



City of Carthage, Missouri

CITY COUNCIL

November 8, 2022 - 6:30 PM
CITY HALL COUNCIL CHAMBERS

AGENDA

- 1. Call to Order**
- 2. Invocation**
- 3. Pledge of Allegiance to Flag**
- 4. Calling of the Roll**
- 5. Reading and Consideration of Minutes of Previous Meeting**
 1. Approval of October 25, 2022 Minutes
- 6. Presentations/Proclamations**
- 7. Public Comments**

(Each person addressing the Council shall state their name and address or the organization or firm represented and is limited to no more than five (5) minutes. The time may be extended by the chair if deemed necessary. Once a person has had their say on a particular issue they are not permitted to once again speak on the issue unless called to answer any further questions by the Council or Chair)
- 8. Reports of Standing Committees**
 1. Agendas and Minutes of Standing Committees
- 9. Reports from Special Committees and Board Liaisons**
 1. Agendas and Minutes of Special Committees
- 10. Report of the Mayor**
- 11. Reports/Remarks of Councilmembers**

(Each Councilmember is limited to no more than two (2) minutes. The time may be extended by the Chair if deemed necessary. Once a Councilmember has had their say on a particular issue they are not permitted to once again speak on the issue unless permitted by the Chair)
- 12. Administrative Reports**
- 13. Report of Claims Presented Against the City**
 1. Motion and a second to approve the Claims
- 14. Public Hearings**
- 15. Old Business**
 1. C.B. 22-23 -- An Ordinance to amend Chapter 6 Buildings and Building Regulations by adding Article X Public Art Policy
 2. C.B. 22-44 -- An Ordinance authorizing the Mayor to execute a Real Estate Contract for the sale of land in Myers Park Subdivision between the City of

Carthage, Missouri and Faik Bilalli and Lumnije Bilalli in Carthage, Missouri
64836

3. C.B. 22-45 -- An Ordinance to amend the City of Carthage, Missouri, Purchasing Manual that generally increases the limits of the policy and corrects other minor errors within the policy. Such amendment of the Purchasing Manual is as recommended by the Insurance Audit and Claims Committee

16. New Business

1. C.B. 22-46 -- An Ordinance to amend Section 600 -- City Rules & Regulations of the Personnel Policy Manual of the City of Carthage by amending subsection 605 - Dress Code

17. Mayor's Appointments

1. Planning, Zoning, and Historic Preservation Commission
2. Police and Fire Pension Plan Committee

18. Resolutions

1. Resolution 1987 -- A Resolution adopting a revised Police and Fire Pension Plan Investment Policy, as recommended by the Police and Fire Pension Plan Committee
2. Resolution 1988 -- A Resolution of the City Council of the City of Carthage amending an administrative lot split for property located at 318 Orner Street and 519 Oak Street, in the City of Carthage, Missouri

19. Closing Comments

20. Executive Session

21. Adjournment

PERSONS WITH DISABILITIES WHO NEED SPECIAL ASSISTANCE CALL 417-237-7000 (VOICE) OR 1-800-735-2466 (TDD VIA RELAY MISSOURI) AT LEAST 24 HOURS PRIOR TO MEETING

MINUTES OF THE MEETING OF THE CITY COUNCIL
CITY OF CARTHAGE, MISSOURI
October 25, 2022

The Carthage City Council met in regular session on the above date in the Council Chambers at 6:30 P.M. with Mayor Dan Rife presiding. Fire Chief Ryan Huntley gave the invocation and Police Chief Bill Hawkins led the flag salute.

The following Council Members answered roll call: Ceri Otero, Robin Blair, Ed Hardesty, Tiffany Cossey, Mark Elliff, Robin Harrison, Brandi Ensor, and David Armstrong. Council Members Alan Snow and Trudy Blankenship were absent. City Administrator Greg Dagnan and City Attorney Nate Dally were also present.

The following Department Heads were present: Police Chief Bill Hawkins, Fire Chief Ryan Huntley, Public Works Director Zeb Carney, and City Clerk Miranda Deal. Parks and Recreation Director Mark Peterson and Assistant City Administrator Traci Cox were absent.

Mr. Elliff made a motion, seconded by Mrs. Harrison, to approve the minutes of the October 11, 2022 Council Meeting. Motion carried unanimously.

Mayor Rife presented a proclamation to the Carthage Water & Electric employees who volunteered to go down to Florida to help restore power after Hurricane Ian hit. Chuck Bryant also gave a small speech on how proud he was of his employees that volunteered to help during this natural disaster.

During Citizen's Participation, Abi Almandinger presented the Council with the Downtown Historic District Walking Tour booklet. It has pictures of historic buildings and a little bit of history about the buildings.

Ms. Otero reported that the Budget Ways & Means Committee is between meetings with the next meeting scheduled for November 14.

Mrs. Harrison reported that the Committee on Insurance, Audit and Claims met on this date and approved the claims. There were a few job description changes presented. The Master Patrol Officer and Deputy City Clerk job descriptions were discussed and the changes were approved. The Master Patrol Officer description was changed to add some supervisory training requirements, Chief Hawkins presented some additional minor changes at the Insurance Audit and Claims meeting. Mrs. Harrison made a motion, seconded by Mr. Elliff, to approve the amended Master Patrol Officer job description as presented by Chief Hawkins. Motion carried. The Deputy Clerk job description was changed to combine the accounts payable and accounts receivable positions, and the experience needed was changed. Mrs. Harrison made a motion, seconded by Mr. Hardesty to approve the Deputy City Clerk job description. Motion carried. The Purchasing Manual was also discussed, there were changes made to the purchasing limit amounts and some other minor errors were also corrected. The changes will be presented in C.B. 22-45.

Mr. Elliff reported that the Public Safety Committee met on October 17. Robin and Gary McLemore were present to ask for permission to offer carriage rides from Central Park to the square during the month of December. The committee approved the carriage rides; they are not requesting any street closures, so no further action is needed. Shannon Higgins was present on behalf of Mark Sponaugle to speak about this year's Christmas parade on December 5 at 7pm. The route will be the same as in years past, starting at Main and Chestnut, heading north on Main St, circling the square, and heading south on Grant to the corner of Chestnut and Grant. They are requesting street closures of Chestnut, 9th, 10th, 11th, the entire Square and Main Street from 5-8 pm. They would also like to vacate the square for the same time period. Mr. Elliff made a motion, seconded by Mrs. Harrison, to approve the road closures and vacating of the square Monday December 5 from 5-8 pm. Motion carried. Eddie Grundy was present to ask the committee for permission to block off 2 parking spaces with a 10x10 canopy in front of Carthage Hardware on the last Saturday of every month during business hours, provided there are no other events happening. Mr. Elliff made a motion, seconded by Mrs. Harrison, to approve the blocking of 2 parking spaces in front of Carthage Hardware during business hours on the last Saturday of every month. Motion carried. Chief Huntley spoke about the Plymovent exhaust system at Station 1 that needs updating. This is a part of the building renovation capital project. To upgrade the current system to a new magnetic system, the cost will be \$22,802.00. Mr. Elliff made a motion, seconded by Mrs. Harrison to approve the amount of \$22,802.00 for the upgrade to the exhaust system. Motion carried. There is also an anonymous fire department donation for \$12,000.00 that appears in Resolution 1985. The next meeting is scheduled for November 21.

Ms. Otero reported that the Public Services Committee met on October 18. The committee approved the art donation policy that appears in C.B. 22-43. The committee also discussed various grant opportunities to help fund some of the projects they are currently working on, or plan to work on in the near future. The next meeting is scheduled for November 15, but may need to be rescheduled or cancelled due to Mr. Peterson's recent resignation and Ms. Otero being unavailable on November 15.

Mr. Armstrong reported that the Public Works Committee is between meetings with the next meeting scheduled for November 1.

Special Committee and Board Liaison Reports were given by Mr. Elliff for the Jasper County Commission and Police and Fire Pension, and Mrs. Harrison for Vision Carthage.

Mayor Rife reported on his attendance to the CEDC meeting, he also thanked the departments on their fire response over the weekend, he was proud of all the departments coming together and taking care of the fire quickly and efficiently. He also reported that the Maple Leaf Parade had the largest crowd he has seen in a long time.

During reports from Council Members, Ms. Ensor asked about closing Grand Avenue for trick-or-treater's on Halloween, Chief Hawkins stated that the Police Department will have officers in the area to help with traffic control and once the pedestrian to car ratio gets too

large, they will put barricades up. Mr. Armstrong congratulated Julie Reams on a successful Maple Leaf Festival, he commended Vision Carthage for the walking tour booklet, stated his uncle stayed at the renovated Boots Motel during Maple Leaf and the work that has been done is incredible. He also reported that he took his grandmother to the Pancake Hut to see the restored Chicago Band Box. Ms. Otero spoke on the Parks and Recreation Director's recent resignation and hopes that the next director will continue with all the work the Public Services and Parks Department has been doing in recent years. Mr. Hardesty commented on the proclamation that was presented the CWEP employees, he also extended his praise to the various departments involved with the structure fire over the past weekend.

