



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.