

HOME RULE CHARTER
FOR
THE CITY OF REPUBLIC, MISSOURI

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HOME RULE CHARTER

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HOME RULE CHARTER

ARTICLE I

INCORPORATION, NAME AND BOUNDARIES CHARTER OF THE CITY OF REPUBLIC, MISSOURI (2007)

PREAMBLE

We, the People of Republic, Missouri, in order to build on a proud heritage, promote the wellbeing of our community, and secure the benefits and advantages of constitutional home rule under the Missouri Constitution, do hereby establish this Charter for the better government of our City:

INCORPORATION, NAME AND BOUNDARIES

SECTION 1.1. Incorporation, Name and Boundaries

The inhabitants of the City of Republic, within the corporate limits as now established or as hereafter established in the manner then provided by law, shall continue to be a municipal body politic and corporate in perpetuity, under the name of the City of Republic.

ARTICLE II

POWERS

SECTION 2.1. Powers.

The City shall have all powers the General Assembly of the State of Missouri has authority to confer upon any City, provided such powers are consistent with the Constitution of this State and are not limited or denied either by this Charter or by statute. The City shall, in addition to its home rule powers, have all powers conferred by law.

SECTION 2.2. Construction.

The powers of the City shall be liberally construed. The specific mention of a particular power in this Charter shall not be construed as limiting the powers of the City.

SECTION 2.3. Policy and Legislative Functions.

The Mayor and City Council of Republic shall have the care, management and control of the City and its finances, and shall have power to enact and ordain any and all ordinances not repugnant to the Constitution and laws of this State, and such as they shall deem expedient for the good government of the City, the preservation of peace and good order, the benefit of trade and commerce and the health of the inhabitants thereof, and such other ordinances, rules and regulations as may be deemed necessary to carry such powers into effect, and to alter, modify or repeal the same.

ARTICLE III

THE COUNCIL

SECTION 3.1. Where Powers Vested.

Except as this Charter provides otherwise, all powers of the City shall be vested in the Council. The Council shall provide for the exercise of these powers and for the performance of all duties and obligations imposed on the City by law.

SECTION 3.2. Composition, Eligibility, Election and Terms.

- (a) Election by Wards.** There shall be a City Council of eight (8) members with two (2) from each Ward elected by the qualified voters of their respective Wards, as provided in Article VIII.
- (b) Qualifications.** A Councilmember shall be a citizen of the United States and a resident of the City for one (1) year at the time of filing for office. A person must be a resident of the Ward for which the person is seeking office at the time of filing for office and must be registered to vote in that Ward and must remain a resident of the Ward during the time of service as an elected official of the City.
- (c) Election and Terms.** Councilmember from each Ward shall be elected to serve staggered two (2) year terms.

SECTION 3.3. Compensation; Expenses.

The Council may determine the annual compensation of Councilmembers by ordinance, but no ordinance increasing such compensation shall become effective for a Councilmember until the commencement of a new term of office. The Councilmembers shall receive their actual and necessary expenses incurred in the performance of their duties of office.

SECTION 3.4. Mayor Pro Tempore.

The Council shall elect annually from among its members a Mayor Pro Tempore at the first meeting after the municipal general election. The Mayor Pro Tempore shall assume the powers and duties of the Mayor during the absence or disability of the Mayor or when a vacancy in the office of Mayor occurs. While assuming the powers and duties of Mayor, the Mayor Pro Tempore shall retain the right to vote as a Council member.

SECTION 3.5. Duties of the City Council.

- (a) Holding Other Office.** Except where authorized by law, or pursuant to an agreement between the City and another entity of government, no Councilmember shall hold any other City office or City employment during the term for which he/she was elected to the Council, and no former Councilmember shall hold any compensated appointive City

office or City employment until one (1) year after the expiration of the term for which the member was elected.

(b) Interference with Administration. Except for the purpose of inquiries, information and investigations under Section 3.9, Investigations, the Council or its members shall deal with City officers and employees who are subject to the direction and supervision of the City Administrator solely through the City Administrator, and neither the Council nor its members shall give orders to any such officer or employee, either publicly or privately.

(c) Taxes and Fees. The City Council shall, from time to time, provide by ordinance for the levy and collection of all taxes, licenses, fees, impact fees and other duties not herein enumerated, and for neglect or refusal to pay the same, shall fix such penalties as are now or may hereafter be authorized by law or ordinance.

SECTION 3.6. Vacancies; Forfeiture of Office; Filling of Vacancies.

(a) Vacancies. The office of a Councilmember shall become vacant upon the member's death, resignation, recall or removal from office in any manner authorized by law or this Charter or upon forfeiture of his office.

(b) Forfeiture of Office. A Councilmember shall forfeit office if:

(1) at any time during the member's term of office the member lacks any qualification for the office prescribed by this Charter or by law,

(2) if the member violates any prohibition of this Charter or is convicted of a crime involving moral turpitude,

(3) if the member defaults in taxes to the City or fails to attend three consecutive regular meetings of the Council without being excused by the Council.

(c) Filling of Vacancies. A vacancy in the Council shall be filled for the remainder of the unexpired term, if any, at the next regular municipal election, but the Mayor with the advice and consent of the Council may fill the vacancy until the person elected to serve the remainder of the unexpired term takes office.

SECTION 3.7. Judge of Qualifications.

The Council shall be the judge of the election and qualifications of its members and of the grounds for forfeiture of their office and for that purpose shall have power to subpoena witnesses, administer oaths and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of his office shall be entitled to a public hearing on demand.

SECTION 3.8. City Clerk.

The City Clerk shall keep the journal of Council proceedings, authenticate by signature all ordinances and resolutions, and record them in full in a book kept for that purpose. The City Clerk shall perform such other duties as may be required by law, by this Charter, or by the Council. The City Clerk shall hold office at the pleasure of the Council.

SECTION 3.9. Investigations.

The Council may make investigations into the affairs of the City and the conduct of any City department, office or agency and for this purpose may subpoena witnesses, administer oaths, take testimony and require the production of evidence. Any person who fails or refuses to obey a subpoena issued in the exercise of these powers by the Council shall be guilty of an ordinance violation and punishable as prescribed by law.