City Attorney Nate Dally reported that he was surprised to learn how much water was used during the fire over the weekend. Chuck Bryant stated the fire department used 400,000 gallons of water, which was slightly over 2,000 gallons a minute during the fire. Mr. Dally also thanked the street department for helping keep the drains clear from the fire debris.

Police Chief Bill Hawkins reported that the City is fortunate to have all these different departments that work well together.

Fire Chief Ryan Huntley reported that in the stressful situation of the structure fire, everyone cooperated well with each other, other departments, and outside city personnel. The fire department called for ladder trucks from Duenweg and Webb City, and they requested tankers and personnel from Avilla, Jasper, and Carterville. All departments showed up and helped keep the fire contained to the two buildings originally on fire. He also reported that the couple donating the money to the fire department would prefer to stay anonymous to the public, but if Council Members wanted to know who they were, he would tell them in private.

Public Works Director Zeb Carney reported on how they got the fire damage cleaned up so quickly. The remaining walls that were standing after the fire was extinguished were safety hazards, so they did an emergency demolition. Bennett Construction was able to get equipment to Carthage within 45 minutes the day after the fire to help knock down the rest of the buildings and keep debris from blowing into the streets. All of the debris will be loaded and hauled off.

City Administrator Greg Dagnan sent his report out in the council packet. He also reminded everyone about the State of the City event on November 4, he would like as department heads and council members to be present if possible. He also reported on the 5 year personnel plan that HR has been working on, he would like department heads to present their requests at their next department meetings. After that, the Insurance Audit and Claims, as well as, the Budget Committee will hear the requests.

The Committee on Claims filed a report in the amount of \$3,298,758.21 against the following funds: General Revenue \$127,296.36, Public Health \$12,604.91, Lodging Tax \$806.99, Public Safety \$5,628.80, Parks/Stormwater \$113,323.58, Fire Protection

\$30,653.38, Golf \$6,332.41, Myers Park \$39,160.00, Public Facilities \$10,750.50, Public Library \$33,000.00, Payroll \$219,201.28, and Carthage Water & Electric \$2,700,000.00. Mrs. Harrison made a motion, seconded by Ms. Ensor, to accept the report and allow the claims. Motion carried.

Under old business, C. B. 22-42 – An Ordinance to amend Section 800 – Miscellaneous Policies of the Personnel Policy Manual of the City of Carthage by amending Subsection 806 – Remote Work Policy was placed on second reading followed by a roll call vote of 8 yeas and 0 nays. Ayes: Armstrong, Blair, Cossey, Elliff, Ensor, Hardesty, Harrison, and Otero. The Council Bill was approved and numbered Ordinance 22-43.

Under new business, C. B. 22-43 -- An Ordinance to amend Chapter 6 Buildings and Building Regulations by adding Article X Public Art Policy was placed on first reading with no action taken.

Mr. Armstrong asked what the expectations of the art will be, and what the procedures will be. Ms. Otero stated that this policy gives the donors a more formalized path to get their artwork displayed. Mr. Armstrong asked about those who have already asked to put their artwork in the park. Ms. Otero stated they could either start at the beginning and go back to the committee, or it can be brought back to council and the council could analyze the artwork now that there is a policy. Ms. Otero also stated that outside art groups were consulted for input on the policy. Mr. Dagnan stated that the original artist who wants to donate artwork, must provide the City with written permission to display the artwork and 10% of the artworks value must be paid to the City for conservation of the art. Mayor Rife stated that the next step would be to bring back the tabled artwork and review it. Ms. Cossey thinks that Section 1 of the policy doesn't belong in the Code. It is too subjective and should not be codified.

C. B. 22-44 – An Ordinance authorizing the Mayor to execute a Real Estate Contract for the sale of land in the Myers Park Subdivision between the City of Carthage, Missouri and Faik Bilalli and Lumniye Bilalli in Carthage, Missouri 64836 was placed on first reading with no action taken.

C. B. 22-45 – An Ordinance to amend the City of Carthage, Missouri, Purchasing Manual that generally increases the limits of the policy and corrects other minor errors within the policy. Such amendment of the Purchasing Manual is as recommended by the Insurance Audit and Claims Committee was placed on first reading with no action taken.

Mr. Elliff made a motion, seconded by Mr. Armstrong, to approve Resolution 1985 – A Resolution providing for the formal acceptance of a donation by the City Council of the City of Carthage, Missouri pursuant to City Policy. Resolution 1985 was adopted after a roll call vote of 8 yeas and 0 nays. Ayes: Armstrong, Blair, Cossey, Elliff, Ensor, Hardesty, Harrison, and Otero.

Mr. Armstrong made a motion, seconded by Ms. Otero, to approve Resolution 1986 – A Resolution of the City Council of the City of Carthage, Missouri supporting an application of the Boots Motel, A Missouri Non-Profit Corporation, for improvement and restoration of the Boots Motel. Resolution 1986 was adopted after a roll call vote of 8 yeas and 0 nays. Ayes: Armstrong, Blair, Cossey, Elliff, Ensor, Hardesty, Harrison, and Otero.

During closing comments, Council Members extended their praise to all departments involved with the structure fire. Mr. Hardesty stated that he was happy he moved her 12 ½ years ago, Mr. Elliff thanked Julie Reams for putting on the Maple Leaf Festival, acknowledged Chief Hawkins and Huntley for their first big events as Chiefs, Mr. Dally stated that they boy scouts in attendance were getting a badge for attending the Council meeting and help them continue on to becoming an Eagle Scout, Ms. Ensor stated she was happy to see all the boy scouts in attendance, Mr. Armstrong thanked all of those in attendance, it isn't often that there is a full house.

Mr. Armstrong made a motion, seconded by Mr. Hardesty, to adjourn the regular session of the Council Meeting. Motion carried and meeting adjourned at 7:27 p.m.

Dan Rife, Mayor

Miranda Deal, City Clerk



City of Carthage, Missouri

COMMITTEE ON INSURANCE/AUDIT AND CLAIMS

October 25, 2022 - 5:00 PM
CITY HALL COUNCIL CHAMBERS

MINUTES

1. Call to Order

MEMBERS PRESENT: Robin Harrison, Robin Blair, Tiffany Cossey. Trudy Blankenship was absent.

OTHERS COUNCIL MEMBERS: Mayor Dan Rife, David Armstrong.

STAFF PRESENT: City Administrator Greg Dagnan, City Clerk Miranda Deal, Human Resource Coordinator Michael Miller, and Police Chief Bill Hawkins

Chair Robin Harrison called the meeting to order at 5:00 PM.

2. Old Business

1. Approval of October 11, 2022 Minutes

ACTION: Motion to accept/approve item 2.1. by Robin Blair second by None;
Motion passed with a 3:0

AYES: Robin Harrison, Robin Blair, Tiffany Cossey

NOES: None

ABSTAIN: None

2. Review & Approval of the Claims Report

ACTION: Motion to accept/approve item 2.2. by Robin Blair second by None;
Motion passed with a 3:0

AYES: Robin Harrison, Robin Blair, Tiffany Cossey

NOES: None

ABSTAIN: None

3. Citizens Participation

(Citizens wishing to speak should notify Department Head or Committee Chair in advance)

Dave Armstrong spoke in favor of the job description changes and the Purchasing Manual updates. He stated that the updates to the purchasing manual were needed.

4. New Business

1. Consider and discuss changes to the Master Patrol Officer (MPO) job description

Chief Hawkins spoke on the MPO job description changes; he presented a different version than what was sent out in the packet. The changes add a supervisory training requirement that is required within one year of promotion. The other change was to replace Field Training Instructor to Field Training Officer and remove Type III from the BA Officer.

ACTION: Motion to accept/approve the amended item 4.1. by Tiffany Cossey second by None;
Motion passed with a 3:0
AYES: Robin Harrison, Robin Blair, Tiffany Cossey
NOES: None
ABSTAIN: None

2. Consider and discuss changes to the Deputy City Clerk job description
Michael Miller explained the changes that were made to the Deputy City Clerk job description. The job functions and experience needed were adjusted. This position combines the accounts receivable, accounts payable, and back up City Clerk into one. The experience needed was changed from 3-5 years to 1-2 years.

ACTION: Motion to accept/approve item 4.2. by Robin Blair second by None;
Motion passed with a 3:0
AYES: Robin Harrison, Robin Blair, Tiffany Cossey
NOES: None
ABSTAIN: None

3. Consider and discuss the revisions to the Purchasing Policy Manual
Mr. Dagnan spoke on the changes within the policy, the purchase limits have been increased and there were typos and errors throughout the policy that were fixed. The policy had not been updated since 2005.

ACTION: Motion to accept/approve item 4.3. by Tiffany Cossey second by None;
Motion passed with a 3:0
AYES: Robin Harrison, Robin Blair, Tiffany Cossey
NOES: None
ABSTAIN: None

4. Staff Reports
Ms. Deal reported that the City had a Money Market account at Guaranty Bank that was getting 0.4% interest every month. Traci had moved that money from Guaranty Bank to a MOSIP TERM account for 180 days for 4.88%. The total amount transferred over was \$1,490,906.56. Ms. Deal also reported on the progress being made with Opengov. The budget portion is almost complete and ready for department head training, and the Core Financials portion has been moved up on the schedule.

