



## AGENDA ITEM ANALYSIS

Project/Issue Name: 24-29 An Ordinance of the City Council Amending Title I (“Government Code”), Chapter 115 (“Mayor And City Council”), Article 115-I (“Mayor And City Council – Generally”), Section 115.035 (“Introduction And Adoption Procedures For Ordinances”), of the Municipal Code of the City of Republic, Missouri.

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

Date: May 7, 2024

### Issue Statement

To amend the Municipal Code in conjunction with the recently passed Charter Amendment #4.

### Discussion and/or Analysis

This code change specifies the criteria for emergency ordinances, along with procedure for proposing and approving the declaration of an item as an emergency. This would require a unanimous vote of all Council Members present for it to be accepted as an emergency. Redline changes are as follows:

#### Chapter 115 Mayor And City Council

#### Article 115-I Mayor And City Council – Generally

#### 115.035 Introduction And Adoption Procedures For Ordinances

- A. Section 3.10~~1~~ of the City Charter provides for two (2) readings of an ordinance before final passage except for emergency ordinances. The vote on final passage is the vote that takes place after the second (2nd) reading of the ordinance or after the reading of an emergency ordinance.

#### Ordinances that may be introduced under the emergency ordinance provision include:

1. Bills concerning the immediate preservation of public peace, property, health, safety, or morals.
2. An appropriation for payment of principal or interest of the public debt.
3. An appropriation for the payment of current expenses of the city government or payment of compromise settlement of damage claims upon recommendations of the City Attorney.
4. Calling an election or providing for the submission of a proposal to the people.
5. Any ordinance fixing any tax rate or assessment.
6. Any ordinance relating to the public improvement to be paid for by special assessment.



- B. An ordinance is introduced by filing a Council bill with the City Clerk setting forth the language of the ordinance to be considered.
- C. Generally, a Council bill is to be filed before the agenda of the meeting at which the bill is to be considered is posted so that consideration of the Council bill can be set forth on the agenda unless unusual or unforeseen circumstances prevent the filing of the Council bill before the posting of the agenda. In that case, the Council bill should be filed as soon as possible with a written explanation as to the unusual or unforeseen circumstances.
- D. The call for the reading of an ordinance is by motion and second with approval of a majority of the Council. Upon approval of the call for the reading, the City Clerk may read the ordinance by title. After the reading of the bill, discussion may follow and such motions or actions may be made or taken as are deemed appropriate and within the established rules of the Council. There shall, however, be no need for a motion to approve the reading of an ordinance after the City Clerk reads the ordinance.
- E. Upon the close of discussion after the first (1st) reading of the ordinance, the matter shall be placed on the next agenda for second (2nd) reading unless otherwise directed by the Mayor ~~or by a majority~~ **with a unanimous** vote of the Council **members present to have the second (2nd) reading and passage in the same meeting**. An ordinance may be considered for emergency passage after the first (1st) reading, upon a motion and second seeking declaration of an emergency and approval by a majority vote of Council. The ordinance may then be considered for final passage pursuant to the requirements set forth in the Charter for emergency passage. If the motion for emergency consideration or if the ordinance itself fails to receive the required number of votes for emergency passage, then the ordinance shall be treated as a first (1st) reading ordinance for further consideration by Council.
- F. Upon the close of discussion after the second (2nd) reading of an ordinance or after declaration of an emergency, a motion and second to approve final passage of the ordinance shall be in order. Prior to the vote on the motion for final passage, such further discussion or action as may be deemed in order under Council rules may be allowed. Upon the close of discussion, the final passage of the ordinance shall require a majority vote of the entire Council or, in the case of an emergency ordinance, a two-thirds (2/3) vote of the entire Council shall be required for final passage. If a higher number of votes is required for a particular issue by Charter, ordinance or State law, then that number of votes shall be required for final passage of the ordinance.

#### **Recommended Action**

Staff recommends approval.