SECTION 3.10. Independent Audit.

The Council shall provide for an independent audit of all City accounts at least once a year. Such audits shall be made in accordance with generally accepted accounting standards by a certified public accountant or firm of such accountants who have no personal interest, direct or indirect, in the fiscal affairs of the City government or any of its officers. A copy of the report prepared by the certified public accountant or firm of such accountants shall be kept in the City Clerk's office and shall be open to public inspection.

SECTION 3.11. Legislative Proceedings.

- (a) Meetings.** The Council shall meet regularly at least once each month at such times and places as the Council may prescribe. The Mayor upon his own motion may, or at the request of three members of the Council, shall call a special meeting of the Council for a time not earlier than 24 hours after notice is given to all members of the Council then in the City and in conformity with the notice requirements of state law.
- (b) Rules and Journals.** The Council shall determine its own rules and order of business. It shall cause a journal of its proceedings to be kept and this journal shall be open to public inspection. A separate journal shall be kept of executive sessions.
- (c) Voting.** Voting procedures shall be adopted by ordinance or resolution establishing under what circumstances a roll call vote is required and setting forth a procedure for vote taking that provides for a degree of random voting so that a Councilmember will be varied in his voting order. Such voting procedures shall be consistent with state law. In all roll call votes, the names of the members of the Council shall be recorded in a journal. A majority of members of the Council shall constitute a quorum for its business, but a smaller number may meet and compel the attendance of absent members in the manner and subject to the penalties prescribed by ordinance. Unless otherwise provided by this Charter, the affirmative vote of a majority of the entire Council shall be necessary to adopt any ordinance.

(d) Votes Required. The term “entire Council” as used in this Charter shall mean the number of Council seats established by Section 3.2 (a) of this Charter and shall include, in determining the number of votes required, any vacant seat. In the case of an emergency declared by the Mayor or Governor of the State of Missouri involving the City of Republic and caused by a catastrophic event or disaster, the Council may act on any matter before it by a majority vote of the quorum without counting vacant seats to determine the required number of votes. If a vote on an issue does not require a vote of the “entire Council” then a majority of a quorum may act on the issue.

(e) Form of Ordinances. Proposed ordinances and resolutions shall be introduced in the Council only in written or printed form. The enacting clause of all ordinances shall be:

Be It Ordained By the Council of the City of Republic.

The enacting clause of all ordinances submitted by initiative shall be:

Be It Ordained By the People of the City of Republic.

(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 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 (2/3) of the entire Council. An ordinance granting, reviewing or extending a franchise shall not be passed as an emergency ordinance.

(h) Effective Date. Every adopted ordinance shall become effective on the date contained in the ordinance. Emergency ordinances shall become effective upon adoption or at any later date specified therein. If the effective date is before the date of signing of the ordinance by the Mayor, the date of the override of a veto or before the lapse of time set forth in Section 4.4 (c) then the ordinance will be effective on the date of the actual signing by the Mayor or the date of the veto override by Council or after the lapse of time provided for in Section 4.4 (c).

- (i) **Authentication and Recording.** All ordinances and resolutions adopted by the Council shall be authenticated by the signature of the Mayor and City Clerk. The City Clerk shall record in a properly indexed book kept for such purpose the adoption of all ordinances and resolutions by the Council.

SECTION 3.12. Revision of Ordinances.

Within three (3) years after adoption of this Charter, all ordinances and resolutions of the City of a general and permanent nature shall be revised, codified, and promulgated according to a system of continuous numbering and revision as specified by ordinance.

ARTICLE IV

MAYOR

SECTION 4.1. Executive Power.

The executive power in the City shall be vested in a Mayor who shall be recognized as the head of the City for all legal and ceremonial purposes and by the Governor of Missouri for all purposes of military law.

SECTION 4.2. Mayor Qualifications; Election and Term.

- (a) Qualifications.** The Mayor shall be a citizen of the United States and shall have been a resident of the City for one year at the time of filing for office and shall be a qualified voter and shall remain a resident and qualified voter of the City. No person shall be elected Mayor unless the person is at least twenty-five (25) years of age on the date of filing for the office.
- (b) Election and Term.** At the regular municipal election, the Mayor shall be elected by the qualified voters of the City at large to serve a two (2) year term as provided by Section 8.1 (d).

SECTION 4.3. Compensation.

The City Council may determine the annual compensation of the Mayor by ordinance, but no ordinance changing such compensation shall become effective for the Mayor until the commencement of a new term of office. The Mayor shall receive actual and necessary expenses incurred in the performance of the Mayor's duties of office.

SECTION 4.4. Powers and Duties - Mayor

The Mayor shall have the following powers and duties:

- (a) Council Meetings.** The Mayor shall preside at meetings of the Council, but the Mayor shall have the right to vote only in case of a tie. The Mayor may call special meetings of the Council as provided in Section 3.11 (a), Meetings.
- (b) State of the City.** The Mayor shall at least annually present to the Council information as to the affairs of the City and any recommendations of the Mayor.
- (c) Veto.** An ordinance or resolution adopted by the Council shall be presented to the Mayor for the Mayor's approval. The Mayor shall either sign the same or, within ten (10) days of receipt of the ordinance or resolution, return it with a written statement of the Mayor's reasons for disapproval. Ordinances or resolutions vetoed by the Mayor shall be considered at the next regular meeting of the Council, and the Council may pass the ordinance over the veto by an affirmative vote of two-thirds (2/3) of the entire Council.

If any ordinance or resolution be neither signed nor returned by the Mayor within ten (10) days of receipt by the Mayor, the same shall be deemed approved by the Mayor as if the Mayor had signed it and shall become law without his signature.

