisting of approximately 0.6 acres, as identified on Exhibit A; and

**WHEREAS**, in exchange for good and valuable consideration, the sufficiency of which is acknowledged by the Parties, upon completion of the transfer of the aforementioned 0.86 acres of property from the School District to Owner, Owner agrees to grant the aforementioned right-of-way access to the City, pursuant to the terms and conditions set forth herein.

**NOW, THEREFORE**, in consideration of the mutual promises, conditions, and agreements set forth herein, Owner and City mutually acknowledge and agree as follows:

1. **Consideration and Terms.** In exchange for Owner’s grant to City of full right-of-way access to the 0.6 acres of real property shown on Exhibit A, attached hereto and expressly incorporated as though fully set forth at length herein, Owner and City agree to the following terms:

- a) Construction of the new/realigned Farm Road 107 will commence upon completion of School’s transfer to Owner of fee simple interest in the 0.86 acres of real property identified on Exhibit A, or, alternatively, upon Owner’s transfer of a temporary construction easement or easements allowing for such construction.

- b) Owner's access to the improvements currently located at 5905 U.S. Hwy 60, including the building and parking spaces/areas, except those to the north and west directly impacted by the construction of the new/realigned Farm Road 107, will remain intact and unencumbered until such time as the alternate access points are provided. Until that time, Owner shall have continued, unimpeded use of the building located at 5905 U.S. Hwy 60, and all unaffected parking spaces, including those existing parking areas to the south and east that will not be affected by the construction.
- c) To the extent fencing on the Property must be removed or altered in connection with construction of the new/realigned Farm Road 107, Owner shall be entitled to replacement/repair of such fencing in an agreeable configuration, for the purpose of securing the business that currently operates from the building on the Property.
- d) City recognizes that Owner shall have the right to immediate use of the property deeded to Owner by the School District, upon completion of such transfer.
- e) Access points for the Property:
  - i. Owner shall have full ingress to and egress from the Property along the newly constructed/realigned Farm Road 107, at 300 feet from U.S. Highway 60. Owner recognizes and acknowledges that the Missouri Department of Transportation ("MODOT") intends to construct a fully signalized intersection at U.S. Highway 60 and the newly constructed/realigned Farm Road 107 during the year 2027, at which time Owner's access may become inherently or in fact restricted to right in, right out access, which shall not in any way constitute a breach of this Agreement.
  - ii. Owner shall have secondary full access in an agreeable location to the north of the Property to service the Property from the portion of Farm Road 107 that is being constructed.
  - iii. The Parties acknowledge that both access points referenced above will be constructed to the new right-of-way line from the roadway, and further that if additional grading is needed beyond those right-of-way lines to service the Property, such work shall be provided be in conjunction with the project.
  - iv. Access to the property located at or near 5745 U.S. Highway 60 shall be provided to the nearest lane of U.S. Highway 60 as a shared access with 5731 U.S. Highway 60 in the vicinity of the existing access located at the western property line. Owner acknowledges that a traffic study may be required at or prior to the time of development of 5745 U.S. Highway 60, depending upon the use(s) and development plan.
  - v. An additional access to the Property shall be provided along a future backage road extension of Farm Road 107, in conjunction with development of 5745 U.S. Highway 60, 5731 U.S. Highway 60, or the development of the City-owned parcel located to the north, provided that funds for such access are available to City and approved by the City Council. The access referenced in this sub-paragraph is expressly contingent upon availability of funds and approval by City Council of the specified uses for those funds.
- f) The City agrees to install (1) a waterline extension along the northern Property line to the Northwest corner of the Property with a flush hydrant for future development, and (2) a flush hydrant on the existing main located along the eastern Property line. The Parties acknowledge and agree that this work is

considered ancillary to the road construction referenced herein and the School District's installation of waterline to service the new school building to the North of the Property.

2. **Public Entity Immunity.** The City preserves all immunities, sovereign, governmental and otherwise, recognized by law. Nothing in this MOU or any transactions under this MOU shall be construed or deemed in any way as a waiver by the City of sovereign immunity or governmental immunity recognized under common law, state law, ordinances, regulations, the Missouri Constitution, or the United States Constitution, including but not limited to § 537.600 RSMo., *et seq.*

3. **Law and Venue.** This MOU shall be governed by the laws of the State of Missouri. Any lawsuit, claim, or other action filed by or against one or both of the Parties to this MOU relating in any way to the interpretation of this MOU or to the exercise of rights and/or duties under this MOU, shall have proper venue solely in the Circuit Court of Greene County, Missouri.

4. **Assignment.** Neither party may assign their rights or obligations under this MOU without the prior written consent of the other party.

5. **Severability.** A determination by a court of competent jurisdiction or other authoritative decision-making body that any clause, sentence, paragraph, section, or part of this MOU is unconstitutional, invalid or otherwise unenforceable shall not affect in any way the validity or enforceability of the remaining clauses, sentences, paragraphs, sections or parts of this MOU.

6. **Entire Agreement.** This MOU constitutes the entire agreement between the Parties hereto and there are no other understandings, written or oral, relating to the subject matter hereof, and may not be changed, modified or amended, in whole or in part, except in writing signed by the Parties.

7. **Headings.** The headings formatted in bold herein are merely for purposes of convenience and reference only, and do not constitute material terms of this MOU.

8. **Incorporation of Whereas Clauses.** The "WHEREAS" clauses in this MOU above are incorporated into this paragraph by reference as though fully set forth at length herein and form a material part of this MOU.

CITY OF REPUBLIC, MISSOURI

DRURY PROPERTIES, INC.

By: \_\_\_\_\_  
David Cameron, City Administrator

By: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

ATTEST:

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTACHMENT 1 –  
*DRAFT***

Item 23.

\_\_\_\_\_  
Laura Burbridge, City Clerk

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Megan McCullough, City Attorney

Date: \_\_\_\_\_