

**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**Shall the Charter of the City of Republic, Section 7.6, be repealed and a new subsection 7.3(f) be added to make capital planning part of the annual budget?**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 'Megan McCullough', is written over a horizontal line.

Megan McCullough, City Attorney

**Final Passage and Vote:**