- (d) Execution of Laws.** The Mayor shall see that all laws, provisions of this Charter and acts of the Council are faithfully executed.
- (e) Execution of Documents.** The Mayor shall sign all ordinances, resolutions, proclamations, grants and executive orders. Except as otherwise provided by the City Council, the Mayor shall sign on behalf of the City all instruments conveying and/or releasing an interest in real property, all agreements and contracts between the City and other governmental entities, and all Council policies.
- (f) Appointments.** The Mayor, with the advice and consent of a majority of the Council, shall appoint all members of committees, authorities, boards and commissions, except as otherwise provided by law or this Charter. Ad hoc committees established by the Mayor shall not be subject to this section and shall have no official power of the City for any purpose.
- (g) Appointive Officers.** The Mayor, with the advice and consent of a majority of the entire Council, shall have power to appoint a City Administrator, City Clerk, City Attorney and Municipal Judge. The Mayor and City Council may employ special counsel to represent the City, either in a case of a vacancy in the office of City Attorney or to assist the City Attorney, and pay reasonable compensation therefore.
- (h) Removal of Appointive Officers.** The Mayor, with the consent of a majority of the entire Council, may remove from office any appointive officer authorized under paragraph (g) at will, and any such appointive officer may be so removed by a two-thirds (2/3) vote of the entire Council, independently of the Mayor's approval or recommendation. The City Council may pass ordinances regulating the manner of removals.
- (i) Administrative Policy Matters.** The Mayor shall have the responsibility of discussing with the City Administrator any and all policy matters; however, the Mayor shall not interfere with day-to-day administration of City affairs.
- (j) Remit Fines and Forfeitures and Grant Reprieves and Pardons.** The Mayor shall have the power to remit fines and forfeitures and to grant reprieves and pardons for offenses arising under the ordinances of the City. Notice of such action shall be made public at the next regular Council meeting.
- (k) Review City Administrator.** The Mayor shall preside as chair of the City Council's annual performance review of the City Administrator.
- (l) Other Duties.** The Mayor shall exercise such other powers and perform such other duties as may be prescribed by this Charter, by ordinance or by law.

SECTION 4.5. Prohibition.

Holding Other Office. Except where authorized by law, or pursuant to an agreement between the City and another entity of government, the Mayor shall not hold any other City office or City employment during the term for which the Mayor was elected, and no former Mayor shall hold any compensated appointive City office or City employment until one year after the expiration of the term for which the Mayor was elected.

SECTION 4.6. Vacancy; Forfeiture of Office; Filling of Vacancy.

- (a) **Vacancy.** The office of the Mayor shall become vacant upon the Mayor's death, resignation, recall or removal from office in any manner authorized by this Charter or by law, or upon forfeiture of the office.
- (b) **Forfeiture of Office.** The Mayor shall forfeit office:
- (1) if at any time during the term of office the Mayor lacks any qualification for the office prescribed by this Charter or by law,
 - (2) if the Mayor violates any prohibition of this Charter or is convicted of a crime involving moral turpitude,
 - (3) or defaults in taxes to the City or fails to attend three consecutive regular meetings of the Council without being excused by the Council,
 - (4) if the Mayor willfully violates the requirements of Section 12.1, Personal Financial Interest.
- (c) **Filling of Vacancy.** A vacancy in the office of Mayor shall be filled by election at the next regular municipal election established by the Missouri election calendar in accordance with state law, for which timely notice may be given. The person elected will serve the remainder of the unexpired term.

ARTICLE V

CITY ADMINISTRATOR

SECTION 5.1. Appointment and Term.

There shall be a City Administrator appointed by the Mayor with the advice and consent of a majority of the entire City Council. The City Administrator shall be appointed solely on the basis of such person's executive and administrative qualifications. The person appointed as City Administrator shall serve for an indefinite term. The City Administrator may be removed on recommendation of the Mayor with the consent of a majority of the entire Council, or by a two-thirds (2/3) vote of the entire Council on its own initiative. The City Administrator shall be compensated as established by the Council. The person appointed to the office of City Administrator shall become a resident of and reside within the City limits within six (6) months of appointment and possess qualifications provided by ordinance. The residency requirement may be waived by a two-thirds (2/3) vote of the entire Council.

SECTION 5.2. Duties and Responsibilities.

The City Administrator shall be the chief administrative officer of the City. The City Administrator shall be responsible to the Mayor and Council for the administration of all City affairs placed in the City Administrator's charge by or under this Charter. The City Administrator shall have the following duties and responsibilities:

- (a) **Appointment and Removal of Department Directors and Employees.** The City Administrator shall appoint and, when the City Administrator deems it necessary for the good of the City, to suspend or remove City employees and appointive administrative officers, provided for by or under this Charter, except as otherwise provided by law, this Charter or the personnel code and regulations thereunder adopted pursuant to Section 6.2, Personnel System. The City Administrator may authorize any administrative officer who is subject to the City Administrator's direction and supervision to exercise these duties and responsibilities with respect to subordinates in that officer's department, office or agency.
- (b) **Administration of Departments.** The City Administrator shall direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by this Charter or by law.
- (c) **Attend City Council Meetings.** The City Administrator shall attend all Council meetings and shall have the right to take part in discussion but may not vote. The City Administrator shall receive notice of all special meetings.
- (d) **Enforcement of Laws.** The City Administrator shall see that all laws, provisions of this Charter and acts of the Council subject to enforcement by the City Administrator, or by any person subject to the City Administrator's direction and supervision, are enforced.

- (e) **Budget and Capital Program.** The City Administrator shall prepare and submit the annual budget and capital program to the Mayor and Council.
- (f) **Finance and Administrative Report.** The City Administrator shall submit to the Mayor and Council, and make available to the public, a complete report on the finances and administrative activities of the City at the end of each fiscal year.
- (g) **Other Reports.** The City Administrator shall make such other reports as the Council may require concerning the operations of City departments, offices and agencies subject to his or her direction and supervision.
- (h) **Report of Financial Condition of the City.** The City Administrator shall keep the Mayor and Council fully advised as to the financial condition and future needs of the City and make such recommendations to the Council concerning the affairs of the City as the City Administrator deems desirable.
- (i) **Execution of Documents.** Except as otherwise provided by the Council, the City Administrator shall sign on behalf of the City all instruments required to implement the Council approved budget, all documents related to the administration and management of employees, all administrative policies, all capital project contracts and professional services agreements, and all contracts and agreements related to the administration and management of government business.
- (j) **Other Duties.** The City Administrator shall perform such other duties as are specified in this Charter or may be required by the Council.

