

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI,
AUTHORIZING A LETTER TO THE MISSOURI DEPARTMENT OF NATURAL
RESOURCES FOR THE PURPOSE OF REQUESTING A VOLUNTARY REFERRAL TO
DEVELOP AN ABATEMENT ORDER ON CONSENT FOR COMPLIANCE OF THE
WASTEWATER TREATMENT SYSTEM**

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

WHEREAS, the current wastewater treatment system and plant was completed in 2002 after a vote of the citizens; and

WHEREAS, the City has experienced significant growth since the current wastewater treatment system and plant was designed and constructed. The population of the City was 8,438 residents according to the 2000 census, the City's population is now approximately 16,938; and

WHEREAS, there are ongoing compliance issues with the current wastewater treatment system and plant that must be addressed; and

WHEREAS, on February 20, 2018, in Resolution 18-R-11, the City retained the services of Burns & McDonnell for the development of the water and wastewater master plans; and

WHEREAS, on May 19, 2020, in Resolution 20-R-12, the Council approved the water and wastewater master plans (herein called the "New Master Plans"); and

WHEREAS, on August 25, 2020, in Resolution 20-R-31, the Council awarded the bid for the final design of the wastewater treatment system and plant to Burns & McDonnell; and

WHEREAS, the New Master Plans address the 5 and 20-year planning periods for the City's water and wastewater system, including the wastewater treatment system and plant and compliance-related issues; and

WHEREAS, on January 19, 2021, Council tabled Ordinance 21-01 calling for a bond election to allow the City Administrator to pursue annual appropriations financing to fund improvements to the wastewater treatment system and plant regarding compliance issues and future growth; and

WHEREAS, on February 2, 2021, in Resolution 21-R-04, the Council authorized the City Administrator to pursue annual appropriations financing to fund improvements to the wastewater treatment system and plant regarding compliance issues and future growth; and

WHEREAS, the Missouri Department of Natural Resources (herein called "MoDNR") has requested a letter from the City outlining the City's plans to address the compliance issues with the current wastewater treatment system and plant; and

WHEREAS, if an Abatement Order on Consent is negotiated and drafted between the City and the MoDNR, it will be presented to Council for consideration.

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

- Section 1. The City Administrator or designee, on behalf of the City, is authorized to execute a letter substantially similar to "Attachment 1" attached hereto and incorporated herein to the MoDNR outlining the City's plans to address the compliance issues with the current wastewater treatment system and plant and requesting a voluntary referral to develop an Abatement Order on Consent.
- Section 2. The City Administrator, or designee, on behalf of the City, is authorized to take the necessary steps to implement this Resolution.
- Section 3. The whereas clauses are hereby specifically incorporated herein by reference.
- Section 4. This Resolution shall become effective on and after the date of passage and approval as provided by law.

PASSED AND APPROVED by the City Council for the City of Republic, Missouri, this 16th day of February 2021.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

Approved as to Form:  Digitally signed by Scott Ison
Date: 2021.02.11 13:20:22
-06'00', Scott Ison, City Attorney

Final Passage and Vote: _____