Mr. Dagnan reported that the 5 year personnel plan is complete and that he has

requested the department heads to present their requests at their next department meetings.

5. Other Business

5. Adjournment

ACTION: Motion to adjourn at 5:25 p.m. by Robin Blair second by None;
Motion passed with a 3:0

AYES: Robin Harrison, Robin Blair, Tiffany Cossey

NOES: None

ABSTAIN: None



City of Carthage, Missouri

PUBLIC WORKS COMMITTEE

November 1, 2022 - 5:30 PM
CITY HALL COUNCIL CHAMBERS

AGENDA

- 1. Call to Order**
- 2. Old Business**
 1. Approval of October 4, 2022 Minutes
- 3. Citizen Participation**
- 4. New Business**
 1. Lot Split at 318 Orner & 519 Oak (Combined)
- 5. Other Business**
 1. Discuss Community Revitalization Grant (Department of Economic Development)
- 6. Staff Reports**
 1. Zeb Carney
 2. Greg Dagnan
- 7. Adjournment**

PERSONS WITH DISABILITIES WHO NEED SPECIAL ASSISTANCE CALL 417-237-7000 (VOICE) OR 1-800-735-2466 (TDD VIA RELAY MISSOURI) AT LEAST 24 HOURS PRIOR TO MEETING

PUBLIC WORKS COMMITTEE

Public Works Department 623 E 7th Carthage MO 64836
Tele: (417) 237-7010 Fax: (417) 237-7011

"America's Maple Leaf City"



11-01-2022 PUBLIC WORKS COMMITTEE MEETING MINUTES

Committee Members present: David Armstrong, Brandi Ensor, Robin Blair and Ed Hardesty.

Staff Members present: Zeb Carney, Public Works Director, Rachel Sutherland, Public Works Administrative Assistant.

Citizens: Abi Almandinger

Chairman David Armstrong called the Public Works Committee meeting to order at 5:30 p.m.

A motion was made by Robin Blair to accept the minutes from the October 4, 2022 Committee meeting. All ayes, motion passed.

New Business: The Committee discussed the proposed lot split @ 318 Orner & 519 Oak (combined). Robin Blair made a motion to allow the split and forward it to City Council, all ayes motion carried.

Other Business: Discussion of Community Revitalization, and applying for 50/50 Grant, that would be used for street scaping, stamping on sidewalks, square beautification. Abi stated that she would also like to see part of the funds used to install audio equipment on the square. Discussion was made that the City's matched portion does not just have to be cash; it can include labor hours, and meeting time from Jason Eckhart, and City Staff. Abi offered that Vision Carthage would write the Grant, City of Carthage would receive and manage the funds. Brandi Ensor made a motion to have Vision Carthage write Grant, all ayes, motion carried.

Staff Reports:

Zeb reported on the following:

- Due to the fire the guys came in to work between 1-2 AM, and worked 8 hours on Sunday, got most of the lot cleaned up. This was a cost of \$500.00 per hour and this will all be billed to the lumberyard. The City used our own trucks for the cleanup and Eddie Schrader let us use his lot, which needed fill, as a place to dump the wreckage. This saved thousands of dollar for the City. There was a discussion of the Church not being responsible for any cost from the fire. The Pastor of the church met with Zeb and discussed how he wants to rebuild the church and keep it historic.
- Need to order new Trucks, at this time GM is noting taking Fleet Sale orders and Ford is accepting orders until the 7th of the month
- The Street Department is almost fully staffed, one position is remaining open. Due to cost associated with obtaining a CDL, the City has agreed to hire people and pay for their training, and if the person quits or is fired the cost will be pro-rated to that person. Michael, Greg and Zeb have made a deal with Deanna, owner of Same Day CDL, to train 4 people at a time, and reduce the charge from \$1500.00 per person to \$900.00 per person, and we will use our own trucks for the training.
- The Christmas Light Tunnel was completely put up on 11/1/2022 and is ready for the lights. Abi stated that lights would be started on 11/7/2022

- All the buildings on the square are going to be outlined with lights. CWEP has been working on the lights at Central Park for about 4 weeks now.
- The Building Permit #'s are still looking great and we are expecting there could be 42 homes being built in new subdivision.
- The groundbreaking ceremony for Tommy Garrison was very well attended. Jason Eckhart was very helpful in speeding up the process of getting surveys and plans done for this project.
- Meyers Park has been owned by the City since 1995, but has been sold and we are just waiting on the closing.
- Zeb will be gone on vacation from the 10th thru the 28th of November.
- We had 21 structures on our Demo list at the start of the year. 12 have been taken down, 3 pending, 5 have been removed/rebuilt, and 4 have been redone by Habitat for Humanity.
- Shaun is averaging five inspections per day and Zeb feels he really needs to hire another inspector to help him with code enforcement. He would also like to add 1 more position to the Street Department.

No further discussion by committee.

Ed Hardesty made a motion to adjourn the meeting at 6:27 p.m. All ayes, motion carried.



City of Carthage, Missouri
**COMMITTEE ON
INSURANCE/AUDIT AND CLAIMS**

November 8, 2022 - 5:00 PM
CITY HALL COUNCIL CHAMBERS

AGENDA

- 1. Call to Order**
- 2. Old Business**
 1. Approval of October 25, 2022 Minutes
 2. Review & Approval of the Claims Report
- 3. Citizens Participation**
(Citizens wishing to speak should notify Department Head or Committee Chair in advance)
- 4. New Business**
 1. Consider and discuss amending the Dress Code policy
 2. Staff Reports
 3. Other Business
- 5. Adjournment**

PERSONS WITH DISABILITIES WHO NEED SPECIAL ASSISTANCE CALL 417-237-7000 (VOICE) OR 1-800-735-2466 (TDD VIA RELAY MISSOURI) AT LEAST 24 HOURS PRIOR TO MEETING

John Bartosh
Presiding Commissioner

JASPER COUNTY COMMISSION

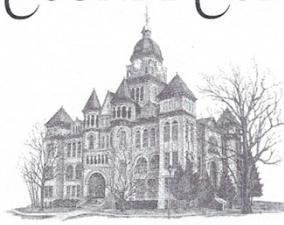
302 S. Main ST
Carthage, MO 64836

Tom Flanigan
Eastern District Commissioner

Carthage: 417-358-0421
Joplin: 417-625-4350

Daricus K. Adams
Western District Commissioner

Toll Free: 800-404-0421
Fax: 417+358-0483



COMMISSION AGENDA
NOVEMBER 1, 2022
9:00 A.M.
JASPER COUNTY COURTHOUSE ROOM 101

1. CALL TO ORDER
 - PRAYER
 - PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
4. PRESENTATIONS
5. REPORTS AND COMMUNICATIONS
6. ELECTED OFFICIALS/CITIZENS REQUESTS
 - **Jasper County Sheriff-Surplus Radios and Other Electronics**
7. COMMISSIONER'S REPORTS
8. UNFINISHED BUSINESS
9. NEW BUSINESS
10. PUBLIC HEARINGS

PUBLIC PARTICIPATION FROM AUDIENCE WHEN ADDRESSED YOU WILL BE ALLOWED THREE MINUTES TO SPEAK.

ELECTED OFFICIALS/CITIZENS WISHING TO BE HEARD UNDER ELECTED OFFICIALS/CITIZENS REQUEST MUST REQUEST TO SPEAK TO COMMISSION BY 4:00 P.M. ON THE FRIDAY PRIOR TO THE COMMISSION MEETING ON TUESDAY. CITIZENS SPEAKING TIME WILL BE LIMITED TO FIVE MINUTES.

THE NEWS MEDIA MAY OBTAIN COPIES OF THIS NOTICE BY CONTACTING:
COMMISSION OFFICE, 302 S. MAIN, COURTHOUSE, ROOM 101, CARTHAGE 417-358-0421

NOTICE POSTED OCTOBER 28, 2022, AT 8:00 A.M.

(RSMO 610.020)



AGENDA

Planning, Zoning, and Historic Preservation Commission

Monday, November 7, 2022 5:30 pm

City Hall Chambers

326 Grant St. / Carthage MO 64836

Call to Order

Minutes of Previous Meeting

Public Hearing

**NOTICE:
MEETING IS CANCELED**

New Business

Old Business

Next Meeting:

Adjourn

Commission Members

Voting Members:	Chairman	Abi Almandinger	1220 S Main	417-793-6589
	Vice Chairman	Jim Swatsenbarg	601 Howard	417-358-1690
	Secretary	Harry Rogers	1350 S Main St	417-358-4527
	Member	Jim Hunter	1514 S River	417-850-5355
	Member	Alan Bull	614 E Centennial	417-388-2309
	Member	Bill Barksdale	1314 S Garrison	417-388-2464
	Member	Joshua Anderson	1205 S Main	417-793-2196

Non-Voting Members:	Mayor	Dan Rife	City Hall	417-237-7003
	City Administrator	Greg Dagnan	City Hall	417-237-7003
	Asst. City Administrator	Traci Cox	City Hall	417-237-7003
	Councilmember	Mark Elliff	1511 Grand Ave	417-359-3662

Staff:	Public Works Director	Zeb Carney	Public Works Department	417-237-7010
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Public Works Department 623 E Seventh Carthage MO 64836 Tele: (417) 237-7010 Fax: (417) 237-7011 Email: pwd@carthagemo.gov

CARTHAGE PUBLIC LIBRARY BOARD OF TRUSTEES
Monday, November 7th, 2022 5:15 p.m.