SECTION 5.3. Acting City Administrator.

By letter filed with the City Clerk, the City Administrator shall designate a qualified person to exercise the powers and perform the duties of the City Administrator during the temporary absence or disability of the City Administrator. Such person shall be appointed solely on the basis of such person's executive and administrative qualifications. During such absence or disability, the Mayor, with the consent of the Council, may revoke such designation at any time and appoint another qualified person to serve.

SECTION 5.4. Performance Review.

The City Administrator shall receive a performance review from the Mayor and Council at least once each year. Each performance review shall be made part of the confidential personnel file of the City Administrator.

ARTICLE VI

ADMINISTRATIVE ORGANIZATION AND PERSONNEL SYSTEM

SECTION 6.1. Administrative Organization.

- (a) **Departments, Authorities and Offices.** Existing departments, agencies, authorities and offices shall be continued as constituted on the effective date of this Charter until thereafter changed pursuant to this Charter or by ordinance.
- (b) **Committees, Boards and Commissions.** Existing committees, boards and commissions shall be continued as constituted on the effective date of this Charter until thereafter changed pursuant to this Charter or by ordinance.

SECTION 6.2. Personnel System.

The Council shall adopt by ordinance a personnel code providing a comprehensive personnel system for City officers and employees. The personnel code shall provide that all appointments and promotion of City officers and employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence. The personnel code may authorize the City Administrator to promulgate regulations dealing with personnel matters. The personnel code and any regulations promulgated pursuant thereto shall be consistent with this Charter.

ARTICLE VII

FINANCIAL PROCEDURES

SECTION 7.1. Fiscal Year.

The City Council shall determine the fiscal year of the City.

SECTION 7.2. Submission of Budget and Budget Message.

Before the beginning of the fiscal year, the City Administrator shall submit to the Mayor and Council a budget for the ensuing fiscal year and an accompanying message.

SECTION 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 (2) years next preceding, itemized by year, fund, and source;
- (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 (2) years next preceding, itemized by year, fund, activity, and object;
- (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.

SECTION 7.4. Council Action on the Budget.

- (a) **Notice and Hearing.** The Council shall publish in one or more newspapers of general circulation in the City a general summary of the budget and a notice stating:

(1) the times and places where copies of the message and budget are available for inspection by the public; and

(2) the time and place, not less than two weeks after such publication, for a public hearing on the budget.

(b) Amendment Before Adoption. After the public hearing, the Council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for elimination of a projected cash deficit.

(c) Adoption. The Council shall adopt by ordinance the budget on or before the last day of the month of the fiscal year currently ending. If it fails to adopt the budget by this date, the amounts appropriated for current operations for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items in it prorated accordingly, until such time as the Council adopts a budget for the ensuing fiscal year. Adoption of the budget shall constitute appropriations of the amounts specified therein as expenditures from the funds indicated.

(d) Amendment After Adoption.

(1) Supplemental Appropriations. If during the fiscal year, the City Administrator certifies that there are available for appropriation revenues in excess of those estimated in the budget, the Council by ordinance may make supplemental appropriations for the year up to the amount of such excess.

(2) Reduction of Appropriations. If at anytime during the fiscal year it appears probable to the City Administrator that the revenues available will be insufficient to meet the amount appropriated, the City Administrator shall report to the Council without delay, indicating the estimated amount of the deficit, any remedial action taken by the City Administrator, and recommendations as to any other steps to be taken. The Council then shall take such further action as it deems necessary to prevent or minimize any deficit and for that purpose it may, by ordinance, reduce one or more appropriations.

(3) Transfer of Appropriations. At anytime during the fiscal year, the City Administrator may transfer part or all of any unencumbered appropriation balance among programs within a department, office or agency and, upon written request by the City Administrator or upon Council's own initiative, the Council may by ordinance transfer part or all of any unencumbered appropriation balance from one department, office or agency to another.

(4) Emergency Appropriations; Effective Date. The supplemental appropriations and reduction or transfer of appropriations authorized by this section may be made

effective immediately upon adoption and may be made by emergency ordinance in accordance with the provisions of Section 3.11 (g) Emergency Ordinances.

SECTION 7.5. Council Action on Taxes and Levies.

The Council shall, by ordinance, set the tax rates and levy on the various classes of property, and the levy so established shall be certified by the City Clerk to the appropriate officials, who shall compute the taxes and extend them upon the tax rolls.

SECTION 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 (5) 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 (5) 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.

The above information may be revised and extended each year with regard to capital improvements still pending or in the process of construction or acquisition.

SECTION 7.7. Public Records.

Copies of the budget and the capital program as adopted shall be public records and shall be made available to the public at suitable places in the City. The Council shall publish annually, in one or more newspapers of general circulation in the City, a summary accounting of the receipts and expenditures for the proceeding year.

SECTION 7.8. Sale of Bonds.

The City shall be authorized to sell any bonds as may now or hereafter be authorized by law. Except as otherwise required by law or this Charter, all bonds issued by the City shall be sold as prescribed by ordinance.

ARTICLE VIII

NOMINATION AND ELECTIONS

SECTION 8.1. City Elections.

- (a) **Conduct of Elections.** All City elections shall be governed by the provisions of this Charter and of applicable state law. The Council, by ordinance, may further regulate elections, subject to the provisions of the Charter and applicable state law.
- (b) **General Municipal Election.** A municipal election for the qualified voters of this City shall be held on the first (1st) Tuesday after the first (1st) Monday in April of each year.
- (c) **Special Elections.** The Council may, by resolution, order special elections, fix the time for such elections, and provide for holding such elections.
- (d) **Officers Elected.** The elective offices of the City shall be the Mayor and Councilmembers. On the first (1st) Tuesday after the first (1st) Monday in April of even-numbered years, a municipal election of the qualified voters of the City of Republic shall be held for the purpose of electing a Mayor and one (1) Councilmember from each ward who shall hold his/her office for a term of two (2) years, and until his/her successor is elected and qualified. On the first (1st) Tuesday after the first (1st) Monday in April of odd-numbered years, a municipal election of the qualified voters of the City of Republic shall be held for the purpose of electing one (1) Councilmember from each ward who shall hold his/her office for a term of two (2) years, and until his/her successor is elected and qualified.
- (e) **Definition of Qualified Voter.** Wherever used in this Charter, the term "qualified voter" means a registered voter who is eligible to vote in the City at large or in a Ward, whichever is applicable.

