

**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:

\_\_\_\_\_

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:**