Steadley Family Legacy Center
612 S. Garrison Ave.

AGENDA

Roll Call of Members

Minutes from the Last Meeting

Financial Reports

Director's Progress and Service Report

President's Message

Council Liaison's Report

Committee Reports

Building Committee

Budget Committee

Community Relations

By-Laws

Library Gardens

ADA Compliance

Communications

Compensation/Wages

New Business

Payment of Bills: (Dubry Construction)

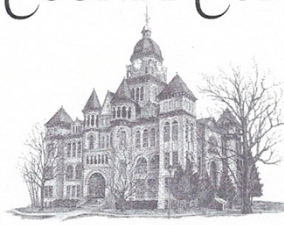
Adjournment

John Bartosh
Presiding Commissioner

Tom Flanigan
Eastern District Commissioner

Darieux K. Adams
Western District Commissioner

JASPER COUNTY COMMISSION



302 S. Main ST
Carthage, MO 64836

Carthage: 417-358-0421
Joplin: 417-625-4350

Toll Free: 800-404-0421
Fax: 417+358-0483

COMMISSION AGENDA
NOVEMBER 8, 2022
9:00 A.M.
JASPER COUNTY COURTHOUSE ROOM 101

NO MEETING DUE TO THE ELECTION

THE NEWS MEDIA MAY OBTAIN COPIES OF THIS NOTICE BY CONTACTING:
COMMISSION OFFICE, 302 S. MAIN, COURTHOUSE, ROOM 101, CARTHAGE 417-358-0421

NOTICE POSTED NOVEMBER 4, 2022, AT 8:00 A.M.

(RSMO 610.020)

An Ordinance to amend **Chapter 6 Buildings and Building Regulations** by adding Article X Public Art Policy.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARTHAGE,
JASPER COUNTY, MISSOURI** as follows:

SECTION I: Chapter 6 Article X Public Art Policy shall read as follows:

Article X Public Art Policy

Section 6-552 Purpose:

This Public Art Policy guides the development and implementation of public art in Carthage. The policy is intended to provide Council, the Department of Parks and Recreation, the Public Services Committee, the arts community, and general community with a mechanism through which the City of Carthage assesses, acquires, and manages works of public art for municipally owned public spaces through purchase, loan, commission, or donation.

Section 6-553: Vision and Objectives

1.1 Mandate

To organize and leverage City, community and business resources, knowledge, and experience to support creative place-making across Carthage through contemporary and innovative public art initiatives and programs.

1.2 Key Objectives

- Contribute to a vibrant, high-quality public realm in Carthage.
- Engage the community in creative place-making across the entire City: downtown, residential, rural, and natural areas.
- Celebrate and promote Carthage's identity, including building on the City's complete history, diversity, and geography, while imagining new futures.
- Invest in the development of artists from a wide range of disciplines through a variety of training and commissioning opportunities.

1.3 Guiding Principles

- Strive for artistic value and creativity of approach.
- Cultural equity.
- Collaboration with artists, communities, municipal departments, other levels of government and the private sector.
- Follow best practices.
- Be responsive to community needs.
- Be risk-taking, creative, and innovative.
- Be transparent, accessible, and inclusive.
- Cultivate the local arts sector, including a wide variety of art forms and

practices.

- Prioritize sites for public art/creative placemaking based on potential impact, both high profile and under-served areas.
- Encourage investment in the program from a wide variety of sources.

Section 6-554: Defining Public Art

2.1 Areas of Focus

The City of Carthage Public Art Program includes three main areas of focus:

1. Temporary Public Art, Street Art, and Public Art Platforms: Developing opportunities for diverse cultural expression in civic spaces, places and neighborhoods through the commission and exhibition of works of temporary public art from a variety of art forms including street art and establishing one or more public art platforms to exhibit a rotating display of art in a public venue. This work will not become part of the Civic Collection.
2. Community Arts, Public Engagement and Education: Engaging communities in developing Carthage's story and creative place-making across the City. Community members will be involved in the public art program through art-making, consultation, education, and promotions. This work will not become part of the Civic Collection.
3. Public Art Development Program: Encouraging provision of public art in significant development projects through the community planning process. The Director of Parks and Recreation, working collaboratively with the Public Art Committee, will offer assistance to private developers and other public entities in acquisition of public art where needed.

2.2 Limitations of this Policy

This policy does not include the following:

- Special events
- Archaeological, archival and museum collections/exhibitions
- Commemorations that are not created by an artist and/or sited in public space
- Graffiti management
- Work on private land
- Public art in City of Carthage facilities and on City of Carthage property that are leased or licensed to another party. Public art in facilities that are excluded from this policy are the responsibility of the organization occupying the facility.
- This Policy does not address changing the current City budget or allotting additional funds for the purchase of Public Art. It outlines the process for selecting works of art to be purchased through City of Carthage procurement policies, or for accepting /rejecting works of art proposed for donation to the City by individuals or organizations.

2.3 Definitions

Public Art is a work in any media created by an artist that has been planned and executed with the specific intention of being sited or staged in public space, acquired following the conditions established in the Public Art Policy of the City of Carthage.

A **Work of Art** is a work in any media created by one or more Artists.

Civic Collection shall be defined as the artifacts, archives, and works of art belonging to the City of Carthage.

Public Art Collection shall be defined as the works of public art belonging to the City of Carthage.

Public Space is defined herein as any space on or within City property accessible to the general public, or any space that is accessible to the general public and approved by the City as a viable public art project site.

Creative Place making is a practice that intentionally leverages the power of the arts, culture, and creativity to serve a community's interest while driving a broader agenda for change, growth and transformation in a way that also builds character and quality of place.

Acquisition is the acquiring of public art through commission, purchase, donation, gift, or bequest.

De-accession is the formal process to permanently remove an object from the Public Art Collection. Possibilities include selling, returning or destroying etc.

Types of Public art

Art that is **Site-specific**, whether long-term or temporary, functional, or aesthetic, stand-alone or integrated and in any media, is an original work that is created in response to the immediate context.

Integrated Public Art forms a physical part of a building, structure, or landscape. If the site were to be redeveloped, the art would be as well.

Stand-alone Public Art is not a physical part of a building, structure, or landscape.

Temporary Public Art is an original work by an artist(s) that is created for a specific occasion, time frame or event and which is situated at a particular site on a temporary basis. The art may cover a range of forms including, but not limited to, the visual arts, digital, sound art, and performance-based work.

A **Public Art Platform** is a place in public space reserved for the regular and temporary exhibit of new works of art. The art platform can take many forms including a physical

podium, a sanctioned street art wall or a digital screen. The art platform could be dedicated exclusively to public art or shared with other content. To ensure success for an art platform, there should be a regular funding stream or an endowment in place for new works of art before it is established.

Community Art is an artistic activity led by an artist based in a community setting involving community members, who contribute a variety of talents, to design and

create a public art piece. The content of the artwork usually reflects local issues that have been identified by people within the community. Community Art helps people articulate their goals to build a strong place for the community.

Street Art is an urban style of Temporary Public Art on walls, sidewalks and roadways that is sanctioned and permitted.

Non-sanctioned Public Art is work that is initiated outside the Public Art Program scope and did not follow the City of Carthage's Public Art Policy. Therefore, works are not sanctioned and will not be included in the Public Art Collection.

Section 6-554: Administration, Funding and Site Selection

3.1 Administration

The Carthage Parks & Recreation Department has the primary responsibility for the management of the Public Art Program within a larger portfolio of the Department's work. The Department will create a Public Art Committee with whom it will work to administer the Public Arts Policy. The responsibilities related to the Public Art Program include:

Program Coordination:

- Managing art acquisition processes, including coordinating with the Public Art Committee, and technical reviews.
- Managing artist contracts and payments.
- Coordinating between the artist, City departments, and community agencies.
- Collaborating with City staff to coordinate public art projects and programs.
- Collaborating with the arts sector, community members and program partners (e.g. local organizations, private sector and other levels of government).
- Providing community outreach and education.

Management of Public Art Collection:

- Managing the Public Art Collection as one collection node within the larger Civic Collection, including acquisitions, maintenance, conservation, research, interpretation, and de-accessions.
- Maintaining an up-to-date inventory as well as processing and documenting new items and items being removed from the collection.

Council

The Mayor, Council and Public Service Committee are arms-length of any acquisition processes, but their role is to perform the following functions or empower staff to do so on Council's behalf:

- Review and approve the City of Carthage's Public Art Policy.
- Approve Municipal capital project allocations regarding public art.

- Approve negotiated agreements with private developers that may contain sections related to the provision of public art, where applicable.