SECTION 8.2. Declaration of Candidacy.

Nomination of candidates for election to elective City offices shall be made by declaration of candidacy filed with the Clerk in the form and manner prescribed by ordinance.

SECTION 8.3. Determination of Election Results.

The Council shall canvass the election returns and declare the results of any municipal election, regular or special, at the next regularly scheduled Council meeting following such election. The candidate receiving the highest number of votes for each office shall be declared elected and inducted into office at that time.

SECTION 8.4. City Council Wards.

There shall be four (4) City Council wards in the City. Ward boundaries shall be established by ordinance following each decennial census. Wards shall comprise compact and contiguous territory and shall contain, as nearly as possible, an equal number of inhabitants.

ARTICLE IX

INITIATIVE AND REFERENDUM

SECTION 9.1. General Authority.

- (a) Initiative.** The qualified voters of the City shall have the power to propose ordinances to the City Council and, if the Council fails to adopt an ordinance so proposed without any change in substance, to adopt or reject it at a municipal election, provided that such power shall not extend to the budget or capital program, any ordinance relating to the levy of taxes, any zoning or land use issues or salaries of City employees, or any ordinance relating to any appropriation of money unless such ordinance provides for additional revenues therefore. The term "City employees" in this section shall not include elected officials. The election shall be held at the next available regular or special election date as established by the Missouri election calendar in accordance with state law, for which timely notice may be given.
- (b) Referendum.** The qualified voters of the City shall have the power to require reconsideration by the Council of any adopted ordinance and, if the Council fails to repeal an ordinance so reconsidered, to approve or reject it at a municipal election, provided that such power shall not extend to the budget or capital program, any emergency ordinance, any zoning or land use issues, or any ordinance levying a special assessment or providing for the issuance of special tax bills, appropriation of money, levy of taxes or salaries of City employees. The term "City employees" in this section shall not include elected officials. The election shall be held at the next available regular or special election date as established by the Missouri election calendar in accordance with state law, for which timely notice may be given.
- (c) Recall.** Any elected official, whether popularly elected or appointed, may be removed by qualified voters through the recall process. No recall petition can be issued by the City Clerk until the elected official sought to be recalled has been in office for three (3) months and no recall petition can be issued by the City Clerk between the last day allowed for filing for an office up for election and the date of the election for that office. If the elected official is retained in office upon any recall election, the official shall not be again subject to recall during the same term of office. The election shall be held at the next available regular or special election date as established by the Missouri election calendar in accordance with state law, for which timely notice may be given. The recall question shall be submitted to the voters in substantially the following form:

Shall _____ [Name] _____
_____ [Title of Office] _____
be removed from office?

Yes _____ No _____

SECTION 9.2. Commencement of Proceedings; Petitioners' Committee; Affidavit.

- (a) Committee requirements.** Any five (5) qualified voters may commence initiative, referendum or recall proceedings by filing with the City Clerk an affidavit stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance, or citing the ordinance that is the subject of the referendum, or specifying the name and title of office of the elected official to be recalled.
- (b) Petition issuance.** Not more than three (3) business days after the affidavit of the petitioners' committee is filed, the City Clerk shall issue the appropriate petition blanks to the petitioners' committee and such petition blanks shall be the official and recognized petition for the proceedings. Any unauthorized petition shall not be recognized as a valid petition for the purpose of determining if the correct number of signatures has been obtained.
- (c) Business days.** As used in this Charter “business days” shall mean those days that City administrative offices are open to conduct general business with the public.

SECTION 9.3. Petitions.

(a) Number of Signatures.

- (1) Initiative.** An initiative petition shall be signed by qualified voters of the City equal in number to at least ten percent (10%) of the total number of qualified voters registered to vote at the last regular municipal election.
- (2) Referendum.** A referendum petition shall be signed by qualified voters of the City equal in number to at least ten percent (10%) of the total number of qualified voters registered to vote at the last regular municipal election.
- (3) Recall.** A recall petition shall be signed by qualified voters for that office in number equal to at least twenty-five percent (25%) of the total number of votes cast for the office in the election at which that office was elected.

- (b) Form and Content.** All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing and shall be originals or photocopies of the petition blank issued by the City Clerk. Each signature shall be executed in ink or indelible pencil and shall be followed by the address of the person signing. Initiative and referendum petitions shall contain or have attached thereto throughout their circulation the full text of the ordinance proposed or sought to be reconsidered. A proposed initiative ordinance shall contain only one subject, which shall be clearly expressed in its title. A proposed referendum petition shall contain only one ordinance for reconsideration, which shall be clearly expressed in its title. A recall petition shall state the name and title of office of the elected official sought to be recalled. No petition shall

seek the recall of more than one officer, but several propositions for recall may be separately submitted at the same election on the same ballot.

- (c) **Affidavit of Circulator.** When filed, each paper of a petition shall have attached to it an affidavit executed by the circulator thereof stating that the circulator personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in the circulator's presence, that the circulator believes them to be the genuine signatures of the persons whose names they purport to be, and that each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered. A petition circulator need not be a member of the petitioners' committee, but shall be a qualified voter before obtaining signatures on a petition. Failure of the circulator to be a qualified voter shall render any petition the circulator has obtained invalid.

All petitions authorized under this article shall be filed within sixty (60) calendar days of the issuance of the petition blanks to the petitioners' committee.

SECTION 9.4. Procedure After Filing.

- (a) **Certificate of City Clerk; Amendment.** Within twenty (20) calendar days after the petition is filed, the City Clerk shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars wherein it is defective and shall promptly send a copy of the certificate to the petitioners' committee by registered mail. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the City Clerk within two (2) business days after receiving the copy of the City Clerk's certificate and files a supplement to the petition within ten (10) calendar days after receiving the copy of such certificate. The date shown as the date of delivery of the registered mail notice shall be conclusive as to when the notice was received. If the tenth (10th) day falls on a day that the City administrative offices are not open for business, then the supplement may be filed with the City Clerk or the Clerk's designee on the next business day. Such supplement to the petition shall comply with the requirements of subsections (b) and (c) of Section 9.3, Petitions, and within five (5) business days after it is filed, the City Clerk shall complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of such certificate to the petitioners' committee by registered mail as in the case of an original petition. If a petition is certified insufficient and the petitioners' committee does not amend within the time required or if an amended petition is certified insufficient, the City Clerk shall promptly present the City Clerk's certificate to the Council, and the certificate then shall be a final determination as to the sufficiency of the petition.
- (b) **Court Review; New Petition.** A final determination as to the sufficiency of a petition shall be subject to court review. A final determination of insufficiency, even if sustained upon court review, shall not prejudice the filing of a new petition for the same purpose.

SECTION 9.5. Referendum Petitions; Suspension of Effect of Ordinance.

When a referendum petition is filed with the City Clerk, the ordinance sought to be reconsidered shall be suspended from taking effect. Such suspension shall terminate when:

- (a) there is a final determination of insufficiency of the petition; or
- (b) the petitioners' committee withdraws the petition; or
- (c) the City Council repeals the ordinance; or
- (d) the election results sustaining the ordinance have been certified by the election authorities.

SECTION 9.6. Action on Initiative, Referendum and Recall Petitions.

- (a) **Initiative and Referendum; Council Action.** When an initiative or referendum petition has been finally determined sufficient, the Council shall promptly consider the proposed initiative ordinance in the manner provided in Section 3.11, Legislative Proceedings, or reconsider the referred ordinance by voting its repeal. If the Council fails to adopt a proposed initiative ordinance without any change in substance within sixty (60) calendar days, or fails to repeal the referred ordinance within thirty (30) calendar days after the date the petition was finally determined sufficient, it shall at the next meeting of the Council thereafter fix a date for holding the election to submit the proposed or referred ordinance to the voters of the City.
- (b) **Initiative and Referendum; Submission to Voters.** The vote on a proposed or referred ordinance shall be held not less than ninety (90) calendar days from the date the petition was finally determined sufficient and not later than the next available regular or special election date as established by the Missouri election calendar in accordance with state law, for which timely notice may be given. Copies of the proposed or referred ordinance shall be made available at the polls.
- (c) **Recall.** When a recall petition has been certified to the Council as sufficient by the City Clerk, the Council shall, at its next meeting after receipt of such certification, fix a date for holding the election. The election shall be held at the next available regular or special election date as established by the Missouri election calendar in accordance with state law, for which timely notice may be given.
- (d) **Withdrawal of Petitions.** An initiative, referendum or recall petition may be withdrawn at any time prior to 5:00 p.m. on the final day for certification, as prescribed by state law, by filing with the City Clerk a request for withdrawal signed by at least four members of the petitioners' committee. Upon the filing of such requests, the petition shall have no further force or effect and all proceedings thereon shall be terminated.

SECTION 9.7. Results of Election.

- (a) Initiative.** If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances of the same kind adopted by the Council and approved by the Mayor. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.
- (b) Referendum.** If a majority of the qualified electors voting on a referred ordinance vote to repeal it, it shall be considered repealed upon certification of the election results.
- (c) Recall.** If a majority of the qualified electors voting at a recall election shall vote in favor of the proposition to remove an official, a vacancy shall exist in the office and such vacancy shall be filled as provided by this Charter. If a majority of the qualified electors voting at a recall election shall vote against the proposition to remove an official, the official shall remain in office. An official who has been removed from office by recall shall be ineligible to be appointed to serve as a City official in any capacity at any time during the remainder of the term for which the official was elected.

ARTICLE X

FRANCHISES

SECTION 10.1. Granting of Franchises.

All public franchises or privileges which the City is authorized to grant, and all renewals, extensions and amendments thereof, shall be granted only by ordinance. No such ordinance shall be adopted within less than thirty (30) days after application therefore has been filed with the City Council, nor until a full public hearing has been held thereon. Notice of all public hearings conducted hereunder shall be given at least fifteen (15) days prior to such hearing by publishing such notice at least once in a newspaper of general circulation within the City. No exclusive franchises shall ever be granted, and no franchise shall be granted for a term longer than twenty (20) years. No such franchise shall be transferable directly or indirectly, except with the approval of the Council expressed by ordinance after a full public hearing.

SECTION 10.2. Right of Regulation.

All public franchises and privileges, whether or not provided for in the ordinance, shall be subject to the right of the Council to:

- (a) **Misuse-Nonuse.** Repeal the same for misuse or nonuse, or for failure to comply therewith, or shorten the term thereof for failure to comply with the provisions of this section and regulations adopted in accordance with this section or with the provisions of the franchise ordinance.
- (b) **Efficiency.** Require proper and adequate extension of plant and service and the maintenance thereof at the highest practicable standards of efficiency.
- (c) **Non-discrimination.** Establish reasonable standards of service and quality of products and prevent unjust discrimination in service or rates.
- (d) **Audit of Accounts.** Make an independent audit and examination of accounts at any time and require reports annually.
- (e) **Service to Public.** Require continuous and uninterrupted service to the public in accordance with the terms of the franchise throughout the entire period thereof.
- (f) **Use of City Property.** Control and regulate the use of the City streets, alleys, bridges, easements, rights-of-way and public places, and the space above and beneath them.
- (g) **Rates and Charges.** Regulate rates, fares and charges and make readjustments thereof from time to time, if the same are not regulated by an applicable local, state or federal agency.

(h) Other Regulations. Impose such other regulations from time to time as it may determine to be conducive to the safety, welfare and accommodation of the public.

SECTION 10.3. Temporary Permits.