3.2 Funding

Encourage the development of partnerships, grants and sponsorships from local organizations and businesses to further support the development of public art in public spaces. The City will encourage public art initiatives from the community through the development of partnerships with local organizations and businesses, advice from the Director of Parks and Recreation, assistance where appropriate, and where projects meet the Public Art Program goals and priorities.

3.3 Site Selection Values

Public Art sites for City projects and private developer contributions will be selected based on the following Site Selection Values:

1. Sites for public art will be accessible; visible; compatible with the site's current and potential uses; and compatible with surrounding sites and adjacent public art. Sites must be able to accommodate work, be safe and meet all required standards.
2. Public art will be located in a diversity of sites across Carthage and will not be concentrated in any one site or area.
3. Support economic development and revitalization efforts.
4. Placemaking and opportunities for art to create community.

3.4 Project Selection Process

Sites that best fit the Site Selection Criteria in **Section 3.3** above will be prioritized annually to fit within the funding available for the City's Public Art Program.

1. **Evaluation:** The Public Art Committee will evaluate proposed public art donation or purchase.
2. **Approval:** The Public Service Committee will vote on whether to approve the proposed public art installation and forward to the City Council.
3. **City Council Review:** The City Council will review the decision of the Public Service Committee and confirm by resolution.
4. **Purchase/Acceptance of Donation and Installation.**

Section 6-555: Acquisitions and Donations

4.1 Conflict of Interest

Carthage Council and staff shall declare a conflict of interest, pecuniary or any other interest, and remove themselves in all cases from a juried selection process, or any decision regarding the acquisition of public art in which he or she is involved either directly or indirectly.

4.2 Acquisitions

Public art acquisitions must be conducted in accordance with the criteria and processes outlined in this policy. Works may be acquired through any of five methods: commission; purchase; donation; loan; and lease. Elected officials and the Park and Recreation Department agree to adhere to the acquisition processes in this policy and not acquire works outside of this process.

The City will use a wide range of commissioning methods and can seek opportunities to engage the community through these processes and other programs, for example; educational events, workshops, lectures, and mentorships.

4.3 Installation and Acceptance

The responsibility for the installation of public art acquired will be identified, in advance, through the agreement of purchase, commission, donation or rental contract. All acquired public art will be condition-reported upon receipt by the Director of Parks and Recreation, or his designee, who is managing the public art acquisition, and any problems found will be referred to the artist(s)/installer/lender for resolution as appropriate.

4.4 Public Art Committee

Public art acquisitions shall be reviewed by The Public Art Committee. The selected winning scheme shall be recommended to the Director of Parks and Recreation. The Public Art Committee must be established for each acquisition or donation over \$5,000 in value, but they may also be established for works of a lesser amount. The Director of Parks and Recreation and The Public Art Committee will be responsible for selecting an artist for a commission or an artwork for purchase following the Acquisition Criteria below.

Public Art Committee members include recognized arts and design professionals such as practicing artists, curators, art critics, art educators, architects, and landscape architects. Local representation with interests in the site could include a neighborhood or community representative from a local association, a business representative, or a resident.

The Public Art Committee typically consists of three or five members, with the majority being qualified art and design experts. While the ultimate objective of the panel is to reach a unanimous decision, members may be divided in their evaluations and as such, a panel will consist of uneven numbers to enable a majority vote. Depending on the scope of the competition, invited members may be local or regional art professionals.

The Public Art Committee shall recommend an artist to the Director of Parks and Recreation. All recommendations will remain confidential until the Park and Recreation Department announces the results. Relevant City staff and other experts may attend the adjudication session as applicable to the project and/or provide their input, but they will be non-voting advisors.

4.1 Acquisition

Criteria

Artist Evaluation

Criteria

The Park and Recreation Department, working collaboratively with The Public Art Committee will consider the following criteria when selecting an artist:

- The mandate, and objectives of the Public Art Program overall, and the specific aims in the project/program brief.
- Artistic excellence of previous work.
- Ability to achieve highest quality of contemporary artistic excellence and innovation.
- Professional qualifications and relevant working experience as related to public art, project management and working with a design team, project team and/or community group, as appropriate.
- Potential to comprehend, access and interpret relevant technical requirements.
- Interest in and understanding of the public art opportunity and the context.

4.6 Artwork Acquisition Criteria

When evaluating specific art proposals, the Director of Parks & Recreation, with input from the Public Art Committee and relevant City staff, will use the Artist Evaluation Criteria as well as the following criteria:

- Artistic value and creativity of approach.
- Compliance with the objectives and requirements.
- Appropriateness to the site and community context.
- Maintenance and conservation requirements.
- Budget, timeline and technical feasibility and probability of success.

4.6 Donations

The City of Carthage recognizes that individuals or organizations may wish to make donations of public art.

All donations are to be referred to the Director of Parks and Recreation for evaluation. Donations having a value of more than \$5000 or that are deemed to be politically sensitive must be assessed by the Public Service Committee. Proposals for donations of works in progress may be given conditional approval, for a period of no longer than two years, after which the proposed donation will be re-evaluated.

The following information must be provided by the potential donor when submitting a donation proposal:

- 1 Information about the artwork including photographs of the artwork (if existing) or illustrations (if proposed);
- 2 Maintenance and conservation plan, including the condition of the work and any repairs needed;

- 3 Site and installation requirements of the artwork;
- 4 Projected budget for installation and ongoing maintenance of the artwork; and
- 5 Legal proof of the donor's authority to donate the work.

Donation Criteria

The following criteria will be used by the Park and Recreation Department in collaboration with the Public Art Committee, as needed, to assess proposed donated artworks:

- 1 Artwork acquisition criteria.
- 2 Compatibility with the City's Civic Collection Policy, Public Art Collection, and the objectives of the Public Art Program.
- 3 Authenticity and provenance.
- 4 Absence of restrictive conditions imposed by the donor and any conflicts of interest.
- 5 The physical condition, durability, and maintenance requirements of the artwork.
- 6 Alignment with the City of Carthage Vision and Mission Statement.

Associated Donation Costs

Unless waived by the City, the donor is responsible for all costs including, but not limited to:

- 1 Appraisal or evaluation by a certified specialist.
- 2 Photographs for inventory and insurance purposes.
- 3 Transporting the donation.
- 4 10% of the value of the donation to cover future maintenance and conservation (more for artwork deemed to be subject to a high maintenance cost)
- 5 Any costs associated with the engineering, site planning and preparation and installation of the artwork.

Section 6-556: Collection Management, Maintenance and De- accessioning

5.1 Collection Management

Identification

After final acceptance of the public art by the City of Carthage, the City shall, at its expense, prepare and install at the public art site, or in the surrounding area, a plaque or other signage that identifies the artist, the title of the artwork and the year of completion. The City shall reasonably maintain such notice in good repair against the effects of time and the elements.

5.2 Alteration or Relocation

Due to the changing nature of urban and built environments, the location of an artwork may, in time, no longer be appropriate to the context, and the City may

determine that the artwork shall be relocated. Where this is the case, the City of Carthage will notify the artist of any proposed significant alteration to the public art site or any relocation of the artwork that would affect the intended character and appearance of the art. The City will endeavor to contact the artist to consult with them prior to any such alteration but will not be bound by the artist's advice. Where the artist does not agree to the change, the artist has the right to renounce authorship of the artwork.

5.3 De-accession Process

1. **Evaluation:** The Public Art Committee will evaluate the work of art based on the Removal/De-Accessing criteria.
2. **Public Notice:** Public notice will be made, and the public will have an opportunity to provide comment.
3. **Approval:** The Public Service Committee will vote to de-access a piece of public art and forward to the City Council.
4. **City Council Review:** The City Council will review the decision of the Public Service Committee and confirm by resolution.
5. **Removal/De-accession.**

5.4 Monitoring of the Public Art Policy and Program

Carthage Parks & Recreation, in consultation with the Public Art Committee will monitor the Public Art Policy and Program implementation to determine if:

- The assumptions underpinning the policy continue to be valid.
- Policy priorities remain constant.
- The policy is being carried out as intended.
- The policy is having the desired outcome.

SECTION II: This Ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED THIS ____ DAY OF _____, 2022.

Dan Rife, MAYOR

ATTEST:

Miranda Deal, CITY CLERK

Sponsored by: Public Services

COUNCIL BILL NO. 22-44

ORDINANCE NO. _____

An Ordinance authorizing the Mayor to execute a Real Estate Contract for the sale of land in the Myers Park Subdivision between the City of Carthage, Missouri and Faik Bilalli and Lumniye Bilalli in Carthage, Missouri 64836.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARTHAGE, JASPER COUNTY, MISSOURI, THE MAYOR CONCURRING HEREIN, AS FOLLOWS:

SECTION I: The Mayor of the City of Carthage is hereby authorized to execute on behalf of the City of Carthage, a Real Estate Agreement for the sale of land, including all associated documents and closing documents, in the Myers Park Subdivision between the City of Carthage, Missouri and Faik Bilalli and Lumniye Bilalli, a copy of which Real Estate Agreement is attached hereto and incorporated herein as if set out in full.

SECTION II: This ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2022.