Temporary permits for the operation of public services utilizing public streets, alleys, bridges, easements, rights-of-way and public places for a period not to exceed two (2) years may be granted by the Council by ordinance without public hearing. Such permit shall be subject to amendment, alteration or revocation at any time at the will of the Council, whether so provided in the ordinance or not. Any permit granted hereunder shall in no event be construed to be a franchise, or an extension or amendment of a franchise.

SECTION 10.4. Operation Beyond Franchise Period.

Any operation by a franchise holder, with the tacit permission of the City, beyond the period for which the franchise was granted shall under no circumstance be construed as a renewal or extension of such franchise. Any such operation shall at most be regarded as a mere temporary permit subject, like other permits, to amendment, alteration or revocation at any time at the will of the Council.

ARTICLE XI

LICENSING, TAXATION AND REGULATION OF BUSINESS, OCCUPATIONS, PROFESSIONS, VOCATIONS AND OTHER ACTIVITIES OR THINGS

SECTION 11.1. Objects of Licensing, Taxation and Regulation.

The City Council shall have the power by ordinance to license, tax and regulate all businesses, occupations, professions, vocations, activities or things whatsoever set forth and enumerated by the statutes of this state now or hereafter applicable to constitutional Charter cities, or cities of any class, or of any population group, and which any such cities are now or may hereafter be permitted by law to license, tax and regulate.

ARTICLE XII

GENERAL PROVISIONS

SECTION 12.1. Personal Financial Interest.

- (a) **Elected and appointed officials.** Any elected or appointed officer, commission or committee member of the City required to file a report with the state pursuant to the conflict of interest statutes of the state of Missouri and who has any direct or indirect substantial financial interest (as defined by the conflict of interest statutes of Missouri) (a) in any party transacting business with the City, or (b) in the subject matter of any City transaction, shall make known that interest and shall refrain from voting upon or otherwise participating in his or her capacity as an elected or appointed officer, commission or committee member of the City in such transaction. Any elected or appointed officer, commission or committee member of the City who willfully conceals such a substantial financial interest or willfully violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit the office or position. Violation of this section with the express or implied knowledge of the party transacting business with the City shall render the transaction voidable by the City.
- (b) **City employees.** The City shall establish such conflict of interest rules and regulations as deemed appropriate for City employees and these rules and regulations may be adopted by ordinance or may be adopted as a part of the City personnel or purchasing policies.

SECTION 12.2. Prohibitions.

(a) **Activities Prohibited.**

- (1) **Discrimination.** No person shall be appointed to or removed from, or in any way favored or discriminated against with respect to, any City position or appointive City administrative office because of race, sex, age, disability, national origin, political or religious opinions or affiliations.
- (2) **False Reports.** No person shall willfully make any false statement, certificate, mark, rating or report in regard to any test, certification or appointment under the personnel provisions of this Charter or the rules and regulations made thereunder, or in any manner commit or attempt to commit any fraud preventing the impartial execution of such provisions, rules and regulations.
- (3) **Undue Influence.** No person who seeks appointment or promotion with respect to any City position or appointive City administrative office shall directly or indirectly give, render or pay any money, service or other valuable thing to any person for or in connection with his or her test, appointment, proposed appointment, promotion or proposed promotion.

(b) Penalties. Any person who willfully violates any of the provisions of Section 11.2(a), Activities Prohibited, shall be guilty of an ordinance violation and upon conviction thereof shall be punishable as may be provided by ordinance.

SECTION 12.3. Political Activity.

The City may adopt such rules and regulations as the City deems appropriate and not in conflict with federal or state law with regard to political activity of City employees. Any such rules and regulations shall be set forth either in the personnel policy of the City or may be established by ordinance.

SECTION 12.4. All Ordinances Effective on Municipal Land.

In addition to all other powers herein granted, the City of Republic shall have the right and authority to administer and enforce all its municipal ordinances within all areas owned or occupied by the City which are outside of the corporate City limits.

SECTION 12.5. Notice of Suits.

No action shall be maintained against the City for or on account of any injury growing out of alleged negligence of the City unless notice shall first have been given in writing to the City Administrator within ninety (90) days of the occurrence for which said damage is claimed, stating the place, time, character and circumstances of the injury, and that the person so injured will claim damages therefore from the City.

SECTION 12.6. Official Bonds and Oath.

- (a)** Every officer of the City and the officer's assistants, and every Councilmember, before entering upon the duties of office, shall take and subscribe to an oath or affirmation before some court of record in the County, or the City Clerk, that the person possesses all the qualifications prescribed for the office by law; that the person will support the Constitution of the United States and of the State of Missouri, the provisions of all laws of this State affecting cities of this class, and the ordinances of the City, and faithfully demean himself or herself while in office; which official oath or affirmation shall be filed with the City Clerk.
- (b)** Every officer of the City, when required by law or ordinance, shall, within fifteen (15) days after appointment or election, and before entering upon the discharge of the duties of office, give bond to the City in such sum and with such sureties as may be designated by ordinance, conditioned upon the faithful performance of the duties of office, and that the person will pay over all monies belonging to the City, as provided by law, that may come into the person's hands.
- (c)** If any person elected or appointed to any office shall fail to take and subscribe such oath or affirmation, or to give bond as herein required, the office shall be deemed vacant. For

any breach of condition of any such bond, suit may be instituted thereon by the City, or by any person in the name of the City to the use of such person.

SECTION 12.7. Charter Amendment.

Amendments to this Charter may be framed and submitted to the electors by a commission in the manner provided by law and the Constitution for framing and submitting a complete Charter. Amendments also may be proposed by the Council or by petition of not less than ten (10) percent of the registered qualified electors of the City, filed with the City Clerk, setting forth the proposed amendment. The Council shall at once provide by ordinance that any amendment so proposed shall be submitted to the electors at the next election held in the City not less than sixty (60) days after its passage, or at a special election held as provided by law and the Constitution for a Charter. Any amendment approved by a majority of the qualified electors voting thereon shall become a part of the Charter at the time and under the conditions fixed in the amendment; sections or articles may be submitted separately or in the alternative and determined as provided by law and the Constitution for a complete Charter.

SECTION 12.8. Public Improvements and Special Assessments.