Dan Rife, Mayor

ATTEST:

Miranda Deal, City Clerk

CONTRACT FOR SALE OF REAL ESTATE

The parties to this Contract are the CITY OF CARTHAGE, MISSOURI, a Municipal Corporation, hereinafter referred to as "Seller", and Faik Bilalli and Lumnije Bilalli, Husband and Wife of the City of _____, Missouri. ("Buyer ").

1. Sale. Buyer desires to purchase certain property located in the City of Carthage, Jasper County, Missouri comprising approximately 8.69 Acres generally described as Myers Park Subdivision Plat 4 Lot 2 Block 3 specifically described in Exhibit A, attached hereto and made a part hereof (the "Property").

The parties will rely on a survey as the true and accurate legal description and total acreage for the sale. The acreage may differ based on easements, road right of ways and general errors with the Beacon acre calculations.

2. Purchase Price. The purchase price of the property shall be THREE HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 (\$350,000.00), which Buyer shall pay in cash or by certified funds as follows:

3. Title and Deed.

- A. At closing, Seller shall deliver a Corporation Warranty Deed to Buyer, conveying marketable fee simple title free and clear of all liens and encumbrances, except for easements of record and any other easements, public or private, which are clearly apparent to the ordinary person on ordinary inspection of the premises, and which Deed shall provide that the conveyance is expressly subject to the Myers Park Regulations and Development Standards set forth in the Code of the City of Carthage.
- B. Seller shall provide to Buyer within twenty (20) days after the signing of

this contract by both parties, a title search and commitment to issue an owner's policy of title insurance in the amount of the purchase price, naming Buyer as the insured, written by a title insurance company licensed to insure titles in Missouri, which policy shall insure Buyer's title to be marketable in fact and free and clear of all liens and encumbrances except for easements of record and any other easements, public or private, which are clearly apparent to the ordinary person on ordinary inspection of the premises, subject to the Myers Park Regulations and Development Standards set forth in the Code of the City of Carthage, and policy shall be issued after the Seller's Corporation Warranty Deed shall be placed of record.

- C. After delivery of the title insurance commitment, Buyer shall have twenty (20) days in which to examine the said commitment and notify Seller in writing of any objection. If there are any objections to Seller's title to the property as disclosed by the commitment, Seller shall furnish to Buyer, within a reasonable time, a new or amended title insurance commitment satisfying any such objections, but if such commitment satisfying any such objections shall not be furnished within thirty (30) days after said notice, Buyer shall have the option of terminating this Contract.
- D. Seller warrants and represents, as of the time of closing, that:
 - (1). Seller shall have good and merchantable title to the Property;
 - (2). That Seller shall have paid all taxes on the property (except those not due or delinquent); and that

(3). To the best of Seller's knowledge the Property is not contaminated with, nor threatened with contamination from outside sources by any chemical, material or substance to which exposure is prohibited, limited or regulated by any federal, state, county, local or regional authority or which is known to pose a hazard to health and safety and that the property has never been used for a landfill, dump site, or storage of hazardous substances.

4. Closing. The closing for the sale of the said property shall be held on _____ or at such earlier date as the parties shall agree. The closing shall be held at such place and time as the parties shall agree.

5. Access to Real Property:

Buyer shall have the right to conduct, at its sole expense, inspections, tests, surveys and other studies including, but not limited to, a Phase I environmental audit, for the purpose of identifying the existence in, on or about the Property, of asbestos, PCB transformers, other toxic, hazardous or contaminated substances, or underground tanks, and Seller hereby grants Buyer and Buyer's agents the right to enter upon the Property at all reasonable and mutually agreed times for the purpose of conducting such inspections, tests, surveys and studies.

6. Closing; Expenses and Adjustments. At the closing hereof, Buyer shall pay to Seller the balance of the purchase price in cash or certified funds. Real estate taxes for the current year, if any, shall be pro-rated as of the date of closing based upon taxes for the prior year. Seller agrees to pay the fee for the preparation of this Contract, for the title search or commitment and the closing fee. Buyer shall

pay for the owner's policy of title insurance and all recording fees.

7. Refund or Forfeiture of Earnest Money Deposit.

If Buyer terminates this Agreement because obligations of Seller are not fulfilled or representations or warranties of Seller prove to be incorrect, then the earnest money deposit shall be returned to Buyer and neither party shall have any further liability under this Contract.

8. Cooperation. The parties agree to cooperate with the other parties and to execute and deliver such instruments and to do all such other acts as the other parties may be reasonably requested to do from time to time by the other parties in order to consummate this Contract.

9. Possession of the Property. Possession of the property shall be delivered to Buyer on the date of closing.

10. Infrastructure Improvements. The parties agree that Seller shall not be required to pay or to contribute to the cost of road or other infrastructure.

11. Option To Buy Back. Seller shall have the option to buy back the property for the price paid by Purchaser under the following conditions:

- A. Purchaser has not "Commenced Construction" as defined in the site plan provided to public works. Purchaser shall be deemed to have Commenced Construction on the property only if the foundation and slab for the building has been completed within twenty-four (24) months from the effective date of this agreement;
- B. Seller has given Purchaser written notice of Seller's intent to exercise Seller's option to buy back; and

- C. Purchaser has not Commenced Construction within 90 days of the notice from Seller under the immediately preceding paragraph hereof and completed construction of the building within twelve (12) months after Commencement of Construction, with receipt of Certificate of Occupancy.
 - D. The purchase price will be the entirety that Seller will have to pay for the Buy Back and Buyer will not be entitled to any recoupment of any money paid by them above the selling price.
12. Assignment. Buyer's rights and obligations under this Contract may not be assigned without the prior written consent of Seller.
13. Miscellaneous. Notices, consents and approvals required by this agreement shall be either personally delivered or placed in the United States Mail, properly addressed and with certified or registered postage prepaid, to Seller at 326 Grant Street, Carthage, Missouri 64836, to the attention of Nathaniel Dally, City Attorney, and to Buyer at _____, _____, Missouri _____.

IN WITNESS WHEREOF, the parties have executed this Contract in one or more

duplicate originals on the dates set forth adjacent to their respective signatures.

SELLER:

CITY OF CARTHAGE, MISSOURI

Date

By:

Dan Rife, Mayor

(Seal)

ATTEST:

Miranda Deal, City Clerk

BUYER:

Date

Faik Bilalli

Lumnije Bilalli

COUNCIL BILL NO. 22-45

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY OF CARTHAGE, MISSOURI, PURCHASING MANUAL THAT GENERALLY INCREASES THE LIMITS OF THE POLICY AND CORRECTS OTHER MINOR ERRORS WITHIN THE POLICY. SUCH AMENDMENT OF THE PURCHASING MANUAL IS AS RECOMMENDED BY THE INSURANCE AUDIT AND CLAIMS COMMITTEE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARTHAGE, JASPER COUNTY, MISSOURI as follows:

SECTION I: The City of Carthage, Missouri Purchasing Manual is hereby amended as stated, a copy of which policy is attached hereto and incorporated herein as if set out in full.

SECTION II: This ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2022.

Dan Rife, Mayor

ATTEST:

Miranda Deal, City Clerk

Sponsored by: Committee on insurance audit and claims

An Ordinance to amend Section 600 – City Rules & Regulations of the Personnel Policy Manual of the City of Carthage by amending subsection 605 – Dress Code.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARTHAGE, JASPER COUNTY, MISSOURI as follows:

SECTION I: Section 600 – City Rules & Regulations of the Personnel Policy Manual is hereby amended by amending subsection **605 – Dress Code**.

605. Dress Code Policy:

Section 1. Overview

Since appearance standards can change over time, this policy is intended to provide individuals in all departments with a baseline of guidelines on how to present themselves in an acceptable, professional manner as employees and representatives of the City of Carthage. The City of Carthage adheres to an appearance standard that can be found in most any local professional business environment. Therefore, the following standards are established for projecting a professional image that is safe and appropriate for the various environments under which City employees work.

Section 2. General Guidelines for Dress

A. Standard Office Attire

Employees working in a standard office environment are generally expected to be neat, clean and professional in their appearances, to include attire, hygiene, hair and overall deportment. Standards of normal attire include business formal or business casual/business “smart.” The most common exception to this is that employees may wear jeans, sweatshirts or athletic shoes on “Casual” Fridays or during times of inclement weather that includes snow or ice conditions.

Appropriate “business casual” dress means:

- Clothing that projects a professional image. All clothing shall be clean and without tears, patches, rips or holes;
- Slacks, dress pants, or pants similar in style to Dockers or other makers of cotton, synthetic, wool or flannel pants;
- Casual collared shirts, dress shirts, vests, golf-type shirts, and turtlenecks; or
- Walking shoes, loafers, clogs, boots, flats and dress heels. Open toe shoes (including sandals) will be acceptable in office settings only.

Apparel worn for Casual Friday will also be allowed on any Thursday where the next day is a

City holiday, the entirety of the Thanksgiving holiday week, and from December 24 to January 2 of each year. Casual Friday attire will also be permissible for special fund raising events sponsored by the City; for special days determined by the Department Head as a reward for staff; or in the event of an HVAC system failure at work where the employee works.