- (a) Improvements.** The procedure for making, altering, vacating or abandoning a public improvement shall be governed by general ordinance, consistent with applicable state law.
- (b) Special Assessments.** The procedure for levying, collecting and enforcing the payment of special assessments for public improvements or special tax bills evidencing such assessments shall be governed by general ordinance, consistent with applicable state law.

SECTION 12.9. Proof of Ordinance.

Any ordinance may be proved by a copy thereof certified by the City Clerk under the seal of the City; or, when printed and published by authority of the City, it shall be received in evidence in all courts, or other places, without further proof of authenticity.

SECTION 12.10. Separability.

If any provision of this Charter is held invalid, the other provisions of the Charter shall not be affected thereby. If the application of the Charter or any of its provisions to any person or circumstances is held invalid, the application of the Charter and its provisions to other persons or circumstances shall not be affected thereby.

ARTICLE XIII

TRANSITIONAL PROVISIONS

SECTION 13.1. Personnel System.

An employee holding a City position at the time this Charter takes full effect, who was serving in that same or a comparable position at the time of its adoption, shall not be subject to competitive tests as a condition of continuance in the same position but in all other respects shall be subject to the personnel system established pursuant to Section 6.2, Personnel System.

SECTION 13.2. Continuance of Taxes, Assessments and Fees.

Except as otherwise provided by this Charter, all existing taxing authorizations, assessments and fees adopted by the people of the City, or authorized by the City, are hereby continued in full force and effect until modified or discontinued in the manner provided by this Charter or law.

SECTION 13.3. Ordinances to Remain in Force.

All ordinances, resolutions and regulations in force at the time this Charter takes effect, which are not inconsistent with the provisions of this Charter, shall remain and be in force until altered, modified or repealed by or under authority of this Charter or ordinance.

SECTION 13.4. Pending Actions and Proceedings.

No action or proceeding, civil or criminal, pending at the time this Charter shall take effect, brought by or against the City or any office, department, agency or officer thereof, shall be affected or abated by the adoption of this Charter or by anything contained herein.

SECTION 13.5. Continuance of Contracts, Public improvements and Taxes.

All contracts entered into by the City or for its benefit prior to the taking effect of this Charter shall continue in full force and effect. Public improvements for which legislative steps have been taken under laws existing at the time this Charter takes effect may be carried to completion as nearly as practicable in accordance with the provisions of such existing laws. All taxes and assessments levied or assessed, all fines and penalties imposed and all other obligations owing to the City that are uncollected at the time this Charter becomes effective shall continue in full force and effect and shall be collected as if no change had been made.

ARTICLE XIV

SCHEDULE

SECTION 14.1. Election to Adopt Charter.

This Charter shall be submitted to the voters of the City of Republic at the regular municipal election to be held on April 3, 2007. The election shall be administered by the officials now charged with the responsibility for the conduct of municipal elections.

SECTION 14.2. Election of City Officials.

- (a) **Incumbents.** All officials elected on April 3, 2007 shall serve a one (1) year term. All officials elected prior to April 3, 2007, who would continue in office shall continue in office for the duration of the term to which they were elected; however, upon adoption of the Charter the position of City Collector shall cease and the duties shall be assumed by the Director of Finance until such time as the Council provides otherwise by ordinance.
- (b) **City Council.** At the municipal election in April of 2008, eight (8) Councilmembers shall be elected to office with two (2) being elected from each ward. The Councilmember from each ward who receives the greatest number of votes shall serve a two (2) year term in office. The Councilmember from each ward receiving the second greatest number of votes shall serve a one (1) year term in office. It is the intent of this provision to establish the required staggered terms as set forth in this Charter. At each regular municipal election thereafter, Councilmembers shall be elected to fill the offices of those whose terms expire and shall serve full two (2) year terms.
- (c) **Mayor.** At the municipal election in April of 2008, and every even year thereafter, the Mayor shall be elected to serve a full two (2) year term.
- (d) **Reduction of wards.** Pursuant to the terms of the consolidation agreement between the City of Republic and the Village of Brookline, the number of wards established pursuant to the consolidation is to be reduced from five (5) wards to four (4) wards. To accomplish the terms of this agreement ward five (5) will become a part of ward two (2) for the purpose of the 2008 municipal election and subsequent municipal elections. The City shall take whatever other steps, if any, that may be necessary to accomplish the combining of ward five (5) and ward two (2) prior to the election filing date for the 2008 municipal elections. Upon the next federal census information being made available, the wards of the City shall be adjusted, if needed, to comply with Section 8.4 of this Charter.

SECTION 14.3. Time of Taking full Effect.

After its adoption by the voters, this Charter shall be in effect at the first meeting after certification of those election results, with the Mayor and Aldermen in office or elected to office at the same election at which the Charter is adopted operating within the Charter as Mayor and Councilmembers.

SECTION 14.4. Temporary Ordinances.

At its first meeting, or at any meeting held within sixty (60) days thereafter, the City Council may adopt temporary ordinances to deal with cases in which there is an urgent need for prompt action in connection with the transition of government and in which the delay incident to the appropriate ordinance procedure likely would cause serious hardship or impairment of effective City government. Every temporary ordinance shall be plainly labeled as such but shall be introduced in the form and manner prescribed for ordinances generally. A temporary ordinance may be considered and may be adopted, with or without amendment, or rejected at the meeting at which it is introduced. A temporary ordinance shall become effective upon adoption, or at such later time preceding automatic repeal under this subsection as it may specify, and the referendum power shall not extend to any such ordinance. Every temporary ordinance, including any amendments made thereto after adoption, shall automatically stand repealed as of the 91st day following the date on which it was adopted, and it shall not be readopted, renewed or otherwise continued except by adoption in the manner prescribed in Section 3.11, Legislative Proceedings, for ordinances of the kind concerned.

SECTION 14.5. Purpose of Schedule.

The purpose of the foregoing provisions is to provide a transition from the present government of the City of Republic, Missouri, to the new government provided for in this Charter, and to inaugurate the new government under the provisions of this Charter. They shall constitute a part of this Charter only to the extent and for the time required to accomplish that aim.