B. Uniformed Department Standards

Employees who work in departments with City-assigned or prescribed uniforms are expected to adhere to their respective departmental uniform policies. Primarily this applies to the Police and Fire Departments. Such standards shall be applied consistently to all employees in a particular class of work. Others in such departments who are not subject to the uniform policy, and whose work is primarily office work, are expected to follow the standard office attire guidelines as detailed above. Any departmental uniform policy, or any part thereof, that differs from this rule must be approved by the City Administrator prior to implementation or enforcement.

A copy of any such departmental uniformed policy shall be kept by the department in an easily accessible location to its employees. Official copies of any departmental uniformed policy, must be regularly maintained in the City Clerk's Office and in Human Resources.

C. Non-office Attire

That which is appropriate in one location may not be appropriate in another. As such, each department, with approval of the City Administrator, may establish its own professional standard that may or may not include a uniform or City of Carthage logo'ed attire. Generally speaking, these standards will be for work conditions that involve mostly outside and non-office work.

A copy of any such non-office attire policy shall be kept by the department in an easily accessible location to its employees. Official copies of any departmental non-office attire policy, must be regularly maintained in the City Clerk's Office and in Human Resources.

D. City of Carthage Uniform or Logo Attire

It is important to understand the impact of wearing a City of Carthage uniform ("City of Carthage uniform" means wearing City issued clothing, or any clothing, hat, pin, logo, label, insignia, or other item that identifies the person as a City employee). By wearing a City uniform, an employee is clearly acting as a representative of the City. This applies to both on-duty and off-duty hours. In order to project an image in-line with Carthage Values, an employee should be cognizant of where they wear their City apparel and not wear it in any location that could cast the City in a bad or negative light. Additionally, an employee should not wear a City of Carthage uniform in public that is in disrepair or is otherwise not appropriate for the work setting. There is also a specific prohibition for wearing a City uniform while participating in a political campaign.

E. Hats or Head Gear

Employees who spend a majority of their work hours outside are encouraged to wear hats or other headgear while at work, whether inside or outside, in accordance with City and their

respective departmental standards. They may also wear them either outdoors or indoors, for meetings, gatherings, etc., as long as they are professional and clean in their appearance.

F. Safety Gear

Safety gear may be required for various jobs within the City of Carthage. These requirements will be under the purview of the Department Head. Additionally, employees are expected to wear apparel that protects them when they work and not have any part of their apparel (to include hair, jewelry, footwear, etc.) pose a safety hazard for either themselves or coworkers.

As slips, trips and falls are a major safety concern, it is important that City of Carthage employees make sure they wear proper footwear for the work environment. Steel-toed footwear may be subsidized by the City for those employees who lift/move heavy objects and need foot protection at work.

Employees observed not wearing protective gear as required by safety standards for their working environment might be subject to progressive discipline, up to and including termination of employment.

Section 3: Hygiene

Employees who work in a standard office environment are expected to be neat and clean and with no discernable offensive body odor nor excessive use of perfume or cologne.

Employees who do not work in a standard office environment are expected to report for work each day neat and clean with no discernable offensive body odor.

Section 4: Piercings

As described in Section 4, employees are expected to present a professional, clean, non-offensive, and non-disruptive appearance while at work. The Department Head reserves the right to request that an employee remove jewelry or objects used for piercings that are deemed unprofessional, offensive or disruptive. Should the piercing be deemed unprofessional, offensive or disruptive, the jewelry must be removed at all times while on duty.

Section 5: General Appearance Enforcement

A. Violations of Appearance Standards

In the event the employee's appearance poses a safety hazard (e.g., for wearing jewelry, loose clothing, long hair, inappropriate footwear, etc.) in the work environment, the supervisor and/or Department Head is empowered to direct the employee to immediately, if possible, address the issue.

Employees who project a less than professional image as delineated in this rule while at work, may also be directed by their supervisor and/or Department Head for determination on whether their appearance is appropriate for the workplace. Those employees whose appearance is determined by the Department Head to be inappropriate may be required to change or cover the appearance issue, or may be sent home to change or to correct the appearance issue. If the employee has to go home to correct the appearance issue, such time away from work will be counted as vacation time, or compensatory time, and if no such accrued time is available, the time off will be unpaid.

Inappropriate attire includes, but is not limited to, the following:

- Clothing that contains offensive words, cartoons or images;
- Graphic tee shirts;
- Clothing that contains political statements, slogans or campaign-related information;
- Blue denim jeans (with the exception of Casual Fridays), bib overalls, sweatpants, exercise/pants, warm-up suits, leggings/stretch pants (except when worn under a dress), and any spandex-like material pants, shorts, or undergarments;
- Shorts/culottes/skorts, tight skirts, mini-skirts, strapless dresses, and spaghetti strap shirts/dresses, midriff tops, halter tops and tube tops; or
- Shower footwear, beach flip-flops, or slippers;

B. Exceptions to Appearance Standards

Exceptions to these appearance standards while at work may be allowed by the Department Head or City Administrator for any of the following reasons:

- 1) Safety or security of the employee whereby a more restrictive policy may be enforced regularly or temporarily to help ensure a working environment free from harm based on specific conditions;
- 2) Departmental standards may be more stringent or more relaxed, as approved in advance of implementation by the City Administrator. This includes a uniformed appearance policy for departments for their respective lines of work. All elements of any departmental standard shall be consistently applied to all members of a class of employees (i.e., one standard for one employee and a different standard for another employee is prohibited) within said department; with the approval of this rule, any departmental uniform policy, or any part thereof, that differs from this rule must be approved by the City Administrator prior to implementation or enforcement;
- 3) Individual standards that may be relaxed on a person-by-person basis in light of medical issues or a physical limitations of the employee; or
- 4) Protections provided to employees under the guidelines established by Section 12 of the Equal Employment Opportunity Commission (EEOC).

SECTION II: This Ordinance shall take effect and be in force effective from and after its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2021.

Dan Rife, Mayor

ATTEST:

Miranda Deal, City Clerk

CB 22-46-Sponsored by: Insurance, Audit and Claims

Mayor's Appointments

November 2022

Planning, Zoning, and Historic Preservation Commission

4 Year Term – 7 Members – Meets 1st Monday – Council Chambers

NAME	PHONE	ADDRESS	APPOINTED	EXPIRES
Alan Bull	388-2309	614 E Centennial	5/10/2022	Nov-26

Police and Fire Pension Plan Committee

2 Year Term – 6 Members – Meets on Call- Council Chambers

NAME	PHONE	ADDRESS	APPOINTED	EXPIRES
Jason Martin	358-1633	401 W Chestnut	11/25/2014	Nov-24
Jeff Pinnell	237-7200	310 W Fourth Street	11/24/2020	Nov-24
Tymon Bay	380-4757	2013 Beau Drive	04/27/2021	Nov-24

RESOLUTION NO. 1987

A RESOLUTION ADOPTING A REVISED POLICE AND FIRE PENSION PLAN INVESTMENT POLICY, AS RECOMMENDED BY THE POLICE AND FIRE PENSION PLAN COMMITTEE

WHEREAS, the City Council of the City of Carthage has adopted a formal written Investment Policy for the Police and Fire Pension Plan; and

WHEREAS, the City Council of the City of Carthage in 2022, revised the Pension plan to be gender neutral and to rename the plan. The investment policy is part of the Police and Fire Pension Plan and should match the changes to the plan.

WHEREAS, the City Council of the City of Carthage in 2021, adopted a revised police and fire pension plan investment policy,

WHEREAS, the Police and Fire Pension Plan Committee has recommended the City Council of the City of Carthage to replace the Bloomberg Barclays U.S. Government Credit 1-5 year Bond Index with the Bloomberg Barclays U.S. Intermediate U.S. Government/Credit Index.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CARTHAGE, JASPER COUNTY, MISSOURI, THE MAYOR CONCURRING HEREIN, AS FOLLOWS:

The City of Carthage hereby adopts and approves a revised Police and Fire Pension Plan Investment Policy Statement, a true copy of which is attached hereto and incorporated herein as if set out in full.

PASSED AND APPROVED THIS _____ DAY OF _____, 2022.

Dan Rife, Mayor

ATTEST:

Miranda Deal, City Clerk

CITY OF CARTHAGE, MISSOURI

POLICE AND FIRE PENSION PLAN

INVESTMENT POLICY STATEMENT

November 8, 2022 (amended)

Purpose

The purpose of this investment policy is to provide a clear understanding of the investment policies, guidelines and objectives for the City of Carthage's Police and Fire Pension Plan (Pension Plan), for the Carthage City Council, the Police and Fire Pension Plan Committee (Pension Plan Committee), investment managers, investment advisors and others.

This document provides a governing basis for the management and disposition of all assets (including cash and non-cash items) held as investments by the Pension Plan.

The following guidelines have been set forth to give the investment managers/advisors/consultants an overview of the general investment philosophy and orientation of the Trustee's responsible for the fund. The intent is to give broad direction allowing for the flexibility necessary for the managers/advisors/consultants to successfully implement the investment strategy.

Organization

This plan is a defined benefit Pension Plan for the Police and Firefighters of the City of Carthage. The Pension Plan is a qualified pension plan and trust as defined in the Internal Revenue Code. Therefore, this Plan is exempt from Federal and State income taxes. The purpose of the fund is to provide retirement benefits to participants of the Plan.

The primary function of the Pension Plan Committee is to administer the Plan for the exclusive benefit of the participants and their beneficiaries, subject to the specific terms of the Plan.

The City Council has allocated to the Pension Plan Committee the responsibility for implementing these guidelines. The Pension Plan Committee may employ at its discretion an investment manager to manage all or a designated portion of the assets of the Pension Plan to accomplish the Pension Plan's objectives.

The City Council and Pension Plan Committee members acting in accordance with this Investment Policy Statement (and/or procedures established or to be established) and exercising due diligence shall be relieved of personal liability for an individual securities credit risk or market change.

Investment Objectives

The principal objectives of the Pension Plan's investment program shall be:

- **Safety of Capital** - Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required so potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.
- **Prudence** - The standard of prudence to be used by investment officials shall be the "prudent

person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this policy.

The "prudent person" standard states that, "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

- **Liquidity** - The investment portfolio shall remain sufficiently liquid to enable the Fund to meet all operating requirements which may be reasonably anticipated.
- **Return on Investments** - The primary goal of the Fund will be to earn a return (along with contributions) that will adequately fund current and future obligations of the Plan. The investment portfolio shall be designed to attain as a minimum, a market average rate of return taking into account the cash flow needs of the fund and the investment restrictions placed on the account.
- **Preservation of Purchasing Power After Spending** - The goal is to achieve returns in excess of the rate of inflation plus spending over the investment horizon in order to preserve purchasing power of fund assets.

Achieving these objectives will require assuming a moderate level of risk, a long-term investment horizon and diversification among assets. Although the investment objectives are long-term, each quarter there will be a review the performance and activities in the meeting the investment objectives stated in this plan.

Funding Of Withdrawals/Distributions

The fund has requirements and expectations for periodic withdrawals for benefits and expenses. The investment managers will be made aware of these requirements and will be responsible for employing a strategy to meet these needs. The Fund would anticipate that the funds needed could most often be provided from cash and cash equivalents, fund contributions and investment income earnings.

Approved Investments

The Fund may hold the following types of securities:

- **Cash and Equivalents**

Short-term investments (maturities less than one year) shall consist of obligations of the U.S. Government, U.S. Agencies of one-year maturity or less. Additionally, a money market fund or comparable investment vehicle with like investments may be used.

- **Fixed Income**

The quality of the fixed income securities shall be in accordance with Missouri statute and restricted to U.S. Government bonds and U.S. Agencies. Any exception will be those specifically identified in the statute.

- **Equities**

The portfolio may hold common stocks, variable annuities or mutual funds that invest in common stocks of publicly traded companies on U.S. Exchanges, Foreign Exchanges represented in the EAFE index, NASDAQ listed stocks and securities convertible into such stocks. Equity investments in any major sector classification shall not exceed 20% of the market value of the total equity portfolio. Equity investments in any single issue shall not exceed 7% of the equity portfolio at market value.

Investment Advisor/Consultant

The Pension Plan Committee is ultimately responsible for complying with all applicable laws, rules and regulations set by the Missouri Department of Insurance. The Pension Plan Committee may utilize the services of an Investment Advisor/Consultant to be responsible for investment manager or mutual fund selection and oversee fixed income recommendations and purchases. The Investment Manager, Advisor and/or Consultant shall act as a fiduciary to the equity and fixed income segments of the Fund. The Investment Advisor/Consultant shall have discretion relative to the equity segment of the Fund, but not the fixed income segment. The Pension Plan Committee should also periodically utilize the services of an independent Investment Consultant to provide performance evaluation and analysis.

Any investment manager, advisors or consultants are responsible for making the Pension Plan Committee aware of all investment decisions regarding the assets of the fund. This includes promptly notifying the Pension Plan Committee of any change in portfolio management, management style, analytical or management personnel.

The Investment Manager, Advisor and/or Consultants will, therefore, be accountable for actions to comply with the objectives and guidelines outlined herein. The investments should be adequately diversified to reduce risk, but the interpretation of Adequate® is up to the Pension Plan Committee or City Council.

It is expected the Investment Manager, Advisor and/or Consultants will provide personal consultation with the Pension Plan Committee on a quarterly basis in addition to printed reports and financial statements.

Prohibited Transactions

Investment activities in the following are prohibited:

- Margin purchases
- Private placements or other restricted securities
- Commodities
- Foreign issues, unless traded on U.S. exchanges or markets
- Futures transactions
- Options transactions
- Derivative transactions

Asset Allocation

The following targets and ranges shall apply to each of the asset classes:

	Min.	Target	Max.
Equities	45%	58%	70%
Large Cap*	25%	75%	100%
Mid Cap*	0%	5%	30%
Small Cap*	0%	5%	30%
International*	0%	15%	40%
*percent of total equity			
Fixed	35%	37%	55%
Cash	0%	5%	15%
Other	0%		15%

Re-Balancing

In the event the above asset allocation guidelines are broken, for reasons including but not limited to market price fluctuations, the Committee will instruct the Investment Manager to bring the portfolio into compliance with these guidelines as promptly and prudently as possible if market conditions are favorable.

Evaluation and Performance Criteria

Investment Manager's and fund portfolios can expect to be evaluated using both absolute and relative criteria. Performance of the Manager or fund shall be measured on a quarterly basis versus an appropriate benchmark that fairly reflects their investment style. Each manager is expected to outperform their benchmark over a 3-5 year time period on a net basis.

The Total Fund performance shall be measured versus the Policy Index. The Policy Index is composed of 40% Russell 3000, 8% MSCI AWI ex US, **50% Bloomberg Barclays U.S. Intermediate U.S. Government/Credit Index** and 2% T-bills.

The Total Fund shall exceed a target return of 7.5% on an annual basis.

Communication and Review

- **Quarterly:** Investment Manager, Advisor and/or Consultants should expect to provide quarterly portfolio presentations to the Pension Plan Committee which will include reports of portfolio status, time-weighted returns in accordance with Association for Investment Management and Research performance measurement standards, performance comparisons to appropriate benchmarks, economic outlook, investment strategy and other related matters which would be of interest to the Pension Plan Committee. The Consultant shall report on a quarterly basis the fixed income brokerage costs as well as PFA mutual fund fees.
- **Annual:** The Investment Manager, Advisor and/or Consultants shall report to the Pension Plan Committee all fees and commissions that are charges to the Fund.
- **Ongoing:** Ongoing communication by phone, letter or personal consultation will be required as deemed necessary by the Investment Advisor and/or the Investment Committee.

The City Council and the Pension Plan Committee places great trust in an emphasis on the investment strategy employed by the plan's managers, advisor and consultants. Any material changes to or deviations from a previously outlined approach, changes in management or investment personnel must immediately be communicated and justified to the Pension Plan Committee and the City Council.

Plan Review

The managers, advisors and or consultants shall be responsible for reviewing these guidelines with the Pension Plan Committee at least annually to assure that they remain valid and relevant. Any recommendations as to changes should be submitted to the Pension Plan Committee in writing.

The statement set forth herein shall be effective as of November 8, 2022, until otherwise amended in writing by the City Council of the City of Carthage.

The Pension Plan Committee requires the Chairman, Secretary and Treasurer to approve the above Investment Policy Statement by signing as indicated below. The Pension Plan Committee further requires the remaining trustees acknowledge that they have read and understand the provisions of this document by signing as indicated below.

Approved by:

Police and Fire Pension Plan

City of Carthage

Chairperson

Mayor Dan Rife

Secretary

Trustee

Trustee

Trustee

Trustee

RESOLUTION NO. 1988

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARTHAGE
AMENDING AN ADMINISTRATIVE LOT SPLIT FOR PROPERTY LOCATED AT 318
ORNER STREET AND 519 OAK STREET, IN THE CITY OF CARTHAGE MISSOURI.**

WHEREAS, Article II Section 22 of the Code of Carthage provides for the approval of plats for subdivisions in the City of Carthage; and

WHEREAS, Section 22-21 provides for exemptions from the full provisions of the article with approval by the Mayor and City Council; and

WHEREAS, city staff reviewed the application and the proposed land split map for completeness and accuracy; and

WHEREAS, staff presented its recommendation to the Public Works Committee at its regularly scheduled meeting of November 1, 2022 for action and recommendation to the City Council; and

WHEREAS, on November 1, 2022 the Public Works Committee considered and discussed the staff recommendation and voted unanimously in favor of recommending said administrative lot split to the City Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
CARTHAGE, JASPER COUNTY, MISSOURI, THE MAYOR CONCURRING HEREIN,
AS FOLLOWS:**

That pursuant to Section 22-21 (d) of the Code of Carthage, the administrative lot split of Lot 106, Lot 107, and Lot 108 in the North Carthage Addition, Carthage, Missouri (the “Property”) as recommended by the City's Public Works Committee is hereby approved as submitted (attached).

PASSED AND APPROVED THIS ____ DAY OF _____, 2022.

Dan Rife, Mayor

ATTEST:

Miranda Deal, City Clerk

